



Clerkship Offer Day FAQ

WELCOME

Hi there! With Clerkship Offer Day fast approaching on Wednesday 19th October 2022, the MULSS Careers Portfolio has prepared this FAQ around the ins and outs of the Clerkship process. We hope that this helps ease some stress - especially knowing that lots of students have gone through the process themselves and have practical advice to share.

PLEASE NOTE

The contents of this FAQ guide are opinions of students and do not necessarily reflect those of the MULSS and MLS. Some questions have been edited for clarity, succinctness and anonymity.

RESOURCES

Please don't forget you can contact the MLS Wellbeing Officer [here](#) or at law-wellbeing@unimelb.edu.au. The University of Melbourne also offers counselling and psychological support services which can be accessed [here](#) or by calling Counselling Services at (+61 3 8344 6927).

There are also some incredibly valuable non-Unimelb services and resources available for you at all times such as [Beyond Blue](#), [headspace](#), or [ReachOut.com](#).

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TIMING OF OFFERS

What will the day look like?

"Offers will be released via email from 10am. If you're one of the firm's top preferences, you should receive an email between 10 and 10:10am. It is important to read the email as it will include your contract with the relevant period (i.e., Summer 1/2 or Winter) for which you are being offered. You will also receive a phone call; most likely from the partner you interviewed with, but not always. It is up to you whether you answer the call or not - I personally ignored all calls (from my perspective, I assumed the partner would think I was on another call and that's why I didn't answer). I then checked all the emails and called back the firms I wanted to accept. Once I had accepted my offers, I called back the firms I didn't want to accept. You can also answer the phone call and ask for a bit of time to think about it! Beware that sometimes firms will have a lot of rejections, and they will continue moving down their list of applicants until their positions are filled. Because of this, some people do receive offers later in the day."

"It depends on the firm. Generally, you can expect both an email and a phone call. Some firms will call at 10am and then follow up with an email, while some will email at 10am and then call to follow up. You will usually be called by a partner; most likely the one who interviewed you. You should expect to receive calls at 10am and then have multiple missed ones which you will need to return."

How flexible are firms with their offers?

"I found that firms are generally flexible with their offers if you communicate with them. If you are aware of a change in your circumstances prior to the day, I would recommend contacting the firm's HR rep beforehand; they will appreciate you letting them know ahead of the day so they can plan accordingly, and you are more likely to receive your preference. I had two firms offer me the same period, and I called one of them straight away and asked to change to the other period - that was fine (although this was earlier in the day; if your offer comes later, you may not have the scope to be pickier about the intake period). As a general rule, the larger firms probably have more scope for flexibility (e.g., if they have 20 - 30 clerks per intake) than the smaller ones (e.g., if they have 6 - 10 clerks per intake)."



What if I get three offers at 10am and accept them within 4 hours, but my top preference makes me an offer after 2PM? What are my options? Am I allowed to accept the first three offers and decline one before 2PM if my top preference makes me an offer later?

"I don't think it's appropriate to accept and then renege. If you don't get an offer from your top preference at 10am, call at 11am and ask what your chances are of getting an offer - HR reps will generally be honest with you. If they say that you're high on the waitlist, put one of your offers on hold until you hear back - you are within your rights to put your offer on hold before 2pm."

How long will I have to think about whether to accept an offer? Beyond the LIV guidelines, is there a general etiquette for how long is too long to keep a firm waiting?

"Prior to the day, you should have already made a list of preferences. Pretend you received offers from all the firms you applied to; rank them and make a list from your top preference to your bottom preference. This way, you won't have to keep the firms waiting on the day. Generally, I'd say a one-hour wait is acceptable - a shorter wait is not for the benefit of the firm, but because there are many others on the waitlist and the longer you wait on your offer, the longer it will take for the next person on the waitlist to get off it."

"Some firms will call if you haven't responded to them within a certain period. Others will leave you to your own devices once they have emailed and called you with their offer. I left one of my offers open right until the last minute as I was waiting to hear back from another firm as to whether I could change intakes. When it became apparent that this would not be possible, I accepted my offer at the other firm 10 minutes before the offer was stipulated to lapse. I received no pushback or negative feedback from the firm I accepted in the end. I think most firms will be aware that this is a stressful day for students and probably won't read too much into how long it takes you to accept or reject an offer."

If I don't receive an offer at 10am, could I be on a waiting list and possibly receive one after 2pm? When will I know that I have been rejected?

"Yes. I received offers at 12:30 and 4pm. You only know that you won't receive an offer when you receive a rejection email once the firm has filled all their positions."

