

SUPERVISING REMOTE EXTERNSHIPS IN CALIFORNIA

Learn how to create the best *remote* placements and externships for law students, law schools, and your organization.



*Provided by SoCalEx (Southern California Externships) and
BACE (Bay Area Consortium on Externships)*

Live Sessions

Friday, May 1st from 12:15 to 1:30 pm PST

OR

Tuesday, May 5th from 3:00 to 4:15 pm PST

RSVP for either session at

<https://tinyurl.com/RSVPCalEx>.

**Free 1 hour
CLE Credit
Available!**

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SUPERVISING ATTORNEY TRAINING

May 2020

TABLE OF CONTENTS:

Presenter Bios	3
Training Slides	5
General Remote Work/Supervision Insights	8
Onboarding: Plan, Plan, Plan	19
Orientation: Structure, Structure, Structure	26
Supervision: Communicate, Communicate, Communicate	39
Assignments & Experiences: Creativity, Creativity, Creativity	44
Shaping Future Lawyers: Feedback, Feedback, Feedback	53
Additional Resources	
➤ Bibliography	61
➤ BACE Supervisor’s Manual Description and Link	63
➤ SoCalEx Supervisor’s Manual Description and Link	63
➤ ABA Standard 304	64
➤ Posting and Recruitment Information	66
➤ BACE Contact Information	72
➤ SoCalEx Contact Information	73

Presenter Bios

Nira Geevargis, Associate Professor, serves as the Director of Externship Programs, where she oversees UC Hastings Law's program for developing students' practical legal capabilities through placements in qualifying judicial, government, or corporate counsel offices. Before joining UC Hastings, Professor Geevargis was an Assistant Professor and Director of Externships Programs at the University of San Francisco School of Law for eight years. Earlier in her career, she was a civil rights attorney and advocate at the Lawyers' Committee for Civil Rights of the San Francisco Bay Area. She litigated immigration cases and managed the General Legal Services Clinic, which provided pro bono legal representation to low-income clients through partnerships with law firms, solo practitioners, and nonprofit organizations. In 2005, Professor Geevargis was awarded the Graduate Law Fellowship at the Golden Gate University Women's Employment Rights Clinic where she supervised law students providing representation to low-wage workers.

Anahid Gharakhanian comes from a background of practice, and for the past 18 years has been a professor at Southwestern Law School. She teaches Legal Analysis, Writing and Skills (LAWS) and has instituted academic and professionalism innovations as part of the program. She's also built one of the most extensive externship programs in California. Anahid is very active in the externship community in California as well as nationally and has been serving as the co-chair of the Association of American Law Schools Externships group since spring 2019. Anahid also has extensive administrative experience, serving as Vice Dean from 2012 to 2016, with responsibility for the academic program, curriculum development and implementation of faculty policies, faculty-student relations, and oversight of the adjunct faculty, General LLM Program, JD admissions, and academic success, among other areas. She is currently working on an expansive externship research study, empirically exploring whether students are successful in their externships and what factors contribute to the success.

D'lorah L. Hughes has a wealth of experience in clinical education. Prior to coming to UCI Law in July 2016, she was Director of Clinical Education at Wayne State Law School, where she was responsible for oversight and development of the clinical education program, including seven live-client clinics and four externship programs. Prior to this role, Professor Hughes was Associate Director of Clinical Education and Director of Externships at Wayne State Law. She has also held academic positions at the University of Arkansas School of Law-Fayetteville, Case Western Reserve University School of Law, and Whittier Law School. Previously, she practiced law as a deputy public defender for the Orange County Public Defender's Office in California and as a staff attorney at the AIDS Legal Assistance Project at the Law Foundation of Silicon Valley. She holds leadership positions on the Board of Directors for the Clinical Legal Education Association (CLEA) and the Executive Committee for the Association of American Law Schools (AALS) Section on Balance in Legal Education.

Carolyn Young Larmore is the Externship Director and a Professor of the Practice of Law at Chapman University Fowler School of Law. She received her B.A. from U.C. Berkeley, graduating Phi Beta Kappa, and her JD from UCLA, graduating Order of the Coif. After law school, Professor Larmore joined the law firm of Irell & Manella LLP in Los Angeles as a litigation associate, and later Proskauer Rose LLP's Labor & Employment department in its Los Angeles office. Professor Larmore then worked at the Disability Rights Legal Center at Loyola Law School. As [Externship](#) Director, Professor Larmore supervises about 230 students per year as they work for judges, district attorneys and public defenders, government agencies, non-profits, in house counsel departments and private law firms. She is also a regular presenter at national and regional externship and clinical academic conferences.

Laura Riley serves as Director of Experiential Learning and Adjunct Assistant Professor of Law at the University of Southern California Gould School of Law. She also co-teaches the Veterans Legal Practicum. Prior to joining her law school alma mater USC, Riley practiced public interest law in Los Angeles for close to a decade working in the disability rights, gender justice, health, and veterans law fields. Riley has published many consumer and legal articles, a Rutter Guide chapter on disability rights discrimination, a textbook chapter on Fetal Alcohol Spectrum disorders, and two amicus briefs to the United States Supreme Court. She continues to volunteer in nonprofit organizations in the Los Angeles area.

Sue Schechter is the Field Placement Director at UC Berkeley School of Law. Since the summer of 2006, she has coordinated an externship program in which 65-80 students a semester participate. She is the first full-time director and has strengthened relationships with supervising attorneys and developed the class/reflective components of the program. Sue is a founder of BACE, the Bay Area Consortium on Externships, a Bay Area collaborative with externship directors from Northern California law schools. Sue has been active at the local, regional, national, and international level in field placement education, such as serving on committees and presenting at conferences. Currently, she serves on the AALS Clinical Section's Executive Committee. In addition, Sue serves as the Faculty Co-Director for Berkeley Law's Pro Bono Program and on the Public Interest Placement Committee.

Anne Sidwell, Assistant Professor, has dedicated her professional and academic life to social justice. Professor Sidwell graduated from the George Washington University Law School in May 2011. After graduation, Professor Sidwell worked for the Honorable Zoe Bush in the Superior Court of the District of Columbia and as a court advocate for DC SAFE, a domestic violence prevention organization, before joining Legal Services of Northern Virginia as a domestic violence and family law staff attorney in early 2012. From 2013 to 2019, Professor Sidwell represented survivors of domestic violence in family and immigration law matters at Bay Area Legal Aid. Professor Sidwell joined the faculty of the University of San Francisco School of Law as the Director of Externship Programs in 2019

SUPERVISING REMOTE LAW STUDENTS

Presented by
BACE: Bay Area Consortium on Externships
&
SoCalEx: Southern California Externships

Agenda

1. Introduction
2. Onboarding/Orientation
p. 19
3. Communication
p. 29
4. Assignments/Experiences
p. 44
5. Feedback Matters
p. 53
6. Wrap-up/Questions



- We Understand
- Best Practices Balanced with Reality
- Three Takeaways

Onboarding

p. 19

- Start Date
- Expectations
- Know Your Student
- Technology
- Resources
- Supervision Plan
- Welcome

Orientation

p. 26



Communication

p. 39

Who

- Supervisor
- Back-up
- Mentor

How

- More is More
- Questions (p. 43)
- Student Emails Weekly Update (p. 42)
- Standing Meeting

Standing Meeting



Student Sets Agenda



Sample Agenda (p. 41)

1. Personal Check-in
2. Assignments (prior/current/future)
3. Opportunities for Observation & Engagement

Assignments & Experiences

p. 44



Minimum Hours Unchanged

Externships for Credit Only



Substantive Work

Remote Assignment Ideas (p. 45)

Sample Assignments

p. 45



Research & Writing



Information Gathering & Summarizing



Correspondence & Connection

Observation

(p. 51)

How

- Conference call
- Video conference
- Other remote tools

What

- Meetings: clients, staff, counsel
- Case review, strategy sessions
- Hearings, mediation, depositions
- Debrief

22

Building Community

(p. 52)



Brown Bags



Informational Interviews



Student Collaboration



Collegial Setting



Fun!

23

Supervision Really Matters: Externships Success Study (Spring 2020)

Feedback
from Supervisor

Relationship
with Supervisor

24

Feedback

p. 53



Use a Form



Explain Final Product



Student Led



Timely

25



WRAP-UP & QUESTIONS

27

Contacts & Presenters

p. 72 & 73

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- **UC Hastings:** Nira Geevargis & Brittany Glidden
- **USP:** Anna Sidwell & Nora Katz

SoCalEx

- **Chapman:** Carolyn Young Larmore
- **Southwest:** Anahid Gharakhanian
- **UC Irvine:** D'Iorah Hughes
- **USC:** Laura Riley

28

General Remote Work / Supervision Insights

Remote Externship Checklist

Thank you for your willingness to supervise an extern during these challenging times.

Hopefully, employing the checklist below will allow for a more enriching experience for both the student and the supervisor.

1. Allow students **remote access** to email and necessary systems and documents.
2. Address **confidentiality** and **security** concerns with externs.
3. Plan and hold a remote **orientation**.
4. Engage students in a **goal-setting** exercise.
5. Hold **regularly-scheduled, weekly one-on-one video conference meetings** with your extern.
6. Be **explicit** about the support structure of your program (supervisor, coordinator, mentor, technical support, etc.)
7. Provide **opportunities** for students to get to know your office and coworkers - help them create a network.
8. Be creative in finding opportunities for student **observation** of unique experiences (i.e. hearings).
9. Provide **substantive remote work**.
10. Provide **enough remote work** for your extern to complete their hours.
11. Give students short-term and long-term **projects**.
12. Give **substantive feedback**, written and orally.
13. Establish a set **work schedule** with your extern.
14. Create **space** to monitor the progress of student goals and the remote experience.
15. Near the conclusion, provide an opportunity for student and supervisor **evaluation**.
16. Be **flexible** with student needs.
17. Create **community**.
18. Show **compassion**.

Harvard Business Review

Harvard Business Review is a great resource that provides daily updates and free Coronavirus coverage on a number of topics that relate to extern supervisors.

LEADING TEAMS

A Guide to Managing Your (Newly) Remote Workers

by [Barbara Z. Larson](#) , [Susan R. Vroman](#) and [Erin E. Makarius](#)

March 18, 2020



Ada Yakota/Getty Images

We've made our coronavirus coverage free for all readers. To get all of HBR's content delivered to your inbox, sign up for the Daily Alert newsletter.

In response to the uncertainties presented by Covid-19, many companies and universities have asked their employees to work remotely. While close to a quarter of the U.S. workforce already works from home at least part of the time, the new policies leave many employees — and their managers — working out of the office and separated from each other for the first time.

Although it is always preferable to establish clear remote-work policies and training in advance, in times of crisis or other rapidly changing circumstances, this level of preparation may not be feasible. Fortunately, there are specific, research-based steps that managers can take without great effort to improve the engagement and productivity of remote employees, even when there is little time to prepare.

Common Challenges of Remote Work

To start, managers need to understand factors that can make remote work especially demanding. Otherwise high-performing employees may experience declines in job performance and engagement when they begin working remotely, especially in the absence of preparation and training. Challenges inherent in remote work include:

Lack of face-to-face supervision: Both managers and their employees often express concerns about the lack of face-to-face interaction. Supervisors worry that employees will not work as hard or as efficiently (though research indicates otherwise, at least for some types of jobs). Many employees, on the other hand, struggle with reduced access to managerial support and communication. In some cases, employees feel that remote managers are out of touch with their needs, and thereby are neither supportive nor helpful in getting their work done.

