

# **STUDENT EXTERN HANDBOOK**

**LEWIS & CLARK LAW SCHOOL**  
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## **I. INTRODUCTION**

Choosing to do an Externship is an exciting opportunity and a chance for you to gain valuable, hands-on experience under the careful tutelage of an experienced attorney-mentor in practice, along with the guidance of a faculty advisor. An Externship is designed to be a full-time experiential learning opportunity, where you take substantial responsibility for setting your own goals and focusing your legal education by performing work analogous to that of an attorney. Because you are assuming such responsibility, it is important that you follow some established guidelines during your Externship. These guidelines are meant to help you learn as much as possible about the skills you will need as a lawyer, and the important values you will bring to the profession. Remember that all of the guidelines in the Handbook can be applied to any type of Externship, whether corporate, nonprofit, government agency, law firm, and so on. The bottom line is, you are going to be held to ethical and professional standards of the lawyers with whom you are working.

## **II. COMPONENTS OF YOUR EXTERNSHIP**

As you know from the application process, a semester Externship has three credit components: The experiential (placement) component, the classroom component, and the paper component. The other two important components are the journal and the final report.

### **A. Experiential Component**

If you are doing a semester Externship, you are required to be at your placement, working 40 hours per week, for a minimum of 14 weeks and a maximum of 17. The Externship *must* start no later than the Monday beginning the first week of class for the semester, and no earlier than one week before the start of classes. You are not allowed to take additional classes during the Externship absent extenuating circumstances and without express prior approval of Assistant Dean Libby Davis. Summer Externs are expected to work a minimum of 10 weeks.

### **B. Classroom Component**

The classroom component of a Fall or Spring Semester Externship consists of a total of 28 hours of class time; 6 hours to be completed before you begin your Externship, 20 hours during your Externship, and 2 hours upon your return. The hours during your Externship are comprised of participating in the TWEN website classes at least once a week for 14 weeks during the Externship semester. These TWEN website classes are accessed through a computer from any office. Important class information is always available on the TWEN website. You should bookmark it and access it regularly. Summer externs need to participate in a TWEN class during the 10 weeks of their placement.

The classroom component is an important part of your Externship, because it gives you the opportunity before you go to learn about important ethical and professionalism issues, as well as to learn about issues that may arise in the workplace, such as receiving effective supervision. Returning Externs participate in one of the class sessions with departing Externs, and offer their perspectives on their learning experiences, difficult issues in the workplace, how to work effectively with an on-site supervisor, with the faculty mentor, and much more. All class sessions are participatory. Students are required to actively and substantially participate in each online TWEN class every week. Failure to do so can result in not receiving credit for the classroom component. Onsite class sessions may require each Extern to make at least one short presentation and to actively participate in class discussion. Attendance is mandatory at all sessions. You will be notified of exact class times prior to the start of your Externship

### **C. Paper Requirement**

Immediately following your Externship, you will be expected to write a substantial analytical research paper as an outgrowth of your experience. For semester Externs, the paper carries four credits, is generally more than 40 pages, and requires a draft and a rewrite; for summer Externs the paper carries two credits, and will be 20 pages with a draft and rewrite as well. Your paper will be due before the end of the semester following your Externship. You will be working with your faculty advisor on an ongoing basis during your Externship to develop ideas for your paper. You can work on your paper during your Externship; the extent to which you decide to do so will depend upon you and your faculty mentor.

### **D. Journals**

All Externs are required to keep detailed journals describing their work and experiences. Additional important details regarding the journal requirement are in Section VIII below.

### **E. Final Report**

Each Extern is required to turn in a two-to-five-page final report evaluating the Externship experience to Assistant Dean Davis. Turn a copy in to your faculty mentor as well. See Section IX - B, below.

## **III. YOUR ROLE AS AN EXTERN**

Although you may think of yourself as “only a law student,” you are a professional regardless of your placement. Your behavior and your work product reflect *directly* upon your credibility as a lawyer (and the Law School’s reputation as well) - and your credibility will always be the most important asset you have. Make it a point to practice the following “golden rules”; these are rules you can continue to hone throughout law school and into your first legal job:

### **A. Proofread Everything!**

Every work product you turn in, from the draft of an informal memorandum to a finished draft of an appellate brief, should be spell-checked, checked for proper grammar, punctuation, and citation form. A “draft” does *not* mean incomplete! Every draft should be handed in as though it were the final product. And remember that spell-checking is not enough - the computer won’t pick out grammatical errors and others such as the misuse of “their” and “there.” Your written work reflects your thought processes, your intellectual and reasoning ability, and your skill as an advocate. If your product is sloppy, or incomplete, that is what will be reflected about your legal skills as well.

