



**THE WORK OF  
APPELLATE COURT LEGAL STAFF**



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## EXECUTIVE SUMMARY

### ❧ **Statement of the Problem and Objectives**

Every appellate court employs a legal staff to assist the justices. Staff members may include clerks of court, central staff attorneys, short-term in-chambers law clerks, and possibly career in-chambers law clerks. The literature is replete with conflicting views on whether the justices rely too much on legal staff, but there is very little information on what tasks the staff actually performs.

There are four gaps in the literature that can be addressed by research. One void is that virtually all of the studies lack comparative information from several courts, focusing instead on individual courts or an individual judge's experience. Without cross-court comparisons, generalizations are not possible. Second, descriptions of specific types of legal staff employed in individual courts are so complex and detailed that general patterns are difficult to identify. None of the existing literature examines how much relative time legal staff devote to work areas (e.g., drafting opinions). Moreover, the scope and nature of work by legal staff are defined primarily on the basis of an observer's judgment and acumen. Consequently, there is limited precision in knowing exactly what work legal staff do. Third, the literature contains few comparisons of the activities of different types of legal staff. The extent to which the work of short-term law clerks, career law clerks, central staff attorneys, and clerks of court overlap is unexplored. Fourth, the implicit assumption in most of the literature is that work performed by a particular type of legal staff is relatively uniform, although even single court studies have shown substantial changes over time in the work of a particular type of legal staff, such as law clerks. Therefore, this assumed uniformity of each type of position in courts with different institutional and organizational features warrants testing.

The overall goal of the current research is to contribute to the field of appellate court administration on the use of appellate legal staff. Four specific objectives guide the inquiry:

- **Objective One:** To determine if work areas, consisting of a set of interrelated tasks, can be distinguished.
- **Objective Two:** To develop a comparative view of the relative amount of time that each of four types of legal staff spend on a broad range of tasks. What do clerks of court, short-term in-chambers law clerks, career in-chambers law clerks, and central staff attorneys do?
- **Objective Three:** To gauge the similarities and differences between the nature of the work each type of legal staff performs. Are the work areas distinctive, or do legal staff appear interchangeable?
- **Objective Four:** To see how the pattern of time commitments made by each type of legal staff holds under alternative conditions, such as type of appellate court, different caseload levels per justice, and/or different configurations (e.g., greater reliance on law clerks than central staff attorneys).

### ❧ Why Is It Important to Pursue These Four Objectives?

One reason it is important to shed light on the work of appellate legal staff is that more accurate and precise estimates of the work of legal staff should offer justices and legal staff specific guidance in the recruitment, training, and possible reconfiguration of legal staff. A common assumption is that legal staff need to have legal writing skills to perform expected duties. A potential service of the results from this project is greater specificity within this general assumption. Exactly what documents are prepared by staff? Bench memoranda? Draft opinions? Memoranda on discretionary petitions before and/or after the court's decision to grant review? Which of these documents need to be produced very quickly? Which documents need to be produced in high volume? Knowledge of the nature and scope of work areas and the relevant time spent on them should provide courts with more concrete information to address these questions. In turn, firmer answers to these questions should help courts hire and retain appropriate staff.

A second justification for conducting the proposed inquiry is that knowing more about the division of labor among legal staff should contribute to more effective judicial leadership. Justices, including both the chief justice and associate justices serving on administrative committees, will be better served if they know the spheres of work of



legal staff. They can carefully enlist the assistance of specific legal staff in managing the court, understand current practices, assess current performance, and implement changes in procedures and practices that will be well-integrated with the rest of a court's policies and procedures.

A third rationale for the current research is that knowledge of the work of legal staff is an essential foundation for future and more refined measures of workload performance. Any effort to set workload standards or to gauge staff productivity and efficiency requires a clear sense of the nature and boundaries of work areas. Future efforts to measure staff performance can look at indicators of output in each of the nine work areas and then assess the ratio of time spent on tasks to the number of outputs (e.g., memoranda) produced. The current study results should help guide the future selection of meaningful outputs, which is essential to a fair and valid performance assessment.

## **Methodology**

The National Center for State Courts (The National Center), with the support of the State Justice Institute (SJI), examined the work of the nation's state appellate court legal staff, to help fill a void in the literature. What are the basic work areas of legal staff? Are different types of legal staff devoted to particular areas? Does the work domain of legal staff depend on the type of court or some other specific characteristic? Those are the organizing questions of the current inquiry.

The study also examined the federal appellate courts using the same basic framework as the state appellate court inquiry. Data on the work of federal appellate court legal staff are reported in this study, but extensive data analyses await future researchers.

Addressing the key research questions advances three propositions. First, there are discernable areas of work performed by legal staff, and combinations of particular tasks are performed regularly and in combination. Second, each type of legal staff tends to have its own dominant work arena. Clerks of court devote most of their time in work areas that are different from law clerks and central staff attorneys. Third, other than the type of court, there are few, if any, other factors such as population of the state, number of cases filed per justice, and so forth, which influence the time allocated to work areas. Taken together, these propositions suggest that each type of legal staff develops consistent and particular work patterns, even though the work assignments are not uniform in all work areas among each of the three basic types of courts: 1) intermediate appellate courts, 2) courts of last resort, and 3) courts of last resort without an intermediate appellate court.

It is necessary to develop a catalogue of potential work areas to be performed by one or more types of legal staff to further determine the amount of time devoted by different types of legal staff in individual courts. Using a survey instrument to determine time allocations, the reported estimates provide an individual legal staff person level database that may be aggregated in a variety of ways (e.g., position type, court type, other court characteristics). Therefore this database builds on each court's configuration to construct the different court-level patterns along a variety of dimensions.

Based on a review of the literature and the expert advice of an advisory committee, questionnaires were developed and sent to every appellate court. The instrument contained a list of forty tasks and asked the court clerk, representative law clerks, and a representative central staff attorney to fill in the percentage of their available work time devoted to each task. Both short-term and career law clerks completed questionnaires. The responses received constitute the underlying database.

To determine if there are clusters of tasks performed by appellate court staff, principal components analysis, a statistical procedure, was used to determine if some tasks correlate with one another and how. Examining all legal staff positions in all courts, do persistent combinations of tasks occur? If so, what are these work areas?

A second statistical technique, analysis of variance, was used to distinguish the patterns in the reported work time estimates in each area. For example, are some combinations of tasks performed only or primarily by clerks of court? Alternatively, is the average time spent on some combination of tasks similar for clerks of court, law clerks, and central staff?

This same technique was also used to see if the time allocations by legal staff were uniform under different conditions. For example, do central staff attorneys assist in opinion preparation in all types of appellate courts? Or, do they engage in this activity only or primarily in intermediate appellate courts or in courts of last resort with an intermediate appellate court?

## ❧ Results

The research came to three major conclusions:

- The work of state appellate court legal staff can be divided into nine distinct work areas. Each area consists of a particular combination of tasks. The nine areas are: assisting justices in opinion preparation, handling cases at key procedural events (case management), training staff and court management, prehearing assistance, researching substantive motions and applications for

writs, attending decisional conferences, conducting settlement conferences, managing settlement conferences, and preparing memoranda on discretionary petitions.

- Each of the work areas tends to be the domain of a particular type of legal staff person. Short-term law clerks tend to be the primary staff in providing assistance to justices in the preparation of opinions; however, central staff attorneys are also involved and even clerks of court assist individual justices on specific cases. Clerks of court are the key players in case management and in court management assistance, although some career law clerks play some role in court management. Central staff attorneys have a more diverse portfolio, working on more areas than their colleagues. Their responsibilities include: assistance in opinion preparation, prehearing assistance, researching motions and writs, attending decisional conferences, conducting and managing settlement conferences, and preparing memoranda on discretionary petitions. Interestingly, the work of legal staff in U.S. Courts of Appeal parallels the work patterns of their counterparts in state appellate court systems.
- There is uniformity in the relative amount of time spent by each type of legal staff in intermediate appellate courts, courts of last resort without an intermediate appellate court, and courts of last resort with an intermediate appellate court in some of the work areas, such as case management and preparing memoranda on motions and writs. However, the type of court affects the amount of time spent in several of the work areas. For example, central staff attorneys in courts of last resort in two-tiered appellate systems spend appreciably more time in preparing memoranda on discretionary petitions than do their counterparts in other types of appellate courts. The theoretical and practical implication of this pattern is that caution is necessary when making generalizations about the work of legal staff. For example, central staff attorneys have similar, but not identical, work responsibilities in all types of appellate courts. If an individual appellate court wants to see how its configuration of staff compares to other courts, it should focus on courts of a similar type. Courts of a similar type provide a more valid benchmark for comparison than the aggregate picture derived from all appellate courts.

## **❧ Contribution of the Research**

These results offer four unique contributions to the field of appellate court administration. First, they provide the first truly national picture of what appellate courts staff do. Results are based on a survey of every appellate court and measure the percentage of estimated work time spent by four types of legal staff on forty different tasks. Future

research can refine this study's methodology, but the data from the current research is the most comprehensive and comparative database to date.

Second, the research provides benchmarks against which every appellate court can assess itself. Do the nine work areas exist in their court? Does their legal staff devote as much time to each area as does staff in other courts? Does their court use a different combination of legal staff to accomplish the same work? If not, do other courts suggest an intriguing, attractive, or promising way to use staff? The current research should be helpful in addressing these questions.

Third, a contribution of the current research is the framing of appellate legal staff work in a realistic perspective. The literature devotes much time and space to seemingly unending, and perhaps, fruitless debates concerning the appropriate role of legal staff. This research provides a factual counterpoint to those discussions. It suggests that legal staff perform many concrete tasks. Legal staff are acutely aware of their respective work demands. They record with considerable precision where they spend their time, and their estimates are remarkably consistent across different courts and circumstances. Thus, our recommendation is that future researchers refine the descriptions and explanations of the work of legal staff.

Finally, the results indicate the feasibility of applying a parallel framework and technique to trial courts. There is no information available on what tasks trial court staff perform. Most trial court studies focus on only one position at a time (e.g., clerks of court) or on the relationship of the court administration with judges, especially chief judges. The absence of comparative data on the full range of trial court staff performance demands future research.

Specifically, we believe that there are three interrelated avenues of inquiry that will further illuminate the nature and significance of the work of appellate court legal staff. First, what are the workload standards that courts set for legal staff? How many memoranda or other documents are staff expected to produce in each of the nine work areas? Second, in what ways are some legal staff able to be more productive than staff in other courts? Is their greater productivity a result of technology, higher compensation, or some other observable factor? Third, how do legal staff define quality? What mechanisms, oversight, or management tools are used to ensure that legal staff provide the best possible assistance to justices?

## Chapter 1



# INTRODUCTION

### **¶ Need for Research**

A common element of every state appellate court is the presence of lawyers hired to assist the justices in the discharge of judicial responsibilities. The work of the justices involves legal analyses of trial court proceedings and decisions, and subsequent arguments presented by appellate attorneys concerning those proceedings and decisions. One response to the resulting pressures of an increasing number of appellate cases is the creation and expansion of legal staff positions to help justices perform key tasks, including gathering information from pleadings, transcripts, trial court records, and briefs; delineating issues; analyzing case law; and so forth.

No modern appellate court exists without input and advice from some combination of clerks of court, law clerks, or central staff attorneys. Despite the necessary assistance legal staff render, knowledge concerning what legal staff actually do is based primarily on reports by individual judges on how they use staff, accounts of how a particular court uses legal staff, and the insights of acute observers. This combination of personal accounts, expert observations, and individual court studies, sheds light on the general work orientations of different legal staff, but does not provide quantitative estimates of how much time staff spend on specific tasks in general work areas and the conditions (e.g., type of court) under which the priorities of a given staff position might vary.

### **¶ Literature on Appellate Court Legal Staff**

Existing literature on court support staff can be classified into four categories: 1) general observations on the role of clerks of courts; 2) general observations on the work of

appellate in-chambers' law clerks; 3) single-court studies of appellate in-chambers' law clerks; and 4) studies on the role of central staff attorneys. Each of these is discussed separately.

**General Observations on Clerks of Courts.** Clerks of court are characterized as traffic managers for cases (Leflar, 1976). They manage the office where official documents are filed, and statutes typically define their authority and duties.

In most courts, a notice of appeal or a petition for review goes to the clerk. The clerk receives the record, puts the case on the docket, schedules the calendar, receives the briefs of counsel, files their motions, and passes on the motions that concern the clerk's office. Often, the assignment of cases is handled by rotation. Under "traffic rules" prescribed by the court, the clerk directs the cases into their respective channels for decision. After decision, the clerk distributes opinions, receives motions for rehearing, and sends out mandates. The clerk makes out the official records, keeps them where they can (or cannot) be referred to readily, and stores the documents of the court. Observers believe that it is difficult for any appellate court to be much more efficient than the office of its clerk (Leflar, 1976).

All written communication between counsel and the court passes through the office of the court clerk. The clerk's staff numbers from two to three in small courts to over thirty in some large, intermediate appellate courts. This often seems the busiest part of an appellate court; lawyers continually send in various documents and ask about the court's procedures (Stecich, 1976).

Most available literature on this topic is dated and does not include some contemporary duties of clerks of court, such as dealing with technology. In the clerk's office, automated systems have evolved from crude machines to office-wide networks of personal computers using advanced software. For example, justices in several courts file their opinions in a form that is electronically transmitted to an on-line publishing company without being retyped or reformatted. The clerk of court is responsible, in most courts, for making this process happen.

Furthermore, studies on the clerks of courts lack any discussion of the clerk's role in staff training, personnel management, or court administration. One might also expect clerks of court to assist justices in particular cases because many clerks are attorneys with substantial experience; however, the literature lacks any commentary on these other possible work areas.

**General Observations on In-Chambers' Law Clerks.** An in-chambers law clerk is a lawyer or law school graduate employed to assist a single justice. Short-term clerks

are usually assigned to terms of one to two years; career in-chambers legal staff are professionals with permanent positions.

Most of the literature on appellate legal staff revolves around law clerks because every appellate court uses them and they were developed long before central staff attorneys. The central feature of the traditional clerkship is its limited tenure in relation to that of the judge. The justification for an in-chambers law clerk's one to two year term is the short tenure prevents the clerk from exerting a prolonged, undue influence on the justices. (Hellman, 1980).

This perspective changed, however, with the introduction of career clerkships (Oakley and Thompson, 1980). Some appellate courts prefer to use career law clerks, who offer the advantage of practical experience, maturity, and knowledge of their justices' personal styles. They reportedly bring the benefits of expertise and consistency to their roles, and justices place a premium on law clerks who require less training and have sufficient experience to work efficiently without direct supervision. The possible drawback of employing career clerks is that they are more apt to become bored and stale, thus failing to provide the intellectual challenge the justices need to produce high quality work (Oakley and Thompson, 1980).

The traditional view of a law clerk is as a personal assistant to a particular justice—an “elbow clerk” immediately available to the judge. As the American Bar Association Commission on Standards of Judicial Administration noted:

The custom of providing appellate judges with law clerks whom they appoint and supervise according to their needs and preferred ways of working has proved itself over many years. The responsibility of the judge for the work of his clerk is clear and unmistakable, and the close personal relationship that usually exists between judges and their clerks has operated to make formal controls over the functions of these clerks unnecessary (1973: 97).

There is disagreement over how much influence a law clerk has and should have in shaping judicial decisions. One viewpoint is that a law clerk's input is a necessary and desirable component of a justice's decision. “In our ideal form,” write Oakley and Thompson (1980: 138), “the law clerk is meant to fiddle with the law, to advocate innovation, to introduce to its inner sanctums the views of those outside.” The law clerk, “gives the law needed capacity for change,” they continue, but this contribution is controlled by, “the judge's natural resistance to the influence of a young and fleeting law clerk.”

Others hotly dispute Oakley and Thompson's proposition that, "law clerks are innovators who tinker with the law and enhance its capacity for change." The central feature of the law clerk position is believed to be its limited length compared to that of the career judge position. That difference in tenure attenuates the independent contribution of a law clerk (Hellman, 1980). Yet, other observers contend that whatever function the law clerk performs, whether it be research, screening, drafting, or a recommending function, a judgment by the law clerk is a necessary component of their role. Even though the justice is the justice, and remains so, the judgment of the law clerk is believed to be an important ingredient in the decision (Crump, 1986).

Literature on the role of the law clerk is more abundant than literature on other legal staff; however, the work of law clerks is described in general terms and sometimes very abstract terms (e.g., tinkering with the law). What concrete work do they perform and what are their priorities? Are the duties of career law clerks really different from their short-term colleagues? In what ways? These questions remain unanswered.

**Single-Court Observations of Law Clerks.** Personal experiences of individual justices or single court studies provide most of the information on a law clerk's position. Mahoney (1988), a federal court appellate justice, described the tasks and training of his law clerks. He observed that there is, "little in the way of concrete evidence in the public domain that actually describes the duties and functions of a law clerk. This is undoubtedly due to the uniquely personal nature of the relationship between the clerk and the justice." Mahoney further describes a law clerk's function as one who does the legwork on a given case, spots the most important issues, summarizes the arguments, and gives an impression of which arguments are most persuasive, highlighting the aspects of a case that should have an impact on the final decision. A law clerk renders a service, but does not make the decision. Mahoney suggests that the law clerk's role is best described as a "decision-enhancer."

In contrast to the accounts of individual justices that emphasize the variety of ways that different justices use in-chambers legal staff, some researchers contend that there is a core of experiences among different law clerks that is not dependent upon the variations within individual chambers (Sheldon, 1981). Law clerks are the justices' most important means of finding information not provided in the briefs and arguments (Marvell, 1978). Sheldon (1988) observed these consistencies in his study of the Washington State Supreme Court, a court of last resort in a two-tiered appellate system.

Sheldon found that justices obviously assign law clerking tasks, but institutional requirements also dictate common duties. Although there are multiple, unique rela-



tionships between clerks and justices, there are essential characteristics in all clerking roles. According to Sheldon, “law clerking is more predictable than idiosyncratic. It can be researched, understood and, if need be, changed to provide greater service to the judges.” Sheldon continues:

The inner workings of law clerking are likely to be determined by two important factors. First, the specific duties assigned the clerks (tasks) give content to the position and secondly, how clerks view this involvement in the judges’ final decisions (roles) gives form to these assignments. Tasks and roles do change with time and the causes for these changes are caseloads, docket discretion, and in the court’ decisional process (structures), and the role changes may be attributed to the idiosyncratic decisional practices of a particular judge (style). Thus, the clerk must adjust to the collective task demands of the court and to the individual role demands of his or her judge. Although tasks and roles are products of separate forces, it is anticipated that particular tasks and roles will become associated with one or another of the roles (1988: 51).

The content of the law clerk’s role is defined not only by the various tasks to be performed, but also by the particular talents and preferences of the justice and the clerk. Several possible roles appear available to the clerks. Sheldon identifies these four roles as:

- **Preparatory:** Clerks assume pre-conference or *preparatory* roles and provide judges with necessary information and contribute to oral arguments and conference discussions. These tasks include writing bench memos for all the judges on the cases assigned to his or her judge after reviewing the lower court record, briefs, and other related documents. Summarizing or recommending disposition of petitions for review, transferring of appeals, or rehearings may also be a responsibility of the clerk. According to Sheldon, “By standing before the gates of the judicial process, the *preparatory* clerk plays an important role in what subsequently transpires.”
- **Assistant:** Clerks are assigned *assistant* roles by which the results of the judges’ conference votes are researched, documented, and rationalized. The work of drafting, editing, and researching opinions may be shared with the clerk. The initial decision is made into a finished product with the appropriate logic, legal authorities, footnotes, and style. This role appears to be susceptible to some criticism because the judge may be seen as relinquishing some of his critical decisional powers to his or her clerk. The assistant role is closest to the center of decisional matters.

- **Attendant:** Clerks assume special responsibilities for their judges. These may include special administrative duties as well as unique legal tasks. Clerks who serve chief justices usually fit here. Clerks who deal primarily in these matters assume an *attendant* role by aiding their judge in subsidiary and clerical areas.<sup>1</sup> Gathering legal references for the judge, tracing precedent, rechecking citations and assisting administrative and secretarial matters are common assignments for this role.
- **Extra-legal role:** Clerks assume *extra-legal* roles including chauffeuring, clerical duties, making social arrangements and appointments, speech writing, editing, etc. Many of these tasks provide an opportunity for informal discussions and communication with the justice.

All of these roles may be placed on a continuum depending upon the degree the justice uses the clerk's contributions to make formal and final decisions. "The clerk can assume a role that only remotely contributes to dispute resolution or policy verification (extra-legal), is tangential to the judge's decision (attendant), sets the agenda for the judge (preparatory), or helps in editing and writing the final version of the decision (assistant)" (Sheldon, 1988: 70).

Whereas Sheldon's study of the Washington Supreme Court identified four theoretical roles, only the attendant and assistant roles emerged from his data analysis. Nearly two-thirds (64 percent) of the law clerks Sheldon studied fit into these categories, with most (42 percent) assuming the "attendant" role and some (22 percent) assuming the "assistant" role. An important observation from Sheldon's study is that, although the clerk/justice relationship is individualized, some common clerking roles evolve. Forces other than the specific needs and desires of the justices help shape this relationship. Sheldon cites docket pressure as an example of a force that limits the options available to the law clerk and the justice.

Despite the value of Sheldon's classification of four alternative roles that law clerks may play, what is the nature of the basic work that underlies all the roles? Sheldon, ironically, seems to emphasize differences among law clerks to demonstrate their alternative roles, without documenting exactly how the work of law clerks is similar. Moreover, as with most of the other studies of appellate legal staff, the connection between Sheldon's conclusions and other courts remains unclear. Are his observations repre-

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<sup>1</sup> Sheldon (1988) added a *consultant* role, which gave the law clerk the duty to serve as a "sounding board" for judges. The clerk listens, comments, suggests, and criticizes, but does not write, edit, or create.

sentative of appellate courts in general? A more comparative database is necessary to determine the generalizability of Sheldon's claims.

**Observations and Studies on Central Staff Attorneys.** Central staff attorneys are lawyers working for and assisting an appellate court as a whole. Different courts use different titles for central staff attorneys, including research attorney, commissioner, writ clerk, pro se clerk, staff law clerk and pool aide. Meador describes the essential distinction between the law clerk and the central staff attorney:

A law clerk and staff attorney are both lawyers providing professional legal help to appellate judges in the decision of cases. But the former works exclusively for a single judge in whatever way the judge wishes to use him; the job is highly personal. The latter has no special relationship to any individual judge but rather works for the court or a panel within it as a collective unit; the staff responsibility is institutional. This is a key distinction in understanding the roles of central staff (Meador, 1974: 17).

The functions of the central staff, according to Cameron (1976), include screening, writing predecision memoranda, opinion drafting, and other duties. Cameron observes that, "central staff are here to stay. As the central staff becomes more professional, there will be other functions it can properly perform to take the load of routine and nondecisional work off the shoulders of the increasingly burdened [appellate] court" (1976).

The premise that a professional staff, with continuity of service, can develop expertise and save time in preparing cases for the justices' decision resulted in the development of central staff attorneys. Central staff attorneys help an appellate court dispose of more cases with a minimum of compromise to the "imperatives of appellate justice" (Carrington, Meador, and Rosenberg, 1976). Meador (1974: 118) stated that because a central staff is a protected unit, not at the call of individual judges,

"the staff attorneys can direct all their energy and working time to memorandum preparation and opinion drafting...[I]t is reasonable to assume that a higher rate of memorandum production, and perhaps expertise, can be achieved through such a specialized group shielded from the daily intrusions of other demands."

Contrary to Meador, other critics contend that central staff attorneys unduly influence judicial opinions (Bird, 1978). Central staff attorneys are responsible to "the court" rather than to a particular justice, causing a gap in the supervision of central staff attorneys by justices. Bird (1978) notes that central staff may become "surrogate judges"

and, “the potential for mischief grows as [c]aseloads increase.” This is pernicious because central staff attorneys lack of public accountability and justices gradually may become dependent on them.

Particular criticism has been aimed at the Michigan Court of Appeals, which was one of the first state appellate courts to use central staff attorneys. Stow and Spaeth (1992) reviewed this court’s use of central staff attorneys and found a strong relationship between the recommendations regarding the decision whether to grant discretionary review by the attorneys and the justices’ decisions. Their study voiced a concern that justices are simply ratifying the staff attorneys’ recommendations.

Despite the intensity of the clashing polarities of views on the relationship of central staff attorneys to judicial decisionmaking, little light is cast on what work central staff attorneys actually perform. We do not know, for example, if the work of central staff attorneys in Michigan is similar to or different from the work of central staff attorneys elsewhere.

A final commentary on the literature is that most studies focus on either law clerks or central staff. McEwen provides an exception in his description of the use of both law clerks and central staff attorneys in the Pennsylvania Superior Court (1998). McEwen’s essay outlines the respective functions assigned to law clerks and central staff attorneys, and offers a rationale for that court’s particular staff structure. In Pennsylvania, the court operates with four law clerks per justice, both short-term and career hires. Most of the central staff attorneys handle motions and applications for writs, with the head central staff attorney supervising the training and management of legal staff. As helpful and insightful as the description of Pennsylvania’s appellate support staff is, more comparative research is needed. How does Pennsylvania’s use of law clerks and central staff compare to those in other states?

## 🦋 Guiding Propositions for This Research

This current research describes how appellate legal staff are used in all state and federal appellate courts, although the primary focus of the analysis is on state appellate court systems. It hopes to provide four unique contributions to the existing literature: 1) *comparative* because it includes all 50 states and the federal courts; 2) *comprehensive* because it examines all types of legal staff; 3) *complete* because it provides estimates of the percentage of time appellate staff spend in different work areas; and 4) *targeted* because it considers the impact of court structure on the work of legal staff.

New questions and corresponding data are necessary to deepen the understanding of the use of legal staff. The development of basic descriptive information requires one to ask questions concerning comparative patterns across different types of positions and across different courts. The objective of this project is to address several specific questions concerning the tasks that legal staff perform. The following set of questions guide the current research.

- Does each court use staff so differently that no one set of essential tasks exists?
- Are there tasks that are performed in virtually *all* appellate courts?
- Which legal staff perform which tasks?
- Do some types of legal staff consistently perform the same task across different courts?
- Does the performance of tasks depend on the type of court, size of court, court structure, type of state appellate court system, configuration of staff, or some other contextual factor?

The belief that different types of legal staff have fairly well-delineated and relatively uniform work orientations is the underlying perspective of the current study. In the context of the justice system, this idea has been applied primarily to the analyses of prosecutors, criminal defense attorneys, and justices. Each group of individuals should have distinctive purposes, goals, and sets of obligations in the American adversary legal system. Those different responsibilities guide their respective behaviors along divergent paths (e.g., different guilty plea negotiation practices).

Applying this tradition of thought to the work of appellate legal staff yields propositions for examination that should seem reasonable to observers and practitioners familiar with appellate courts. One proposition is that particular types of appellate legal staff perform various essential combinations of tasks, which we call work areas, more frequently than others. Simply stated, there are significant differences in the time that different types of legal staff spend on particular tasks. As a result, the research is expected to confirm the notion that each type of legal staff is definable in terms of a specific combination of tasks.