Lack of access to information: Newly remote workers are often surprised by the added time and effort needed to locate information from coworkers. Even getting answers to what seem like simple questions can feel like a large obstacle to a worker based at home.

This phenomenon extends beyond task-related work to interpersonal challenges that can emerge among remote coworkers. Research has found that a lack of “mutual knowledge” among remote workers translates to a lower willingness to give coworkers the benefit of the doubt in difficult situations. For example, if you know that your officemate is having a rough day, you will view a brusque email from them as a natural product of their stress. However, if you receive this email from a remote coworker, with no understanding of their current circumstances, you are more likely to take offense, or at a minimum to think poorly of your coworker’s professionalism.

Social isolation: Loneliness is one of the most common complaints about remote work, with employees missing the informal social interaction of an office setting. It is thought that extraverts may suffer from isolation more in the short run, particularly if they do not have opportunities to connect with others in their remote-work environment. However, over a longer period of time, isolation can cause any employee to feel less “belonging” to their organization, and can even result in increased intention to leave the company.

Distractions at home: We often see photos representing remote work which portray a parent holding a child and typing on a laptop, often sitting on a sofa or living-room floor. In fact, this is a terrible representation of effective virtual work. Typically, we encourage employers to ensure that their remote workers have both dedicated workspace and adequate childcare before allowing them to work remotely. Yet, in the case of a sudden transition to virtual work, there is a much greater chance that employees will be contending with suboptimal workspaces and (in the case of school and daycare closures) unexpected parenting responsibilities. Even in normal circumstances family and home demands can impinge on remote work; managers should expect these distractions to be greater during this unplanned work-from-home transition.

How Managers Can Support Remote Employees

As much as remote work can be fraught with challenges, there are also relatively quick and inexpensive things that managers can do to ease the transition. Actions that you can take today include:

Establish structured daily check-ins: Many successful remote managers establish a daily call with their remote employees. This could take the form of a series of one-on-one calls, if your employees work more independently from each other, or a team call, if their work is highly collaborative. The important feature is that the calls are regular and predictable, and that they are a forum in which employees know that they can consult with you, and that their concerns and questions will be heard.

Provide several different communication technology options: Email alone is insufficient. Remote workers benefit from having a “richer” technology, such as video conferencing, that gives participants many of the visual cues that they would have if they were face-to-face. Video conferencing has many advantages, especially for smaller groups: Visual cues allow for increased “mutual knowledge” about coworkers and also help reduce the sense of isolation among teams. Video is also particularly useful for complex or sensitive conversations, as it feels more personal than written or audio-only communication.

There are other circumstances when quick collaboration is more important than visual detail. For these situations, provide mobile-enabled individual messaging functionality (like Slack, Zoom, Microsoft Teams, etc.) which can be used for simpler, less formal conversations, as well as time-sensitive communication.

FURTHER READING



Coronavirus + Business: The Insights You Need from HBR

FREE EBOOK

[View Details](#)

If your company doesn't have technology tools already in place, there are inexpensive ways to obtain simple versions of these tools for your team, as a short-term fix. Consult with your organization's IT

department to ensure there is an appropriate level of data security before using any of these tools.

And then establish “rules of engagement”: Remote work becomes more efficient and satisfying when managers set expectations for the frequency, means, and ideal timing of communication for their teams. For example, “We use videoconferencing for daily check-in meetings, but we use IM when something is urgent.” Also, if you can, let your employees know the best way and time to reach you during the workday (e.g., “I tend to be more available late in the day for ad hoc phone or video conversations, but if there’s an emergency earlier in the day, send me a text.”) Finally, keep an eye on communication among team members (to the extent appropriate), to ensure that they are sharing information as needed.

We recommend that managers establish these “rules of engagement” with employees as soon as possible, ideally during the first online check-in meeting. While some choices about specific expectations may be better than others, the most important factor is that all employees share the same set of expectations for communication.

Provide opportunities for remote social interaction: One of the most essential steps a manager can take is to structure ways for employees to interact socially (that is, have informal conversations about non-work topics) while working remotely. This is true for all remote workers, but particularly so for workers who have been abruptly transitioned out of the office.

The easiest way to establish some basic social interaction is to leave some time at the beginning of team calls just for non-work items (e.g., “We’re going to spend the first few minutes just catching up with each other. How was your weekend?”). Other options include virtual pizza parties (in which pizza is delivered to all team members at the time of a videoconference), or virtual office parties (in which party “care packages” can be sent in advance to be opened and enjoyed simultaneously). While these types of events

may sound artificial or forced, experienced managers of remote workers (and the workers themselves) report that virtual events help reduce feelings of isolation, promoting a sense of belonging.

Offer encouragement and emotional support: Especially in the context of an abrupt shift to remote work, it is important for managers to acknowledge stress, listen to employees' anxieties and concerns, and empathize with their struggles. If a newly remote employee is clearly struggling but not communicating stress or anxiety, ask them how they're doing. Even a general question such as "How is this remote work situation working out for you so far?" can elicit important information that you might not otherwise hear. Once you ask the question, be sure to listen carefully to the response, and briefly restate it back to the employee, to ensure that you understood correctly. Let the employee's stress or concerns (rather than your own) be the focus of this conversation.

Research on emotional intelligence and emotional contagion tells us that employees look to their managers for cues about how to react to sudden changes or crisis situations. If a manager communicates stress and helplessness, this will have what Daniel Goleman calls a "trickle-down" effect on employees. Effective leaders take a two-pronged approach, both acknowledging the stress and anxiety that employees may be feeling in difficult circumstances, but also providing affirmation of their confidence in their teams, using phrases such as "we've got this," or "this is tough, but I know we can handle it," or "let's look for ways to use our strengths during this time." With this support, employees are more likely to take up the challenge with a sense of purpose and focus.

We'll add our own note of encouragement to managers facing remote work for the first time: you've got this. Let us know in the comments your own tips for managing your remote employees.

If our free content helps you to contend with these challenges, please consider subscribing to HBR. A subscription purchase is the best way to support the creation of these resources.



Barbara Z. Larson is executive professor of management and director of partnerships at Northeastern's D'Amore-McKim School of Business. Her research focuses on the personal and interpersonal skills that people need to work effectively in virtual environments, and she works with collaborators in both academia and industry to develop training methods and materials to enable more productive virtual work. Prior to her academic career, Professor

Larson worked for 15 years in international finance and operations leadership, most recently as Director of International Finance at R.R. Donnelley.



Susan R. Vroman is a lecturer of management at Bentley University. Her research interests include the impact leadership enactment has on organizational culture and employee engagement, with specific focus on supporting flexible work arrangements. Prior to her academic career, Dr. Vroman worked for over 20 years as an organizational effectiveness and strategic human resource management executive and advisor. She

continues this work in a consulting capacity.



Erin E. Makarius is an associate professor of human resources in the management department of the College of Business Administration at the University of Akron and received her Ph.D. from The Ohio State University. Dr. Makarius has several years of experience in human resources and management, including working at and consulting with a variety of companies in the financial, insurance, and consumer products industries. Her

research interests include boundary spanning in the form of technological, international, and organizational boundaries, with emphasis on the role of relationships and reputation in these processes.



Foundations for Practice: Hiring the Whole Lawyer: Experience Matters



Alli Gerkman
Former Senior Director



Logan Cornett
Senior Research Analyst

January 17, 2017

This report analyzes data from the Foundations for Practice survey regarding hiring practices and answers this question: How can employers hire new lawyers who have the foundations they desire?

The Foundations for Practice survey was designed to clarify the legal skills, professional competencies, and characteristics that make lawyers successful. More than 24,000 lawyers in all 50 states from a range of backgrounds and practice settings answered. Their answers are illuminating and pose opportunities and challenges to the schools that educate lawyers and the employers that ultimately hire them.

In our survey, we asked respondents how they would hire if they wanted to identify candidates who had the foundations they deemed necessary (instead of asking how they currently hire). Based on the responses, we learned that experience matters. While many employers still rely on criteria like class rank, law school, and law review, our respondents indicated that if they wanted to hire people with the broad array of foundations they identified as important, they would rely on criteria rooted in experience, including legal employment, recommendations from practitioners or judges, legal externships, participation in a law school clinic, or other experiential education.

In our lead report, we recommended that law schools and the profession work together to ensure that new lawyers have the foundations they need to practice. Our findings here give them a place to start.

FOUNDATIONS FOR PRACTICE
BRING THE WHOLE LAWYER. EXPERIENCE MATTERS.

[Download PDF](#)

Supplements
Appendix

Executive Summary	How Lawyers Hire	What Lawyers Say About Hiring: Analysis of Results Across Respondent Groups		
Differences—and Similarities—Across Respondent Groups	Practice Setting	Private Practice Firm Size	Years of Experience	
Region	How Lawyers Should Hire	Conclusion		

In July 2016, we published *Foundations for Practice: The Whole Lawyer and the Character Quotient*,⁽¹⁾ which shared findings from a survey that asked more than 24,000 lawyers what new lawyers need as they enter the profession. Respondents overwhelmingly indicated that new lawyers need characteristics, alongside professional competencies and legal skills (collectively, “foundations”). New lawyers, it turns out, are successful when they can demonstrate much more than their intelligence and legal competency. We called the new lawyer who can demonstrate this combination of characteristics, competencies, and skills the “whole lawyer.”

Hiring the Whole Lawyer

If we want new lawyers to develop the requisite foundations, we of course need law schools to commit to admitting, educating, and graduating students who can demonstrate they have those foundations. We also need employers to commit to hiring new lawyers based on their demonstration of those foundations—rather than mainly academic achievement.

How can employers hire new lawyers who have the desired foundations? This report provides answers.

In our survey, we asked respondents to identify the foundations new lawyers need to be successful in the respondent’s specific type of organization, specialty, or department. Then we asked them to consider the helpfulness of a set of hiring criteria in determining whether a candidate for employment has the foundations they identified as important. Notably, we did not ask them how they currently hire. We effectively asked how they *would* hire if they wanted to identify candidates with the necessary foundations.

Experience Matters

We learned that experience matters. While many employers in practice still rely on criteria like class rank, law school, and law review, our respondents indicated that if they wanted to hire people with the broad array of foundations they identified as important, they would rely on criteria rooted in experience, including legal employment, recommendations from practitioners or judges, legal externships, participation in a law school clinic, and other experiential education.

In *The Whole Lawyer and the Character Quotient*, we recommended that law schools and the profession work together to ensure that new lawyers have the foundations they need to practice. Our findings here give them a place to start. While we do not believe there is only one way to ensure new lawyers have the foundations they need to be whole lawyers, we do believe the path toward a system that prepares lawyers who are ready to enter the profession will be elevated and supported by experience-focused learning and hiring.

1. ALLI GERKMAN & LOGAN CORNETT, FOUNDATIONS FOR PRACTICE: THE WHOLE LAWYER AND THE CHARACTER QUOTIENT (2016), available at http://iaals.du.edu/sites/default/files/documents/publications/foundations_for_practice_whole_lawyer_character_quotient.pdf [hereinafter THE WHOLE LAWYER].

