

Judicial Field Placement Class Assignments and Readings¹

Class One: Ethical Issues for Law Clerks and Interns

MAINTAINING THE PUBLIC TRUST: ETHICS FOR FEDERAL JUDICIAL LAW CLERKS (Federal Judicial Center 2002) (required)

John Paul Jones, *Some Ethical Considerations for Law Clerks*, 4 GEORGETOWN JOURNAL OF LEGAL ETHICS 771 (required)

“*The Rise of the Law Clerk*,” excerpt from Hon. Richard A. Posner, THE FEDERAL COURTS, CHALLENGE AND REFORM (optional)

“*The Clerk*,” excerpt from Hon. J. Harvie Wilkinson III, SERVING JUSTICE, A SUPREME COURT CLERK’S VIEW (optional)

“*The Chambers Community*,” excerpt from Frank M. Coffin, THE WAYS OF A JUDGE, REFLECTIONS FROM THE FEDERAL APPELLATE BENCH (optional)

Class Two: Opinion Writing

George Rose Smith, *A Primer on Opinion Writing, For Four New Judges*, 21 ARKANSAS LAW REVIEW 197 (1968) (required)

“*Reflections on the Creation of Opinions*,” excerpt from Frank M. Coffin, THE WAYS OF A JUDGE, REFLECTIONS FROM THE FEDERAL APPELLATE BENCH (required)

How I Write, THE SCRIBES JOURNAL OF LEGAL WRITING (1993), brief essays by Thomas Gibbs Gee, Edith Hollan Jones, Robert E. Keeton, Richard A. Posner, Thomas M. Reavley, Patricia M. Wald, and John Minor Wisdom (optional)

Class Three: Judicial Ethics, Part One: the Judge in a Judicial Capacity

ABA MODEL CODE OF JUDICIAL CONDUCT, Canon 3 (required)

Liljeberg v. Health Services Corp., 108 S.Ct. 2194 (1988) (required)

Haines v. Liggett Group, 975 F.2d 81 (3d Cir. 1981) (required)

¹Note: the readings change somewhat from year to year. This is a representative list, but not all readings are assigned every year.

Class Four: Judicial Ethics, Part Two: the Judge in Other Capacities

ABA MODEL CODE OF JUDICIAL CONDUCT, Canon 4 (required)

Excerpt from THE MEMOIRS OF EARL WARREN (required)

Excerpts from Bruce Allen Murphy, FORTAS (required)

Class Five: Judicial Discipline: State Courts

Georgia Constitutional and Statutory provisions on the Judicial Qualifications Commission (required)

Materials on Judicial District Professionalism Program (required)

Class Six: Judicial Discipline: Federal Courts

McBryde v. Committee to Review Circuit Council Conduct and Disability Orders, 264 F.3d 52 (2001) (required)

Brief for the Appellant, *Hon. John McBryde v. Committee to Review Circuit Council Conduct and Disability Orders of the Judicial Conference of the United States*, No. 00-5016, United States Court of Appeals for the District of Columbia Circuit (optional)

Class Seven: Judicial Selection: Federal Courts

“*Kennedy Judges*,” excerpt from Dennis J. Hutchinson, THE MAN WHO ONCE WAS WHIZZER WHITE (required)

Report of the Task Force on Federal Judicial Selection, in UNCERTAIN JUSTICE, pps. 11-25 (optional)

“*Of Litmus Testers and Stealth Candidates*,” excerpt from Stephen L. Carter, THE CONFIRMATION MESS (optional)

“*Raw Meat*,” excerpt from Ethan Bronner, BATTLE FOR JUSTICE: HOW THE BORK NOMINATION SHOOK AMERICA (optional)

THE ABA STANDING COMMITTEE ON FEDERAL JUDICIARY, WHAT IT IS AND HOW IT WORKS, American Bar Association (required)

Web site of Alliance for Justice, www.independentjudiciary.com (For example of politics of judicial selection) (optional)

Class Eight: Judicial Selection: State Courts

Republican Party v. White (required)

Weaver v. Bonner (required)

Report of the Task Force on Selecting State Court Judges, in UNCERTAIN JUSTICE,, pps. 77-113 (optional)

Larry C. Berkson, and Seth Andersen, *Judicial Selection in the United States: A Special Report*, American Judicature Society (optional)

ABA MODEL CODE OF JUDICIAL CONDUCT, Canon 5 (required)

Class Nine: Judicial Independence

“*Freedom Riders*,” excerpt from Jack Bass, TAMING THE STORM: THE LIFE AND TIMES OF JUDGE FRANK JOHNSON, JR. AND THE SOUTH’S STRUGGLE OVER CIVIL RIGHTS (required)

Report of the Task Force on the Distinction Between Intimidation and Legitimate Criticism of Judges, in UNCERTAIN JUSTICE,, pps. 123-164 (optional)

RESPONSE TO CRITICISM OF JUDGES, American Bar Association, Judicial Division Lawyers Conference and Special Committee on Judicial Independence (required)

Judges Under Fire, Center for Judicial Independence, American Judicature Society (required)

Class Ten: Case Management

Judith Resnik, *Managerial Judges*, 96 HARVARD LAW REVIEW 374 (1982) (required)

Class Eleven: The Judge’s Role in Settlement

Excerpt from Hubert L. Will, et al, THE ROLE OF THE JUDGE IN THE SETTLEMENT PROCESS (pps. 1-30) (required)

D. Marie Provine, SETTLEMENT STRATEGIES FOR FEDERAL DISTRICT JUDGES, pps. 7-41 (optional)

Patrick E. Longan, *Bureaucratic Justice Meets ADR: The Emerging Role for Magistrates as Mediators*, 73 NEBRASKA LAW REVIEW 712, 733-739 (1994) (optional)

Class Twelve: The Judge in Trial: Questions and Comments

Handout on Judicial Comments and Questions in Trial (required)

Class Thirteen: Special Issues for Appellate Judges

Henry J. Friendly, *Reactions of a Lawyer-Newly-Become-Judge*, in BENCHMARKS,
SELECTED PAPERS OF AN EMINENT FEDERAL JUDGE (required)

“*The Elements of Deciding Appeals*,” excerpt from Frank M. Coffin, THE WAYS OF A
JUDGE, REFLECTIONS FROM THE FEDERAL APPELLATE BENCH (optional)

“*Reflections on Kinds of Collegiality*,” excerpt from Frank M. Coffin, THE WAYS OF A
JUDGE, REFLECTIONS FROM THE FEDERAL APPELLATE BENCH (optional)