



**AGENCY EXTERNSHIP
2023 Fall Semester**

**COURSE RESOURCE
HANDBOOK**

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I. INTRODUCTION

General Information Re Externship Programs at USD Law School

The University of San Diego School of Law is committed to developing students' practical legal skills, including written and oral advocacy, client counseling, and case management. Through the law school's practical skills training programs, including academic courses, interscholastic competition, clinical education, and field placement externship opportunities, the law school bridges the gap between (i) courses in legal theory and (ii) the practical skills and experience students need to become effective and successful lawyers.

The USD Field Placement Program offers externship placements in the following externship programs: Agency, Corporate Counsel, Corporate Tech, Intellectual Property, Judicial Externship, Law Firm Externship, and the Washington, D.C. Externship. These placements include law offices in government and nonprofit organizations, corporate legal departments, federal and state courts, and Washington D.C. federal government and nonprofit organizations. Students train under experienced attorneys, judges, and professors, learn professional responsibility and legal ethics in the real world, and build their professional network. USD's externship programs also include opportunities to provide a public service that instills in student externs a deep sense of social responsibility and a commitment to pro bono service.

Agency Externship: General Information

The Agency Externship program includes a ***work component*** and an ***online academic coursework component***. Students work at externship placements for academic credit while enrolled in an Agency Externship course under the supervision of a USD faculty member.

Work Component

The work component provides students with opportunities to gain hands-on practical legal experience at government law offices in civil and criminal areas of the law, nonprofit organization law offices, and corporate legal departments. The work experience enables students to engage in a wide range of lawyering skills. The student externs are assigned to work in a legal setting under the supervision of experienced licensed attorneys. The on-site field placement attorney supervisors play a critical role in the student's educational experience. They assist student externs with understanding the professional responsibilities associated with working as attorneys and with representing clients. They also provide effective feedback on students' written and oral work products.

Online Academic Coursework Component (including writing requirements)

The online academic coursework component of the Agency Externship courses is offered through the online Blackboard system. The coursework component includes weekly online assignments consisting of journals, discussion boards with reading assignments, and is supervised by a USD law professor. The faculty supervisor has regular contact with students through Blackboard. As faculty supervisor, the professor will (i) assign, monitor and comment on student work posted online, (ii) correspond with the students individually and as a group, and (iii) review and enter scores in Blackboard for student journals, discussion board postings, as well as the two final assignments--work product (produced for the externship placement) and final paper (assigned by the faculty supervisor). The faculty supervisor also will establish contact with each student's on-site placement attorney supervisor and communicate with the supervisors about the student's externship performance.

Learning Outcomes

The goal of the Agency Externship courses is to enable law student externs to achieve the established Learning Outcomes set forth in the next section of this Manual. These Learning Outcomes were established in accordance with the American Bar Association (ABA) standards applicable to law school field placement programs.

Externship Written Understanding of Field Placement Externship Program

In accordance with the required ABA standards, this Course Resource Handbook provides a written understanding among the students, faculty member, and persons in authority at the field placement. The purpose of the Handbook is to provide an understanding of the: (A) substantial externship lawyering experiences and opportunities for performance, feedback and self-evaluation; and (B) the respective roles of faculty and any site supervisor in supervising the student and in assuring the educational quality of the experience for the student, including a clearly articulated method of evaluating the student's performance. The faculty supervisor will provide an Externship Written Understanding (EWU) document for approval to supervisors of each newly approved placement and to all first-time externs.

II. USD FIELD PLACEMENT EXTERNSHIP PROGRAM INFORMATION AND SUMMARY OF AGENCY EXTERNSHIP

A. What is the Field Placement Externship Program?

The Field Placement Externship Program allows students to perform externship legal work for academic credit under the supervision of an attorney, or an individual otherwise qualified to supervise, at approved placement sites. In addition to working at a placement site, students must enroll in an externship course (graded on a pass-fail basis) designed to enhance the placement experience. Students have numerous choices to perform externship work at a wide variety of employers and in a range of practice areas. Field Placements are available for the following:

- | | |
|------------------------------------|---|
| ▪ Agency Externship | (work at a government agency or nonprofit organization law office) |
| ▪ Corporate Counsel Externship | (work at corporate counsel law department) |
| ▪ Corporate Tech Externship | (work at local law firms/companies for technology companies) |
| ▪ Intellectual Property Externship | (work for law firms/companies for individuals, tech & media companies) |
| ▪ Judicial Externship | (work at a state or federal court for a judge) |
| ▪ Law Firm Externship | (work for a private law firm) |
| ▪ Law Firm Specialty Externship | (work for a private law firm) |
| ▪ Washington DC Externship | (work for a gov't., public interest, non-profit trade agency, or judge in DC) |

B. How Do I Find a Field Placement for an Agency Externship Opportunity?

Students secure their own externships, drawing from the field placements on the law school's Approved Placement List. Alternatively, students can create their own externships, subject to faculty approval of the placement. The approved placements offer work in many different areas, including criminal and civil law, local government, civil rights, consumer protection, employment, environmental, health, housing, family, education, and regulatory matters.

Students should begin the process of locating an externship by searching in the Externship tab in the law school's #HireUSDLaw online tool. (#HireUSDLaw is an online recruiting tool maintained by the Office of Career and Professional Development. #HireUSDLaw provides students with easy access to job listings, recruiting programs, job fairs, professional networking, mock interview programs and calendar.) Externships posted in #HireUSDLaw generally will provide information on applying to that placement site. Students are urged to meet with an advisor in the Office of Career and Professional Development for assistance in identifying appropriate externship opportunities and to learn the process for seeking faculty approval of a placement not currently on the Approved Placement List.

C. I Found a Field Placement for Agency Externship, What's Next?

If a government or nonprofit organization law office has accepted a student into an agency externship placement, and the student meets the eligibility requirements, the student needs to complete the online Field Placement Form and submit it online to the Office of Career and Professional Development. The Field Placement Form for Agency Externship is located at the following site: [Agency Externship form](#). If approved, the Office of Career and Professional Development will send you an email confirmation, which you will then need to forward to the Registrar's office to enroll for the Agency Externship course. Be sure to do this during the registration period set by the Registrar's office to obtain academic credit.

D. Summary of Agency Externship

The Agency Externship (AE) Program, which includes the AE I and II levels, provides students the opportunity to gain valuable legal experience for academic credit on a pass/fail basis with a government agency or non-profit organization law office. Students who previously never participated in AE are considered first-time externs at level I in the AE course. Students who previously participated in AE are considered repeat externs at level II in the AE course. Students may enroll in the Agency Externship Course for 1 - 6 units of credit and must complete sufficient externship hours during the "academic session" for a minimum of 50 hours per credit. For purposes of the Agency Externship, the "academic session" is from the official start of classes to the law school's last day of final exams. Any externship work outside this time period may be counted towards pro bono hours, but not towards academic credit.

The number of credits shown below require the total number of externship hours indicated, as follows:

1 credit-50 hrs/ 2 credits-100 hrs /3 credits-150 hrs / 4 credits-200 hrs / 5 credits-250 hrs / 6 credits-300 hrs

1. Eligibility Requirements for an Agency Externship

Law students, who are at the 2L and above level, may participate in an externship. Students must be supervised by an on-site licensed attorney, or an individual otherwise qualified to supervise legal externs, at the placement site. The faculty supervisor for the externship course will closely monitor and regularly correspond with students throughout the Fall Semester. The faculty supervisor, who oversees the course in Blackboard, provides students weekly assignments, reviews and scores their posted answers to the assignments, corresponds with on-site placement attorney supervisors, and determines course pass-fail grades.

