

## JUDICIAL CLERKSHIP PROGRAMME

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### OFFERED

A judicial clerkship will be an integral part of the participant's 18 months of Articles and, if completed satisfactorily, will count towards the participant's legal training requirements. A successful applicant will have a 1-month placement as directed by the Judicial Education Committee ("JEC"). Applications are processed by a Caymanian Bar Association committee, which will submit eligible and suitable candidates for JEC consideration of acceptance. Prior to the commencement of a judicial clerkship all communications relating to it will be with the Caymanian Bar Association. Remuneration in accordance with the relevant Articles of Clerkship or related agreement will continue during the period of Judicial Clerkship with the training principal or relevant law firm remaining responsible for remuneration as if the articulated clerk was in the training principal's service.

As far as practicable, the JEC will arrange assignment to provide a broad based experience. Subject to its absolute discretion, availability and the need for flexibility, the JEC intends that a Judicial Clerk should be assigned for 1 week each to the Summary Court, the Financial Services Division, the Grand Court civil jurisdiction and 1 week to a specialist court or the Grand Court criminal jurisdiction.

The JEC or judicial supervisors will certify if the Judicial Clerkship training is completed satisfactorily.

The Judicial Clerkship Programme offers a great opportunity to work closely with lawyers, magistrates, judges, and court staff and to gain exceptional experience in many fields.

### OBJECTIVES

The goal of Judicial Clerkship is to enable the participants to receive in-depth exposure to the courts.

The program endeavours to give the participants the opportunity to:

- Apply and improve their skills, including legal analysis, research, writing, and oral communication;
- Observe and reflect upon the work of the courts and the role of lawyers and judges;

- Become familiar with the various internal offices that support the courts;
- Learn about the process of judicial decision – making;
- Consider lawyering skills and professional responsibility issues within court settings;
- Develop a productive working relationship with judges and court staff;
- Understand the mission of the court, the policies and procedures of the workplace, and the resources available through legal research;
- Understand the court’s conflict policy and rules from maintaining confidentiality of information, documents and files.

During the period of Judicial Clerkship, a participant may be required to perform any or all of the following duties:

- Conduct research for the writing of judgments or rulings as directed by the judge or magistrate;
- Participate in the administrative functions of the court, including by performing proof-reading, editing, head noting or similar functions, and attending meetings whenever necessary;
- Attend court hearings in all divisions of the Grand Court and the Summary Court;
- Analyse and discuss cases with judicial supervisor.

#### **CONFIDENTIALITY AND CONFLICTS OF INTEREST**

By its nature, Judicial Clerkship is likely to expose the participant to confidential or sensitive information and to details of matters to which he or she has been assigned. In the interest of the participant’s training, the JEC will liaise with the training principal or relevant law firm with which articles are held to avoid assignment to matters that the participant may be asked to work on during his or her Articles or later employment. The applicant must sign, agree and abide by a Protocol to avoid future conflicts of interests and to preserve confidentiality. The training principal and the relevant law firm must also sign the Protocol and commit by a letter to use their best endeavours to avoid conflicts of interest arising from the Judicial Clerkship and the disclosure of confidential or sensitive information obtained by the participant as a Judicial Clerk.

To facilitate enforcement and avoid conflict of interests, the participant, the training principal and/or the relevant law firm must keep a paper or electronic record of assignments for 5 years and undertake to disclose it to the JEC on request and to any other interested party in the event of a potential conflict of interest or inability to act by reason

of the Judicial Clerkship. Usually this record will consist of cause lists countersigned by the relevant judicial supervisor

## **REQUIREMENTS**

Although applications can be made prior to completing articles, candidates are required to have completed 3 months of articles before commencing the Judicial Clerkship Programme.

Applicant must provide the following:

- Proof of articles;
- Cover letter indicating the applicants reason for interest in the programme;
  - Please note that the applicant will not be excluded because their current preference is not Litigation
- Confirmatory Letter from principal and remunerating firm in the form set out on the Caymanian Bar Association website; and
- A signed Judicial Clerk Protocol form.

## **SELECTION**

A Committee of the Caymanian Bar Association will be responsible for the initial selection process and submitting candidates for JEC consideration. It may consult with the relevant training principal and/or law firm and will take into account such matters as the availability of places, the stage of the applicant's Articles, the significance of judicial clerkship to the candidate and other factors that may affect priority. A successful application will not be dependent on the identity or recommendation of the relevant training principal or organization and the submission for the Judicial Education Committee consideration shall be within the absolute discretion of the Caymanian Bar Association.

The JEC shall have absolute discretion to determine the date upon which Judicial Clerkship is offered and in deciding to which Judge or Magistrate the Judicial Clerk should be assigned and for what period.

## **INTERVIEWS**

The Caymanian Bar Association Committee may or may not interview a candidate at any stage for evaluation. Shortly before the commencement of the Judicial Clerkship, the Caymanian Bar Association sub-committee will meet with the successful candidate to prepare him/her for the Judicial Clerkship Programme.

**COMPLETED APPLICATIONS SHOULD BE SENT TO**

[info@caymanbar.org.ky](mailto:info@caymanbar.org.ky)

**INITIAL APPLICATION GUIDELINES**

Please ensure that your application includes **ALL** of the following enclosures unless otherwise indicated or your application will not be processed. Please double-check the enclosures and make copies for your records. Application forms and contents will not be returned. A copy of the application form which should be used, as approved by the Caymanian Bar Association sub- Committee can be found on page 5 below. The application form must be completed in full and be accompanied by:

- Proof of articles;
- Cover letter indicating applicants reason for interest in the programme;
- Confirmatory Letter from principal and remunerating firm in the form set out on the Caymanian Bar Association website; and
- A signed Judicial Clerk Protocol.

The Caymanian Bar Association will accept electronic/scanned versions of the form and accompanying documents but reserves the right to require production of the hard copy originals.

**Signature of Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**APPLICATION FORM**

Applicant`s Full Name	
Date of Birth	
Place of Birth/Nationality:	
Caymanian Status:	Yes No
Place of Residence (Full Address)	
Work Phone	
Cellular Phone	
E-Mail Address	
Law Firm responsible for remuneration during Articles	
Training Principal	
Date of commencement of articles	

**DEADLINE**

Applicants are welcomed to apply at any time of the year as there is no deadline.

**AGREEMENT AND SIGNATURE**

By submitting this application, I affirm that the facts set forth in it are true and complete. I understand that any false statements, omissions, or other misrepresentations made by me on this application may result in its immediate refusal or termination of judicial clerkship. They may be disclosed to my training principal and may affect my Articles of Clerkship.

Name (printed)	
Signature	
Date	