The second proposition is these work areas are relatively consistent in different contexts. Differences in work performed among the legal staff will remain intact in different settings, with one basic exception. Structural and caseload differences among intermediate appellate courts, courts of last resort without an intermediate appellate court, and courts of last resort with an intermediate appellate court influence the time

committed to various tasks by different types of legal staff. Each type of court has different functions to perform, and the time allocations for different tasks are expected to vary accordingly. For example, in courts of last resort with primarily discretionary jurisdiction, deciding which cases to hear is a major piece of work. In contrast, staff allocations should be targeted differently in high volume, mandatory jurisdiction intermediate appellate courts, where a major area of work is opinion preparation, including research and drafting.

The premise that courts organize themselves to achieve some agreed upon purpose (e.g., to meet some workload challenge) and that they use staff accordingly guided the selection of the eight variables listed below. The work areas of legal staff are not well-defined and staff are nearly interchangeable. The eight variables investigated by the analysis include the following:

**1. Type of State Appellate Court System**

Flango and Flango (1997) argue that seven identifiable types of appellate systems exist, each one of which involves a combination of mandatory and discretionary civil and criminal jurisdictions among a particular set of appellate courts that handle the cases. Do these overarching system differences affect time allocations by legal staff?

**2. Ratio of Central Staff Attorneys to Law Clerks**

Other studies of appellate work have shown that a greater use of legal staff improves timeliness in state appellate courts. (Hanson, 1996, 1998a, 1998b)

**3. Ratio of Central Staff Attorneys and Law Clerks to Justices**

Does the greater use of staff overall or particular types of staff (law clerks versus central staff attorneys) have parallel effects on what legal staff do?

**4. Ratio of Law Clerks to Justices**

**5. The Requirement That a Clerk of Court Is an Attorney**

Clerks of court increasingly emerged from the legal profession and even from a courts' own pool of central staff attorneys. Some courts require legal training or legal experience for their clerks of court.

**6. The Fact That a Clerk of Court Is an Attorney**

When clerks of court are required to be, or are, attorneys, is there a likelihood that the time alloca-

tions will be different from courts where clerks are not required to be attorneys? If so, these differences will be especially true for tasks associated with jurisdictional screening and prehearing work on individual cases and case management.

**7. The Number of Cases  
Filed with a Court per  
Justice**

**8. A State's Population**

The importance of these factors is highlighted in the literature concerning the work of courts (Ostrom and Kauder, 1999). Ten states handle approximately half of the nation's appellate cases. Does this difference in scale translate into different time allocations? If so, these differences will be especially pronounced for tasks associated with opinion preparation. The number of cases per justice also create different needs for the judiciary. Do courts with higher ratios of cases to justices allocate the time of legal staff differently? If so, these differences will be true especially for prehearing research and opinion preparation.

To address the questions of research interest, it is necessary to develop a catalogue of potential work to be performed by one or more types of legal staff and then to determine the amount of time devoted to the work by different types of legal staff in individual courts. Using a survey instrument to determine time allocations, the reported estimates provide an individual legal staff person level database that may be aggregated in a variety of ways (e.g., position type, court type, other court characteristics). This database builds on each court's configuration to construct the different court-level patterns along a variety of dimensions.

## Chapter 2



# CONTEXT AND METHODOLOGY

### ¶ Defining Legal Staff

To conduct a national study of legal staff across states in which nomenclature varies despite job similarities, an effort was made to define four basic types of legal staff based on commonly understood elements. The definitions of each position used in the survey are as follows:

#### **Clerk of the Court:**

- May have a legal background;
- Manages the offices where official court documents are filed; and
- Has authority and duties typically defined by statute.

#### **Central Staff Attorney:**

- Has legal background;
- Works for and assists the appellate court as a whole;
- Has limited ties to a particular justice, and works primarily for the court or a panel within the court, often under the direction of a supervising or principal attorney. Central staff attorneys may be temporarily assigned to an individual justice for certain cases;<sup>2</sup>
- May be located in the office of court counsel or in the clerk of the court's office; and
- May use a variety of titles including: research attorney, commissioner, writ clerk, office of court counsel, pro se clerk, staff law clerk, and pool aide.

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<sup>2</sup> It is our intent to include all *attorneys* who are not in-chambers legal staff.



**Short-Term In-Chambers Law Clerk**

- Has legal background;
- Works for and assists individual justices, with no direct responsibilities to the whole court;
- Are usually assigned to terms of one to three years shortly after graduating from law school; and
- May use a variety of titles including: law clerk, judicial law clerk, staff attorney, and research attorney, among others.

**Career In-Chambers Law Clerk**

- Has legal background;
- Works for and assists individual justices, with no direct responsibilities to the whole court;
- Are indefinitely employed professionals, who may have started as short-term in-chambers law clerks; and
- May use a variety of titles including: law clerk, judicial law clerk, senior law clerk, and research attorney, among others.

These definitions provide greater consistency to the categorization of responses into staff types. This consistency is crucial to the validity of the analysis in Chapter 3 because these *kinds* of legal staff predict the *work* of legal staff better than any other factor.

**🦋 The Extent of Legal Staff Use**

The clerk of court and the clerk’s staff of deputy clerks is a staple feature of all appellate courts. At one time, the clerks of court may not have been considered “legal staff,” however, the nature of their work is changing. Increased workloads require case management, a skill requiring great knowledge of legal processes. As a result clerks of court now have legal backgrounds, and some are former central staff attorneys. Currently, clerks of court are required to have a law degree in 38 percent of state appellate courts. An additional 16 percent hold law degrees even though the degree is not a job requirement.<sup>3</sup>

Central staff attorneys are a somewhat less common resource for clerk of court recruitment. Of the 151 state appellate courts studied, 103 use a central staff of three or

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<sup>3</sup> Data regarding the law degree requirement were not available for 36 of the 151 state appellate courts in this study. Therefore, the reported percentages are derived from an N of 115.

more attorneys and sixteen courts employ no central staff attorneys.<sup>4</sup> The average court employs almost seven and one-half central staff attorneys, adding up to 0.8 staff attorneys per justice. The Michigan Court of Appeals and the New York Supreme Court Appellate Division, Second Department employ the largest central staff attorney pools with 66 and 55 attorneys, respectively. Table 2.1 below shows the distribution of the number of central staff used in state appellate courts.

Table 2.1  
**Central Staff Attorneys per Justice in State Appellate Courts**

<b>Per Justice</b>	<b>Frequency</b>	<b>Percent</b>
0.0	16	10.7%
0.1 - 0.5	45	30.0
0.51 - 1.0	50	33.3
1.01 - 1.5	17	11.3
1.51 - 2.0	11	7.4
2.01 - 2.5	4	2.6
2.51 - 3.0	4	2.6
3.01 - and above	3	2.0

N=150

In contrast, in-chambers law clerks are present in every state appellate court. Most appellate courts assign in-chambers legal staff without variation in the number assigned to each associate justice, and many courts have provisions for different allocations of legal staff to chief justices. In twenty-eight courts, chief justices are allocated additional in-chambers staff and in two courts, the First Division Court of Appeals in Arizona and the Eastern District Court of Appeals in Missouri, chief justices retain one fewer in-chambers law clerks than associate justices in the same courts.

The assignment of in-chambers legal staff ranges from one to five per associate justice, with an average of 1.9 per associate justice. Eighty-three courts employ exactly two in-chambers law clerks per associate justice and 130 courts employ two or fewer. Only five courts employ four or more in-chambers legal staff per associate justice. The Alabama Court of Criminal Appeals, the Pennsylvania Supreme Court, the

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<sup>4</sup> Courts that do not employ central staff attorneys (as defined above) include: the Alaska Supreme Court, the Arkansas Supreme Court, the Hawaii Intermediate Court of Appeals, the Idaho Court of Appeals, the Indiana Tax Court, the Maryland Court of Appeals, the Missouri Supreme Court, the New Mexico Supreme Court, the North Carolina Supreme Court, the Ohio Second District Court of Appeals, the Ohio Third District Court of Appeals, the Ohio Sixth District Courts of Appeals, the Ohio Ninth District Court of Appeals, the Oklahoma Court of Civil Appeals, the Puerto Rico Supreme Court and the Texas 4<sup>th</sup> District Court of Appeals.

Pennsylvania Superior Court, and the Pennsylvania Commonwealth Court employ four in-chambers law clerks per associate justice. Only one court, the California Supreme Court, employs five in-chambers legal staff per associate justice.

Table 2.2  
**Allocations of In-Chambers Law Clerks per Associate Justice in State Appellate Courts**

<b>Per Justice</b>	<b>Frequency</b>	<b>Percent</b>
1.0	42	28.0%
1.5	4	2.7
1.8	1	0.7
2.0	83	55.3
2.5	1	0.7
3.0	14	9.3
4.0	4	2.7
5.0	1	0.7

N=150

Table 2.2 indicates that the vast majority of courts fall into a narrow range regarding the number of in-chambers law clerks, providing little variation. Three of the five courts falling outside this narrow range come from a single state (Pennsylvania) and another, the Supreme Court of California, is unique in its extensive use of all types of legal staff.

These figures indicate that while justices in appellate courts predominantly rely on in-chambers law clerks, central staff attorneys are a significant resource at their disposal. The average court employs over twenty-three total legal staff to aid its justices, amounting to over 2.7 staff per justice. The 1.9 in-chambers law clerks account for about 70 percent of the average total legal staff per justice; the 0.8 central staff attorneys account for the other 30 percent. Only nine courts average fewer than 1.5 legal staff per justice and employ fewer than one staff per justice. The California Supreme Court employs the most legal staff per justice with an average of ten per justice.

Many characteristics (caseload, type of court, demographics, etc.) define the work of appellate courts, resulting in no two identical courts. Three factors have significant effects upon the presence of legal staff in appellate courts: 1) type of court, 2) state population, and 3) the number of cases filed per justice.

The presence of legal staff in appellate courts, including both in-chambers law clerks and central staff attorneys, is greater in state courts of last resort than in intermediate appellate courts. While intermediate appellate courts average 2.47 legal staff per justice, courts of last resort average between 2.86 and 3.08 legal staff per justice, depending on court structure.

Table 2.3  
The Presence of Legal Staff in State Appellate Courts

Court	Justices		In-Chambers Law Clerks		Per Assoc. Justice		Per Chief Justice		Average Per Justice		Central Staff Attorneys		Total Staff	
	Number	Number	Number	Number	Justice	Justice	Justice	Justice	Justice	Number	Per Justice	Number	Per Justice	
<b>Alabama</b>														
Supreme Court	9	27	3	3	3	3	3	3	3	1	0.11	28	3.11	
Court of Civil Appeals	5	15	3	3	3	3	3	3	3	1	0.20	16	3.20	
Court of Criminal Appeals	5	20	4	4	4	4	4	4	4	1	0.20	21	4.20	
<b>Alaska</b>														
Supreme Court	5	15	3	3	3	3	3	3	3	0	0.00	15	3.00	
Court of Appeals	6	12	2	2	2	2	2	2	2	2	0.33	14	2.33	
<b>Arizona</b>														
Supreme Court	5	11	2	3	2.2	3	3	3	2.2	12	2.40	23	4.60	
Court of Appeals: 1 <sup>st</sup> Division	16	31	2	1	1.94	1	1	1	1.94	14.5	0.91	45.5	2.84	
Court of Appeals: 2 <sup>nd</sup> Division	6	6	1	1	1	1	1	1	1	6	1.00	12	2.00	
<b>Arkansas</b>														
Supreme Court	7	14	2	2	2	2	2	2	2	0	0.00	14	2.00	
Court of Appeals	12	24	2	2	2	2	2	2	2	4	0.33	28	2.33	
<b>California</b>														
Supreme Court	7	38	5	8	5.43	8	8	8	5.43	32	4.57	70	10.00	
Courts of Appeal: 1 <sup>st</sup> District	19	38	2	2	2	2	2	2	2	16	0.84	54	2.84	
Courts of Appeal: 2 <sup>nd</sup> District	28	56	2	2	2	2	2	2	2	48	1.71	104	3.71	
Courts of Appeal: 3 <sup>rd</sup> District	10	20	2	2	2	2	2	2	2	13	1.30	33	3.30	
Courts of Appeal: 4 <sup>th</sup> District	21	42	2	2	2	2	2	2	2	33	1.57	75	3.57	
Courts of Appeal: 5 <sup>th</sup> District	9	18	2	2	2	2	2	2	2	10	1.11	28	3.11	
Courts of Appeal: 6 <sup>th</sup> District	6	12	2	2	2	2	2	2	2	9	1.50	21	3.50	
<b>Colorado</b>														
Supreme Court	7	14	2	2	2	2	2	2	2	1	0.14	15	2.14	
Court of Appeals	16	16	1	1	1	1	1	1	1	16	1.00	32	2.00	

Table 2.3: The Presence of Legal Staff in State Appellate Courts, continued

Court	Justices Number	In-Chambers Law Clerks			-Central Staff Attorneys-		Total Staff		
		Number	Per Assoc. Justice	Per Chief Justice	Average Per Justice	Number	Per Justice	Number	Per Justice
<b>Connecticut</b>									
Supreme Court	7	14	2	2	2	7	1.00	21	3.00
Appellate Court	9	10	1	2	1.11	9	1.00	19	2.11
<b>Delaware</b>									
Supreme Court	5	6	1	2	1.2	4	0.80	10	2.00
<b>District of Columbia</b>									
Court of Appeals	9	19	2	3	2.11	8	0.89	27	3.00
<b>Florida</b>									
Supreme Court	7	15	2	3	2.14	6	0.86	21	3.00
1 <sup>st</sup> District Court of Appeals	15	30	2	2	2	4	0.27	34	2.27
2 <sup>nd</sup> District Court of Appeals	14	28	2	2	2	6	0.43	34	2.43
3 <sup>rd</sup> District Court of Appeals	11	22	2	2	2	1	0.09	23	2.09
4 <sup>th</sup> District Court of Appeals	12	24	2	2	2	6	0.50	30	2.50
5 <sup>th</sup> District Court of Appeals	9	18	2	2	2	5	0.56	23	2.56
<b>Georgia</b>									
Supreme Court	7	15	2	3	2.14	3	0.43	18	2.57
Court of Appeals	10	30	3	3	3	8	0.80	38	3.80
<b>Hawaii</b>									
Supreme Court	5	11	2	3	2.2	5	1.00	16	3.20
Intermediate Court of Appeals	4	8	2	2	2	0	0.00	8	2.00
<b>Idaho</b>									
Supreme Court	5	10	2	2	2	1	0.20	11	2.20
Court of Appeals	3	6	2	2	2	0	0.00	6	2.00
<b>Illinois</b>									
Supreme Court	7	21	3	3	3	7	1.00	28	4.00
Appellate Court: 1 <sup>st</sup> District	24	48	2	2	2	19	0.79	67	2.79
Appellate Court: 2 <sup>nd</sup> District	9	18	2	2	2	8	0.89	26	2.89
Appellate Court: 3 <sup>rd</sup> District	6	12	2	2	2	5	0.83	17	2.83
Appellate Court: 4 <sup>th</sup> District	6	12	2	2	2	4	0.67	16	2.67
Appellate Court: 5 <sup>th</sup> District	7	14	2	2	2	4	0.57	18	2.57



Table 2.3: The Presence of Legal Staff in State Appellate Courts, continued

Court	Justices Number	In-Chambers Law Clerks			Central Staff Attorneys		Total Staff			
		Number	Per Assoc. Justice	Per Chief Justice	Average Per Justice	Number	Per Justice	Number	Per Justice	
<b>Mississippi</b>										
Supreme Court	9	2	2	2	2	7	0.78	25	2.78	
Court of Appeals	10	2	2	2	2	5	0.50	25	2.50	
<b>Missouri</b>										
Supreme Court	7	2	2	2	2	0	0.00	14	2.00	
Court of Appeals: Western District	11	1	1	1	1	3	0.27	14	1.27	
Court of Appeals: Eastern District	14	2	2	1	1.93	3	0.21	30	2.14	
Court of Appeals: Southern District	7	1	1	1	1	2	0.29	9	1.29	
<b>Montana</b>										
Supreme Court	7	2	2	2	2	1	0.14	15	2.14	
<b>Nebraska</b>										
Supreme Court	7	2	2	2	2	1	0.14	15	2.14	
Court of Appeals	6	2	2	2	2	1	0.17	13	2.17	
<b>Nevada</b>										
Supreme Court	5	2	2	2	2	23	4.60	33	6.60	
<b>New Hampshire</b>										
Supreme Court	5	No information available								
<b>New Jersey</b>										
Supreme Court	7	3	5	5	3.29	4	0.57	27	3.86	
Superior Court, Appellate Div	32	1	2	2	1.03	28	0.88	61	1.91	
<b>New Mexico</b>										
Supreme Court	5	2	2	2	2	0	0.00	10	2.00	
Court of Appeals	10	1	1	1	1	15	1.50	25	2.50	
<b>New York</b>										
Court of Appeals	7	2	3	3	2.14	15	2.14	30	4.29	
Sup. Court, Appellate Div., 1 <sup>st</sup> Dept.	15	1	1	1	1	43	2.87	58	3.87	
Sup. Court, Appellate Div., 2 <sup>nd</sup> Dept.	19	1	1	1	1	55	2.89	74	3.89	
Sup. Court, Appellate Div., 3 <sup>rd</sup> Dept.	16	1	2	2	1.07	21	1.40	37	2.47	
Sup. Court, Appellate Div., 4 <sup>th</sup> Dept.	11	1	1	1	1	17	1.55	28	2.55	

<b>North Carolina</b>										
Supreme Court	7	15	2	3	2.14	0	0.00	15	2.14	
Court of Appeals	12	25	2	3	2.08	7	0.58	32	2.67	
<b>North Dakota</b>										
Supreme Court	5	5	1	1	1	6	1.20	11	2.20	
<b>Ohio</b>										
Supreme Court	7	21	3	3	3	11	1.57	32	4.57	
1 <sup>st</sup> District Court of Appeals	6	12	2	2	2	3	0.50	15	2.50	
2 <sup>nd</sup> District Court of Appeals	5	10	2	2	2	0	0.00	10	2.00	
3 <sup>rd</sup> District Court of Appeals	4	8	2	2	2	0	0.00	8	2.00	
4 <sup>th</sup> District Court of Appeals	4	8	2	2	2	2	0.50	10	2.50	
5 <sup>th</sup> District Court of Appeals	5	10	2	2	2	1	0.20	11	2.20	
6 <sup>th</sup> District Court of Appeals	5	12.5	2.5	2.5	2.5	0	0.00	12.5	2.50	
7 <sup>th</sup> District Court of Appeals	4	4	1	1	1	1	0.25	5	1.25	
8 <sup>th</sup> District Court of Appeals	12	24	2	2	2	6	0.50	30	2.50	
9 <sup>th</sup> District Court of Appeals	8	16	2	2	2	0	0.00	16	2.00	
10 <sup>th</sup> District Court of Appeals	8	16	2	2	2	7	0.88	23	2.88	
11 <sup>th</sup> District Court of Appeals	4	8	2	2	2	1	0.25	9	2.25	
12 <sup>th</sup> District Court of Appeals	4	4	1	1	1	1	0.25	5	1.25	
<b>Oklahoma</b>										
Supreme Court	9	18	2	2	2	5	0.56	23	2.56	
Court of Criminal Appeals	5	10	2	2	2	15	3.00	25	5.00	
Court of Civil Appeals	12	24	2	2	2	0	0.00	24	2.00	
<b>Oregon</b>										
Supreme Court	7	7	1	1	1	2.5	0.36	9.5	1.36	
Court of Appeals	10	18	1.8	1.8	1.8	4	0.40	22	2.20	
<b>Pennsylvania</b>										
Supreme Court	7	29	4	5	4.14	1	0.14	30	4.29	
Superior Court	15	60	4	4	4	20	1.33	80	5.33	
Commonwealth Court	9	36	4	4	4	5	0.56	41	4.56	
<b>Puerto Rico</b>										
Supreme Court	7	22	3	4	3.14	0	0.00	22	3.14	
Court of Appeals	33	33	1	1	1	22	0.67	55	1.67	
<b>Rhode Island</b>										
Supreme Court	5	11	2	3	2.2	4	0.80	15	3.00	



Table 2.3: The Presence of Legal Staff in State Appellate Courts, continued

Court	Justices Number	In-Chambers Law Clerks			Central Staff Attorneys –		Total Staff	
		Per Assoc. Justice	Per Chief Justice	Average Per Justice	Number	Per Justice	Number	Per Justice
<b>South Carolina</b>								
Supreme Court	5	2	2	2	9	1.80	19	3.80
Court of Appeals	9	2	2	2	5	0.56	23	2.56
<b>South Dakota</b>								
Supreme Court	5	1	1	1	3	0.60	8	1.60
<b>Tennessee</b>								
Supreme Court	5	2	2	2	9	1.80	19	3.80
Court of Appeals: Western Division	4	1.5	1.5	1.5	1	0.25	7	1.75
Court of Appeals: Middle Division	4	1.5	1.5	1.5	1	0.25	7	1.75
Court of Appeals: Eastern Division	4	2	2	2	1	0.25	9	2.25
Court of Criminal Appeals: West Div.	4	2	2	2	1	0.25	9	2.25
Court of Criminal Appeals: Middle Div.	4	2	2	2	1	0.25	9	2.25
Court of Criminal Appeals: East Div.	4	2	2	2	1	0.25	9	2.25
<b>Texas</b>								
Supreme Court	9	3	3	3	2	0.22	29	3.22
Court of Criminal Appeals	18	2	2	2	16	1.78	34	3.78
1 <sup>st</sup> District Court of Appeals	9	1	1	1	8	0.89	17	1.89
2 <sup>nd</sup> District Court of Appeals	7	1	1	1	7	1.00	14	2.00
3 <sup>rd</sup> District Court of Appeals	6	1	1	1	6	1.00	12	2.00
4 <sup>th</sup> District Court of Appeals	7	2	2	2	0	0.00	14	2.00
5 <sup>th</sup> District Court of Appeals	13	1	1	1	13	1.00	26	2.00
6 <sup>th</sup> District Court of Appeals	3	1	1	1	4	1.33	7	2.33
7 <sup>th</sup> District Court of Appeals	4	2	2	2	4	1.00	12	3.00
8 <sup>th</sup> District Court of Appeals	4	1	1	1	6	1.50	10	2.50
9 <sup>th</sup> District Court of Appeals	3	1	1	1	6	2.00	9	3.00
10 <sup>th</sup> District Court of Appeals	3	1	1	1	3	1.00	6	2.00
11 <sup>th</sup> District Court of Appeals	3	1	1	1	4	1.33	7	2.33
12 <sup>th</sup> District Court of Appeals	3	1	1	1	5	1.67	8	2.67
13 <sup>th</sup> District Court of Appeals	6	1	1	1	6	1.00	12	2.00
14 <sup>th</sup> District Court of Appeals	9	1	1	1	9	1.00	18	2.00



Additionally, state population affects the presence of legal staff in appellate courts, as shown in Table 2.4. The average number of legal staff in appellate courts, including both in-chambers law clerks and central staff attorneys, in the ten most populous states is 2.91, while the average number in the rest of the courts is 2.5.<sup>5</sup> This difference is most pronounced in courts of last resort with an intermediate appellate court. The eleven courts of last resort in the ten most populous states average 4.47 legal staff per justice and their counterparts in other states average only 2.59 legal staff per justice.<sup>6</sup> Although the differences are statistically significant, population has a less dramatic effect on differences in the number of legal staff employed in intermediate appellate courts.

Table 2.4  
Number of Legal Staff per Justice in State Appellate Courts

	Ten Most Populous States		All Other States		Total	
	Mean	N	Mean	N	Mean	N
Intermediate Appellate Courts	<b>2.58</b>	51	<b>2.34</b>	46	<b>2.47</b>	97
Courts of Last Resort without an IAC	<b>n/a</b>	0	<b>2.86</b>	11	<b>2.86</b>	11
Courts of Last Resort with an IAC	<b>4.47</b>	11	<b>2.59</b>	31	<b>3.08</b>	42
<b>Total</b>	<b>2.91</b>	62	<b>2.50</b>	88	<b>2.67</b>	150

Finally, the number of cases per justice affects the number of legal staff per justice.<sup>7</sup> In courts with a high per justice caseload, the average number of legal staff per justice is 2.87 and in courts with medium and low per justice caseloads, the number hovers around 2.3.<sup>8</sup> These differences are most pronounced in the eleven courts in the most populous states and are less so in the other courts, as shown in Table 2.5.

<sup>5</sup> The ten most populous states include: California, Florida, Georgia, Illinois, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Texas.

<sup>6</sup> Texas has two courts of last resort.

<sup>7</sup> The analysis concerning cases per justice only includes intermediate appellate courts because of the difficulties in comparing caseloads of intermediate appellate courts with those of courts of last resort.

<sup>8</sup> *Medium* per justice caseloads were between 133.6 and 174.1 cases per justice. Those with rates above this range were considered *high* and those with rates below this range were considered *low*.

Table 2.5  
**Number of Legal Staff per Justice in State Intermediate Appellate Courts**

Cases per Justice	Ten Most Populous States		All Other States		Total	
	Mean	N	Mean	N	Mean	N
High	<b>3.02</b>	19	<b>2.58</b>	10	<b>2.87</b>	29
Medium	<b>2.30</b>	19	<b>2.32</b>	10	<b>2.31</b>	29
Low	<b>2.14</b>	6	<b>2.32</b>	23	<b>2.29</b>	29
<b>Total<sup>9</sup></b>	<b>2.59</b>	44	<b>2.38</b>	43	<b>2.49</b>	87

These data give an indication of the presence of legal staff present in appellate courts and the structural factors that influence their existence. These individuals and their work are the subject of the current research.

## ¶ Survey Design

A set of surveys was developed to broaden and deepen our knowledge concerning the work of legal staff in state appellate courts, the primary goal of this study. Mailed questionnaires asked respondents to estimate the percentage of time he or she spent on each of forty tasks. The responses to these questionnaires comprise the heart of the current study.

The descriptions of forty tasks were developed by considering the nature of possible legal staff work completed at different steps in the appellate process and the variety of different types of appellate cases (e.g., appeals, writs, and petitions). Seven headings provided the structure for grouping the forty tasks on the questionnaire. This framework helped respondents understand the meaning of each task. The headings and tasks are displayed in Table 2.6.

Questionnaires were sent to the clerk of court in each of 151 state appellate courts, who forwarded specified portions to relevant legal staff. Four portions solicited information concerning the work (i.e., the tasks) and work contexts of the four types of legal staff (i.e., clerks of court, central staff attorneys, short-term in-chambers legal staff, and

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<sup>9</sup> The appropriate caseload data were only available for 87 of the 97 intermediate appellate courts examined in Table 2.4. Therefore, the analysis put forth in Table 2.5 (most notably the *Total* row) will not match the data reported in Table 2.4.

