

My Journey as the Only African American Law Clerk

By Anonymous

It was a day in the spring when I walked past the same judicial chambers as I did for the past year. It was the only available route from the elevator to the chambers where I worked. I was familiar with the staff on this floor. We always exchanged standard polite greetings.

This walk was similar to every other walk, except, on this day, I finally became aware of a silent but blatant fact. I was the only African American law clerk on this floor. In fact, I was the only minority law clerk in this division of the court. There were other minority judicial staff. However, they were in politically favored positions that required minimal education. Law clerks hold a Juris Doctorate and are generally handpicked by the judge.

I began analyzing this situation more thoroughly. I knew there wasn't a shortage of minority law school graduates seeking employment in this city. I also knew that they were not turning their noses up at law clerk positions. A clerkship has always been one of the most desired post-law school positions because of the marketable research and writing skills learned. This led me to think about two of my friends who were minority law clerks. They worked in different courts at different times in this city. We shared some similarities in how we obtained our clerkships.

First, we learned about our positions through a mutual contact with the outgoing law clerk. There is validity in the old saying that in the legal field it is less about what you know and more about who you know. Unfortunately, minority law students are not as likely to know as many lawyers as their Caucasian peers. Minority law students often assemble themselves together in a tight group and inadvertently isolate themselves from the majority. Consequently, our chances of forming friendships with peers or attorneys outside of our circle are minimal. Furthermore, minority law students still have a higher likelihood of being the first in their family to attend law school. I am a part of this group.

If we are competing with other applicants who are more likely to know someone on the inside, then during the interview, we really need to stand out. This can be through grades, legal writing or some unique characteristic. Ironically, my two law clerk friends

and I shared the same unique characteristic that caused us to stand out. Not only were we all minorities, but we each had our first interview with the former law clerks who also happened to be minorities. They were gatekeepers

who saw some of themselves in us. They decided to grant us access. Lastly, we each had our second interview with minority judges. When a minority is interviewing an applicant of his same race in a Caucasian-dominated field, there is an immediately visible kinship. It removes some of the mystery about the applicant.

What happens to the minority applicant who is interviewed by a judge who is not a minority? He still stands out, but this time his race can render a different result. His race may actually create a distance between him and the judge. A judge may be uncomfortable or afraid to work in an intimate setting with someone of a different race. Fear is one of the most common reasons that non-minority judges are less likely to hire minority law clerks. This fear is generally a result of flawed environmental training.

If anyone is afraid to work with someone of a different race, the best way to overcome that fear is by proactively taking steps to become more exposed to people of different races. There are experiential lessons that are only learned in diverse environments.

Judges are in a unique position where they have the authority to create such an environment. Only when Caucasian judges begin to intentionally hire law clerks of a different race, will we see real diverse chambers. However, it will not be the first time. After all, every minority law clerk does not only clerk for minority judges, and every minority judge does not only hire minority law clerks.

Hopefully, law clerks in other cities who are walking down the hallway to their chambers do not have reason to have the same epiphany I did. What happens in other cities is not my immediate concern, however. I live, work, love and hope to see change here in this great city of Philadelphia. ■