2. Course Requirements

The Agency Externship course consists of a work component and an online academic coursework component, which includes writing requirements. Academic coursework requirements include the following: (i) mandatory orientation for first time participants; (ii) biweekly journals that summarize work performed; (iii) discussion board forums on legal practice topics; (iv) a three-five-page reflective paper at the end of the course; (v) a work product for professor review; and (vi) a performance evaluation completed by the on-site supervisor showing satisfactory completion of the externship work experience. Please see the Course Syllabus for a full description of the course requirements.

3. Pro Bono Service Recognition

Students working at an Agency Externship placement may end up working more hours than what is required for them to earn their academic credit for the course, or they may work for the placement outside the “academic session” period (see Section D, second paragraph above). For example, a student who is enrolled for 3 credits in the Agency Externship course is required to complete at least 150 externship hours during the academic session. If that student completes more than 150 hours, the student may apply to have the extra hours counted as pro bono legal services and go towards the law school's Pro Bono Service Recognition program. Information and forms about the Pro Bono Service Recognition's Policy and Process may be found at the following link in the law school's website: [USD Law School Pro Bono Recognition Program](#)

III. AGENCY EXTERNSHIP LEARNING OUTCOMES

The Agency Externship program is designed to produce the following five learning outcomes for students based on their externship work/activity experience:

1. Legal Skills. The enhancement of *legal skills*, including legal research, legal analysis, and legal writing such as drafting research memoranda, opinion letters, agreements/contracts, motions, complaints, answers, trial, appellate briefs, bench briefs, etc.
2. Attorney Skills. The development of *attorney skills*, including legal interviewing, negotiation, factual investigation, discovery, pre-trial & trial procedures, strategy formulation, organization & management of legal work, and any other skills helpful to an attorney's competent practice of law.
3. Oral Advocacy Skills. The development of *oral advocacy skills*, including participation in, and/or observation of, legal proceedings such as depositions, hearings, motions, trials, appellate arguments, administrative hearings, or any other activity that helps improve oral advocacy skills.
4. Exercise of Good Judgment/Problem Solving Skills. The enhancement of the *ability to exercise good legal judgment and effective legal problem-solving skills* in connection with the externship work assignments performed at the field placement.
5. Legal Professionalism & Civility. The development of *high standards of legal professionalism & civility* based on the observations of and interactions with legal professionals during the externship experience.

IV. AGENCY EXTERNSHIP COURSE SYLLABUS – 2023 Fall Semester

A. COURSE DESCRIPTION

The Agency Externship I and II courses each offer academic credit of 1 to 6 credits on a pass/fail basis to student externs. Students who never participated in an Agency Externship (AE) must enroll in AE-I, and students who previously completed an AE course must enroll in AE-II. Although there are two AE courses, these two courses are consolidated into one AE course in Blackboard. This AE course consists of the following two components:

1. **Work Component.** Externship legal work/activity at a law school approved field placement (a governmental agency or non-profit organization law office) under the supervision of a field placement attorney.
2. **Academic Coursework Component.** (Supervised by the Faculty Supervisor):
 - a. Externship Orientation: For first-time externs only (see Section C.2. below).
 - b. Blackboard Weekly Assignments: Journals/Time Logs & Discussion Board Forums (with required reading).
 - c. Final Assignments: Work Product (produced at placement) and Final Paper posted on Blackboard.

[IMPORTANT NOTE: Commencing Fall 2023, the Discussion Board (DB) required readings will now be from a required Textbook to purchase online from West Academic. Students have the option either to purchase the textbook or only the designated chapters required for this course--See B.2. below for information about the required textbook.]

The Faculty Supervisor gives the Externship Orientation presentation and oversees the Academic Coursework Component in Blackboard. The Faculty Supervisor also will: (1) closely review all student work posted online and comment on all journal postings, (2) correspond with the students individually and as a group throughout the semester, and (3) enter scores in Blackboard for journals, discussion board postings, and the two final assignments: final paper, and work product. The Faculty Supervisor may be contacted at jsansone@sandiego.edu.

The number of credits earned in the AE course is based on the total number of externship hours (i.e., the combined total of externship placement and coursework hours) completed during the "academic session." The 2023 fall semester academic session is from the start of classes Mon., Aug. 21 to the last day of the final exams on Fri., Dec. 15). Any work outside this period may be counted towards pro bono hours, but not academic credit.

B. COURSE REQUIREMENTS

1. **Externship Written Understanding (ABA Requirement)** (For 1stTime Externs and New Field Placements)
Students: Students participating in an externship must have on file with the law school an approved Externship Written Understanding (EWU) for that externship program. This is an ABA requirement for all law school externship programs that are offered for academic credit. Prior to the beginning of classes, the faculty supervisor will provide first-time externs the EWU form to approve and submit to the faculty supervisor. Repeat (AE-II) externs already will have an approved EWU for the AE program on file with the law school.
Field Placements: Externship field placements already have an approved EWU on file, unless it is a new field placement seeking law approval to be included on the official USD law school Externship Field Placement list.
2. **Required Textbook Readings: *Learning from Practice: A Text for Experiential Legal Education, 3d***
Students are required (as part of the DB assignments) to read certain textbook chapters. These chapters are identified below. Students qualify for a 15% discount from West Academic by entering the Promo Code: WASANDIEGO at checkout. The softbound version (listed at \$114) is \$96.90, and the eBook (listed at \$85.50) is \$72.67. Or, you could limit your purchase to only the chapters required for the course at \$6.00 per chapter. This textbook also is available from Amazon to purchase new, used, or rent.
The following is the West Academic link: [West Academic - Learning from Practice Textbook](#)
This site shows a listing of links to each chapter (in no particular order), with the last link for the entire textbook.

SHOULD YOU PURCHASE CHAPTERS OR ENTIRE TEXT? Students who plan to participate in Agency Externships for one or more semesters will be required to read the number of chapters indicated below:

- **2023 Fall ONLY Participation** (as AE-I or AE-II and **NOT** planning externship for Spring 2024):
8 chapters - 1, 3, 6, 7, 9, 11, 12, and 28 (8 chapters x \$6.00 = \$48.00)
[See last page of this Syllabus for specific pages to read from chapters for 2023 Fall Semester.]
- **Both 2023 Fall AND 2024 Spring Participation** (as AE I or II in Fall AND AE-II in Spring):
16 chapters: Fall: 8 chpts. + Spring: 8 chpts. – 2, 4, 5, 15, 16, 24, 25, & 26 (16 chapters x \$6.00 = \$96.00)

Therefore, students planning to participate in both 2023 Fall and 2024 Spring (and possibly additional semesters) in AE-I and II may want to consider purchasing the entire textbook (i.e., either the softbound or eBook version).

3. Externship ORIENTATION for First-Time AE-I Externs

First-time externs (AE-I) must complete an Externship Orientation. The Faculty Supervisor will send to the first-time students an email with information about the Orientation near the beginning of the semester. Students who previously never participated in AE are considered first-time externs at level I in this AE course. First-time externs must complete an Externship Orientation requirement near the beginning of the semester. Students who previously completed the Externship Orientation as part of a Corporate Counsel or Law Firm Externship are not required to participate in another orientation.

4. Required Externship Work Hours to Earn Course Credit

- a. The following number of course academic credits requires the number of externship work hours indicated:
1 credit-50 hrs; 2 credits-100 hrs; 3 credits-150 hrs; 4 credits-200 hrs; 5 credits-250 hrs; 6 credits-300 hrs
- b. **EXTERNSHIP WORK HOURS.** The combined number of externship work hours spent on the following two items shall count towards earning course academic credit:
 - 1) Externship Work & Activities: Includes work for your placement and time spent participating in authorized activities (e.g., activities include observing trials, attending training sessions, touring a facility, etc.).
 - 2) Academic Coursework Component. Includes attendance at the Orientation (for first-time externs) and time spent on Blackboard online coursework assignments, including journals/time logs, DBs, and final paper.