Table 2.6

**Forty Tasks of Legal Staff**

**Preliminary Duties (1)**

- 1: Screening for jurisdiction
- 2: Researching applications for extraordinary writs and other original actions
- 3: Preparing memoranda on substantive motions
- 4: Handling procedural motions
- 5: Preparing memoranda on transferring cases to or from an intermediate appellate court
- 6: Reviewing a docketing statement

**Settlement Conferences (2)**

- 7: Reviewing the settlement conference statement
- 8: Managing the settlement conference program
- 9: Conducting settlement conferences as the conference host
- 10: Other work on settlement conferences

**Petitions for Review (3)**

- 11: Preparing memoranda on petitions for review (prior to the decision to grant or to deny)
- 12: Attending judicial conferences (on the decision to review)
- 13: Preparing memoranda on petitions for review (after having been accepted for review)
- 14: Other work on petitions for review

**Appeals of Right (4)**

- 15: Preparing memoranda on cases with some modified procedures
- 16: Preparing memoranda and reading briefs on appeals of right prior to oral argument/conferencing
- 17: Attending judicial conferences after argument
- 18: Attending judicial conferences when cases are submitted on the briefs alone
- 19: Other work on appeals of right

**Tasks Prior to Conference (5)**

- 20: Reviewing the record
- 21: Screening or weighting cases by: topic, difficulty, or complexity
- 22: Issue tracking and/or issue clustering
- 23: Calendaring cases for oral argument/conference
- 24: Consulting with a justice on an individual case (verbal feedback)
- 25: Other work prior to decision

**Opinion Preparation (6)**

- 26: Contributing to opinion preparation by writing one or more drafts
- 27: Preparing memoranda on opinions of other justices and other legal staff
- 28: Consulting with individual justices on opinions (verbal feedback)
- 29: Shepardizing and footnoting
- 30: Editing opinions and orders (written feedback)
- 31: Proofing mandates
- 32: Other work on opinion preparation

**Administration (7)**

- 33: Case management
- 34: Court administration
- 35: Education: organizing new staff seminars, CLE classes, mentoring, and so forth
- 36: Participating in professional educational or training programs
- 37: Preparing memoranda on petitions for rehearings
- 38: Technology management
- 39: Personnel management
- 40: Other

career in-chambers legal staff). The fifth section, also submitted to the clerk of court in each court, focused on an array of contextual characteristics of the court, such as the number of justices and caseload information.

Questionnaires were not sent to every legal staff member in all 151 state appellate courts because of the resources required for a mass survey. Different strategies were developed to elicit the desired information from a smaller number of respondents. Consequently, the results are based on a sample of legal staff.

**Clerks of Court:** The work information sought about each clerk of court pertained only to the clerk of court and not to his or her staff. Therefore, a single questionnaire completed by each court's clerk was sufficient to obtain such information.

**Central Staff Attorneys:** The study sought to account for work of all central staff attorneys in each court. A head central staff attorney is in a prime position to offer information regarding the work of the entire central staff; therefore, the head central staff attorney in each court received a questionnaire, asking him or her to account for the time spent by the entire central staff on each of the tasks.

**Short-Term and Career Law Clerks:** The two types of in-chambers legal staff, by definition, lack the same centralized management and hierarchical structure that exists for central staff attorneys. Without that structure and considering the lack of resources necessary to survey all in-chambers legal staff, the information was obtained from in-chambers legal staff members chosen by the clerk of court based on their representative workloads. Structural elements in each court, demanding that each judicial chamber complete certain tasks, ensure that the extrapolation of data from the single response to the entire staff is a reasonable approach.

An overall response rate was impossible to determine given uncertainties about the presence of in-chambers law clerks in each court. The response rates were 77 percent for clerks of court and 73 percent for central staff attorneys.<sup>10</sup> A total of 151 survey responses from 112 different courts were received from both short-term

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<sup>10</sup> According to data collated from other sources, central staff attorneys are present in 136 of the state appellate courts in this study; therefore, the response rate is calculated using that number as 100 percent.

in-chambers law clerks and career in-chambers law clerks. These response rates are higher than usually received in mailed surveys.<sup>11</sup>

## Methodology

Responses to the questionnaire indicate that the respondents tried to precisely estimate the proportion of time they spent on each possible task, as shown below in Table 2.7. Whereas some tasks involved limited time commitments, there is no indication that individual respondents lumped their work into one or two categories. However, the data in Table 2.7 are not readily comprehensible. The wide array of possible responses makes it difficult to look at the data and discern coherent work areas or to define differences in staff types without a detailed description.

Principal components analysis, a type of factor analysis, was used to determine inter-related tasks that make up distinct work areas. Factor analysis identifies patterns among a vast array of individual variables, such as the forty tasks. If, for example, a significant number of the clerks of court said that they performed three tasks with the same degree of regularity, but varied in estimates on their other tasks, the three tasks tend to have enough in common to be regarded as a set or “factor.”

Principal components analysis of the survey responses identified nine distinct clusters of tasks, or nine legal staff “work areas.” These work areas are not mutually exclusive; they are groupings of tasks that have a strong tendency to be performed together. Each staff member is likely to work in more than one, if not all, of the nine identified work areas. (See Appendix C for a further description of factor analysis).

After identifying nine work areas, the next step is to address the questions, “Are different types of legal staff more likely than others to work in particular work areas?” and, “What other structural factors affect the time legal staff work in particular work areas?” Several tables in Chapter 3 present the average proportion of time spent on the aggregate of all the tasks for each work area. Although differences in average time spent in the nine work areas may be apparent across types of court and types of legal staff, a statistical technique called analysis of variance is necessary to determine whether those differences

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<sup>11</sup> *Evaluating Information: A Guide for Users of Social Science Research*. Jeffrey Katzer, Kenneth H. Cook, and Wayne N. Crouch, 1991.

Table 2.7  
**Percentage of Time Appellate Legal Staff Spend on Tasks in State Appellate Courts**

Task #	Task Description	Clerks of Court	Central Staff	Short-Term Law Clerk	Career Law Clerk
<b>Preliminary Duties</b>					
1	Screening for jurisdiction	4%	4%	1%	1%
2	Researching applications for extraordinary writs and other original actions	0	7	1	2
3	Preparing memoranda on substantive motions (to strike, to peremptorily affirm)	1	5	0	1
4	Handling procedural motions (e.g., extensions of time)	7	4	0	1
5	Preparing memoranda on transferring cases to or from an IAC	1	2	0	0
6	Reviewing a docket statement	1	1	0	0
<b>Settlement Conferences</b>					
7	Reviewing settlement conference statement	0	0	0	0
8	Managing settlement conference program (logistical matters)	0	0	0	0
9	Conducting settlement conferences (as a conference host)	0	0	0	0
10	Other work on settlement conferences	0	0	0	0
<b>Discretionary Petitions</b>					
11	Preparing memoranda on petitions for review (prior to decision to grant or deny)	0	14	3	1
12	Attending judicial conferences	0	0	0	0
13	Preparing memoranda on petitions for review (after accepted for review)	0	1	2	1
14	Other work on petitions for review	2	1	0	0
<b>Appeals of Right</b>					
15	Preparing memoranda on cases with some modified procedures	0	5	1	4
16	Preparing memoranda and reading briefs on appeals prior to argument	1	8	14	11
17	Attending judicial conferences after argument	0	0	1	0
18	Attending judicial conferences when cases are submitted on the briefs alone	0	0	0	0
19	Other work on appeals of right	1	1	1	0
<b>Tasks Prior to Decision</b>					
20	Reviewing the record	1	6	11	14
21	Screening or weighting cases by: topic, difficulty, or complexity	0	1	0	0
22	Issue tracking and/or issue clustering	0	1	1	0
23	Calendaring cases for oral argument/conference	4	1	0	0
24	Consulting with a justice on an individual case (verbal feedback)	1	2	5	6
25	Other work prior to decision	2	1	1	2
<b>Opinion Preparation</b>					
26	Contributing to opinion production by writing one or more drafts	0	14	34	32
27	Preparing memoranda on opinions of other justices and other legal staff	0	0	2	3
28	Consulting with individual justices on opinions (verbal feedback)	1	2	4	4
29	Shepardizing and footnoting	0	1	4	3
30	Editing opinions and orders (written feedback)	0	2	7	6
31	Proofing mandates	1	0	1	0
32	Other work on opinion preparation	1	1	1	2
<b>Administration</b>					
33	Case management	21	2	0	1
34	Technology management	7	3	0	2
35	Personnel management	13	1	0	1
36	Other court administration	14	1	1	1
37	Education: staff seminars, CLE classes, mentoring, etc.	2	1	1	1
38	Participating in professional educational or training programs	3	1	0	0
39	Preparing memoranda on petitions for re-hearings	0	1	0	1
40	Other	9	2	1	1
Sum of all tasks		100%	100%	100%	100%
Number of Courts Reporting		114	99	92	58

Note: Average responses of ten percent or greater are highlighted.



are significant or could occur by chance. The analysis of variance explores the extent to which a set of categories (e.g., types of legal staff positions) is associated with the percentage of time appellate court staff spends on the various tasks by addressing the question, “Is the variation in percentage of time spent on tasks *between* each work area greater than the variation in percentage of time spent in tasks *within* each work?” If the answer is yes, then the significantly different percentages of time are spent in each work area.<sup>12</sup>

The analysis of variance is well-suited to address the central question of the current research, “Are there differences in the time commitments by different types of legal staff in each of the nine work areas?”<sup>13</sup> Additionally, the anticipated effects of the type of court can be addressed by conducting a two-way analysis of variance. What are the effects, if any, of court type on time allocations of legal staff? Are those effects weaker or stronger than the effects of type of legal staff? Do the two variables (type of staff and type of court) interact with each other? Or, are the effects of each variable uniform across the categories of the other?

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<sup>12</sup> In interpreting the results of the analysis of variance, attention needs to be given to three numbers produced by the technique. The first is called the F statistic. The F statistic is a quantitative measure of the degree to which different categories (e.g., clerks of court, law clerks, central staff attorneys) have different percentages of time for the various factors. The more closely knit the processing times within each category, the larger the F statistic.

A second number, called the significance level, serves as a benchmark to separate significant from nonsignificant F statistics. The significance level indicates the likelihood that the F statistic could have occurred by chance alone. A common rule of thumb is that categories of courts have significantly different time allocations when the significance level is .05 or smaller. This means that the observed relationship between the categories and the time allocations could have occurred by chance only five times out of a hundred.

A third number, called the eta coefficient, indicates how closely the categories affect time allocations. The larger the eta value, which ranges from zero to one, the closer the association.

<sup>13</sup> Another technique of some relevance is regression analysis. This technique is suited to address the related question, what elements best explain variation in time commitments made in each area? Interestingly, the results parallel those from the use of analysis of variance. Specifically, the most influential variable in explaining variation in time commitments in each work area is position, i.e., type of legal staff. Additionally, the only other variable that offers any contribution in a reasonably consistent manner is the type of court and the contribution of court type is secondary to the effects of position. The results reported in Chapter 3 rely on the analysis of variance, except where regression results better illuminate the interrelationship between multiple variables.

## Chapter 3



# RESULTS

### Overview

A great deal of the discussion concerning legal staff in state appellate courts revolves around their appropriate roles. There are contending views on whether justices delegate too much authority to central staff attorneys, law clerks, or clerks of court, and whether justices are unduly influenced by legal staff. Despite the allure that this debate has for some observers, it sheds limited light on the focus and relative amount of time that different personnel actually devote to work-related tasks in different courts and in different court contexts.

Questions concerning the nature and breadth of work performed by attorneys hired to work for individual justices, or the court as a whole, remain unaddressed by the debate. Are there basic work assignments that legal staff are called on to complete? If so, what are they? Do particular types of legal staff tend to be involved in particular work areas more than others? Are some areas dominated almost exclusively by one type of legal staff? Does the time that different types of legal staff commit to work areas depend on the nature of the court, the appellate system, or other characteristics of the court in which they are employed?

These nine areas consist of highly interrelated, closely-knit combinations of different tasks that are according to an analysis of the respondents' time estimates:

- 1. Assisting justices in preparation of opinions,**
- 2. Handling cases at key procedural events (case management),**
- 3. Training staff and court management,**
- 4. Rendering prehearing assistance,**
- 5. Researching substantive motions and writs,**

- 6. Attending decisional conferences on cases,**
- 7. Conducting settlement conferences,**
- 8. Managing settlement conferences, and**
- 9. Preparing memoranda on discretionary petitions.**

Each work area consists of a highly interrelated collection of distinctive tasks, and if a legal staff person performs one task in a given area, he or she is likely to perform other particular tasks in that same area and so forth.

In this section, the research objective is to assess the validity of the basic proposition that some types of legal staff spend more time on some work areas than other legal staff. If this proposition is true, legal staff may be defined and understood by particular work areas. The relationship between legal staff and the time spent in different work areas is also examined under alternative circumstances, which include the type of appellate court, the type of appellate court system (as described by Flango and Flango, 1997), the ratio of central staff attorneys to law clerks, the ratio of law clerks and central staff attorneys to justices, the ratio of law clerks to justices, whether the clerk of court is required to be (or is) an attorney, the number of appellate cases filed per justice, and state population.

The study's second proposition is that, with the exception of the type of court, most of these variables are not related to how much time is spent by legal staff in different work areas. The type of court will exert a lesser influence than the type of legal staff, but the differences between intermediate appellate courts (IACs), courts of last resort (COLRs), and courts of last resort with an intermediate court, are sufficient to exert their own independent effort on time allocations. Thus, the work of different types of legal staff cannot be described with complete consistency without taking into account the type of court in which the work takes place.

These two propositions will not shock the expert observers and practitioners of the appellate process. Both propositions touch on ideas familiar to those held by persons familiar with the workings of appellate courts. Yet, there is considerable value in subjecting commonly held beliefs to systematic scrutiny. Knowledge of the patterns of appellate staff work should enable both justices and legal staff to see the work of staff more clearly and precisely. What are the similarities and differences in work orientations of legal staff and where do the differences lie? Are the differences understandable? Answers to these questions are important for knowing whether commonly held beliefs are simply conventional wisdom or factually supported insights and experiences.

## Work Area One: Assisting Justices in Preparation of Opinions

The most distinctive work area—the one in which tasks are synchronized most closely— involves assistance in the preparation for, writing of, and the refinement of draft opinions. Based on the survey responses, a cluster of several interrelated tasks emerges. The specific tasks include: reviewing the record, drafting an opinion (most likely the facts in a case), verbally consulting with a justice on an individual case, shepardizing and checking footnotes, and proofing mandates. This combination of tasks is performed with the greatest regularity in all appellate courts.

Does the same group of legal staff carry out this activity in all types of appellate courts? The conventional outlook is that assistance in opinion preparation is generally the work of law clerks; central staff attorneys might spend some time doing this work, and a small portion of this work is performed by the clerk of court. This expectation is somewhat general in nature and assumes that all appellate courts are roughly alike in their caseload composition and related workload demands. For this reason, a precise estimate of time allocation by legal staff remains unknown. To address these questions systematically, the average percentage of total available work time is calculated for each of the four different staff positions and for the three basic types of appellate courts.

The results indicate that law clerks, whether short-term or career staff, devote comparatively much more of their time to helping judges produce opinions than do central staff attorneys, who devote relatively more of their time to opinions than clerks of court. Assistance in opinion preparation is the work of law clerks in courts that are staffed solely by recent law school graduates, those that employ attorneys solely on a long-term basis, or those that use both types of attorneys, as shown in Table 3.1.

Table 3.1  
**What Is the Average Percentage of Time Devoted to Assisting Justices in Opinion Preparation?**

Types of Legal Staff			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
4%	27%	64%	66%

The differences among the average percentages are statistically significant, which means that these staff positions make distinctively different time commitments to this work area. The individual responses in each separate position tend to be similar, and different from the responses associated with the other positions. ( $F = 241$ , at the .001 significance level).

Is the type of legal staff position the only variable to shape the time devoted to opinion preparation? Or does the type of court make a difference? Is the effect of position greater in some courts than in others? The answer is that the relative amount of time clerks of court, central staff attorneys, or law clerks spend is not uniform within each type of court. Position and court type interact with each other to influence time allocations, as shown in Table 3.2.

Table 3.2

**What Is the Average Percentage of Time Devoted to Opinion Preparation by Different Types of Legal Staff in Different Types of Appellate Courts?**

	IAC	COLR without an IAC	COLR with an IAC	Total
Clerks of Courts	4%	2%	4%	4%
Central Staff Attorneys	35	32	12	27
Career In-Chambers Legal Staff	67	61	54	64
Short-Term In-Chambers Legal Staff	71	68	57	66
<b>Total</b>	<b>40%</b>	<b>35%</b>	<b>27%</b>	<b>35%</b>

Statistically, the results of a two-way analysis of variance are  $F = 96.21$ , .001 significance level for the effects of the type of court;  $F = 142.20$ , .001 significance for the effects of position, and,  $F = 3.22$  for interaction effects, at the .004 significance level. These results indicate that the effects of the type of position are not the same in all types of courts.

Both the type of position and the type of court affect the time spent on opinion preparation, but neither one has uniform effects across all the subcategories. Interpreting the figures, the interaction occurs among central staff attorneys and law clerks in courts of last resort in two tiered appellate systems. Central staff attorneys in these systems spend less time (12 percent) than their counterparts in other appellate court structures (35 percent and 32 percent). Short-term clerks in two-tiered systems also spend less time (57 percent) than their counterparts elsewhere (71 percent and 68 percent). The same pattern holds for career law clerks in two tiered systems (54 percent versus 61 percent and 67 percent). The combined results from Tables 3.1 and 3.2 suggest that although the type of position of legal staff strongly affects the time devoted to this work area, the influence of each position is not consistent among all types of appellate courts. Who works in assisting justices in opinion preparation is different in courts of last resort with an intermediate appellate court than in other types of courts.<sup>14</sup>

<sup>14</sup> The results of the analysis of variance dovetail with those of regression analysis. The most influential sources of variation in time allocations to work area are the position of a short-term law clerk, a long-term law clerk's position, a central staff attorney's position, and courts of last resort with an intermediate appellate court (a negative source of influence). The ratio

For example, consider the time spent by central staff attorneys in the California Court of Appeal compared to time spent by central staff attorneys in the California Supreme Court. The time devoted to providing assistance in opinion preparation is much greater in each of the six California regional district intermediate appellate courts than it is in the California Supreme Court. Parallel figures exist for career law clerks. The common image of legal staff being devoted to opinion preparation holds true more for intermediate appellate courts than other courts.

An implication of these results is that the validity of conventional thinking on the work of legal staff is open to challenge. The most common perception of who performs the most basic staff function requires correction because of the effects of court type. As we move from the most basic to more specific and more narrow work areas, conventional wisdom is likely an even less reliable guide, either in estimating the precise amount of overall staff time devoted to a work area or the relative amount of time spent by each type of legal staff.

### **❏ Work Area Two: Handling Cases at Key Procedural Events (Case Management)**

A second core function performed by legal staff is the handling of cases at key procedural events, from the date of the initial filing of a case to the final production of a court opinion. Specifically, the combination of tasks include: screening for jurisdiction, handling procedural motions, preparing memoranda on cases to be transferred to another court (usually to or from an intermediate appellate court to a court of last resort), calendaring cases for oral argument or submission on the briefs alone, proofing mandates, and overall case management.

These tasks fit well with the common impression of the quintessential function of a clerk of court's office. Yet questions include: How much time does a clerk of court spend on these duties? Is it all consuming? Are duties considered essential to a clerk of court's position simply because other types of legal staff spend very little time on these tasks? The answer is that the latter characterization is more accurate. While clerks of court monopolize this function relative to other legal staff members, they spend less than half of their time performing these responsibilities, as shown in Table 3.3.

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of all legal staff to the number of justices plays a negligible role. The more staff per justice, the less time is spent on opinion preparation. This last variable is of such marginal influence and barely statistically significant, that for all practical purposes, only the two variables of type of position and type of court warrant attention.

The handling of cases at key procedural events is clearly a clerk of court’s assignment. Law clerks are virtually uninvolved in this work area and central staff attorneys spend only a limited amount of time. However, does this pattern hold up in different types of appellate courts? Or, is the pattern jumbled when courts of last resort are compared to intermediate appellate courts? The answer is that the pattern is uniform across courts, as shown in Table 3.4.

The results suggest that clerks of court have a common job. They do not spend all, or even most, of their time on managing cases at key procedural events, but they are the exclusive arms of the justices in this work area. This pattern occurs in all basic types of appellate courts, with the minor exception of courts of last resort without intermediate appellate courts. In those courts, the clerks of court spend more of their time on procedural events and case management (53 percent) than their counterparts in other types of

**Table 3.3**  
**What Is the Average Percentage of Time Devoted to Handling Cases at Key Procedural Events?**

Types of Legal Staff			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
38%	15%	3%	2%

There are significant statistical differences between the average time commitments made by the individuals in each of these positions. Based on an analysis of variance,  $F = 118.25$ , .001 significance level, and  $\eta^2 = .70$ . It is fair to infer that the type of position strongly affects clerk time allocations by persons in different types of positions.

**Table 3.4**  
**What Is the Average Percentage of Time Devoted to Handling Cases at Key Procedural Events by Legal Staff in Different Types of Courts?**

	IAC	COLR without an IAC	COLR with an IAC	Total
Clerks of Courts	38%	53%	34%	38%
Central Staff Attorneys	15	9	13	14
Career In-Chambers Legal Staff	3	1	3	3
Short-Term In-Chambers Legal Staff	2	3	3	2
<b>Total</b>	<b>17%</b>	<b>20%</b>	<b>16%</b>	<b>17%</b>

The time allocation to procedural event management is strongly shaped by type of position and only weakly by type of court. Furthermore, the effects of position are uniform in all types of courts, with minor exceptions. Using a two-way analysis of variance,  $F = 80.82$  at .001 significance level for the effects of the types of different positions,  $F = .43$  (not significant) for the effects of different types of courts and there is no statistically significant interaction,  $F = 2.00$  at .07 significance level.

courts (38 percent and 34 percent).<sup>15</sup>

For example, the clerks of court in the Supreme Court of Appeals of West Virginia, the Maine Supreme Judicial Court, and the North Dakota Supreme Court spend 53, 47, and 85 percent of their time on handling cases at key procedural events, respectively. In contrast, the clerks in the North Carolina Supreme Court, Maryland Court of Appeals and the Colorado Supreme Court indicate that case management consumes 22, 32, and 28 percent, respectively. These differences between the case management responsibilities of clerks of court in the two types of courts of last resort do not disrupt the overall pattern. It is fair to consider clerks of court in virtually all state appellate courts to be the case managers. It is not entirely clear that being a case manager is exactly what Leflar (1976) had in mind when he spoke of clerks of court as case managers. A case manager seems to be both a more precise and descriptively accurate concept than Leflar's metaphor, although his notion anticipated the broad outlines of the data presented in Tables 3.3 and 3.4.

There are two implications from these results. First, the clerks of court dominate an essential function in appellate courts. They are used to manage cases and to move them from one step in the legal process to the next. These events are procedural in nature. Is the case within the court's jurisdiction? Is the case ready to be calendared? These questions do not focus on the substance of the issues or the content of the court's decision. However, these functions are important because the status of a case and how it moves along are inextricably related to the time it takes a case to be resolved. The performance of a court in resolving cases expeditiously is connected to the work of the clerk of court in fundamental ways.

A second implication concerns the remaining dimensions of a clerk of court's job. Because procedural case management captures a definite, but not overwhelming percentage of the clerk's time, questions are, "What other work areas, if any, are handled by clerks of court?" and "Does the rest of the time spent by clerks of court depend on the type of court they serve in, or some other factor?"

A third implication is that the dominant role of the clerk of court in this work area raises the questions of whether affirmative case management is occurring beyond the clerk of court's domain (i.e., opinion preparation stage). Is the clerk of court's knowledge of the size, age, complexity of the court's inventory of cases, and commitment to

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<sup>15</sup> Again, the results of the regression analysis strengthen the results of the analysis of variance. Only the four types of legal staff positions have statistically significant effects in accounting for variation in the time devoted to work area two.



case monitoring shared with in-chambers law clerks or by central staff attorneys? Central staff attorneys report some involvement in this type of work, but the law clerks report almost no involvement. Some form of case monitoring in the preparation, refinement, circulation, editing, and final preparation of opinions seem essential to timely case resolution. This type of activity may not be delegated to legal staff in most courts, accounting for the absence of reported time commitments by the survey respondents. To achieve a more complete picture of appellate case management, a subject for future examination should be to determine more closely what case monitoring continues after case calendaring and how that effort is coordinated with efforts by clerks of court. Does the monitoring after argument depend on informal or formal time deadlines (e.g., Florida’s rule that cases in the courts of appeal should be resolved 180 days after argument)? What role does court culture play in what is monitored and by whom?

**Work Area Three: Training Staff and Court Management**

A third work area focuses on the dual functions of staff training and court management. Because clerks of court frequently have a longer tenure in a court than other legal staff and have direct responsibility for managing a larger staff than many head central staff attorneys or career law clerks, it is expected that they will spend more time in this area than other staff. The specific tasks include organizing educational programs for court staff, presumably to train newly hired staff or to acquaint existing staff with new procedures or technological innovations; participation in professional educational programs; general court administration; and technology and personnel management. The expectation of extensive involvement by clerks of court in these activities is supported by the data, as shown in Table 3.5.

Table 3.5  
**What Is the Average Percentage of Work Time Devoted to Training Staff and Court Management?**

Types of Legal Staff			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
39%	7%	5%	1%

These are significant statistical differences in the time commitments associated with different types of legal staff positions. Based on an analysis of variance, the statistics concerning the effects of the types of staff positions are  $F = 178.12$  at a .001 significance level, with an Eta coefficient of .77. There are clear, strong differences in the respective time allocations.

Clearly, clerks of court devote more of their time and effort to this function than their colleagues in the pool of staff attorneys or in-chambers staff. However, is it an exclusive assignment in all appellate courts? Specifically, does the pattern observed in Table 3.5 appear to be the pattern in the three basic types of appellate courts? The answer is not a simple yes, as shown in Table 3.6.

Table 3.6

**What Is the Average of Work Time Devoted to Staff Training and Court Management by Different Types of Legal Staff in Different Types of Courts?**

	IAC	COLR without an IAC	COLR with an IAC	Total
Clerks of Courts	41%	20%	40%	39%
Central Staff Attorneys	6	6	9	7
Career In-Chambers Legal Staff	4	4	7	5
Short-Term In-Chambers Legal Staff	1	2	1	1
<b>Total</b>	<b>15%</b>	<b>9%</b>	<b>16%</b>	<b>15%</b>

A connection between different types of legal staff positions and the education and court management work area exists in all three types of courts. The effects of different legal positions are statistically significant whereas the effect of the type of court is not. Based on a two-way analysis of variance,  $F = 73.94$  at .001 significance level for the effects of different legal staff positions and  $F = 2.30$  at the .10 significance level for the effects of different types of court. However, there is a statistically significant interaction, between the two variables,  $F = 2.68$  at the .01 level of significance.

Clerks of court spend relatively more time than other legal staff attorneys on staff training; either organizing seminars for others or participating in programs themselves; on court management, including guiding technology applications; and dealing with personnel matters. As might be expected, law clerks are not involved in this function to any great extent, and this limited involvement is especially true for short-term law clerks. However, the work of clerks of court is not completely uniform in all types of appellate courts.

Clerks of court in courts of last resort without an intermediate appellate court spend half of the time that their counterparts do in this work area. They spend approximately 20 percent of their time on staff training and court management, while persons in their same position in other types of appellate courts spend approximately 40 percent of their time.

For example, compare the time devoted to staff training and court management by clerks of court in the Nevada Supreme Court, the Maine Supreme Court, and the Rhode Island Supreme Court with intermediate appellate courts and courts of last resort in

Utah, Connecticut, and Pennsylvania. The following pattern among these particular courts is consistent with Table 3.6.