[Link to the IAALS Foundations for Practice Survey](#)

Onboarding: Plan, Plan, Plan

Onboarding: Preparing Your Organization for Your Student's Success

1. Importance of Getting Buy-In From Your Organization, or at least Your Legal Team
 - a. More than the Intern Coordinator/Supervising Attorney to make a Successful Remote Internship/Experience
2. Communicate with your Student – Before they Arrive
 - a. 7 Things to Collect and Share:
 1. Start Date
 - a) Ensure it is clear to student and organization
 2. Hours Expectations
 - a) Full-time, part-time, how many weeks
 - b) May change/evolve over time
 3. Collect Student Information
 - a) Basics – name, pronoun, etc.
 - b) Other information to introduce student to organization – request a photo
 - c) Encourage students to set goals and be clear about organizational goals
 4. Integration
 - a) Get student in your systems, VPN, calendaring, etc.
 5. Impart Placement Resources
 - a) Before they attend orientation
 - b) Website highlights, annual report, etc.
 6. Key Components of any Good Internship - Set up Systems and Be Explicit about:
 - a) Supervision
 - b) Assignments
 - c) Feedback
 - d) Evaluation
 7. Welcoming the Student
 - a) Continue your practice – if you had coffee/lunch, can you manage this year with a delivery to their house – an out of the box idea!
 - b) Letter from Executive Director (ED) or Board Chair – draft a letter from your ED or Board Chair to send to students to welcome them and let them know their contribution is appreciated

Form Used by Contra Costa Public Defender for Law Clerk Goals

2018 SUMMER LAW CLERK PROGRAM INFORMATION AND INTERESTS FORM

NAME: _____

LAW SCHOOL: _____ (circle) rising 2L rising 3L

CELL PHONE: _____ EMAIL _____ D.O.B. _____

OFFICE (circle): Martinez Richmond ADO

MENTOR: _____

INTERESTS

Our goal is to provide you with as meaningful and rich an experience as possible. We will also attempt to tailor your work assignments to your expressed interests. Accordingly, please rate the following individually on a scale of 0 (not interested) to 9 (highly interested):

	<u>Rating</u>
Gain broad experience by working on different types of motions	_____
Work on at least one case in depth	_____
Assist attorney that is currently in a jury trial	_____
Observe court proceedings	_____
Accompany attorney during client visits at the jail	_____
Work on juvenile cases / meet juvenile clients	_____
(if certified) Argue motions in court	_____
Observe case negotiation / pretrial conferences	_____
Work on a homicide or other serious "life" case	_____
Conduct client interviews / "intake"	_____
Visit custodial facilities (e.g., jails, juvenile hall)	_____
Work with non-citizen clients / learn about immigration advocacy	_____
Work on holistic defense projects (e.g., record clearing, reentry)	_____
Be exposed to criminal justice policy issues (e.g., racial justice)	_____

Other things you would like us to know about your goals for the summer

Form Used by Equal Justice Society for Law Clerk Goals

The following information will assist us in assigning law clerks specific substantive assignments and keeping track of the specific skills that the clerk seeks to develop. We will do our best to match the clerk's interests and goals to the available work, but please keep in mind that perfect matches are not always possible.

What skills and experiences do you hope to gain during your internship? (e.g., legal research and writing, drafting memos, fact investigation, exposure to community group partnerships)	
In what substantive areas are you most interested?	
What are your expectations for this semester?	
Are there any end products you seek to generate this semester? (e.g., writing sample)	

Please save this document as "Your First Last Name - Clerk Goals - Date" and email to xxx@equaljusticesociety.org.

**Southwestern Law School
Externship Learning Plan
Spring 2020**



Your externship course gives you the unique opportunity for self-directed and introspective learning. This is great practice and critical for transitioning to the role of a legal professional – when you won't have a curriculum to follow or grades from the professor to help you figure out what you still need to learn and how you're performing. To help you with this self-directed and introspective learning, our course has the following set of broad learning objectives.

1. Demonstrate the ability to learn from experience, by identifying specific personal learning goals and then tracking and assessing your progress;
2. Demonstrate development of professional skills;
3. Demonstrate the ability to handle legal issues/problems in real-life situations; and
4. Demonstrate the ability to reflect on your values, learning, and performance as they relate to your responsibilities as professionals to continuously learn, evolve, and achieve self-fulfillment.

To make the course really meaningful for yourself, you are charged with identifying your very own personal goals for what you want to learn and how you want to grow through this externship. So, different from most of your other law school courses, you play a significant role in shaping the trajectory of your externship course. This effort involves several steps that fall under the umbrella of your learning plan: Identifying your specific learning goals for this course; being proactive in reaching them; and throughout, self-assessing.

In preparation for our individual meeting at the outset of your externship (sign ups are via Canvas), please complete the below table and bring this document to our meeting.

Your Specific Goals; Action Plan; and Self-Assessment

Identify 3-5 specific goals that you have for your particular externship and include them on the table on the next page. Identify goals that generally fall under one or more of the below three categories – but definitely pick goals that would fall under “legal skills” and/or “professionalism” because externships are an ideal setting to learn and improve in these areas.

- Legal knowledge (e.g., learning a specific area of law)
- Legal skills (e.g., factual investigation; drafting contracts; interviewing clients)
- Professionalism/character (e.g., improving time management; exercising more initiative; improving work ethic; improving attention to detail)

The following points will help you identify desirable and realistic goals.

1. Why are you in law school? How does the externship fit with your educational/career/personal goals? Consider your likes/dislikes, your values and priorities.
2. Take stock of the feedback you’ve received so far about your legal knowledge, skills, and professional competencies. Which areas need further practice and improvement?
3. Have a good grasp of the nature of work your placement performs and the opportunities available to externs.
4. Based on above, sketch out 3-5 specific goals – e.g., not a general goal like “gaining experience” but specific goals like “finding out how prosecutors make judgment calls whether and how to prosecute a case”; “becoming more efficient with research skills”; “gaining experience in factual investigation”; “balancing work with family.”
5. Meet with your supervisor early on to discuss your goals and this learning plan so you can have your supervisor’s support to reach your goals.
6. Recognize that it’s fine to amend, abandon, or add goals, based on your supervisors’ advice, and what you learn from our class as well as your experience at the placement.

Complete the table on the next page and bring to our individual meeting at the outset of the externship (sign up via Canvas). Take as much space as needed. Here’s an example:

<u>Specific Goals</u>	<u>Action Plan</u>	<u>Self-Assessment:</u> at the start
1. Improve negotiation skill	-Observe more than one attorney (if possible) negotiate one or more deals/points. Debrief with the attorney following the observation. -Get familiar with helpful readings, practice guides, or other resources that my supervisor recommends about effective negotiating. -Prepare an outline for myself of what contributes to effective negotiation. -If possible, participate in at least one negotiation.	I rate myself at 2 based on my LAWS negotiation round (add specific evidence to support the rating)
2. Network and learn about the profession (e.g., being a DA, immigration lawyer, etc.)	-At least every other week, have coffee/lunch with one of the attorneys in the office and ask them about their path to get to current job; what they love about it; what they find challenging; how they take care of their continued prof development; their guidance about landing a job in x area. Keep notes/journal. -Accompany supervisor to at least one prof'l event (CLE or bar mixer), with plan to meet several attorneys; have a plan to stay connected with the prof'l org and people I meet –I'll email them at end of externship to share highlights and thank them for guidance. -By end of externship, (1) I'll have list of contacts and a plan to stay in touch periodically and (2) have at least one prof'l org I'll join to advance my career.	I rate myself at 1 based on my general shyness and feeling that busy attorneys don't have time to talk with me and I don't want to impose on their time.

___ In the first couple of weeks of the externship, I will share this plan with my supervisor.
 (please initial)

My Specific Goals: improve in 3 to 5 specific areas by the end of this externship	Action Plan: specific steps, assignments, and experiences that will help me attain each goal	Self-Assessment: at the start of the externship, I would rate my ability for each of these goals as follows:*
1.		
2.		
3.		
4.		
5.		

***Self-Assessment Scale** – Should be able to support your self-assessment with evidence. Examples of evidence are the following: feedback you’ve received from professors or prior externship/job supervisors; being entrusted with more advanced work, more client contact, etc. in an externship/job; assignments/tasks of similar difficulty are less daunting and you’re able to complete them more accurately, efficiently, and independently. For simplicity, all goals relating to knowledge, skills, and professionalism/character are referred to as attributes/skills.

1: Beginning: Rarely demonstrate the skill/attribute at the level expected from a legal extern (i.e., a law student being entrusted with legal work in a real/live professional setting)	2	3: Developing: Usually demonstrate the skill/attribute at the level expected from a legal extern (i.e., a law student being entrusted with legal work in a real/live professional setting)	4	5: Exemplary: Consistently demonstrate the skill/attribute at the level expected from a legal extern and acceptable for a first-year attorney (being entrusted with legal work in a real/live professional setting)
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**Orientation:
Structure, Structure,
Structure**

Orientation: When Student Remotely Arrives at your Organization, it should be:

1. On the students' first day
2. Positive, upbeat, interactive and fun
3. Fully planned with some room for changes

Contents of Orientation

1. Introductions/Overview

a. Welcome

- i. Make sure student knows you have planned this and you are ready for them
- ii. Talk them through 'roadmap' of Orientation – today, tomorrow and down the road

b. Set up process for students to meet each other

- i. Importance of building community from the first hour or so
 1. Use collected information
 2. Do icebreaker for all, for small group, for teams, examples:
 - a. <https://www.owllabs.com/blog/ice-breakers>
 - b. <https://productcoalition.com/10-fun-virtual-icebreakers-to-take-remote-working-to-the-next-level-d764122e2e14>
 3. Encourage them to manage up from beginning to support themselves, their fellow students and your organization

c. Introduce students to key players

- i. Ask attorneys to do a 1-2 minutes video introducing themselves
 1. Who they are
 2. How long they have worked at the organization; How they got there
 3. What role they will play with students, and
 4. Welcoming sentiment
- ii. Do a virtual tour of the office - if anyone is in the office, ask them to film the space to show students and give them a physical sense of the place
- iii. Be thoughtful about meetings that students will do with individual attorneys/staff
 1. How, when and with whom?
 2. On their own, in pairs, in teams, in groups
 3. Encourage the students to schedule and be proactive on the calls

d. Overview

- i. Spend time introducing your organization - if you gave them information before they arrived, perhaps they can be asked to be review, ask questions, be questioned, and encouraged to be proactive
- ii. Talk about how students will get plugged in and to what
 1. Everything in the office
 2. Legal team's work

2. Administrative Policies/Procedures

- a. *Introduce* them to this team and how things get done at your placement
- b. *Inform* them how communication will happen – office email, slack channel, etc.
- c. *Organizationally* – IT, HR, and more – Discrimination and Harassment Policies still need mentioning and stressing
- d. *Legal Projects* – big picture/context, and specific assignments – explain and show your system

3. Substantive/Ethics Training

a. Substantive

- i. Make sure they have access to training manuals, videos, etc.

1. Give these out as assignments with deadlines
2. As short-term and long-term projects

- ii. Substantive experts, former externs, prior clients, online CLE's, etc.

