

British Columbia Judicial Law Clerk Program

2009 - 2010

Among the many experiences open to students graduating from law school, the Judicial Law Clerk Program is unique. Established in 1973, one of the original aims of the program was to improve the quality of advocacy in the province. Since that time it has fulfilled its original mandate and has continued to expand its objectives.

The Law Clerk Experience

Generally, law clerks at the Court of Appeal and Supreme Court assist judges with legal research in relation to cases coming before the court for hearing, or which have been heard.

The legal research work of a law clerk at the courts involves exposure to a wide variety of legal issues, and the preparation of written memoranda on a number of different subjects. At both levels of court, a law clerk's research may require an understanding of the facts of a case and the progress of the case through the courts. In addition to legal research, the Court of Appeal law clerks prepare preliminary memoranda - brief summaries of the cases coming before the court based on written material filed by the parties. Law clerks are encouraged to attend both courts and to observe as many different sorts of trials, appeals and chambers hearings as time and workloads will permit.

Each law clerk's experience differs according to the judges to whom the clerk is assigned, the cases before the courts, and the law clerk's own level of curiosity and initiative. A clerking year affords a unique opportunity to learn about the judicial process. Law clerks develop an appreciation of the range of questions that concern judges in dealing with legal issues. Law clerks can augment their recent legal training with the experience of those who have earned the respect of the legal profession, both as senior members of the bar and as sitting judges. Law clerks also learn valuable lessons in the art of advocacy by watching counsel in court.

Law Clerk Requirements

For the 2009-2010 term, 29 full-time law clerks will be required for the two federally appointed courts. The Court of Appeal will employ 11 law clerks in Vancouver. The Supreme Court will employ the remaining 18 law clerks in Victoria, New Westminster and Vancouver.

..... **British Columbia Judicial Law Clerk Program**

Qualifications

Applicants must be of good character and repute and be fit to become members of the Law Society of British Columbia. Emphasis in hiring is placed on academic performance, as well as on research skills, general motivation and work experience. The ability to produce high quality work under strict deadlines is required. The program does not accept applications from candidates who are called lawyers.

Term

All of the clerkships commence in September of the clerking year – there are no staggered start dates. Half of the Court of Appeal clerkships are for 10 months (September through June) and the other half are for 11 months (September through July) or 12 months (September through August). The Supreme Court clerkships are all for 12 months (September through August).

Articling

The time spent as a law clerk is in partial fulfillment of the articling requirements for call and admission to the bar of B.C. The Law Society of British Columbia has approved separate schemes for completing the articling requirement and the 10 week Professional Legal Training Course (“PLTC”). Call to the bar for law clerks after their law school graduation varies between 18 and 22 ½ months. The majority of law clerks complete their articles with one of the larger downtown law firms. The firms encourage participation in the Judicial Law Clerk Program.

Salary

The provincial Ministry of the Attorney General employs judicial law clerks with the British Columbia courts as auxiliary employees. The salary for the law clerk position includes a payment in lieu of benefits.

Special Programs

The Law Clerks Committees have developed a series of programs to assist law clerks. Throughout the year judges conduct informal seminars on topics of interest to law clerks. There is a chambers program in which law clerks may attend Supreme Court Masters’ and Judges’ chambers. The law clerks are given instruction in Supreme Court and Court of Appeal Registry procedures and visits to the Provincial Court are arranged for those interested.

..... **British Columbia Judicial Law Clerk Program**

Résumés and Applications

*Please note that the positions for 2008-2009 have been filled.

Applications for 2009-2010 clerkship positions must be submitted by **January 18, 2008**. After an initial screening of applicants, **first interviews will be held during February 2008**. The Law Clerks Committees, made up of members of the judiciary, conduct a second interview and choose the law clerks. **Second interviews with the Supreme Court Law Clerks Committee or the Court of Appeal Law Clerks Committee will be held in March 2008**. Early interviews will only be granted in extenuating circumstances; late interviews are not available as the positions are offered at the conclusion of the interview weeks.

Applicants must enclose a transcript (or a copy) of both law school and undergraduate marks with their résumés. Please provide confidential letters of reference from two law school professors; the referees should send the confidential reference letters directly to the Judicial Law Clerk Program. Applicants are also required to supply a recent, passport-sized, black and white photograph at the time of the first interview.

