

INTRODUCTION TO JUDICIAL EXTERNSHIPS

Welcome to the SIU School of Law's Judicial Externship Program (LAW 672). PLEASE SIGN ONTO THE TWEN PAGE FOR THIS COURSE.

As you are about to learn (unless you have already completed an externship), there are many important lessons about the practice of law that faculty simply cannot teach in a classroom. Some things must be learned by doing them. The purpose of the Judicial Externship Program is to provide you with an opportunity to do the kinds of things that are necessary to make you as *practice-ready* as possible upon your graduation. The harder you work at the externship this summer, the more you will learn and the better prepared for work you will be upon graduation.

Externships often also provide an important additional benefit. If you are working in the community where you plan to live and work after graduation, the externship provides the opportunity to meet and get to know the lawyers working in that community. I strongly encourage you to attend local bar meetings this summer to meet as many local lawyers as possible.

Often, an extern who does a particularly good job gets noticed by other lawyers. As a result, that extern should have an easier time finding a job. And even where the extern is not *noticed* by other lawyers, a good performance virtually always leads to a strong job reference from the head of the agency with whom the extern works. That reference is often highly valuable in the particular community. Therefore, hard work promises not only valuable training, but also improved job prospects. So I encourage you to work hard and make the most of the opportunities that the externship provides.

Externship Experience

Appellate courts - Externs working in appellate courts typically receive intensive exposure to appellate procedure, research and writing. Depending on the court schedule, they also have the opportunity to observe oral arguments. The externship provides an opportunity to build in-depth knowledge of the legal topics involved in the case(s) the externs are assigned, but limited ability to network with a lot of lawyers and judges. Because externs work closely with the judge's law clerks, these externships often provide excellent opportunities to get feedback to improve writing skills.

Trial courts - Externs working in trial courts are immersed in the full range of trial procedures and motion practice of their supervising judge. Although some courts

have a specialized focus, such as family law courts, others expose externs to a potpourri of legal issues on both the criminal and civil dockets. The research and writing experiences available in trial court externships vary from judge to judge. Federal trial judges typically offer writing experiences similar to appellate courts because those judges produce a lot of written opinions. Conversely, state trial judges more commonly rule from the bench. As a result, externs typically bring those judges the relevant case/statutes and present their findings orally. Because of the volume of activity in the trial courts, they typically present the greatest opportunities to meet a wider cross section of the legal community.

In either setting, students learn how courts operate, become familiar with the duties of various court personnel, and observe how judges handle ethical as well as substantive and procedural issues

Externship Procedure

The Judicial Externship is a law school course for academic credit, just like torts, contracts and property. It should therefore come as no surprise to you that you will have to do some things for me during the course of the externship in order to obtain the academic credit for which you have enrolled. Please familiarize yourself with the forms that I have posted on the Judicial Externship TWEN page.

Application & Approval Documents. You should have already submitted your Judicial Externship Application, Assumption of Risk & Participation Agreement forms (found on the table outside my office).

When may I begin and when must I finish the externship? You may begin any time after graduation on May 09, 2020. You should do your very best to complete the externship before August 3, 2020. If this date presents a problem for you, please see me.

Initial Report/Learning Plan. Promptly after you begin your externship, you must complete a Learning Plan. The form is on TWEN. You should formulate the initial Plan and then review it with your supervisor. Once the supervisor and you have completed it, please forward it to me. A hard copy or an electronic copy is fine.

Bi-Weekly Hours Report. Please use this form to record your hours worked and tasks performed. I expect you to submit this form every 2 weeks. You may submit a hard copy or an electronic copy. Please provide sufficient detail in the description of the tasks you perform so that I will have a good idea how you are spending your time. Remember that you must complete 42.5 hours of service for each hour of

academic credit for which you enrolled (so a 3 credit hour externship requires that you perform 127.5 hours of service in your externship). ALSO, *please accompany each Report with a description of the tasks you have performed and matters you have worked on during the applicable two-week period.* This statement need not be very long. A couple of paragraphs will suffice.

What hours count? Generally speaking time spend WORKING counts. This means most of the time spent at your externship site doing work, watching your supervising judge or meeting with your supervisor or law clerks does count toward the hours you need to complete the externship, but driving to and from work does not count. Also, time spent completing reports for me and performing other related duties count (including reading this Introduction). If you have questions, please let me know.

