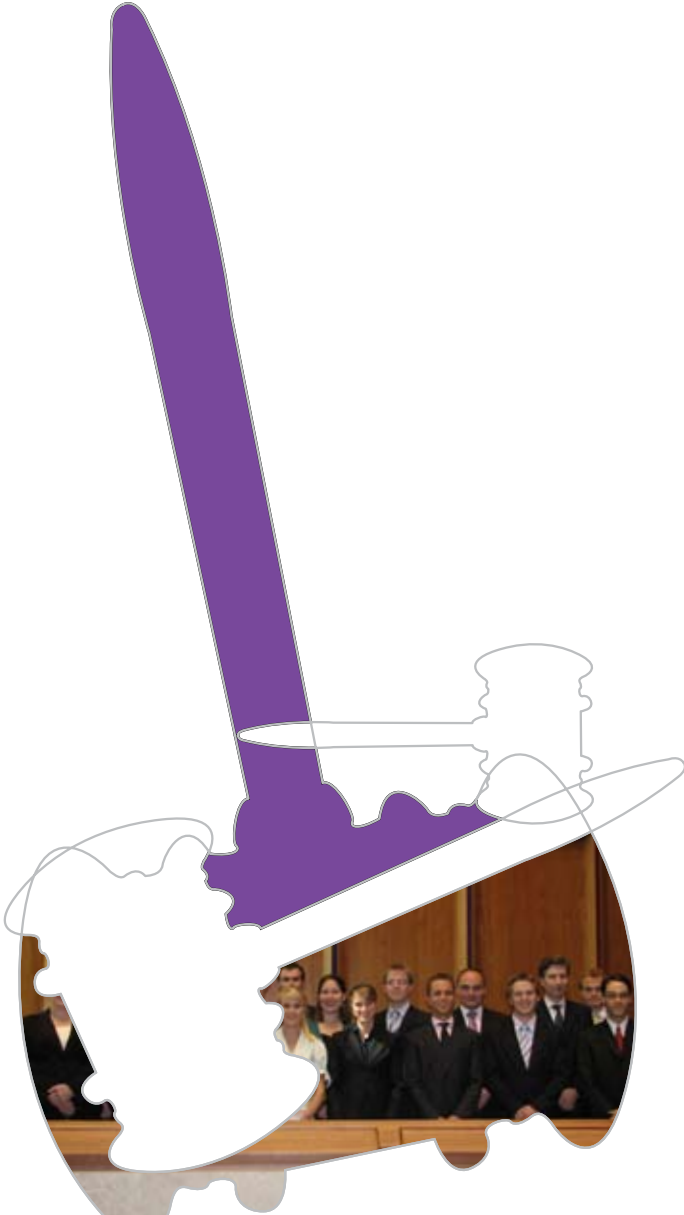


Judge's Associate Guide



**AUSTRALIAN
LAW STUDENTS'
ASSOCIATION**



Put together by the Australian
Law Students Association.
Published 2009
Printed, Adelaide, SA

Acknowledgments:
Academic Journal Editor-
Angus O'Brien
Vice President (Administration)-
Chris Kwong.
Design- Emily Chapman

Foreword:

By the Hon. WMC Gummow AO, Justice of the High Court of Australia.

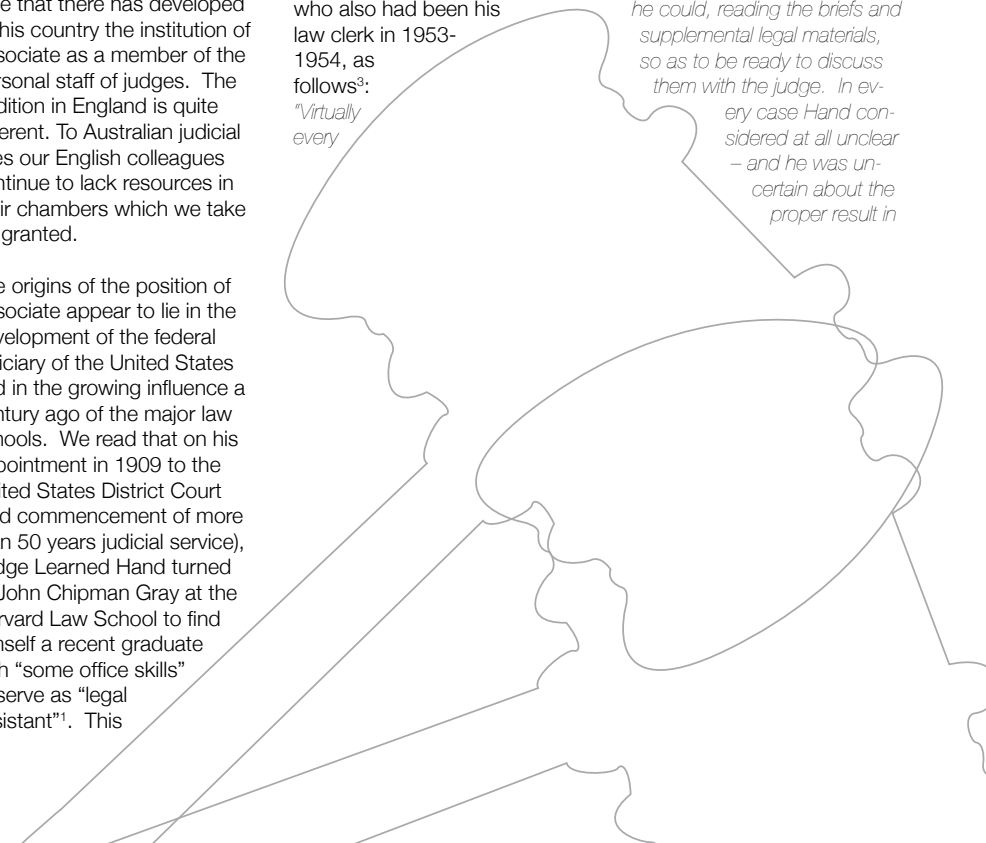
The Australian judiciary is fortunate that there has developed in this country the institution of Associate as a member of the personal staff of judges. The tradition in England is quite different. To Australian judicial eyes our English colleagues continue to lack resources in their chambers which we take for granted.