Table 3.7  
**Time Devoted to Staff Training and Court Management by Selected Clerks of Court**

IAC's		COLR's without an IAC		COLR's with an IAC	
Pennsylvania Superior Ct.	25%	Nevada Supreme Court	11%	Pennsylvania Supreme Ct.	20%
Kentucky Ct. of Appeals	40%	Maine Supreme Court	8%	Connecticut Supreme Ct.	70%
Utah Ct. of Appeals	40%	Rhode Island Supreme Ct.	18%	Utah Supreme Court	60%

There are two implications from these results. One implication is that the work area of staff training and court management complete the picture of the role of the clerk of court. In addition to case management activities, the clerks have the nearly exclusive responsibility for staff training and court management. This is true even in courts of last resort, without an intermediate appellate court, where the clerks of court do not spend as much time as their counterparts in other courts. Even so, clerks of court still spend relatively more time on this than do central staff attorneys or law clerks in all types of courts.

A second implication is that any remaining functions performed by clerks of court and law clerks involve limited amounts of their time. The first three work areas account for 80 percent and 69 percent of the overall time commitments by clerks of court and law clerks, respectively. Both sets of legal staff might perform other critically important duties, and even spend more time than their colleagues on some remaining work areas, but the relative amount of such time commitment is quite limited. On the other hand, a construction of what work central staff attorneys perform remains to be completed. The first three work areas account for less than half of central staff attorneys' time. This pattern suggests that the work of central staff attorneys is more differentiated than that of their colleagues.

#### ✦ **Work Area Four: Rendering Prehearing Assistance**

A fourth work area concerns assisting justices prior to their conferencing of cases. Specific tasks include the preparation of pre-hearing memoranda for cases assigned to a regular calendar, parallel work for cases being handled under some modified set of procedures (special expedited calendars), and a review of the record.

One may expect this work occurs primarily in intermediate appellate courts and among central staff attorneys who prepare "bench memos" or staff a calendar of prima-

rily routine cases that have been screened for special handling. In courts of last resort, law clerks might perform this same kind of work, but this effort is likely to be aimed at granted discretionary cases prior to judicial conferencing. To the extent that these suppositions are true, a comparison of time allocated to this work area should indicate that clerks of court are relatively uninvolved and that there are differences between central staff attorneys and law clerks. This sort of pattern does in fact emerge, as shown in Table 3.8. There are significant differences in who does this kind of work, but the differences are not as great as they are in the first work area, assisting justices in preparation of opinions.

Table 3.8

### What Is the Average Percentage of Time Devoted to Prehearing Assistance by Types of Legal Staff?

Types of Legal Staff			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
2%	19%	28%	27%

There are significant statistical differences in the time commitments of the different positions. Based on an analysis of variance, the effects of different types of legal staff positions are  $F = 46.27$  at a .001 level of significance. The Eta coefficient is .53.

There are significant statistical differences in average time commitments. Law clerks spend relatively more time than central staff attorneys, and clerks of court spend very little time on this activity. The anticipated pattern appears consistent with the data. When that type of court is considered, the result is that there are substantial variations in the time commitments among both central staff attorneys and law clerks, depending on the type of court, as shown in Table 3.9.

Table 3.9

### What Is the Average Percentage of Time Devoted to Prehearing Assistance by Different Types of Legal Staff in Different Types of Courts?

	IAC	COLR without an IAC	COLR with an IAC	Total
Clerks of Courts	3%	2%	1%	2%
Central Staff Attorneys	26	15	8	19
Career In-Chambers Legal Staff	31	36	20	28
Short-Term In-Chambers Legal Staff	29	23	24	27
<b>Total</b>	<b>20%</b>	<b>15%</b>	<b>12%</b>	<b>17%</b>

Both the type of position and the type of court affect the allocation of time. Based on a two-way analysis of variance, the effects of different types of positions yields an  $F$  statistic of 24.51 at a .001 significance level. The effects of the type of court are  $F = 9.62$  at .001 significance level. There is significant interaction between the two potential causal factors. The interaction effect produces  $F = 2.29$  at the .04 significance level.

Although the type of court makes no difference in the time spent by clerks of court, the time spent by both central staff attorneys and law clerks diverges by type of court. Central staff attorneys in intermediate appellate courts spend considerably more time on prehearing assistance (26 percent) than their counterparts (15 percent and 8 percent) in other courts. Law clerks exhibit an even more complex pattern. Short-term law clerks in intermediate appellate courts spend more time than other legal staff. Career law clerks in courts of last resort, without an intermediate appellate court spend relatively more time than their counterparts. The picture is complex, without a consistent, unambiguous pattern once the type of court is introduced. This somewhat muddled picture calls for additional analyses and the introduction of other possible variables to help delineate the most distinct patterns.

Regression analysis offers a slightly different explanation of time commitments to work area four. Regression results suggest that the two key factors are type of position and the number of law clerks per justice. The more law clerks per justice, the less time is spent on work area four. Courts with more law clerks per justice tend to organize themselves so that they do not rely on prehearing memoranda.

For example, consider the Michigan Court of Appeals and the intermediate appellate courts in Pennsylvania, Georgia, and Alabama (Court of Criminal Appeals). The former has a large central staff and one law clerk per justice. In contrast, the central staffs are modest in size in the other three states which have four, three, and four law clerks per justice. In Michigan, prehearing assistance consumes 65 percent of central staff attorney time; whereas, it is 0 percent, 16 percent, and 10 percent, respectively, in the three other states.

Although the number of law clerks per justice also emerges in the analysis of variance, the regression analysis has the virtue of sorting out the relative effects of type of position, type of court, and the number of law clerks per justice in a more effective manner.

### **¶ Work Area Five: Researching Substantive Motions and Writs**

A fifth work area concerns research and memoranda preparation on substantive motions and applications for writs. In the second work area discussed above, the clerk of court frequently handles procedural motions (e.g., requests for extensions of time). The clerk of court might have the delegated authority to grant an initial motion or to grant a motion stipulated by all parties. Limited research is required for the clerk to

determine if court rules governing procedural motions are met. Substantive motions (e.g., to strike opponent's brief, to affirm peremptorily) are more involved and serious because the conditions for granting or denying them are more complex and the factual circumstances often complicated to untangle. Many substantive motions are case dispositive; therefore, it is likely that either a law clerk or a central staff attorney will be assigned to conduct the necessary background research and forward that information either to an assigned "motions" justice or to a panel of justices convened to hear substantive motions.

Similarly, application for writs (e.g., habeas corpus, prohibition, mandamus) may involve complicated issues of fact and law. For this reason, some appellate courts confronted with a large number of these cases may prefer to concentrate the necessary background research among a group of staff attorneys, who develop specialized knowledge in intricate bodies of law surrounding these cases. For these reasons, it is reasonable to expect central staff attorneys to serve as the primary set of legal staff who conduct research on motions and writs. Law clerks in some courts contribute some time to this activity, and the clerks of court are relatively uninvolved because of their other responsibilities. Results from the current study confirm these hypotheses, as shown in Table 3.10.

Table 3.10

### What Is the Average Percentage of Time Devoted to Conducting Research on Substantive Motions and Applications for Writs?

Types of Legal Staff			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
1%	12%	2%	1%

The differences in the time commitments among the types of legal staff are statistically significant. Central staff attorneys make a distinctive commitment in contrast to other legal staff, who are relatively uninvolved. Based on an analysis of variance, the effects of different types of legal positions are  $F = 38.33$  at .001 level of significance with an Eta coefficient of .49.

Research on substantive motions and applications for writs is clearly a responsibility of central staff attorneys. Does this level of commitment vary at all by type of court or some other variable? One might think that because some courts have more motions and writs than others, factors other than the types of legal staff would play a

role, yet that notion is not supported by the survey data, as shown in Table 3.11.

Table 3.11

**What Is the Average Percentage of Time Devoted to Conducting Research on Substantive Motions and Writs by Different Types of Legal Staff in Different Types of Courts?**

	IAC	COLR without an IAC	COLR with an IAC	Total
Clerks of Courts	1%	2%	2%	1%
Central Staff Attorneys	11	15	15	12
Career In-Chambers Legal Staff	2	0	4	2
Short-Term In-Chambers Legal Staff	0	1	3	1
<b>Total</b>	<b>4%</b>	<b>6%</b>	<b>6%</b>	<b>4%</b>

Both the types of legal staff and the types of court exercise independent influence on how much time is devoted to research on substantive motions and applications for writs. However, the impact of the legal position is much more influential than type of court. Based on a two-way analysis of variance,  $F = 27.59$  at .001 level of significance for the effects of type of legal staff position.  $F = 2.71$  at .07 level of significance (not statistically significant) for the effects of the type of court. There is no statistically significant interaction effect.

The relationship between the type of legal staff and the time spent by staff on substantive motions and applications for writs is relatively uniform in the three basic types of courts. It is a task of central staff attorneys rather than law clerks or clerks of courts in all types of appellate courts. Central staff attorneys in some courts might spend more of their time than do other central staffs in other courts, but the time spent by central staff attorneys in most courts clusters around the overall average (12 percent).

This pattern does not mean that these are not differences between selected individual courts. For example, the percentages of time spent by central staff attorneys in the Alabama (38 percent) and Florida (47 percent) Supreme Courts on motions and writs are much greater than the average. However, these particular exceptions, attributable to differences in caseload composition among these courts, are just that—exceptions. Percentages in most other courts of last resort hover around the 12 percent (e.g., Iowa Supreme Court (16 percent), Washington Supreme Court (15 percent), and Virginia Supreme Court (15 percent)).

There are two implications to these results. First, of the first five distinctive areas of work performed by legal staff, the research on writs and motions is the only one where central staff attorneys have exclusive or primary responsibility. Central staff attorneys spend relatively more time rendering pre-hearing assistance and assisting in opinion preparation, but they command nearly sole responsibility when it comes to researching substantive motions and applications for writs.

Second, the work of the central staff attorneys continues to reveal itself as one that is more diverse than that of other types of legal staff. They work on a variety of projects. In some areas of work, the relative amount of time spent depends on the type of court, and in other areas they tend to have uniform commitments. Moreover, they generally have exclusive or primary responsibility only in the area of motions and writs. The picture of central staff attorneys emerges as one of heterogeneity in work assignments. Courts use central staff attorneys in very different ways.

### ¶ Work Area Six: Attending Decisional Conferences on Cases

In some appellate courts, legal staff attend conferences either where the justices discuss cases after oral argument or in conferences where the justices discuss cases that have been submitted on the briefs alone. In either type of conference, the justices are likely to have a bench memorandum before them that has been prepared by a legal staff person, which they might refer to as a starting point in formulating a court opinion. The exact dynamics are likely to vary depending on the type of court, with some intermediate appellate courts placing considerable emphasis on a staff prepared memorandum by using the occasion of the conference to ask the author of the memorandum questions about the case. Attending decisional conferences is the sixth work area. It consists of three distinct tasks: 1) attending decisional conferences for cases submitted on the briefs alone, 2) attending decisional conferences after oral argument, and 3) screening and weighting cases by their degree of complexity. This area is likely to consume a limited amount of time and to involve central staff attorneys more than other legal staff.

Table 3.12 shows that the time spent on decisional conferences is proportionately small. Although central staff attorneys spend slightly more time on the work areas than

Table 3.12

#### What Is the Average Percentage of Time Devoted to Attending Decisional Conferences?

Types of Legal Staff			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
1%	2%	1%	1%

There are no statistically significant differences among the time commitments by the different types of legal staff. Based on a one-way analysis of variance, the effects of position produce F statistic of 2.33 (not statistically significant) and Eta coefficient of .14.



other legal staff, the difference is not significant. Work area six appears limited to courts of last resort without an intermediate appellate court, as shown in Table 3.13.

Table 3.13

### What Is the Average Percentage of Time Devoted to Attending Decisional Conferences in Different Types of Courts?

	IAC	COLR without an IAC	COLR with an IAC	Total
Clerks of Courts	1%	1%	1%	1%
Central Staff Attorneys	2	5	0	2
Career In-Chambers Legal Staff	1	3	0	1
Short-Term In-Chambers Legal Staff	2	1	0	1
<b>Total</b>	<b>1%</b>	<b>2%</b>	<b>1%</b>	<b>1%</b>

Both the different types of court and the different types of position influence time commitments to work area six. The effects of the type of court are measured  $F = 5.21$  at the .001 significance level, the effects of the type of position are  $F = 3.88$  at .001 significance level. There is an interaction effect,  $F = 3.23$  at the .001 significance level. The effects of both court and position are limited and inconsistent across each other.

The true source of time spent by legal staff in attending decisional conferences is difficult to discern. If the percentages are broken into more precise figures, an interaction effect is evident. Time allocations are the greatest by central staff attorneys in courts of last resort without an intermediate appellate court (5 percent). Clerks of court in both courts of last resort without an intermediate appellate courts and those in courts of last resort with an intermediate appellate court spend more time (.9 percent and 1.1 percent) than do central staff attorneys in courts of last resort with an intermediate appellate court (.5 percent) attending decisional conferences. The effects of position and type of court are mixed, making it difficult to draw an unambiguous conclusion from these results and to identify a clear implication.

### Work Areas Seven and Eight: Conducting and Managing Settlement Conferences

The seventh and eighth work areas focus on civil settlement conference hearings intended to encourage negotiated settlements among the opposing attorneys, short of a court's decision on the merits. All of these programs are controlled by courts. In some programs, legal staff serve as conference hosts in some instances (e.g., Kentucky Court of Appeals), and in other programs they provide only managerial assistance because

the conference hosts are strictly either sitting judges (e.g., California Third Appellate District Court), senior or retired justices (e.g., Connecticut Appellate Court), or private attorneys (e.g., Oregon Court of Appeals). The seventh work area depicts the situation where legal staff are the primary or only conference host and the eighth area depicts the legal staff as managers of settlement conferences.

For the seventh area, the tasks are reviewing a docketing statement, conducting conferences, and related work. The eighth area includes the tasks of reviewing a docketing statement, managing settlement conferences, and other related work. Where non-court staff are used as conference hosts, central staff attorneys might manage the program, but clerks of courts may also be involved. These impressions of how legal staff are involved in settlement conferences are borne out in the allocation of staff time. Only central staff attorneys spend any time at all (1%) as hosts of settlement conferences. Central staff attorneys and clerks of court spend 2 percent of their time as managers of settlement conferences.

Table 3.14

### What Is the Average Percentage of Work Time Devoted to Settlement Conferences?

Conferences with Legal Staff as Hosts			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
0%	1%	0%	0%

Conferences with Legal Staff as Managers			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
2%	2%	0%	0%

Only the courts where settlement conferences exist were analyzed to gain a fair sense of the relative time commitment made by different legal staff to the encouragement of negotiated settlements; however, even in these courts, this activity consumes a very small portion of overall staff time. Settlement conferences are primarily the work of central staff attorneys, although clerks of court are involved in the management of some of the programs. (Because of the limited amounts of time devoted to work areas seven and eight by appellate legal staff, statistical analyses would be inappropriate.)

### ¶ Work Area Nine: Preparing Memoranda on Discretionary Petitions

The ninth work area consists of preparing memoranda on discretionary cases. One task is memoranda preparation on cases prior to granting versus denying decisions by the justices. The other task is memoranda preparation on discretionary cases that are granted full review. Certainly, this is a relatively specialized function compared to the other eight work areas and will arise only in courts with discretionary jurisdiction. Because courts of last resort in two-tiered appellate systems have extensive discretionary jurisdiction, justices in these courts are likely to rely on central staff to supplement the attorneys’ pleadings with memoranda, highlighting the essential issues, law, and facts in the case. This expectation is confirmed by the survey data, as shown in Table 3.15.

Table 3.15  
**What Is the Average Percentage of Time Devoted to Preparing Memoranda on Discretionary Petitions?**

Types of Legal Staff			
Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
0%	15%	2%	5%

The differences in the time commitments are statistically significant. Central staff spends much more time relative to their colleagues, with clerks of court spending virtually no time. Based on an analysis of variance, the effects of different legal staff positions yields  $F = 22.43$  with .001 level of significance and an Eta coefficient of .40.

Table 3.16  
**What Is the Average Percentage Time Devoted to Preparing Memoranda on Discretionary Cases in Different Types of Courts?**

	IAC	COLR without an IAC	COLR with an IAC	Total
Clerks of Courts	0%	1%	0%	0%
Central Staff Attorneys	5	11	35	15
Career In-Chambers Legal Staff	0	0	5	2
Short-Term In-Chambers Legal Staff	0	1	13	5
<b>Total</b>	<b>2%</b>	<b>4%</b>	<b>14%</b>	<b>6%</b>

Both the type of legal staff position and the type of appellate court affect staff time commitments. However, based on a two-way analysis of variance, the effects of the different types of positions are  $F = 23.07$  at .001 significance level and the effects of different types of courts are  $F = 33.95$  at .001 significance level. There is a statistical interaction between the two factors.  $F = 12.17$  at .001 significance level.

While central staff attorneys perform the function of preparing memoranda on discretionary petitions almost exclusively, it is possible that those attorneys in courts of last resort in two-tiered systems are especially involved. This notion is confirmed, as shown in Table 3.16.

In courts of last resort in two-tiered systems, the time spent by each type of legal staff in working on discretionary cases is greater than their respective counterparts in other courts. This is especially true for the central staff attorneys who devote over one-third of their time to this function. A prime example is the Minnesota Supreme Court where central staff attorneys devote 57 percent of their time to this activity. One implication of these results is that it confirms the image of central staff attorneys as a diverse group. What they do depends on where they work. There is no easy generalization to accurately describe how central staff are used without noting the type of court.

## **Summary**

The work of state appellate court legal staff can be defined in terms of nine basic work areas. Each area consists of a particular set of interrelated tasks performed in combination with one another. The nine areas are: assistance in opinion preparation, case management, staff training and court management, prehearing assistance, researching substantive motions and applications for writs, attending decisional conferences, conducting settlement conferences, managing settlement conferences, and preparing memoranda on discretionary petitions.

Each of these areas tends to be the domain of a particular type of legal staff person. Short-term law clerks tend to be the primary staff in providing assistance to justices in the preparation of opinions, although central staff attorneys are also involved and even clerks of court assist individual justices on specific cases.

Clerks of court are the key players in case management and in court management assistance, although some career law clerks play some role in court management. Central staff attorneys have a more diverse portfolio. They work on more areas than their colleagues. Their responsibilities include: assistance in opinion preparation, prehearing assistance, researching motions and writs, attending decisional conferences, conducting and managing settlement conferences, and preparing memoranda on discretionary petitions.

There is consistency in the relative amount of time that each type of legal staff spends in some of the work areas, such as case management and research on motions

and writs. In other work areas, the type of court affects the amount of time spent. For example, clerks of court in courts of last resort without an intermediate appellate court spend substantially less time on staff training and court management than their counterparts in intermediate appellate courts or in courts of last resort with an intermediate appellate court. The theoretical and practical implication of this pattern is that caution is necessary when making generalizations about the work of legal staff. Each type of legal staff tends to have distinctive, but not identical, work responsibilities in all types of appellate courts. An individual appellate court examining how its staff allocation of time compares to other courts should focus on courts of a similar type rather than aggregate totals.

## Chapter 4



# THE WORK OF APPELLATE SUPPORT STAFF IN FEDERAL COURTS

### ¶ Structure of U.S. Courts of Appeals

There are thirteen U.S. courts of appeals under the purview of the Judicial Conference of the United States. These thirteen consist of twelve regional courts of appeals including those for the eleven numbered circuits and the U.S. Court of Appeals for the District of Columbia. The thirteenth court is the U.S. Court of Appeals for the Federal Circuit which is a national court that was created to centralize the review of certain kinds of appeals from the U.S. district courts and the board of contract appeals. Of the regional courts of appeals, the First Circuit is the smallest with six judges, and the Ninth Circuit has the largest number of judges (27). The First through the Eleventh Circuits each include at least three states. The D. C. Circuit is the reviewing court for the U.S. Courts of Appeals for the District of Columbia and decides a large proportion of appeals from administrative agencies. In addition to the thirteen courts under the Judicial Conference of the U.S., this project surveyed two other federal appellate courts: the U.S. Court of Appeals for the Armed Forces and the U.S. Court of Appeals for Veterans Claims, which are courts of limited jurisdiction that handle specialized cases.

Federal courts increasingly use support staff to help manage court operations or to handle other duties that were previously handled only by judges. Appellate support staff in the federal courts of appeals includes, but is not limited to, a circuit executive, a court clerk, central staff attorneys, elbow clerks, pro se law clerks, and, in nearly all courts, circuit mediators.

At mid-century, each court of appeals judge had a single in-chambers law clerk. Today, judges in these courts generally hire three or four law clerks, depending on the number of secretaries (two or one, respectively) they choose to have. Chief judges may

hire four or five clerks, and senior judges may have from one to three, depending on the size of the caseload they elect to maintain. (Commission on Structural Alternatives, 1998: 24). Some federal judges have begun hiring career, or permanent law clerks to fill an opening in their chambers, which will reduce their need for temporary staff.

### 🦋 **Background of the Federal Part of the Study**

To determine how each of the federal courts of appeal (or federal appeals courts) use their legal staff, a set of surveys similar to those sent to the state courts was sent to a head staff attorney in each court for distribution to the clerk of court, a circuit executive, a circuit mediator, a central staff attorney, a short-term in-chambers law clerk, and a career law clerk where applicable. The survey listed 40 tasks similar to those that were used in the state court inquiry. The response rate from the federal appeals courts was 75 percent. All but one federal appeals court participated in the study, but some circuits did not return a complete set of surveys.

### 🦋 **Survey Findings: Duties of Federal Appellate Support Staff**

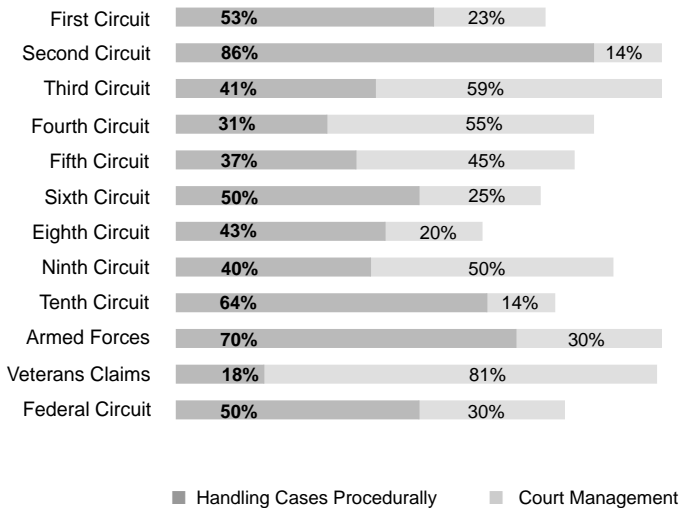
**Circuit Executive.** The tasks of a circuit executive are assigned by statute and by the circuit council and are exercised under the supervision of the chief circuit judge. The circuit executive is usually responsible for a range of standard non-judicial administrative tasks, especially oversight of the personnel system and the budget for the court of appeals. Some of these tasks involve serving as a liaison to state courts, bar groups, the media, and the public. The circuit executive also collects statistical data on the flow and management of cases within the circuit and prepares reports for the circuit and the Administrative Office of the U.S. Courts. All federal appeals courts have circuit executives except for the U.S. Court of Appeals for the Armed Forces and the U.S. Court of Appeals for Veterans Claims.

**Circuit Mediator.** Mediators, also termed conference attorneys, spend most of their time on appellate settlement conferences, including reviewing the settlement conference statements, managing the logistics of the settlement conferences, acting as a host for the settlement conferences, and other related work. All of the courts of appeals have provisions for civil settlement conferences, but the Federal Circuit does not use a circuit mediator. The Court of Appeals for the Armed Forces, the Court of Appeals for the Federal Circuit, and the Court of Appeals for Veterans Claims do not have circuit mediators, and the other courts have even more circuit mediators.

**Clerk of Court.** Each circuit court has a clerk who is appointed by and serves at the pleasure of the court. The clerk of court may be a lawyer, but a law degree is not a requisite for appointment. The clerk of court appoints necessary deputies and clerical assistants with the approval of the court and manages a variety of complex, non-judicial functions delegated by the court. The Administrative Office establishes the number of authorized employees and their salary schedules.

This study identified two major work areas for federal clerks of court. These are 1) handling cases procedurally and 2) overall court management. In the First, Second, Sixth, Eighth, Tenth, and Federal Circuits, the clerks of court spend almost half of their work time on the procedural handling of cases with these six courts spending from 86 percent to 43 percent of their time on this activity. In contrast, in the Third, Fifth, and Ninth Circuits, and the Court of Appeals for Veterans Claims, the clerks of court spend most of their time on court management with their times for this activity ranging from 81 to 45 percent. The graph below shows the time distribution for federal clerks of court in handling cases procedurally and court management. These are the same two major work areas found in the state courts for clerks of court.

Figure 4.1  
**U.S. Courts of Appeals: Clerks of Court**





**Central Staff Attorneys.** In 1951, the Court of Appeals for Veterans Claims began to use central staff attorneys, with most of the regional federal courts of appeal following suit in the mid seventies. Because of its geographic size and number of judges, the Ninth Circuit has a somewhat larger staff. The administrative manager of the office is usually called the director of the staff attorneys' office or the senior staff attorney.

Central staff attorneys were originally employed to help the courts process cases filed by unrepresented prisoners, but in most courts their duties now extend to other types of cases. In almost all courts, central staff attorneys perform a screening function, reviewing appeals as they become ready for the court's attention and routing them into an oral argument track or a non-argument track. In addition to preliminarily determining whether a case will be decided with or without argument, staff attorneys generally review the briefs and records and prepare memoranda to assist the judges; in some courts they also recommend dispositions and draft proposed opinions, usually in the non-argued cases. (See also, Federal Judicial Center, 2000: 9.)

In most courts of appeals, central staff attorneys review all or most of the appeals before judicial review. In some courts, staff attorneys are involved primarily in civil cases; in a few circuits, they handle only procedural motions. Central staff attorneys may also be involved in appellate settlement conferences. The Sixth Circuit reported wide case diversity with its central staff attorneys working in criminal, social security, black lung, immigration, bankruptcy, death penalty, civil, and habeas corpus.

In the federal court surveys, as in the state surveys, central staff attorneys show the greatest variation in tasks among appellate legal staff. The procedural handling of appeals and prehearing assistance are the two areas that have the highest percentage of reported work time.

Figure 4.2 shows the wide variety of tasks performed by central staff attorneys in the federal appeals courts. The four major areas that the survey indicated are: 1) prehearing assistance, 2) handling cases procedurally, 3) researching substantive motions and writs, and 4) opinion preparation.

Depending on an individual court's practices, these tasks are defined more specifically below:

- **Prehearing Assistance**

*Preliminary Jurisdictional Analysis.* Central legal staff or attorneys employed by the clerk's office flag apparent jurisdictional flaws for the judge or a panel of judges who will dispose of the cases or claims lacking jurisdiction. (See also, Federal Judicial Center, 1993: 67/Federal Judicial Center, 2000: 11).

*Screening Cases for Oral Argument Calendar.* Central staff attorneys familiar with the court’s practices and preferences may review cases for routing to argument or nonargument disposition. (See also, Federal Judicial Center, 2000: 9).