5. AE Course Components: Work Component and Academic Coursework Component

a. Work Component Requirements (Supervised by Placement Attorney Supervisor):

Externship Work and Activities

- Students are required to engage in law related externship work/activities with their placements.
- Students are responsible for ensuring they satisfy the required number of externship hours.

Breadth of Work Responsibilities

- Students must perform a wide range of duties and participate in/observe law related activities.
- These may include (i) conducting legal research, (ii) writing memoranda or briefs, (iii) drafting pleadings or transactional documents, (iv) interacting with clients and opposing attorneys, (v) observing or participating in legal conferences such as client conferences, negotiation meetings or transactional closings, and/or (vi) observing or participating in activities, such as trials/hearings, depositions, interviews, field trips, etc.

On-Site Supervision at Placement

- A licensed attorney must supervise the student extern.

Employer/Supervisor Responsibilities

- The placement employer, through its supervisors of student externs, must provide externs with a meaningful externship experience guided by the USD Externship Program Supervisor Requirements and Responsibilities, which are included in the AE Course Resource Handbook in the law school's website.
- Each student extern's externship performance must be evaluated by an on-site supervisor on an official USD Externship Evaluation Form indicating the student's externship work was at least at the satisfactory level.

b. Academic Coursework Component in Blackboard (Supervised by USD Law School Faculty Supervisor)

Academic Coursework Component Requirements

1. Externship Orientation (for first-time externs)
2. Weekly Online Assignments: Journals/Time Logs and Discussion Boards to be posted on Blackboard.
3. Final Assignments: Work Product (produced at the placement) and Final Paper to be posted on Blackboard.

Journals

- A journal is required each biweekly period, which is identified on the last page of this Syllabus.
- After each two-week period, a student must post in the online Blackboard system a journal that briefly summarizes each separate week for the two-week period. The time log also must be attached to this posting.
- The journal and time log posted in Blackboard are ONLY viewable by the Faculty Supervisor.
- The Faculty Supervisor will review the journal, post a comment, and enter a score for each journal.

Time Logs

- Students must use the time log, which is in the form of an Excel Spreadsheet provided in Blackboard, to enter their externship hours worked at their placement and time spent on coursework Blackboard assignments.
- The time log must be attached to the biweekly journal posting in Blackboard.
- After attaching the time log and submitting the journal posting, students must send the time log by email to their on-site placement supervisor as a "FYI Only." Time logs **do not** need supervisor approval or signature.

Discussion Board (DB) Forums (with required reading)

- Students are required to participate in biweekly online seminar DB Forum discussions on Blackboard.
- DB postings are required regardless of whether work was performed during the DB's biweekly period.
- Each DB includes legal topic questions with required reading; students post their responses in the DB.
- The Faculty Supervisor will review each student's posted DB responses and enter a score in Blackboard.
- The posted DB responses and any DB comments are viewable by the professor AND the entire class.

Final Assignments (Work Product & Final Paper)

Work Product

- Students must upload a work product on Blackboard, which was produced as part of their externship work.
- A work product may include a legal memo, appellate brief, document filed in court (e.g., motion) that reflects legal work, or any other product that reflects legal work performed by the student extern.
- A "Work Product Supervisor Form" may be submitted in lieu of work product ONLY if attorney supervisor prohibits a work product submission (regardless of redactions) due to privilege/confidentiality reasons.

Final Paper (See Instructions in Blackboard)

The final paper is a self-evaluative reflective review of the externship experience. It must address the following:

1. Brief summary of the type of work performed during the externship.
2. Identification of the legal skills/abilities enhanced/developed during the externship and a description of how they relate to the Course Learning Outcomes numbered 1, 2, & 3. (See Learning Outcomes in Sect. C below.)
3. Description of how the externship experience enabled achievement of Learning Outcomes numbered 4 & 5.
4. Discussion of how the overall externship experience better prepared you for a professional legal career.
5. Evaluation of the supervision received at the placement.

C. LEARNING OUTCOMES

The Agency Externship program is designed to produce the following five learning outcomes for students based on the type of their externship work/activity experiences:

1. **Legal Skills.** The enhancement of *legal skills*, including legal research, legal analysis, and legal writing such as drafting research memoranda, opinion letters, agreements/contracts, motions, complaints, answers, trial, appellate briefs, bench briefs, etc.
2. **Attorney Skills.** The development of *attorney skills*, including legal interviewing, negotiation, factual investigation, discovery, pre-trial & trial procedures, strategy formulation, organization & management of legal work, and any other skills helpful to an attorney's competent practice of law.
3. **Oral Advocacy Skills.** The development of *oral advocacy skills*, including participation in, and/or observation of, legal proceedings such as depositions, hearings, motions, trials, appellate arguments, administrative hearings, or any other activity that helps improve oral advocacy skills.
4. **Exercise of Good Judgment/Problem Solving Skills.** The enhancement of the *ability to exercise good legal judgment and effective legal problem-solving skills* in connection with the externship work assignments performed at the field placement.
5. **Legal Professionalism & Civility.** The development of *high standards of legal professionalism and civility in the practice of law* based on the observations of and interactions with legal professionals during the externship experience.

D. COURSE GRADING POLICY: This is a Pass/Fail course. To earn a passing grade, a student must:

1. Post ALL required journals (including attached time logs) and DB responses.
2. Earn at least an overall average score of 2.0 or better for journals & DB postings, based on the following scale:
1 - Does not meet requirements / 2 - Minimally meets requirements / 3 - Meets requirements
3. Time logs must show student completed his/her required number of externship hours.
4. Submit an acceptable satisfactory final paper and work product.
5. Placement supervisor evaluation indicates student's overall performance was at least at the satisfactory level.

Journal: Each journal may earn 1-3 points.

Required DB Response: Each required DB response may earn 1-3 points.

Voluntary DB Comments: DB comments on other student DBs may earn an additional 1-3 extra credit points.

Final Paper & Work Product: Each final assignment is allocated a score of 1 (satisfactory) or 0 (unsatisfactory)

[DB SCORING NOTE: The "My Grades" section in Blackboard shows each required DB assignment may earn up to 3 points. A student must post a required DB response to earn 1-3 points. Students may earn an additional 1-3 extra credit points (for a total of up to 6 points) ONLY if a student voluntarily posts DB comments to other student DB responses for extra credit.]

Failure to post a journal or DB response means the required assignment was not completed, which will result in a failing grade for the course. A journal or DB response must be posted even if it is a late posting.

NOTE ON LATE POSTINGS: If any journal or DB response is posted late, the score will be reduced by 1 point, and will be reduced by an additional 1 point for each additional week it is not posted after the due date, down to a minimum of 0 points. Reductions may be waived by the Faculty Supervisor if justified by circumstances preventing a timely posting.

Scoring of Final Assignments (Paper and Work Product)

The two final assignments are course requirements and must be submitted to earn a passing grade for the course. A score of 1 will be given for each satisfactory final assignment submitted, and a score of 0 will be given for each unsatisfactory final assignment. A 0 score for a final assignment will result in a failing grade for the course.

