After The Clerkship: Was It Worth It?

By J. Rich Leonard

Law clerks who leave North Carolina fare much better than those who choose to stay, according to a recent survey of all lawyers completing clerkships with state and federal judges during the past five years.

Of the former clerks who left North Carolina to enter private practice, 97 percent received additional compensation and time credited toward partnership based on their clerkships.

Of those remaining in North Carolina, 30 percent received no credit of any nature, entering the private job market on the same terms as law students just graduating.

While interviewing in North Carolina after my clerkship, I was told by several firms that I would not receive salary or progression credit for my clerkship time," said a former clerk to one of North Carolina's circuit judges.

"Interestingly, the major national firms with which I interviewed all gave full salary and progression credit.

Another former clerk said that the upshot of this is that the state loses much of its homegrown talent each year to Washington, Atlanta and New York.

"The bar and the law schools ought to be concerned," he said.

After sharing this information with the members of the Bench, Bar and Law School Liaison Committee, the deans of the law schools in particular were indeed disturbed by the results of the study.

The survey came at the request of the North Carolina State-Federal Judicial Council, a group of judges representing all of the North Carolina federal and state courts at each level.

A decade ago, law clerks were paid substantially more than beginning associates with private firms. This pattern has undergone a dramatic reversal, with judges only able to offer salaries that are $20,000-$30,000 less than the current starting salaries for new lawyers at major North Carolina firms.

Additionally, the increasing cost of a legal education and the declining availability of financial assistance means that many new lawyers begin their careers with educational debts of more than $40,000.

Added to these factors is the perception that North Carolina firms ignore clerkships in setting salary and partnership tracks, further diminishing the interest in clerkships.

As one former clerk said, "As I look at my present position, compared to that of some of my classmates, I often regret that I spent two years as a clerk when I could have spent that time at a firm learning about the business of practicing law and acquiring some financial security for my future."

Another interesting finding of the study is that federal law clerk fare better than former state law clerks. About 62 percent of the former federal law clerks who stayed in North Carolina received some credit for clerkships. Of the former state appellate clerks, that figure dropped to 33 percent.

Although its worth may not be reflected in monetary compensation, former clerks say the experience was valuable:

"It cannot be measured in dollars and cents," one former clerk said. "The experience and contacts far surpass those lawyers with twice my tenure as a practicing attorney."

(Neal's is the clerk of the Eastern District of North Carolina in Raleigh.)