



FIELD PLACEMENT PROGRAM

Agency Externship and Corporate Counsel Externship MANUAL

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I. INTRODUCTION

General

The University of San Diego School of Law is committed to developing students' practical legal skills, including written and oral advocacy, client counseling and representation, 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 programs: Agency Externship, Corporate Counsel Externship, Judicial 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, respectively. 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 provide a public service that instills in student externs a deep sense of social responsibility and a commitment to pro bono service.

Agency and Corporate Counsel Externships

The Agency and Corporate Counsel externships include a *work component* and an *online academic coursework component*. Students work at externship placements for academic credit while enrolled in an associated course (Agency Externship I and II and Corporate Counsel Externship I and II) 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, or an individual otherwise qualified to supervise legal externs. 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 the student's written and oral work products.

Online Academic Coursework Component (including writing requirements)

The online academic coursework component of the Agency and Corporate Counsel Externship courses is offered through the online Blackboard system. These courses are 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 throughout the academic term, and (iii) review and enter scores in Blackboard for student journals, discussion board postings, as well as the following final assignments: final paper and work product. 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 and Written Understanding of Field Placement Program

The goal of the Agency and Corporate Counsel 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. Also, in accordance with the ABA standards, this Manual provides a written understanding among the students, faculty member, and persons in authority at the field placement of the: (A) substantial externship 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 performance.

II. EXTERNSHIP LEARNING OUTCOMES

The Agency Externship Program designed to produce the following learning outcomes:

- The enhancement of the following legal skills in a practical working environment: (i) legal research, (ii) legal analysis, and (iii) drafting legal documents such as research memoranda, opinion letters, contracts, motions, complaints, answers, trial and appellate briefs, and /or bench briefs;
- The development of: (i) attorney skills through participation in activities such as interviews, negotiations, investigations, strategy formulation, etc., and (ii) oral advocacy skills through participation in, and observation of, a variety of legal proceedings such as depositions, pre-trial hearings, motions, trials, appellate arguments, and administrative hearings;
- The enhancement of a student's ability to exercise good judgment and effective problem-solving skills through the application of legal principles learned in law school applied to everyday practical legal problems;
- The development of high standards of legal professionalism and civility in the practice of law, as well as a good understanding of the types of professional responsibility issues that arise within the context of legal practice;
- The exposure to different roles for attorneys and to a wide range of career opportunities available in the law.

The Corporate Counsel Externship Program is designed to produce the following learning outcomes:

- The enhancement of the following legal skills in a practical working environment: (i) legal research, (ii) legal analysis, and (iii) drafting legal documents such as research memoranda, agreements and amendments, breach letters, and case summaries;
- The development of communication skills through participation in, and observation of, a variety of legal activities such as client meetings, contract negotiations, and strategy sessions;
- The enhancement of a student's ability to exercise good judgment and effective problem-solving skills through the application of legal principles learned in law school applied to everyday practical legal problems;
- The development of high standards of legal professionalism and civility in the practice of law, as well as a good understanding of the types of professional responsibility issues that arise within the context of legal practice;
- The exposure to different roles for attorneys and to a wide range of career opportunities available in the law.

III. USD FIELD PLACEMENT PROGRAM INFORMATION AND SUMMARY OF EXTERNSHIPS

A. What is the Field Placement Program?

The Field Placement 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 Externships (work at a government agency or nonprofit organization law office)
- Corporate Counsel Externships (work at corporate counsel law office)
- Judicial Externships (work for judges at federal and state courts)
- Washington DC Externships (work for a government or public interest agency, non-profit trade association, think-tank or with a judge in DC)

B. How Do I Find a Field Placement for an 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 OCI and Job Listings 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 particular 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, What's Next?