E. AGENCY EXTERNSHIP 2023 FALL SEMESTER COURSE WEEKLY SCHEDULE

Weekly Schedule, Assignments, and Due Dates for Discussion Board (DB) Forums, Journals/Time Logs, and Final Paper & Work Product		
Biweekly Periods & Course Weeks	ASSIGNMENTS & DUE DATES (by midnight)	Required Textbook Chapters to Read for Online DB Forum Discussions on Blackboard
Course Week 1: 8/21 - 27	DB#1-Student Introductions Wed. Aug. 23	Chapter 1 – Introduction to Externships (13 pp.)
Course Week 2: 8/28 - 9/3 (Labor Day – 9/4)	DB#2-Confidentiality in Externships Mon. Aug. 28	Journal Confidentiality Issues (See link in DB#2) Chapter 11 - Ethical Issues: Confidentiality (14 pp.)
	Journal 1/Time Log (Course Weeks 1&2) Tues. Sept. 5	
Course Week 3: 9/5 – 10	DB#3-Learning from Supervision Mon. Sept. 11	Chapter 3 - Learning from Supervision, pgs. 33-45 & 49-58 (pp. 21)
Course Week 4: 9/11 - 17	Journal 2/Time Log (Course Weeks 3&4) Mon. Sept. 18	
Course Week 5: 9/18 - 24	DB#4-Conflicts of Interests in Externships	Chapter 12 - Ethical Issues in Externships: Conflicts of Interest, pp. 295-308, 313-321, 325-329 (25 pp.)
Course Week 6: 9/25-10/1	Mon. Sept. 25	
	Journal 3/Time Log (Course Weeks 5&6) Mon. Oct. 2	
Course Week 7: 10/2 - 8	DB#5-Cultural Competency Mon. Oct. 9	Chapter 6: Navigating Cultural Differences, pp. 111- 119, 131-133, 137-145, 148-149 (23 pp.)
Course Week 8: 10/9 - 15		(Required ABA topic)
	Journal 4/Time Log (Course Weeks 7&8) Mon. Oct. 16	
Course Week 9: 10/16 - 22	DB#6-Bias in the Legal Profession Mon. Oct. 23	Chapter 7 - Bias in the Legal Profession, pp. 153-158, 167-172, 188-198 (23 pp.) (Required ABA topic)
Course Week 10: 10/23 - 29	Journal 5/Time Log (Course Weeks 9&10) Mon. Oct. 30	
Course Week 11: 10/30 - 11/5	DB#7-Professionalism Mon. Nov. 6	Chapter 9 - Professionalism (22 pp.)
Course Week 12: 11/6 - 12	Journal 6/Time Log (Course Weeks 11&12) Mon. Nov. 13	
Course Week 13: 11/13 - 19	DB#8-Finishing Strong Mon. Nov. 20	Chapter 28 - On Finishing Strong: Looking Back and Looking Forward (8 pp.)
Course Week 14: 11/20 - 26	Journal 7/Time Log (Course Weeks 13&14) Mon. Nov. 27	
Last Class Week 11/27 - 30	Final Paper & Work Product Mon. Dec. 4	
Fri., Dec. 15 (Last day of final exam week)	Last day to work externship hours that count toward academic credit. (Any needed externship hours worked <u>after</u> the posting of Journal 7 & Time Log should be entered on a subsequent Time Log and posted in the Journal 7 location in Blackboard.)	

V. ORIENTATION FOR FIRST-TIME EXTERNSHIP STUDENTS

A. Required Externship Orientation

Title of Orientation: BUILDING YOUR SKILLS AND PROFESSIONAL REPUTATION

There is a required orientation for all law students enrolled for the first time in the following USD Law School Externship programs: Agency and Corporate Counsel Externships

PLEASE NOTE: Students are not required to complete this Orientation who previously already completed an USD Law School Externship Orientation for Agency, Corporate Counsel, or Law Firm Externship.

B. Exceptions for Pre-Approved Justifiable Reasons Only

New externs who cannot make it on the scheduled date and time must have a justifiable reason for not being able to attend the Orientation. Students need to inform the Faculty Supervisor of the reasons why they cannot attend and must request pre-approved permission to be excused from attending. If excused, students are required to do the following:

Requirement to View Video & Prepare Written Summary if Excused from Attendance

If your absence from the Orientation is approved, you will be required to view a video of the orientation, certify in an email that video was viewed, and provide a written summary of the orientation presentation.

C. Required RSVP on Orientation Attendance

The Faculty Supervisor will notify students by email of the Externship Orientation.

One of the following three answers is required when sending the RSVP to Faculty Supervisor:

1. Student will attend.
2. Student is not required to attend because student previously attended (or viewed/listened to a recording of) a past orientation.
3. Student is required to attend but cannot attend. The reasons why a student cannot attend must be included in the RSVP. A student will be excused only for justifiable reasons. To be excused, the student must receive a reply email message from the Faculty Supervisor approving the student's absence to be excused from attending.
(NOTE: As indicated above, students who are excused from attending need to view a video of the orientation, certify that the video was viewed, and provide a written summary of the orientation.)

This orientation is important to a successful externship experience. We hope students will find the information provided at the orientation to be valuable.

VI. WHAT EXTERNS NEED TO KNOW BEFORE AND DURING THEIR EXTERNSHIP WORK

A. Confidentiality Statement

Law Student Compliance with Workplace/Client Confidentiality Rules

Attorneys and their fellow employees must observe the ethical obligations of workplace /client confidentiality rules. Confidentiality is a fundamental principle of the lawyer-client relationship and work product doctrine. The USD School of Law urges all students participating in externship placements, who may or may not have had formal training in professional responsibility at the time of the placement, to be aware of their respective placement's confidentiality rules and any specific confidentiality policies.

USD Law Student Externs must comply with the following requirements:

- Be aware and familiar with your professional obligations at all times in the workplace.
- Be familiar and comply with your placement's confidentiality rules.
- Maintain the confidentiality of any information designated as confidential.
- Maintain the confidentiality of any information relating to the representation of a client.
- Do not disclose the identity of a client or reveal information leading to the disclosure or identity of a client without the express advance authorization of the supervising attorney.
- Where and when appropriate, redact any written work, as necessary, to preserve confidentiality.

Student externs should engage in a dialogue throughout the placement with supervising attorneys on the importance of confidentiality and the ethical implications involved in individual cases or circumstances.

Please review the following for your reference and convenience:

- California Business and Professions Code Section 6068 (e), *Duties of an Attorney*, the ethical obligation regarding client confidences and secrets.
- California Rules of Professional Conduct, Rule 3-100: [Confidential Information of a Client](#)

B. Tips for a Successful Externship Experience

The following are suggested tips to help you have a successful externship experience:

1. Professionalism and Civility--Building Your Reputation!

Understanding Professionalism in the Workplace

- ✓ Working in a law office requires professionalism in how you conduct yourself.
- ✓ Professionalism includes a dedication to civility, honesty, integrity, dignity, diligence, respect, courtesy, good character, and cooperation in how you perform your work and interact with others.

Civility in the Practice of Law—What is it?

- ✓ See California State Bar publication: Attorney-Civility-and-Professionalism [See Appendix]. Guidelines based on principles of integrity, respect, cooperation, and fair play.
- ✓ Civility means treating colleagues, clients, other counsel, the courts, and the public with dignity, decency, respect, courtesy, and candor. Civility requires attorneys to abstain from rude, disruptive, disrespectful, and abusive behavior.

2. Ethics: California Rules of Professional Conduct

Be Aware of Following Important Attorney Duties to Clients

- Duty of Loyalty: Avoid Conflicts of Interests.
- Duty of Confidentiality: Protect privileged and confidential information.
- Duty of Competence: Use legal knowledge, skill, and thorough preparation in legal work.
- Duty of Diligence: Be prompt and zealous in completing case (or projects) to completion.
- Duty of Communication: Inform clients of information necessary so they are able to make key decisions.

Comply with Confidentiality Rules

Familiarize yourself with your workplace rules regarding confidentiality of information. If you are not provided with confidentiality rules when you commence your work, ask your supervisor for any information about the office's confidentiality rules.

