

NOTICE OF VACANCY



Main: 400 N Miami Avenue, Miami, Florida 33128

Website: www.flsd.uscourts.gov

Phone: (305) 523-5980 – Human Resources

Position: Law Clerk - U.S. Magistrate Judge Marty Fulgueira Elfenbein
Ann. No: 2026-JDS-06
No. Vacancy: One Full-Time Position
(12 to 18-Month Term Appointment)
Duty Station: Miami, Florida
Salary: Commensurate with Legal Work Experience

This is a term law clerk appointment to a U.S. Magistrate Judge.

This is a full-time position with an initial 12 to 18-month term appointment. There is a lifetime limitation of four (4) cumulative years of term clerkship service with the United States Courts. Service as a career law clerk or as a temporary law clerk is not charged against the four-year lifetime limitation.

Position Overview

Law Clerk responsibilities: Enjoys full responsibility for all aspects of assigned civil and criminal cases from inception to conclusion. Reviews complaints, petitions, motions, and pleadings that have been filed to identify and analyze the issues involved and basis for relief; performs legal research as required; identifies problem areas, makes recommendations, and offers solutions in assigned cases; provides information and advice to the Judge in connection with pending litigation; drafts appropriate recommendations and substantive orders; keeps abreast of changes in the law to aid the Judge in keeping current; and performs other duties as assigned.

Qualifications/Requirements

To qualify for the position of law clerk on the personal staff of a federal judge, a person 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 one or more of the following attributes:

- 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
- Experience on the editorial board of a law review of such a school
- Graduation from such a school with an LLM degree, or
- Demonstrated proficiency in legal studies which in the opinion of the judge is the equivalent of one of the above.

Court Preferred Skills:

- Excellent legal research and writing skills
- Two or more years of post-law school litigation experience is highly desired
- Prior judicial clerkship or civil litigation experience preferred, but not required



Important Dates

Opening: December 22, 2025

Closing: Open Until filled

Est. Start Date: February 2026

U.S. District Court, Southern District of Florida

The U.S. District Court for the Southern District of Florida is comprised of eighteen authorized United States District Judges, nine Senior United States District Judges, sixteen full-time United States Magistrate Judges and one recalled United States Magistrate Judge. The District spans a geographical area that encompasses nine counties, at its southernmost includes Monroe County and at its northernmost includes Indian River County. The Clerk's Office maintains its headquarters in downtown Miami and includes four divisional courthouses.

Law Clerk to U.S. Magistrate Judge Marty Fulgueira Elfenbein – Ann. No. 2026-JDS-06

Page 2 of 2

- Familiarity with CM/ECF
- Proficient Computer Skills, Internet Research, and Word Processing Skills including Use of Microsoft Word

Salary

The pay rate offered is subject to Judicial Officer approval. Salary listed below will be updated to reflect 2026 pay rates as applicable.

<u>JSP Grade Level</u>	<u>Legal Work Experience</u>	<u>Bar Membership</u>
JSP Grade 11 - \$78,745	0	No
JSP Grade 12 - \$94,383	1 Full-Time Year	Yes
JSP Grade 13 - \$112,234	2 Full-Time Years	Yes

Legal Work Experience

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 from law school.

Personal Characteristics

The successful candidate is mature, responsible, poised, tactful, exercises good judgment, uses initiative, and always maintains a professional appearance and demeanor. Candidate is also able to work harmoniously with others and communicates effectively, both orally and in writing.

Background Investigation & Fair Chance to Compete Act

This is a Sensitive position within the judiciary. This position is not covered under the FCA. Therefore, candidates may be asked to provide verbal or written statements about criminal history prior to receiving a conditional job offer. The selected candidate will be subject to a criminal background check and a technical fingerprint check through the FBI Criminal Justice Information Services Division database as a condition of employment. Employment will be considered provisional until a background check is completed.

Benefits

Employees of the United States District Court are Excepted Appointments and are considered at will judicial employees. Federal Government Civil Service classifications or regulations do not apply. Electronic direct deposit of salary payments is mandatory. Term Law Clerks appointed for at least one year and one day are eligible for ten paid national holidays per calendar year; participation in a pre-tax Federal Employees Health Insurance Program; may sign up for a pre-tax Flexible Spending Account; and may elect coverage in group insurance programs for Dental, Vision, Life, Long Term Care, and Long-Term Disability.



How to Apply

Submit complete Application package electronically in pdf-format. The required items must be consolidated into one document in the order listed below. Do not copy/paste your documents into the email.

Please make sure to annotate Announcement No.: **2026-JDS-06** on subject line and email to: Elfenbein_Applicants@flsd.uscourts.gov

A complete Application includes:

1. Cover Letter
2. Detailed Resume with exact dates of employment and salary history
3. Copy of final law school transcript showing date the JD was conferred
4. Proof of Bar Membership, if applicable
5. Legal Writing Sample
6. Three (3) professional references

The Federal Court practices zero tolerance for illegal drug use.

Applicants must be a United States Citizen or eligible to work in the United States.

THE UNITED STATES DISTRICT COURT IS AN EQUAL OPPORTUNITY EMPLOYER.