Observation Hours: At least twenty percent (20%) of your required hours should involve observation of lawyers and pro se parties involved in court proceedings, other than with your supervising judge. You should note these observation hours on your Bi-Weekly Hours Reports.

Mid-Term Report. By the first week of July (if not sooner, depending on when you start the externship), please complete the Mid-Term Report form and submit it to me (again, either by hard copy or electronically). This form will require your supervisor and you to review your Learning Plan and determine whether you are making progress toward the goals identified in that Plan. It will also give you the opportunity to adjust your goals and expectations to the circumstances you actually encounter. IN ADDITION, your supervisor and you must review and complete the mid-term reporting portion of the *Student Performance Review* form that you will find on TWEN.

Final Report, Placement Evaluation & Student Performance Review. These are the documents you will complete at the end of your externship. As you will see as you read through them, you must submit samples of writing that you prepared during the externship (*e.g.*, orders, legal memoranda, etc.). Be sure to delete any confidential information (including the identity of people) from the documents before you send them to me. You should plan to submit these final documents by the first week of August. If you anticipate that you will need more time to complete the externship, please let me know.

Pro Bono Hours. Many of you will complete the necessary hours of service long before you are ready to leave the judge for whom you are working. Be sure to keep track of ALL the extra hours you work. This will likely count toward fulfilling your *pro bono* requirement or toward a *pro bono* citation at graduation.

Rules of Professional Responsibility

For those of you who have already taken Legal Profession (LAW 580), you know that you must follow the Rules of Professional Responsibility even though you are not yet a fully licensed attorney. For those of you who have not yet taken Legal Profession (LAW 580), I will hereinafter review some of the basic rules that you must observe.

Maintain confidentiality. You will likely be privy to a lot of confidential information in your job: communications with the judge, law clerks, meetings with attorneys and litigants and closed court proceedings, etc. You generally must not disclose this information to anyone. Often times it is difficult to determine what you may disclose and what you may not. The best practice is to disclose nothing (not even a client's identity). What you discuss with others at work, what you learn from court proceedings are best kept to yourself. So start now the practice of not discussing your work with friends and relatives.

Avoid conflicts of interest. Many of you will be working in or near your home town. You may find that you are asked to work on a matter that involves an old friend, a relative, or another person with whom you are familiar. No matter the nature of the relationship, immediately inform your supervising judge. Your relationship may not create a problem, but it is certainly better to be safe than sorry. You don't want another lawyer in the office disqualified from a case because you failed to disclose a friendship or family relationship.

General Department

Ask questions. The judges and lawyers with whom you will work understand that you do not yet know how to do everything. They expect you to ask questions, so ask them. Better that you perform a task correctly the first time than to have to redo it because you failed to ask. Of course, do not make a nuisance of yourself by bothering a judge or lawyer who is extremely busy at the time.

Be on time. This one seems obvious, but apparently it isn't. Be on time to work. Be on time to court. Be on time to meetings. You can permanently scar your reputation with judges and lawyers simply through tardiness. You may be the best

extern the town has ever seen, but if your reputation is that you cannot be counted on to arrive on time, you will likely have difficulty finding a job.

Follow the dress code. Before you start, ask the judge or a law clerk in the office about the dress code. They may say that there is not one, but then ask how people typically dress for work. Then follow that dress code. Don't worry that you don't like the dress code. Following it will not hurt you and it may actually help you.

Miscellaneous

Questions. Externship students sometimes have questions or problems that they prefer not to discuss with the supervisor (at least not initially). You should feel free to contact me to discuss any questions or problems that you have. In fact, don't let a problem fester. Let me know early so we can prevent a small problem from becoming a big one.

Do a good job. You are probably not the first law student to do an externship with this judge, and I certainly hope you are not the last. I expect you to do a good job so that the judge is willing to take additional SIU Law externs in the future. If you provide valuable service to the judge, then you will pave the way for those future externs.

TWEN Forum. I have opened a TWEN Forum discussion page entitled "How I Spent My Externship." **I expect you to contribute to that page.** Share your experiences with your classmates so that you may learn from each other. Remember that this is an S/U course. With any luck, everyone will receive the highest grade in the class, so there is no intra-class competition. Instead, you should ask questions and respond to questions so that you may help each other.

Finally, I hope you all have a great summer and that you learn a great deal. The Externship will certainly feel like work, but most, if not all, of you will find it to be great fun. So have a good time, and do a really good job so that another SIU law student may follow in your footsteps after you have graduated.

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