

Judicial Externship Program

**MANUAL FOR STUDENTS
AND SUPERVISORS**

Fall 2009

Feinstein Institute for Legal Service
Roger Williams University School of Law

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Externship Program Requirements

The Judicial Externship Program provides an opportunity for students to work in a judicial setting for academic credit. Students are required to work approximately two full days (180 hours/semester) each week at their placements and to take the Judicial Process and Ethics Seminar. Students receive two graded credits for the seminar and three ungraded credits for their fieldwork. The program is one semester. This manual describes the educational objectives of the program and the course requirements. Planning and evaluation forms for use in the program are attached as *Forms A-G*.

I. Educational Objectives for Students

A. To learn the process of judicial decision-making

Student will:

- learn about the function of the particular court
- think about the management and administration of the court system
- evaluate the role of judges and courts in administering justice and resolving disputes
- evaluate the litigation process from the perspective of the judiciary

B. To develop a sense of professional responsibility

Student will work to understand:

- The Code of Judicial Conduct and its application within the judiciary
- The Rules of Professional Conduct and their application to the legal work students observe
- The complexity of the application of ethical rules in the real world setting

C. To develop legal skills

Student will:

- Refine research skills
- Refine writing and analytical skills
- Think critically about law from perspective of the judiciary
- Develop ability to communicate effectively about legal theories
- Develop ability to perform role of the decision-maker

D. To develop the skills required to become a reflective lawyer by engaging in self-directed learning

Student will:

- Set learning goals for the work experience
- Decide how best to achieve goals (design experiences in conjunction with judge to help to accomplish those goals)
- Communicate professional goals to judge
- Learn from each experience (observation, research task, writing assignment)
- Engage in continual self-evaluation, critique, and reflection about experiences

E. To develop a productive working relationship with a judge

Student will:

- Plan for supervision meetings
- Learn to get useful feedback
- Take responsibility for ensuring supervision
- Become a collaborative practitioner by learning to work with, and learn from, others

F. To gain insight into the legal system

Student will think critically about the following issues:

- Fairness and justice within the legal system
- Mission of the particular court and whether or not it is being accomplished
- Bias in the legal system
- Lawyer's role within the system
- Constraints upon the judiciary

II. Self Evaluation/Learning Goals

Each student will be responsible at the beginning of the semester for determining goals for the judicial externship. Each student should think carefully about the following:

- Why student chose to do an externship
- Why this particular court (state or federal, trial or appellate)
- What student hopes to learn from the externship
- What strengths student brings to the work
- What areas will be challenging for the student
- Ways to overcome the obstacles to the student's learning goals
- How best to achieve the student's learning goals

After a thoughtful examination of the above issues, each student should develop a goals memo addressing the issues by using the criteria attached to the end of this memo. Students should think broadly about their educational and work experiences to date, and should try to build upon prior experiences. Each student will discuss the goals memo with the Feinstein Director prior to discussing it with the supervising judge. (See **Form B**)

Each student should meet with his or her judge during the second week of the placement to discuss the student's goals and the types of experiences that might help the student to achieve those goals. The student and supervisor should together discuss a plan for the student which will include specific experiences designed to maximize the student's learning. This plan should be as concrete as possible and should consider all available learning opportunities for the student within the worksite (i.e., weekly staff meetings, oral arguments, significant trials to observe, professional development seminars, a variety of writing assignments designed to expose the student to a range of work within the court, etc.).

III. Student Responsibilities

A. Self-Directed Learning

This program is designed to teach students to be reflective lawyers and to facilitate their own learning. The student is responsible for setting workable goals for externship and designing, together with the judge, a realistic plan to achieve those goals.