If an organization (e.g., government law office, court, corporate law department, etc.) accepts a student to work as an extern (or intern, as the term is used by some placements), and the student meets the eligibility requirements, the student needs to complete the [Field Placement Form](#). The Field Placement Form is located at the following site:
<https://www.sandiego.edu/law/academics/clinics-externships/externships/>

The Office of Career and Professional Development reviews and confirms your placement. If your placement is not on the Approved Placement List, the externship course's USD Law Faculty Supervisor will speak to your on-site supervisor to determine if the placement site qualifies for the externship program. If the Office of Career and Professional Development approves your placement, you will receive an email with instructions for enrolling in the appropriate externship course, which you will then take directly to the Registrar's office to enroll. Be sure to do this during the registration period set by the Registrar's office to obtain academic credit.

D. Summary of Agency and Corporate Counsel Externships

The Agency and Corporate Counsel Externship courses provide students the opportunity to gain valuable legal experience for academic credit on a pass/fail basis with a government agency, non-profit organization law office, or corporate legal department. (Externship work for academic credit is not permitted at a private law firm). Students working for the first time at an Agency or Corporate Counsel Externship placement are enrolled in the Agency or Corporate Counsel Externship I course. Students who previously worked at an Agency or Corporate Counsel

Externship placement are enrolled in the Agency or Corporate Counsel Externship II course. Reference to either Agency or Corporate Counsel Externship in this document means both the I and II courses.

Students may enroll in the Agency or Corporate Counsel Externship Course for 1 - 6 units of credit and must work during the "academic session" for a minimum of 50 hours per credit. For purposes of externship work, the "academic session" is from the official start of classes to the last day of final exams. Any Agency Externship work outside this time period may be counted towards the law school's Pro Bono Recognition Program, but not towards academic credit.

The number of credits shown below require the total externship work 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 and Corporate Counsel 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, at the placement site. The faculty supervisor for the externship course will closely monitor and regularly correspond with students throughout the semester. The faculty supervisor will review samples of students' written work, assess their externship progress, correspond with on-site placement attorney supervisors and determine course pass-fail grades.

2. Course Requirements

The Agency and Corporate Counsel Externship courses consist of a work component and an online academic coursework component, which includes a writing requirement (i.e. Final Paper and Work Product). The academic component consists of mandatory orientation, journals summarizing work performed; discussion board forums on legal practice topics; a three-five-page reflective final paper; and a work product that was produced at the externship placement. Please see the Course Syllabus for a full description of the course requirements.

3. Pro Bono Service Recognition for Students Working in an Agency Externship

It is possible that 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. For example, a student who is enrolled for 3 credits in the Agency Externship course is required to work at least 150 hours during the academic session. If that student works more than 150 hours (e.g., student worked 200 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](#)

IV. ORIENTATION FOR FIRST TIME EXTERNSHIP STUDENTS

A. Mandatory Externship Orientation

There is a mandatory orientation for all law students enrolled for the first time in a USD Law School Agency Externship or Corporate Counsel Externship course who will be working at an externship placement. This Orientation presentation takes place on a Saturday morning at the beginning of each academic term at a place and time to be announced.

PLEASE NOTE: Students are not required to attend this Orientation who previously participated in either the Agency Externship or the Corporate Counsel 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 the student previously participated in either the Agency or Corporate Counsel Externship.
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.

V. 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](#) (Ctrl+Click to access link to Rules)

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 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 on appellate briefs, 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 that seems 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 gave 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. And, 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 a 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 exactly 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.

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

The University of San Diego School of Law is extremely thankful for the meaningful supervision provided by on-site field placement supervisors of USD law student externs. The Law School very much appreciates each supervisor's time, effort, and interest in helping the externs gain a valuable practical learning experience.

For purposes of assisting supervisors with the supervision of USD law student externs, this document includes a list of supervisor requirements and recommended responsibilities. We hope this list provides each supervisor with helpful information, ideas and approaches for supervising the externs.

The following two introductory Sections are included for the supervisors' background information:

Section A includes a brief overview of the USD Field Placement Externship Program.

Section B includes USD's Externship Learning Outcomes. Supervisors are encouraged to support and assist the externs' achievement of these Learning Outcomes.

