



Externship Program

Supervising Judge Handbook

Rosanna Peterson

Externship Program Director

(509) 313-3688

rpeterson@lawschool.gonzaga.edu

Robbie McMillian

Externship Program Coordinator

(509) 313-3740

rmcmillian@lawschool.gonzaga.edu

I. PROGRAM GOALS	1
A. DEVELOPING THE ABILITY TO LEARN FROM EXPERIENCE	1
B. DEVELOPING PROFESSIONAL AND PUBLIC RESPONSIBILITY	2
1. Professional Responsibility	2
2. Public Responsibility	2
C. GIVING STUDENTS INSIGHTS INTO THE LEGAL SYSTEM	3
D. TRAINING STUDENTS IN LAWYERING SKILLS	4
1. Research, Analysis, and Writing	5
2. Oral Advocacy	6
3. Case and Time Management	6
4. Client Relations and Professional Demeanor	6
II. THE EXTERNSHIP PROCESS	7
A. ORIENTATION	7
1. The Function of your Agency, Office or Organization	7
2. The Student Extern’s Role in the Office	8
3. The Nature of the Student’s Work	8
4. Relevant Office Policies and Chain of Command	8
5. Schedule for Weekly Meetings with the Student	9
6. The Student’s Expectations for the Externship	9
7. The Student’s Work Schedule	9
8. Tour of the Office and Library, and Introduction to Others	10
9. Explanation of First Assignment	10
B. ASSIGNMENTS	10
1. Giving Guidance on Assignments	10
2. Supervision by More Than One Attorney	11
C. FEEDBACK	11
1. Student’s Self-Evaluation	12
2. Your Evaluation of the Student’s Performance	12
D. ISSUES	12
E. SUPERVISING ATTORNEY REQUIREMENTS	13
1. Memorandum of Agreement	13
2. Time Sheets	13
3. Mid-Semester and Final Evaluations	13
4. Supervising Attorney Meetings	13
F. STUDENT EXTERN REQUIREMENTS	14
1. Weekly Journal	14
2. One-on-One Private Meetings	14
3. Externship Seminar	14
G. WASHINGTON’S RULE NINE: ADMISSION TO LIMITED PRACTICE	15
APPENDIX A	16
APPENDIX B	18
APPENDIX C	19
APPENDIX D	21
APPENDIX E	23

I. PROGRAM GOALS

The Externship Program at Gonzaga has several purposes:

- A. To develop students' abilities to learn from their experiences;
- B. To help students develop a sense of professional responsibility;
- C. To give students greater insight into the workings of the legal system; and
- D. To train students in lawyering skills.

These goals are discussed below, with a particular emphasis on the role of the supervising judge. Whether students fulfill each of these goals depends on the quality of their relationships with their supervising judge. Thus, the success of our externship program depends in large part on your willingness and ability to serve as the students' supervisor, teacher, and role model.

The extra time you spend supervising and training your externs will enhance student learning. In this way, your workload will be eased through the externs' work product, and you will be participating in the professional development of future lawyers. It is because of your ability to educate our students that we have selected you as a supervising judge.

A. DEVELOPING THE ABILITY TO LEARN FROM EXPERIENCE

Part of preparing to be a practicing attorney is to learn from experience and to improve one's performance through practice. In essence, to train to be an effective learner.

You can help students achieve this goal of learning from experience in two important ways. First, by discussing the students' goals at the beginning of the externship, including how the student intends to accomplish these goals. Second, we ask you to continue talking with the students about their performance and whether they are achieving their goals. It is also important to encourage the students to do a regular self-assessment. Your feedback on their self-evaluation will enhance the students' learning experience.

B. DEVELOPING PROFESSIONAL AND PUBLIC RESPONSIBILITY

1. Professional Responsibility

Studies show that a student's early lawyering experiences play a primary role in their developing sense of professional responsibility, and an externship is the ideal teaching situation. For this reason, your role as mentor to the student extern is particularly significant. By serving as a role model and talking with the student about professional issues, you can greatly increase the student's awareness of ethical behavior.

Law is a service profession, and students must be aware of their responsibility regarding matters that affect the lives of others. You can model this behavior through your attitude, and by talking with the students about this responsibility and the pressure it may bring to their work. The student will learn the expected standards for meeting deadlines, proofing written work, voicing concern about apparent injustices, communicating in a timely fashion with clients, and being prepared for court appearances.

Please directly address the relevant requirements of the Rules of Professional Conduct as well as other rules and codes particular to the jurisdiction. Students need to learn that these rules are not merely the subject of an examination; rather, they are important guidelines for practice and relevant in the day-to-day work of a lawyer. To that end, you may discuss attorney conduct in court and approaches to discovery and trial tactics.

Because issues of professional responsibility and ethics play a large part in courtroom matters, attorneys become accustomed to encountering them as part of their daily work. Students, however, have not had experience with these issues and may be hesitant to ask questions. When an ethical problem surfaces in connection with cases in your court, we encourage you to discuss it with the students. You may need to pay attention to areas of court practice that you take for granted, such as confidentiality, issues of justice and fairness, and other topics that the students have not often encountered. It is all part of their learning process as your extern.