B. Planning for Supervision Meetings

The student is required to meet with the judge on a regular basis and to set an agenda for supervision meetings. That agenda may include the following:

- Feedback on past assignments, written work, or other extern activities
- Questions about memos or decisions being drafted;
- Questions about court observation or observation of other activities; or
- Ethical or professional responsibility issues

C. Professional Conduct and Confidentiality

Students are responsible for reading, understanding and complying with:

- Rhode Island Supreme Court Rules of Professional Conduct
- Rhode Island Supreme Court Code of Judicial Conduct

Students are responsible for talking to their judges about all confidentiality rules within chambers, and for complying with them at all times.

****Students are also responsible for completing a Conflict of Interest Form and reviewing it with the supervising judge with the first week. This form must be signed by the judge and given to the Director at the first meeting (see *Form G*).**

D. Meeting with Feinstein Director

Each student is required to meet with the Feinstein Director four times during the semester. The first meeting will take place at the beginning of the semester to review the student's goals memo. The second meeting will be to review the student's mid-semester self-evaluation prior to the meeting with the judge. The third meeting will take place at the placement site for the mid-semester evaluation with the judge. A final meeting will take place at the end of the semester to review the student's accomplishments and reflect on the learning experience that has taken place. The Feinstein Director is available to meet with students more frequently should any issues arise.

E. Work Guidelines

Students are required to work approximately two full days each week (180 hours/ semester) and should set a prearranged schedule with their judges. Students must comply with the judge's requirements. Students are required to fill out the Externship Information and Schedule Form and provide it to the Feinstein Director at their first meetings. Students are responsible for keeping this schedule each week and for contacting their judge *in advance* if illness or an emergency prevents them from being at work on a given day. (See *Form A*)

F. Externship Time Log

Students are responsible for keeping a weekly log of their hours. At the end of the semester, students must submit a complete copy of the time log for the entire semester to the Director of the Externship Program. The final time log submission must be signed by both the student and supervising judge. Students are required to work a total of 180 hours over the course of the semester. (See **Form F**)

G. Reflection and Self Evaluation

1. Mid-Semester Self-Evaluation

Students are required to complete a mid-semester self-evaluation regarding their progress and development. This evaluation will be reviewed by the Director and student *before* it is provided to the Judge. Each student is responsible for giving a copy of the self-evaluation, after it has been approved by the Director, to the Judge at least two days in advance of the mid-semester meeting. The Feinstein Director will then meet with the student and Judge at the placement site to review the evaluation and the student's progress to date. (See **Form C**)

2. Final Evaluation

The supervising judge will prepare a written evaluation of the student at the end of the semester. The judge and student will then meet for an exit conference at the end of the semester which the Feinstein Director will not attend. (See **Form D**)

3. Evaluation of the Placement

Each student will complete a final evaluation of placement which will be available for other students to read when choosing externship placements. (See **Form E**)

H. Online Research Tools

Students are *not* permitted to use their Westlaw or Lexis student passwords for work in their field placements. In general, the law school's contracts with Westlaw and Lexis prohibit the use of educational passwords for use in connection with any externship, internship, or employment. Students *are* permitted to use their student passwords for the research papers they are required to write for seminars, but *not* for the actual legal work in the placements. Instead, students should use the research tools and/or online research database available for use in their court or placement and should use whatever password provided by the placement. Students *are* permitted to use LOIS-the Law Office Information System, which is accessible through the web at www.loislawschool.com. Students will be provided with an access code from the reference librarians.

IV. **Role of Judges**

A. Orientation

Each office should provide students with an orientation about the mission of the court, the policies and procedures of the workplace, the resources available for legal research, and confidentiality. Students should be instructed about rules for maintaining confidentiality of information, documents, and files; whether or not students may take work away from the office; and any other confidentiality rules particular to the individual chambers.

Students should be provided with any training materials or list of suggested readings designed to orient the student to the court.