### **B. Be Punctual!**

This cannot be overemphasized. Every deadline *must* be met. Being a lawyer means meeting deadlines, working efficiently under time pressure, and accurately calendaring all events, deadlines, meetings, and so on. You must be on time for all staff meetings, client appointments, and bar-related functions. Always clarify deadlines with your supervisors. If something comes up and you may not be able to meet a deadline, make sure you notify your supervisor *immediately*- don’t wait until the last

minute when the project is due. Your failure to complete a project on time can have huge, potentially career-destroying consequences. It can result in your supervisor being sued for malpractice or being reprimanded by the bar for unethical conduct. At the very least, it will make you look unreliable. And if you cannot make a deadline, do not come up with an “excuse” - being too busy is not acceptable - all lawyers are “too busy.” If you are given too many assignments to handle, the time to speak up is at the time the assignment is given to you, not three weeks later when it is due.

### **C. Be Courteous!**

It is imperative that you display a professional demeanor at all times. This does not mean that you have to “put on a smiley face” all the time. It *does* mean that you will treat everyone with respect, even those whom you don’t like. Let others finish speaking before you begin speaking. If someone is upset, don’t get drawn into the emotion of the situation - take some deep breaths and give yourself breathing space. Don’t resort to yelling, and watch your tone of voice, no matter how tense things get. Greet everyone you meet. Be pleasant, and don’t bring personal problems into the office. If you have a problem with someone, discuss it with that person, or your supervisor, in private. Be discreet, and don’t talk about others. Be someone that you would want to work around.

### **D. Be Professional!**

Being professional means more than just behaving properly in the office. It means doing everything suggested above. It also means conducting yourself with absolute integrity at all times by being honest and forthright in your representations to supervisors, co-workers, clients, opposing counsel and the courts. It means doing what you are asked to do, taking the initiative and being willing to look for solutions to problems without being asked. It also means taking full responsibility for your actions, regardless of the circumstances or consequences. Admit your mistakes immediately and take full responsibility for them without blaming others. Finally, it also means being willing and open to learning new things. This means being open to criticism, taking calculated, thoughtful risks, and then reflecting upon your actions so as to improve the next time around.

## **IV. WORKING WITH YOUR ON-SITE MENTOR**

### **A. Orientation**

You and your supervising attorney should set the tone for your Externship on the first day. You will be working for at least 14 weeks together, 40 hours per week, so it is important that you establish clear lines of communication and performance expectations up front. In addition, you should make sure that your supervisor covers the following topics during orientation. If not, be sure to ask about:

1. Office policies (including codes of conduct, ethics, chains of command, etcetera);
2. Schedule for weekly and daily meetings (staff meetings, attorney case meetings, your meetings with the supervisor, etcetera);
3. Your expected work schedule (time of arrival, where you will be expected to report, meetings that must be attended, etcetera);

4. Layout of the office, library, work stations of all people in the office (be sure to ask about which areas are off-limits, if any, or which have restricted use. Take care in asking if, for example, you have to keep track of photocopies for your department, etcetera);
5. Introduction to others in the office. If you are to have access to a secretary or will be working with other attorneys, be sure that introductions are made, and that time is set aside for you to talk with each of them during your first week so that you can get to know them and their particular role in the office;
6. Your work space, the resources to which you will have access, and what machines and resources you will be allowed to use and where they are located. Whether you will be provided with any equipment, what the expectations are for its use, etcetera;
7. Any identification badges, security clearances or codes that are necessary, keys to appropriate offices;
8. Establishing methods of effective communication. (See B., below for details).

## **B. Establishing Effective Communication**

During orientation, it is imperative that you and your supervising attorney meet to discuss the goals of your Externship, and the areas you wish to emphasize. For example, increasing proficiency in legal research, writing, client interviewing skills, courtroom skills, negotiating, policy making, and greater exposure to any substantive areas in which you may be interested. Make it clear to the supervisor what you would like to accomplish - if you want to obtain trial skills, state that you want to have as much courtroom exposure as possible, and ask how you both can set up the Externship so that you can make that happen. At this first meeting with your supervisor, it is absolutely critical that you clearly establish to your satisfaction the following details:

1. **Nature of Your Work:** The nature of the work you will be doing; types of cases, specific projects, and resources that are available to help you with that work, and assurance that you will be exposed to all phases of the cases or projects to which you are assigned, as appropriate;
2. **Communication:** Methods of communication with your supervisor. Does the supervisor expect formal weekly meetings or daily meetings? Will there be informal daily contact or should contact be at scheduled times? Is the supervisor willing to be interrupted any time you have a question, or does the supervisor wish you to set up a time to talk later in the day, send an e-mail or call? Make sure to clarify this. Additionally, it is extremely important that you ask whom you can contact in case of an emergency, should the supervising attorney not be available. For example, if you are in a situation where you are not sure if there is a conflict, who will help you decide?
3. **Quality and Type of Work Product:** Clarify the nature of the work product. Does the supervisor expect “finished product” quality, or are rough drafts appropriate? Are quick, oral responses sufficient in some cases? Quick written responses? Do you e-mail work

product with attachments? Make sure that you have a good idea of the type and manner of work product expected for each assignment. Remember, no matter how informal the work product, *make sure* it is professional-looking: spelling, grammar, punctuation and citation format must be impeccable!

4. **How Assignments are Made:** Make sure you have an agreement as to how assignments will be given, and how they are to be scheduled. Is the process going to be formal, such as a once-a-week case meeting. Or will the assignments be given on a less formal basis, such as being assigned a new one each time you finish the old one. Clarify who will be giving you assignments, and to whom you report. Make sure that you ask what you should do in case there is a conflict of assignments between attorneys. If you are unclear, make sure that you ask that the supervising attorney be the one to make the last call.
5. **Getting Feedback:** Be sure you set up a regular time for receiving feedback, *and* that you know how you will receive any informal feedback. For example, if you are asked to do a hearing, you might ask the supervising attorney for impromptu feedback on the spot, and more extensive feedback in a regular weekly meeting. Will the feedback be oral or written? Will it be given on each piece of work product? Be sure you ask the attorney how he or she will give you feedback, and discuss ways in which you learn best.
6. **Confidentiality/Conflicts:** Whether you are in a corporate, government, nonprofit or judicial setting, make sure you ask about confidentiality. It is critical that you understand the confidentiality constraints of the office, as well as any potential conflicts you may face. Likewise, you must ask how to proceed if you have a question about either of these issues. Ask about the office's conflict check system. Be sure that you understand the check system and how to use it. If you are clerking for a judge, it is crucial that you inform the judge immediately of any connection you have to any case or attorney that will come before the judge. In this situation, let the judge decide what action to take. Remember that confidentiality applies in all situations, whether a judicial chamber, corporate office or government setting.

## V. ETHICS AND PROFESSIONALISM

As a student Extern, you are bound by the Codes of Attorney Professional Responsibility within your jurisdiction, or the Code of Judicial Ethics if you are a judicial Extern. If you have even the slightest question about whether something is ethical, confidential, or a conflict, it is absolutely *imperative* that you immediately discuss it with your supervising attorney or judge prior to taking any action. If your supervising attorney is not available, you should seek out another attorney in the chain of command. If no one is available to assist you at the moment, do not take action until you have had the opportunity to discuss the situation with a supervisor. If you have a question about the ethics or professionalism of your supervising attorney, you should call your faculty supervisor for assistance as soon as possible, unless the placement has other rules of conduct which you are mandated to follow.

Regardless of whether the Externship setting is corporation, a government agency, public interest nonprofit or law firm, you should always ask for clarification from your on-site mentor regarding clients, or the constraints of confidentiality. If you are clerking for a judge, confidentiality is just as imperative. You should seek guidance from the judge or senior judicial clerk.

Finally, make sure that you are clear about the ethical and professional guidelines and expectations under which your particular office operates. If there are written policies, ask for a copy or make sure you know how and where to access them. It's important that you actually read and become familiar with them.

## **VI. WORKING WITH PLACEMENT SUPPORT STAFF**

No matter how diverse, all placements have support staff. Support staff will vary depending upon the size of the office. It can be as simple as having one person who handles all the tasks of secretary/receptionist/paralegal/accountant/investigator to highly specialized groups of people who occupy several floors in an office building. It is imperative that you immediately set the tone for working with the support staff. They can make or break your Externship and more importantly, your reputation. Support staff are the people who actually keep all law offices and courtrooms functioning. Without them, no lawyers could effectively do their jobs. You will find that, in many places, support staff have been there much longer than the attorneys. They frequently know much better than the lawyers how to "get around" in the courthouse, law libraries, administrative procedures in government agencies, how administrative proceedings function, filing procedures, library acquisitions and operations, title searches, etc. Drawing upon their vast experience, and knowing when and how to use it, is critical to your success.

