



**United States District Court
Southern District of Ohio
<http://www.ohsd.uscourts.gov/>**

October 5, 2020

Vacancy Announcement Number – 20-20

Death Penalty Law Clerk

Duty Station – Cincinnati, Columbus, or Dayton – One Vacancy

Salary: JSP 11-14 (\$65,792-\$145,706)

Closing date for receipt of application packets: Sunday, October 18, 2020 at 11:59pm

Qualified applicants must submit an applicant packet which includes: a letter of interest, a current/detailed resume, and an Application for Judicial Branch Federal Employment - Form AO 78 (2/20), available on the court website.

If you fail to provide these documents, your application package may be considered incomplete and may not be considered any further.

POSITION OVERVIEW:

The United States District Court for the Southern District of Ohio is recruiting for a Death Penalty Law Clerk under the supervision of a Magistrate Judge. The successful candidate must exhibit the highest standards of excellence and integrity, and display, at all times and to all persons, a courteous, professional and cooperative attitude. Death Penalty Law Clerk positions are subject to available funding, dependent upon annual court filings.

ABOUT THE SOUTHERN DISTRICT OF OHIO:

The Southern District of Ohio covers a broad geographic area encompassing forty-eight urban and rural counties from just north of Columbus down to the Ohio River. The District employs over 260 individuals including twenty-four Judicial Officers, Chambers Staff, Clerk's Office staff, U.S. Probation Office's staff and U.S. Pretrial Services Office's staff, located in the Cincinnati, Columbus and Dayton Courthouses.

DUTIES AND RESPONSIBILITIES:

The Death Penalty Law Clerk provides legal advice and assistance to the Court in connection with Death Penalty and prisoner petitions and complaints. A Death Penalty Law Clerk may work on cases assigned to all Judicial Officers and Divisions of the Court. There is daily interaction with the Magistrate Judge and other law clerks concerning legal, non-legal and court-related issues. Ohio has the third-largest death penalty docket in the country and is actively engaged in execution proceedings at the present time.

The responsibilities of this position include but are not limited to review applications regarding Capital Habeas Corpus Petitions; Pre-petition stage, review applications to proceed in forma pauperis ("IFP"), for appointment of counsel, and /or for stay of execution. Prepare memoranda, status reports and orders. Prepare for and attend initial case management conferences. Review motions (e.g., statute of limitations, equitable tolling, exhaustion, stays, competence, next friend, extensions of time, disqualify judge, disqualify counsel). Review section 848(q) requests (e.g., experts, investigators) and prepare memoranda and orders. Review CJA vouchers then prepare memoranda and orders. Manage case (e.g., tracking briefing, calendaring). Post-petition Stage; read petition, review, index, and/or summarize state court record, review initial motions (e.g. exhaustion, statute of limitations, abeyance, to amend petition post-exhaustion). Review procedural motions

(e.g., procedural default, abuse of the writ, *Teague*, statute of limitations). Review motions for discovery, summary judgment, and evidentiary hearing. Evidentiary Hearing Stage; prepare for and attend pre-evidentiary hearing conference, review post-hearing briefs. Review final briefings, post-judgement and appeals, oversee transmission of record to Court of Appeals in compliance with applicable court rules and statutes. Duties will include participation in intense pre-execution preliminary injunction proceedings. Other duties may be performed as required, which may include work on other habeas, Pro Se civil cases, and prisoner cases.

MINIMUM QUALIFICATIONS:

To qualify for the position of Death Penalty law clerk, an individual must be a law school graduate (or be certified as having completed all law school studies and requirements and merely awaiting conferment of degree) from a law school of recognized standing, and have demonstrated one of the following accomplishments or proficiencies:

- a) Standing within the upper third of the law school class from a law school on the approved list of either the American Bar Association or the Association of American Law Schools;
- b) Experience on the editorial board of a law review of such a school;
- c) Graduation from such a school with an LLM degree; or
- d) Proficiency in legal studies that, in the opinion of the appointing judge, is the equivalent of one of the above. Some examples of criteria that are considered to be acceptable as equivalent include:

- (1) Publication of a noteworthy article in a law school student publication or other scholarly publication;
- (2) Special high-level honors for academic excellence in law school, such as election to the Order of the Coif;
- (3) Winning of a moot court competition or membership on a moot court team that represents the law school in competition with other law schools;
- (4) Participation in the legal aid or other law school clinical program sanctioned by the law school;* or
- (5) Summer experience as a law clerk to a state or local judge or law clerk experience on a continuing basis in a private firm while attending school, i.e., working one's way through college.*

(*To receive credit, participation and experience could not have been for academic credit.)

This list is not all-inclusive; the determination of an acceptable equivalence rests with the appointing judge.

The applicant must exhibit good character, maturity, and interpersonal skills with the ability to work with others. The ability to maintain confidentiality is essential.

SALARY STANDARDS:

Legal work experience is progressively responsible experience in the practice of law, in legal research, legal administration, or equivalent experience received after graduation from law school. Major or substantial legal activities while in military service may be credited, on a month-for-month basis whether before or after graduation, but not to exceed one year if before graduation.

The table below shows the number of years of legal work experience required to qualify for appointment as a Death Penalty law clerk at the applicable JSP grade level. Please note that appointment to JSP-12 or above requires that the candidate be a member of the bar of a state, territory, or federal court of general jurisdiction.

JSP Grade Level	Years of Legal Work Experience	Bar Membership Required
11	0	No
12	1	Yes
13	2	Yes
14	3	Yes

Grade 11 starting salary is \$65,792

Grade 12 starting salary is \$78,858

Grade 13 starting salary is \$93,772

Grade 14 starting salary is \$110,810

An incoming Death Penalty Law Clerk who has prior federal law clerk experience may be eligible to match their highest rate of federal pay under the pay parity provision.

Benefits:

Please review the extensive federal benefits on the United States Courts website:

<https://www.uscourts.gov/careers/benefits>

Conditions of Employment:

Positions with the United States Courts are considered “at will” and are not subject to the employment regulations of competitive service. Positions in the Federal Judiciary are excepted service appointments, are considered “at will” and can be terminated with or without cause.

The applicant selected will be subject to an FBI background check and continued employment contingent upon favorable suitability determination. A negative finding from the background check may result in termination of employment. Employees are subject to the [Judicial Code of Conduct for Judicial Employees](#).

All information provided by applicants is subject to verification. Applicants are advised that false statements or omission(s) of information on any application materials may be grounds for non-selection, withdrawal of an offer of employment or dismissal after being employed.

The Federal Financial Management Reform Act requires direct deposit of federal wages.

A commitment to public service is essential. Visit the U.S. Courts website for citizenship requirements www.uscourts.gov.

How to apply:

Qualified applicants should upload their documents using our HR Employment Application System located at:

[HR Employment Application System](#)

Note: This system will not let you continue without uploading all documents.

If you fail to provide these documents, your application package will be considered incomplete and will not be considered any further.

Travel and relocation expenses will not be reimbursed.

The U.S. District Court reserves the right to amend or withdraw any job announcement without written notice to applicants. The District reserves the right to conduct interviews at any time prior to or after the closing date for receipt of applications. Only applicants selected to receive an interview will be notified by phone or e-mail.

The Southern District of Ohio is an Equal Opportunity Employer and Values Diversity in the workplace.