2. Public Responsibility

A lawyer's commitment to public service and pro bono work is established early in their career. The Gonzaga Externship Program recognizes the importance of this work and that it is necessary to introduce students to public service through the externship program.

C. GIVING STUDENTS INSIGHTS INTO THE LEGAL SYSTEM

There are some general areas of reflection we think our students should be doing in conjunction with their externships. We will be discussing these topics in our weekly seminar classes and in our private meetings. We ask you to keep these topics in mind and discuss them with externs, especially when they are relevant to the student's work.

- Does the legal system promote justice?

One of the focal issues for our discussions is whether the legal system promotes justice. We talk about the quality and inequality of representation the students observe and what this means to the goal of achieving "justice." Do the attitudes of the attorneys they observe convey commitment and dedication? We also look at other participants in the system such as clients, defendants, jurors, judges, and police officers, as well as sociological issues, such as poverty, racism, sexism, drugs, and values, as we evaluate how these factors work to promote or inhibit justice.

- What is the work of the lawyer?

Another focus of our seminars is the variety of work that lawyers perform. Because our students work in diverse placements they have an opportunity to learn more about the role of a lawyer than in a single setting. Talk to your externs about your own experiences, what you like and dislike about the work you do as both an attorney and a judge, and what you do to cope with the stress of your work. It is important that students' tasks be varied so they can experience lawyering first-hand. Invite the externs to participate at all levels of a case they are working on. In addition, they should be encouraged to participate in meetings and observe lawyering tasks not necessarily related to their immediate project, but which present further learning opportunities.

Many students are also interested in learning how to balance their personal lives with their demanding careers. As a mentor, you can provide useful insight about the tools you use and the obstacles you face in achieving balance.

- How does the legal system work?

This is a major part of the extern experience. Students need to know about actual procedural workings of the courts, law offices, administrative agencies, arbitrations, etc, and about how to perform in these settings. Please make an effort to expose your externs to as many kinds of proceedings as possible, including allowing them to observe other courtrooms.

D. TRAINING STUDENTS IN LAWYERING SKILLS

Challenge your externs by assigning them tasks that will require them to stretch, to learn, and to grow. It is possible that in some instances the amount and quality of a student’s work product will barely compensate for the time you spent training and supervising that student, either because the work is highly complex or because it requires a skill the student has not developed. It is in these times that your role as educator comes to the forefront.

We stress to the students that their tasks must be those of a lawyer rather than a law clerk or paralegal. This requirement comports with ABA standards. The chart below differentiates the job of a law clerk from the experience of an extern. One of the essential differences between an unpaid or paid law clerk and an extern is the award of academic credit for the learning component of an externship.

	<u>Paid Law Clerk</u>	<u>Extern</u>
Purpose:	Produce	Learn
Tasks:	May be broad or narrow Efficiency and speed	Variety Deliberate consideration; Thorough understanding of matter
	Assigned according to needs of judge	Assigned according to needs of extern
Relationship with Judge	Employer/employee	Mentor/student
Feedback:	Varied	Work reviewed and redone until correct
Exposure:	Work assigned	Wide variety of legal tasks
Compensation:	Money	Experience with supervision and academic credit
By-Product:	Work production	Learning

Because our students work at externships in a wide variety of legal settings, the legal tasks they are exposed to cover a broad variety of skills. There are, however, some specific goals which should be established by each placement, as described below.

1. Research, Analysis, and Writing

Students externing in trial and appellate courts where a majority of the work is motions, appeals, and/or trial briefs, are expected to improve these skills over the course of their externships. This means that students will become more efficient in their research, have a better knowledge of the tools available and how these tools are used, as well as gain an ability to focus on and develop the critical issues in the case. We expect that their analytical skills will become more sophisticated, including an increased appreciation for the significance of facts and policy. Finally, students' writing should become more succinct, clear, and appropriate for its intended audience.

When you assign the students research projects, ask them to formalize their work in a written research memorandum. The traditional law school curriculum provides very few opportunities for students to practice legal writing skills. Requiring all, or most, written work to be formally prepared will benefit your externs.

Every Gonzaga extern has completed a course in legal research and writing and has been introduced to at least one model form for writing a legal memorandum. You have a right to expect a high quality written work product from your extern, in a format of your choice. Please demand it. Although requiring excellence may be hard work and may not be time efficient, you will nearly always find your effort fairly rewarded.

In order to accomplish these goals, discuss with students not only their final products, but the approaches used to achieve them. Students must be able to explain how they approached the task, what resources they used and why, and what they would do differently when assigned a similar task. Furthermore, students need to rewrite their work until it meets the standard expected in the court.

It is critical that students who are doing this kind of work be given their assignments in context. That is, students should be given the entire case file, even if the specific assignment deals only with researching a particular issue in the case. It is crucial that students acquire an understanding of the way these issues fit into the larger picture of the case, and that they be given the opportunity to examine the history of the case to date. We continually stress to our students when they are working at their externships that they are there to learn how to be lawyers, not legal clerks. It is important that they student develop beyond the skills they learn in the classroom; for example, they need to see how a case proceeds, and get a sense of the responsibilities of judges and lawyers.