A. USD Field Placement Externship Program: Brief Description

1. Students Earn Academic Credit. The USD Externship Program provides law students opportunities to work for academic credit.
2. Externs are Enrolled in an Academic Course as Part of Externship Work. Law student externs are enrolled in an academic course in connection with their externship work. The academic course is pass-fail that is conducted online between the externs and faculty supervisor.
3. Externship Course Consists of Two Components. The externship course consists of two components: (a) **Work Component** – the work at the externship placement, and (b) **Online Academic Coursework Component** – online course work with a USD faculty member; which includes a writing requirement involving a final paper and work product submitted to the USD faculty supervisor at the end of the academic term.
4. Extern Requirement of Work/Activity Hours. Externs are required to perform a specified number of hours of externship work and engage in externship activities (e.g., observing court proceedings, depositions, or negotiation sessions; attending training sessions; participating in field trips, etc.). The following number of credits, for which an extern enrolls in the course, requires at least the number of work/activity 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
5. Required Time Period to Work for Academic Credit: Students may enroll in the externship course for 1 - 6 units of credit and must work during the "academic session" for a minimum of 50 hours per credit. For purposes of the externship course, the "academic session" is from the official start of classes to the last day of final exams for that academic term. For agency externship purposes only, any work outside this time period may be counted towards the law school's pro bono hours, but not academic credit, provided there is no compensation during this period.

B. Externship Learning Outcomes

The goal of the Agency and Corporate Counsel Externship courses is to enable law student externs to achieve specified Learning Outcomes set forth in Section II of this Manual. These Learning Outcomes were established in accordance with the American Bar Association (ABA) standards applicable to law school field placement programs. Also, in accordance with the ABA standards, this Handbook is intended to provide a written understanding among the students, faculty member, and persons in authority at the field placement that describes both (A) the substantial externship 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 performance.

C. Supervisor Responsibilities: On-Site Supervision of Law Student Externs

- Designated Supervisor - Licensed Attorney. The externship placement must designate a licensed attorney or an individual otherwise qualified to supervise, as the supervisor of externs. This supervisor is responsible for the overall supervision of the extern's work 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.
- 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 total number of hours and not conflict with the extern's class schedule.
- Externship Orientation. The externship 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.
- Diversity of Assignments/Tasks. Supervisors should assign externs work and activities that include a variety of legal subjects and a broad range of lawyering skills to develop.
- Assignments. 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.
- Feedback. Supervisors need to provide externs with specific, individualized, timely, and constructive verbal 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 for the extern to achieve a valuable learning experience.
- Establish Weekly Conferences with Externs. Supervisors should consider establishing regular conferences with externs at least once a week. The learning process is greatly enhanced when externs are able to meet individually 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.
- Attendance at Training Sessions. Supervisors are encouraged to have externs attend training sessions offered by the externship placement, including any MCLE presentations, if appropriate.
- 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.
- 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.
- 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.
- Supervisor Contact with Faculty Supervisor. Supervisors are strongly encouraged to contact the Faculty Supervisor about any questions or concerns with the USD 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.
- Supervisor's Evaluation of Extern Work Performance.
 - Supervisors must complete a USD evaluation form, entitled "Evaluation of Student Extern Work Performance," at the end of the externship.
 - Review and discuss the completed evaluation with the extern.
 - An extern's overall performance at least must meet the minimal satisfactory performance standards for the student to earn a passing grade.

VII. 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.

VIII. APPENDIX

A. Agency Externship Appendices

SAMPLE JOURNAL

JOURNAL 1

STUDENT NAME

NAME OF PLACEMENT

Week 1

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:

Memo on Calif. Public Records Act

Legal Subject: The legal subject of this assignment involves the 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 analyze and determine if any of the public records requested are protected by statutory exemptions under the Calif. PRA.

Memo on Land Use Matter

Legal Subject: The legal subject of this assignment involves a 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.

Week 2

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.

Observed a Court Hearing on a Motion

Legal Subject: The legal subject of this court hearing involved a Motion to Dismiss a Complaint that was filed by a plaintiff who alleged he was injured by a city employee in an auto accident.

Issue: The issue was whether the plaintiff fully complied with the City's Claim requirements prior to filing his lawsuit. I was able to watch the attorneys on both sides make their arguments.