The student and judge should work out a schedule designed to maximize the student's exposure to different activities in the office (oral arguments, meetings with full-time clerks, etc.)

i. Goals Memo/ Semester Plan

The students are responsible for thinking carefully about their goals and objectives for this experience. Students should share their learning goals with the judge to determine whether they can be achieved and how best to achieve them. Students should work together with the judge to design a plan for the semester.

ii. Guidance, Feedback and Critique

Regular supervision is an essential component of the externship experience. The externship program offers a unique opportunity for students to sit down with a judge on a weekly basis to review written work and receive insight and critique about the judicial or lawyering role. The judge's role in teaching the student and serving as a mentor is perhaps the most valuable part of the externship experience. Students benefit greatly from receiving prompt written feedback after each assignment to help them improve the next writing project.

iii. Formal Evaluation and Mid-Semester Site Visit

In addition to regular supervision meetings, judges will evaluate students formally both in the middle and at the end of the semester. For the mid-semester evaluation, students will complete a written self-evaluation at the placement site. The supervising judge will have an opportunity to provide oral feedback on the student's self-critique at this meeting, but will not provide a written evaluation at this time. The purpose of this meeting will be to address the student's learning goals and semester plan; to discuss the student's progress to date; and to plan for the second half of the student's semester. The student must provide this self-evaluation to the judge and the Feinstein Director in advance of the meeting.

Prior to the end of the semester, the judge will complete a written evaluation of the student. The judge and student will then meet for an exit conference to review the evaluation and the student's progress. The Feinstein Director will *not* attend this meeting. After the exit conference, the judge should forward a copy of the evaluation to the Feinstein Director.

Students are not graded on their fieldwork. Judges are encouraged to be as honest as possible with both positive and negative feedback so students can learn as much as possible from each experience. **Any significant performance (including attendance) issues should be discussed with the Director as soon as possible. Please do not wait until the mid-semester site visit.**

V. Role of Feinstein Director

The Externship Program is administered by the Feinstein Director. The Director's role is to design and coordinate the overall educational program, supervise students and placement to insure that all students are receiving a high-quality educational experience; meet with students to discuss their learning goals and semester plan; participate in a mid-semester evaluation with student and supervisor at the placement site; review final evaluations by student and supervisor; and to be available to meet with supervisors or students at other times during the semester to resolve any issues that may arise. The Feinstein Director should be contacted promptly by any supervisor who is concerned that a student is not meeting placement or program requirements.

VI. Seminar Component

Students in the Judicial Externship Program are required to register for the Judicial Process Seminar taught by Judge William E. Smith and Professor Kathy Thompson. The seminar meets Thursday evenings from 6:00-8:00 p.m. in Providence. Students receive two graded credits for this seminar.

VII. Academic Credit

In addition to the two graded credits for the seminar, students receive three ungraded credits (pass-fail) for the fieldwork component of the program. Students are not permitted to receive any compensation for their fieldwork.

If you have any questions about the requirements of the Externship Program, please contact Laurie Barron, Executive Director of the Feinstein Institute for Legal Service, at (401) 254-4653 or at lbarron@rwu.edu.

*The pedagogical design of this program and manual were developed with assistance from the following sources: J.P. Ogilvy et al., Learning from Practice: A Professional Development Text for Legal Interns (West Group, 1998) and Papers Presented at the Catholic University Law School Symposium on "Developments in Legal Externship Pedagogy", 5 Clinical L. Rev. 331 (1999).

Professor Cindy R. Slane, Director of Field Placement Programs at Quinnipiac University School of Law, and Professor Harriet N. Katz, Director of the Externship Program at Rutgers-Camden School of Law, also provided valuable materials and insight.

Forms

A-G

For your convenience, these forms may also be downloaded from our website:

<http://law.rwu.edu/sites/files/externships/judicial.aspx>

These forms may also be sent via email to Laurie Barron,
Executive Director of the Feinstein Institute for Legal Service, at lbarron@rwu.edu

Externship Information and Schedule

Student Name:

Student Phone Number:

E-mail:

Supervisor:

Supervisor's Phone Number

E-mail:

Placement:

Address:

Day and Hours of Externship:

(Day)

(Hours)

(Day)

(Hours)

**Best Day/ Time to Meet with Feinstein Director at RWU School of Law:
(Monday, Wednesday, or Thursday only)**

Driving Directions to Placement:

Comments:

Goals Memo

*This form should be filled out and submitted to the Director of the Feinstein Institute at your first meeting. This form does not need to be shared with or signed by your supervising Judge. However, this form may act as a useful guideline to you as you approach the Judge to discuss your goals for the program at the beginning of the semester.