*Issue Coding and Appeal Classification.* In some circuits, central staff attorneys screening cases for argument or nonargument disposition also classify appeals according to the nature and complexity of the issues presented. This work facilitates equitable distribution of the court’s workload among its panels. Issue coding is also sometimes used to route cases presenting the same issues to the same panel and to route cases that present the same issue as one already being decided in another case to the same panel. The coding also facilitates staff review of opinions for consistency before they are used. (See also, Federal Judicial Center, 1993: 31/Federal Judicial Center, 2000: 11-12).

- **Handling Cases Procedurally**

Some federal appellate courts also use central staff attorneys to prepare materials for cases not slated for oral argument. Staff attorney responsibilities vary from court to court. In some instances, staff attorneys are asked to review the record, research the law, prepare a memorandum on the case, and draft a recommended disposition and order. In other instances, central

Figure 4.2  
**U.S. Courts of Appeals: Central Staff Attorneys**

	Opinion Preparation	Prehearing Assistance	Handling Cases Procedurally	Researching Substantive Motions & Writs
First Circuit	18%	6%	4%	<b>45%</b>
Second Circuit	7	12	3	15
Third Circuit	37	27	36	0
Fifth Circuit	5	5	18	<b>60</b>
Sixth Circuit	1	6	<b>81</b>	0
Seventh Circuit	18	6	32	20
Eighth Circuit	38	3	40	3
Ninth Circuit	11	15	12	10
Tenth Circuit	<b>43</b>	2	5	3
Armed Forces	5	0	0	0
Veterans Claims	9	19	34	7
Federal Circuit	0	21	0	<b>55</b>

staff attorneys participate in a panel's decisional conference on the case. (See also, Federal Judicial Center, 2000: 12).

- **Researching Substantive Motions and Writs.** In some courts, the power to decide procedural motions has been delegated to the clerk's office or to central staff attorneys. Typically, these motions concern what paper will be filed in an appeal, and when it will be filed. For example, staff may decide motions for extensions of time, unopposed motions to file amicus curiae brief; and motions related to the length and nature of appendices. (See also, Federal Judicial Center, 2000: 12).
- **Opinion Preparation.** The amount of time central staff dedicate to this task varies by federal appellate court. It includes contributing to opinion preparation, preparing memoranda on opinions of other judges, consulting with individual judges, shepardizing and preparing footnotes, editing opinions, and proofing mandates.

**In-Chambers Law Clerks.** Judges differ in how they use their law clerks, but most law clerks research the law and prepare bench memoranda for cases in which oral argument will be heard. Most also have some involvement in producing written opinions—some producing the first draft, others working with a first draft written by the judge.

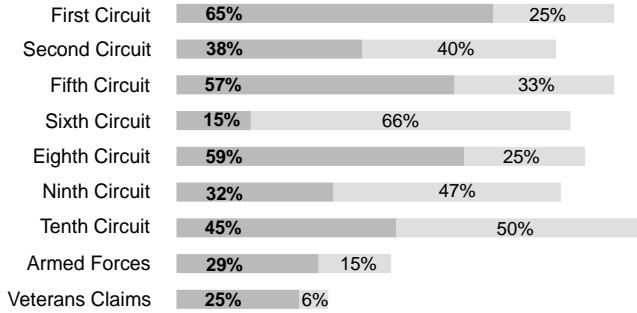
Usually clerks attend oral argument and discuss cases with the judge. After oral argument, if the judge is assigned to write the opinion, the clerk will usually be asked to write a first draft, which the judge will revise and edit. In some chambers, however, it is the judge who provides the first draft, and the clerk is asked to comment, edit, and provide additional research. If the judge is not writing the opinion, often the clerk is expected to read the proposed opinion from another judges' chambers once it is circulated. The amount of advice a clerk is asked to render on these opinions varies with the judge.

Both short-term in-chambers and long-term in-chambers clerks spend most of their time on opinion preparation. Prehearing assistance is the second most frequently performed task by elbow clerks. Survey respondents noted that there are no career clerks in the Second or Federal Circuits. The adjacent graphs show how clerks in the reporting circuits distribute their time between opinion preparation and prehearing assistance.

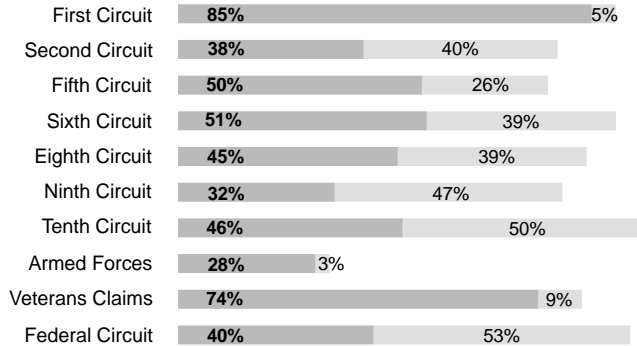
Figure 4.3

**U.S. Courts of Appeals: Career and Short-Term In-Chambers Legal Staff**

**Career**



**Short-Term**



■ Opinion Preparation    ■ Prehearing Assistance

## Summary<sup>16</sup>

The most important finding is that the work of legal staff in federal appeals courts closely parallels the work of legal staff in state appellate courts. Clerks of court are involved primarily in administrative tasks. The two areas of handling cases procedurally and court management make up most of clerks of courts' work time as it does in the state courts.

Short-term and career in-chambers law clerks are used primarily for opinion preparation and then for prehearing assistance, just as they are in state courts. Finally, as in the state courts, the central staff attorneys who work for each court show the most variation in the time spent on different tasks. Opinion preparation, handling cases procedurally, prehearing assistance, and researching substantive motions and writs are the tasks on which they spend most of their time, but each court uses their central staff attorneys differently and shows a different percentage of time for each task.

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<sup>16</sup> Chapter 6 in this monograph gives the titles, tenure, salaries, and number of legal staff for each federal appeals court based on responses to the questionnaire.

## Chapter 5



# CONCLUSION

What does this research tell us? First, state appellate legal staff work can be categorized in nine, separate areas. The nine work areas are: assisting in preparation of opinions; handling cases at key procedural events (case management); staff training and court management; rendering prehearing assistance; researching substantive motions and writs; attending decisional conferences; conducting settlement conferences; managing settlement conferences; and preparing memoranda on discretionary petitions. Each work area consists of a set of discrete, but interrelated tasks. Second, a particular type of legal staff tends to have responsibility for each of the nine work areas. Clerks of court dominate some areas, law clerks are the main players in others, and central staff attorneys have their own spheres. The relationship between work areas and legal staff are presented on the following page in Table 5.1. Note that this presentation shows which work areas are shared by all legal staff, such as opinion preparation, and those that are unique and performed by only one of the four categories of legal staff, such as the clerks of court's involvement with training staff and court management.

These findings make four unique contributions to the field of appellate court administration. First, they provide the first national picture of the tasks state appellate courts staff perform and the type of staff that performs the tasks. This includes the reported percentage of work time spent by four types of legal staff on forty different tasks. Future research can refine the methodology, but these data are the most comprehensive, comparative information currently available.

Second, the research provides benchmarks against which every individual appellate court, or groups of courts, can assess themselves. Do all nine work areas exist in your court(s)? Does your legal staff devote as much time to each area as staff in other courts? Do courts use a different combination of legal staff to accomplish the same

Figure 5.1  
**Work Areas of Appellate Legal Staff**

	Clerks of Court	Central Staff Attorneys	Career In-Chambers Legal Staff	Short-Term In-Chambers Legal Staff
<b>Shared Work Areas</b>	Assisting Justices in Opinion Preparation	→		
		Prehearing Assistance	→	
		Preparing Memoranda on Discretionary Cases	→	
	Handling Cases at Key Procedural Events	→		
<b>Unique Work Areas</b>	Training Staff and Court Management	Conducting and Managing Settlement Conferences  Researching Substantive Motions & Writs  Attending Decisional Conferences  Preparation of Memoranda on Discretionary Petitions		

work area? If not, do courts suggest an intriguing, attractive, or promising way to use staff? The current research is helpful in addressing these questions.

Third, a contribution of the current research is to provide a perspective on the day-to-day work of appellate court legal staff. Much effort and energy has been and continues to be consumed discussing the appropriate role of legal staff. This research provides a factual foundation on which to base future discussions. It suggests that the tasks of legal staff are more ordinary than the rhetoric used in debates suggests. Legal staff have many concrete tasks to perform. They record with considerable precision where they spend their time, and their estimates are remarkably consistent across different courts and circumstances. Thus, our recommendation is that future researchers continue to examine the actual work of legal staff and refine the descriptions and explanations of their performance.

Specifically, we believe that there are three interrelated avenues of inquiry that will further illuminate the nature and significance of the work of appellate court legal staff. First, what are the workload standards the courts set for legal staff? How many memoranda or other documents are staff expected to produce in each of the nine work areas? Second, in what ways are some legal staff able to be more productive than staff in other courts? Is it because of technology, higher compensation, or some other observable factor? Third, is the quality of legal staff work defined, measured, and monitored? What mechanisms, oversight, or management tools are used to ensure that legal staff members provide the best possible assistance to justices?

Finally, the results suggest the feasibility and desirability of applying a parallel framework and technique to trial courts. There is no information available on the performance of trial court staff. Most studies focus on only one position at a time (e.g., clerks of court) or on the relationship of staff to judges, especially chief judges. The absence of comparative data for trial court staff performance demands future research.



## Chapter 6



# INDIVIDUAL SUMMARIES OF APPELLATE LEGAL STAFF: STATE AND FEDERAL

This chapter summarizes legal staff use in the 151 state appellate courts and the thirteen federal appellate courts<sup>17</sup> studied in this report. The court-by-court summaries provide the numbers, official titles, and salaries of judges or justices, central staff attorneys, in-chambers legal staff, and clerk of the court staff. These data allow for comparisons of the quantity and compensation of legal staff among specific courts.

The grouping of staff into three fundamental positions (central staff, in-chambers legal staff, and clerks of court) is an attempt to transcend local nomenclature, allowing for appropriate comparisons based on structural differences and similarities.<sup>18</sup> For example, many courts employ “staff attorneys” that are traditionally considered a part of the central staff; however, several of those “staff attorneys” perform structurally more like in-chambers legal staff. In those cases, staff members are classified as in-chambers legal staff. This methodology may explain unexpected differences between appellate courts within a given state system or seeming inconsistencies with other data sources.

Many sources, primarily the survey instrument, produced this data.<sup>19</sup> The response rate, less than 100 percent, means that some of the data in the court summaries is incomplete. While other sources of data supplement the survey data, these sources did not fill in all of the gaps.

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<sup>17</sup> Federal courts include the U.S. Court of Appeals for the Armed Forces, the U.S. Court of Appeals for Veterans Claims, and the U.S. Courts of Appeal from 11 of the 13 circuits.

<sup>18</sup> See Chapter 2 for a complete definition of each type of legal staff.

<sup>19</sup> Unless otherwise stated, the data is current as of 1998.

## ◆ Alabama

### Supreme Court • Court of Last Resort

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	126,117
	Assoc. Justice (6 yrs)	8	~	124,950
Central Staff Attorneys	Staff Attorney	1	54,082	82,498
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	N/R	#	35,612	35,612
Career	N/R	#	41,220	84,498
The Clerk of Court	Clerk of Court	1	72,784	110,973
Deputy Clerks	Assistant Clerk	1	N/R	N/R

### Court of Civil Appeals • Intermediate Appellate Court

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Judge (6 yrs)	1	~	124,367
	Judge (6 yrs)	4	~	123,784
Central Staff Attorneys	Central Staff Attorney	1	N/R	N/R
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	Staff Attorney (2 yrs)	3/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	2	N/R	N/R
	Legal Staff	1	N/R	N/R
	Court Accountant	1	N/R	N/R
	Part-time Scanner	.5	N/R	N/R

### Court of Criminal Appeals • Intermediate Appellate Court

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Judge (6 years)	1	~	124,367
	Judge (6 years)	4	~	123,784
Central Staff Attorneys	Central Staff Attorney	1	54,082	82,498
Total In-Chambers Legal Staff	~	4/judge	~	~
Short-term	Legal Research Aide	2/judge	35,612	48,942
Career	Staff Attorney	2/judge	41,220	84,498
The Clerk of Court	Clerk of Court	1	72,784	110,973
Deputy Clerks	Assistant Clerk	1	54,082	82,498
	Docket Clerk	1	N/R	N/R
	Case Manager	4	N/R	N/R
	Records Manager	1	N/R	N/R

◆ **Alaska**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	112,764
	Associate Justice (10 yrs)	4	~	112,224
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	N/R	3/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	106,020
	Judge (8 yrs)	5	~	106,020
Central Staff Attorneys	Central Staff Attorney	2	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	2/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Arizona**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	116,977
	Vice Chief Justice (6 yrs)	1	~	114,257
	Justice (6 yrs)	3	~	114,257
Central Staff Attorneys	Chief Staff Attorney	1	75,898	110,052
	Deputy Chief Staff Attorney	1	} 58,500	85,000
	Staff Attorney	10		
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	2/judge	38,068	38,068
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of the Court	1	75,898	110,052
	Chief Deputy Clerk	1	67,766	98,261
	Deputy Clerk	6	N/R	N/R
	Supervisor	1	N/R	N/R
	Deputy Clerk Specialist	2	N/R	N/R
	Special Assistant	1	N/R	N/R

**Court of Appeals: 1<sup>st</sup> Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	111,536
	Vice Chief Judge (6 yrs)	1	~	111,536
	Judge (6 yrs)	14	~	111,536
Central Staff Attorneys	Judge Pro Tempore	1	75,898	110,052
	Judge Pro Tempore	3	67,766	98,261
	Staff Attorney	11.5	67,766	98,261
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	#	38,068	38,068
Career	Senior Law Clerk (2-3 yrs)	#	42,585	42,585
	Law Clerk to the Chief Judge	[1]	42,585	42,585
The Clerk of Court Deputy Clerks	Clerk of the Court	1	75,898	110,052
	Chief Deputy Clerk	1	67,766	98,261
	Deputy Clerk Supervisor	2	N/R	N/R
	Deputy Clerk Specialist	3	N/R	N/R
	Deputy Clerk	13	N/R	N/R

**Court of Appeals: 2<sup>nd</sup> Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	111,536
	Vice Chief Judge (6 yrs)	1	~	111,536
	Judge (6 yrs)	4	~	111,536
Central Staff Attorneys	N/R	6	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	N/R	1/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

## ◆ Arkansas

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	120,152
	Associate Justice (8 yrs)	6	~	110,993
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Judicial Law Clerk	2/judge	26,580	51,245
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	N/R	73,545
Deputy Clerks	Chief Deputy Clerk of Court	1	32,093	61,777
	Deputy Clerk of Court	2	N/R	N/R
	Records Supervisor	1	N/R	N/R
	Office Manager	1	N/R	N/R
	Financial Officer	1	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	109,240
	Judge (8 yrs)	11	~	107,484
Central Staff Attorneys	Head Central Staff Attorney	1	60,000	74,686
	N/R	3	40,000	61,777
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 year)	#	26,580	51,245
Career	Law Clerk	#	26,580	51,245
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	32,090	61,777
	Deputy Clerk of Court	6	N/R	N/R
	Office Manager	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ California

### Supreme Court • Court of Last Resort

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (12 yrs)	1	~	141,587
	Associate Justice (12 yrs)	6	~	135,018
Central Staff Attorneys	Principal Attorney	2	88,272	107,292
	Senior Attorney	30	42,288	90,276
	Research Attorney			
Total In-Chambers Legal Staff	~	5 [8]/judge	~	~
Short-term		~		~
Career	N/R	5 [8]/ judge	58,680	102,192
The Clerk of Court	Clerk of Court	1	104,064	126,480
Deputy Clerks	Chief Deputy Clerk of Court	2	83,856	101,916
	Deputy Clerk of Court	16	N/R	N/R

### Courts of Appeal: 1<sup>st</sup> District • Intermediate Appellate Court

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (12 yrs)	5	~	126,580
	Associate Justice (12 yrs)	14	~	126,580
Central Staff Attorneys	Principal Attorney	1	92,676	112,656
	Central Staff Attorney	9	58,680	102,192
	Writ Attorney	6	58,680	102,192
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term		~		~
Career	Judicial Staff Attorney	2/judge	58,680	102,192
The Clerk of Court	Clerk of Court	1	75,336	91,548
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of court	17	N/R	N/R

### Courts of Appeal: 2<sup>nd</sup> District • Intermediate Appellate Court

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (12 yrs)	7	~	126,580
	Associate Justice (12 yrs)	21	~	126,580
Central Staff Attorneys	Senior Judicial Attorney	1	88,272	112,656
	Central Staff Attorney	38	58,680	102,192
	Writ Attorney	9	58,680	102,192
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term		~		~
Career	Research Attorney	2/judge	58,680	102,192
The Clerk of Court	Clerk of Court	1	87,840	106,764
Deputy Clerks	Chief Deputy Clerk of Court	2	76,404	92,880
	Deputy Clerk of Court	32	N/R	N/R
	Assistant Deputy Clerk	3	N/R	N/R

**Courts of Appeal: 3<sup>rd</sup> District • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (12 yrs)	1	~	126,580
	Associate Justice (12 yrs)	9	~	126,580
Central Staff Attorneys	Managing Appellate Attorney	1	92,676	117,786
	Central Staff Attorney	9	42,288	102,192
	Writ Attorney	3	42,288	102,192
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	Research Attorney	2/judge	74,256	106,836
The Clerk of Court Deputy Clerks	Clerk Administrator	1	79,860	97,056
	Assistant Clerk Administrator	1	69,432	84,384
	Supervisor	2	54,084	65,736
	Deputy Clerk	6	44,688	54,324
	Assistant Deputy	5	33,588	49,392
	Clerical Support	4	26,028	31,644

**Courts of Appeal: 4<sup>th</sup> District • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (12 yrs)	3	~	126,580
	Associate Justice (12 yrs)	18	~	126,580
Central Staff Attorneys	Principal Attorney	1	92,676	112,656
	Central Staff Attorney	25	58,680	102,192
	Writ Attorney	7	58,680	102,192
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	Research Attorney	2/judge	77,044	102,192
The Clerk of Court Deputy Clerks	Clerk of Court	1	87,840	106,764
	Chief Deputy Clerk of Court	3	76,404	92,880
	Deputy Clerk of Court	24	N/R	N/R
	Human Resources	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ California, continued

**Courts of Appeal: 5<sup>th</sup> District • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (12 yrs)	1	~	126,580
	Associate Justice (12 yrs)	8	~	126,580
Central Staff Attorneys	Senior Attorney IV	1	92,676	112,656
	Central Staff Attorney	6	58,680	102,192
	Writ Attorney	3	58,680	102,192
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	Research Attorney	2/judge	42,288	102,192
The Clerk of Court	Clerk of Court	1	79,860	97,056
Deputy Clerks	Chief Deputy Clerk of Court	1	69,432	84,384
	Deputy Clerk of Court	9	N/R	N/R
	Supervising Deputy	1	N/R	N/R

**Courts of Appeal: 6<sup>th</sup> District • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (12 yrs)	1	~	126,580
	Associate Justice (12 yrs)	5	~	126,580
Central Staff Attorneys	Principal Attorney	1	92,676	112,656
	Central Staff Attorney	6	58,680	102,192
	Writ Attorney	2	58,680	102,192
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	Judicial Attorney	2/judge	55,044	95,856
The Clerk of Court	Clerk Administrator	1	74,916	91,044
Deputy Clerks	Assistant Clerk Administrator	1	65,124	79,164
	Deputy Clerk of Court	5	N/R	N/R
	Systems Administrator	2	N/R	N/R
	Office Assistant	1	N/R	N/R



◆ Colorado

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	96,500
	Justice (10 yrs)	6	~	94,000
Central Staff Attorneys	Staff Attorney	1	48,108	64,452
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk	2/judge	37,692	37,692
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	86,090	86,090
Deputy Clerks	Chief Deputy Clerk of Court	1	51,888	69,528
	Deputy Clerk of Court	4	N/R	N/R
	Attorney Registration Clerk	4	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 years)	1	~	92,000
	Judge (8 years)	15	~	89,500
Central Staff Attorneys	Chief Staff Attorney	1	55,680	74,616
	Deputy Chief Staff Attorney Associate Staff Attorney	15	48,108	64,452
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	N/R	1/judge	38,724	51,888
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	57,204	76,656
Deputy Clerks	Chief Deputy Clerk of Court	1	34,188	45,816
	Deputy Clerk of Court	8	N/R	N/R
	Motions Attorney	1	N/R	N/R
	Unit Supervisor	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Connecticut

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Justice (8 yrs)	1	~	128,569	
	Associate Justice (8 yrs)	6	~	117,610	
Central Staff Attorneys	Chief Staff Attorney	1	78,774	113,750	
	Deputy Chief Staff Attorney	1	69,030	101,147	
	Staff Attorney I,II,III	7	48,148	90,035	
Total In-Chambers Legal Staff	~	1.5/judge	~	~	
	Short-term	Law Clerk to Assoc. Just. (1 yr)	1.5/judge	39,677	39,677
		Law Clerk to Chief Just. (1 yr)	[2]/judge	39,677	39,677
		Law Clerk to Sr. Just. (1 yr)	1/judge*	39,677	39,677
Career	Ex. Asst. to the Chief Just.	[1]/judge	48,148	78,140	
The Clerk of Court	Clerk of Court	1	78,774	113,750	
	Deputy Clerks	Deputy Clerk of Court	1	69,032	101,147
		Assistant Clerk of Court	5	48,148	90,035

\* This staff is only assigned to senior judges.

**Appellate Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Judge (8 yrs)	1	~	116,109	
	Associate Judge (8 yrs)	8	~	109,359	
The Central Staff listed above serves both the Supreme Court and the Appellate Court. (However, two of the seven Staff Attorneys listed above are dedicated solely to the Appellate Court.)					
Total In-Chambers Legal Staff	~	1.5/judge	~	~	
	Short-term	Law Clerk to Ap. Ct Jdg. (1 yr)	1.5/judge	N/R	N/R
		Law Clerk to Appellate Court			
Career	Chief Judge (1 yr)	[1]/judge	N/R	N/R	
	Ex. Asst. to the Chief Judge	[1]/judge	N/R	N/R	

The Clerk of Court and the Clerk's staff listed above serve both the Supreme Court and the Appellate Court.

◆ Delaware

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (12 yrs)	1	~	129,800
	Justice (12 yrs)	4	~	125,200
Central Staff Attorneys	Chief Staff Attorney and Counsel to the Chief Justice	1	67,979	113,298
	Staff Attorney	2	55,625	92,709
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Judicial Law Clerk (1 yr)	1/judge	38,878	38,878
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	N/R
	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	1	N/R	N/R
	Senior Court Clerk	2	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ District of Columbia

### Court of Appeals • Court of Last Resort

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (15 yrs)	1	~	145,500
	Associate Judge (15 yrs)	8	~	145,500
Central Staff Attorneys	Senior Staff Attorney	2	62,090	80,017
	Staff Attorney	6	36,867	47,508
	Law Clerk			
Total In-Chambers Legal Staff	~	2 [1]/judge	36,867	67,712
Short-term	Law Clerk (1 yr)	2 [1]/judge	36,867	67,712
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	100,055	100,055
Deputy Clerks	Chief Deputy Clerk of Court	1	73,032	94,116

Note: The chief judge is allotted an additional in-chambers staff member.

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Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Florida**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	141,131
	Justice (6 yrs)	6	~	141,131
Central Staff Attorneys	Central Staff Director	1	51,652	70,000
	Career Central Staff Attorney	5	39,476	70,000
Total In-Chambers Legal Staff	~	2 [1]/judge	~	~
Short-term	Staff Attorney (2 yrs)	#	39,476	39,476
Career	Staff Attorney (2 yrs)	#	51,652	70,000
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	39,642	59,464
	Deputy Clerk of Court	9	N/R	N/R
	Clerical Assistant	1	N/R	N/R

Note: The chief judge is allotted an additional in-chambers staff.