Lawyering skills – mock and how they come up in practice – Reference the [Shultz-Zedek 26 Lawyering Effectiveness Factors](#)

b. *Ethics – the 3C's of Externship Ethics: Confidentiality, Conflicts, and Competence*

- i. This is 'PR in Practice' many students will not have taken Professional Responsibility

ii. Basic Ethics

1. Confidentiality – always important, other considerations now – where is the student working – family, roommates, etc. – Please reference the sample confidentiality forms from East Bay Community Law Center (EBCLC) and Legal Aid at Work (LAAW) in the following pages
2. Where did student work, where are they going in the future, are they doing pro bono/volunteer work – please reference the last two pages of the EBCLC resource for example conflict forms.
3. Competency – Student is not a lawyer – need to be careful about tasks they are performing alone – client interviews, correspondence, etc.

- iii. Supplement basic Ethics with Digital Security Training – a few resources that might help – IT/HR should be involved:

1. <https://www.natlawreview.com/article/working-remotely-and-cyber-security-during-covid-19-outbreak>
2. <https://www.eff.org/deeplinks/2020/03/what-you-should-know-about-online-tools-during-covid-19-crisis>
3. <https://www.lexology.com/library/detail.aspx?g=320c6cfe-fceb-463f-b8ec-5f247de4c843>
4. <https://security.berkeley.edu/education-awareness/best-practices-how- tos/best-practices-telecommuting-securely>

4. Conclusion

- a. This is new to all us, we are all figuring this out as we go along
- b. Be nimble, be transparent, over-communicate
- c. Have fun – encourage the students to be active learnings and manage up – you do not need to do all the work – think about using former students
- d. Remember to breath!

Conflicts, Confidentiality and Professionalism

The East Bay Community Law Center is committed to providing high-quality legal services to low-income clients and community groups in an environment that is safe, productive, healthy, and hopeful for clients, staff, students and volunteers. As a practicing law office, EBCLC acts under strict rules to protect the privacy and confidentiality of information and documents obtained in the course of providing legal services. Additionally, we strive to avoid conflicts of interest in representation. This memo summarizes conflict of interest rules, confidentiality procedures, and professionalism best practices at EBCLC.

A. CONFLICT OF INTEREST

Conflicts of interest in the practice of law arise when competing loyalties exist between the interest of the lawyer and the client or between the interests of present, former or potential clients. There are two types of conflicts: ***potential conflicts*** where the lawyer's present ability to represent the client is not impaired but there is a situation that could give rise to a conflict; and ***actual conflicts*** where the lawyer's ability to represent the client is presently impaired. There are four basic duties that may be violated in conflict of interest situations:

- (1) the fiduciary duty of undivided loyalty to a client;
- (2) the duty to inform a client;
- (3) the duty to maintain client confidences and secrets; and
- (4) the duty to represent a client competently.

Several California Rules of Professional Conduct address conflicts of interest, the most important of which is Rule 3-310 which addresses conflicts of interest in the representation of clients (the full text of Rule 3-310 is below). Rule 3-300 addresses conflicts of interest in the context of business transactions between attorneys and clients.

The California Rules of Professional Conduct that are applicable to lawyers also apply to those who work in a law office. Accordingly, all EBCLC staff, students, volunteers and consultants (hereafter referred to as "staff members") must be familiar with the conflict of interest rules and the procedure to follow in the event that conflicts arise.

All new staff members must complete a conflicts check form before starting work at EBCLC. The Director of Finance and Administration reviews all the forms and determines if there are any potential or actual conflicts.

B. CONFIDENTIALITY

California Business & Professions Code §6068(e) states that it is a lawyer’s duty “to maintain inviolate the confidence, and at every peril to himself or herself to preserve the secrets, of his or her client” (the full text of §6068(e) is below). This obligation is further elaborated in California Rule of Professional Conduct 3-100 (the full text is below), and extends to all EBCLC staff members with access to client information.

In order to ensure confidentiality, EBCLC has established guidelines to protect client confidentiality and ensure data integrity. The objectives of these guidelines are:

- (1) to protect client confidentiality by preventing unauthorized disclosure of information;
- (2) to ensure data integrity by preventing unauthorized alteration;
- (3) to prevent the loss of data through accidental or malicious acts or equipment failures; and
- (4) to prevent harm to EBCLC functions or reputation through unauthorized disclosures.

In very limited circumstances – *which are different from those that apply to other professions like doctors, therapists and social workers in California* – an attorney may disclose confidential information.

1. EBCLC Confidentiality Guidelines

All EBCLC client case files, documents, and information are confidential. All EBCLC staff members must be familiar with the following confidentiality guidelines:

- All employees receive training in confidentiality issues annually. All staff members with access to client information are required to read this document and sign a Confidentiality Acknowledgement before beginning work (see below).
- All client case files, documents, and information are strictly confidential. Access to confidential records and databases which contain client information is granted only to those who must have access to perform their assigned job duties.
- All client records are kept in file cabinets, unless they are in the direct possession of staff members during office hours or during necessary fieldwork. Open case file cabinets are unlocked during the day and locked each night. Closed cases are located in a locked file room.
- Records containing client information are not left unattended at any time. All confidential documents in the direct possession of staff members must be placed in secured files when leaving their workspace for any reason. All staff members who work with confidential materials are required to secure these materials in locked file cabinets at the end of each workday, since multiple people may use the desks or offices before, during and after normal work hours.

- Keys to desks/cabinets shall not be kept in easily accessible places.
- Confidential papers are shredded before they are discarded.
- Keys to all case file cabinets are issued only to EBCLC employees.
- Computers are logged off the network when staff members leave for the day. For more information, please see EBCLC's Computer Use Policy.
- All clients and visitors must check in at the front desk when they arrive at EBCLC. Clients and visitors are not allowed to move through the office unaccompanied by a staff member.
- EBCLC doors must always be locked from the inside after hours.
- EBCLC staff members are in charge of closing up the office and setting the alarm system.

2. Clinical Program Student Confidentiality Agreement

Maintaining confidentiality is of critical importance to the Clinical Program at Berkeley Law (Clinic). The Clinic is a law firm with legal duties to maintain the attorney/client privilege and the attorney work product privilege, both of which prevent information about legal cases and issues from being shared outside the Clinic and its cooperating counsel. As part of student work at the Clinic, students will learn and have access to confidential or privileged information related to the Clinic and its clients (collectively referred to below as "Confidential Information"). This agreement provides that, as a condition of allowing students to work in the Clinic with access to the Clinic's computers or other systems, all students agree to strictly protect any Confidential Information they receive as a result of their work with the Clinic.

The undersigned student agrees that he or she will not violate the confidentiality of the Clinic's interests or those of the Clinic's clients by revealing Confidential Information to those outside the Clinic. By signing this agreement, the student agrees not to disclose Confidential Information orally or in writing, including through electronic media or any online forum (such as a personal or professional blog, Twitter, MySpace, or Facebook), and not to write about any aspect of a Clinic case or project in any print or online publication without the express, prior permission of Clinic faculty. The obligation of each student to maintain the confidentiality of information is on-going and continues after his or her participation in the Clinic has ended.

While the decision about whether information is Confidential Information depends on the specific information itself, some examples of Confidential Information include:

- The names of clients, defendants, witnesses, or other persons related to a case, or information likely to indicate identity;
- Any information related to attorney work-product, litigation strategy or expectations, or research or policy findings and recommendations;

- Any private communication or information regarding a specific client, a case, research data or analysis, including any underlying facts and circumstances not already revealed to the public;
- Any memoranda of law or other written material, including that which the student has drafted, unless such document has been approved for release and properly redacted by a Clinic supervisor.
- Any information related to a confidentially-settled case, including the terms and fact of the settlement.
- Identities or other personal information about research subjects required by applicable research protocols to remain confidential to minimize the risk to research subjects of participation in research.

Clinic faculty members are available to answer any questions or concerns about this Agreement, or about disclosure of any specific information. Students who are uncertain about whether certain information is Confidential Information should ask Clinic faculty *before* any disclosure.

C. PROFESSIONALISM

EBCLC is a community law office with real clients facing real legal needs. Your work in the clinic will have a direct impact on the lives of your clients and their families. EBCLC is also a clinic where law students are taught and supervised to act in professional role.

We generally operate under guidelines within which you can explore and develop your own sense of professionalism. You will learn by observation, practice and reflection, and you will begin to exercise independent professional judgment.

As the public face of EBCLC to clients and other parties, we expect the following from you:

- *Meeting deadlines.* You are expected to meet all client and case-related deadlines. If you cannot meet a particular deadline, you must alert your supervisor *prior* to the deadline and with sufficient notice to permit the deadline to be met competently (i.e., more significant tasks/deadlines require greater notice).
- *Being on time.* You are expected to be on time for class, clinic hours, court appearances, meetings and other clinic-related activities. On time means you are in place and available to begin work at or before the designated time, and that you stay for the duration of your scheduled time. If you cannot be on time, let your supervisor know at the earliest possible time prior to the scheduled activity.
- *Responding promptly.* You are expected to check your email, voicemail and mailbox and to respond to messages promptly. Promptly means as soon as is necessary to permit important work to proceed (i.e., some messages require a more prompt reply than others). Alert your supervisor and the reception staff if you are going to be gone during regularly scheduled clinic hours and indicate how you can be reached.

- *Submitting clean written work.* You should spell-check and proofread all drafts and finished work product. For any questions about written work, speak to your supervisor.
- *Acting and dressing professionally.* EBCLC is a comfortable, open work environment. At the same time, you will be interacting with clients, colleagues, opposing counsel, community partners, or other members of the public, and you are expected to dress and act professionally and in a way that does not distract nor detract from our representation. Please direct specific questions about appropriate attire to your supervisor.
- *Maintaining professional boundaries with clients.* Setting professional boundaries with clients is subjective and can be complex and difficult. We are guided and bound by the rules of professional responsibility; however, we also encourage on-going inquiry about the scope of the lawyer-client relationship. Talk with your supervisor and colleagues whenever you have questions or concerns about your professional relationship to clients.
- *Addressing discomfort.* If you are uncomfortable about something with a client, co-worker, supervisor or any other third party, address it as quickly and directly as possible. Feelings and intuition are important sources of information in a healthy law practice – don't ignore them.
- *Following relevant procedures.* You will receive an Office Manual and clinic-specific materials. If you have questions about EBCLC or clinic-specific procedures, consult your manual(s) before speaking to your supervisor.



EBCLC Conflicts Check Form

Name: _____
Address: _____
Telephone: _____
UC Email: _____

If you work for or previously worked for an attorney, please provide the name(s) of the law firm(s) and the name(s) of any attorney(s) you worked with closely in the firm(s); describe briefly the nature of cases handled:

If you work for or previously worked for an attorney or attorneys who share office space with other attorneys, please list the names of the attorneys or law firms and briefly describe the nature of cases handled:

If you reside with another attorney(s), please list the name(s) of his/her employer(s) and his/her partner(s) and describe the nature of cases handled:

If you work for or reside with a member of the judiciary or someone who works for a court, please list his/her name and the name of his/her employment:

If you, or a member of your household, is presently a party in a litigation matter, please provide a general description of the matter and the names of the attorneys and all parties:



Acknowledgement of Receipt

This is to acknowledge that:

1. I have received and read my copy of **EBCLC's Conflict of Interest, Confidentiality and Professionalism Best Practices**;
2. I am familiar with and understand its contents; and
3. I agree to comply with its terms.

