

Term Chambers Law Clerk Appointment and Leave Certification

Name of Employee: _____

Name of Appointing Judge: _____

Court: _____

Term Law Clerk Appointments

By signing this form, the appointing judge and the law clerk acknowledge that the law clerk is being appointed to a term position in the appointing judge's chambers. No individual is permitted to serve in the judiciary for more than four (4) years in a term law clerk capacity. (JCUS-SEP 07, p. 26). This term appointment will end no later than _____ (please specify an expiration date for this appointment, no later than four years from the date of the appointment). Law clerks appointed to term appointments are subject to social security deductions and are eligible for health, dental, vision and life insurance coverage, and participation in judiciary supplemental benefit programs. Term law clerks are not eligible to participate in the retirement system or the Thrift Savings Plan.

Leave Coverage

Law clerks are exempt from the provisions of 5 U.S.C. chapter 63, subchapter I ("Annual and Sick Leave," formerly referred to as the "Leave Act"), unless specifically included by their appointing judge or local rule of court under authority of 28 U.S.C. §§ 712, 752, 156(a), 634(c), and 794. This exemption includes annual leave, sick leave and home leave; and by reference, family and medical leave, voluntary leave transfer, and emergency leave transfer. Any law clerk who is exempt from 5 U.S.C. chapter 63, subchapter I remains eligible for court leave, military leave, bone marrow and organ donor leave, and time-off to attend the funeral of an immediate relative who died in military combat.

At its September 18, 2007 session, the Judicial Conference of the United States approved a recommendation of the Committee on Judicial Resources to discourage judges from placing new term law clerks (appointments made on or after October 1, 2007) under the leave provisions described in 5 U.S.C. chapter 63, subchapter I. However, as described above, applicable statutory provisions in Title 28 give judges discretion to place their law clerks under annual and sick leave provisions. (JCUS-SEP 07, pp. 25-26).

Please check the box below to designate leave coverage.

- Not covered under the leave provisions described in 5 U.S.C. chapter 63, subchapter I.
- Covered under the leave provisions described in 5 U.S.C. chapter 63, subchapter I. The appointing judge is reminded that, in addition to certifying hours of work which is a requirement for all employees regardless of leave coverage, the court is obligated to maintain and certify leave records on a biweekly basis.

Name of Employee

Signature of Employee & Date

Name of Appointing Judge

Signature of Appointing Judge & Date