



State Court Clerks Discuss Their Experiences

Salima Burke '12

Salima Burke is a Deputy Attorney General with the NJ Department of Law & Public Safety, Division of Law. Prior to joining the AG's office, Salima served as law clerk to the Honorable Alexander P. Waugh, Jr, of the Appellate Division of the Superior Court of New Jersey.

Ruth Payne: Hi Salima. Thanks so much for agreeing to do this. Can you tell me a little bit about your clerkship?

Salima Burke: Yes. My clerkship was with the Appellate Division of the Superior Court of New Jersey. I was the sole clerk for the judge, and in that role had three main responsibilities. The first was proofreading - every opinion that the judge produced that year. Aside from a great deal of Bluebooking, this also involved checking all the case law and making suggestions for adjustments, if they seemed warranted. Perhaps the largest chunk of my time was spent on writing case memos. The third responsibility involved responding to calls from appellants requesting emergent assistance from the Appellate Division. This involved some interesting opportunities to interact with the public. However, clerks at the NJ Appellate Division aren't handling those calls anymore.

Ruth Payne: Thanks. Two part question: Was there anything about the clerkship that surprised you? What was the most important thing you would say you learned from the clerkship?

Salima Burke: In terms of something I found surprising: when it came to writing the memos, I was continually surprised by the complexity of the cases. Even when I thought a case was straightforward based on my initial reading of the briefs, once I delved further into the case law or procedural history or specific facts, there were nuances that took considerable research to flesh out. Also, while perhaps not a surprise, it was beneficial for me to see how all the separate subjects I had studied in law school could come into play in a single case. For example, a case might raise issues relating to evidence, civil or criminal procedure, constitutional law, and property.

Ruth Payne: Can you tell us a little bit about your current job? Also, what things did you bring from your clerkship that have helped most with your current practice?

Salima Burke: The most important thing I learned from the clerkship was more about a tremendously broad range of legal topics! Cases addressed everything from environmental law to zoning to worker's compensation to search and seizure to discriminatory employment practices - just to name a few of the topics.

Ruth Payne: Can you tell us a little bit about your current job?

Salima Burke: Currently I am a Deputy Attorney General with the NJ Department of Law & Public Safety, Division of Law. I am assigned to represent the Department of Children and Families in administrative appeals. These are full-fledged hearings that take place in a courtroom setting, but the proceedings are overseen by an administrative law judge. Most of the cases I handle involve appeals by parents who were found to have committed child abuse or neglect. The clerkship prepared me to have a much better understanding of the importance of creating a record at the trial level, because this is (in most cases) all that the Appellate Division will be able to rule on if a case goes up on appeal. The clerkship also gave me perhaps some insight into how issues pertaining to the types of litigation I'm handling now might be viewed at the appellate level.

Ruth Payne: How did you find out about this job?

Salima Burke: I learned about my current job from a letter sent by the state Attorney General's office to law clerks in the state, suggesting that they apply to the office. I had reviewed numerous cases in which deputy attorney generals handled the initial trial or administrative matter, and prepared the briefs submitted to the appellate panel. I had been impressed by their work, so was pleased to be invited to apply to work for the AG.

Ruth Payne: This has been really helpful, Salima. Do you have any parting wisdom you would want to give to current students who maybe feel a little bit hesitant to look at state court clerkships?

Salima Burke: I found the diversity of topics addressed in the state clerkship engaging, challenging, and useful to honing my legal research, writing, and thinking skills. For purposes of working in the state where I clerked, the state clerkship was particularly valuable, because I have firsthand familiarity with the court system, administrative procedures, statutory and case law, etc. I also think that the state-specific skills I gained in New Jersey would be readily transferable to another state, in that I know better the framework for analyzing cases and making arguments within the state context. This context can be significantly different from state to state, and being able to become facile with state statutes, case law, and procedures is a skill that is likely to be valuable across a wide range of legal jobs.

Ruth Payne: Thanks so much for your time today, Salima!