2. Oral Advocacy

Students in externship positions that allow them to represent clients at hearings have usually chosen such a placement in order to improve their oral advocacy skills. Unfortunately, this opportunity seldom arises in judicial externships. However, you can address oral advocacy skills by having the extern observe arguments in your court and then discuss the student's impressions at a convenient time.

Pointing out that good preparation, clarity of expression, flexibility, physical presence, and appearance are all aspects of good oral advocacy and are specific goals students need to achieve.

3. Case and Time Management

Students at every externship should be working on case and time management skills. They must learn how to prioritize their work, set time limits for accomplishing tasks, work under pressure, and work more efficiently. Part of this process is learning how to compile and maintain a case file, including regularly updating the file to reflect completed work, and organizing file contents to make data easily accessible. Supervising judges can help students achieve these goals by setting good examples, giving students deadlines for projects, giving students some assignments with short deadlines, keeping a close eye on students' time logs, and discussing organization techniques with their externs.

4. Staff Relations and Professional Demeanor

We expect students who work with judicial staff to improve their relationship skills. They must learn to establish and maintain rapport, be responsive to the court's concerns, assess credibility, acquire relevant facts, and provided helpful information those requesting it in an empowering fashion.

Students should also be learning to work in a professional setting with support staff, colleagues, lawyers, and judges. As a supervising judge, you should observe and give feedback in each of these areas. Discuss your approaches to these different relationships with your externs. One useful technique to model behaviors is "shadowing." The student can sit in the judge's chambers to listen and observe as he or she works.

II. THE EXTERNSHIP PROCESS

A. ORIENTATION

Schedule an orientation meeting with your extern on or before their first day of work. This meeting will set the tone of your relationship for the semester, so it is important that you plan for it and take sufficient time to cover the subjects. Listed below are some suggestions. A more detailed discussion follows this list.

ORIENTATION CHECKLIST

The following are subjects that should be covered in the orientation meeting with your extern, in any order that makes sense to you:

1. The function of your chambers and court;
2. the role of the extern in the court's functioning;
3. the nature of the student's work;
4. relevant court policies and chain of command;
5. schedule for weekly meetings with the student;
6. the student's expectations for the externship;
7. the student's work schedule;
8. layout of the court, clerk's office, and library, and introduction to others;
9. explanation of the first assignment.

Following are some specifics to help you prepare for your orientation with the externs:

1. The Function of your Chambers and Court

Many law students have no previous exposure to the legal profession. Although the role of your court in relation to the legal system may seem obvious to you, it probably is not obvious to your extern. An explanation of who uses your services as judge, what areas of law you often see, how you are funded, to whom you are accountable, etc., helps orient the student to this new environment.

2. The Student Extern's Role in the Court

Whether externs are expected to carry their own supervised case load or are functioning in a role more analogous to that of a law clerk, they need to know their duties and responsibilities, as well as any limitations on their authority.

To develop self-confidence and a sense of responsibility, a student must know that she is contributing. Let the externs know that their work is important to your court and your chambers. Students who sense that they are not serving a useful function will gain little from the experience.

The students must sense they belong in the chambers. Most of us have had the unpleasant experience of feeling left out or disconnected from others. Such feelings interfere with production and learning. Yet externs are often shy in their new environment and may not take the initiative to include themselves in your activities. Please encourage their participation.

If your office personnel engage in professional group functions such as staff meetings or social gatherings, please include the externs whenever possible. This effort will be rewarded by a better relationship, which is likely to result in a better work product.

3. The Nature of the Student's Work

If you know, or can anticipate, the specific cases or projects the extern will work on during the semester, discuss them at this time. This is also a good time to talk with your extern about available resources.

4. Relevant Court Policies and Chain of Command

When you review the nature of the student's work, it is appropriate to discuss policies and lines of authority. Specify whether memos are to be written according to a particular format, and whether some type of legal authority is to be relied on more than others (federal law, state law, administrative reports). The externs need to know which tasks they must submit to you for approval before being completed, and which tasks they can do on their own. The students must understand who they take assignments from. We ask that all assignments go through you as the supervising judge, even if the students also work with other staff members when actually performing the task. This system prevents conflicts from developing over the extern's work and helps the extern maintain an open line of communication with you.

Although the Externship Program has covered many of these subjects in its student orientation, you may want to discuss other relevant subjects, including: confidentiality, dress code and general appearance, use of office equipment, and any other relevant court policies. For instance, tell the student the parameters and purposes of your confidentiality procedures and require the student to dress in the same professional manner as the attorneys who appear before you.

5. Schedule for Weekly Meetings with the Student

This is the time to make your plans for meeting with your extern. We encourage you to have weekly meetings, during which you can review the student's work and discuss other matters. Some judges direct the student to come see them whenever there is a question or need for feedback. The important thing is to make it clear that you intend to take the time to review his or her work and to talk about relevant matters and topics of interest; then establish a regular procedure for doing this.

One important element of a good externship experience is giving the student opportunities to observe attorneys appearing in your court. Although we encourage students to be assertive about asking you for observation opportunities, some shyer students will wait for you to take the lead. If you forget to tell the students about upcoming cases, the learning situation can be lost. A good way to keep the student apprised of these events is to put the topic on the agenda for each weekly meeting.