Avoid the Unauthorized Practice of Law

General Rule: Work by law office non-attorneys must be preparatory in nature. Such work may include research, investigation of details, the assemblage of data or other necessary information, and other work that assists the attorney in carrying out the legal representation of a client. All work must be supervised by an attorney and must become or be merged into the work of the attorney, so that it becomes the attorney's work product.

Exception: Certified Law Students (Required for those who want to appear in court)

- See Cal Bar [Practical-Training-of-Law-Students](#) [See Appendix]
- See Rule 9.42 Re Certified Law Students in [California Rules of Court: Title 9](#) Subdivision (d) of Rule 9.42 sets forth the "Permitted Activities" of certified law students. [See Appendix]

3. Enhancing Your Externship Learning Experience

- Practice good time management
- Use in-house legal resources (e.g., brief banks, legal opinion files) if available
- Participate in all field trips and tours offered by your placement
- If work includes interviewing clients/witnesses, review helpful aids prior to interviews
- Start now building a highly respected professional reputation

4. Prepare Before You Show Up

Prepare before Starting Work

Review the applicable area of law or procedural rules before you start. For example, if you are working at the Court of Appeal, review the standards of appellate review and the California Style Manual to familiarize yourself with citation form. If you are working in the bankruptcy courts, read an outline on bankruptcy law and be somewhat familiar with the basics of the Bankruptcy Code. If you are going to work in a federal district court, brush up on the rules applicable to federal jurisdiction. If you are working in a corporate law office, research recent articles about the company and its business activities.

Familiarize Yourself with the Office, Organization, or Company

Review the website about the office, organization, or company where you will be working. You may be able to learn a lot about how the office/organization/company is organized, the office staff or company executives and board of directors, the nature of its work, and much more.

Refresh on Research & Writing

Research and writing are the most important skills an extern will be expected to use. You will be expected to remember how to plan a research strategy and draft a memo. It has probably been a while since your first-year research and writing class, so you may want to review your notes from that class.

5. What to Remember about Your Research and Writing

- Develop a research strategy. That strategy should rarely begin with a term search for cases on Lexis and Westlaw, especially if the issue you are researching is new to you (and most will be). Start with treatises (Witkin or a relevant specialist), practice guides (Rutter), and digests (West).
- Outline before you begin writing. "Build" your memo or brief from there.
- Keep your writing clear and concise. Edit out unnecessary words and phrases and legalese. If you want help in this area, try *Plain English for Lawyers* by Richard C. Wydick.
- PROOFREAD! PROOFREAD!! PROOFREAD!!!
- Have another extern PROOFREAD for you, if possible! That second set of eyes is invaluable.
- You will be expected to produce thoughtful arguments and legal analysis. Never take shortcuts by substituting conclusion statements for careful analytic reasoning.

6. Workplace -- Good Practices

Dress for Success

That means dress in business attire that is appropriate for your placement's office environment. If you are not sure what attire is appropriate prior to commencing work, contact the office to ask.

Be Personable

Introduce yourself around. Everyone may look busy, but they are never too busy to say hello to a new person, especially someone who is friendly and eager to help.

Demonstrate Confidence

The extern with poise and confidence inspires confidence. When your supervisor talks with you about your work or your recommended course of action, be prepared to explain your position. Be articulate and firm in your convictions.

Ask Questions

Don't be afraid to ask questions when getting an assignment. Make sure you understand exactly what is being asked of you, the meaning of unfamiliar terms, key background facts, when it is due, what research sources you might use, what form you should use, who the audience is for your work product, and anything else relevant.

Take the Initiative and Demonstrate Self-Reliance

Always try to figure something out for yourself before asking for help. But don't "spin your wheels" for too long before letting your supervisor know you are stuck. Your time and your supervisor's and company's time are valuable, so don't waste it.

Be Open to Admit Something You Don't Know

Don't pretend that you know about something when you don't. A very important skill to have is to admit a lack of knowledge on a matter. Please tell your supervisor when you don't know something, whether it is about the law or the facts of the case.

Always Be Prepared to Take Notes at Meetings

When your supervisor asks you to his/her office, bring a pad of paper and a pen with you. You never know when you may need to take notes in any meeting.

Arrive on Time

Your supervisor relies on you to be there when you are scheduled to start. Working late or through lunch is fine for staying on top of your work. But don't use that as a reason to arrive late unless your supervisor gives you the OK to arrive later. If you are supposed to come in at 9 am, then be sure you do so.

Focus on Work--Avoid Use of Cell Phone in Workplace

Put your cell phone away so you aren't tempted to send or receive texts or personal calls. These interruptions are huge distractions, for you and for the office.

Submit Work by Deadline

Don't expect your supervisor to ask for your work when it's due. You need to be sure to submit it on time. If you need extra time, be sure to communicate with your supervisor to get the OK to submit the work at a later date.

Always Ask for Work after Completing Assignments

When you finish all your pending assignments, seek out your supervisor to ask for more work.

Interact with and Support the Support Staff

Show the Support Staff the same respect you would want to be shown. Law offices work as a team, and the Support Staff is a very important integral part of the team.

7. Email Use-- Good Practices

Professional Use of Email

Treat each workplace email as an important professional communication. That means no abbreviations (“r u coming 2 the mtg?”), no emoticons, no “:)” and no “LOL”. Proofread every workplace email you send; they create as much of an impression of your writing skills as would a cover letter or formal legal memo.

Email is Not Verbal Communication

Remember---an email is not verbal communication. The email is documentation of what you said. It lives on and can be retrieved and reviewed by others years down the road.

8. Internet Use -- Good Practices

Workplace Internet is for Work

Do not use any computer at your workplace for non-work-related matters, such as shopping, social networking sites, surfing the net, etc.

Avoid Including Any Work Content on Social Networking Page

It's NOT appropriate to mention work on your social networking page. Confidentiality is critical.

Exercise Caution on What You Include on Your Social Networking Page

Just as you find out about people by searching the internet at home, you must know that your supervising attorneys, judges, clerks, and office staff do the same thing when it comes to you. Is there anything on your social networking page that may reflect negatively on you generally as a professional at your externship placement? You are a professional now.

C. Tips on Getting Started & Participating in the Online Coursework Component

When you access the Blackboard page for this course, please review the left-hand column of the page. It includes several tabs providing you access to important information about this class.

1. **Course Syllabus.** The “Course Syllabus” tab contains the syllabus for this course. Please read the syllabus so you understand all the requirements of this course. Also, the last page of the syllabus includes a timeline listing all the course requirements, their due dates, and an identification of the Discussion Board topics.
2. **Announcements.** Each time you access this class on Blackboard, you first should check the “Announcements” tab for each week's new announcement I have posted in Blackboard for this class. The Blackboard system also will send you, via email, these announcements.
3. **Course Content.** The “Course Content” tab is the most important location in Blackboard for this class. At this location you will find important information and materials about the class. Most importantly, this tab provides access to the folders for the required assignments (i.e., posting biweekly Journals and Discussion Board reading assignments and postings). The following folders are located in the Course Content tab:
 - a. **Course Information & Materials.** This folder includes class forms and samples of documents you are required to submit to satisfy class assignments.
 - b. **Online Course Assignments.** The assignments include biweekly journal postings (with an attached time log), and the biweekly Discussion Board reading assignments and posting of answers to DB questions.
 - c. **Final Assignments.** The final assignments folder contains the following final assignments.
 - 1) Final Paper; 2) Work Product
4. **Posting Bi-Weekly Journals and Time Log**
 - a. You must briefly summarize each week of your externship work/activities during the biweekly period. (For example, if you worked in each one of the two weeks during the biweekly period, your journal should include two separate brief summaries for each week's work /activities.)
 - b. You may type your biweekly journal directly into the space provided in Blackboard OR attach a one-page document that contains your biweekly journal. Please be sure to review the instructions for composing and formatting a journal, as well as to review the Sample Journal. These instructions and the Sample Journal are included in Blackboard's “Course Information & Materials” folder. Each journal should be limited to a one-page (8.5 x 11) document, if possible.