The origins of the position of Associate appear to lie in the development of the federal judiciary of the United States and in the growing influence a century ago of the major law schools. We read that on his appointment in 1909 to the United States District Court (and commencement of more than 50 years judicial service), Judge Learned Hand turned to John Chipman Gray at the Harvard Law School to find himself a recent graduate with “some office skills” to serve as “legal assistant”¹. This

annual experiment lapsed in 1912. It was not until the 1920s, by which time Judge Hand had joined the United States Court of Appeals for the Second Circuit, that he resumed the practice of recruiting legal assistants, at first with payment from his own pocket, and after 1930 with assistance in funding by Congress of a salary of \$3,000 ².

The distinctive aspect of working with Judge Hand is explained by his biographer, who also had been his law clerk in 1953-1954, as follows³:
“Virtually every

other judge, then and since, relied on law clerks to produce a vast amount of written work, from research memoranda on cases about to be or just argued, to investigations and reports on knotty issues, to draft opinions to be revised by the judge and issued under the judge’s name. Not so with Hand: every opinion that bears Hand’s name was produced, word by word, by the judge himself and no one else. The task of a Hand law clerk was to familiarize himself with the cases before the court as best he could, reading the briefs and supplemental legal materials, so as to be ready to discuss them with the judge. In every case Hand considered at all unclear – and he was uncertain about the proper result in



most cases, even after decades of judicial experience – he would spend many hours with his clerk at every stage of the decisional process, before and while writing his pre-conference memoranda, before and while writing his formal opinions, repeatedly asking for the clerk’s criticisms and responses.”

Not every successful applicant for an Associateship can expect to receive an intellectual training of this rigour. However, several points may be made here.

The first is that particularly in Australian appellate courts, and not just in the High Court, there is an expectation that the submissions will utilise the writings of legal scholars elsewhere in the common law world. This particularly is so with respect to the great figures of the law in the United States. Judge Learned Hand is one of these and his decisions are referred to by the High Court in diverse fields including Intellectual Property⁴, Equity⁵, Maritime Law⁶, and, not least, Statutory Interpretation⁷.

It is a standing reproach to the quality of legal education in this country that even the graduates who come to the High Court as Associates display at best a slight understanding of the significance of the great figures in the legal pantheon of the United States. Service as an Associate provides the opportunity to remedy this and other deficiencies in legal education.

The second point is that the practices of Australian judges with respect to the preparation and hearing of cases and the composition of reasons varies markedly. There is no template which fits the practice in all

chambers. That this is so illustrates the point made notably by Gleeson CJ that involved in judicial independence is not only independence from the executive branch of government but a degree of independence between the judges.

Enough has been said above to indicate that a significant advantage derived from work as an Associate is the opportunity to advance one’s learning in the law. Legal education can never be completed for any lawyer, but a year working with a judge provides an opportunity for conceptual thinking about the law as a whole, something likely to be denied in subsequent busy practice.

There is one further point to emphasise. Associates are appointed for a comparatively short term. They must fit into a system which pre-dates their arrival and usually will continue to operate well after their departure. This imposes a necessity that Associates appreciate the significant contributions made by other members of personal staff and by registry staff. Many judges have personal assistants of many years experience. A former member of this Court is remembered for deflating the somewhat exaggerated sense of importance of a newly arrived Associate. The Judge indicated his personal assistant, saying to the new arrival “You come, you go, she stays.”

¹ Gunther, *Learned Hand: The Man and the Judge*, (1994) at 140. See also the Review by Chief Judge Richard Posner, “The Learned Hand Biography and the Question of Judicial Greatness”, (1994-95) 104 *Yale Law Journal* 511.

² Gunther, *Learned Hand: The Man and the Judge*, (1994) at 141, 288-289.

³ At 289-290. Other law clerks included Professor Ronald Dworkin; see Dworkin, *Freedom’s Law: The Moral Reading of the American Constitution*, (1996), Ch 17.

⁴ See, for example, *Aktiebolaget Hässle v Alphapharm Pty Ltd* (2002) 212 CLR 411 at 422 [18]; [2002] HCA 59.

⁵ See, for example, *Commissioner of State Revenue (Vict) v Royal Insurance Australia Ltd* (1994) 182 CLR 51 at 75-76; [1994] HCA 61.

⁶ See, for example, *Great China Metal Industries Co Ltd v Malaysian International Shipping Corporation, Berhad* (1998) 196 CLR 161 at 177-178 [40]; [1998] HCA 65.

⁷ See, for example, *Kelly v The Queen* (2004) 218 CLR 216 at 251-252 [98]; [2004] HCA 12.

Preface:

It is my pleasure to have put together this 2008/2009 edition of the Australian Law Students' Association (ALSA) Judges' Associates Guide. I hope that it proves useful for all students contemplating their career in the law.

The Guide consists of three parts. The first is an article by the Hon. JS Douglas, Justice of the Supreme Court of Queensland, about the role of a Judge's Associate, which draws on the Judge's own experiences as an Associate. The second consists of three articles by former Associates, Sarah Hack, George Blades and Jacqui Woods, which it is hoped will give the reader further insight into the role of an Associate and some tips for applying for an Associateship. The third and final section

is composed of application details for certain courts for positions as an Associate.

It is evident from the above outline that this Guide makes significant use of contributions from persons not directly involved with ALSA. I would like to most sincerely thank the above-mentioned contributors, and Justice Gummow, for their assistance and for the thoughtfulness of their contributions.

I wish all readers the best of luck in their future endeavours.

Angus O'Brien
2008-2009 ALSA Publications
Officer (Academic Journal)
November 2008

A Perspective from the Bench- The Role of a Judge's Associate

**By the Hon. JS Douglas,
Justice of the Supreme
Court of Queensland**

"The past is a foreign country: they do things differently there."

L. P. Hartley's novel, *The Go-Between*, was made into a major film in 1971 and the phrase I have quoted quickly became famous.