**1st District Court of Appeal • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	127,019
	Judge (6 yrs)	15	~	127,019
Central Staff Attorneys	N/R	4	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	N/R	2/judge	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**2nd District Court of Appeal • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	127,019
	Judge (6 yrs)	12	~	127,019
Central Staff Attorney	Senior Staff Attorney	1	50,245	70,000
	Staff Attorney	5	45,169	70,000
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Staff Attorney (2 yrs)	#	38,401	70,000
Career	Staff Attorney	#	50,245	70,000
The Clerk of Court	Clerk of Court	1	76,352	105,365
Deputy Clerks	Chief Deputy Clerk of Court	1	36,766	56,988
	Deputy Clerk of Court	13	N/R	N/R

## ◆ Florida, continued

**3<sup>rd</sup> District Court of Appeal • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	127,019
	Judge (6 yrs)	10	~	127,019
Central Staff Attorneys	N/R	1	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**4<sup>th</sup> District Court of Appeal • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	127,019
	Judge (6 yrs)	11	~	127,019
Central Staff Attorneys	Career Attorney	6	51,652	70,000
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Staff Attorney (2 yrs)	#	39,476	63,162
Career	Staff Attorney	#	51,652	70,000
The Clerk of Court	Clerk of Court	1	86,448	86,448
Deputy Clerks	Chief Deputy Clerk of Court	1	37,795	58,582
	Deputy Clerk of Court	13	23,327	48,984

**5<sup>th</sup> District Court of Appeal • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	127,019
	Judge (6 yrs)	8	~	127,019
Central Staff Attorneys	Chief Central Staff Attorney	1	50,244	71,946
	Central Staff Attorney	4	50,244	71,946
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Judicial Clerk (#)	2/judge	38,401	61,441
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	96,882	96,882
Deputy Clerks	Chief Deputy Clerk of Court	1	30,214	46,835
	Deputy Clerk of Court	5	N/R	N/R
	Assistant Clerk	1	N/R	N/R
	Senior Deputy Clerk	1	N/R	N/R

◆ Georgia

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	129,283
	Presiding Justice (6 yrs)	1	~	129,283
	Justice (6 yrs)	5	~	129,283
Central Staff Attorneys	Head of Central Staff	1	58,549	85,112
	Staff Attorney	2	58,549	85,112
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Assistant (2 yrs)	#	N/R	N/R
Career	Law Assistant	#	58,549	85,112
The Clerk of Court	Clerk of Court	1	101,958	101,958
Deputy Clerks	Chief Deputy Clerk of Court	1	41,987	61,482
	Deputy Clerk of Court	2	N/R	N/R
	Docketing Clerk	2	N/R	N/R
	Records Management	3	N/R	N/R
	Personnel/Fiscal/ Computer	3	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	128,463
	Presiding Judge (6 yrs)	3	~	128,463
	Judge (6 yrs)	6	~	128,463
Central Staff Attorneys	Legal Assistant	8	56,552	85,579
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	~	~	~	~
Career	Staff Attorney	3/judge	56,552	85,579
The Clerk of Court	Clerk of Court	1	70,000	99,000
Deputy Clerks	Deputy Clerk of Court	1	N/R	54,000
	Clerk	6	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Hawaii**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	94,780
	Associate Justice (10 yrs)	4	~	93,780
Central Staff Attorneys	Court Staff Attorney	1	60,636	82,932
	Staff Attorney	4	45,564	64,808
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Admin. Law Clerk (2 yrs)	#	~	~
	Law Clerk (2 yrs)	#	30,756	43,812
Career	~	~	~	~
	~	~	~	~
The Clerk of Court	Clerk of Court	1	53,196	72,756
Deputy Clerks	Deputy Clerk of Court	2	38,628	54,996

**Intermediate Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	91,280
	Associate Judge (10 yrs)	3	~	89,780
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	2/judge	30,756	43,812
	~	~	~	~
Career	~	~	~	~
	~	~	~	~
The Clerk of Court	Clerk of Court	1	53,196	72,756
Deputy Clerks	Deputy Clerk of Court	2	38,628	54,996



◆ Idaho

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	92,271
	Justice (6 yrs)	4	~	90,791
Central Staff Attorneys	Staff Attorney	1	50,000	65,000
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (2 years)	#	30,000	40,000
Career	Career Staff Law Clerk	#	35,000	45,000
The Clerk of Court	Clerk of Court	1	75,000	90,000
Deputy Clerks	Chief Deputy Clerk of Court	1	35,000	45,000
	Deputy Clerk of Court	3	N/R	N/R
	Administrative Legal Assistant	1	N/R	N/R
	Filing Clerk	1	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	89,791
	Judge (6 yrs)	2	~	89,791
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (2 yrs)	2/judge	30,000	40,000
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	75,000	90,000
Deputy Clerks	Chief Deputy Clerk of Court	1	35,000	45,000
	Deputy Clerk of Court	3	N/R	N/R
	Administrative Legal Assist.	1	N/R	N/R
	Filing Clerk	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Illinois

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	138,049
	Justice (10 yrs)	7	~	138,049
Central Staff Attorneys	Director of Legal Research	1	N/R	N/R
	Research Attorney	6	N/R	N/R
Total In-Chambers Legal Staff	~	3/judge	~	~
	Short-term	~	~	~
	Career	N/R	3/judge	N/R
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	N/R
	Chief Deputy Clerk	1	N/R	N/R
	Deputy Clerk	12	N/R	N/R
	Assistant Clerk	1	N/R	N/R

**1<sup>st</sup> District Appellate Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (10 yrs)	24	~	129,928
Central Staff Attorneys	Legal Research Director	1	N/R	N/R
	Assistant Research	1	N/R	N/R
	Director Senior Attorney	17	N/R	N/R
	Research Staff Attorney			
Total In-Chambers Legal Staff	~	2/judge	~	~
	Short-term	N/R	2/judge	N/R
	Career	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	N/R
	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	24	N/R	N/R
	Assistant Chief Deputy Clerk	1	N/R	N/R

**2<sup>nd</sup> District Appellate Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (10 yrs)	9	~	129,928
Central Staff Attorneys	N/R	8	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
	Short-term	N/R	2/judge	N/R
	Career	~	~	~
The Clerk of Court Deputy Clerks	N/R	N/R	N/R	N/R
	N/R	N/R	N/R	N/R

**3<sup>rd</sup> District Appellate Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (10 yrs)	7	~	129,928
Central Staff Attorneys	N/R	5	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	N/R	2/judge	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**4<sup>th</sup> District Appellate Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (10 yrs)	6	~	129,928
Central Staff Attorneys	Legal Research Director	1	N/R	N/R
	Central Staff Attorney	3	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	N/R	2/judge	N/R	N/R
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	6	N/R	N/R

**5<sup>th</sup> District Appellate Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (10 yrs)	7	~	129,928
Central Staff Attorneys	Research Director	1	54,607	77,722
	Staff Attorney	3	39,901	56,129
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	#	53,000	53,000
Career	Senior Law Clerk	#	53,000	53,000
The Clerk of Court	Clerk of Court	1	59,061	84,063
Deputy Clerks	Chief Deputy Clerk of Court	1	34,104	48,543
	Deputy Clerk of Court	6	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Indiana**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	115,000
	Associate Justice (10 yrs)	4	~	115,000
Central Staff Attorneys	Administrator	1	85,000	85,000
	Deputy Administrator	1	46,800	46,800
	Staff Attorney	3	46,800	46,800
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (2 yrs)	2/judge	43,000	46,800
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	60,000	60,000
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	4	N/R	N/R
	Business Manager & Roll of Attorneys	2	N/R	N/R
	Transmittal Clerk	6	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	110,000
	Presiding Judge (10 yrs)	5	~	110,000
	Judge (10 yrs)	10	~	110,000
Central Staff Attorneys	Commissioner Staff Attorney } >	2	49,754	55,702
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	Law Clerk (3 yrs)	#	43,578	48,461
Career	Senior Law Clerk	#	49,754	55,702
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**Tax Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (10 yrs)	1	~	110,000
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	Judicial Law Clerk	3/judge	43,577	48,460
Career	~	~	~	~
The Clerk of Court	N/R	N/R	60,000	60,000
Deputy Clerks	N/R	N/R	N/R	N/R

◆ Iowa

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Justice (8 yrs)	1	~	110,700	
	Justice (8 yrs)	8	~	106,700	
Central Staff Attorneys	Dir. of Appellate Screening	1	59,009	74,547	
	Attorney III	1	} 35,443	58,552	
	Screening Attorney II	3			
	Screening Attorney I	3			
Total In-Chambers Legal Staff	~	1/judge	~	~	
	Short-term	Law Clerk (1 yr)	} 1/judge	33,987	
	Career	Legal Assistant (1 yr)			~
The Clerk of Court	Clerk of Court	1	56,097	70,990	
	Deputy Clerks	Chief Deputy Clerk of Court	1	46,633	58,552
		Deputy Clerk of Court	5	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Judge (6 yrs)	1	~	106,600	
	Judge (6 yrs)	5	~	102,600	
Central Staff Attorneys	Staff Attorney	2	35,443	58,552	
Total In-Chambers Legal Staff	~	1/judge	~	~	
	Short-term	Legal Assistant II (2 yrs)	1/judge	33,987	
	Career	~	~	~	
The Clerk of Court	Clerk of Court	1	56,097	70,990	
	Deputy Clerks	Chief Deputy Clerk of Court	1	46,633	58,552
		Deputy Clerk of Court	5	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Kansas**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	103,128
	Justice (6 yrs)	6	~	100,349
Central Staff Attorneys	Supreme Court CSA II	4	40,352	56,763
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Research Attorney (2 yrs)	#	34,861	49,046
Career	Research Attorney	#	34,861	49,046
The Clerk of Court	Clerk of Court	1	N/R	93,000
Deputy Clerks	Chief Deputy Clerk of Court	1	44,470	62,587
	Deputy Clerk of Court	1	26,021	36,566
	Clerk I	1	16,765	25,587
	Clerk II	5	20,384	28,704

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (4 yrs)	1	~	99,404
	Judge (4 yrs)	9	~	96,766
Central Staff Attorneys	Director	1	~	55,300
	Assistant Director	1	40,352	56,763
	Motions Attorney	1	40,352	56,763
	Research Attorney II	2	40,352	56,763
	Research Attorney I	10	34,861	49,046
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Research Attorney (2 yrs)	#	34,861	49,046
Career	Research Attorney	#	34,861	49,046

The Clerk of Court and the Clerk's staff described above serves both the Supreme Court and the Court of Appeals.

◆ **Kentucky**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	108,740
	Justice (8 yrs)	6	~	103,740
Central Staff Attorneys	Staff Counsel	5	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	4	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	102,505
	Judge (8 yrs)	13	~	99,505
Central Staff Attorneys	Chief Staff Attorney	1	N/R	N/R
	Deputy Chief Staff Attorney	1	N/R	N/R
	Staff Attorney	7	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Staff Attorney (2 yrs)	#	N/R	N/R
Career	Senior Staff Attorney	#	N/R	N/R
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	12	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Louisiana

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	107,933
	Justice (10 yrs)	7	~	103,336
Central Staff Attorneys	Civil Staff Director	2	55,536	88,004
	Staff Attorney	10	43,844	67,135
	Law Clerk Administrative Asst. )			
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	Law Clerk (2 yrs)	#	43,844	54,799
Career	Law Clerk	#	43,844	67,155
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	59,530	88,004
	Assistant Clerk	5	24,816	36,935

**1<sup>st</sup> Circuit Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	102,254
	Judge (10 yrs)	12	~	97,928
Central Staff Attorneys	Director	1	56,647	83,894
	Assistant Director	2	N/R	N/R
	Research Attorney Law Clerk )	13	35,264	63,993
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk	#	35,264	52,238
Career	Law Clerk	#	35,264	52,238
	Research Attorney	#	43,200	63,993
The Clerk of Court	Clerk of Court	1	N/R	79,083
Deputy Clerks	Chief Deputy Clerk of Court	1	35,264	52,238
	Deputy Clerk of Court	3	27,084	40,311
	Assistant Clerk	5	25,312	37,674
	Business Service Manager	1	37,733	55,895



**2<sup>nd</sup> Circuit Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	102,254
	Judge (10 yrs)	8	~	97,928
Central Staff Attorneys	Director	1	56,647	83,894
	Law Clerk	9	43,200	63,993
	Research Attorney			
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk	#	35,264	52,238
Career	Law Clerk	#	43,200	63,993
	Research Attorney			
The Clerk of Court	Clerk of Court	1	N/R	79,083
Deputy Clerks	Deputy Clerk of Court	3	35,264	52,238
	Business Service Manager	1	37,773	55,895

**3<sup>rd</sup> Circuit Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	102,254
	Judge (10 yrs)	11	~	97,928
Central Staff Attorneys	Staff Director	1	52,933	78,401
	Research Attorney	13	36,000	52,238
	Staff Attorney			
	Law Clerk			
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	#	36,000	52,238
Career	Research Attorney	#	43,200	63,993
The Clerk of Court	Clerk of Court	1	79,083	79,083
Deputy Clerks	Chief Deputy Clerk of Court	2	52,933	78,401
	Deputy Clerk of Court	1	N/R	N/R
	Assistant Clerk	3	N/R	N/R
	Admin. Service Manager	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Louisiana, continued

**4<sup>th</sup> Circuit Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	102,254
	Judge (10 yrs)	11	~	97,928
Central Staff Attorneys	Director	1	N/R	N/R
	Assistant Director	13	N/R	N/R
	Senior Staff Attorney Staff Attorney			
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk	#	N/R	N/R
Career	Law Clerk	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**5<sup>th</sup> Circuit Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	102,254
	Judge (10 yrs)	7	~	97,928
Central Staff Attorneys	N/R	5	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

◆ **Maine****Supreme Judicial Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (7 yrs)	1	~	111,000
	Associate Justice (7 yrs)	6	~	96,000
Central Staff Attorneys	Staff Attorney	1	31,000	43,000
Total In-Chambers Legal Staff	~	1.5/judge	~	~
Short-term	Law Clerk (1 yr)	#	35,000	35,000
Career	Administrative Law Clerk	#	37,000	47,000
The Clerk of Court	Clerk of Court	1	37,000	50,000
Deputy Clerks	Assistant Clerk	2	21,000	29,000

NOTE: Beginning October 2000, there will be 2 Total In-chambers Legal Staff/justice.

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Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Maryland**

**Court of Appeals • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	135,775
	Associate Judge (10 yrs)	6	~	118,575
Central Staff Attorneys	~	0	47,656	71,165
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	2/judge	37,500	37,500
Career	~	~	50,667	75,681
The Clerk of Court	Clerk of Court	1	68,035	101,734
Deputy Clerks	Chief Deputy Clerk of Court	1	50,948	76,102
	Deputy Clerk of Court	4	N/R	N/R
	Recorder	1	N/R	N/R
	Assistant Recorder	1	N/R	N/R

**Court of Special Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (10 yrs)	1	~	114,275
	Associate Judge (10 yrs)	12	~	111,575
Central Staff Attorneys	Chief Staff Attorney	1	47,656	71,165
	Senior Staff Attorney	6	44,580	66,551
	Assistant Staff Attorney	2		
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1-3 yrs)	2/judge	37,500	37,500
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	68,035	10,734
Deputy Clerks	Chief Deputy Clerk of Court	1	44,580	66,551
	Deputy Clerk of Court	13.5	N/R	N/R

◆ Massachusetts

**Supreme Judicial Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (age 70)	1	~	122,771
	Associate Justice (age 70)	6	~	118,503
Central Staff Attorneys	Chief Staff Counsel	1	N/R	N/R
	Deputy Chief Staff Counsel	} 4	N/R	N/R
	Senior Staff Counsel			
	Staff Attorney			
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	2/judge	38,000	46,000
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	104,000	106,000
	Chief Deputy Clerk of Court	1	93,000	95,000
	Assistant Clerk, Pro Tem	N/R	N/R	N/R
	Case Coordinator	N/R	N/R	N/R
	Procedures Clerk II	N/R	N/R	N/R

**Appeals Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (age 70)	1	~	113,938
	Associate Justice (age 70)	13	~	109,659
Central Staff Attorneys	Administrative Assistant	1	65,702	86,604
	Chief Editorial Attorney	} 19	50,327	66,340
	Coordinating Staff Attorney			
	Dpty. Chief Edit. Atty. Law Clk.			
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 yr)	1/judge	41,172	41,172
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	94,676
	Special Assistant Clerk of the Court	1	N/R	88,398
	First Assistant Clerk of the Court	1	N/R	N/R
	Assistant Clerk of the Court	3	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Michigan

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	124,770
	Associate Justice (8 yrs)	6	~	124,770
Central Staff Attorneys	N/R	19	N/R	N/R
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	N/R	3/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1		114,788
	Chief Judge pro tem (6 yrs)	1		114,788
	Judge (6 yrs)	26		114,788
Central Staff Attorneys	Senior Research Attorney	1	74,458	100,203
	Research Attorney	20		
	Research Supervisor	3		
	Senior Research Attorney	30	48,713	79,177
	Supervisor	1		
	Case Screener	1		
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (2 yrs)	1/judge	43,034	48,713
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	84,000	111,875
Deputy Clerks	Chief Deputy Clerk of Court	1	74,458	100,203
	Assistant Clerk	3	N/R	N/R
	District Clerk	4	N/R	N/R

◆ **Minnesota**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	115,089
	Associate Justice (6 yrs)	6	~	104,626
Central Staff Attorneys	Commissioner	1	60,000	90,000
	Assistant Commissioner	3	36,000	81,000
Total In-Chambers Legal Staff	~	1.5/judge	~	~
	Short-term Clerk (1 yr)	1.5/judge	32,900	32,900
	Career	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	43,000	73,000
	Chief Deputy Clerk of Court	1	23,000	40,000
	Deputy Clerk of Court	9	21,000	30,000

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	103,514
	Judge (6 yrs)	15	~	98,585
Central Staff Attorneys	Chief Attorney	1	51,000	89,000
	Deputy Chief Attorney	4	29,000	52,000
	Staff Attorney I, II			
Total In-Chambers Legal Staff	~	2/judge	~	~
	Short-term Law Clerk (1 yr)	2/judge	30,777	31,299
	Career	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	43,000	73,000
	Chief Deputy Clerk of Court	1	23,000	40,000
	Deputy Clerk of Court	9	21,000	30,000

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ Mississippi

### Supreme Court • Court of Last Resort

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	100,900
	Presiding Justice (8 yrs)	2	~	98,900
	Justice (8 yrs)	6	~	98,300
Central Staff Attorneys	Director	1	51,969	77,286
	Staff Attorney	6	46,522	69,783
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Judicial Clerk (2 yrs)	2/judge	30,305	38,111
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	1	N/R	N/R
	Assistant Deputy Clerk	11	N/R	N/R

### Court of Appeals • Intermediate Appellate Court

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	94,300
	Judge (8 yrs)	9	~	91,500
Central Staff Attorneys	Senior Staff Attorney	1	N/R	N/R
	Editor of Opinions	1	N/R	N/R
	Staff Attorney	3	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (2 yrs)	2/judge	29,407	36,984
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.



◆ Missouri

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (12 yrs)	1	~	116,848
	Justice (12 yrs)	6	~	114,348
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Research Attorney (1-2 yrs)	1/judge	N/R	N/R
Career	Law Clerk (1-2 yrs)	1/judge	N/R	N/R
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	N/R
	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	8	N/R	N/R
	Commissions Counsel	1	N/R	N/R
	Communications Counsel	1	N/R	N/R
	Legal Staff Counsel	1	N/R	N/R

**Court of Appeals: Western District • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (12 yrs)	1	~	106,797
	Judge (12 yrs)	10	~	106,797
Central Staff Attorneys	N/R	3	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	N/R	1/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court Deputy Clerks	N/R	N/R	N/R	N/R
	N/R	N/R	N/R	N/R

**Court of Appeals: Eastern District • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (12 yrs)	1	~	106,797
	Judge (12 yrs)	13	~	106,797
Central Staff Attorneys	Staff Counsel	1	55,000	65,000
	Assist. Staff Counsel/Librarian			
	Research Attorney	3	40,000	47,000
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (3 yrs)	#	N/R	N/R
Career	Senior Research Attorney			
	Senior Law Clerk	#	37,000	43,000
The Clerk of Court Deputy Clerks	Clerk of Court	1	60,000	75,000
	Chief Deputy Clerk of Court	1	30,000	39,000
	Deputy Clerk of Court	5	N/R	N/R

◆ Missouri, continued

**Court of Appeals: Southern District • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (12 yrs)	1	~	106,797
	Judge (12 yrs)	6	~	106,797
Central Staff Attorneys	Staff Counsel	1	55,143	N/R
	Research Attorney	1	40,992	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Judicial Law Clerk (#)	1/judge	38,470	38,470
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	68,900	N/R
Deputy Clerks	Chief Deputy Clerk of Court	1	34,308	N/R
	Deputy Clerk of Court	2	N/R	N/R

◆ **Montana**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	78,491
	Justice (8 yrs)	6	~	77,072
Central Staff Attorneys	Staff Attorney	1	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	2/judge	33,000	38,000
Career	~	~	~	50,000
The Clerk of Court	Clerk of Court	1	N/R	56,000
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	46,000
	Deputy Clerk of Court	2.5	N/R	N/R
	Staff Assistant	0.25	N/R	N/R

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Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ Nebraska

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (3-6 yrs)	1	~	101,648
	Associate Justice (3-6 yrs)	6	~	101,648
Central Staff Attorneys	Supreme Court Staff Attorney	1	44,388	64,776
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Judicial Law Clerk (1 yr)	1/judge	36,500	36,500
Career	Law Clerk	1/judge	N/R	39,500
The Clerk of Court	Clerk of Court	1	N/R	55,000
Deputy Clerks	Chief Deputy Clerk of Court	1	32,292	46,992
	Appellate Clerk	2.5	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (3-6 yrs)	6	~	90,148
Central Staff Attorneys	Staff Attorney	1	44,388	64,776
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	36,500	36,500
Career	Career Law Clerk	2/judge	N/R	39,500
The Clerk of Court	Clerk of Court	1	N/R	55,000
Deputy Clerks	Chief Deputy Clerk of Court	1	32,292	46,992
	Appellate Clerk	2.5	N/R	N/R

◆ Nevada

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	85,000	107,600
	Justice (6 yrs)	4	85,000	107,600
Central Staff Attorneys	Supervising Staff Attorney	1	N/R	93,510
	Principal Attorney	6	46,856	67,095
	Staff Attorneys (Grade 1-8)	16	46,856	67,095
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (2 yrs)	2/judge	43,390	43,390
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	93,510
	Chief Deputy Clerk of Court	1	N/R	51,834
	Deputy Clerk of Court	5	N/R	N/R
	Ex Officio Deputy Clerk	1	N/R	N/R
	Chief Assistant Clerk	1	N/R	N/R
	Assistant Attorney Clerk	3	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **New Hampshire**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (Age 70)	1	~	103,543
	Associate Justice (Age 70)	4	~	100,404
Central Staff Attorneys	N/R	2	N/R	N/R
Total In-Chambers Legal Staff	~	N/R	~	~
Short-term	N/R	N/R	N/R	N/R
Career	N/R	N/R	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

◆ **New Jersey**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (7 yrs)	1	~	138,000
	Associate Justice (7 yrs)	6	~	132,250
Central Staff Attorneys	Staff Attorney	4	54,765	79,765
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	Law Secretary (1 yr)	3/judge	44,000	44,000
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	88,365	101,365
Deputy Clerks	Deputy Clerk of Court	1	68,365	93,865

**Superior Court, Appellate Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Judge (Annual)	1	~	124,200
	Judge	31	~	124,200
Central Staff Attorneys	Director	1	68,365	93,865
	Deputy Director	1	58,365	83,365
	Attorney 1 and 2	26	54,365	79,365
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Clerk (1 yr)	1/judge	33,000	44,000
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	68,365	93,865
Deputy Clerks	Deputy Clerk of Court	1	58,365	83,365

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **New Mexico**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	85,593
	Senior Justice (8 yrs)	1	~	N/R
	Justice (8 years)	3	~	85,593
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1-3 yrs)	2/judge	37,356	38,594
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	73,482	75,731
Deputy Clerks	Chief Deputy Clerk of Court	1	37,332	39,339
	Deputy Clerk of Court	2	24,812	25,682
	Admin. Assist. to the Clerk	1	31,040	32,069
	Financial Specialist	2	40,978	42,215

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	81,313
	Senior Judge (8 yrs)	1	~	N/R
	Judge (8 yrs)	8	~	79,413
Central Staff Attorneys	Chief Staff Attorney	1	51,386	77,079
	Senior Staff Attorney Assoc.	14	N/R	N/R
	Staff Attorney			
	Assistant Staff Attorney			
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (2 yrs)	1/judge	28,309	42,465
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	51,386	77,079
Deputy Clerks	Deputy Clerk of Court	5	N/R	N/R
	Financial Specialist	2	N/R	N/R
	Imaging Clerk	1	N/R	N/R



◆ **New York**

**Court of Appeals • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (14 yrs)	1	~	129,000
	Associate Judge (14 yrs)	6	~	125,000
Central Staff Attorneys	Chief Court Attorney	1	N/R	N/R
	Deputy Chief Court Attorney	1	N/R	N/R
	Court Attorney for Professional Matters	1	N/R	N/R
	Principal Court Attorney	2	N/R	N/R
	Senior Court Attorney	5	N/R	N/R
	Court Attorney	5	N/R	N/R
Total In-Chambers Legal Staff Short-term	~	2/judge	~	~
	Law Clerk to Chief Judge (2 yrs)	[3]/judge	N/R	N/R
	Law Clerk to Ct. of Appeals Judge (2 yrs)	2/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	1	N/R	N/R
	Assist. Deputy Clerk of the Ct.	2	N/R	N/R
	Consultation Clerk	2	N/R	N/R
	Five Positions	5	N/R	N/R

**Supreme Court, Appellate Division, 1<sup>st</sup> Department • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (5 yrs)	1	~	122,000
	Associate Justice (5 yrs)	11	~	119,000
Central Staff Attorneys	Chief Appellate Court Attorney	1	110,000	110,000
	Deputy Chief Appellate Ct. Atty.	1	45,600	93,800
	Supervising Appell. Ct. Atty.	} 41	N/R	N/R
	Principal Appellate Ct. Atty.			
	Appellate Court Attorney			
Total In-Chambers Legal Staff Short-term	~	1/judge	~	~
	~	~	~	~
	Career	Principal Law Clerk	1/judge	59,900
The Clerk of Court Deputy Clerks	Clerk of Court	1	116,390	116,390
	Deputy Clerk of Court	2	113,171	113,171

Note: The 41 Other Central Staff Attorneys listed represents a total including all Supervising Appellate Court Attorneys, Principal Appellate Court Attorneys, and Appellate Court Attorneys.

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ New York, continued

**Supreme Court, Appellate Division, 2<sup>nd</sup> Department • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (5 yrs)	1	~	122,000
	Associate Justice (5 yrs)	18	~	119,000
Central Staff Attorneys	Chief Appellate Court Attorney	1	83,077	108,687
	Dpty. Chief Appellate Ct. Atty.	54	45,627	98,515
	Principal Appellate Ct. Atty.			
	Senior Appellate Ct. Attorney			
	Appellate Court Attorney			
Assistant Appellate Ct. Atty.				
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	~	~	~	~
Career	Principal Law clerk	1/judge	70,435	93,815
The Clerk of Court	Clerk of Court	1	N/R	116,390
Deputy Clerks	Chief Deputy Clerk of Court	2	N/R	113,171
	Clerk	60	N/R	N/R

**Supreme Court, Appellate Division, 3<sup>rd</sup> Department • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (5 yrs)	1	~	122,000
	Associate Justice (5 yrs)	9	~	119,000
Central Staff Attorneys	Deputy Clerk	1	78,666	101,031
	Chief Law Assistant Atty.	20	45,627	91,477
	Principal Appellate Ct. Atty.			
	Senior Appellate Ct. Atty.			
	Appellate Court Attorney			
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	~	~	~	~
Career	Law Clerk	1/judge	53,737	91,477
The Clerk of Court	Clerk of Court	1	N/R	116,390
Deputy Clerks	Deputy Clerk of Court	1	N/R	113,171

**Supreme Court, Appellate Division, 4<sup>th</sup> Department • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Justice (5 yrs)	1	~	122,000
	Associate Justice (5 yrs)	8	~	119,000
Central Staff Attorneys	Chief Appellate Court Attorney	1	111,305	N/R
	Appellate Court Attorney	16	45,627	73,367
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	~	~	~	~
Career	Principal Law Clerk to Presiding Judge	1/judge	48,180	93,815
The Clerk of Court	Clerk of Court	1	116,390	116,390
Deputy Clerks	Deputy Clerk of Court	1	113,171	113,171
	Assistant Deputy Clerk	1	N/R	N/R
	Consultation Clerk	1	N/R	N/R
	Chief Court Attorney	1	N/R	N/R

◆ North Carolina

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	110,346
	Associate Justice (8 yrs)	6	~	107,463
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Research Assistant (3 yrs)	2/judge	36,000	36,000
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	85,000	115,000
Deputy Clerks	Chief Deputy Clerk of Court	1	45,000	60,000
	Deputy Clerk of Court	2	N/R	N/R
	Assistant Clerk	1	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	104,776
	Associate Judge (8 yrs)	11	~	102,985
Central Staff Attorneys	Director	1	50,000	55,000
	Assistant Director	6	40,000	45,000
	Staff Attorney			
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Research Assistant (1 yr)	2/judge	38,000	40,000
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	40,000	90,000
Deputy Clerks	Chief Deputy Clerk of Court	1	27,000	32,000
	Deputy Clerk of Court	7	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ North Dakota

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	84,482
	Justice (10 yrs)	4	~	82,164
Central Staff Attorneys	Director of Central Legal Staff	1	48,180	72,276
	Staff	5	39,912	59,868
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 yr)	1/judge	36,108	36,108
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	43,860	65,772
	Chief Deputy Clerk of Court	1	38,076	57,108
	Deputy Clerk of Court	5	18,708	28,056

◆ Ohio

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	117,700
	Justice (6 yrs)	6	~	110,550
Central Staff Attorneys	Counsel to the Court	1	64,605	93,683
	Master commissioner	10	48,963	77,938
Total In-Chambers Legal Staff	~	3/judge	~	~
Short-term	Law Clerk (2 yrs)	#	44,928	48,110
Career	Staff Attorney	#	51,355	59,821
The Clerk of Court	Clerk of Court	1	71,261	102,253
Deputy Clerks	Chief Deputy Clerk of Court	1	53,976	70,741
	Deputy Clerk of Court	4	N/R	N/R

**1<sup>st</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	6	~	102,950
Central Staff Attorneys	N/R	3	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	~	~
Career	N/R	2/judge	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**2<sup>nd</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	5	~	102,950
Central Staff Attorneys	N/R	0	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Staff Attorney (2 yrs)	2/judge	37,500	49,530
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	N/R	62,158
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	67,500
	Deputy Clerk of Court	58	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Ohio, continued

**3<sup>rd</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	4	~	102,950
Central Staff Attorneys	N/R	0	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	2/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**4<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	4	~	102,950
Central Staff Attorneys	N/R	2	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	Clerk of the Court	1	N/R	N/R
Deputy Clerks	Deputy Clerk	4	N/R	N/R

**5<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	5	~	102,950
Central Staff Attorneys	Administrative Staff Attorney	1	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	~	~	~	~
Career	Staff Attorney	1/judge	38,000	45,386
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

**6<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	5	~	102,950
Central Staff Attorneys	N/R	0	N/R	N/R
Total In-Chambers Legal Staff	~	2.5/judge	~	~
Short-term	~	~	~	~
Career	Staff Attorney	2.5/judge	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**7<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	4	~	102,950
Central Staff Attorneys	N/R	1	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	N/R	1/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**8<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	12	~	102,950
Central Staff Attorneys	N/R	6	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	2/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**9<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	5	~	102,950
Central Staff Attorneys	N/R	0	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	2/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	N/R	61,752
Deputy Clerks	Chief Deputy Clerk of Court	1	44,174	65,156
	Deputy Clerk of Court	2	N/R	N/R

◆ Ohio, continued

**10<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	8	~	102,950
Central Staff Attorneys	N/R	7	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	~	~	45,456	50,495
Career	N/R	2/judge	45,456	50,495
The Clerk of Court	N/R	N/R	64,022	64,022
Deputy Clerks	N/R	N/R	N/R	N/R

**11<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	4	~	102,950
Central Staff Attorneys	N/R	1	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	2/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**12<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (6 yrs)	4	~	102,950
Central Staff Attorneys	N/R	1	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	~	~	~	~
Career	N/R	1/judge	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.