"Yes, you could be on the waitlist and eventually get an offer! You should just call the HR rep from the firm(s) you're waiting to hear from and ask. The HR rep will then hopefully give you the clarity you need - either by saying 'you're next on the waitlist, so we're likely to make you an offer by the end of the day' or they might tell you that they've made all their offers and do not have any more positions to fill."



NEGOTIATING WITH FIRMS

Do firms usually make an offer for a particular intake (e.g., Summer 1 or Winter), or do we submit preferences? Does this happen on offer day or later?

"You submit preferences before offer day for some firms, but not all. If you are not asked for your preferences, you will be randomly allocated to a period. If you have a clash, just call HR and ask if you can make a switch."

How do you let a firm know that you're still waiting to hear from others?

"Just be polite and honest; they are very used to it and will infer that you are still waiting. I said something akin to 'Thank you so much for the offer, do you mind if I have a think about it and get back to you soon?'. On the phone, say that would like a couple hours to consider your options, and you will call later when you have decided. Hang up and wait; if you don't hear from the other firm, call the firm's HR and ask what your chances of receiving an offer are."

"Thank you so much for the offer! I'd love to take some time to think about my options. Can I get back to you in an hour?' Write a script before the day so you're not fumbling with your words."

"I had this conversation with one of my firms, and they said they would hold a place for me until 4pm on offer day. I did this over phone when they called to offer me a position - it is important to be open. Let them know you are interested but are still waiting on your first preference, and you would rather wait a few hours and then accept the offer than to accept the offer only to reject it later."

What do you do if you've been offered two clerkships for the same period and neither firm wants to move you to a different one? Does this happen often?

"I would call one of the two firms and explain that if you can't be moved, you will have to decline. If they say they still can't move, call the second firm. If you are very unlucky and both firms are inflexible, you will just have to decline one."

"This has happened to me. Both firms seemed firm on not moving me to another period, but I hyped up my enthusiasm for one of the firms and said, 'I've already accepted at [another firm] on the assumption that I would be able to work for you in another period. However, I would still love to work with you.' They ended up squeezing me in!"

"This should not happen too often. If you were contacted at 10am, their intakes aren't set in stone so you should be proactive in swiftly contacting the firm whose intake you want to change."



If I am unsuccessful, can I negotiate my way into a clerkship? When is the best time to contact the firm and how can I do that?

"If your clerkship application is unsuccessful, I recommend calling HR the next day and requesting feedback or asking if they are hiring paralegals over the summer. I don't believe there's a way to negotiate a clerkship, but paralegal roles are another way to get your foot in the door."

Once you accept an offer, are you locked in? What if your top preference contacts you after 2PM and only has a position for you during an intake which you've already accepted another clerkship for?

"I'm not 100% sure on this, but I would say you are locked in. To avoid this, call your top preference early in the day, and don't panic accept other offers too early on. Within the LIV guidelines, you are welcome to take as long as you need to consider your options. You can leave other offers open and call your top preference if it looks like they'll be making you an offer. You can continue doing this throughout the day. They might say 'you're among the next people on our list, so you're likely to get an offer', in which case you can wait a bit longer. Or they might say, 'we have filled all of our positions, I don't think you'll be receiving an offer'. Either way, you'll have clarity."

How do I turn down an offer?

"To turn down an offer, I would say 'thank you so much, I've really enjoyed getting to know [the firm] throughout the application process. Unfortunately, I have already accepted 3 offers, so I am unable to accept your offer.' I would also keep a list of the names of your interviewers and the HR rep, so you can say "please pass on my thanks to [the interviewers/the HR rep]; I really appreciated the time they took to answer my questions/get to know me."

If you get an offer for November and you need to do a subject, can you ask to change your clerkship period to January or July?

"Yes, but let the firm know as soon as possible. If you know this now, call or email their HR rep and ask to change your preferences. Once offer day is over, I wouldn't say there is much flexibility with dates."

"Unless it is absolutely necessary for you to do a subject, and assuming you get three offers so that your January/July slots will be filled, you should lock in the November one. Subjects can wait - you can cram in another intensive another time or just overload. It is already hard enough scoring clerkships and even harder after COVID-19 - if you're sure about pursuing commercial law, clerkships are very important and should be your priority."



MISSING OUT

How did you cope with missing out on a clerkship? What are some common plan Bs if no offers are received?

"I realised that I could enjoy my summer."

