Molly Gunther

This summer I worked as an intern for the Division II Court of Appeals. I had the opportunity to work closely under a Judge aiding in the research, writing, editing and decision making for a variety of interesting and important issues. Each judge is assigned nine cases per docket, and there are four dockets each year. During my internship the June docket came to its conclusion and the cases for the upcoming September docket were then assigned. Because the cases are assigned so far in advance, once one docket is completed interns and clerks are expected to revise previous decisions and complete a "Blueback" process for decisions which will be published. The blueback process is essentially going through the decisions with a fine-toothed comb, checking each fact to ensure its validity and that it references the correct pages of the record and each making sure every citation and reference to statutes are correct.

Over the course of the past ten-weeks I was assigned two cases to create a pre-hearing memo for on my own. On the very first day of my internship, I was assigned a case and told there was less than three weeks before the June docket hearings would begin, which meant I needed to get my memo to the Judge's clerk within ten days. The quick turnaround was necessary so that the Judge and I could begin a revision process that would take another week or so. When I was assigned my case, I was told it was apparently a straightforward issue. This was not true. The issue on appeal turned out to be a complex criminal procedural issue which turned out to be a question of first impression for our courts. I quickly discovered during my time researching that there was very little case law regarding the issue, none which was binding authority on our courts, and the case law I found from other jurisdictions was conflicting.

When I submitted my first draft of my pre-hearing memo, I brought this to the attention of the Judge. He was remorseful for having assigned me such a complex issue so close to the June docket hearing dates as a new intern. I, however, was excited to be participating in the case. I was nervous because I felt underprepared with my lack of experience thus far, but I was eager to work with him towards a solution. I completed research for the Judge, and he asked me for my opinion on the final decision regarding the issue. I was elated to not only witness the creativity and dynamism inherent in legal work, but to participate in it as well. I was even more excited to learn the opinion is scheduled to be published.

My assigned case for the September docket was a much more straightforward issue. I felt more prepared and confident to take on this task, especially after completing work on my previous case. Before beginning work on the September case, I was asked to sit in on oral arguments for the June docket cases. It turned out that one of the cases being heard was one which we used as an analogous case for our collaborative memo in legal writing last semester. It was really exciting to witness an oral argument on issues I was extremely familiar with and asses each side's work based on my own intimate knowledge of the case. I was also tasked with editing other opinions the Judge had written and bluebacking cases scheduled to be published. This allowed me to be exposed to a variety of issues beyond those I was personally working on and become proficient in correct citation formatting and record citing.

Overall, my experience at the Division II Court of Appeals was exciting and helped me grow as a legal writer, researcher, and thinker. I feel extremely fortunate to have been given the opportunity to work with someone who was experienced, intelligent, hardworking, kind, and motivated to ensure I grew as a law student. I have a deep respect for the work Judges and clerks do, and I believe doing a clerkship is a valuable experience that will translate to any field of legal work I do in the future.