6. The Student's Expectations for the Externship

Asking the student what she wants to learn from the externship is a good way to develop a two-way pattern of communication. Some students are happy to sit silently and have you do all the talking during this meeting; students often hesitate to say much for fear of looking uninformed.

We hope you will encourage the student to participate in this orientation meeting, so the student will think about what she hopes to learn, and how this will fit into her education goals. Consider requiring the student to set a specific goal to improve one or two practical skills or areas of substantive knowledge. The goal(s) provides a measuring device to determine their progress over the course of the semester. For example, a student might choose to improve his research skills. That student will keep records of time spent researching and you can compare techniques used in early research projects to those developed over the course of the semester.

You may find that you need to solicit these ideas from your extern. Some students find it a challenge to be given the opportunity for self-determination. It often helps to talk about what the students are interested in and give suggestions.

7. The Student's Work Schedule

An essential element of the externship experience is establishing a sense of responsibility and commitment. Toward this end, students must have a regular work schedule. As a supervising judge who must plan assignments and still get your own work done, you are entitled to know when the student will be in your office. A set schedule also gives the student an

opportunity to develop a sense of commitment and to view his work as a regular part of the office's functioning.

Please be firm about the work schedule. Let the student know that tardiness or absences are unacceptable in the professional world. If a student is tardy or absent more than once, please discuss this with the student and let us know, so that we can talk to them. In conjunction with their office schedule, please keep the workload commensurate with the student's hourly commitment. Along with the externship, your student may also be taking classes which, due to mid-term exams and make-up classes, may pose a conflict with work. It is important that the student notify you of any scheduling needs and that there is mutual agreement about the completion schedule for work assignments.

Please treat the student extern as you would a regular employee in your office, remembering that you are playing a substantial role in his or her professional development.

8. Tour of the Office and Library, and Introduction to Others

Please take the time to show the student around your court and chambers. This tour should include a brief overview of the library, noting specific resources that may be valuable to the student, and also introductions to secretaries, receptionists, librarians, and other attorneys.

9. Explanation of First Assignment

Your extern should receive her first assignment after the orientation. Please take the time to explain the assignment; again, students will often fail to ask you questions for fear of appearing ignorant. Give the student a specific deadline for this and all future assignments, and mark these deadlines on your calendar as a reminder to check on the student's progress. Sections B and C below offer more detailed suggestions for assignments and feedback.

B. ASSIGNMENTS

1. Giving Guidance on Assignments

When you assign a student work, go over the assignment in detail to be sure he understands. It may be helpful to have the student repeat back any issues that are particularly complex. Discuss the particular resources you would use and note any resources he may not be familiar with. State the deadline for submission of a first draft. Then leave the student alone to find the appropriate law, procedure, form, etc. This process of working to find the answer teaches more than simply spoon-feeding them the information.

Some students hesitate to ask for further help on an assignment. Weekly meetings and early deadlines are helpful for this purpose. In addition, students should be encouraged to ask

the immediate supervising judge, as well as others, for help when necessary. On the other hand, some students may ask too many questions. If students should be able to resolve a matter on their own, they should be encouraged to do so. Above all, make sure that deadlines are clear.

It may help you to know that we apply some pressure on the externs to think about their work as if they are the lawyer serving the court's interest. We ask the student to think in terms of what she would do with the case if she were ultimately responsible.

2. Supervision by More Than One Judge

Some courts rotate students through several divisions in an effort to give them a varied learning experience. This makes it difficult for one judge to assign all the work. Because these arrangements have caused problems in the past, we suggest that all courts rotating students, as well as courts where students will receive work from more than one judge, appoint one judge as the overall extern supervisor. This person should keep files on the students and be aware of their status at all times. A good method is to require that all work assignments be reviewed by the supervisor.

C. FEEDBACK

We cannot overstate how important it is to give feedback to externs. Unlike information you give to the students about their assignments, available resources, strategies, and legal issues, this is an opportunity to review the effectiveness of the student's performance and to suggest alternatives that will enhance that performance in the future.

While we do not expect you to evaluate the extern's work thoroughly each time she performs a task, we would like you to evaluate the student at least twice for each *type* of task assigned. The feedback you give needs to be detailed in terms of both substance and process. Similarly, since most students produce a variety of written work, please review a couple examples of each type of work product, pointing out where the work is effective and where it needs to be improved.

Giving and receiving feedback can be uncomfortable. However, feedback which acknowledges effective behavior before it critiques ineffective behavior is easier to communicate and carries more impact. In any feedback session, you should endeavor to include both types of information.

The feedback process consists of two basic steps:

1. The student's evaluation of his own performance;
2. Your evaluation of the student's performance.

1. Student's Self-Evaluation

Self-evaluation is particularly important when students perform lawyering tasks that do not involve writing because they do not have the same opportunity to self-correct as they do when they review their written work. Before you critique a student, give her a chance to discuss her performance with you; otherwise, she may change her impressions or forget her own immediate reactions in response to yours. Ideally, while the student self-critiques, you neither agree nor disagree. Then ask the student what changes they want to make. This question encourages the student to move through the learning process, from performing a task, to analyzing it and developing a theory for improved performance. In addition, this process reinforces a pattern of reflective thinking.