Prior to any support staff introductions, make sure that your mentor first explains to you the support staff system, which people are responsible for which tasks, and to whom each person reports. Additionally, it is critically important that you have a clear understanding of how you are to use support staff help. Be sure to ask if you can go directly to a secretary or paralegal for help with projects, or if you first have to coordinate it through your supervising attorney. Ask to be introduced to all support staff with whom you will be working on your first day, if possible. Make a point to learn each person's name quickly. Take time to ask them about their jobs, and ask them questions about the most effective way to work with them, such as: "What is the most effective way for me to work with you?" or "How would you like me to handle work assignments?" or "How do you normally handle phone calls?" etc. Never tell a person what they are to do for you.

The same protocol goes for judges' secretaries, court personnel and judicial assistants. Frequently, those people become like family to a judge, and if you don't get along with them, or they perceive that you are hostile, haughty, or just plain don't like you, the person getting the pink slip will be you. A federal judge had a secretary who was renowned for her acid tongue, demanding nature, and for being an extremely effective "filter" for all those who wanted personal time with the judge. After a few weeks the Extern became exasperated and approached the judge, complaining that he couldn't work with the judge's secretary, as she was too "demanding and impatient." The Extern was dismissed the next day. Moral of the story: As an attorney or law clerk to a judge, you will frequently run across people you perceive as being difficult. If you don't learn the skills to deal with them, you will be the one to suffer.

Now is a good time to learn how to use your personal skills to find effective solutions and get what you need from difficult people, while maintaining your professionalism. The rewards will be great. By using the often extensive knowledge of support staff, and taking a little extra time to get to know them and be personable, you most likely will learn a great deal more than just legal skills. Your on-site mentor may be your most visible and direct teacher, but he or she is by no means your only one.

Some hints about working with Support Staff:

**A. Do:**

1. Take time the first day to find out every support person's name, the functions they perform in the office, how long they have worked there, how they like to receive assignments, and to whom they report.
2. Introduce yourself to each member of the support staff, and tell them that you are looking forward to working with them. Ask them if they can spare a little time up front to talk to you, tell you about themselves and their job, and how they envision working with you; the most effective methods to use, etc.
3. Say hello to them every day, and take a minute to find out how they are.
4. ALWAYS treat support staff in a courteous manner, regardless of how they treat you and regardless of how irritated you feel because of something they did or said or something you perceive is their "fault."
5. Always go through proper "channels" in assigning work. Make sure that you give clear instructions, clear expectations regarding deadlines, and that you always ask if the person has any questions about the assignment you have given them.
6. If you are having a problem with the support person, first talk it over with them. If you cannot seem to resolve it, or are not sure how to handle it, talk to your immediate supervisor right away. Don't let things fester. Always approach the situation by talking about your own behavior, using specific examples, and don't ever use accusatory language. For example: "I seem to have difficulty communicating with Susan. When I give her assignments, I don't get them back when I have asked. Do you have any suggestions as to how I can be more effective in talking to her about details I need to have done?" or "I am having trouble talking to Mary. I feel that there might be a little awkwardness. Last night when I gave him an assignment, he became impatient with me, and I feel like I might not be communicating well. Do you have any suggestions on how I should handle this?"
7. Always say thank you. Every day, after every project or thing they do for you. Even if they have not done any work for you that particular day, thank them again as you leave. It sets the tone for a professional relationship.
8. Give constructive feedback. Make it positive, and make it specific. That's different from being "gushy." You can say, "I liked the way you took care of the spelling and grammatical details for me in that memo - thanks for being so conscientious." Or "I noticed that there were some misspellings neither of us caught in this final draft. There also were some grammatical problems. Perhaps I will get memos to you one day earlier from now on so that we both have a little more time to review them before they are turned in."