It was just before then that I first was appointed a judge's Associate (and deputy sheriff!) to Mr Justice Sheehy of the Queensland Supreme Court. He was on the verge of retirement and needed an Associate for about three months at the start of 1970. I was then a full time student. His previous Associate, Denis Galligan, had left the position to go to Oxford to take up a Rhodes scholarship. From recollection the judge asked me to do the job through my father or Bob, my eldest brother, who had also been Mr Justice Sheehy's associate before going to the bar.

There was nothing so crude as an application process.

My background had already made me familiar with the role. My father was one of Mr Justice Sheehy's colleagues on the Supreme Court and had been his own father's Associate in Townsville before enlisting in the infantry at the start of the Second World War. His sisters per-

formed the role during the war, except during rape trials! My grandfather, before he became a barrister and later a judge, had also been an Associate to Real J. My grandfather's eldest brother, Edward, before he became a barrister and later a judge, had been Associate to Sir Samuel Griffith and Power J, one of whose daughters he married.

I became a full time Associate in 1972 - to my father. My two older brothers had preceded me in the role - along with some other law students. By the time I started Bob, the oldest, was at the bar and Francis was a postgraduate law student at Cambridge. During 1972 my father spent six months on sabbatical leave so I spent much of that period as Associate to Mr Justice Kelly, then an acting judge.

In 1973 I became Sir Harry Gibbs' Associate in the High Court. I ceased to be a deputy sheriff of the Queensland Supreme Court. I had been invited to take the position by Sir Harry who was a friend and former colleague of my father on the

Supreme Court. The invitation was to take the position for 18 months until mid-1974 as Sir Harry was to spend most of the first half of that year in England sitting on the Privy Council, knew that I wanted to go on to postgraduate study at Cambridge and thought that it would be convenient for me to go to England with him and stay there. That I did, travelling there, one way, with Sir Harry and Lady Gibbs first class on a Boeing 747. He came back to a new Associate who was a contemporary and friend of mine whose father was a prominent solicitor. That was Richard Vann, now a professor at Sydney University.



I'm sure this preamble makes me sound arrogant, pretentious and the beneficiary of institutionalised nepotism. I hope that the last of those is the greatest of my sins.

My purposes in relating those facts were several. First, I know something about being an Associate. Secondly, I can assure you that the appointment process is still personal and academic results are only part of the equation. Thirdly, I thought I might make you jealous – how could any one law student be so lucky? And remember that Associates were really well paid then compared to the poor articulated clerks. I saved enough to support myself for almost two years at Cambridge, travelling around Europe, sometimes working, on the summer holidays. Finally, I wanted to make the point that they did things differently then. Nepotism no longer has a place.

What are the personal aspects of the appointment process? A judge needs an Associate compatible with his or her personality, who is intelligent, efficient, discreet, sensible and, from my point of view, someone who has the desire and the potential to be a good

barrister or litigator. They are the selection criteria I have used until this year. I am interested not just in the applicants' results but in their personalities, extra-curricular activities and career ambitions.

Most of us would have similar approaches. The utility of the role, in the public interest, and apart from the tasks Associates perform in court and around chambers, is to equip potential litigators, especially barristers, with a good appreciation of how cases are conducted and familiarity with dealing with judges. My first Associate wanted to take it on, and took a cut in salary, because he hadn't been exposed to court enough in his role as a young solicitor in the litigation section of one of our biggest firms. You can imagine how much I wanted to help him. It also helped that I liked him.

I said that they were my selection criteria until this year.

For next year I have appointed a young French judge to be my Associate. He is about 27, has just graduated from the *École Nationale de la Magistrature* (National Judges' School) in Bordeaux in France and is starting on his career as a professional judge in that country. I have a longterm interest in French language and culture and in comparative law. My studies in comparative law have not been particularly illuminating about what happens on the ground, in the courtroom. The ENM is keen to establish better links with common law jurisdictions, including Australia. Hence their support for this appointment and my interest in having someone who can give me

real life comparisons with their courtroom procedures – and who happens to be an oenophile, maybe even an oenologue, also. Those words you can look up for yourselves. It may help if you know that I worked on a vineyard at St Émilion near Bordeaux as a grape picker and builder's labourer in 1974.

Now that information might seem irrelevant to you as potential Associates until I tell you the story of my Associate from last year. When I was interviewing her I asked out of idle curiosity whether she was Russian by descent because she had a Russian surname. "No", she said, "that's my husband's name. I was born in France and came here when I was 12." Her English was perfect and her accent Australian.

We continued the interview in French. She hadn't known until then that I was a Francophile. If she had she might have made something of it earlier, perhaps in her CV, but it was probably best for the interview process that the connection came out naturally. Still it can be useful to try to find out something about the judge who is interviewing you for the role. It's a personal relationship that requires compatibility between you and the judge and interest in each other.

What do I think about the appointment process at present compared to the past?

The talents and achievements of so many applicants are impressive but it is still difficult to assess an applicant's career potential and how well you will get on together in the course of a brief interview. So far I've been lucky. It might be useful for the universities to set up some system for potential Associates to be introduced to the judges as a group before the round of applications begins. Moots might provide an occasion where contact can be made. I don't like the taint of nepotism and am glad that we don't appoint our children to the role any more. But then my children aren't law students and my brothers and I all became

barristers – we used the experience effectively. Nor do I want being a child of a judge to be a disqualifying factor. I would, therefore, like to see some more comprehensive system of talent identification to assist in the appointment process.

Do I have any regrets about having been an Associate and deputy sheriff?

I was in the role for two and a half years. In retrospect I've sometimes thought that one year in the role is probably enough and a year in a good litigation firm would complement the experience. But, seriously, compared to a year and a half with Sir Harry Gibbs, which would you take?

Nobody ever offered me a tin star or a six-shooter, let alone a horse.

Memoirs of a Judge's Associate – Working as, and applying to work as, An Associate

Please note that what follows are the personal views and experiences of the writers, which are not necessarily the same as those of the Courts in which they worked or the Judges they worked for.

Sarah Hack

Sarah was Associate to the Hon. SM Kiefel, Justice of the High Court of Australia

If I had any advice for final year law students who are still interested in the law after University, it would be to apply for a position as a Judge's Associate.

