



ROCHESTER LEGAL DIVERSITY CLERKSHIP PROGRAM 2012 Application

Return this application to:

**Louise Spinelli
Program Manager
Monroe County Bar Association
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Rochester, NY 14614
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Fax: 585-546-1807**

www.mcba.org/Members/Committees/diversity/

**COMPLETED APPLICATION MUST BE RECEIVED BY
THE BAR ASSOCIATION NO LATER THAN
5:00 P.M. ON FEBRUARY 1, 2012**

Email, postal mail, or fax is acceptable.



ROCHESTER LEGAL DIVERSITY CLERKSHIP PROGRAM

EVALUATION CRITERIA:

These candidates will be evaluated based on the following additional criteria:

- Academic achievement
- Work experience
- Involvement in relevant professional and community activities
- Interest in the Rochester community
- Contribution to enhancing diversity through inclusion of and or membership in historically under-represented populations, including minorities, in the legal profession
- Writing skills
- Interview/interpersonal skills

PROGRAM SPECIFICS:

1. **Application:** Eligible first year law students are required to submit a formal application, current resume, undergraduate and law school transcripts, a personal statement and the designated writing sample on or before the deadline for submissions.
2. **Interview:** Based on the application materials submitted, qualified candidates are invited to Rochester for an interview conducted by members of the Diversity Committee. *Students must secure their own transportation to Rochester for the interviews, tentatively to be held on Saturday, February 11, 2012.*
3. **Selection Process:** After the interviews, the Diversity Committee ranks students based on the criteria described above, and then selects the students who will receive offers, along with alternates.
4. **Offers:** Selected students receive an offer of placement with a particular organization and are given three days to accept the initial offer* (there is no discussion of monetary terms at this point). If an offer is declined, the position will be extended to an alternate. *Students who decline offers will not be given the option of an alternate placement.*

* Depending on the participating employer, there may be additional requirements in connection with the offer.



**APPLICATION FOR PARTICIPATION IN
2012 ROCHESTER LEGAL DIVERSITY CLERKSHIP**

PART A: General Information

1. Name: _____
Last
First
Middle Initial

Mailing Address: _____
Number
Street

_____ City or Post Office State Zip Code

Permanent Address: _____
Number
Street

_____ City or Post Office State Zip Code

E-Mail Address: _____

2. Telephone Number: Home: _____ Day: _____
(Area Code)
(Area Code)

Permanent Telephone Number: Home: _____
(Area Code)

3. Are you a citizen of the United States? Yes No
 (Answering "no" does not disqualify an applicant)

If you are *not* a United States citizen, are you legally eligible to work in a position offered through this program? Yes No

PART B: Education That is Not Included on Your Resume (Please provide an official transcript for each – see Part G.)

	<u>Bachelor's Degree</u>	<u>Other Advanced Degree</u>
1. College/University	_____	_____
2. Dates of Attendance From – To (Month & Year)	_____	_____
3. Concentration / Major	_____	_____
4. Type of Degree	_____	_____
5. Date Degree Received or Expected	_____	_____

PART C: Work Experience That is Not Included on Resume (including legal and non-legal):

Please submit an updated resume as Attachment A with this Application

Employment

- | | | | |
|------|-------|-------------------------------|-----------------|
| i. | _____ | _____ | _____ |
| | Title | Organization & Street Address | Dates (From-To) |
| ii. | _____ | _____ | _____ |
| | Title | Organization & Street Address | Dates (From-To) |
| iii. | _____ | _____ | _____ |
| | Title | Organization & Street Address | Dates (From-To) |

PART D: Additional Training/Experience That is Not Included on Resume. Attach additional sheets if necessary.

1. Please describe any community service, public interest work, or other extracurricular activities, including any honors or awards.

2. Please describe any additional training/experience, including additional academic or government work not included above, that you believe to be relevant to the Clerkship to which you are applying.

PART E: Personal Essay

In addition to submitting a Rochester Legal Diversity Clerkship Program (the “Program”) Application Form, transcripts and writing sample, each applicant must also submit a confidential personal statement. An applicant’s personal statement provides the Program’s screening committee with the insight into an applicant’s contribution to diversity.

The Program’s screening committee reviews each applicant’s personal statement; this is an extremely important factor in the selection process.

An applicant’s personal statement should reflect how s/he has been affected by diversity, how s/he has contributed to diversity, and how s/he hopes to contribute to diversity in the future.

The statement should be typewritten, double-spaced and no more than 700 words. Please label this statement as Attachment B.

For guidance only:

When preparing your personal statement, we encourage you to respond to the following questions:

- What is unique, special, distinctive and/or impressive about you or your life story?
- What particulars in your life (personal or family, people or events) have shaped you or influenced your goals?
- How has your contribution to diversity or membership in an historically under-represented population influenced your decision to attend law school and how do you think this contribution may influence your career as an attorney?
- What are unusual obstacles or hardships (for example, economic, familial, physical, other) in your life that influence your contribution to diversity?
- Your connection to Rochester, New York or to or interest in returning or moving to Rochester.

PART F: Legal Writing Skills

This application packet contains a question for which you must prepare a written legal argument. Your argument must be typewritten, double-spaced and no more than 1250 words. The packet includes a factual statement and citations to law that you may use in your argument. You must confine your argument to the facts provided to you (and any facts that logically follow) and the law that has been cited to you. You must not cite any law other than the law that has been cited to you. **Please label this submission as Attachment C.**

PART G: Undergraduate, Law School and any Post-Graduate Studies Transcripts

PLEASE SUBMIT AN OFFICIAL UNDERGRADUATE TRANSCRIPT WITH THIS APPLICATION OR HAVE IT SENT DIRECTLY FROM THE SCHOOL TO THE MCBA PROGRAM MANAGER.