Name: _____

Address: _____

Date: _____

Signature: _____

DO NOT FILL OUT THE BOTTOM OF THIS FORM. THIS IS TO BE FILLED OUT BY EBCLC STAFF.

I certify that I have reviewed with _____, (name of student/staff person/volunteer/consultant) **EBCLC's Conflict of Interest, Confidentiality and Professionalism Best Practices**, and that she/he is familiar with its contents, and agrees to comply with its terms.

Name: _____

Title: _____

Date: _____

Signature: _____

After reviewing and completing, please print and bring with you the last two pages to EBCLC Bootcamp on Friday, January 10, 2020. Thank you.

CONFIDENTIALITY POLICY

Legal Aid at Work adheres to a strict confidentiality policy. All regular and temporary employees, students, volunteers and contractors are expected to exercise the utmost discretion regarding the LAAW's work. During the course of employment or working period with the organization, regular and temporary employees, students, volunteers and contractors will come into possession of confidential information that belongs to the LAAW, its clients and its donors. This information includes, but is not limited to, donor information, financial information, contracts, personnel information and leases, as well as client information and matters protected by the attorney-client and attorney work product privileges.

Information about clients and cases is generally always confidential. Documents pertaining to clients or cases are to be held in strict confidence unless otherwise specified by the attorney responsible for the case. All regular and temporary employees, students, volunteers and contractors must adhere to all policies that serve to protect the attorney-client relationship.

Confidential information should not be disclosed to anyone outside the organization without authorization, both during employment or working period and after separation. Violation of this policy will lead to disciplinary action up to and including termination of the relationship and, if necessary, legal recourse will be taken.

All regular and temporary employees, students, volunteers and contractors are not to take files or property belonging to the organization of any nature outside the office at any time, unless permitted by or instructed to do so by the supervisor and/or supervising attorney.

I acknowledge that I have received, read, and understand Legal Aid at Work's Confidentiality Policy. I understand that any violation of this policy may result in corrective action up to and including termination of my employment or status as a temporary employee, student, volunteer or contractor.

Name (please print) _____

Signature _____

Date _____

National Law Firm Privacy Tips for Remote Work

Even before COVID, practices included:

1. Remote access to firm and client information is secured using:
 - Encrypted VPN connections from firm computers only, with multi-factor authentication required
 - Encrypted Citrix connections (virtual desktop), with multi-factor authentication required
 - Citrix sessions are configured to prevent saving documents or copying information to local computers
2. Firm computers and security software are managed and monitored by IT, maintaining high security standards whether used in the office, at home, or other remote workplace. Standard security controls include:
 - Next-generation endpoint protection
 - Hard drive encryption
 - Asset tracking (geolocation, ability to disable or wipe remotely)
 - Data loss prevention for PII and PHI
 - Vulnerability and patch management
3. Security awareness and training are an ongoing effort, with security advisories (e.g., Remote Work Security), simulated phishing attacks, and online training circulated on a regular basis.

Since COVID, additional tips include the following reminders:

- Firm equipment is for employee use only (no family, friends, or pets).
- Be aware of “shoulder surfing,” not only in public areas, but also at home.
- Consider a privacy screen if you travel frequently or work in public areas.
- Lock your computer when leaving it unattended.
- Avoid printing confidential material at home.
- If you need to dispose of confidential hard copies at home, use a cross shredder or store the material securely. When appropriate, bring it back to work for secure disposal.



INTERN ETHICAL OBLIGATIONS AGREEMENT

As an incoming Department of Justice legal intern, it is important for you to understand that you are a federal government employee working under the supervision of attorneys and must abide by the laws governing your conduct. As your supervising attorneys will explain to you, they represent a client (in most circumstances, the Executive Branch of the United States or the Department) and, with respect to your work for the Department, you will be required to conform your conduct to the applicable rules of professional conduct as well as other laws and regulations. See, e.g., American Bar Association's Model Rule 5.3 (requiring lawyers to make reasonable efforts to ensure non-lawyer assistants comply with professional responsibility rules.) It is therefore important for you to acquaint yourself with the laws as well as the rules of professional conduct. Unless otherwise specified, this agreement refers to the American Bar Association's Model Rules of Professional Conduct for ease of reference, but the rules of various jurisdictions vary. When given any assignment, you should discuss which rules apply to your conduct and what your obligations are with your supervisor.

In your work as a legal intern, you will be obligated to comply with many different rules of professional conduct, including Rule 1.6, Confidentiality of Information. For example, D.C. Rule of Professional Conduct 1.6(h) provides, "the obligation of a lawyer . . . also applies to confidences and secrets learned prior to becoming a lawyer in the course of providing assistance to another lawyer." Other relevant rules include Rule 1.7, Conflict of Interest: Current Clients; Rule 3.6, Trial Publicity; Rule 3.8, Special Responsibilities of a Prosecutor; Rule 4.2, Communication with Person Represented by Counsel; Rule 4.4, Respect for Rights of Third Persons; and Rule 5.5, Unauthorized Practice of Law. You must comply with these and any other applicable laws and rules of professional conduct.

As a Department of Justice legal intern, you have an obligation to safeguard information and documents relating to the representation of the client. While you may be permitted to make certain disclosures during the course of your work, the disclosures are limited and must be authorized by your supervising attorney. These limitations primarily result from obligations under the rules of professional conduct and Executive Branch policies on disclosure of government information, but other laws, rules and privileges may apply. Moreover, some disclosures require approval from your supervising attorney's component head, United States Attorney, or someone at a higher level within the Department of Justice or the Executive Branch, depending on the nature of the information sought to be disclosed. Keep in mind that your duty of confidentiality does not end when you leave the Department of Justice; it lasts forever.

Your signature below serves as your promise not to use or disclose confidential client information except as authorized by your supervising attorney, and as an acknowledgment that you understand your obligation to determine and comply with the laws and rules of professional conduct that define your obligations in the work you are assigned as a Department of Justice legal intern. If you have questions about your obligations under the applicable laws, rules and Executive Branch policies, please consult your supervisory attorney.

Signature

Date

Printed Name

OARM - 9A
Revised March 2018

These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.

**Supervision:
Communicate,
Communicate,
Communicate**

Communicate, Communicate, Communicate

Once the semester is underway, you have your own work to manage. Keeping track of the extern assignments, their deadlines, and whether they have received feedback can be a challenge.

Below are some concrete suggestions on how to manage assignments, particularly when a student is working for more attorneys than just you.

- **Designate 5 minutes of your weekly check-in meeting** to having the student list all of their outstanding assignments, deadlines, and any assignments they have complete. In addition, ask the student to designate where which ones they are waiting for feedback on. Encourage the student to create an agenda for these meetings, this could be a standing entry on the agenda.
- **Require students all semester to email you once a week** (at a designated day/time, such as Friday mornings) with a list of all of their current assignments, deadlines, and any issues/questions they have. You could also have them tell you if and when they believe they will be ready for another assignment. This assignment takes only a few minutes for students to write and moments for you to review, but gives you a solid overall picture of what the student is doing week-to-week.
- **Create a shared spreadsheet** to track what assignments exist in the office as a whole, which student is doing each, when it is due, and when feedback was given. Some offices let students review the open assignments to select which is of highest interest. We have an example spreadsheet, available for download, on page 35.
- **Consider having students submit their weekly timesheets** to you (nearly all extern programs require these) and you will be able to get a sense of how their time is being allocated and if it seems appropriate to you.

WEEKLY CHECK-IN AGENDA

While a regular, weekly check-in is always recommended and beneficial, it takes on a higher level of importance when work is remote since students do not have the ability to “pop in” when they have questions. Many students are too intimidated to reach out (in person, or virtually) and so this gives them a designated space to raise their questions and concerns.

The weekly check-in is very flexible to what is happening. But a standard set of items should include—

- An update on current assignments
 - Feedback on prior assignments (Was it received? Was it understood?)
 - Items the student is still hoping to do during the experience
 - A personal check-in – it may seem strange to explicitly include this, but it is important to make space to just see how the extern is doing since this won’t happen naturally. This allows the student to raise other concerns (about family, health, other) that might not otherwise come up, but could be influencing their work.
-

SAMPLE AGENDA:

1. Personal Check in
2. Assignments (prior/current/future)
 - Prior Assignments:
 - i. I am still waiting for feedback on my first memo with John. Should I check in with him?
 - Update on Current Assignments:
 - i. Research assignment – I am just getting started on this. I started with the Rutter Guide, but it wasn’t great. Do you recommend any other secondary sources?
 - ii. Drafting demand letter: I will have a draft by Tuesday. I am not sure how much of our arguments to include.
 - iii. 50-state survey – progressing well; I had done about ½ the states, and have reached out to our librarians for support on a few where I got stuck.
3. Opportunities for Observation & Engagement
 - I sat in on a client call this week – it was super interesting. Are there any other things like this I can attend?

We also recommend having students send a weekly (perhaps end-of-the-week) email updating supervisors on exactly where they are in their work.

SAMPLE WEEKLY UPDATE EMAIL:

Dear Sam Supervisor,

Here's my schedule next week:

Mon: 12:15-5pm

Tues: Sacramento with Joe for XXX trainings

Thurs: 9am-5pm

My to-do list:

Task	Deadline
Affirmative Action for XXX (building off of XXX work)	6/10
Follow up with XX re: <ul style="list-style-type: none">• Motion for XXX in XXX	6/10
Follow up with XX re: <ul style="list-style-type: none">• [intake] next steps	6/7
Title IX XXX Fact Sheet	End of Semester
Public XXX of XXX memo	End of Semester

Notes: The research for the Affirmative Action for XXX due on 6/10 is taking longer than expected. Can we meet briefly next week when I'm in on Monday to discuss my research strategies thus far?

Sincerely,

Justin Extern

ASKING FOR CLARIFICATION OR SUPPORT ON AN ASSIGNMENT

Many of you had “open-door” policies, so students could reach out at any point when they had a question about an assignment. In virtual supervision, think about how you want students to reach out when they have questions outside of their regular weekly meeting. Do you want them to email you the question? Email you for a quick meeting time? Many students will worry that they are taking your time unnecessarily if they aren’t told that they can reach out with these questions.

Whether you want email questions or meetings, we suggest encouraging your students to write up the thrust of their question. (Sometimes just identifying the question can help them resolve it!). It may seem heavy-handed to explicitly tell students what to include in check-in emails, but it isn’t! They want to know what you want! And this guidance is part of their professionalism training and will assist them in your office and in the future.

A suggested format is:

- reminding you of the assignment
- what the question is, and
- what they have already tried to resolve it.

If they have provided this information, you will have a better sense of: 1) if a phone call is required, and 2) if you want the student to send you any other information to review before you meet.

For example:

Hi Sally Supervisor:

I know you are super busy, but if you have a few minutes, I have a question about my research assignment on the CARES ACT and small businesses.

I was asked to figure out what small businesses will qualify for forgivable loans, and how it might be different for non-profits versus for-profit businesses. I have gotten confused because I looked at some resources on the Health and Human Services website, the Department of Labor website, and the Berkeley Law website, but there is some mixed guidance coming from these sites about who qualifies. I tried to read the CARES Act itself, but I couldn’t figure out the right place to be looking (it is very long). Since there aren’t any treatises on this, I am not sure which source to rely on or how I should handle this? Do you have a few minutes to check in?