I graduated from Arts/Law at the University of Queensland in 2006. It was while on exchange at the University of Denmark that I seriously considered applying for a position as a Judge's Associate. I applied while I was overseas, had a telephone interview with my Judge at some ridiculous Danish hour in the morning, and was fortunate enough to be offered the position. When I accepted the position, I never imagined that the time spent with my Judge would be so worthwhile.

I was very fortunate to spend the first year of my Associateship with Justice Kiefel in the Federal Court, and the Supreme Court of Norfolk Island, and then my last 6 months in the High Court after Justice Kiefel was elevated to that Court in September 2007.

The Courts

The Federal court, in addition to its original jurisdiction, also exercises a diverse appellate jurisdiction. The Court hears matters concerned with trade practices, bankruptcy, admiralty, intellectual property, cor-

porations, taxation, native title, administrative law and many other matters. In addition to this, some of the Federal Court Judges are also appointed to other benches and commissions. For example, my Judge was, in addition to a Federal Court Judge, a Judge of the Supreme Court of Norfolk Island. This gave me a unique opportunity to gain experience in State court matters and convene hearings on Norfolk Island. Hearings on Norfolk Island are very different to hearings in the Commonwealth Law Court building. The Court, for example, is located on Quality Row in what was the penal settlement of Kingston and on the way to work, you are not battling cars, but more trying to get the cows off the road.

Travel is a major part of the Associate's life and this is true for both the High and Federal Courts. The Federal Court has Full Court sittings four times a year. Each sitting lasts for up to four weeks. This could see a Federal Court Associate travelling to Sydney, Melbourne, Tasmania, Adelaide, Brisbane or Perth for some or all of this time. Additionally, hearings are sometimes listed in regional towns. In Queensland, there are often trips to Rockhampton and Mackay. Other Associates have been known to travel to remote areas such as Cape York, for Native Title determination at Strathgordon, and preservation of evidence hearings.

The High Court sits in Canberra for two weeks every month and travels on circuit to the major Australian cities each year. Each Judge has two Associates – one based in Canberra, and the other based in the Judge's home city. The latter Associate travels to and from Canberra with the Judge so that when the Court sits, two Associates are always in chambers. In the Federal Court, the Judge usually only has one Associate, so it was a very nice change to have the company of another Associate in the High Court. In the High Court, Associates do less administrative tasks than in the Federal Court, and do not liaise with the parties. The work is of the highest quality – the oral and written submissions received by the court

are of great quality, and the research Associates do is on very fine points of law.

Court Work

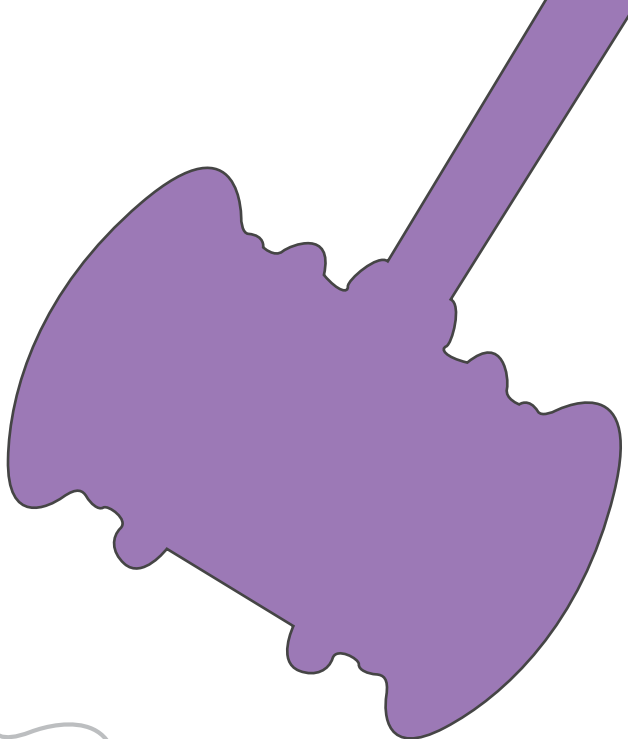
Regardless of the jurisdiction, what an Associate does each day really depends on their Judge. My time at the courts usually consisted of court work and preparation for court matters, research for both judgments and articles, proofing reading, administrative tasks and travel. The greatest thing, however, about being an Associate to a Judge is the mentoring and guidance you get from the Judge. And, of course, seeing a truly brilliant mind at work first hand.

Applying and Tips

Applying for a position as a Judge's Associate is very different to applying to work in a law firm. Accordingly, I thought it best to set out some tips:

- Apply early. Judge's have a history of considering applications at any time during the year, some as early as February and others as late as December. High Court Judge's will often interview, and appoint their Associates, a couple of years in advance. So timing is something you really need to keep in mind.
- Research. Research not only the jurisdiction and the likely matters that are to come before the court you are applying to, but also the Judge. Research what areas of specialisation the Judge has and any other jurisdictions they may sit in.
- Speak to people who have been Associates, especially those who have worked for the Judge you are considering applying to.

I wish you all the best if you decide to apply for a position and I am sure you will find your experience as rewarding as I did.



George Blades

George was Tipstaff to the Hon. JJ Spigelman AC, Chief Justice of the Supreme Court of New South Wales

Why work in a court

Whether it be as a judge's Tipstaff, researcher or Associate, anyone seeking to pursue a career in the law can benefit from working in a court. The experience is perhaps most relevant, however, to an aspiring litigator. Indeed, Tipstaves and others who go on to specialise in litigation in law firms and other like organisations enjoy a considerable advantage over their peers. Working in the court has even allowed some to go directly to the Bar, swapping a seat under a judge's wing to one under their beak. Working for a judge, however, is not the ideal stepping-stone for every person, nor the next "prize" which all conscientious young lawyers should pursue.

Much of what goes on in a court is the strict application of the law to relevant facts. Those interested in policy development or law reform, for example, might be left somewhat unsatisfied.