PLEASE SUBMIT YOUR LAW SCHOOL TRANSCRIPT WITH THIS APPLICATION (AN UNOFFICIAL VERSION IS ACCEPTABLE BUT IF INVITED TO INTERVIEW, YOU WILL NEED AN OFFICIAL COPY).

PART H: Statement of Agreement and Commitment

1. I understand that the primary purpose of this program is to afford students an opportunity to obtain valuable clerkship experience. I understand that an offer of further employment after the clerkship is completed is neither promised nor guaranteed and that the decision to make such an offer rests solely with the firm or entity that employs me for the clerkship. The Monroe County Bar Association will play no role in such decision.
2. I understand that it is my responsibility to ensure that all required forms and supporting material reach the office of the Monroe County Bar Association by the due date and time set forth on the cover page of this application. The Monroe County Bar Association may reject my application if it is not submitted in a timely manner.
3. I understand that the program to which I am applying is intensive and requires my full-time commitment. Upon acceptance of a clerkship position, I agree that I will not work any other job during the clerkship period that will impact my ability to fulfill my commitment to the firm or entity that employs me. Such commitment may include working hours outside of standard business hours, i.e., in the evenings or on weekends. The Monroe County Bar Association discourages clerks from working a second job that also may impede the clerk's ability to learn more about the Rochester area and enjoy its many summer activities. I further agree to complete the program in its entirety in accordance with the schedule established by the firm or entity that employs me.
4. The information provided by me in this application is complete, true, and accurate. I understand that any misrepresentation or omission may be cause for disqualification or result in expulsion from the program.
5. I understand that participation in the clerkship program is contingent upon my eligibility to remain in law school and my acting at all times in an ethical manner.
6. I understand that the information submitted in this application will be shared with the Monroe County Bar Association Diversity Committee and some information may be shared with supporting bar associations and clerkship employers.
7. If for any reason I must leave the program, I will call and notify the Monroe County Bar Association.

Signature of Applicant

Date



LEGAL WRITING SKILLS SAMPLE
For Attachment C

This exercise will require that you write a short memorandum to help us determine the strength of your writing skills. Read the following fact pattern and answer the questions that follow.

From: Partner, Bill
Sent: Wednesday, November 29, 2011 1:38 PM
To: Associate Smith
Subject: Stubing Matter

Come aboard (the team). We've been expecting you.

A long-standing client of our admiralty and maritime practice, Merrill Stubing, has come to us for help relating to the tragic injuries that his 5-year-old daughter, Vicki, sustained just last week.

Merrill was scheduled to inspect one of his company's shipping vessels, *The Lake Ontario Princess*, during the morning of November 21. He arranged to drop Vicki off at the home of her regular babysitter, Gopher. But, on the evening of November 20, Gopher was called to interview for an open position at the Coach store at Eastview Mall. (Apparently, it was Gopher's lifelong dream to sell purses.) Not wanting to miss this one-in-a-lifetime opportunity, Gopher asked his close friend "Ace" Covington-Evans to watch Vicki at Gopher's house while he was on the interview. Ace agreed, and on Gopher's recommendation, Merrill gave his approval. Unbeknownst to Merrill, however, Ace had long suffered from narcolepsy.

Vicki was dropped off at Gopher's house on schedule, and Gopher left shortly thereafter for his interview. At the time of his departure, Ace and Vicki were playing with her Mermaid dolls. A few minutes after Gopher left, Ace apparently fell asleep. Vicki tried to wake him but, when that failed, decided to investigate Gopher's house.

Following his recent trip to Australia, Gopher had mounted and prominently displayed a series of five ornamental boomerangs on the wall just behind his living room couch. The boomerangs were arranged horizontally beginning six inches above the top of the couch and continuing up the wall. Vicki grabbed the first three and decided to test them outside. She made some test throws, which were observed by Gopher's next door neighbor, Isaac. Eventually, Vicki managed to throw the boomerang so that it made a perfect arc and returned to her. Unfortunately, the boomerang struck Vicki in the throat, causing a portion of her upper windpipe to collapse. Isaac saw this too and, even though he had recently completed an intensive first aid program (including emergency tracheal procedures) as part of his amateur bartending training, he did not attempt to help Vicki.

Just at that moment, Adam Bricker was walking by Gopher's house and saw Vicki's accident. It was public knowledge that Adam had failed out of medical school in the first week, but nonetheless fancied himself a doctor. (In fact, he requested that people refer to him as "Doc.") He rushed to Vicki's aid, and attempted an emergency tracheotomy using his ballpoint pen, as he had seen done once on *Grey's Anatomy*. He did not perform the procedure properly, causing

additional damage to Vicki's trachea. At this point, Isaac could no longer stand idly by. He dropped his iPhone 4s, shoved Doc out of the way, and performed the procedure properly with the sterilized, surgical penknife he always carried with him. Vicki was stabilized and sent to the hospital. The extent of her injuries is still being assessed.

Merrill wants to immediately commence an action on behalf of Vicki. This is where you come in. I need you to analyze these events, and identify any plausible defendants and causes of action you think should be included in our complaint. If you think we need to conduct further fact investigation before asserting a potentially meritorious claim (we are, after all, always compliant with Fed. R. Civ. P. 11), please identify where you think we need more information.

We plan to commence this action in New York Supreme Court, Monroe County. For purposes of your analysis, please limit your research to the following sections of the American Law Institute's Restatement (Second) of Torts: §§ 282-283, 284, 291-293, 296, 298-299, 314A, 323, 500, and 503. Of course, you may employ any other principles of law you learned during your first year of law school in performing this analysis.

Please limit your response to 1,250 words. You need not recite the facts of this case except to the extent that such recitation aids your analysis.

Good luck!