- c. You must use the Time Log document that is included in Blackboard for recording your time. When you post your biweekly journal, you also must post your time log at the same time by attaching the time log to the journal posting. After posting each time log in Blackboard, please send a copy of the time log to your on-site placement supervisor.
- d. Posting a biweekly journal is only required if you worked a portion of any day during the two-week period for that particular journal. (NOTE: If you did not work at all during the two-week period, please post a simple one sentence statement saying you did not work. You also should attach your time log showing no hours worked for that two-week period.)
- e. The scoring for your biweekly journal postings is described in the Course Syllabus.

5. Posting to the Weekly Discussion Board Forums

- a. There are several weekly DB forums for this class.
- b. The first DB is on the topic of “Introductions.” This provides you the opportunity to introduce yourselves to each other and to your Faculty Supervisor. The remaining DB forms are on selected legal practice topics.
- c. Each DB Forum will include reading assignments, as well as questions for you to post answers. You are required to post DB answers, for which you will receive a score. In addition, for extra credit, you may post a DB comment to one or more of your fellow students' DB answers. The extra credit is based on the same scoring standards applicable to the DB answers.
- d. The scoring for your biweekly DB postings, including both your DB answers/replies and your DB comments, is described below and in the Course Syllabus.

6. My Grades

This tab in Blackboard includes the scoring of your completed journals and DB postings. The scoring is based on the quality of the posting, as follows:

1 – Does Not Meet Expectations / 2 – Minimally Meets Expectations / 3 – Meets Expectations

Journals

The journals you post in Blackboard will earn a score between 1 - 3 points according to the scale above.

Discussion Boards

DB Responses. Each DB Forum includes reading assignments and questions for you to post responses. You are required to post DB responses. You will receive a score from the 1-3 points according to the scale above.

DB Comments. In addition, for extra credit, you may post a DB comment to one or more of your fellow students' DB responses. The extra credit posting will receive a score of 0-3 points.

IMPORTANT NOTE ON DB SCORING: While you can earn up to 6 points for each DB by posting both the DB response (for up to 3 points) and DB comments (for up to 3 extra credit points), the course requirement only is for posting a DB response that can earn up to 3 points. So, if you only post a DB response and earn 3 out of a potential of 6 points, you will have earned the maximum points for the DB requirement.

The score is entered and tracked in Blackboard showing your cumulative scoring. See the Course Syllabus for a description of the Grading Policy for this class.

VII. ONLINE ACADEMIC COURSEWORK COMPONENT: JOURNALS/TIME LOGS AND DISCUSSION BOARD FORUMS

A. Instructions for Formatting and Composing Biweekly Journals & Time Logs

1. General Instructions

Biweekly Journals (See Appendix for Sample Journal)

The coursework component includes biweekly journals. Each journal must briefly summarize each separate week of the two-week period. (Each two-week journal period is identified on the last page of this Syllabus). Each journal must be accompanied by a biweekly time log (see below for the time log requirements).

- After each two-week period, a student must post in the online Blackboard system a journal that briefly summarizes each separate week for the two-week period. The time log must be attached to this posting.
- The top of each journal must include the student's name and the externship agency name.
- The posted journal and time log are **ONLY** viewable by the Faculty Supervisor.
- The Faculty Supervisor will review the journal, post a comment, and enter a score for each journal.
- A student may be excused from posting a timely journal only if the Faculty Supervisor approves the request based upon justifiable reasons that prevented the drafting of a journal by the due date/time.

(NOTE: If no work was performed during a biweekly period, please post a one sentence statement indicating you did not work that biweekly period. This will inform the Faculty Supervisor not to enter a journal score of 0 for failing to post a required journal.)

Biweekly Time Logs (See Appendix for Sample Time Log)

- Each student must record on a time log the time spent on: (i) work/activity for your agency, and (ii) online coursework assignments for each biweekly period.
- Students must use the time log, which is in the form of an Excel Spreadsheet, provided on Blackboard.
- The hours must reflect time spent on: (i) work performed for the agency, including any time engaged in agency activities (e.g., observing a court proceeding, attending a field trip, training sessions, deposition, etc.), and (ii) online coursework assignments.
- The time log must be submitted biweekly with each journal.
- After posting each time log, please be sure to send a copy of it to your on-site placement supervisor to keep him/her up to date on your completed hours. Time logs **do not** need a supervisor's approval or signature.
- The time log must be uploaded online into Blackboard by attaching it to the journal posting.

2. Requirements for Formatting Biweekly Journal

- Enter your name and the name of your agency at the top of your journal.
- Each biweekly journal must include a brief summary of your work and activities for each separate week of the two-week period.
- For each weekly summary, please include a heading that identifies the week of work.
- You can type your journal into the space provided for each Journal page or you can attach a document as your journal.
- Your journal should not extend beyond the space of one or two pages (i.e., page of 8.5 x 11).

3. Requirements for Composing Journal Summary

Your summary for the week should be brief, limited, and focused on the following substantive content for the types of items indicated:

Research Memo: Describe the legal subject/topic, the issue the memo will address, and the purpose you hope to achieve by the memo.

Motion (including Points & Authorities): Describe the type of motion, the legal subject matter, and the purpose you hope to achieve by the motion.

Appellate Brief: Describe the type of brief, the legal subject matter, the main issue(s) the brief will address, and what you hope to achieve by the brief.

Watching Court Proceeding: Describe the type of proceeding (e.g., jury trial, motion, etc.), the nature & purpose of the proceeding (e.g., murder trial, civil trial involving excessive force allegations against police officer, etc.), and what key portion(s) of the proceeding you observed (e.g., jury selection, opening statements, direct / cross examinations, closing arguments, etc.).

Court Appearance: Describe the type of proceeding (e.g., arraignment, prelim, motion, etc.), the legal subject matter involved in the proceeding (e.g., criminal procedure motion to suppress evidence), and the purpose of what you hope to accomplish by the appearance.

Watching Deposition: Describe the type of: (i) case associated with the deposition, (ii) deponent (e.g., witness of accident, defendant in lawsuit, etc. --- don't identify names), and (iii) what purpose is hoped to be accomplished by the depo.

Training Session: Describe the subject(s) of the training.

Field Trip / Tour: Describe where and what you went to see, as well as highlights of what you saw.

Other Types of Assignments: Your summary should focus on the substantive legal content associated with the assignment.

DO NOT include details in the journal summary that are unrelated to the substantive content of the assignment or activity.

B. Discussion Board Forums

The Agency Externship online academic coursework component includes Discussion Board (DB) Forums and required readings from the course textbook. DB Forums consist of topics assigned by the Faculty Supervisor for online student discussion and reading.

The purpose of the Forum is to have students read materials and discuss selected topics designed to assist students with gaining a successful learning experience with their externship.

Students participate in the weekly DB Forums hosted via the online Blackboard system. The Faculty Supervisor includes designated reading assignments and certain DB questions for the students. Students are to read the assigned textbook material and post their responses to the DB questions. Students also are encouraged, but not required to post comments on other students' postings. All students have access to all DB postings so they can learn from each other through the sharing of ideas and thoughts on a subject.

The real strength to the success of a DB Forum is the opportunity for students to read about the practical insights, ideas, and thoughts fellow classmates have gained from working in a wide variety of law offices. This process of learning about other work experiences at various placements may lead to students applying for externships at these other placements in future semesters.