Although not required to do so, an applicant may indicate a preference for a clerkship with one of the courts.

Those who accept a second interview for the program should be prepared to accept a position if it is offered.

Please address applications to:

Judicial Law Clerk Program
The Law Courts
800 Smithe Street
Vancouver, British Columbia
V6Z 2E1

ATTENTION: Krystal Mason

For telephone enquiries: (604) 660-3022

Frequently Asked Questions:

Are there any summer clerkship positions available with the courts?

No, the courts do not offer summer clerkships positions.

I'm in my third year of law school and did not apply for a clerkship last year. Are there any positions available for 2008-2009?

The clerkship positions for 2008-2009 have been filled. Students in their third year of law school may apply for positions in 2009-2010 provided that they will not be called to the bar prior to commencing a clerkship.

I'm in my third year of law school and I was interviewed by the Law Clerks Committee last year, but was not hired. Can I re-apply?

Neither the Supreme Court Law Clerks Committee nor the Court of Appeal Law Clerks Committee will re-interview applicants that they have previously interviewed. If you have already been interviewed by a Law Clerks Committee and would like to re-apply, you may only do so in respect of the court for which you have not previously been interviewed.

I'm applying for a clerkship; do I need to have everything in my application package for the deadline of January 18, 2008?

Your cover letter, resume and copies of your official undergraduate and law school transcripts should be sent in one package. Letters of reference should be sent separately by the referees.

Should I include a writing sample in my application?

Because we do not ask for writing samples, we do not review any writing samples that are submitted.

Transcripts from my first term of second year law school may not be available by the deadline, what should I do?

As soon as your transcript is available, send it to the Judicial Law Clerk Program by fax or courier. We will accept an unofficial version of the transcript, but you must forward a copy of the official transcript as soon as it becomes available.

..... **British Columbia Judicial Law Clerk Program**

Do both of my reference letters need to be from law professors?

We recommend that at least one of your reference letters be from a law professor who can comment on your legal research, writing and analytical skills.

When and where do interviews take place?

The first interviews with the law officers take place in Vancouver and Victoria during the month of February 2008. Some first interviews with the law officers will take place by teleconference. Second interviews with the Supreme Court Law Clerks Committee or the Court of Appeal Law Clerks Committee will take place in person in Vancouver during the week of March 3-7, 2008.

Do you pay interview travel expenses?

No, the Court does not pay interview travel expenses.

Who conducts the interviews and how long are the interviews?

First interviews are conducted jointly by the law officers of the Supreme Court and Court of Appeal and last about half an hour. Following the first interviews, the law officers prepare a shortlist of candidates who will be offered a second interview. The second interviews are conducted by the Supreme Court Law Clerks Committee or the Court of Appeal Law Clerks Committee. Both Law Clerks Committees are comprised of 4 judges. The interviews typically last about 20 minutes.

What types of questions are asked at the interviews?

The first interview with the law officers is fairly structured and you can expect to be asked questions about your approach to research problems. Generally speaking, applicants are not asked specific substantive legal questions, although you may be asked about courses you have taken or extra-curricular activities in which you have participated.

If I am not selected for one court, will I be considered by the other court?

Although it is not required, an applicant may state whether he or she prefers to clerk for the Court of Appeal or the Supreme Court. However, if short listed by the law officers for an interview with the Supreme Court Law Clerks Committee or the Court of Appeal Law Clerks Committee, an applicant is streamed to only one court. For example, a candidate who is selected for an interview with the Court of Appeal Law Clerks

..... **British Columbia Judicial Law Clerk Program**

Committee will compete for a clerkship with the Court of Appeal and will not be considered for a position with the Supreme Court. Likewise, a candidate who is selected for an interview with the Supreme Court Law Clerks Committee will compete for a clerkship with the Supreme Court and will not be considered for a position with the Court of Appeal.

How does clerking affect the timing of my articles?

You should contact the law society in the province where you intend to article to determine the requirements for articling, how a clerkship may affect the timing of your articles and the dates when bar admission courses will be offered.

Are there specific law school courses I should take to prepare for a clerkship?

While there are no “required” courses for law clerks, law clerks at both levels of court should have a good understanding of the laws of evidence and civil procedure. As well, courses in administrative law, trusts and equitable remedies, and family law are very helpful and strongly recommended.