The benefits one can gain from working in a court differ between each experience but typically include: greater knowledge of court procedure and etiquette; improved legal writing and oral communication skills; improved legal research skills; and the development of interpersonal relationships with people pursuing similar careers. But working at the court offers an asset more valuable than any other: understanding the public and behind-the-scenes process of judicial decision-making. No experience elsewhere is comparable.

The Supreme Court of New South Wales

Second to the District Court, the Supreme Court of New South Wales is the largest court in Australia. It is comprised of almost sixty judicial officers and is housed within ten floors of the Law Courts' Building, Queen's Square, and other nearby buildings. The Court's general jurisdiction ensures that, with some exceptions, the Court deals with the entire spectrum of matters which require judicial adjudication.

The Supreme Court is divided into two equally sized trial divisions, the Equity and Common Law Divisions, and one appellate division, the Court of Appeal. (The Court of Criminal Appeal is usually constituted by a judge of appeal and two judges from the Common Law Division.) The judges of the Court separate their chambers accordingly. The consequence of this is that the Tipstaves are surrounded by others who are working, or may have worked, on similar matters. There is usually a source of support very close by.

Tipstaff and Associate

In the Supreme Court, subject to the exceptions detailed below, each judge has a staff of two consisting of a Tipstaff and an Associate. The Associate, unlike the position in other courts, is attached to the judge on a permanent basis. As such, this is not the position for which law graduates, or those soon to be such, typically intend to apply.

In the Supreme Court that position is called the Tipstaff. The Tipstaff, as distinct from the Associate, generally alternates on a yearly basis. They are responsible for a variety of duties ranging from those strictly legal in nature to those strictly administrative. These may include legal research, file management, in-court duties, judgment proofing and maintaining the judge's library and robes. The precise nature of these duties differs in each chambers. An indication of how these duties are allocated in a particular chambers, as with many other subjects, is perhaps best ascertained by speaking to the current Tipstaff or those from previous years (see The New

South Wales Law Almanac, published each year, which lists the Tipstaves' names for each judge).

Needless to say, the practice of a particular judge's chambers is not the only factor which impacts the work the Tipstaff is expected to undertake. The division to which that judge is attached also plays a significant role. Another factor which may affect the nature of a Tipstaff's work is whether their judge employs a researcher.

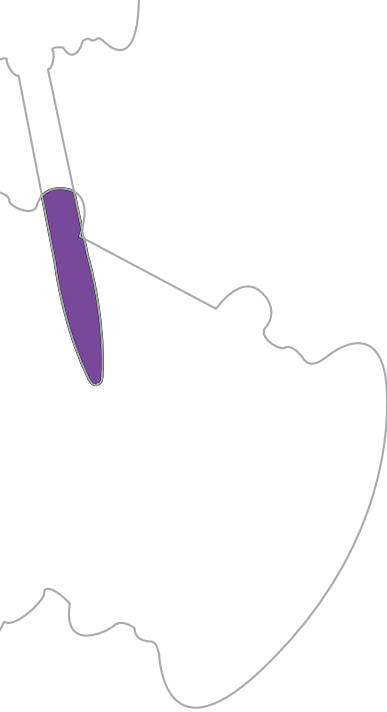
Researcher

Besides the Associate and Tipstaff of each judge, there are also several researcher positions within the Court. They are the Research Director to the Chief Justice and the Researchers to the President of the Court of Appeal, Court of Appeal, Equity, Common Law, Commercial List Judges and Associate Judges. These positions are also for one year's duration and each, generally speaking, is attached to an individual judge (being the most senior relevant judge). In that respect a researcher is comparable to a Tipstaff. The distinguishing feature, however,

is that, as the name suggests, a researcher assists the judge in primarily a legal research capacity. This means that a researcher may perform less in-court work and/or that their workload may consist of things more academic in nature.

How to choose a judge

While working for any judge is bound to provide some benefit, choosing a judge whose work aligns with one's own interests ensures a greater chance of maximising that benefit. Some indication of the work each judge undertakes is visible from their published judgments. Another source of useful information relevant to this topic is the Supreme Court website which



(or researcher) is considered for the job. The differences between each chambers is most pronounced, from an applicant's point of view, upon comparing between chambers the starting and finishing dates of the position, the deadline for applications, the interview dates and the length and style of the interview. Because of this variety, an applicant has the difficulty of ensuring that each application they prepare is tailored to each judge's requirements. The positive is that that variety may also provide an applicant with a certain flexibility.

One thing that is uniform among the judges is what is required in the written application. An application should consist of a covering letter, curriculum vitae, academic transcript and, optionally, written references. Brevity is key. (One clue to the assiduous nature of a judge's workload, and hence their appreciation for succinct writing, is that in many chambers even the interview often lasts less than ten minutes.) Having said that, taking time to be careful both in the form and substance of the letter is also very important. For example, if writing to a judge, as opposed to the Associate, a letter should be addressed to that judge in their preferred form (see the

hosts the swearing-in speeches of each judge as well as other speeches and papers they may have presented.

Being familiar with a judge's work and interests is important in choosing the judges to whom one should apply but it is also useful in the preparation of one's application and, that being successful, at the interview stage. Being able to engage with the judge on issues which they have recently considered is likely to increase one's chances of a successful application and interview.

The application process

Given that the notion of judicial independence also applies between individual judges, the practice of each chambers is to a considerable degree idiosyncratic. One aspect of that practice is the process by which a prospective Tipstaff

Supreme Court website or the Almanac for contact details).

The Chief Justice advertises his Tipstaff position each year. (No others, of which I am aware, regularly do.) The Chief Justice's advertisement has a deadline of around the end of March. Subsequently, many of the other judges consider applications around this time. The end of March is therefore a generally safe deadline with which to work.

The one-year duration of the Tipstaff and researcher positions means that, for many, it is an attractive option between finishing university and commencing one's career in the law. As I stressed above, any person seeking to practice law will benefit from this experience. In emphasising the virtues, however, one should not overlook that working in a court can be a challenging experience. But, there is a reward. It is also an invaluable experience.