Thanks, Stressed Student

**Assignments &
Experiences:
Creativity, Creativity,
Creativity**

Ideas for Remote Extern Work

It is always preferable for students to receive organic assignments that are helpful to you and contribute to your legal work, but if you are having trouble finding remote work for your extern, consider some of the following ideas.

1. Invite students to **observe** your team meetings, client interviews, negotiations with opposing counsel, hearings, strategy sessions, case reviews, etc.
2. Reach out to **other attorneys** in the office and ask for assignments.
3. Assign students those **long-term tasks** that have been on the backburner.
4. Ask students to **update manuals, charts, bench books, fact sheets**, etc.
5. Turn a shorter assignment into a **longer memorandum** or writing sample that can be written and researched from home.
6. Assign students **research and writing** for matters that you anticipate will likely come up in the next several months.
7. Allow students access to **email remotely**. Even if students cannot access databases and files, they can receive assignments and stay connected via email.
8. Ask students to **read articles** you have been meaning to get to and write a summary.
9. Arrange **informational interviews** between students and colleagues to discuss the student's career path.
10. Have students write **summaries or briefs of new or salient cases** for you to use as a reference.
11. Have students create and give a **presentation** to staff or community partners. Students can present on an assignment, specific project they have enjoyed or been inspired by, or a more general summary of their work.
12. Find opportunities for students to participate in **communication** and correspondence with clients, community partners, opposing counsel, etc.
13. Ask students to read **background materials and attend CLEs**. Give students access to training materials and webinars.
14. Involve students in **prep and mock sessions** for court.
15. Help students connect virtually with others in your field through virtual **networking and community events**.

Planning and Assignment Tracking

The beginning of the summer or semester—even if it is not the first time you have worked with this particular student—is a natural time to check in on what the student is hoping to learn from the experience and what opportunities you see arising in the semester. Being explicit about this will be even more important in a virtual setting where supervisors can't simply grab an extern to join in a conversation or to introduce them around in the halls.

Students all, to varied degrees, are seeking all of the following from externships:

1. To improve their **legal skills**. As you know, the skills needed for excellent practice are varied. We have included a list of the 26 Lawyering Competencies to assist thinking about all of the skills that students are working on developing.
2. To **increase their knowledge of a substantive area of the law**, such as criminal justice, family law, environmental law, administrative law, or general civil practice.
3. To better **understand the mission and operation** of a particular government agency, court, non-profit, or for-profit office. Students are trying to learn what to expect at work and determine what environment is a best fit for their work style and personality.
4. To **increase their network and develop networking skills**. This both means that they are looking to speak to lawyers about how they started their own careers and seek advice for the decisions they have ahead, and also to learn how to connect with specialized professional networks in the field (i.e. of tax lawyers, or family lawyers, or in-house counsel).
5. Finally, and perhaps most importantly, externships **assist law student in developing their professional identities**. As a supervisor, you and those in your office are modeling how you approach your clients and their concerns, as well as other lawyers, and other staff. Through observation and discussion students are forming their own professional values and increasing their understanding of how professional responsibility impacts the day-to-day practice of law. And students learn how, as professionals, it is important to continually self-assess and evaluate their skills to improve their abilities and advocacy.
 - Consider how you start the semester. Having students formally indicate their goals and interests allows the student and you something to measure their accomplishments and process. Meeting with students at the beginning of the semester to discuss their goals and interests will serve you, the student and your organizations. Do they get to see and select from a list of possible assignments? Do you have them prioritize their goals, interests, and potential tasks?
 - More specifically, all externship students will complete a Professional Development Plan where they lay out some goals for the semester. This Plan (which must be shown and discussed with you) can be a good jumping off point for talking to students about the variety of work available in the office and what might fit the student's and office's needs best.

Spreadsheet Model-

You can download a version from here: tinyurl.com/ExternTracker

Extern Assignment Tracking Document ☆

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	A	B	C	D	E	F	G	H
1	Case	Specific Assignment	Estimated Time	Assigning Supervisor	Intern Name	Date Assigned	Date Due	Feedback Provided
2	XXXXXX	Review file and draft a demand letter. In this case an employee did not receive appropriate pay for an extended period. We have compiled the needed documents Here, we need a student to review the file, draft the letter (there are templates) and in drafting, double check the law listed in the cover letter. This may require additional counselling session with the client	6-8 hours, not including any client meeting	Sam SUPERvisor	D.B. Intern	9/12/2019	9/22/2019	Provided on draft and after sent by Sam
3	XXXXXX	Need a traditional legal memo on a potential novel legal claim in capital case. Requires student to read recent filings, law reviews, etc. Issue involved due process rights for gang affiliation.	Not sure. Maybe 20 hours?	Mohammed SUPERvisor	Alex Intern	9/15/2019	flexible - can dicuss	
4	XXXXXX	Observe and take notes at a court hearing	4-5 hours on 10/29	Salle SUPERvisor				
5								
6								
7								
8								
9								

Possible Assignment Cover Sheet

Student Name/Email/Phone:
Supervising Attorney Name/Email/Phone:
Date:
Assignment/Task to be Completed:
Date to be Completed by:
Format to be Completed in: oral, written, memo, brief, etc.:
Suggestions for getting started - templates, people to talk to, etc.:

SUPERVISOR’S ASSIGNMENT CHECKLIST
Things to Remember When Giving an Assignment to a Student

- ___ Deadline – when the project is **due** (date and time), and possibly the priority of assignment
- ___ **Context** for the assignment – how does this piece fit into the larger picture? This also may give the student a picture of who the **audience** is for the project (just you? file? client?)
- ___ Where student **should start** with research (treatise? internal file? case? statute? regulation?)
- ___ What **jurisdiction/s** that matters (if applicable)
- ___ **Samples** of memo/brief/comment/etc. (if applicable)
- ___ **When and how** you want the **student to check-in** with you (if you want to say “if you have questions,” consider setting a time in the next day or two to have them email)
- ___ **Format** of what you expect, and anticipated length. Do you want copies of authority?
- ___ **Have the student sum up the assignment via email or Zoom.**

STUDENT ASSIGNMENT CLARIFICATION “CHEAT SHEET”

Understanding what is expected of you when you receive an assignment at your externship is essential to producing quality work product. Use this checklist as appropriate to make sure you have answers to all the relevant questions for the particular task you are being assigned. This will help minimize the number of times you approach your supervisor to ask questions to clarify the assignment.

___When do you need this? *or* How long do I have to work on this? *or* How long should I spend on this project?

___Are you available if I have questions or need to check in? Can I email you with questions?

___Do you have any suggestions about the best place to start my research? *or* I was thinking of starting with the treatises [or Westlaw] [or the Rutter Guide]; would you recommend anything else?

___Are you interested in federal [or state or 9th Circuit] law only, or should I broaden my search?

___Are there any samples of this type of [motion/brief/pleading/memo] I can look at? Where can I find them?

___Along with my memo, do you want me to turn in copies of the cases or other research materials I used? Or perhaps only the cases I thought were relevant? [Even if the answer is “no,” save them in case your supervisor asks for them later. Thus, I recommend that you email the cases/material to your email account rather than printing hard copies directly from Lexis/Westlaw, which will allow you to easily retrieve them at a later time.]

___Are there any documents from the case file that I can look at to familiarize myself with the case more generally? *or* Is there anyone else in the office that you think I should talk to about this assignment?

___Who is my audience? *or* Is there anyone other than you who will read what I give you?

___In what ways are you planning to use this information? A letter to the client? A contract? A pleading?

And the most important one:

___OK, just to make sure I understand, you want me to... (sum up assignment).

Remote Observation Tips

“Oftentimes there is more to learn from watching or interacting with attorneys/clients than there is from drafting or research.” - William Ross, USF Student, Spring 2020

Means of Observation

1. Telephone
2. Video Conference
3. Court Webcasts
4. Other Remote Means

Types of Observation

- *Anything you would have taken the student to in-person*
- **Meetings**
 - Client meetings
 - Staff meetings
 - Strategy sessions
 - Calls: Opposing counsel, client, managing partner/litigation director, witness, court clerk, paralegal
 - Don't forget to patch in your student!
- **Networking/Community Events**
 - CLEs
 - Community organization collaboration and outreach
 - Bar events
 - Informational interviews or brown bags (internal and larger legal community)
- **Proceedings and Discovery and Settlement**
 - Hearings, settlement conferences, mediations, oral argument, motions, trials, depositions
 - CourtCall, Zoom proceedings, Webcasts of court proceedings
- **Your Colleagues' Meetings, Proceedings, Calls, Etc.**
- Be creative! Reach out to colleagues and ask for your student to tag along (remotely).

Debrief Conversation

- This is your walk back from court talk where you tell your student what you really think! Don't forget to call your student back and debrief after the meeting!
- A candid conversation about the meeting or proceeding is invaluable to the student.

Building Community with Remote Externs

Brown bags

- Internal
- Speaker series

Informational Interviews

- 1:1
- Discuss career path

Student Collaboration

- Work together
- Pairs/teams

Collegial Setting

- Personal check-ins
- Personal interaction

Fun!

- Remote happy hour
- Virtual games/activities

8 Fun Ideas for Team Building:

1. Games on Jack Box
2. Trivia on House Party
3. Board games on BlueJeans
4. Remote talent show, TikTok-style
5. Cook the same recipe together over Zoom
6. Do a Bob Ross tutorial from YouTube over Zoom
7. Have a 10-minute dance party over Zoom
8. Watch a legal movie together with Netflix Party

**Shaping Future
Lawyers:
Feedback, Feedback,
Feedback**

Providing Feedback

Feedback Best Practices: Provide Timely and Constructive Feedback on All Assignments¹

Timely Feedback –

Externs should receive timely feedback on every completed assignment from the assigning attorney. One supervision model suggests that supervision should be FAST:

- a) **Frequent** – the weekly meetings work well to assure the frequency of feedback;
- b) **Accurate** – describe actions or behaviors that can be addressed, not the person;
- c) **Specific** – pinpoint discrete identifiable points to be replicated or improved upon;
- d) **Timely** – if too much time passes, externs are likely to repeat their mistakes.

Constructive Feedback –

You may be reluctant to critique an extern's work, but externs need, deserve, and actually want honest feedback. Without feedback, externs often assume that "no news is good news," and will continue to repeat the same errors unless they are given specific suggestions regarding how to improve. Because student externs are not compensated monetarily for their work, it is useful to think of feedback as the "payment" they receive for the hours they are working.

¹ Excerpt from BACE Best Practices Manual and University of Denver Supervising Attorney Manual.

