



State Court Clerks Discuss Their Experiences

Tom Perez-Lopez '12

Tom Perez-Lopez is an associate at Bredhoff & Kaiser, PLLC. His practice focuses on litigation on behalf of labor unions. Prior to joining the firm, Tom served as law clerk to the Honorable Todd E. Edelman of the District of Columbia Superior Court.

Ruth Payne:

Can you tell me a little bit about your clerkship?

Tom Perez-Lopez: Sure. I clerked for Judge Todd Edelman, an associate judge of the DC Superior Court, which is the trial court level of the DC courts (the equivalent of state court). Judges are generally assigned to two-year rotations in the various divisions of the Superior Court, beginning on January 1. When I started with Judge Edelman, in September of 2012, he was nearing the end of a two-year assignment in the civil division, which was the general civil litigation calendar. The day that I started, he was in trial in an employment discrimination case, and we also handled a number of contract cases, traffic accidents and other tort cases, administrative appeals, etc. A few months later, Judge Edelman shifted to the domestic violence calendar, handling civil protection order cases. That was a much different assignment.

Ruth Payne: What sort of work did you do for Judge Edelman on a day-to-day basis?

Tom Perez-Lopez: The two calendars (civil and domestic violence) were very different. On the civil calendar, my role was mostly helping him decide dispositive motions -- motions for summary judgment, motions to dismiss, that sort of thing. I would gather all the pleadings, analyze the law, and write a memo to the judge with my recommendation and the basis for it. If he agreed, he would say that I should convert that analysis into an order, which we then traded back and forth for a few days. Those were fun assignments -- he is such a smart man, and he really worked hard to get it right, so he spent a lot of time probing my work.

The domestic violence calendar was very different. There we had about 20 to 35 cases every single day of the week, and there isn't much Law (with a capital L) on domestic violence in DC. After the first couple months, he and I had a pretty good grasp on the legal issues (well, he figured it out a bit earlier than I did, of course). So in DV, the focus was managing the calendar, getting him prepared early enough for the next few days. From a purely legal aspect, many of the cases were similar to each other (the factual stories were varied, and many times wrenchingly difficult to hear), but occasionally there were serious legal issues that popped up, and my role there was similar -- I had to make sure that when he went up on the bench, he knew what he was going to hear from the parties and what the law was.

Ruth Payne: Did you know that the judge's docket would change when you accepted the clerkship?

Tom Perez-Lopez: Yes, although I think he didn't expect that it would change to Domestic Violence. Judge Edelman was a public defender in DC (he led the homicide division at PDS, the DC public defender service), and I think he expected he would be transferred to a criminal docket, which would have been fascinating. He's there now -- he switched to a Felony calendar in January 2015.

Ruth Payne: What would you say is the most important thing that you gained from the clerkship?

Tom Perez-Lopez: I personally became a much stronger and more direct writer. We were a busy chambers, and there wasn't enough time to write anything but a short memo that still touched on all the issues that he needed to know when he took the bench. Judge Edelman needed to know more about the law than everyone else in the courtroom, which is a difficult task considering that the lawyers in the case had been living that case for months/years/etc. I also learned a good bit of respect for the court system in general -- although maybe that had to do with working for a particularly decent man in Judge Edelman. Everything that we do as lawyers is premised on the possibility that someday the case might enter the court system, and every person/party needs to be treated with respect -- and that's more than just being respectful in a personal manner -- it's also that a party's arguments deserve respect, too. Now that I'm in private practice, it's important to remember that the lawyers on the other side don't think that they are being ridiculous when I think they are . . . they are advocating just as well as they can/must, and the court will listen to them just as it will listen to the arguments we make, too.

Ruth Payne: Well said. Could you tell me a little about how you have used this skill/knowledge in your current position? Or, more broadly, can you talk about how being a clerk has strengthened your current practice?

Tom Perez-Lopez: I work for Bredhoff & Kaiser, PLLC, a firm of about 35 attorneys, all in DC. Most of our practice is the representation of labor unions. Besides what I mentioned before, which was that my writing greatly improved through the clerkship, I also learned about teamwork and especially teamwork as the junior member of a team. I was Judge Edelman's only clerk and in a lot of my cases at Bredhoff, I work as one member of a two-person team. It's only been about a year and a half, and I'm the junior member here, too, of course, so in both situations my role was similar -- just as Judge Edelman needed to be the most informed person in the room, so does the more senior attorney whenever we put out a written product or have an appearance before a court or an arbitrator. I learned a lot about covering all the bases -- not just here is the argument we're making, but here are the minor arguments we COULD make but shouldn't.

Ruth Payne: Do you think that the clerkship helped you gain this position? Either skill-wise or timing-wise?

Tom Perez-Lopez: Well, 100% it did. 50%, maybe. Judge Edelman used to work at Bredhoff, and I was a summer associate here after my second year of law school. He and I didn't talk about this specifically, but I have to imagine that my summer at Bredhoff stood out to Judge Edelman -- maybe it got me the interview, at least, and it was my extremely good fortune that as my clerkship was wrapping up, Bredhoff had a need for new associates, and they called Judge Edelman to ask if I was doing well in my clerkship.

Ruth Payne: So, you did not know that you would go back to Bredhoff before you accepted the clerkship?

Tom Perez-Lopez: That's correct. I don't think they had hired a summer associate as a full time associate for about fifteen years or so (small sample size, though -- there aren't that many summer associates each year). There's no rule against hiring summer associates, of course, and we've even hired another since I started -- but no, I did not know I would be back when I started that summer.

Ruth Payne: This has been really helpful, Tom. 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?

Tom Perez-Lopez: Being hesitant about a state court clerkship would be pretty foolish, I think. I mean, I shouldn't tell anyone how to live a life, but many of the same benefits of a federal clerkship can be found in a state clerkship. The relationship with a judge is the most important part -- remember, almost without exception, a person who becomes a judge was an excellent attorney in his/her pre-bench days and you get to be a person that judge relies upon, depends upon. It's heady, and it's a great way to learn that the practice of law is consequential. At some point in any matter you work on, a judge might make a decision that affects your client's legal rights -- and I think my clerkship helped me live that reality

Ruth Payne: Thanks so much for sharing your experiences today, Tom. I really appreciate your taking the time out of your day to help our current students.