
TIPS FOR PUBLIC INTEREST AND PUBLIC SECTOR LAW CLERKS

Pacific/McGeorge School of Law • Career Development Office

1. Leap at the Action.

Here's the scene: A supervising deputy district attorney walks into the pool of law clerks and says Ed Steels just called in sick. He's got a preliminary hearing on calender right now. Here's the file, who want's a hand-off? Don't just raise your hand, leap out of your chair and grab it! Of course you will be terrified and you would prefer that you had time to prepare the case, but this may be your only opportunity to land a preliminary hearing. Leap at the action: this goes for any opportunity to speak in court.

2. Don't Shoot from the Hip if You Don't Have to Do So.

Sometimes public interest/sector lawyers shoot from the hip because their case loads are so heavy. However, this is never the best way to try a case (and don't believe it if people try to tell you otherwise or make you feel silly for fully investigating, researching and preparing any case, no matter how small it may be). If you have the time (and by that we mean hours in the day, not hours for which you are scheduled to work), leave no stone un-turned. Don't rely on other people's briefs—use them as starting points for your own research. Don't rely on an investigator's description of the crime scene—drive out there and take a look for yourself. It doesn't matter if it's a minor in possession of alcohol or a preliminary hearing for a violent felony, the more you put into each project, the more you will get out of it.

3. Research and Write at Every Opportunity.

Some public interest/sector lawyers don't do much researching or writing, and this is almost always to their detriment. While some motions can be made and argued orally before the court, you will learn more about your issue if you research it and file a written motion with an accompanying memorandum of points and authorities. Again, don't rely on another attorney's work. Use it as a starting point, only. Thoroughly edit your work, and always cite check it.

4. Conduct Yourself Professionally.

Many trial lawyers behave unprofessionally in the office by cursing, yelling, playing practical jokes, telling inappropriate jokes, and talking incessantly instead of working. Be friendly toward the lawyers in your office, and take it gracefully if you

are the target of a practical joke, but don't mimic this behavior. There is plenty of time to soften your professional demeanor should you feel like you are coming across as too stiff, but it's almost impossible to win back a professional reputation once you've blown it. In addition, there are probably more senior people in the office who disapprove of such unprofessional behavior; they will be watching you and will be evaluating you by traditional standards of professionalism.

5. Abide by the Written and Unwritten Rules of the Court.

Follow all written rules of court. In addition, follow these guidelines:

- a. Always review the procedural history of your case and always bring your case file to court with you. Be organized and know exactly where to find everything in your case file.
- b. Be on time; preferably be early.
- c. Dress appropriately for court (see below for more details). Unfortunately, individualized personality statements can adversely affect your client.
- d. When your case is called, quickly walk up to counsel's table, greet the judge and introduce yourself, using your full name and clearly indicating for whom you work and who you represent.
- e. Always stand when addressing the court, and instruct your client to do the same (except when s/he is on the witness stand). This rule applies even if you are giving a one word answer, and even if opposing counsel does not follow it.
- g. Do not say "OK," "yeah," "yep," "mm, hmm" or use any other slang.
- h. Do not interrupt the judge, unless you are making a tactical decision that it is necessary to do so, and then do it politely.
- i. Use "Your Honor," or "The Court" to address or refer (respectively) to a judge; do not call a judge, "judge" or "you."
- j. Hand documents to the clerk after they have been admitted, not directly to the judge, unless of course the judge puts his/her hands out for them.
- k. Do not walk into the well of the courtroom without the judge's permission.
- l. When at counsel's table or the podium, do not chew gum, put your hands in your pockets, sway, tap your pen, or do anything to distract the judge from the power of your presence and what you are saying.
- m. Turn off pages and cell phones and instruct your clients to do the same.
- n. Instruct your client that hats are not allowed in the courtroom.
- o. Do not read newspapers, books or magazines in court, even if you must wait for hours for your case to be called.
- p. Be extremely respectful to courtroom personnel, and to courthouse clerks, even if they do not return the favor.

- q. When at counsel's table or the podium, do not address the opposing counsel or party directly (referred to as "talking across tables"); instead, direct all remarks to the judge.
- r. While waiting for your case to be called or otherwise observing court proceedings, do not speak, whisper, giggle, gasp, or otherwise express yourself. If you need to talk to someone, step outside to do so. If you must speak to someone while you are in the courtroom, speak as quietly as possible.

6. Dress for Success

When in court or going to a new job, always err on the side of conservatism in your dress. Remember that you want your clothes to compliment you, not compete with you. For both men and women, the optimal dress is a freshly pressed solid dark suit with a light shirt or blouse, respectively.

Women:

- Skirt suits are still considered slightly more conservative than pant suits, but pant suits are acceptable.
- Skirts should not be worn more than two inches above the knee.
- If you wear a skirt, nylons must be worn.
- A blouse, preferably long-sleeved, should always be worn under a suit jacket. (FYI, a lycra tank-top is not a blouse.)
- Blouses should always be tucked in, and blouse collars should lay on top of suit jacket collars.
- Cleavage should not be exposed.
- Jewelry should be subtle and conservative; earrings should not dangle.
- Make-up and nail polish should be subtle if worn.
- Nails should be neatly filed.
- Long hair should be worn back or up in a neat, unobtrusive style.
- Closed-toe shoes, with a back (not a mule-style), should be worn; a simple pump is best.
- Shoes should be polished.
- Do not wear perfume because co-workers may be allergic to it.
- Wear a good, strong deodorant/antiperspirant. If your hands tend to sweat a lot when you are nervous, experiment (ahead of time) with putting a dab of antiperspirant on your palms.

Men:

- A long-sleeve shirt should be worn under your suit jacket and should be tucked into your pants.

- Dark socks that blend in tone with your pants and shoes should be worn.
- A solid tie or one with a subtle pattern should be worn; in the alternative a diagonal wide-striped tie (often seen in a primary color and navy blue combination) is also conservative and acceptable.
- Nails should be trimmed as short as possible.
- Hair should be combed neatly; only small amounts of hair gel should be used.
- Do not wear cologne because your co-workers may be allergic to it.
- Wear a good, strong deodorant/antiperspirant. If your hands tend to sweat a lot when you are nervous, experiment (ahead of time) with putting a dab of antiperspirant on your palms.

A Word About Business-Casual Dress:

- If you land a job in an organization that has a business-casual dress policy, you should still dress very conservatively. Do not wear anything that you would not wear to a religious service or anything at which a grandmother might raise her eyebrows. That is: no open-toed shoes; no exposed midriffs; no exposed tattoos; no jeans, unless they are specifically addressed in the dress policy, and even then, be certain to wear new-looking jeans; no shorts, unless they are specifically addressed in the dress policy and even then, be sure to wear only long shorts, not short-shorts. Sleeveless blouses are usually not acceptable for business-casual attire, though you can take a “wait and see” approach on this one; if one of the more conservative women in the office wears sleeveless blouses, it is probably fine for you to do so as well.