◆ Oklahoma

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	101,140
	Vice Chief Justice (6 yrs)	1	~	N/R
	Justice (6 yrs)	7	~	97,807
Central Staff Attorneys	N/R	5	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**Court of Criminal Appeals • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Judge (6 yrs)	1	~	94,349
	Vice Presiding Judge (6 yrs)	1	~	N/R
	Judge (6 yrs)	3	~	93,530
Central Staff Attorneys	N/R	15	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

**Court of Civil Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	94,349
	Vice Chief Judge (6 yrs)	1	~	N/R
	Judge (6 yrs)	10	~	93,530
Central Staff Attorneys	N/R	0	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

◆ Oregon

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	95,800
	Justice (6 yrs)	6	~	93,600
Central Staff Attorneys	Staff Attorney	1	55,752	79,944
	Petitions Law Clerk	1.5	51,504	69,024
	Appellate Legal Counsel			
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (2 years)	#	38,400	47,424
Career	Law Clerk	#	38,400	47,424
The Clerk of Court Deputy Clerks	~	~	~	96,000
	Deputy Clerk of Court	20	56,808	76,116
	State Court Administrator	1	N/R	N/R
	Dir. of Management Services	1	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	93,600
	Judge (6 yrs)	9	~	91,500
Central Staff Attorneys	N/R	4	N/R	N/R
Total In-Chambers Legal Staff	~	1.8/judge	~	~
Short-term	N/R	1.8/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court Deputy Clerks	~	~	~	~
	Dir. of Management Services	1	N/R	N/R
	Court Operations Specialist	N/R	N/R	N/R
	Paralegal	6	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Pennsylvania**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	129,353
	Justice (10 yrs)	6	~	125,936
Central Staff Attorneys	Legal Asst. to the Prothonotary	1	N/R	N/R
Total In-Chambers Legal Staff	~	4/judge	~	~
Short-term	N/R	4/judge	N/R	N/R
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	N/R	N/R
Deputy Clerks	Deputy Clerk of Court	3	N/R	N/R
	Chief Clerk	3	N/R	N/R

**Superior Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	President Judge (10 yrs)	1	~	123,833
	Judge (10 yrs)	14	~	121,992
Central Staff Attorneys	Chief Staff Attorney	1	5,000	98,000
	Attorney I, II, III	19	36,000	67,000
Total In-Chambers Legal Staff	~	4/judge	~	~
Short-term	N/R	2/judge	34,500	40,500
Career	N/R	2/judge	50,000	67,000
The Clerk of Court	Clerk of Court	1	75,000	98,000
Deputy Clerks	Chief Deputy Clerk of Court	3	55,000	76,000

**Commonwealth Court • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	President Judge (10 yrs)	1	~	123,833
	Judge (10 yrs)	8	~	121,992
Central Staff Attorneys	Executive Administrator	1	87,009	101,282
	Staff Attorney/Prothonotary	4	54,338	73,304
Total In-Chambers Legal Staff	~	4/judge	~	~
Short-term	Law Clerk (2 years)	#	34,500	40,500
Career	Asst. to the presiding Judge	#	49,800	67,443
	Administrative Law Clerk	#	49,800	67,443
The Clerk of Court	Clerk of Court	1	56,998	76,460
Deputy Clerks	Chief Deputy Clerk of Court	1	30,794	41,689
	Deputy Clerk of Court	1	N/R	N/R
	Appellate Clerk II	6	N/R	N/R
	Appellate Clerk I	4	N/R	N/R

◆ **Puerto Rico**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	N/R	7	100,000	105,000	
Central Staff Attorneys	Central Investigation Panel Dir.	1	36,648	63,048	
	Law Clerk	9	35,400	54,600	
Total In-Chambers Legal Staff	~	3/judge	~	~	
	Short-term	Law Clerk (2 years)	3/judge	35,400	54,600
	Career	~	~	~	
The Clerk of Court Deputy Clerks	Clerk of Court	1	47,628	74,028	
	Chief Deputy Clerk of Court	1	24,732	41,232	
	Deputy Clerk of Court	7	13,896	20,496	

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	N/R	33	~	90,000	
Central Staff Attorneys	Law Clerk	22	21,000	35,000	
Total In-Chambers Legal Staff	~	1/judge	~	~	
	Short-term	Law Clerk (1 year)	1/judge	33,000	54,600
	Career	~	~	~	
The Clerk of Court Deputy Clerks	Clerk of Court	1	36,648	63,048	
	Deputy Clerk of Court	14	13,896	20,496	
	Estadistico	1	16,812	26,712	

◆ **Rhode Island**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (Life)	1	126,101	151,321
	Associate Justice (Life)	4	114,638	137,566
Central Staff Attorneys	Chief Staff Attorney	1	52,036	58,995
	Staff Atty./Research Atty.	3	35,758	40,281
Total In-chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	2/judge	32,866	34,450
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	55,709	63,129
Deputy Clerks	Chief Deputy Clerk of Court	1	35,758	40,281
	Deputy Clerk of Court	1	N/R	N/R
	Special Projects Manager	1	N/R	N/R

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Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ South Carolina

### Supreme Court • Court of Last Resort

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 yrs)	1	~	114,849
	Associate Justice (10 yrs)	4	~	109,380
Central Staff Attorneys	N/R	1	~	85,000
	N/R	8	35,435	55,746
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (2 yrs)	1/judge	35,435	54,551
Career	Law Clerk	1/judge	N/R	N/R
The Clerk of Court	Clerk of Court	1	~	85,000
Deputy Clerks	Deputy Clerk	1	~	54,543
	Staff	14	17,860	34,536

NOTE: Data is current as of 2000.

### Court of Appeals • Intermediate Appellate Court

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	108,286
	Associate Judge (6 yrs)	8	~	106,645
Central Staff Attorneys	N/R	5	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

◆ South Dakota

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	87,172
	Associate Justice (8 yrs)	4	~	85,176
Central Staff Attorneys	N/R	1	42,952	64,417
	N/R	2	38,396	57,616
Total In-Chambers Legal Staff		1/judge		
Short-term	~	~	~	~
Career	N/R	1/judge	N/R	N/R
The Clerk of Court	Clerk of Court	1	42,952	64,417
Deputy Clerks	Chief Deputy Clerk of Court	1	30,721	46,072
	Deputy Clerk of Court	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Tennessee

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 years)	1	~	110,304
	Associate Justice (8 years)	4	~	110,304
Central Staff Attorneys	Senior Staff Attorney	1	43,932	60,060
	Staff Attorney	8	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Judicial Clerk (1 year)	#	38,580	39,984
Career	Personal Staff Attorney	#	42,540	42,540
The Clerk of Court	Clerk of Court	1	N/R	80,000
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	17	N/R	N/R

**Court of Appeals: Western Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (8 yrs)	4	~	105,168
Central Staff Attorneys	Staff Attorney	1	43,932	60,060
Total In-Chambers Legal Staff	~	1.5/judge	~	~
Short-term	Judicial Clerk (1 year)	#	38,580	39,984
Career	Law Clerk	#	42,540	42,540
The Clerk of Court	~	~	~	48,500
Deputy Clerks	Chief Deputy Clerk of Courts	1	N/R	N/R

**Court of Appeals: Middle Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (8 years)	4	~	105,168
Central Staff Attorneys	Staff Attorney	1	43,932	60,060
Total In-Chambers Legal Staff	~	1.5/judge	~	~
Short-term	Law Clerk (1 year)	#	38,580	39,984
Career	Senior Law Clerk	#	42,540	42,540
The Clerk of Court	~	~	~	48,500
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.



**Court of Appeals: Eastern Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (8 yrs)	4	~	105,168
Central Staff Attorneys	Staff Attorney	1	43,932	60,060
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	#	38,580	39,984
Career	N/R	#	42,540	42,540
The Clerk of Court	~	~	~	~
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	48,500
	Deputy Clerk of Court	6	N/R	N/R
	Eastern Division Staff Clerk	1	N/R	N/R

**Court of Criminal Appeals: Western Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (8 yrs)	4	~	105,168
Central Staff Attorneys	Staff Attorney	1	43,932	60,060
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1 yr)	#	38,580	39,984
Career	Senior Law Clerk	#	42,540	42,540
The Clerk of Court	~	~	~	48,500
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R

**Court of Appeals: Middle Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (8 yrs)	4	~	105,168
Central Staff Attorneys	Staff Attorney	1	43,932	60,060
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Legal Assistant (1 yr)	#	38,580	39,984
Career	N/R	#	42,540	42,540
The Clerk of Court	~	~	~	48,500
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	N/R

**Court of Criminal Appeals: Eastern Division • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Judge (8 yrs)	4	~	105,168
Central Staff Attorneys	Staff Attorney	1	43,932	60,060
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk	#	38,580	39,984
Career	Law Clerk	#	42,540	42,540
The Clerk of Court	~	~	~	~
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	48,500
	Deputy Clerk of Court	6	N/R	N/R
	Eastern Division Staff Clerk	1	N/R	N/R

◆ Texas

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	115,000
	Justice (6 yrs)	8	~	113,000
Central Staff Attorneys	Staff Atty. for Extraordinary Writ	1	N/R	N/R
	Rules Staff Attorney	1	N/R	68,217
Total In-Chambers Legal Staff	~	3/judge	~	~
	Short-term	~	37,900	37,900
	Career	Staff Attorney	3/judge	N/R
The Clerk of Court Deputy Clerks	Clerk of Court	1	54,264	57,070
	Chief Deputy Clerk of Court	1	42,216	49,020
	Deputy Clerk of Court	6	N/R	N/R

**Court of Criminal Appeals • Court of Last Resort**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Presiding Judge (6 yrs)	1	~	115,000	
	Judge (6 yrs)	8	~	113,000	
Central Staff Attorneys	General Counsel	1	73,920	102,528	
	Attorney	15	37,322	72,420	
Total In-Chambers Legal Staff	~	2/judge	~	~	
	Short-term	Law Clerk	1/judge	32,988	42,216
	Career	Attorney	1/judge	42,216	72,420
The Clerk of Court Deputy Clerks	Clerk of Court	1	54,264	72,420	
	Chief Deputy Clerk of Court	2	42,216	56,160	
	Deputy Clerk of Court	4	25,936	42,216	
	Network Specialist	1	30,000	39,708	
	Clerk IV	1	19,452	24,432	

**1st District Court of Appeal • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Justice (6 yrs)	1	107,350	112,000	
	Justice (6 yrs)	8	107,850	112,000	
Central Staff Attorneys	N/R	1	47,820	63,720	
	N/R	7	N/R	N/R	
Total In-Chambers Legal Staff	~	1/judge	~	~	
	Short-term	N/R	1/judge	47,820	63,720
	Career	~	~	~	
The Clerk of Court Deputy Clerks	Clerk of Court	1	54,264	72,420	
	Deputy Clerk of Court	1	N/R	N/R	

**2<sup>nd</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	6	107,850	112,000
Central Staff Attorneys	Chief Staff Attorney	1	N/R	57,600
	Senior Staff Attorney	1	N/R	47,904
	Staff Attorney	5	N/R	45,900
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 yr)	1/judge	N/R	34,618
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	N/R	49,000
Deputy Clerks	Chief Deputy Clerk of Court	1	N/R	36,132
	Deputy Clerk of Court	7	22,000	32,000

**3<sup>rd</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	5	107,850	112,000
Central Staff Attorneys	Chief Staff Attorney	1	46,620	62,517
	Attorney V & VI	7	36,132	54,592
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 yr)	1/judge	31,788	41,016
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	41,016	54,592
Deputy Clerks	Deputy Clerk of Court	7	19,392	33,900
	Accountant III	1	29,868	38,508

**4<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	6	107,850	112,000
Central Staff Attorneys	~	0	~	~
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1-2 yrs)	1/judge	37,000	39,000
Career	Staff Attorney	1/judge	43,250	52,000
The Clerk of Court	Clerk of Court	1	41,016	54,948
Deputy Clerks	Chief Deputy Clerk of Court	1	36,132	43,000

NOTE: Staff attorneys in the 4<sup>th</sup> District are assigned to individual judges.

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ Texas, continued

**5<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	12	107,850	112,000
Central Staff Attorneys	Central Staff	1	46,620	62,517
	Staff	12	43,728	58,613
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	N/R	#	31,788	41,016
Career	Solo Staff Attorney	#	43,728	58,613
The Clerk of Court	Clerk of Court	1	41,016	54,952
Deputy Clerks	Chief Deputy Clerk of Court	1	31,788	41,016
	Deputy Clerk of Court	9	N/R	N/R

**6<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 years)	1	107,350	112,000
	Justice (6 years)	2	107,850	112,000
Central Staff Attorneys	Senior Staff Attorney	1	47,820	63,720
	Staff Attorney	2	37,352	49,560
	Law Clerk	1	32,988	42,218
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 yr)	1/judge	32,988	42,216
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	54,264	72,420
Deputy Clerks	Deputy Clerk of Court	2	N/R	N/R
	Accountant	1	N/R	N/R

**7<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	3	107,850	112,000
Central Staff Attorneys	N/R	4	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Court Law Clerk/Atty. I (2 yrs)	1/judge	31,788	41,016
Career	Attorney III-IV	1/judge	46,620	62,517
The Clerk of Court	Clerk of Court	1	49,752	66,745
Deputy Clerks	Chief Deputy Clerk of Court	1	31,788	41,016
	Deputy Clerk of Court	1	N/R	N/R

**8<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	3	107,850	112,000
Central Staff Attorneys	Attorney IV	1	47,820	63,720
	Attorney III	1	43,216	56,160
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk	#	32,988	42,216
Career	Attorney III	#	42,216	56,160
The Clerk of Court Deputy Clerks	Clerk of Court	1	54,264	72,420
	Deputy Clerks	3	20,592	42,216
	Accountant	1	23,052	29,232
	Network Specialist	1	39,708	52,766

**9<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	2	107,850	112,000
Central Staff Attorneys	N/R	1	54,264	72,420
	N/R	5	42,216	56,160
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	37,332	49,560
The Clerk of Court Deputy Clerks	Clerk of Court	1	54,264	72,420
	Deputy Clerk of Court	2	N/R	N/R
	Appellate Court Peace Officer	1	N/R	N/R

**10<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	2	107,850	112,000
Central Staff Attorneys	N/R	3	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk	1/judge	N/R	N/R
Career	Staff Attorney	~	N/R	N/R
The Clerk of Court Deputy Clerks	Clerk of Court	1	N/R	N/R
	Deputy Clerk of Court	2	N/R	N/R
	Accountant II	1	N/R	N/R
	Accountant I	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ Texas, continued

**11<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Justice (6 yrs)	1	107,350	112,000	
	Justice (6 yrs)	2	107,850	112,000	
Central Staff Attorneys	Chief Staff Attorney	1	54,264	72,420	
	Staff Attorney	3	47,820	63,720	
Total In-Chambers Legal Staff	~	1/judge	~	~	
	Short-term	Briefing Attorney (1 year)	1/judge	32,988	42,216
	Career	~	~	~	
The Clerk of Court	Clerk of Court	1	54,264	72,420	
	Deputy Clerks	Deputy Clerk of Court	2	N/R	N/R
		Accountant	1	N/R	N/R

**12<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	2	107,850	112,000
Central Staff Attorneys	N/R	5	N/R	N/R
Total In-Chambers Legal Staff	~	1/judge	~	~
	Short-term	~	~	~
	Career	N/R	1/judge	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
	Deputy Clerks	N/R	N/R	N/R

**13<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Justice (6 yrs)	1	107,350	112,000	
	Justice (6 yrs)	5	107,850	112,000	
Central Staff Attorneys	N/R	6	N/R	N/R	
Total In-Chambers Legal Staff	~	1/judge	~	~	
	Short-term	Briefing Attorney (2 years)	#	32,988	42,216
	Career	Chief Staff Attorney	#	44,928	63,720
		Staff Attorney	#	44,928	63,720
The Clerk of Court	Clerk of Court	1	54,264	72,420	
	Deputy Clerks	Chief Deputy Clerk of Court	1	42,216	56,160
		Deputy Clerk of Court	5	N/R	N/R

**14<sup>th</sup> District Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	107,350	112,000
	Justice (6 yrs)	8	107,850	112,000
Central Staff Attorneys	Chief Staff Attorney	1	54,264	72,420
	Senior Staff Attorney Junior	8	47,820	63,720
	Staff Attorney			
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Briefing Attorney (2 yrs)	1/judge	32,988	42,216
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	54,264	72,420
Deputy Clerks	Chief Deputy Clerk of Court	1	42,216	56,160

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Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ Utah

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (3-10 yrs)	1	~	104,950
	Assoc. Chief Justice (3-10 yrs)	1	~	N/R
	Assoc. Justice (3-10 yrs)	3	~	102,950
Central Staff Attorneys	Central Staff Attorney	2	39,379	46,353
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (1-2 years)	#	36,171	40,331
Career	N/R	#	N/R	N/R
The Clerk of Court	Clerk of Court	1	36,300	54,500
Deputy Clerks	Chief Deputy Clerk of Court	1	26,200	39,000
	Deputy Clerk of Court	4	N/R	N/R

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Judge (3-6 yrs)	1	~	99,300
	Judge (3-6 yrs)	6	~	98,300
Central Staff Attorneys	Central Staff Attorney	3	39,228	67,496
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Clerk (1 year)	2/judge	36,171	40,331
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	36,171	54,329
Deputy Clerks	Deputy Clerk of Court	3	N/R	N/R
	Lead Clerk	1	N/R	N/R



◆ Vermont

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	94,979
	Associate Justice (6 yrs)	4	~	90,584
Central Staff Attorneys	N/R	1	40,000	60,000
	Staff Attorney	3	35,000	55,000
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Clerk (1 yr)	1/judge	35,000	35,000
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	90,176	94,505
	Deputy Clerk of Court	1	40,000	60,000
	Docket Clerk	1	N/R	N/R

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Virginia

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (12 years)	1	~	128,740
	Justice (12 years)	6	~	120,802
Central Staff Attorneys	Chief Staff Attorney	1	100,000	112,000
	Senior Staff Attorney	1	N/R	N/R
	Staff Atty./Law Clerk (1 yr)	8	50,000	60,000
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 yr)	1/judge	50,000	55,000
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	112,000	116,000
Deputy Clerks	Chief Deputy Clerk of Court	1	67,000	71,000
	Deputy Clerk of Court	2	28,000	35,000

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (8 yrs)	1	~	115,763
	Judge (8 yrs)	9	~	114,763
Central Staff Attorneys	Chief Staff Attorney	1	93,000	100,000
	Staff Attorney	8	50,000	60,000
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 yr)	1/judge	N/R	N/R
Career	~	~	50,000	55,000
The Clerk of Court	Clerk of Court	1	100,000	112,000
Deputy Clerks	Deputy Clerk	5	28,000	35,000

Note: Salary information for Judges is correct as of 11/25/1999.

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ **Washington**

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (6 yrs)	1	~	112,078
	Assoc. Chief Justice (6 yrs)	1	~	112,078
	Justice (6 yrs)	7	~	112,078
Central Staff Attorneys	Lead Staff Attorney	1	96,000	96,000
	Staff Attorney I, II	4	35,208	65316
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk	#	35,208	54,924
Career	Attorney to Chief Justice	#	35,208	54924
The Clerk of Court	Clerk of Court	1	96,000	96,000
Deputy Clerks	Chief Deputy Clerk of Court	1	82,000	82,000
	Deputy Clerk of Court	8	N/R	N/R

**Court of Appeals: Division 1 • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Presiding Chief Judge (6 yrs)	1	~	106,537
	Chief Judge (6 yrs)	1	~	106,537
	Acting Chief Judge (6 yrs)	1	~	106,537
	Judge (6 yrs)	7	~	106,537
Central Staff Attorneys	Staff Attorney	7.6	43,992	56,340
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Law Clerk (2 yrs)	2/judge	32,208	45,084
Career	~	~	~	~
The Clerk of Court	Clerk of Court	1	68,500	87,550
Deputy Clerks	Chief Deputy Clerk of Court	1	37,932	48,564
	Senior Case Manager	2	N/R	N/R
	Case Manager	7	N/R	N/R

**Court of Appeals: Division 2 • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	106,537
	Acting Chief Judge (6 yrs)	1	~	106,537
	Judge (6 yrs)	4	~	106,537
Central Staff Attorneys	Staff Attorney	3	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

◆ Washington, continued

**Court of Appeals: Division 3 • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	106,537
	Acting Chief Judge (6 yrs)	1	~	106,537
	Judge (6 yrs)	3	~	106,537
Central Staff Attorneys	Staff Attorney	2	N/R	N/R
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	N/R	#	N/R	N/R
Career	N/R	#	N/R	N/R
The Clerk of Court	N/R	N/R	N/R	N/R
Deputy Clerks	N/R	N/R	N/R	N/R

◆ West Virginia

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --		
			Starting	High	
Judges	Chief Justice (12 yrs)	1	~	85,000	
	Justice (12 yrs)	4	~	85,000	
Central Staff Attorneys	Chief Counsel	1	70,000	78,000	
	Deputy Counsel	15	35,000	64,000	
	General Writ Clerks				
	Writ Clerks				
Total In-Chambers Legal Staff	~	3/judge	~	~	
	Short-term	Law Clerk (#)	2/judge	45,000	52,000
	Career	Per Curium Clerks	1/judge	50,000	62,000
The Clerk of Court	Clerk of Court	1	70,000	78,000	
	Deputy Clerks	Chief Deputy Clerk of Ct.	1	58,000	70,000

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Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ Wisconsin

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (10 years)	1	~	120,318
	Justice (10 years)	6	~	112,318
Central Staff Attorneys	Court Commissioner	4	36,945	93,100
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk (1 year)	1/judge	38,500	38,500
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	49,475	79,801
	Chief Deputy Clerk of Court	1	38,193	55,380
	Deputy Clerk of Court	5	29,492	42,764
	Assistant Deputy Clerk	4	27,562	38,587
	Support Services Assistant	3	22,499	31,499
	Records Clerk	1	21,027	29,437
	Clerical Assistant	0.5	9,827	13,758

**Court of Appeals • Intermediate Appellate Court**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge (6 yrs)	1	~	105,960
	Presiding Judge (6 yrs)	4	~	105,960
	Judge (6 yrs)	12	~	105,960
Central Staff Attorneys	Chief Staff Attorney	1	40,643	91,000
	Other Central Staff Attorney	15.5	35,642	89,610
Total In-Chambers Legal Staff	~	1/judge	~	~
Short-term	Law Clerk	1/judge	38,550	38,550
Career	~	~	~	~
The Clerk of Court Deputy Clerks	Clerk of Court	1	49,475	79,801
	Chief Deputy Clerk of Court	1	38,193	55,380
	Deputy Clerk of Court	5	29,492	42,764
	Assistant Deputy Clerk	4	27,562	38,587
	Support Services Assistant	3	22,499	31,499
	Records Clerk	1	21,027	29,437
	Clerical Assistant	0.5	9,827	13,758

◆ Wyoming

**Supreme Court • Court of Last Resort**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Justice (8 yrs)	1	~	85,000
	Justice (8 yrs)	4	~	85,000
Central Staff Attorneys	Senior Staff Attorney	1	41,630	73,242
Total In-Chambers Legal Staff	~	2/judge	~	~
Short-term	Staff Attorney (2 yrs)	#	34,748	61,135
Career	Staff Attorney	#	34,748	61,135
The Clerk of Court	Clerk of Court	1	40,646	69,950
Deputy Clerks	Deputy Clerk of Court	1	32,517	55,960

---

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ United States Court of Appeals

### Federal Circuit

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	11	~	145,000
Central Staff Attorneys	Senior Staff Attorney	1	51,204	124,862
	Supervisory Staff Attorney	1	51,204	110,028
	Staff Attorney	2	42,724	93,537
Total In-Chambers Legal Staff	~	3-4 [4-5]/jdg.	~	~
Short-term	Law Clerk (1 yr)	3-4 [4-5]/jdg.	35,310	93,537
Career	~	0	~	~
The Clerk of Court	The Clerk of Court	1	84,658	124,862
Deputy Clerks	Chief Deputy Clerk of the Ct.	2	42,724	124,862
	Deputy Clerk of the Court	19	N/R	N/R
	Attorneys in the Clerk's Office	1	N/R	N/R

### First Circuit

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	5	~	145,000
Central Staff Attorneys	Senior Staff Attorney	1	100,786	126,774
	Supervising Staff Attorney	1	68,742	111,723
	Staff Attorney	10	41,572	94,979
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk	#	N/R	N/R
Career	Law Clerk	#	N/R	N/R
The Clerk of Court	The Clerk of Court	1	115,750	126,774
Deputy Clerks	Chief Deputy Clerk of the Ct.	1	100,286	126,774
	Deputy Clerk of the Court	7	N/R	N/R
	Attorneys in the Clerk's Office	1	43,572	94,979

### Second Circuit

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	12	~	145,000
Central Staff Attorneys	Sr. Staff Attorney/Ace Legal	1	102,033	128,343
	Supervising Staff Attorney	1	52,632	113,095
	Staff Attorney	20	43,195	81,362
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk (1 year)	#	43,915	68,420
Career	Law Clerk	#	43,915	96,144
The Clerk of Court	The Clerk of Court	1	117,182	128,343
Deputy Clerks	Chief Deputy Clerk of the Ct.	1	86,998	128,343
	Deputy Clerk of Court	60	N/R	N/R
	Attorneys in the Clerk's Office	1	43,915	96,144