**B.****DON'T:**

1. Ignore problems. If you sense a communication or attitude problem with a support person, wait for a relatively quiet moment, and ask if you can talk to them privately for a moment. If there is absolutely no space to talk, and you cannot get up and walk down the hall or outside, be sure you sit closely to the desk and speak so as not to be heard by others. Tell them you sense that there is some hostility, or a problem, and you want to find out how to better work with them, asking for suggestions or feedback. Take great care not to do this when others are likely to be listening or when the support person is busy.
2. Procrastinate discussing a problem with your supervising attorney. If you sense that a support person is hostile, or not doing assignments, or resisting working with you, and you have tried to talk to the person but received no results, ask to speak immediately with your supervisor. Don't be accusatory. As is pointed out above, use specific examples of the person's behavior and ask if there is a more effective method of dealing with the person. Odds are, if you are having problems, others may have too, and the attorney may be able to give you suggestions.
3. Jump to conclusions. Failure to complete a task by a certain deadline may not be due to the person's incompetence; it may be due to another attorney or law clerk jumping in line ahead of you on the work schedule. A perceived surly attitude toward you may be the result of a disturbing phone call from someone else, or an unpleasant reaction from another person, or some other circumstance of which you are unaware and which has nothing to do with you. Give the person the benefit of the doubt.
4. Raise your voice, or demand that something be done. Likewise, don't use accusatory language that will immediately make someone defensive.
5. Talk disparagingly about one staff person or attorney, to other staff. People ALWAYS talk. Always. And your words will always get back to you - except in distorted form. Being a professional means not gossiping at work, no matter how weird things get. Save it for when you get home. Be exceptionally discreet with friends and co-workers.
6. Go outside the "chain of command" for assignments. Just make it a habit to always ask a supervisor if you want to do something different, or if you want to ask another staff person to take over a project, or want to change a deadline. Also be sure to ask the staff if they can accommodate any change you want to make after it is okayed by the supervisor. If the staff person has a problem with your suggested change, discuss it and work with your supervisor to find a solution. Don't just tell the person it has to be done because the boss said so.
7. Rely on advice from a staff person regarding any legal matter, unless you are specifically instructed to do so by your supervising attorney. These are things you should always discuss on your first day with your on-site mentor. For example, "Can I have Charlie, the secretary, take me through the court filing procedures in the office, or is that something you would rather have an attorney do or do yourself?"

Taking a few minutes to establish relationships, and taking time to ask well thought out questions, will go a long way toward making your Externship an outstanding experience. Remember that your relationships with support staff will affect your relationship with your on-site mentor, can affect your professional life after law school, and will be excellent practice for your future role as a lawyer.

## **VII. WORKING WITH YOUR FACULTY ADVISOR**

Establishing a relationship with your faculty mentor is an important part of your Externship. Prior to leaving for your Externship, you should make an appointment with the professor, and prepare ahead of time a list of questions you have and things you want to discuss. The things you should have on your list include:

1. Set up a regular time for communication, and a regular method of communication, e.g., e-mail, telephone calls, etc.
2. Talk about your journal, and the kind of detail the faculty advisor wants to see, and most important, how to handle the confidentiality issues that may arise. Be sure that the faculty advisor has the name, address, telephone and e-mail for your on-site mentor, so that the professor can directly contact that person if need be.
3. Establish the frequency with which the advisor wants to review your journal entries, and the method the mentor wants to receive them. (If you are e-mailing the entries, make sure you each have compatible systems for doing so!)
4. Talk to the advisor about potential paper topics, and how you can work to develop them while you are on your Externship.
5. If a site visit is required (you will be notified by Assistant Dean Davis if the visit is required), ask if the advisor would like to meet with you during the site visit, and how much time the advisor envisions spending there, and if there are any particular appointments the advisor wants to have set up besides an appointment with the on-site mentor.
6. Ask what the advisor feels comfortable with re: problems you may have with your on-site mentor, with the placement, or with ethics and professionalism issues - how does the mentor want to handle it, or have you handle it?
7. Talk to your faculty advisor about goals for the Externship. Review the types of skills you would like to develop, or improve upon. During the advisor's site visit, and again at the end of the Externship, you will review these with your advisor to help monitor your progress.
8. During the Externship, make sure that you maintain regular contact with your faculty mentor. If you experience problems in doing so, contact Assistant Dean Libby Davis as soon as possible. You will be using your journal to record experiences and ideas for your paper, so be sure to discuss regularly the ideas you may have about development of

a paper topic, or enlargement of a topic that you may be working on in the Externship placement.

If applicable, make sure that you know when the faculty advisor will be arriving for your site visit, and that you will be in the office and available to meet with them at some point during the day. You and your on-site mentor should work together on the schedule for the professor to make the maximum use of his or her time. Be sure that you discuss with the faculty member ahead of time the work product the advisor will want to see and issues to discuss with you, and make sure that these are cleared with your supervising attorney. Don't spring any surprises on the faculty advisor. For example, if you are having problems with any aspect of the Externship, make sure that you have called to discuss it ahead of time so the professor can allocate the proper amount of time to deal with the issue and can come prepared. There is nothing worse than saving up all your problems for the one day your advisor arrives on the scene. The whole point of having a faculty advisor is so that you can talk about issues as they arise, *during* the Externship experience.