2. Your Evaluation of the Student's Performance

Begin your critique with a general statement about the student's overall performance. Sometimes it is difficult to do this and at the same time begin your critique with a positive remark. If the performance was dismal, it is very likely that the student is aware of this and your general evaluation will not surprise your extern. Follow the general evaluation with a specific critique. Vague statements such as "good job," or "you'll do better with practice," are nearly valueless. Like all learners, externs need specific examples demonstrating the behavior being discussed.

D. ISSUES

Most externships proceed smoothly, and both students and supervising judges reap the benefits of the mentoring relationship. However, there are occasional surprises.

When a student believes that there are difficulties with their placement, we first ask them to discuss the situation with their supervising judge. If you believe there to be problems with the extern, we ask that you likewise discuss it with the student first. If a situation is not rectified or resolved to everyone's satisfaction we will intervene. However, if the student is behaving irresponsibly toward their externship, or if there are ethical issues, please contact us right away, in addition to discussing the problem with the student.

E. SUPERVISING JUDGE REQUIREMENTS

1. Memorandum of Agreement

This form will be sent to you at the beginning of each semester. Please keep a copy as you may wish to refer to it from time to time to refresh your memory regarding your specific commitment. (Appendix A)

We understand that it may not always be possible to provide each element outlined in the memorandum. When we make a decision about an externship placement, we try to be as flexible as possible within parameters that will ensure the student a high quality educational experience. The factors we consider most important are the variety and type of tasks the students are exposed to and the quality of supervision and feedback they will receive. Above all, we intend the memorandum to set the tone for your role as supervising judge.

2. Time Sheets

Please sign each sheet when the student submits them to you, prior to the student's next class meeting or private meeting with the Externship Director. Students are asked to be specific; "Research – 4 hours" is not enough. We want to know what the student is researching and the amount of time the student is spending on each stage of their research. The appendix has copies of a completed time log (Appendix B). Please review the extern's time logs carefully and question them about any items that require explanation. You may use these as a tool to examine and discuss the student's progress.

3. Mid-Semester and Final Evaluations

These forms will be mailed to you by our office. It is critical that, after completing the form, you take the time to review the evaluation with your extern. You might also ask the student for their feedback (See Appendix C & D).

4. Supervising Judges Meetings

Once a semester, we hold sessions for our supervising judges either at the law school or in your chambers. The purpose of these sessions is to update you about new aspects of our program, including new forms, as well as to receive feedback from you. Your participation is essential to the well-being of our externship program. We will send you notice of meeting dates, or arrange an appointment with you.

F. STUDENT EXTERN REQUIREMENTS

Our students receive two to 15 units of credit for their externship field experience. These credits are pass/fail; therefore, your evaluation of their work will not affect their grade, unless it involves a breach of professional responsibility. Students also must fulfill the academic component of the course, which includes a weekly journal, private meetings with externship faculty, and a weekly externship seminar. Brief descriptions of these requirements are given below. The student receives one graded credit from the Externship Director for participation and completion of the academic component.

1. Weekly Journal

Externs are required to write about their externship experiences every week during their placement. We ask them to write about both what they have done, and what they are learning. Writing their journals forces the students to reflect on the legal system and their place within it, and assess their individual progress and accomplishments. Students are prohibited from discussing or writing about anything that involves any privileged or confidential matter.

2. One-on-One Private Meetings

Students schedule individual meetings with the Externship Director once during the course of their externship. During this meeting, students discuss their experiences, what they are doing, and what they are learning. Prior to each meeting, students submit their time sheets; journals; non-confidential, sanitized work product; and any evaluations (mid-term or final) to the director for review. Students are graded on the timeliness and thoroughness of the necessary paperwork.

3. Externship Seminar

Once a week, students attend a seminar class in which they discuss their externship experiences with other externs, as well as any readings assigned for the class. Supervising judges are welcome to attend any seminar classes and are encouraged to volunteer as guest speakers.

G. WASHINGTON’S RULE NINE: ADMISSION TO LIMITED PRACTICE

Student externs representing clients are required to have a limited license to practice law in the state of Washington. The extern (legal intern) must meet the Rule Nine requirements and have a supervising attorney (See Appendix E). Externs from Gonzaga Law School will be Rule Nine qualified and are responsible for preparing an application for your review and signature. Please contact the externship office if you have any questions regarding an extern’s Rule Nine qualifications.

We appreciate your willingness to help train our students to be competent and ethical attorneys. You are providing a valuable service to the student, our law school, and the legal profession. If there is anything we can do to facilitate your efforts in achieving our goals for the Externship Program, please let us know.