Observed a Trial in Federal Court

Legal Subject: The legal subject in the trial involved allegations of civil rights violations.

Issue: The trial in federal court was about a complaint against the city police for violation of civil rights based on allegations of excessive force. Over a couple days during the week, I was able to watch the jury selection, opening statements by both attorneys, and the direct & cross examination of several witnesses.

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

TIME LOG for the _____ Semester Agency Externship Course

<u>NUMBERED WEEK (WEEK)</u>	<u>MON</u>	<u>TUES</u>	<u>WED</u>	<u>THURS</u>	<u>FRI</u>	<u>SAT</u>	<u>SUN</u>	<u>TOTAL HOURS</u>
(Do Not Enter Any Hours Worked Prior to _____)	[Externship work hours prior to _____ are for Pro Bono Hours only and are not to be reported on this time log.]							
	<u>NOTE: Please enter the total number of hours worked each day in spaces below (do not enter the start & end times).</u>							
Week 1:								0
Week 2:								0
Week 3:								0
Week 4:								0
Week 5:								0
Week 6:								0
Week 7:								0
Week 8:								0
Week 9:								0
Week 10:								0
Week 11:								0
Week 12:								0
Week 13:								0
Week 14:								0
Week 15:								0
[End of classes]								
Week 16:								
Week 17:								0
(Do Not Enter Any Hours Worked After _____)	[Externship work hours after _____ are for Pro Bono Hours only and are not to be reported on this time log.]							
Grand Total No. of Hours								0

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: _____



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-in-Residence and Faculty Supervisor
Agency Externship Program, USD School of Law**

Email: jsansone@sandiego.edu

B. Corporate Counsel Externship Appendices

SAMPLE JOURNAL

Student Name:

Placement Name:

Monday

This morning I reviewed a lease agreement. The lease agreement was over ten pages long, so the review took me awhile. Also, it was my first time reviewing a lease agreement and there were several terms/provisions in the agreement that I had never seen before. After I looked over the agreement, I reviewed a non-disclosure agreement and made comments. In comparison to the lease agreement, the NDA took me under an hour. After lunch, I participated in a litigation hold meeting with the AGC. We discussed the company's current procedure and how the legal department could work with different departments to make the process more efficient. After the meeting, I continued my research on litigation holds.

Challenges/Reflections: I found reviewing the lease agreement quite challenging since it was the first agreement of that type that I had to review. I read through it a couple of times to ensure I understood it. For the terms/provisions that I had not seen before, I either researched them or identified them as something I want to discuss with my supervisor. I really enjoyed the discussion on efficiencies since it gave me an insight into how the legal department can coordinate with other company functions – it is a real example of teamwork!

Tuesday

This morning, I went over my to-do list with the AGC. She asked me to put my litigation hold research on the back burner and she listed a few other things she wanted me to get to first. I drafted post-employment obligations letters. These letters were pretty easy to prepare because I used a letter I had previously drafted as a template. After finishing these letters, I emailed someone from HR asking for the addresses and phone numbers for the former employees. I then began researching photo releases and whether an opt-out photo release is acceptable for an employer. From my research, I concluded that such a release was acceptable as long as the company's employees were adequately notified. I drafted an informal email memo about the issue and recommended that the company include the photo release in their employee handbook and post the release in lunch rooms and on company bulletin boards. After doing this research, I started researching the U.K. Bribery Act and evaluating its applicability to the company.

Challenges/Reflections: I never realized how many projects I would be working on at the same time! I found it a little disorienting to move from topic to topic without pausing. An in-house attorney really needs to be very flexible and able to handle any issue from litigation matters to clearance questions to international compliance questions.

Wednesday

Today was a long day mostly because I researched and outlined my research on the U.K. Bribery Act for the whole day. I had a few discussions with the AGC about my research. She is very easy to talk to and throw around some ideas with. The AGC also made some additional revisions to the lease agreement I had reviewed on Monday. I looked over her changes.