Toward the very end of your Externship, make arrangements to meet with your faculty advisor immediately upon your return. This is especially important if you are a fall Extern and want to graduate in the spring, as you must be making arrangements for turning in drafts of your Externship paper, *and* your final Externship report to the faculty advisor.

## **VIII. KEEPING A JOURNAL**

Each Extern is required to keep a detailed journal which will be reviewed weekly in your Externship classroom component, and on a regular basis by your faculty mentor. The journal is a very important part of your Externship, which you will use to describe your work, ethics and professionalism issues, your experiences, and your reactions and observations. You must keep the journal in readable form, and in a form which allows the faculty mentor to read it in increments. It must be sufficiently detailed to allow you to critically evaluate all aspects of your experience, both professional and personal. You do *not* need to be writing in your journal every day (and certainly not routine entries like "today I got to work, talked with the judge again, wrote a memo, had coffee, etc.). Instead, you should be writing thoughtful, provocative entries once or twice a week as suggested in Section B, below.

Reflection upon your actions, thought processes, strategies, and the behavior of others is an important part of the lawyer's ongoing learning throughout his or her professional life. Keeping a journal will greatly assist you in the learning process, as it compels you to record, observe, reflect upon, and critically evaluate your experiences. It greatly enhances your observation, reading and writing skills. Your recorded entries should include topics such as yours' and others' relationships with clients, relationships with lawyers, the judicial system, administrative agencies, things that both inhibit and facilitate communication, alternative dispute resolution, legislative advocacy and legislative procedure, government lawyers, the role of the lawyer in business, and the relationship between work and values.

### **A. Organization of the Journal**

Your entries should be chronological, with dates and entries clearly marked, and if they are handwritten, in legible form. If you do decide to hand write them, you should probably use a looseleaf binder with pages that can be removed. *Be sure to check with your faculty mentor first, before deciding on format!* If you are outside Oregon and cannot easily deliver handwritten pages, you will probably have to e-mail them as an attachment, so make sure that you and your faculty mentor have compatible systems and are in agreement as to the form.

You should keep your style informal - not in “legalese.” Write as a person. You will be noting personal reflections, your efforts to cope with learning new skills, communication issues with you and your on-site supervisor, etc., as well as professional activities.

## **B. Topics You Should Write About**

Issues will vary somewhat from Externship to Externship, but there are some issues all Externs need to make sure they record detailed observations and reflections upon. If you are in a judge’s chambers, or in a business setting, you still need to cover these topics:

1. **Goals for Your Externship**, your progress toward meeting them, if they change, how and why; frustrations, revelations, etc. in reaching them.
2. **Professional Responsibility and Ethics**: What are some issues that *could* arise in this setting, and why? How should they be dealt with? Are there some issues that have arisen? How have they been handled/not handled? What do you think should be done? Are there clear answers for some things? If not, why not, and how do you resolve problems that do not have clear answers? Are there examples of professionalism or lack thereof? What could have been done differently? How, if at all, did the behavior or could the behavior influence the outcome of the case, the client, etc.?
3. **Supervision and Feedback**: Reflect upon the supervision you are receiving. How does your supervisor give you feedback, both positive and negative? What do you find most constructive? What helps you the least? Reflect upon how you take criticism, and what motivates you best to improve. Talk about specific areas where you note you need improvement or where the supervisor notes it; ideas you want to talk to the supervisor about; areas where you want to ask for constructive feedback.
4. **Your Attorney Mentor**: What is your mentor’s work style? What seems to be effective or ineffective? Observe the mentor’s relationships with people. What are shortcomings and strengths? How does the mentor perceive his professional role? What does the mentor view as the most interesting, troublesome, challenging, rewarding areas of the job? Have any of the mentor’s views of those things changed over the time the mentor has been on the job?
5. **Your Observations About the Practice of Law**: How is the office organized regarding attorney staffing and the work that needs to be done? How are assignments handed out - are there case meetings? What kinds of systems are in place for conflict checks, time and record-keeping, case deadlines? What type of dialogue takes place between attorneys regarding substantive and procedural issues, e.g., is there a free-flowing atmosphere where discussions regarding cases and strategies take place in the hallway, or is it a more formal system? What seems to work best? How do attorneys do their work? Do they do all their own research and pleadings, or are documents and research done by others, then reviewed by the attorneys? What kind of oversight and supervision is there? What is the attorneys’ relationship with support staff? What is the office’s relationship with the outside legal community? What is the office’s reputation in the legal community? Are attorneys involved in outside organizations or activities? To what extent does any of that involvement complement or conflict with their practice? How is the actual practice of law different from that you have learned in law school? Do you

feel differently about it than you did when you entered law school? Than before your Externship?