Appendix A

SUPERVISING JUDGE'S MEMORANDUM OF AGREEMENT

I, _____, agree to the following conditions for participation in
(please print)
the Gonzaga Law School Externship Program, while supervising _____.
(please print)

1. To give the student a case load that is in some way a part of my work, involving both large and small matters.
2. To make students' assignments as challenging as he/she can reasonably handle.
3. To have the student work approximately sixty hours per field unit of academic credit.
4. To have the student approximate working as a judicial law clerk to the maximum extent feasible.
5. To assign most legal research tasks in conjunction with the work described in paragraphs 1-4 above.
6. To keep menial tasks, e.g., filing, library updating, indexing, etc. to less than 5% of the student's work time.
7. To allow students, when feasible, to observe the judicial decision-making process and oral advocacy by lawyers in court.
8. As much as possible, to engage in the following assignment, work, and feedback process:
 - a. The student and I will discuss the matter to be assigned, including a discussion of our mutual objectives;
 - b. I will advise the student of the resources, methods, and materials available for the job.
 - c. When the student completes a first draft of written work, I will review the work and meet with him for a specific critique of the work.
 - d. I will have the student redraft as many times as necessary until she achieves a satisfactory final product.

- e. While work is in progress, or after it is completed, I will discuss with the student, as appropriate:
 - i. Alternative methods of handling the matter;
 - ii. The relationship of the specific job to the larger substantive, procedural or practical issues in the case; and
 - iii. Noteworthy ethical or social implications of the matter.
- 9. To keep in mind the academic mission of the school and value the student's time and commitment to other classes. This may include being flexible during finals and not expecting the student to regularly work more hours per week than credit hours assigned to the course. (See #3 above.)
- 10. I envision the following duties for the student-extern:
- 11. I agree to complete both a mid-term and final evaluation report on the extern's work (forms to be provided by the law school), to return the form by the due date; and to participate in a supervising attorney's orientation, either individually, or as part of a scheduled program with other supervising attorneys.

Date: _____ Signature: _____

Title: _____ Printed Name: _____

Please return completed form to:

Robbie McMillian, Program Coordinator
Gonzaga Law School Externship Program
P.O. Box 3528
Spokane, WA 99220-3528
Phone: (509) 313-3740
Fax: (509) 313-5842

Appendix B



EXTERNSHIP PROGRAM
Weekly Timesheet – Spring 2007

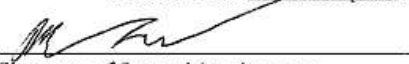
Name: Jill Student Work Week of: April 9-14
Placement Office: City Prosecutor's Office Date Submitted: April 17

Please calculate time in tenths (.1) of an hour (6 minute increments).

Date	Pro Bono Task	Hours	Total
4/9	Atty. consultation/assignment of projects	.7	
	Research Spokane City. local court rules	.5	
	Research at-issue memo	1.0	
	Research & write memo on churches, immunity, jurisdiction of civil courts	2.0	
	Research horses/assumption of risk cases	.5	4.7
4/11	Atty. assignment of projects/discuss previous days work	.5	
	Find forms memo to set case for trial	1.3	
	Partnership agreement for Pacific Coast Realty: mortgage	1.2	3.0
4/12	Write memo: motion to set for trial. memo of points & authorities.	3.0	3.0

Total Hours for the Week: 10.7
Prior Week's Cumulative Total: 92.6
*Cumulative Total for Semester: 103.3

*Cumulative Total must be completed by student on each timesheet for proper semester credit.



Signature of Supervising Attorney
or Supervising Judge



Signature of Extern

Appendix C



EXTERN MID-TERM EVALUATION FORM

*Gonzaga University School of Law
Externship Program*

Mid-Term Evaluation of Student's Externship Performance

To be filled out by Extern's Supervising Judge/Attorney – please attach additional pages if necessary

Extern: _____ Date: _____

Agency/Office/Court: _____

Supervising Attorney/Judge: _____

Check the activities, which the extern has had the opportunity to learn or to practice thus far during his/her externship.

- | | | |
|--|---|---|
| <input type="checkbox"/> Legal research | <input type="checkbox"/> Identification of issues | <input type="checkbox"/> Fact gathering |
| <input type="checkbox"/> Oral communication | <input type="checkbox"/> Negotiation | <input type="checkbox"/> Time/practice management |
| <input type="checkbox"/> Writing | <input type="checkbox"/> Problem solving | <input type="checkbox"/> Resolving ethical dilemmas |
| <input type="checkbox"/> Articulating legal theory | <input type="checkbox"/> Interviewing/counseling | <input type="checkbox"/> Litigation processes |

1. In what area(s) does the student perform well?

2. Please describe the area(s) and student skills that need some improvement or additional emphasis for the remainder of the semester.

Appendix D



EXTERN FINAL EVALUATION FORM

*Gonzaga University School of Law
Externship Program*

Final Evaluation of Student's Externship Performance

To be filled out by Extern's Supervising Judge/Attorney – please attach additional pages if necessary

Extern: _____ Date: _____

Agency/Office/Court: _____

Supervising Attorney/Judge: _____

Skill Evaluation Checklist – Rate the extern on the following skills using the criteria below: (Circle)

- 1 Poor** – fell short of expectations more often than met them
- 2 Fair** – often met expectations
- 3 Average** – met expectations but rarely or never exceeded them
- 4 Good** – always met expectations and sometimes exceeded them
- 5 Excellent** – consistently exceeded expectations
- N/A** Not applicable to this placement