VIII. ON-SITE SUPERVISOR REQUIREMENTS & RESPONSIBILITIES: SUPERVISION OF USD LAW STUDENT EXTERNS

The USD School of Law is extremely grateful to field placement supervisors for the valuable supervision provided to USD law school externs. For purposes of assisting supervisors with the supervision of USD law student externs, this document includes the externship site supervisor requirements and responsibilities.

1. Primary Purpose of Externship is Educational. The primary purpose of the USD Agency Externship Program is educational for law student externs to earn academic credit toward their J.D. degree. Therefore, the law student extern must be the primary beneficiary of an educational work experience in the externship work arrangement with the placement, regardless of whether the placement provides a paid or unpaid externship for the student.
2. Designated Supervisor - Licensed Attorney. The externship placement must designate a licensed attorney as the supervisor of an extern. This supervisor is responsible for the overall supervision of the extern's work/activities and must be available to the extern and the USD faculty supervisor for consultation. This does not preclude externs from working for other attorneys in addition to the designated supervisor.
3. Establishing Work Schedule. Supervisors need to work with externs to establish a work schedule. While the schedule should be consistent with the needs of the externship placement and supervisor, it must be designed to satisfy the extern's required number of hours and not conflict with the extern's class schedule.
4. Placement Externship Orientation. The placement should provide an orientation for the externs at the beginning of the externship designed to give a helpful perspective of what the externship experience will involve and what the office expectations will be of the externs.
5. Diversity of Assignments/Tasks. Supervisors should assign externs work/activities that include a variety of legal subjects and require the use of a broad range of lawyering skills for the extern to develop.
6. Assignments. The externship work assignments are to include the important basic tasks of legal research, legal analysis, and legal writing, as well as a variety of other legal related work. In addition, it is strongly encouraged to have students prepare legal research memorandums, draft or assist in drafting legal documents (e.g., declarations, petitions, motions, etc.), observe legal proceedings (e.g., court hearings/trials, depositions, negotiations, etc.), and if possible, appear in court if the student is certified. Supervisors are required to assign externs substantive legal work appropriate to the extern's abilities, including clear expectations and deadlines. Supervisors need to be aware of an extern's workload and provide on-going guidance, if needed, for managing and prioritizing the workload.
7. Feedback. Supervisors are required to provide externs with specific, individualized, timely, and constructive verbal and/or written commentary on their work. Supervisors are encouraged to focus on such issues as the difficulty of the assignment, the persuasiveness and clarity of the work product, areas for needed improvement and where the extern excelled. The overall objective should be educational so the student extern may achieve a valuable learning experience.
8. Establish Weekly Conferences with Externs. Supervisors should establish regular conferences with externs at least once a week. The learning process is greatly enhanced when externs are able to meet individually or virtually with their supervisors at least once a week to review current work, address any issues or concerns, and discuss future assignments. If a weekly "standing appointment" is scheduled to meet with externs, it is likely that the grind of daily work will not prevent meetings with the externs.
9. Attendance at Training Sessions. Supervisors are encouraged to have externs attend training sessions offered by the externship placement, including any MCLE presentations, if appropriate.
10. Observation of Legal Proceedings. Supervisors should provide externs opportunities, where and when possible, to observe court proceedings, client/staff/strategy meetings, and other appropriate legal proceedings/activities, such as depositions, negotiations, client/witness interviewing, etc.
11. Certified Law Student Courtroom Experience. Supervisors should provide externs, who are certified law students, opportunities to appear in court proceedings, where and when possible and feasible.

12. Opportunities for Reflection. A supervisor should provide externs with opportunities to meet and discuss their observations, experiences, and other issues relevant to the legal profession with him/her, other attorneys, and staff in the externship placement.
13. Supervisor Contact with Faculty Supervisor. Supervisors are encouraged to contact the Faculty Supervisor about any questions or concerns with the Externship Program, as well as to discuss specific matters involving an individual extern. Supervisors must contact the Faculty Supervisor immediately to discuss any extern issues or concerns that may jeopardize the continuation of an extern's work.
14. Supervisor's Evaluation of Extern Work Performance.
 - Supervisors must complete a USD evaluation form, entitled "Evaluation of Student Extern's Work Performance," at the end of the externship. (The Faculty Supervisor will provide the Evaluation Form to the Site Supervisor prior to the end of the externship.)
 - Review and discuss the completed evaluation with the extern.
 - An extern's overall performance must be at least satisfactory for the student to earn a passing grade.

IX. Evaluation of Student Extern Work Performance (Evaluation Form in Appendix)

Upon the completion of a student extern's work performance, the on-site supervisor at the field placement is required to complete an evaluation of the extern's work performance. The USD Faculty Supervisor provides the Evaluation Form to the on-site supervisors for completion. (See the Evaluation Form in the Appendix.)

An on-site supervisor's evaluation of externship work performance is a valuable tool for measuring whether the externship work experience achieved the program's learning outcomes. For this reason, the evaluation serves as one of the academic standards for a student to earn a "Pass" as the final grade for the course. For a student to be considered for a "Pass" as the final grade, the evaluation must indicate an overall externship performance that is minimally satisfactory or better.

X. APPENDIX

A. Agency Externship Appendices

SAMPLE JOURNAL

JOURNAL 1

Jane Doe
City Attorney's Office

WEEK 1 (Mon., Aug. 21)

My first week of work at the City Attorney's Office went very well. The externs were provided an orientation covering what will be expected of us this semester. The orientation consisted of a description of the type of assignments that will be given to us, a review of confidentiality rules and expectations, an explanation of the various research tools the office provides, along with a variety of other administrative matters.

During the week I already had the opportunity to work on the following two assignments:

Research Memo on Calif. Public Records Act

LEGAL SUBJECT: California Public Records Act.

ISSUE: The issue is whether any legal exemptions apply to a public records act request the city received for certain materials.

PURPOSE: The purpose of the memo is to research and analyze the law to determine if any of the public records requested are protected by statutory exemptions under the Calif. PRA.

Observed a Court Hearing on a Motion

LEGAL SUBJECT: Motion to Dismiss Plaintiff's Civil Complaint against City

ISSUE: The issue was whether the plaintiff complied with the City's Claim requirements prior to filing his lawsuit for damages alleging city employee on official business caused auto accident. I was able to watch the attorneys on both sides make their arguments on the motion.

PURPOSE: The purpose of the hearing was for the court to determine whether to dismiss the plaintiff's civil complaint for damages against the city.

WEEK 2 (Mon., Aug. 28)

I felt much more comfortable and at ease during my second week of work. I had the opportunity this week to attend a couple court proceedings and observe deputy city attorneys in court. I also worked on my two legal memos from last week.

Memo on Calif. Public Records Act

See above. I was able to complete my memo on the public records act assignment and submitted it to my supervisor during the week.

[NOTE TO EXTERNS: Never include "See Prior Journal" as a substitute for an assignment summary.]

Training Session on Federal Civil Rights Violations

LEGAL SUBJECT: Federal Civil Rights Violations

ISSUE: N/A

PURPOSE: The purpose of this training was to familiarize the law clerks with the types of federal civil rights violations the city attorney's office defends in court.

Research Memo on Land Use Matter

LEGAL SUBJECT: City Land Use Matter

ISSUE: The issue is whether the city's municipal ordinance provision on conditional use permits allows a property owner to make certain changes to her property.

PURPOSE: The purpose of the memo is to advise the City's Land Use Department on whether it is legally authorized to issue a permit to the property owner. As of the end of this week, I was still conducting research on this assignment.

I also completed my research on the land use assignment and have been drafting the memo. I hope to complete the drafting of the memo sometime next week.

SAMPLE TIME LOG

2023 FALL SEMESTER TIME LOG (for WORK Hours & ONLINE Blackboard Hours)

NOTE: Externship work hours prior to Aug. 21 are ONLY for Pro Bono purposes and are NOT to be reported on this time log.