6. **Professional Relationships:** What are your observations about the professional relationships between attorneys? Note the relationships between attorneys and their supervisors. What is it like between supervisors? Between attorney and support staff? Between attorney and client? Support staff and client? Between support staff? Between the organization's staff and the outside community, including courts, bar organizations and the general public, if applicable? Focus on written and oral communication, both formal and informal. Do people treat each other differently in different settings, and why?
7. **Substantive Work and Skills:** Write down actual things you do during the day and your reflections about it: meetings with clients, depositions, trials, court, legislative and administrative proceedings, drafting documents, participating in discovery, meetings with outside counsel, case meetings, strategy sessions, etc. Take care to note not only what happened, your part in it, and what you learned, but record what your feelings were about what happened. Were there things you thought should have or could have happened differently, and why? Were there legal issues that were left unresolved, or unmentioned, either purposely or accidentally? Were there examples of strategy that you felt were effective, and why?
8. **Mission, or Purpose, of the Organization/Agency/Business:** Look at the mission or purpose of the organization - does it seem to be fulfilling it, and why or why not?
9. **Workplace Issues/Diversity/Balance Between Law & Life:** Observe the diversity in the workplace, or lack thereof. What, if any, effect does sex, race, sexual orientation, national origin, etc, have on the work place environment? How are the people you work with different from you, and in what ways are they alike? How do you and others react to criticism in the office, even constructive criticism? What is the atmosphere like? Pay close attention to the balance people seem to bring (or not bring) into their professional and personal lives. (Between family and work, personal relationships and work, hobbies or interests and work, etc.) What do you observe about yourself and others? Are there things you can learn to bring into the workplace as a future lawyer? What are personal relationships like in and out of the office setting, and how are they affected by the work that is done?
10. **Skill Assessment:** Evaluate your own skills and abilities. What is your view of your strengths and weaknesses as a budding lawyer? In what ways does the Externship give you opportunities to improve your skills, weaknesses? In what ways doesn't it? What can you do to improve? What are your thoughts about the lifelong learning a lawyer goes through, and the new challenges that present themselves every day? What are the stresses of having responsibility for making decisions, either what you observe about yourself or what you see in others? What is it like when there is no one, definitive answer to a problem? How do you go about deciding which is the best approach to finding a resolution? What are your challenges in beginning a new "job" and the stresses related to starting out in a new environment? How do these challenges diminish as you become more familiar with your surroundings?

11. **Client Issues:** Give special attention to clients - whether in a corporate, law firm, court clerk or public interest setting. How do attorneys interview a client to get the best information? How is a case evaluated? What particular behaviors do you observe in the interactions between attorney and client? Are there things the attorney does to put someone at ease? Does the attorney respect the client's decision-making authority? What influences does the attorney have upon the client, and vice-versa?
12. **Other Issues:** If you are a judicial clerk, pay close attention to the interaction between attorney and client in the trial setting. How does the attorney communicate with his or her client during trial? How does the attorney portray the client to the jury? Pay close attention to opening and closing arguments, and direct examination of the client. Did the attorney establish rapport with the client? Did the questions elicit a seamless story with sufficient detail to match what the attorney told you would happen in opening statement? Do written motions and other pleadings effectively tell you what the client's issues are? Look at question 5, above. See what you can observe from the judge's point of view. How do attorneys treat the judge, and the judicial staff? What can you discern, if anything, about the judge's reputation in the legal community? Also, look at number 6, and record observations about the judge's professional relationships.

If you are in a business setting, or with an administrative agency, who are the "clients?" Department heads or executives? Who makes the decisions? What are the relationships like? Do you see any potential conflict issues arising?

If you are in a public interest, nonprofit agency, who are the agency's "clients?" What kind of relationship does the organization have to its constituents or clients? Is the organization accurately representing the needs of the "client community?" What methods are in place for communication between the two? What is effective/ineffective about it? Are there conflict issues?