	Poor	Fair	Average	Good	Excellent	
1. Research Ability – Knows research tools and how to use them	1	2	3	4	5	N/A
2. Legal Analysis – Integrates legal concepts and theory with facts in a logical progression	1	2	3	4	5	N/A
3. Writing Skill – Drafts well-organized written assignments, cites accurately and properly	1	2	3	4	5	N/A
4. Proofreading – Reviews work for grammatical and stylistic errors	1	2	3	4	5	N/A
5. Oral Expression – Able to discuss issues clearly, communicates effectively	1	2	3	4	5	N/A
6. Judgment – Is mature, knows how and when to ask questions or seek additional consultation	1	2	3	4	5	N/A

	Poor	Fair	Average	Good	Excellent	
7. Time Management – Ability to prioritize tasks, meets deadlines and manages time well	1	2	3	4	5	N/A
8. Work Ethic - Takes initiative, works independently and efficiently without sacrificing quality	1	2	3	4	5	N/A
9. Professional Behavior – Treats attorneys, court personnel, litigants, witnesses & public respectfully	1	2	3	4	5	N/A
10. Overall Performance – Has made appropriate progress toward becoming an effective and professional lawyer	1	2	3	4	5	N/A
11. Please list any suggestions you have for the student’s improvement. Please be specific.						

Signature of Supervising Judge/Attorney

Printed Name

Thank you for filling out this form as completely as possible. It is useful in helping us work with placement offices and supervising attorneys and judges to develop the program into the highest quality experience for each extern.

Please return completed form to:

Robbie McMillian, Program Coordinator
 Gonzaga Law School Externship Program
 P.O. Box 3528
 Spokane, WA 99220-3528
 Phone: (509) 313-3740
 Fax: (509) 313-5842



ADMISSION TO PRACTICE RULES

RULE 9. LEGAL INTERNS

- (a) **Admission to Limited Practice.** Qualified law students, enrolled law clerks, and graduates of approved law schools may be admitted to the status of legal intern and be granted a limited license to engage in the practice of law only as provided in this rule. To qualify, an applicant must:
- (1) Be a student duly enrolled and in good academic standing at an approved law school with legal studies completed amounting to not less than two-thirds of a prescribed 3-year course of study or five-eighths of a prescribed 4-year course of study, and have the written approval of the applicant's law school dean or a person designated by such dean; or
 - (2) Be an enrolled law clerk in compliance with the provisions of rule 6 with not less than five-eighths of the prescribed 4-year course of study completed, and have the written approval of the tutor; or
 - (3) Make the application before the expiration of 9 months following graduation from an approved law school, and submit satisfactory evidence thereof for the Bar Association; and
 - (4) Pay such fees as may be set by the Board of Governors with the approval of the Supreme Court; and
 - (5) Certify in writing under oath that the applicant has read, is familiar with, and will abide by, the Rules of Professional Conduct and this rule.
- (b) **Procedure.** The applicant shall submit an application, for which no fee shall be required, on a form provided by the Bar Association, setting forth the applicant's qualifications.
- (1) The application shall give the name of, and shall be signed by, the supervising lawyer who, in doing so, shall assume the responsibilities of supervising lawyer set forth in this rule if the applicant is granted a limited license as a legal intern. The supervising lawyer shall be relieved of such responsibilities upon the termination of the limited license or at an earlier time if the supervising lawyer or the applicant gives written notice to the Bar Association and the Supreme Court requesting that the supervising lawyer be so relieved. In the latter event another active member of the Bar Association may be substituted as such supervising lawyer by giving written notice of such substitution, signed by the applicant and by such other active member, to the Bar Association and the Supreme Court.
 - (2) Upon receipt of the application, it shall be examined and evaluated by the Board of Governors which shall endorse thereon its approval or disapproval and forward the same to the Supreme Court.
 - (3) The Supreme Court shall issue or refuse the issuance of a limited license of a legal intern. The Supreme Court's decision shall be forwarded to the Bar Association, and the applicant shall be informed of the Supreme Court's decision.
- (c) **Scope of Practice.** A legal intern shall be authorized to engage in the limited practice of law, in civil and criminal matters, only as authorized by the provisions of this rule. A legal intern shall be subject to the Rules of Professional Conduct and the Rules for Lawyer Discipline as adopted by the Supreme Court and to all other laws and rules governing lawyers admitted to the Bar of this state, and shall be personally responsible for all services performed as an intern. Upon recommendation of the Disciplinary Board, a legal intern may be precluded from sitting for the bar examination or from being admitted as a member of the Bar Association within the discretion of the Board of Governors. Any such intern barred from the bar examination or from recommendation for admission to the Board of Governors shall have the usual rights of appeal to the Supreme Court.
- (1) A judge may exclude a legal intern from active participation in a case filed with the court in the interest of orderly administration of justice or for the protection of a litigant or witness, and shall thereupon grant a continuance to secure the attendance of the supervising lawyer.
 - (2) No legal intern may receive payment from a client for the intern's services. However, nothing contained herein shall prevent a legal intern from being paid for services by the intern's employer or to prevent the employer from making such charges for the service of the legal intern as may otherwise be proper.
 - (3) A legal intern may advise or negotiate on behalf of a person referred to the intern by the supervising lawyer. A legal intern may prepare necessary pleadings, motions, briefs or other documents. It is not necessary in such instances for the supervising lawyer to be present.
 - (4) A legal intern may participate in superior court and Court of Appeals proceedings, including depositions, provided the supervising lawyer or another lawyer from the same office is present. Ex parte and agreed orders may be presented to the court by a legal intern without the presence of the supervising lawyer or another lawyer from the same office. An intern may represent the State in juvenile court in misdemeanor and gross misdemeanor cases without in-court supervision after a reasonable period of in-court supervision, which shall not be less than one trial.