Tips for Engaging with Remote Externs

Appendix I: Constructive Feedback Framework

FAST

- **F**requent
- **A**ccurate
- **S**pecific
- **T**imely

BAM

- **B**ump it
- **A**lways focus on the good first, room for improvement second
- **M**ake them better

SKM

- What you should **S**top doing
- What you should **K**eep doing
- What you should do **M**ore of

AID Strategy

- **A**ctions: specific observations
- **I**mpact: result of the actions
- **D**o: mutually agree on alternative approaches for the future

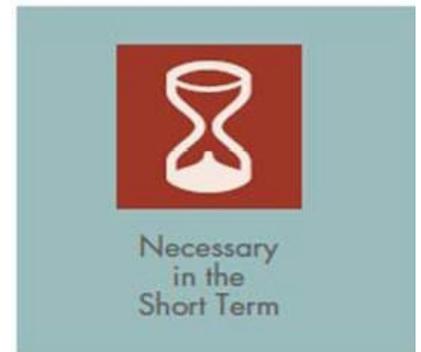
Do not Hesitate: Provide Feedback on Professionalism

Feedback is traditionally provided on research, writing, and oral presentations or court appearances, but new study data suggests that supervisors should be providing feedback on professionalism characteristics. A 2016 study from Educating Tomorrow’s Lawyers (ETL) found that, of the top ten skills that hiring attorneys² from all arenas cited as necessary, not a single one was a traditional legal skill. Rather, as you see below, these traits related more to professionalism and work ethic. Thus, feedback on an extern’s confidentiality, timeliness, integrity, reliability, etc., is as—or more—important than providing this for traditional legal skills.

Considering the data from a different vantage point, Table 1 below presents the ten individual foundations categorized as necessary in the short term by the largest proportions of respondents. Examination of these ten most urgent foundations provides further confirmation that legal skills tend to be considered less urgent than characteristics and professional competencies—in fact, legal skills make no appearance in the top ten foundations new lawyers need for success right out of law school.

Table 1: Top 10 Foundations Categorized as Necessary in the Short Term

Percent Indicating Necessary in the Short Term	Type	Category	Foundation
96.1%	Professional Competency	Professionalism	Keep information confidential
95.4%	Professional Competency	Professionalism	Arrive on time for meetings, appointments, and hearings
93.7%	Characteristic	Professionalism	Honor commitments
92.3%	Characteristic	Qualities and Talents	Integrity and trustworthiness
91.9%	Professional Competency	Emotional and Interpersonal Intelligence	Treat others with courtesy and respect
91.5%	Professional Competency	Communications	Listen attentively and respectfully
91.0%	Professional Competency	Communications	Promptly respond to inquiries and requests
88.4%	Characteristic	Qualities and Talents	Diligence
88.1%	Characteristic	Passion and Ambition	Have a strong work ethic and put forth best effort
87.8%	Characteristic	Qualities and Talents	Attention to detail



² The methodology for the study, and the full results, can be found at: <http://iaals.du.edu/educating-tomorrows-lawyers>. This data was compiled based on responses from over 24,000 attorneys.

Possible Assignment Feedback Sheet

Student Name/Email/Phone:
Supervising Attorney Name/Email/Phone:
Date:
Assignment/Task Completed:
Thoughts on the assignment – a few specifics where I did well in the process/product:
Thoughts on the assignment – a few specifics of where I should continue to seek improvement:
Professionalism (timeliness, interaction with attorney, etc.) throughout the assignment:
What happens to my work after it is turned in?
Are there any next steps I should take?

Categories for Feedback on Written & Oral Work

Written Assignments

1. **Structure/Organization** – Was this logical? Easy to follow? Clear to the reader?
 2. **Analysis** – Clearly identifies issue/s? Synthesizes or states rule? Adequately supports rule? Applies rule to facts? Follows IRAC?
 3. **Mechanics** – Follows grammar rules (sentence structure, punctuation, etc.)? Correctly uses citations (in appropriate places and follows Bluebook or CA style rules)?
 4. **Tone** – Objective or persuasive as needed? Tone is appropriate to assignment/audience?
 5. **Professionalism** – Work was timely completed? Format was what was asked for/expected?
-

Oral Report

1. **Organization** – Question restated up front? Followed a logical structure? Listener could follow?
2. **Analysis** – Logical? Sufficiently supported? Related to facts/case (if applicable)? Sufficient detail offered? Ultimate question was answered?
3. **Presentation** – Speed okay? Eye contact? Pace? Tone? Posture? Ums (filler speech)?

Generate Self-Evaluation and Focused Feedback with Externs –

Ask them to offer questions about their written product in Word Comments to elicit specific feedback.

Ask externs to put a few comments/questions in their work, in areas where they were struggling or want specific feedback. This can ensure that you are aware of where they are having questions and forces them to be assessing as they produce. An example is here – see the side questions from “A Student” that were submitted with the paper.

ARGUMENT

I. THE INFORMATION SHOULD BE SET ASIDE BECAUSE PROSECUTOR FAILED TO PRESENT SUFFICIENT EVIDENCE TO SHOW A REASONABLE OR PROBABLE CAUSE OF BURGLARY.

Under California Penal Code § 995, an Information must be set aside when the defendant was committed without reasonable or probable cause. Cal. Penal Code § 995(a)(2)(B). To determine reasonable or probable cause, the court, “acting as a man of ordinary prudence,” decides whether it can “conscientiously entertain a reasonable suspicion” that the defendant committed as offense. *People v. Donahue*, 46 Cal. App. 3d 832, 836 (1975). An Information will be set aside for insufficient reasonable or probable cause ~~when there is no evidence that a crime has been committed or there is no evidence to connect~~ the defendant with a crime. *See People v. Upton*, 257 Cal. App. 2d 677, 686 (1968). ~~The burden of proof is on the prosecution~~ to produce that evidence. *Id.* at 685.

Under California Penal Code § 459, any person who “enters any house...with intent to commit...larceny or any felony is guilty of burglary.” Cal. Penal Code § 459. Additionally, burglary of an inhabited dwelling is first-degree burglary. Cal. Penal Code § 460(a). In this case, the prosecution failed to present sufficient evidence to establish reasonable or probable cause that Mr. Gleason entered the dwelling with intent to commit a felony.

a. Neither Mr. Gleason’s presence on an open deck nor his phone in a room establishes probable cause that a burglarious entry occurred.

~~Courts have recognized that, “it is important to establish reasonable limits” as to what constitutes a burglarious~~ entry. *People v. Calderon*, 158 Cal. App. 4th 137, 144. (2007). Today, burglary remains an invasion of possessory right that ~~endangers the occupant’s personal safety and, thereby, potentially inviting more violence.~~ *People v. Ganze*, 15 Cal. 3d 709, 715 (1975). The burglary statute’s purpose is not to deter trespass or intended crimes that are prohibited by other laws. *Calderon*, 158 Cal. App. 4th at 144. Rather, the burglary statute’s primary purpose is to protect against dangers to personal-safety inherent in intrusion. *See id.* Regardless of the approach courts use to determine sufficient . . .

A Supervisor

This phrasing of the standard is setting the bar pretty low – there are better quotes for your client.

A Student

I know you said to frame the standard favorably to our client. I tried to do so here. Did it work? Was that enough?

A Supervisor

I do see that you were trying to present the favorably for your client – that said, more could be done. Requiring that there was “no evidence” for overturning is too low. Did you find cases with language that was stronger for our client? (I.e. that the evidence had to be enough for a reasonable person to believe it?)

A Supervisor

Deleted: a reasonable or

A Student

I know you said to frame the standard favorably to our client. I tried to do so here. Did it work? Was that enough?

A Supervisor

Yes, nice start. It is succinct and frames the issue.

A Supervisor

Sorry, I don’t understand what this means.

Additional Resources

Bibliography

Remote Work (general)

Cameron Albert-Deitch, *Working Remotely for the First Time? These Seasoned Experts Have Advice for You to Follow*, Inc., available [here](#).

Tsedal Neeley, *15 Questions about Remote Work, Answered*, Harvard Business Review, March 16, 2020, available [here](#).

Michael Bernick, *Remote Work and Best Practices: The Coronavirus Workplace Series*, Forbes, March 16, 2020 available [here](#) (offering advice on ensuring compliance with employment and disability law in a remote work environment).

Remote Work (law specific)

Nicole Black, *7 Types of Tech Tools to Help Lawyers Set up Virtual Offices*, ABA Journal, March 19, 2020, available [here](#).

Lauren Krasnow, *What Lessons Can Lawyers Learn from Week One of Working from Home*, Law.com, March 21, 2020, available [here](#).

Christopher Walker, *Legal Internships in the Administrative State During the Summer of 2020*, Yale Journal on Regulation, April 2, 2020, available [here](#).

Probono.net, *Remote Legal Support Guide: A Best Practices Manual for Nonprofit and Pro Bono Innovation*, available [here](#).

Incoming Student Population

Courtney G. Lee, *Changing Gears to Meet the “New Normal” in Legal Education*, 53 Duq. L. Rev. 39 (2015) (overviewing the background, credentials, and impact of federal education policies on incoming students).

Feedback

Rebecca Aced-Molina, *The Pitfalls of Praise*, Stanford Social Innovation Review (Jun. 9, 2017), available [here](#).

Justin Bariso, *It Took Sheryl Sandberg Exactly 2 Sentences to Give the Best Career Advice You'll Hear Today*, Inc (Oct. 31, 2016), available [here](#).

Sheila Heen and Douglas Stone, *Find the Coaching in Criticism*, Harvard Business Review (Jan.-Feb. 2014).

Field Placement Pedagogy

Leah Wortham, Alexander Scherr, Nancy Maurer, and Susan L. Brooks, *Learning From Practice: A Text for Experiential Legal Education, Third Edition*, West Academic Publishing (1998).

Deborah Maranville, Lisa Tadtke Bliss, Carolyn Wilkes Kaas, and Antoinette Sedillo López, *Building on Best Practices: Transforming Legal Education in a Changing World*, LexisNexis (2015)

COVID-19 Specific Resources

Harvard Business Review: Daily Alert and Management Tip of the Day, for coverage of the Coronavirus as it relates to work management, available [here](#).

Management Information Exchange, for various resources regarding working from home, direct legal services, policy analyses, and more, available [here](#).

National Disaster Legal Aid Advocacy Center, for information on national efforts & resources, trackers, and pro bono opportunities, available [here](#).

Section of Civil Rights and Social Justice, American Bar Association webinar series highlighting critical legal issues, available [here](#).

BACE Supervisor's Manual

BACE has worked to develop joint evaluations and standards for the supervision of externs in their placements including the BACE Manual for Extern Supervisors. This manual has been developed with the participation of BACE member schools and reflects the ABA requirements for the conduct of externship programs. The manual articulates the standards we expect our extern supervisors to follow and highlights best practices in extern supervision. We recognize and appreciate the demands on your time and understand that supervision of a law student adds to your duties and responsibilities. As we work to develop meaningful and exciting externship placements, we hope you will offer us your suggestions and feedback.

SoCalEx Supervisor's Manual

For more than 25 years, Southern California Externships (SoCalEx) has supported the teaching and mentoring work of the hundreds of attorneys and judges who volunteer to supervise law students throughout Southern California. This field supervision manual incorporates the joint supervision standards SoCalEx member law schools have developed and highlights common fieldwork issues that are often of interest to students and field supervisors. We hope these materials will be of value to you in your supervision efforts and thank you for your willingness to teach and mentor our students. Your participation in our program as a supervising attorney or judge and educator is our most valued asset.

ABA Standards and Rules of Procedure for Approval of Law Schools 2019-2020

ABA Standard 304

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) A simulation course provides substantial experience not involving an actual client, that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member.**
- (c) A law clinic provides substantial lawyering experience that involves advising or representing one or more actual clients or serving as a third-party neutral.**
- (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) evaluation of each student's educational achievement by a faculty member; and
 - (iv) 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(d)(i).
- (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 educational experience.