Jacqui Woods

Jacqui was Associate to PE Hack SC, Deputy President of the Administrative Appeals Tribunal in Queensland

I studied law and politics at the University of Queensland, but hadn't yet graduated from law when I began my year at the AAT. At University I had been involved in the executive of the University of Queensland Law Society, and had completed a Parliamentary Internship, both of which certainly helped when applying for this job.

I chose to work at the Tribunal for a number of reasons. As I'm interested in government as well as law I thought working in a tribunal that reviews government decisions might give me some practical insight into the way things work (And it certainly has. So much so that I occasionally consider going into private practice after all...). Eventually I hope to work in the Attorney-General's Department and I think the AAT will provide a good platform, both because of the experience I've gained and because as an employee of the Tribunal you are technically part of that Department. More generally, I wanted to do an Associateship because all the people I knew who had done them before had spoken so highly of them.

The application process is a fairly lengthy one. As it's a government position you need to provide both the normal application items – resume, covering letter, academic transcript – as well as a statement addressing the selection criteria. In Queensland there is then an interview before a panel consisting of all of the full-time members of the Tribunal as well as the District Registrar, though other states may have individual interviews as they do in courts. I then had to have a one-on-one interview with the Deputy President. For those interested in applying, the positions are all advertised on the AAT website: www.aat.gov.au, and they also send out the information to the Universities and University law societies. However the practice is not uniform across the country, so it might be wise to get in touch with your state's registry and see when they're planning to advertise. Also note that the position is advertised as an "Administrative Assistant – Legal", a quirk of being part of the government rather than a court.

The responsibilities of an Associate in a tribunal are really no different to those in a court. We do the work in the hearing – opening and closing proceedings, swearing in wit-

nesses, dealing with exhibits – as well as research, editing and proof-reading of decisions, and file management. The work is diverse enough to keep you interested almost all of the time.

The AAT has a fairly wide jurisdiction, and even though there are certain kinds of applications that are heard more frequently than others, the experiences you have can be quite varied. This year, for example, as well as hearing numerous applications in the fields of taxation, social security, veterans' affairs and workers' compensation, we've also heard environmental, civil aviation and pharmacy matters. The AAT also hears various kinds of immigration appeals, though I haven't seen any myself yet. The most interesting matter we've heard so far was an environmental matter that revolved around a wildlife management plan. As well as being interesting and having an excellent quality of counsel, the matter was heard in Sydney which, allowing an opportunity to travel. The AAT in Queensland gets to do some great circuit work, to places like Darwin, Cairns and northern New South Wales, as well as occasional other interstate hearings.

I think the atmosphere at the Tribunal is one of the things that really sets it apart from other places. It is an extremely supportive environment, and most of the members are very friendly and informal. Even my boss, who is more formal than many members, is constantly finding ways to be helpful and supportive, which is funny as that's really what I'm supposed to be doing for him. He also acts as a mentor, helping to explain difficult areas of law as well as offering practical suggestions on advocacy. He takes this role very seriously and I feel his advice has given me a considerable advantage should I decide to go to the Bar.

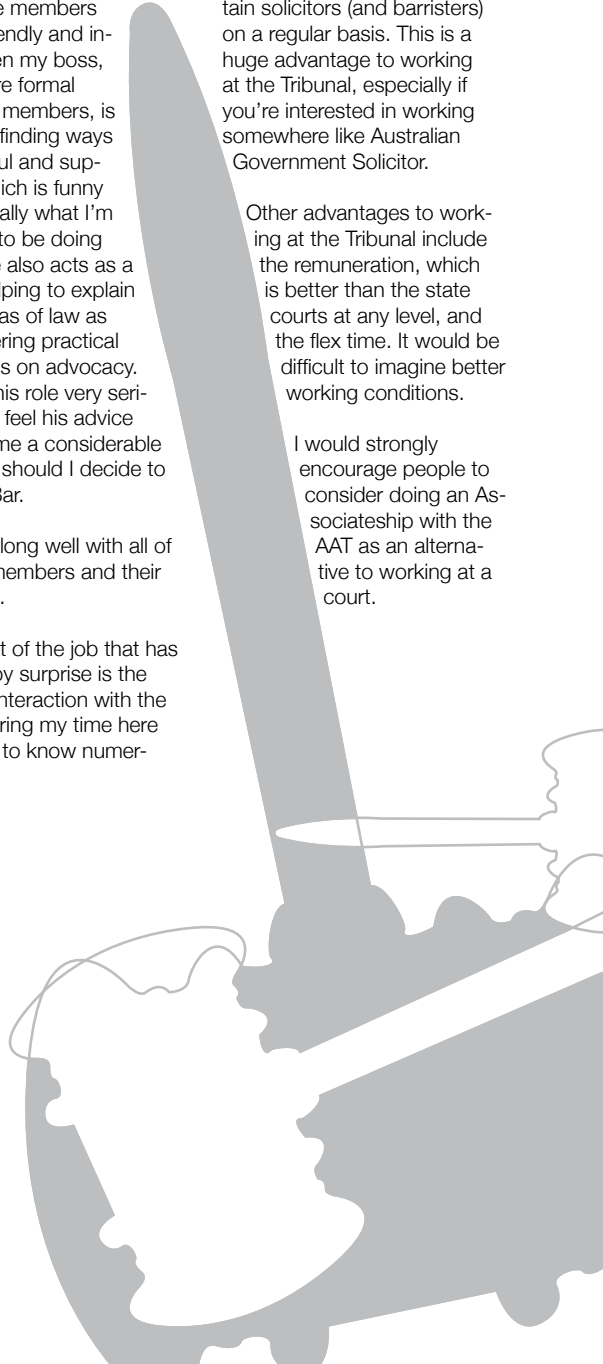
I also get along well with all of the other members and their Associates.

One aspect of the job that has taken me by surprise is the degree of interaction with the parties. During my time here I've gotten to know numer-

ous legal practitioners well. Because government work is divided amongst a fairly small number of law firms, you do find yourself speaking to certain solicitors (and barristers) on a regular basis. This is a huge advantage to working at the Tribunal, especially if you're interested in working somewhere like Australian Government Solicitor.

Other advantages to working at the Tribunal include the remuneration, which is better than the state courts at any level, and the flex time. It would be difficult to imagine better working conditions.