### C. Important Ethical Considerations

Remember at all times that you are bound by ethical rules that apply to attorneys or judges, and these rules apply to all written, as well as verbal, forms of communication. Be careful not to include any attorney work product, client confidentiality, or case confidentiality information in your journal. Before you begin writing in your journal, on the very first day, talk with your on-site mentor about your journal, the necessity to keep some very specific details, and what may or may not be appropriate for recording in the journal. The information in your journal may or may not be considered confidential or work product, depending upon the circumstances. And be sure to let the on-site mentor know that your faculty advisor and clinical professors will be reading the journal as part of meeting your learning objectives. If any concerns arise, the on-site mentor should be encouraged to talk with your faculty advisor.

## IX. WHAT TO EXPECT WHEN YOU RETURN

- A. **Meet With Your Faculty Advisor.** When you return from your Externship, you should set up a meeting as soon as possible with your faculty advisor to begin work on the draft of your Externship paper and to discuss a schedule for completion. At this time, you will also review the goals of your Externship and analyze how successful you were in meeting them, as well as analyzing your skill development, using the Self-Assessment Form.

**B. Prepare a Final Report.** As part of your Externship, you are required to write a short final report (no more than five pages) which will serve as an evaluation of the Externship, which should be turned in to Assistant Dean Davis. You should use the reflections in your journal to help you in preparing your report. Give consideration to the positive and negative aspects of each category, and ways that you believe it could have been made better. You are expected to address each of the following issues:

**1. On-Site Mentor Supervision**

- a) How often did you meet with your supervisor?
- b) Describe the process the supervisor developed for giving you assignments, and then following up on them.
- c) What type of feedback did you receive? What was effective? What was ineffective, and how could it have been improved?
- d) Describe the characteristics of the supervisor, giving some specific examples. Reflect upon both positive and negative experiences you had with the supervisor, and describe what made the experience positive or negative.

**2. Faculty Advisor**

- a) How often did you communicate with your advisor during the Externship?
- b) What was productive about the communication and the relationship in general?
- c) What suggestions do you have for improvement?
- d) How, if at all, do you believe Externs benefit from having a faculty advisor? Are there things you would have an advisor do differently? Are there things your advisor did not do that you feel you would have benefitted from?

**3. Experience**

- a) Were your goals for the Externship met? Be specific about why and why not.
- b) Describe the quality of your learning experience paying particular attention to the following:
  - Were the projects challenging, were there a variety, was it manageable?
  - Your relationships with other staff, including attorneys.
  - Your relationships with clients and court or agency staff, or corporate personnel.
  - Your physical space in the office (e.g., did you have a separate office, enough space to work, etc.)
- c) Give specific examples of the major advantages and disadvantages of an Externship in this placement?

- d) Reflect upon the classroom component. Given the fact that there is only seven hours scheduled for the classroom component prior to leaving for your Externship, and seven upon your return, what would you like to see emphasized? What suggestions do you have for improvement of class content and structure?
- e) Is this a placement that you would recommend to other students? Give some specific reasons why or why not.

**C. Attend the Final Classroom Component.**

Spring and fall externs will be required to complete 2 additional classroom hours upon your return (depending upon the number of hours attended the previous semester or during the Externship) During the class, you will be expected to report on the nature of your Externship, what you learned, discuss the goals you set, and talk about issues of professionalism, ethics, supervision, and other aspects of your Externship with outgoing Extern. Consult the TWEN web site for your classroom component dates and make sure they are on your calendar. Failure to attend the final component can put you in danger of not receiving credit for the classroom component.

**D. Arrange a Final Debriefing Interview with the Externship Director**

As soon as you return to the campus, you should arrange a short appointment with Assistant Dean Davis to discuss the overall aspects of the Externship, with an eye toward recommendations you would make for sending additional Externs to the placement, suggestions for improvement of faculty/on-site mentor supervision, overall structure of the program, and whether or not your specific goals were met.

**X. FINAL THOUGHTS**

Be sure to keep your address and telephone information current with Assistant Dean Libby Davis. You should be checking your e-mail regularly. If you want to participate in Fall On-Campus Interviewing, or in the Spring sessions, be sure that you make arrangements with the Assistant Dean ahead of time. Most likely, such involvement will not necessitate you returning to campus for an interview. If any problems arise, contact Libby Davis or your faculty advisor immediately. And remember, this is a learning experience; you should seek out every opportunity to expand your practical and analytical skills, and get to know the local legal community, as well as having a good time and enjoying the social aspects of your Externship.

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