Challenges/Reflections: Research is not my favorite legal task, although I understand how important it is to understanding the law and providing appropriate legal advice. It makes for a long day. But I am glad that the AGC is so available and willing to review my work and make comments. I plan to discuss her changes with her so I understand the policy behind her changes.

Thursday

I spent most of the day drafting the UK Bribery memo. I also sat in on a conference call with outside counsel about two current cases. The call concerned discovery and possible settlement. I went out to lunch today with several people from the accounting and legal departments, including the GC and AGC. After lunch, I continued working on the U.K. Bribery Act memo. Unfortunately, this is a new Act and there is not much guidance on the Act. Only one case has been litigated under the Act and it concerned a U.K. citizen, not a foreign corporation. This lack of information made it difficult to draft the memo and give an opinion. Despite this difficulty, I finished the memo and sent it to the AGC for her comments. I then went to the AGC and asked her for my next project. She was in the middle of drafting a provision for employment contracts for U.K. employees. The U.K. does not allow at-will employment. The conditions for an employee's firing or quitting have to be specifically drafted in the employee's contract. The AGC was working on a provision that had a set term of employment for two years and thereafter the employment would renew every 12 months. During this renewal period, she wanted to make the employment at-will. We discussed it and she said she would have outside counsel look over the provision.

Challenges/Reflections: I enjoy drafting, but the UK Bribery Act is not easy to understand and the lack of written guidance made drafting my memo quite challenging. But I do enjoy the international aspect of this position and look forward to more international work.

Friday

The AGC had sent me a few articles concerning a new CA law regarding misclassifying employees as independent contractors. I read over the articles. I did research on the issue for most of the day. After I asked her about the tone of the memo, she sent me an example of a recommendation she made to business folks. I began drafting the memo.

Challenges/Reflections: I am glad that I asked for the template, as suggested in the mandatory orientation session. It made my job much easier and worked well for the AGC so she could review something that was in a format that she was familiar with.

SAMPLE TIME LOG

CORPORATE COUNSEL TIME LOG -- _____ Semester

NUMBERED WEEK
(WEEK)

MON

TUES

WED

THURS

FRI

SAT

SUN

TOTAL HOURS

(Do Not Enter Any Hours
Worked Prior to _____)

NOTE: Please enter the total number of hours worked each day in spaces below (do not enter the start & end times).

Week 1 0

Week 2 0

Week 3 0

Week 4 0

Week 5 0

Week 6 0

Week 7 0

Week 8 0

Week 9 0

Week 10 0

Week 11 0

Week 12 0

Week 13 0

Week 14 0

Week 15 0

Week 16 0

Week 17 0

Week 18

(Do Not Enter Any Hours
Worked After _____)

Grand Total No. of Hours 0

Corporate Counsel Externship Program Work Product Supervisor Form



ON-SITE SUPERVISOR EVALUATION OF STUDENT EXTERN WORK PERFORMANCE

University of San Diego School of Law Corporate Counsel 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 ☐

Proposes potential solutions to legal or business issues.

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 ☐

Takes appropriate initiative.

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 ☐

Accepts constructive criticism and modifies work habits accordingly.

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

Uses supervisor's time effectively.

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 Corporate Counsel 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:

Beth K. Baier, Adjunct Professor and Faculty Supervisor
Corporate Counsel Externship Program, USD School of Law

Email: bethkbaier@sandiego.edu

C. 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, Subdivision (c). FIELD PLACEMENTS

- (c) 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) direct supervision of the student's performance by a faculty member or site supervisor;
 - (ii) opportunities for performance, feedback from either a faculty member or a site supervisor, and self-evaluation;
 - (iii) 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;
 - (iv) 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;
 - (v) a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection; and
 - (vi) evaluation of each student's educational achievement by a faculty member.; and
 - (vii) sufficient control of the student experience to ensure that the requirements of the Standard are met. The law school must maintain records to document the steps taken to ensure compliance with the Standard, which shall include, but is not necessarily limited to, the written understandings described in Standard 304(c)(iii).
- (d) 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.
- (e) 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 educational experience.