I would strongly encourage people to consider doing an Associateship with the AAT as an alternative to working at a court.



Contact and Application Details

What follows are some contact and application details for the High Court of Australia, Federal Court of Australia, Federal Magistrates Court, Family Court of Australia, and the Supreme Courts of each of the States and Territories.

For reasons of space, details about the District and Magistrates Courts of the States and Territories, and Federal, State and Territory Tribunals, are not included. However, readers should be aware that Associate positions exist in these and should consult their websites for further information if desired. Readers should also be aware that certain courts employ staff as research assistants, who are generally not designated to a particular judge but instead form part of a pool that serves all judges.

The following information is not intended to be exhaustive.

High Court of Australia

Associate positions are available in the High Court, with each of the seven High Court Justices ordinarily having two Associates at any one time.

When and how should candidates apply?

Candidates should address their applications to the chambers of the individual Justice(s) to whom they are applying. The High Court's postal address is:
PO Box 6309
KINGSTON
Canberra ACT 2604

It is difficult to state precisely when applications should be made; the answer will differ from Justice to Justice. Some Justices welcome applications from candidates who have only recently completed their undergraduate degrees, whilst others may prefer candidates who are already admitted to the legal profession or have studied at a postgraduate level.

Since positions as Associates to High Court justices are highly competitive, it may be advisable for a candidate to apply at least two years in advance of when the candidate would start work as an Associate. Indeed, a number of Justices select their Associates up to three years in advance.

Other information

Competition for appointment as an Associate to a High Court Justice is very strong. The result of this is that the threshold level is graduation with First Class Honours in Law and it is not uncommon for successful candidates to have won a University Medal.

The role of an Associate will also differ from Justice to Justice. Each of the Justices has chambers both in Canberra and in their home city. Some Justices have both of their Associates travel between the two, and on circuit, at the one time. Others base one Associate for half the year in their home city and the other Associate in Canberra, and then the two Associates swap places for the second half of the year.



Federal Court of Australia

The Federal Court has 46 justices across 9 registries, there being one registry in each State and Territory and a principal registry in Sydney. Each Justice typically has one Associate. Associates generally commence in mid to late January each year, though this can vary.

Recruitment arrangements vary slightly from state to state and candidates should contact the Director of Court Services in the capital city where they are interested in working. Although the Federal Court has 9 registries, only 6 registries have Judges and Associates. Relevant contact details are provided below:

- New South Wales: (02) 9230 8567.
- Northern Territory: (08) 8941 2333.
- Queensland: (07) 3248 1100.
- South Australia: (08) 8219 1000.
- Victoria: (03) 8600 3333.
- Western Australia: (08) 9268 7100.

As for the High Court, applications should ideally be sent to the chambers of the individual judge(s) to whom the candidate is applying. It would therefore be wise to ask the Director of Court services for the contact details of the judge(s) who you have in mind.

The Federal Court's website (<http://www.fedcourt.gov.au/>) also provides a useful range of information about the Court's contact details, function and jurisdiction. For further information about applications, see http://www.fedcourt.gov.au/new/new_jobs_associates_researchers.html.

While candidates may apply at any time, selections generally take place towards the end of each year.

Federal Magistrates Court

There are 56 Federal Magistrates across 15 registries throughout Australia. There is at least one registry in each State and Territory. Each Federal Magistrate typically has one Associate.

Atypically, Associates to Federal Magistrates are generally not limited to a tenure of one year. Consequently, vacancies for positions as Associates to Federal Magistrates are not common. Candidates should contact the registry of the place in which they intend to apply for more information. The contact details for each registry, as well as information about current vacancies, can be found on the Federal Magistrates Court's website (<http://www.fmc.gov.au/>).



Family Court

The Family Court has 20 registries in Adelaide, Albury, Alice Springs, Brisbane, Cairns, Canberra, Coffs Harbour, Dandenong, Darwin, Dubbo, Hobart, Launceston, Lismore, Melbourne, Newcastle, Parramatta, Rockhampton, Sydney, Townsville, Wollongong. There is also a separate Family Court of Western Australia.

Each Family Court Judge has an Associate and a Deputy Associate. Candidates typically start as Deputy Associates and gain promotion to a position as an Associate. As for the Federal Magistrates Court, the tenure of these positions is not limited to one year and thus vacancies for positions as Associates to Family Court Judges are not common. There were no vacancies at the time of writing.

Associates assist with researching cases, points of law, preparing matters for hearing including other related matters for first instance Judges and

Judicial Registrars of the Court. Legal Associates are responsible for providing assistance to Judicial Officers during court hearings and other administrative support to Judges as required. In addition, Legal Associates perform Client Service (Court Officer) duties, when required. Legal Associates primarily provide assistance to two designated Judges but may be asked to assist other Judges if the need arises. Some travel may be required.

When a vacancy arises, it is advertised on the Family Court website (<http://www.familycourt.gov.au/wps/wcm/connect/FCOA/Home>) and in the Public Service Gazette. The Family Court website is also a useful source for information regarding the criteria candidates must address in their application.

Australian Capital Territory

Each of the judges of the Supreme Court of the Australian Capital Territory, and one master, have an Associate.

Vacancies are usually filled in December each year for commencement in January or February, although from time to time vacancies occur throughout the year. The successful applicant will be engaged as a temporary employee on a fixed term contract in the ACT Public Service for a term of one year. No extension of contract is possible.

Expressions of interest may be made at any time, and expressions are kept on a list from which appointments are made. Expressions of interest entered on the list will be current for one year from the date of receipt.

Applications should be marked "Staff in Confidence" and addressed to:

The Registrar
Supreme Court of the ACT
Knowles Place
CANBERRA CITY ACT 2601

New South Wales

About the NSW Supreme Court
The Supreme Court of NSW has two Divisions: the Common Law Division and the Equity Division. There is also a Court of Appeal and a Court of Criminal Appeal.