Topics

- I. What are your learning goals for this semester?
Please be concrete. Rather than stating “I want to improve my research and writing,” please be specific about exactly which areas you want to improve.
- II. In what way do these goals build upon your prior experience?
- III. When your research and writing has been critiqued in the past, what is the general critique?
- IV. What strengths do you bring to this externship?
- V. What areas of this externship will be most challenging for you? What obstacle can you identify that might interfere with your ability to achieve goals?
- VI. How do you plan to deal with the challenging areas or obstacles? (Please be concrete)
- VII. In what ways can your supervisor help you to overcome these obstacles?
- VIII. Please list all classes and outside activities, jobs or commitments that you are involved in this semester?

I have reviewed my goals with my supervising judge.

Student

Signature: _____

Date: _____

Comments/ Suggestions from the Judge:

Books/Articles I should read for background information:

Plan for the Semester (as I understand it):

Plan for my supervision with my supervising judge:

Weekly meetings with full-time clerks (can you participate?):

Mid- Semester Self- Evaluation

Student:

Court:

Judge:

Date:

This form should be completed by the student and reviewed by the Director before it is shared with the Judge. Each student is responsible for providing a final copy of the self-evaluation to the Judge and Director at least two days before the mid-semester meeting. Please do not write on this form. If you have downloaded this form and wish to return it by e-mail, please send it to the Director, Laurie Barron, at lbarron@rwu.edu.

- I. Description of Work Performed (Please list all written work without identifying information)
- II. Learning Goals are/were:
 - A. Goal One was:
What have you learned?
 - B. Goal Two was:
What have you learned? (Please continue for as many goals as you had identified.)
- III. What have you learned, if anything, that you did not expect to learn?
- IV. Written Work (Focus on your ability to write clearly; ability to analyze factual issues; ability to analyze legal issues; research ability; and ability to write persuasively where appropriate)
- V. Professional Responsibility and Ethics (Focus on your awareness of ethical issues, understanding of confidentiality obligations, relationships with court personnel)
- VI. Responsibility / Timeliness / Organization (Focus on your judgment with respect to prioritizing work, efficiency, organization and deadlines)
- VII. Ability to seek and use supervision effectively (Focus on your ability to plan for supervision meetings, to seek meaningful feedback, to incorporate feedback into next project, to seek guidance when appropriate, and to develop effective supervisory relationship with your Judge)
- VIII. What has been your most meaningful learning experience?
- IX. What has been your greatest challenge?
- X. Summary of Performance (Focus on your overall achievement within the workplace to date, plans for continuation of learning process; areas where you feel confident, areas where you need to improve)
- XI. Is there any way for your learning experience to improve? If so, how? And what can you do the make that happen?
- XII. Plan for second half of semester to achieve goals

Final Evaluation of Law Student Extern
(to be completed by Supervising Judge)

Student:

Court:

Judge:

Date:

This form should be completed by the supervising judge, shared with the student prior to a final meeting between student and judge, and then provided to Laurie Barron, Director of the Feinstein Institute for Legal Service, Roger Williams University School of Law, Ten Metacom Avenue, Bristol, RI 02809, by **Friday, December 4, 2009**. If you have downloaded this form and wish to return it by e-mail, please send it to Laurie Barron at lbarron@rwu.edu.

Please provide a written evaluation of your law student with respect to the following categories. A narrative is fine. Please do not write on this form.