**Third Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	13	~	145,000
Central Staff Attorneys	Director	1	N/R	N/R
	Supervising Staff Attorney	2	N/R	N/R
	Staff Attorney	18	40,000	93,000
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk (1 year)	#	N/R	N/R
Career	Law Clerk	#	N/R	N/R
The Clerk of Court Deputy Clerks	The Clerk of Court	1	N/R	N/R
	Chief Deputy Clerk of the Ct.	1	N/R	N/R
	Attorneys in the Clerk's Office	2	40,000	93,000

**Fourth Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	12	~	145,000
Central Staff Attorneys	Staff Attorney	N/R	N/R	N/R
		N/R	N/R	N/R
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk (1 yr)	#	N/R	N/R
Career	Law Clerk	#	N/R	N/R
The Clerk of Court Deputy Clerks	The Clerk of Court	1	N/R	N/R
	Chief Deputy Clerk of the Ct.	1	N/R	N/R
	Deputy Clerk of the Court	56	N/R	N/R
	Attorneys in the Clerk's Office	1	N/R	N/R

**Fifth Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	16	~	145,000
Central Staff Attorneys	Senior Staff Attorney	1	92,844	117,198
	Supervising Staff Attorney	5	79,162	102,907
	Staff Attorney	44	37,960	87,489
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk (1 year)	#	39,960	47,891
Career	Law Clerk	#	39,960	87,489
The Clerk of Court Deputy Clerks	The Clerk of Court	1	106,628	117,198
	Chief Deputy Clerk of the Ct.	1	92,844	117,198
	Deputy Clerk of the Court	93	N/R	N/R
	Attorneys in the Clerk's Office	2	37,960	102,907

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [ ] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

## ◆ United States Court of Appeals, continued

**Sixth Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	15	~	145,000
Central Staff Attorneys	Senior Staff Attorney	1	114,495	125,400
	Supervisory Staff Attorney	2	67,997	110,512
	Staff Attorney	15	34,313	93,950
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk (2 years)	#	42,908	66,581
Career	Law Clerk	#	42,908	93,940
The Clerk of Court	The Clerk of Court	1	114,495	125,400
Deputy Clerks	Chief Deputy Clerk of the Ct.	1	99,694	125,400
	Deputy Clerk of the Court	35	N/R	N/R
	Attorneys in the Clerk's Office	4	34,313	93,950

**Seventh Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	10	~	145,000
Central Staff Attorneys	Senior Staff Attorney	1	N/R	N/R
	Deputy Senior Staff Attorney	2	N/R	N/R
	Supervisory Staff Attorney	1	N/R	N/R
	Staff Attorney	17	N/R	N/R
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	N/R	N/R
Short-term	Law Clerk	#	N/R	N/R
Career	Law Clerk	#	N/R	N/R
The Clerk of Court	The Clerk of Court	N/R	N/R	N/R
Deputy Clerks	Chief Deputy Clerk of the Ct.	N/R	N/R	N/R
	Attorneys in the Clerk's Office	N/R	N/R	N/R

**Eighth Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	10	~	145,000
Central Staff Attorneys	Senior Staff Attorney	1	89,916	116,888
	Supervisory Staff Attorney	2	61,317	99,690
	Staff Attorney	16	38,699	84,737
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk	#	38,699	~
Career	Law Clerk	#	38,699	84,728
The Clerk of Court	The Clerk of Court	1	89,916	117,021
Deputy Clerks	Chief Deputy Clerk of the Ct.	1	76,666	99,671
	Deputy Clerk of the Court	40	N/R	N/R

**Ninth Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	26	~	145,000
Central Staff Attorneys	Supervising Attorney	4	104,691	130,200
	Staff Attorney	52	45,059	58,577
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk (1 year)	#	54,003	98,649
Career	Law Clerk	#	54,003	98,649
The Clerk of Court Deputy Clerks	The Clerk of Court	1	104,691	130,200
	Chief Deputy Clerk of the Ct.	1	89,264	130,200
	Sr. Deputy Clerk of the Ct.	2	N/R	N/R
	Attorneys in the Clerk's Office	50	N/R	N/R

**Tenth Circuit**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Judge	11	~	145,000
Central Staff Attorneys	Chief Staff Counsel	1	N/R	N/R
	Supervisory Staff Counsel	1	N/R	N/R
	Staff Counsel	16	N/R	N/R
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk	#	N/R	N/R
Career	Law Clerk	#	N/R	N/R
The Clerk of Court Deputy Clerks	The Clerk of Court	1	N/R	N/R
	Chief Deputy Clerk of the Ct.	1	N/R	N/R
	Deputy Clerk of the Court	31	N/R	N/R
	Attorneys in the Clerk's Office	5	N/R	N/R

**Armed Forces**

Position	Title	Number	-- Salary Range --	
			Starting	High
Judges	Chief Judge	1	~	145,000
	Associate Judge	4	~	145,000
Central Staff Attorneys	Director	1	106,200	122,400
	Staff Attorney	5	84,638	110,028
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk (1 year)	#	71,954	110,028
Career	Law Clerk	#	84,638	N/R
The Clerk of Court Deputy Clerks	The Clerk of Court	1	106,200	122,400
	Deputy Clerk of the Court	1	84,638	110,028
	Attorneys in the Clerk's Office	2	71,954	110,028

Legend: # individual judges determine the number in-chambers staff in his or her chamber.  
 N/R data not reported or available.  
 ~ data not applicable.  
 [] indicates the number of staff assigned to the chief justice if different.  
 ( ) indicates the length of the terms for staff with specific terms of employment.

◆ United States Court of Appeals, continued

<b>Veterans Claims</b>				
<b>Position</b>	<b>Title</b>	<b>Number</b>	<b>-- Salary Range --</b>	
			<b>Starting</b>	<b>High</b>
Judges	Chief Judge	1	~	145,000
	Associate Judge	6	~	145,000
Central Staff Attorneys	Senior Staff Attorney	1	77,614	100,897
	Staff Attorney	7	55,837	85,774
Total In-Chambers Legal Staff	~	3-4 [4-5]/judge	~	~
Short-term	Law Clerk	#	39,178	72,586
Career	Law Clerk	#	39,178	85,774
The Clerk of Court	The Clerk of Court	1	114,500	114,500
Deputy Clerks	Attorneys in the Clerk's Office	9	77,614	100,897



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## Appendix A



## SURVEYS

### ¶ Surveys

- A. COURT BACKGROUND QUESTIONNAIRE
- B. THE CLERK OF THE COURT
- C. CENTRAL STAFF ATTORNEY
- D. SHORT-TERM IN-CHAMBERS LEGAL STAFF
- E. CAREER IN-CHAMBERS LEGAL STAFF

Survey A, the *Court Background Questionnaire*, solicits information about each court and its legal staff. Surveys B, C, D, and E ask respective staff members to provide information about the use of legal staff in their individual courts. Surveys A and C are shown below as examples of the survey instruments. Surveys B, D, and E are not presented here because those surveys so closely parallel survey C. These surveys are available from The National Center for State Courts. If interested, please contact the Project Director.



## A. 1998 COURT BACKGROUND QUESTIONNAIRE

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### INSTRUCTIONS

- This questionnaire is to be filled out by the **Clerk of the Court**.
  - Please return this completed questionnaire along with the clerk of the court questionnaire (questionnaire B).
  - If your court does not have one of the staff types listed on page three of this questionnaire, write "not applicable" on the space provided for that staff type.
  - All data should be for calendar year 1998 (If you use fiscal year data, please check here \_\_\_\_\_).
- 

### COMPLETED BY:

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

COURT: \_\_\_\_\_ STATE: \_\_\_\_\_

---

### I. JUDGES FOR 1998

\_\_\_\_\_ Total number of **authorized** full-time judicial positions in 1998

\_\_\_\_\_ Number of Full-time equivalents of part-time, senior, visiting, pro tem, or retired judges

**(Yes / No)** Are these judicial persons assigned legal staff?

**(Yes / No)** Do these judicial persons have writing responsibilities (i.e. opinions)?

**(Yes / No)** Is this year's use of these judicial personnel common practice for your court?

If not, explain the common practice. \_\_\_\_\_  
\_\_\_\_\_

### II. 1998 CASELOAD INFORMATION

#### Number of Mandatory Cases<sup>1</sup>

Filed                      Resolved or  
Dismissed

#### Number of Discretionary Cases<sup>2</sup>

Filed                      Granted                      Denied/  
Dismissed

---

<sup>1</sup> Appeals from final judgments of trial courts and administrative agencies, post-trial judgments, and non-final orders (interlocutory appeals); applications for writs; other original proceedings (e.g. certified questions, election disputes, bar and judicial discipline).

<sup>2</sup> Petitions for review (or leaves to appeal) from final judgments, petitions from non-final orders, applications for writs of certiorari, applications for other writs (habeas corpus, mandamus) and other discretionary original proceedings.

**III. OTHER JUDICIAL OFFICERS<sup>3</sup>**

<u>Title:</u>	<u>Number (FTE)</u>	<u>Authority/ Duties</u>
1.		
2.		

**IV. Annual Salaries for Legal Staff<sup>4</sup>**

<u>Position</u>	<u>Entry Level</u>	<u>Top Level</u>
Clerk of the court	\$	\$
Chief deputy clerk of the court	\$	\$
Short-term in-chambers legal staff <sup>5</sup>	\$	\$
Career in-chambers legal staff	\$	\$
Head central staff attorney	\$	\$
Other central staff attorneys	\$	\$
Other:	\$	\$
Other:	\$	\$

**V. Please list any other court staff positions, including court administrators, who perform some legal tasks**

<u>Title:</u>	<u>Number</u>	<u>Legal Tasks Performed</u>
1.		
2.		

---

<sup>3</sup> This includes other **decision-making** officers of the court often titled magistrates, commissioners, and referees. This does not include the legal staff who fit the definition of central staff attorneys, but has a title similar to a decision-making officer.

<sup>4</sup> Please see definitions for each position on the next page.

<sup>5</sup> Short-term staff turns over approximately every 3 years or fewer.

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PLEASE LET US KNOW TO WHOM THE OTHER THREE QUESTIONNAIRES WERE SENT.

---

**Short-term In-chambers Legal Staff:** An in-chambers legal staff person (traditionally called "elbow clerk") is a lawyer employed to assist an individual judge, who works for that judge only. Short-term in-chambers legal staff are usually assigned to terms of one to three years shortly after graduating from law school. This does not include central staff attorneys – attorneys who work for many or all judges at any point in time.

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

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**Career In-chambers Legal Staff:** An in-chambers legal staff person is a lawyer employed to assist an individual judge, although he or she might work for more than one judge over time. Career in-chambers legal staff are professionals with permanent positions. This does not include central staff attorneys – attorneys who work for many or all judges at any point in time.

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

---

**Central Staff Attorneys:** A central staff attorney is a lawyer working for and assisting an appellate court as a whole. Different courts use different titles. They include: research attorney, commissioner, writ clerk, office of court counsel, pro se clerk, staff law clerk, and pool aide. They are distinguished from in-chambers legal staff in that they have limited ties to a particular judge, but rather work primarily for the court or a panel within the court often under the direction of a supervising or principal attorney. It is possible that they are temporarily assigned to an individual judge for certain cases. It is our intent here to include all *attorneys* who are not in-chambers legal staff. They may be located in the office of court counsel or in the clerk of the court's office.

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

PHONE: \_\_\_\_\_

FAX: \_\_\_\_\_

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## C. CENTRAL STAFF ATTORNEY

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**DEFINITION:** A central staff attorney is a lawyer working for and assisting an appellate court as a whole. Different courts use different titles. They include: research attorney, commissioner, writ clerk, office of court counsel, pro se clerk, staff law clerk, and pool aide. They are distinguished from in-chambers legal staff in that they have limited ties to a particular judge, but rather work primarily for the court or a panel within the court often under the direction of a supervising or principal attorney. It is possible that they are temporarily assigned to an individual judge for certain cases. It is our intent here to include all *attorneys* who are not in-chambers legal staff. They may be located in the office of court counsel or in the clerk of the court's office.

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### INSTRUCTIONS

- This questionnaire is to be completed by the **Head Central Staff Attorney** (or most senior central staff attorney).
- However, if your court does not have central staff attorneys, ignore this entire questionnaire.
- In completing the *Tasks* section of the questionnaire, the respondent should **approximate** the percentage of **total** central staff time spent on each of the tasks listed (approximate for all central staff time, not just your own time) during an average year.
  - Example: If two central staff attorneys spend all of their time on jurisdictional screening, and the court has ten central legal staff, then the response would be 20% for jurisdictional screening.
  - Headings in the *Tasks* section are only for context and should not affect totals or be allocated percentages.
  - In "other" categories please provide a brief description.
  - The percentages should add up to 100% and your response to some or many of the tasks will be zero percent.
  - Footnotes provide clarification for some tasks.
- The final page asks for information about the management of central staff attorneys and your court's handling of central staff attorney personnel.

---

### COMPLETED BY:

NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_  
\_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

COURT: \_\_\_\_\_ STATE: \_\_\_\_\_

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# TASKS (CENTRAL STAFF ATTORNEY)

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## PRELIMINARY DUTIES

- \_\_\_\_\_ Screening for jurisdiction
- \_\_\_\_\_ Researching applications for extraordinary writs (e.g., habeas corpus) and other original actions (e.g., bar disciplinary cases, certified questions, and advisory opinions)<sup>6</sup>
- \_\_\_\_\_ Preparing memoranda on substantive motion (to strike, to peremptorily affirm)
- \_\_\_\_\_ Handling procedural motions (e.g., extensions of time)
- \_\_\_\_\_ Preparing memoranda on transferring cases to or from an intermediate appellate court and a court of last resort
- \_\_\_\_\_ Reviewing a docket statement (if applicable)

## SETTLEMENT CONFERENCES & PRE-BRIEFING CONFERENCES

- \_\_\_\_\_ Reviewing settlement conference statement
- \_\_\_\_\_ Managing the settlement conference program (logistical matters)
- \_\_\_\_\_ Conducting settlement conferences (as conference host)
- \_\_\_\_\_ Other work on settlement conferences: \_\_\_\_\_

## DISCRETIONARY PETITIONS

- \_\_\_\_\_ Preparing memoranda on petitions for review (prior to the decision to grant or deny)
- \_\_\_\_\_ Attending judicial conferences (on the decision to review)
- \_\_\_\_\_ Preparing memoranda on petitions for review (after having been accepted for review).
- \_\_\_\_\_ Other work on petitions for review: \_\_\_\_\_

## APPEALS OF RIGHT

- \_\_\_\_\_ Preparing memoranda on cases with some modified procedures (typically routine cases)
- \_\_\_\_\_ Preparing memoranda and reading briefs on appeals of right prior to oral argument/conferencing by judges
- \_\_\_\_\_ Attending judicial conferences after argument
- \_\_\_\_\_ Attending judicial conferences when cases are submitted on briefs alone
- \_\_\_\_\_ Other work on appeals of right: \_\_\_\_\_

## TASKS PRIOR TO DECISION

- \_\_\_\_\_ Reviewing the record
- \_\_\_\_\_ Screening or weighting cases by: topic, difficulty, or complexity.
- \_\_\_\_\_ Issue tracking and/or issue clustering
- \_\_\_\_\_ Calendaring cases for oral argument/conference
- \_\_\_\_\_ Consulting with a judge on an individual case (verbal feedback)
- \_\_\_\_\_ Other work prior to decision: \_\_\_\_\_

## OPINION PREPARATION

- \_\_\_\_\_ Contributing to opinion production by writing one or more drafts
- \_\_\_\_\_ Preparing memoranda on opinions of other judges and other legal staff
- \_\_\_\_\_ Consulting with individual judges on opinions (verbal feedback)
- \_\_\_\_\_ Shepardizing and footnoting
- \_\_\_\_\_ Editing opinions and orders (written feedback)
- \_\_\_\_\_ Proofing mandates
- \_\_\_\_\_ Other work on opinion preparation: \_\_\_\_\_

## OTHER

- \_\_\_\_\_ Case management: monitoring case processing flow, bottlenecks, case inventory, and other timeliness issues.
- \_\_\_\_\_ Court administration<sup>7</sup>
- \_\_\_\_\_ Education: organizing new staff seminars, CLE classes, mentoring, and so forth
- \_\_\_\_\_ Participating in professional educational or training programs
- \_\_\_\_\_ Preparing memoranda on petitions for re-hearings
- \_\_\_\_\_ Technology management
- \_\_\_\_\_ Personnel management
- \_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_ **TOTAL SHOULD EQUAL 100%.**

<sup>6</sup> Gathering legal references, tracking precedent, and rechecking citations.

<sup>7</sup> Assisting in the research, design, implementation of new court policies, procedures, and practices --serving as staff to judicial committees or preparing legal policy position papers for a court.

# GENERAL INFORMATION (CENTRAL STAFF ATTORNEY)

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**I. CHECK (✓) WHICH OF THE FOLLOWING IS TRUE OF YOUR COURT'S MANAGEMENT OF CENTRAL STAFF ATTORNEYS**

- A judge directly oversees each central staff attorney's work product.
- There is a formal hierarchy among central staff attorneys with different titles, compensation ranges, and managerial responsibilities.
- The judge oversees a head staff attorney who supervises other staff attorneys.
- There is area-of-law or other substantive specialization among central staff attorneys.

Approximately what percentage of central staff attorneys have attended professional, **outside**, training programs where case management was a central focus? \_\_\_\_\_ %

Approximately what percentage of central staff attorneys has attended **in-house** training programs where case management was a central focus? \_\_\_\_\_ %

**II. PROVIDE THE FOLLOWING INFORMATION**

1. List each central staff attorney title and the number of each with that title (please include all that fit the definition on page 1 of this survey):

**Title**

**Number**

2. Please indicate the approximate average length of tenure for career central staff attorneys. \_\_\_\_\_ (years)

3. Please indicate the approximate year when your court first used central staff attorneys. \_\_\_\_\_

4. Please describe any special duties of the head central staff attorney. \_\_\_\_\_

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5. Please describe any division of labor among the central staff attorneys (such as civil/criminal and more specific areas of law).

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Appendix B



LEGAL STAFF SUPPORT  
IN STATE APPELLATE COURTS

**APPENDIX B: Legal Staff Support in State Appellate Courts**

	Total Attorneys per Judge		Staff Attorneys per Judge	
	Court of Last Resort	Intermediate Appellate Court(s)	Court of Last Resort	Intermediate Appellate Court(s)
Alabama	3.1	3.7	0.1	0.2
Alaska	3.0	2.3	0.0	0.3
Arizona	2.6	2.3	0.4	0.8
Arkansas	2.0	2.3	0.0	0.3
California	10.0	3.2	4.5	1.2
Colorado	2.1	2.0	0.1	1.0
Connecticut	2.3	1.8	0.3	0.8
<b>Delaware</b>	<b>1.8</b>	<b>N/A</b>	<b>0.6</b>	<b>N/A</b>
<b>D.C.</b>	<b>3.0</b>	<b>N/A</b>	<b>0.9</b>	<b>N/A</b>
Florida	3.0	2.4	0.9	0.4
Georgia	2.6	3.8	0.4	0.8
Hawaii	3.2	2.0	1.0	0.0
Idaho	2.2	2.0	0.2	0.0
Illinois	3.9	2.8	0.9	0.8
Indiana	3.2	3.1	1.0	0.1
Iowa	2.0	1.3	1.0	0.3
Kansas	1.4	2.6	0.4	1.6
Kentucky	1.7	2.6	0.7	0.6
Louisiana	5.0	3.7	2.0	1.7
<b>Maine</b>	<b>1.7</b>	<b>N/A</b>	<b>0.1</b>	<b>N/A</b>
Maryland	2.0	2.6	0.0	0.6
Massachusetts	2.7	2.5	0.7	1.5
Michigan	5.7	3.4	2.7	2.4
Minnesota	2.1	2.3	0.6	0.3
Mississippi	2.8	2.5	0.8	0.5
Missouri	2.0	1.6	0.0	0.3
<b>Montana</b>	<b>2.1</b>	<b>N/A</b>	<b>0.1</b>	<b>N/A</b>
Nebraska	2.1	2.1	0.1	0.1
<b>Nevada</b>	<b>5.6</b>	<b>N/A</b>	<b>3.6</b>	<b>N/A</b>
<b>New Hampshire</b>	<b>N/R</b>	<b>N/A</b>	<b>N/R</b>	<b>N/A</b>
New Jersey	3.6	1.9	0.3	0.9
New Mexico	2.0	2.5	0.0	1.5
New York	4.6	3.2	2.4	2.2
North Carolina	2.1	2.7	0.0	0.7
<b>North Dakota</b>	<b>2.2</b>	<b>N/A</b>	<b>1.2</b>	<b>N/A</b>
Ohio	4.6	2.3	1.6	0.4
Oklahoma	2.6	2.0	0.6	0.0
Oklahoma-Criminal	5.0	<b>N/A</b>	3.0	<b>N/A</b>
Oregon	1.4	2.2	0.4	0.4
Pennsylvania	4.2	4.9	0.1	0.9
Puerto Rico	3.1	0.7	0.0	0.7
<b>Rhode Island</b>	<b>3.0</b>	<b>N/A</b>	<b>0.8</b>	<b>N/A</b>
South Carolina	3.8	2.6	1.8	0.6
<b>South Dakota</b>	<b>1.6</b>	<b>N/A</b>	<b>0.6</b>	<b>N/A</b>
Tennessee	3.8	1.9	1.8	0.2
Texas	3.2	2.2	0.2	1.1
Texas-Criminal	3.8	<b>N/A</b>	1.8	<b>N/A</b>
Utah	2.4	2.4	0.4	0.4
<b>Vermont</b>	<b>2.0</b>	<b>N/A</b>	<b>0.8</b>	<b>N/A</b>
Virginia	2.4	1.9	1.4	0.9
Washington	2.6	2.6	0.6	0.6
<b>West Virginia</b>	<b>6.2</b>	<b>N/A</b>	<b>3.2</b>	<b>N/A</b>
Wisconsin	1.6	1.7	0.6	0.7
<b>Wyoming</b>	<b>2.2</b>	<b>N/A</b>	<b>0.2</b>	<b>N/A</b>
<b>Average:</b>	<b>3.16</b>	<b>2.47</b>	<b>0.94</b>	<b>0.72</b>

N/R = no response; N/A = not applicable; ~ = none

**Bolded states** do not have an intermediate appellate court



<u>In-Chambers Legal Staff per Judge</u>		<u>Additional In-Chambers Staff for Chief Justices</u>	
<u>Court of Last Resort</u>	<u>Intermediate Appellate Court(s)</u>	<u>Court of Last Resort</u>	<u>Intermediate Appellate Court(s)</u>
3	3.5	~	~
3	2	~	~
2	1.5	1	1
2	2	~	~
5	2	3	~
2	1	~	~
2	1	~	1
1	N/A	1	N/A
2	N/A	1	N/A
2	2	1	~
2	3	1	~
2	2	1	~
2	2	~	~
3	2	~	~
2	3	1	~
1	1	~	~
1	1	~	~
1	2	~	~
3	2	~	1
1.5	N/A	0.5	N/A
2	2	~	~
2	1	~	1
3	1	~	~
1.5	2	0.5	~
2	2	~	~
2	1.3	~	0.3
2	N/A	~	N/A
2	2	~	~
2	N/A	~	N/A
N/R	N/A	N/R	N/A
3	1	2	1
2	1	~	~
2	1	1	0.3
2	2	1	1
3	N/A	~	N/A
2	1.9	~	~
2	2	~	~
2	N/A	~	N/A
1	1.8	~	~
4	4	1	~
3	0	1	1
2	N/A	1	N/A
2	2	~	~
1	N/A	~	N/A
2	1.7	~	~
3	1.1	~	~
2	N/A	~	N/A
2	2	~	~
1	N/A	1	N/A
1	1	~	~
2	2	~	~
3	N/A	~	N/A
1	1	~	~
2	N/A	~	N/A
2.18	1.75	0.37	0.21

## Appendix C



### FACTOR ANALYSIS

Principal components analysis, a variety of factor analysis, is used to measure the inter-relationship among tasks. The strength of the association of each task to the underlying dimension (work area) is measured by a factor “loading”. Factor loadings of 0.45 or higher were the threshold used to include a task as part of a common work area. This threshold was chosen because that level is a reasonably strong loading and there was a natural gap in the data just below that level.

The six tasks listed below for opinion preparation make up the strongest factor in the current study.

Table C-1  
**Tasks for the “Assistance in Opinion Preparation” Work Area**

<b>Tasks</b>	<b>Factor Loading</b>
28: Consulting with individual justices on opinions (verbal feedback) _____	.75
30: Editing opinions and orders (written feedback) _____	.75
29: Shepardizing and footnoting _____	.71
24: Consulting with a justice on an individual case (verbal feedback) _____	.63
26: Contributing to opinion preparation by writing one or more drafts _____	.60
20: Reviewing the record _____	.46

This particular group of tasks forms a work area which we have called *opinion preparation*. The composition of the other eight work areas is described below in Tables C-2 to C-9.

Table C-2

### Handling Cases at Key Procedural Events (Case Management)

Tasks	Factor Loading
23: Calendaring cases for oral argument/conference _____	.67
1: Screening for jurisdiction _____	.59
31: Proofing mandates _____	.56
4: Handling procedural motions _____	.55
5: Preparing memoranda on transferring cases to or from an intermediate appellate court	.52
33: Case management _____	.47

Table C-3

### Training Staff and Court Management

Tasks	Factor Loading
35: Education: organizing new staff seminars, CLE classes, mentoring, and so forth _____	.73
36: Participating in professional educational or training programs _____	.66
34: Court administration _____	.52
38: Technology management _____	.49
39: Personnel management _____	.45

Table C-4

### Prehearing Assistance

Tasks	Factor Loading
15: Preparing memoranda on cases with some modified procedures _____	.71
16: Preparing memoranda/reading briefs on appeals of right prior to oral argument/conferencing	.62
20: Reviewing the record _____	.56

Table C-5

### Researching Substantive Motions and Writs

Tasks	Factor Loading
2: Researching applications for extraordinary writs and other original actions _____	.71
3: Preparing memoranda on substantive motions _____	.64

Table C-6

**Attending Decisional Conferences**

<b>Tasks</b>	<b>Factor Loading</b>
18: Attending judicial conferences when cases are submitted on the briefs alone _____	.75
17: Attending judicial conferences after argument _____	.72
21: Screening or weighting cases by: topic, difficulty, or complexity _____	.57

Table C-7

**Conducting Settlement Conferences**

<b>Tasks</b>	<b>Factor Loading</b>
9: Conducting settlement conferences as the conference host _____	.78
7: Reviewing the settlement conference statement _____	.60
12: Attending judicial conferences (on the decision to review) _____	.48

Table C-8

**Managing Settlement Conferences**

<b>Tasks</b>	<b>Factor Loading</b>
10: Other work on settlement conferences _____	.69
8: Managing the settlement conference program _____	.66
7: Reviewing the settlement conference statement _____	.57

Table C-9

**Preparing Memoranda on Discretionary Petitions**

<b>Tasks</b>	<b>Factor Loading</b>
13: Preparing memoranda on petitions for review (after having been accepted for review)_	.68
11: Preparing memoranda on petitions for review (prior to the decision to grant or to deny)_	.67

Extraction Method: Principal Component Analysis.

Rotation Method: Varimax with Kaiser Normalization. (Converged in 22 iterations)

Rotated Component Matrix

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