Interpretation 304-1

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.

What Employers Should Know About Law School Externship Programs

Externships provide second- and third-year law students the opportunity to put their education into practice.

All of the California ABA-accredited law schools listed below allow students to extern at government agencies and nonprofit organizations. Southern California and Northern California law schools coordinate programming and combine resources through regional externship consortiums: Bay Area Consortium on Externships (BACE) and SoCalEx. Nearly all of the schools allow students to extern in judicial chambers or the courts. At approximately half of the schools, students can work at private placements, either in law firms or in-house legal departments. Some schools allow students to receive pay and credit for their work.

Most schools have similar requirements for placements, including substantive assignments, goal-setting and professional development exercises, regular individual meetings with the students, specific and timely feedback on student work, comprehensive evaluations of the student's progress, and site visits with the Externship Director. These policies are intended to ensure a high-quality experience for students working under the supervision of experienced practitioners and judicial officers.

While in-person, in-office interactions are invaluable to the growth and development of law students, schools appreciate the flexibility and responsiveness employers have shown in allowing externs to work remotely during the COVID-19 crisis. To provide additional guidance on supervising remote externs in this unique environment, BACE and SoCalEx are hosting a webinar on May 1, 12:15-1:30 p.m., and May 5, 3:00-4:15 p.m. Please contact nrkatz2@usfca.edu for more information.

The process to post an externship opportunity varies with each school. It is best to reach out to the individual school at the contact information provided below (listed in alphabetical order).

Chapman University Fowler School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: Yes

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: 20

Externship Director's Contact Information: Carolyn Larmore, larmore@chapman.edu, (714) 628-2651

Career Services Contact Information: Susie Park, suspark@chapman.edu, (714) 628-2626

How to Advertise a Position: Contact Carolyn Larmore, larmore@chapman.edu

Golden Gate University School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: Yes

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: 8-40 hours (fall & spring); 15-40 hours (summer)

Externship Director's Contact Information: Allison Wang, awang@ggu.edu, (415) 442-6698

Career Services Contact Information: Robert Pimm, lawcareer@ggu.edu, (415) 442-6625

How to Advertise a Position: Visit <http://ggu.edu/academics/clinics/externships>, complete Job Posting Form and submit form to externships@ggu.edu

Loyola Law School:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: No

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: Up to 40

Externship Director's Contact Information: Rebecca Delfino, rebecca.delfino@lls.edu, (213) 736-1498; for private placements, Grace Parrish, grace.parrish@lls.edu, (213) 736-1139

Career Services Contact Information: careerdevelopment@lls.edu, (213) 736-1150

How to Advertise a Position: Send advertisement to careerdevelopment@lls.edu and copy rebecca.delfino@lls.edu

Pepperdine University Caruso School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes, for corporate counsel positions

Paid Placements Permitted: Yes

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: Up to 40

Externship Director's Contact Information: Sophia Hamilton, sophia.hamilton@pepperdine.edu, (310) 506-4758

Career Services Contact Information: Michelle Feinstein, michelle.feinstein@pepperdine.edu, (310) 506-7438

How to Advertise a Position: Email cdo@pepperdine.edu

Santa Clara School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: Yes

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: Varies based on semester and type of placement

Externship Director's Contact Information: Thiadora Pina, tpina@scu.edu, (408) 551-3268

Career Services Contact Information: Marissa Sinha, mnsinha@scu.edu, (408) 554-5142

How to Advertise a Position: Review "Sponsor Requirements" on <https://law.scu.edu/externship/> or email ExPro@scu.edu

Southwestern Law School:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: Yes

Terms in which Externships Are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: 13-40 in fall and spring, depending on type of externship; 16-40 in summer

Externship Director's Contact Information: Anahid Gharakhanian,

agharakhanian@swlaw.edu, (213) 738-6786

Career Services Contact Information: Shahrzad (Shar) Poormosleh,

spoomosleh@swlaw.edu, (213) 738-6794

How to Advertise a Position: Contact externship office at externoffice@swlaw.edu

Stanford Law School:

Types of Externships Permitted: Government, non-profit, civil, criminal

Private Placements Permitted: No

Paid Placements Permitted: No

Terms in which Externships are Offered: Stanford offers classes on a quarter system: fall quarter (mid-September-November), winter quarter (January-March), and spring quarter (April-May)

Number of Hours per Week Students can Work at Externship: 20-34 for Bay Area placements, 40 for out-of-region placements

Externship Director's Contact Information: Michael Winn,

mikewinn@law.stanford.edu, (650) 725-7505

Career Services Contact Information: Anna Wang, annawang@law.stanford.edu, (650) 723-2519

How to Advertise a Position: Contact public.interest@law.stanford.edu

UC Berkeley School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: No

Paid Placements Permitted: No

Terms in which Externships are Offered: Fall, spring

Number of Hours per Week Students can Work at Externship: 16-40

Externship Director's Contact Information: Sue Schechter,

sschechter@law.berkeley.edu, (510) 643-7387

Career Services Contact Information: Terrence Galligan, tgalligan@law.berkeley.edu, (510) 642-7746

How to Advertise a Position: Email the Career Development Office

career@law.berkeley.edu to create a bLINE account where organizations can add new listings under the "Job Postings" tab

UC Davis School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial
Private Placements Permitted: No
Paid Placements Permitted: No
Terms in which Externships are Offered: Fall, spring
Number of Hours per Week Students can Work at Externship: 8-24 or 40
Externship Director's Contact Information: Dena Bauman, drbauman@ucdavis.edu, (530) 752-3142
Career Services Contact Information: careerservices@law.ucdavis.edu, (530) 752-6574
How to Advertise a Position: Contact Dena Bauman, drbauman@ucdavis.edu

UC Hastings College of the Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal
Private Placements Permitted: Yes, in the Corporate Counsel Externship Program
Paid Placements Permitted: No
Terms in which Externships are Offered: Fall, spring
Number of Hours per Week Students can Work at Externship: 12-20 (civil/criminal); 35 (judicial)
Externship Director's Contact Information: Nira Geevargis, geevargis@uchastings.edu, (415) 581-8908
Career Services Contact Information: Darell Alforte, careers@uchastings.edu, (415) 565-4619
How to Advertise a Position: Email careers@hastings.edu

UC Irvine School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal
Private Placements Permitted: No
Paid Placements Permitted: Generally, no
Terms in which Externships are Offered: Fall, spring, summer
Number of Hours per Week Students can Work at Externship: At least 12
Externship Director's Contact Information: D'lorah L. Hughes, dhughes@law.uci.edu, (949) 824-9809
Career Services Contact Information: Brandy Stewart, bstewart@law.uci.edu
How to Advertise a Position: Contact D'lorah Hughes, externship@law.uci.edu, (949) 824-9809

UCLA School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal (part-time only: in-house counsel)
Private Placements Permitted: Yes, only with in-house counsel
Paid Placements Permitted: No
Terms in which Externships are Offered: Fall, spring
Number of Hours per Week Students can Work at Externship: 12-40 (JD students); 8-32 (LLM students)
Externship Director's Contact Information: Stephanie Davidson, davidsons@law.ucla.edu, (310) 206-4945

Career Services Contact Information: Beth Moeller, moeller@law.ucla.edu, (310) 206-1117

How to Advertise a Position: Email externshipprogram@law.ucla.edu

USC Gould School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: No

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: 40

Externship Director's Contact Information: Laura Riley, lriley@law.usc.edu, (213) 740-1496

Career Services Contact Information: Rachel Kronick Rothbart, rrothbart@law.usc.edu, (213) 740-7397

How to Advertise a Position: Contact careers@law.usc.edu or post on Symplicity

University of the Pacific, McGeorge School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes, under very limited circumstances

Paid Placements Permitted: No

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: 10.5-14.5 for general externships, 20 or 40 for semester-in-practice externships

Externship Director's Contact Information: Colleen Truden, ctruden@pacific.edu, (916) 739-7188

Career Services Contact Information: Molly Stafford, saclawcareers@pacific.edu, (916) 739-7011

How to Advertise a Position: Contact sacexternships@pacific.edu

University of San Francisco School of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: Yes

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: 10-42, with some variation depending on term

Externship Director's Contact Information: Anne Sidwell, asidwell@usfca.edu, (415) 422-4469

Career Services Contact Information: Tajira McCoy, lawcareer@usfca.edu, (415) 422-6757

How to Advertise a Position: Contact Anne Sidwell, asidwell@usfca.edu

Western State College of Law:

Types of Externships Permitted: Government, non-profit, civil, judicial, criminal

Private Placements Permitted: Yes

Paid Placements Permitted: No

Terms in which Externships are Offered: Fall, spring, summer

Number of Hours per Week Students can Work at Externship: Varies

Externship Director's Contact Information: Deirdre Kelly, dekelly@wsulaw.edu, (714) 459-1106

Career Services Contact Information: Deirdre Kelly, dekelly@wsulaw.edu, (714) 459-1106

How to Advertise a Position: Email Deirdre Kelly, dekelly@wsulaw.edu

BAY AREA CONSORTIUM ON EXTERNSHIPS

Bay Area law schools formed BACE, a network of Northern California externship directors collaborating on field placement oversight and student development in the experiential learning context. BACE has worked to improve the student and supervisor experience through creating evaluation forms, conducting trainings, and providing general support.

BACE Member Schools Contact List

Golden Gate University School of Law

Allison Wang

Visiting Professor

Director, Externship Program

Golden Gate University School of Law

536 Mission Street

San Francisco, California 94105

(415) 442-6698 • awang@qgu.edu

<http://law.ggu.edu/clinics-and-centers/externships/>

Santa Clara University School of Law

Thiadora A. Pina

Associate Clinical Professor

Director, Externship Program (ExPro)

Santa Clara University School of Law

500 El Camino Real

Santa Clara, CA 95053-0448

(408) 551-3268 • tpina@scu.edu

<https://law.scu.edu/externship>

Stanford Law School

Michael Winn

Director, Pro Bono & Externship Programs + Lecturer in Law

John and Terry Levin Center for Public Service and Public Interest Law

559 Nathan Abbott Way

Stanford, CA 94305-8610

(650) 725-7909 • mikewinn@law.stanford.edu

<http://www.law.stanford.edu/program/centers/pip/externship>

University of California, Berkeley School of Law

Sue Schechter

Director, Field Placement Program & Lecturer-in-Residence

UC Berkeley School of Law

471 Law Building

Berkeley, CA 94620-7200

(510) 643-7387 • sschechter@law.berkeley.edu

<https://www.law.berkeley.edu/experiential/field-placement-program/>

UC Davis, School of Law

Dena Bauman

Director of Externship Programs

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400 Mrak Hall Drive

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(530) 752-3142 • drbauman@ucdavis.edu

<https://law.ucdavis.edu/externships/>

University of California, Hastings College of the Law

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Associate Clinical Professor & Director of Externship Programs

University of California, Hastings College of the Law

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<http://www.uchastings.edu/academics/clinical-programs/Externships/index.php>

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Go.mcgeorge.edu/externships

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<https://www.usfca.edu/law/professional-skills/externships>

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Updated January 2020

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