"Not getting a clerkship is like falling off your bike, yeah, you've grazed your knee and it hurts, but the only thing you can do is keep moving forward. Not getting a clerkship motivated me to do better. It made me focus on my grades, getting more experience, and I think actually helped me and taught me a lot about how to be emotionally resilient. So learn from it - take all the feedback you can get, write it down, and apply it. Formulate a plan. Think to yourself - 'so i didn't get a clerkship, what's next', do I apply again next year? Do I apply straight to grad programs next year? Think about what your goals are, and plan for how you achieve them. Finally - keep your friends close. Celebrate with them and commiserate with them. Don't be that person who can't stand to say congratulations because you're bitter. Saw this happen, and they lost themselves and friends because of it."

"Apply for clerkships again in your final year; apply for graduate roles in your final year; cold email boutique law firms about graduate positions as they often don't market these roles online; just do your PLT then apply for legal roles while interning; build upon your experiences and CV in the meantime by applying for part-time / casual legal roles and gaining professional experience anywhere; send your cover letter and CV to a lawyer or upper year and ask for some feedback. There are so many options!"

If you don't get a clerkship, where do you get information about graduate market recruitment?

"After priority offers come out (offers for those who clerked), market graduate roles are opened. See the LIV Guidelines for Traineeships. This is early-mid August. Offers are made in early October. Keep your eyes open for graduate roles offered throughout your final year as well. A few firms that have clerkship programs generally go to market (eg ABL, HWL) and some will go to market if not enough clerks have accepted grad offers. Otherwise, there's lots of great smaller mid-tier firms that go to market (eg Piper Alderman, CBP)."



What do I do if I don't get one? There just seems to be no info on a non-clerkship or non-grad role trajectory.

"It depends a bit on what you want to do. I'm assuming you're interested in commercial law. If you miss out on a clerkship, you can still apply for graduate positions that go to market. This happens around the same time as clerkship applications but is open to final year students. If you don't get a grad role - do not worry. Most people don't. The next most common pathway is to head to Leo Cussen where you do your PLT and after completing, become a lawyer! Then apply for jobs as a first-year lawyer. TLDR - not all hope is lost! I didn't get a clerkship and have secured a grad job from market offers!"

"I would make an appointment with the MLS careers team. I am sure they have plenty of suggestions for other opportunities outside of clerkships."

FEEDBACK & NEXT STEPS

If successful and you accept an offer, is there anything else to do? What comes in between acceptance and the clerkship itself?

"Some firms have events, like lunches. Otherwise all you have to do is fill out some forms that they send you. They'll also ask you to put down preferences for what team you want to clerk in. It might be good to start thinking about the best places to clerk in each of your clerkships and maybe chatting to people who have clerked there before."

Is it common for firms to give you feedback if you don't get a clerkship? Can you request feedback from your interviewers?

"Yes, they all give feedback if you ask for it. If a rejection email lands - email back thanking the firm for the opportunity, saying how much you enjoyed the process and how stress free they made it (a lie, but sounds nice), and request a follow up feedback call. Take notes during the call, ask if there are paralegal opportunities available, ask what you can do to improve, ask for their general impression of you, ask loads of questions and write them all down and then apply them in the future. Feedback calls are immensely valuable. Remember the onus is on you to ask for feedback though - they don't just email it to you."



MISC. & OTHER

What should I do if I get an offer but recently decided to extend my JD?

"Take it! You can defer most graduate offers."

"I would probably take it and then you can defer a grad offer if you get one. I think deferring of grad offers is more common than of clerkships. But definitely suss out the particular firm and their stance on deferrals. E.g. two of my clerkship firms were 'case by case basis' for deferrals, although I def think they would have been open to it, but you'd need to have a conversation post clerkship. My other firm was super open to it- like the HR rep openly said, 'we have never rejected a request to defer' and you could just tick a box pre grad offer being like I want to defer- so super easy."

If I have interviewed for more than 3 firms, how do I best prepare for offer day?

"Prepare a preference list as though every firm you interviewed at, you'll get an offer at. Know your top 3. If you don't hear from your top 3 first, you can always call the HR and ask where you're sitting on the list and whether you're likely to get an offer at that firm. Then you can make your decision from there."

If you get a clerkship at a firm, do you later have to interview and submit a separate application for a potential graduate role at that same firm? What is the process for grad offers?

"You don't need to interview again! Every firm has a different process but it's usually very simple. It generally just involves you flagging your interest in a grad job with them and then submitting an updated version of your transcript and CV. The firm's are clear on what their process is, but it's absolutely nowhere near as involved as the application process for clerkships."