- Summary of work performed
- Research, writing, and analytical skills
- Oral communication skills, ability to present legal ideas and concepts clearly
- Professional Responsibility issues/ understanding of confidentiality
- Responsibility in meeting deadlines
- Ability to seek and use supervision effectively/ incorporate feedback into next project
- Summary of overall performance (student's strengths & areas for continued work)

Signature of Judge

Signature of Student

Date

Final Evaluation for Judicial Externship
(to be completed by Student)

Student:

Court:

Judge:

Date:

This evaluation must be typed. Feel free to write a narrative as long as you cover each area. Please use a separate page (or pages) and write your name and the name of the court on each page. If you have downloaded this form and wish to return it by e-mail, please send it to Laurie Barron at lbarron@rwu.edu.

1. Nature of assignments
2. Types of legal issues
3. Inclusion in other activities in chambers? (conferences, meetings with clerks, etc.)
4. Amount of work
5. Amount and quality of supervision and feedback
6. Expectations of student (what were they, and were they fulfilled?)
7. Any special requirements for this externship (time commitment or other requirement?)
8. What was valuable/ educational about this externship? What did you learn? What skills did you gain?
9. Any way to improve this externship experience?
10. Anything else students considering this externship should know?

This evaluation may be shared with other students: yes no

Other students may contact me about my experience: yes no

My email address is _____

Externship Time Log
Fall 2009

Student Name:

Court:

Judge:

You are required to work a minimum of 180 hours over the course of the semester in order to receive credit for your externship. Please keep an accurate log of the hours worked each week. This obviously does not include travel time or lunch. 180 hours over the course of a 15-week semester is approximately 12 hours each week. I anticipate that most of you will work 2 full days a week at your placement (recommended time). Please give a very brief description of the types of activities you engaged in each week (i.e. court, research, drafting). Do not include any case names. A complete copy of your time log for the semester, signed by you and your supervisor, must be submitted to Laurie Barron, Director of the Feinstein Institute, at the end of the semester.

Example

<u>Week X:</u>	M	T	W	Th	F	<u>Weekly Total:</u>
<u>Hours:</u>	8	8				16
<u>Activities:</u>	Court Observation; Research					

.....
August:

Week 1 (08/24/09): **M** **T** **W** **Th** **F** **Weekly Total:**

Hours:

Activities:

Week 2 (08/31/09): **M** **T** **W** **Th** **F** **Weekly Total:**

Hours:

Activities:

Total for Month:

September:

Week 3 (09/07/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 4 (09/14/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 5 (09/21/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 6 (09/28/09): M T W Th F Weekly Total:

Hours:

Activities:

Total for Month:

Total to Date:

October:

Week 7 (10/05/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 8 (10/12/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 9 (10/19/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 10 (10/26/09): M T W Th F Weekly Total:

Hours:

Activities:

Total for Month:

Total to Date:

November:

Week 11 (11/02/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 12 (11/09/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 13 (11/16/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 14 (11/23/09): M T W Th F Weekly Total:

Hours:

Activities:

Week 15 (11/30/09): M T W Th F Weekly Total:

Hours:

Activities:

Total for Month:

Total to Date:

Supervisor Signature

Date

Student Signature

Date

Conflict of Interest Form

NAME: _____ PHONE: _____

ADDRESS: _____

E-MAIL: _____ EXTERNSHIP PLACEMENT _____

The purpose of this form is to determine if there are any real or potential conflicts of interests which could interfere with your placement. Please describe here any personal or professional relationships or other circumstances that may create either an actual conflict of interest or the appearance of a conflict through participation in the Judicial Externship Program.

1. Have you ever volunteered or worked at a law firm, legal services office, government agency or with a judge?

[Yes] [No]

2. If yes, where have you worked? (List **all**, starting with most recent. Give dates and locations.)

3. On what types of cases did you work at each location? (Do not include case names.)

4. Are you presently employed or volunteering at any offices listed in Question #1 or are you planning on being employed or volunteering at any office during the semester?

[Yes] [No]

5. If yes, where are you (or will be) employed or volunteering?

6. On what types of cases are you presently working? (Do not include case names.)