The Court's judicial work is carried out by 49 Judges and 4 Associate Judges. The most senior Judge on the Court is the Chief Justice. The President of the Court of Appeal administers the work in the Court of Appeal. Ordinarily, the Chief Justice, the President of the Court of Appeal, and one of the 10 Judges of Appeal sit in the Court of Appeal. The remaining Judges preside over trials and applications. There is a Chief Judge at Common Law and a Chief Judge in Equity. The Chief Judges administer the work in their Division.

Positions

Each Justice of the NSW Supreme Court has both an Associate and a Tipstaff.

The Associate and Tipstaff work together as directed by the judge to assist the judge to meet internal and external obligations. For both Associates and Tipstaves, this may include legal research and administrative and secretarial work.

However, there are key differences between the role of an Associate and the role of a Tipstaff. The position of Associate is more senior, with candidates typically working as a Tipstaff for one year and an Associate the next. Consequently, Tipstaves perform a more clerical role than Associates, including collecting mail, undertaking personal messages and deliveries as directed by the judge, and maintaining chambers and the judge's robes, gowns and wigs. Associates are also remunerated at a higher rate.

How and when to apply

Candidates may apply at any time. Most appointments are required to commence in early February and end in late December or January. Candidates may apply to the Judicial Support Co-ordinator (specifying the judge(s) to whom the application is made), in which case the application is put on file and considered when a vacancy arises. Alternatively, candidates may wish to address their application to the chambers of the individual judge(s) to whom they are applying. A list of the contact details of each Judge can be found on the Supreme Court of New South Wales' website (http://www.lawlink.nsw.gov.au/lawlink/Supreme_Court/ll_sc.nsf/pages/SCO_judicial_contact).

The Supreme Court of New South Wales' postal address is:

Supreme Court of NSW
GPO Box 3
Sydney NSW 2001
Australia

Northern Territory

There are currently ten judges appointed by commission to the Supreme Court of the Northern Territory, including the Chief Justice and four acting judges. Each of the judges of the Supreme Court of the Northern Territory has an Associate, usually for a term of one year, selected by the judge him/herself.

Applicants should address their application to the judge(s) to whom they are applying at:

Supreme Court Building
GPO Box 3946
Darwin NT 0801

A list of the names and telephone numbers of each of the judges can also be found on the Supreme Court of the Northern Territory's website (<http://www.nt.gov.au/ntsc/>).



Queensland

There are currently 25 judges of the Supreme Court of Queensland, including the Chief Justice and the President of the Court of Appeal. Each judge has an Associate, selected by them, usually for a term of one year from January/February to December/January.

Applications should be sent either to the Court Administrator or directly to the chambers of the judge to whom the application is being made. Application forms and job descriptions for the position of Associate will be available to enquirers from the Court Administrator.

Applicants are generally due no later than March of the year preceding the year in which the Associateship would commence, though it is advisable to apply several months earlier. The Supreme Court of Queensland's postal address is:

The Supreme Court of Queensland
PO Box 15167
City East Qld 4002 (DX 40168)

The Supreme Court of Queensland's website contains more information about the duties of judges' Associates and the protocol for application and appointment (see <http://www.courts.qld.gov.au/2981.htm>).

South Australia

The Supreme Court of South Australia is constituted of the Chief Justice, 12 Judges and 2 Masters. Each judge has at least one Associate, and some have two.

There is no hard and fast rule as to when to apply, although it is advisable to apply at least a year in advance. Associateships are typically for 12 months, starting from January/February. Where a judge has two Associates, the appointment may be for two years with one Associate the junior Associate (similar to a Tipstaff) and the other a senior Associate, a position to which the junior Associate ascends the following year.

Applications should be addressed to the individual judges at:

The Supreme Court of South Australia
1 Gouger Street
Adelaide
South Australia 5000.

Tasmania

The Supreme Court of Tasmania has seven judges, including the Chief Justice and an Associate Judge. Each of the judges has an Associate.

An open expression of interest or advertisement appears in the Tasmanian Government Gazette in or about April each year. Positions commence in late August, for a period of 12 months.

Unless the advertisement states otherwise, applications should be addressed to the particular judge(s) to whom the application is for. The contact details for each judges' chambers can be found on the Supreme Court of Tasmania's website (see http://www.supremecourt.tas.gov.au/about_us/contacts/judges). The postal address is:

Supreme Court of Tasmania
GPO Box 167
Hobart Tasmania 7001

General enquiries may be directed to 03 6233 3442.

Victoria

The Supreme Court of Victoria seeks to maintain a candidate database featuring expressions of interest from qualified practitioners or recent law graduates to work as Associates to Judges and Masters. There is no closing date for expressions of interest – applications can be updated and resubmitted to (or removed from) this database upon request. Candidates must compile an application comprising a covering letter, Curriculum Vitae and academic transcripts, and send it to the Judicial Services Coordinator at judicialservices@supremecourt.vic.gov.au.

Each of the judges of the Supreme Court of Victoria has both a junior and senior Associate. The role of a junior Associate is similar to that of a Tipstaff, whereas the role of a senior Associate is more advanced.

For more information, see the website of the Supreme Court of Victoria, which contains a significant amount of detail about the application process (see <http://www.supremecourt.vic.gov.au/wps/wcm/connect/Supreme+Court/Utility/Employment/>).



Western Australia

Each Justice of the Supreme Court of Western Australia has one Associate, with the following exceptions:

- The Chief Justice and the President of the Appeal Division each have an Associate and a Research Associate; and
- Each of the Justices of Appeal has an Associate and shares a Research Associate with one other Justice of Appeal.

The role of an Associate and a Research Associate is identical. The prefacing of the latter position with the word 'Research' does not denote a difference in the roles other than to the extent that it indicates that, in the case of Justices of Appeal, a Research Associate works for two Judges.

Both Associates and Research Associates typically hold those roles for one year, although the positions may be renewable.

Applications for positions as Associates and Research Associates should be sent directly to the Chambers of the relevant Judges. The deadline for applications is in July, typically a week before the deadline for applications for articles. The precise date, the contact details of each of the Judges (or their Associates), and further information is published in an advertisement on the Court's website (<http://www.supremecourt.wa.gov.au/>) in the lead up to the deadline. The advertisement is also typically sent to law schools and law societies in Western Australia, as well as some in the eastern states.