- (5) Except as otherwise provided in subsection (c)(6), in courts of limited jurisdiction, a legal intern, only after participating with the supervising lawyer in at least one non-jury case, may try non-jury cases in such courts without the presence of a supervising lawyer and, only after participating with the supervising lawyer in at least one jury case, may try jury cases in such courts without the presence of a supervising lawyer.
- (6) Either the supervising lawyer or a lawyer from the same office shall be present in the representation of a defendant in all preliminary criminal hearings.
- (d) **Supervising Lawyer.** The supervising lawyer shall be an active member of the Bar Association in good standing, provided that if a disciplinary sanction has been imposed upon the lawyer within the 5 years immediately preceding approval of the application, the Board of Governors shall have the discretion to accept or reject the lawyer as a supervising lawyer. The supervising lawyer shall have been actively engaged in the practice of law in the State of Washington or elsewhere for at least 3 years at the time the application is filed.
- (1) The supervising lawyer or another lawyer from the same office shall direct, supervise and review all of the work of the legal intern and both shall assume personal professional responsibility for any work undertaken by the legal intern while under the lawyer's supervision. All pleadings, motions, briefs, and other documents prepared by the legal intern shall be reviewed by the supervising lawyer or a lawyer from the same office as the supervising lawyer. When a legal intern signs any correspondence or legal document, the intern's signature shall be followed by the title "legal intern" and, if the document is prepared for presentation to a court or for filing with the clerk thereof, the document shall also be signed by the supervising lawyer or lawyer from the same office as the supervising lawyer. In any proceeding in which a legal intern appears before the court, the legal intern must advise the court of the intern's status and the name of the intern's supervising lawyer.
- (2) Supervision shall not require that the supervising lawyer be present in the room while the legal intern is advising or negotiating on behalf of a person referred to the intern by the supervising lawyer, or while the legal intern is preparing the necessary pleadings, motions briefs, or other documents.
- (3) As a general rule, no supervising lawyer shall have supervision over more than 1 legal intern at anyone time. However, in the case of (i) recognized institutions of legal aid, legal assistance, public defender and similar programs furnishing legal assistance to indigents, or legal departments of a state, county or municipality, the supervising lawyer may have supervision over 2 legal interns at one time, or (ii) a clinical course offered by an approved law school where such course has been approved by its dean and is directed by a member of its faculty and conducted within institutions or legal departments described in (i) or the law school,

each full-time clinical supervising lawyer may have supervision over 10 legal interns at one time provided a supervising lawyer attends all adversarial proceedings conducted by the legal interns.

- (4) A lawyer currently acting as a supervising lawyer may be terminated as a supervising lawyer at the discretion of the Board of Governors. When an intern's supervisor is so terminated, the intern shall cease performing any services under this rule and shall cease holding himself or herself out as a legal intern until written notice of a substitute supervising lawyer, signed by the intern and by the new and qualified supervising lawyer, is given to the Bar Association and to the Supreme Court.
- (5) The failure of a supervising lawyer, or lawyer acting as a supervising lawyer, to provide adequate supervision or to comply with the duties set forth in this rule shall be grounds for disciplinary action pursuant to the Rules for Lawyer Discipline.
- (6) For purposes of the attorney-client privilege, an intern shall be considered a subordinate of the lawyer providing supervision for the intern.
- (7) For purposes of the provisions of this rule which permit a lawyer from the same office as the supervising lawyer to sign documents or be present with a legal intern during court appearances, the lawyer so acting must be one who meets all of the qualifications for becoming a supervising lawyer under this rule.
- (e) **Term of Limited License.** A limited license as a legal intern shall be valid, unless revoked, for a period of not more than 24 consecutive months, provided that a person shall not serve as a legal intern more than 12 months after graduation from law school.
- (1) The approval given to a law student by the law school dean or the dean's designee or to a law clerk by the tutor may be withdrawn at any time by mailing notice to that effect to the Clerk of the Supreme Court and to the Bar Association, and shall be withdrawn if the student ceases to be duly enrolled as a student prior to graduation or ceases to be in good academic standing or if the law clerk ceases to comply with rule 6.
- (2) A limited license is granted at the sufferance of the Supreme Court and may be revoked at any time upon the court's own motion, or upon the motion of the Board of Governors, in either case with or without cause.
- (3) An intern shall immediately cease performing any services under this rule and shall cease holding himself or herself out as a legal intern (i) upon termination for any reason of the intern's limited license under this rule; or (ii) upon the resignation of the intern's supervising lawyer; or (iii) upon the suspension or termination by the Board of Governors of the supervising lawyer's status as a supervising lawyer; or (iv) upon the withdrawal of approval of the intern pursuant to this rule.