Enter WORK Hours Only

Enter number of hours worked----do NOT enter start & end times of day).

Enter
ONLINE
Hours
Only

<u>NUMBERED WEEK (WEEK)</u>	<u>MON.</u>	<u>TUES.</u>	<u>WED.</u>	<u>THUR.</u>	<u>FRI.</u>	<u>SAT.</u>	<u>SUN.</u>	<u>Total WORK Hours</u>	<u>Total Week of ONLINE Hours</u>	<u>TOTAL HOURS</u>
Week 1										
Week 2										
Week 3										
Week 4										
Week 5										
Week 6										
Week 7:										
Week 8:										
Week 9:										
Week 10:										
Week 11:										
Week 12:										
Week 13:										
Week 14:										
Grand Total No. of Hours										

[Externship work hours after Dec. 15 are ONLY for Pro Bono purposes, are NOT to be reported on this time log.]

Agency Externship Program

Work Product Supervisor Form

(This form should be used only if all the student's work products are confidential or privileged.)

TO: Agency Externship Supervisor

Each student intern is required to submit a work product to the USD law professor for this Agency Externship course. The work must be a product that the student produced or substantially produced as part of his/her externship work.

If all the student's work products are confidential or privileged and cannot be released, please complete this form. This form is in lieu of the student intern submitting a work product towards satisfaction of this course's writing requirement.

You should complete and sign this form and provide it to the student for submittal to the Agency Externship course law professor.

AGENCY SUPERVISOR CERTIFICATION

I certify that _____ completed work products in this
(print student name above)
externship, which cannot be released because of confidentiality or privilege reasons.

Brief Description of Work Product(s)

Supervisor Name (print) _____

Agency _____

Date _____

Supervisor Signature: _____

University of San Diego School of Law Agency Externship Program

EVALUATION OF STUDENT EXTERN'S WORK PERFORMANCE

PLEASE NOTE: This evaluation must be completed and returned to the Faculty Supervisor for the student extern to receive academic credit for his/her externship work.

Name of Student _____

Name of Placement Organization _____

Supervisor's Contact Information (Enter information of supervisor primarily responsible for supervision of extern)

Name _____

Title _____

Phone _____

Email _____

Student Extern's Work Hours

Total number of hours student worked at your organization this academic term: _____

Evaluation Instructions

Please complete an assessment of the student's externship work performance according to the Rating Scale below and the following guidelines:

- You need not enter comments on the separate performance categories below (items 1 -4) unless any of the separate ratings includes an "Unsatisfactory" rating.
- You are encouraged to include comments for the "Overall Externship Work Performance" rating (item 5).
- As part of the student's overall learning process, please share this evaluation with the student. You are encouraged to review and discuss the evaluation with the student.

Rating Scale for Student Externship Performance

- 1 Unsatisfactory Performance.** Includes: insufficient and inconsistent output, inadequate research and analysis, carelessness and inaccuracies, insufficient preparation for tasks, weak organization and case management.
- 2-4 Minimal Satisfactory Performance.** Includes: minimal adequate performance, difficulty in meeting deadlines and completing basic tasks and assignments, need for close supervision.
- 5-6 Satisfactory Performance.** Includes performance that consistently: meets and sometimes exceeds minimum standards, works efficiently, exhibits good organization and case management skills, requires normal level of supervision.
- 7-9 Above Satisfactory Performance.** Includes performance that consistently: exceeds minimum standards, anticipates and meets deadlines, requires minimal supervision, works independently, learns effectively from colleagues, and seeks opportunities to learn and improve.
- 10 Excellent Performance.** Includes performance that consistently: demonstrates outstanding judgment and planning, exhibits high level of lawyer tasks and skills, identifies issues, and proposes solutions, requires little to no supervision, generally performs at the level of a first-year attorney.

ASSESSMENT OF STUDENT'S EXTERNSHIP WORK PERFORMANCE

[1: Unsatisfactory; 2-4: Minimally Satisfactory; 5-6: Satisfactory; 7-9: Above Satisfactory; 10: Excellent]

1. Legal Analysis and Research:

Identifies key legal and factual issues.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Locates relevant statutes, case law, regulations and other relevant research materials.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Produces clear, succinct written summaries of research.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Comments:

2. Judgment and Problem-Solving Skills:

Thinks creatively about each case or project.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Knows how and when to ask questions or seek additional consultation.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Exercises good common sense.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Comments:

3. Writing and Verbal Communication Skills:

Writes clearly, precisely, and persuasively.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Drafts well-organized, well-researched written assignments.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Communicates verbally in a clear and confident manner.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Comments:

[1: Unsatisfactory, 2-4: Minimally Satisfactory, 5-6: Satisfactory, 7-9: Above Satisfactory, 10: Excellent]

4. Professionalism and Courtesy:

Maintains a regular work schedule, arrives to work on time, provides adequate notice of tardiness or illness.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Completes assignments on a timely basis.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Treats attorneys, staff, clients, & public with courtesy & civility in written and verbal communications.

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Comments:

5. Overall Externship Work Performance

1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☐ 8 ☐ 9 ☐ 10 ☐ N/A ☐

Comments:

ADDITIONAL COMMENTS

Do you have any additional comments or suggestions concerning either this student or the USD School of Law Agency Externship Program?

I certify that the student's overall externship work performance was satisfactory or better.

Supervisor Signature: _____ Date: _____

Please submit this completed Evaluation by emailing it to:

**John Sansone, Professor of Practice and Faculty Supervisor
Agency Externship Program, USD School of Law**

Email: jsansone@sandiego.edu

B. ABA and California State Bar Appendices

American Bar Association Standard Governing FIELD PLACEMENTS

The USD School of Law Field Placement Program complies with the following ABA standards set forth under Standard 304, subdivision (c), governing "Field Placements."

ABA Standards and Rules of Procedure for Approval of Law Schools

Chapter 3: Program of Legal Education

Standard 304. EXPERIENTIAL COURSES: SIMULATION COURSES, LAW CLINICS, AND FIELD PLACEMENTS

- (a) Experiential courses satisfying Standard 303(a) are simulation courses, law clinics, and field placements that must be primarily experiential in nature and must:
 - (1) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills identified in Standard 302;
 - (2) develop the concepts underlying the professional skills being taught;
 - (3) provide multiple opportunities for performance;
 - (4) provide opportunities for student performance, self-evaluation, and feedback from a faculty member, or, for a field placement, a site supervisor;
 - (5) provide a classroom instructional component; or, for a field placement, a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection; and
 - (6) provide direct supervision of the student's performance by the faculty member; or, for a field placement, provide direct supervision of the student's performance by a faculty member or a site supervisor.
- (b)
- (c)
- (d) A field placement course provides substantial lawyering experience that (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise, and (2) includes the following:
 - (i) a written understanding among the student, faculty member, and a person in authority at the field placement that describes both (A) the substantial lawyering experience and opportunities for performance, feedback, and self-evaluation; and (B) the respective roles of faculty and any site supervisor in supervising the student and in assuring the educational quality of the experience for the student, including a clearly articulated method of evaluating the student's academic performance;
 - (ii) a method for selecting, training, evaluating, and communicating with site supervisors, including regular contact between the faculty and site supervisors through in-person visits or other methods of communication that will assure the quality of the student educational experience. When appropriate, a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program;
 - (iii)
 - (iv)
- (e) Credit granted for such a simulation, law clinic, or field placement course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.
- (f) Each student in such a simulation, law clinic, or field placement course shall have successfully completed sufficient prerequisites or shall receive sufficient contemporaneous training to assure the quality of the student's educational experience.