



Gonzaga University *School of Law*

Externship Program

Student Handbook

Externship Program Student Requirements

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Externship Requirements

Explanation of the Externship Program

The purpose of the Gonzaga University School of Law Externship Program is to train students in lawyering skills through integration into the legal system. The program partners the student, the Supervising Attorney or Judge, and the Externship Director. The extern student will perform a variety of challenging tasks, in and out of court, under the guidance of a Supervising Attorney or Judge, and reflectively examine those experiences with the guidance of the Externship professor.

The Externship Program is dedicated to furthering the mission of the Gonzaga University community, as shown in its commitment to equal access to the judicial system for all citizens. All students enrolled in the program will be allowed to only work in placements whose focus is pro-bono legal assistance or public service. Students will not be allowed to work in private firms on assignments that generate profit for the firm. A placement in a private firm will only be approved if strict assurances are made by the Supervising Attorney that the student will not perform any services on cases in which the client is billed.

A qualified student may earn a maximum of ten externship credits toward graduation, over a maximum of two semesters. To qualify for participation in the externship program, students must be enrolled in, or have completed sixty credits toward graduation, or be exceptional students who have successfully completed one year of law school and possess sufficient skills to participate in an externship program as determined by the externship director, with feedback from the 1L professors.

Program Staff

Externship Director:		
Rosanna Peterson	(509) 313-3688	rpeterson@lawschool.gonzaga.edu
Program Coordinator:		
Robbie McMillian	(509) 313-3740	rmcmillian@lawschool.gonzaga.edu

Office Location

The Externship Program office is located on the 4th floor in the Faculty Suite. Rosanna Peterson's office is room 424; Robbie is located in the center section of the Faculty Suite on the North side.

The Application Process

The first step in acquiring an Externship is to complete, sign and submit an application that is available at Robbie McMillian's desk on the 4th floor in the Faculty Suite, or on the web page. Each application is subject to the approval of the Externship Director.

At the time you present your completed application, please attach a current resume and writing sample. Your signature at the bottom of the application indicates your consent for Externship Staff to review your unofficial transcript to ensure compliance with academic rules governing the receipt of clinical credits, limited to 15 total clinical credits, 10 of which may be earned in the Externship Program. Even if you are already placed, it is still necessary to submit this information.

Rule Nine Certification and Supervision

It is important that any extern providing court representation or legal advice to clients be Rule Nine certified, or similarly certified for the state in which they extern. You must have completed at least 60 credits in order to apply for a Rule Nine certification. If you are not Rule Nine certified, please stop by the Registrar's Office right away to obtain the Rule Nine Application and Handbook. You should get this processed immediately because applications can take up to six weeks to process.

Whether or not you are seeking Rule Nine Certification, your Supervising Attorney must meet the supervising requirements as outlined in the Rule Nine application and in the Supervising Attorney/Judge's Handbook in order to participate in the Externship program. More specifically, a student in the Externship Program cannot be supervised by a family member or someone with less than five (5) years experience practicing law.

Credits & Hours

On the application, please mark which semester that you are applying for, including the year. You may earn a maximum of ten externship credits toward graduation, which can be allocated from two to ten credits in one or two semesters. **Keep in mind that you may only extern for a total of two semesters, so plan your credits accordingly.** Each semester, one credit of your externship will be a graded seminar.

Each field credit equates to 60 working hours. You will need to complete the requisite number of hours per credit within the duration of the semester in order to successfully earn the credits. Fall and Spring semesters are 15 weeks long, therefore a 4-credit load would require a student to work 16 hours a week in order to complete the required 240 hours. The same credit load in Summer would require 24 hours a week, as Summer semester is 10 weeks long.

Chart of Credits & Hours

Fall/Spring

Number of Credits at Placement		x 60	Number of Weeks in Semester	Hours Worked per Week
Total (-seminar) = field credits				
5 (-1) = 4		240	15	16
4 (-1) = 3		180	15	12
3 (-1) = 2		120	15	8
2 (-1) = 1		60	15	4

Summer

Number of Credits at Placement		x 60	Number of Weeks in Semester	Hours Worked per Week
Total (-seminar) = field credits				
5 (-1) = 4		240	10	24
4 (-1) = 3		180	10	18
3 (-1) = 2		120	10	12
2 (-1) = 1		60	10	6

As You Begin Your Externship

Read all the rules of professional conduct that are controlling in the jurisdiction in which you will be Externing. Coordinate with your Supervising Attorney or Judge of the days and hours you will be working.

At the first class, we will be discussing orientation matters and professional conduct. A portion of your graded credit is also based on your attendance.

You will not be given credit for time spent at the Externship placement which begins before the start of the semester or extends past the end of the semester unless it is approved by the Externship Director and your Supervising Attorney or Judge before the semester begins.

Compensation

The American Bar Association specifically prohibits a law student from receiving academic credit and compensation for the same work. Based on the results of an ABA accreditation study of Gonzaga Law School in 2006, work study is considered to be

compensation; therefore, students receiving this form of financial aid may not earn academic credit by volunteering their time in the same placement for which they are working and receiving payment through the work study program. All students, whether they receive financial aid or not, may only work for academic credit and may not receive any kind of compensation from a firm (public or private) for their work. However, if you are receiving work study, we will attempt to find an alternate placement at which you can volunteer your time and earn academic credit. Please see the Externship Staff if you have any questions about this ABA and work-study requirement.

During Your Externship

Externship Seminar

Your grade in the Externship Program is based upon your attendance and participation at the seminar and at least one mandatory meeting with your Externship Faculty, as well as your successful completion of the field experience. Attendance is expected for all classes. If you are absent more than permitted by the law school attendance rules, you will be withdrawn from the Externship Program.

During the seminar, you will be **required** to submit the following, as assigned in the syllabus:

- Journal Assignments
- Time sheets, signed by yourself and your Supervising Attorney or Judge
- Presentation or paper assignments

Please note: Students who fail to comply with the requirements will receive an incomplete, be withdrawn from the Externship Program or fail the course.

Journals

The purpose of keeping a journal during your externship is to provide a reflective learning experience. You are expected to write about what you are learning about the law, lawyering skills, and yourself as a student and as a lawyer. Serious reflection can give you valuable insight into such things as:

- Types of work that you prefer (researching, writing, talking with people, being in court);
- Areas of substantive law that interest or bore you;
- Ways in which you interact with the legal system;
- Ways in which you interact with people in your work environment;

- Ways in which people in your work environment interact with each other;
- Working styles: Long projects with few deadlines, or fast-paced, multi-deadline environment?

Your journals will be returned to you with comments. After three months of writing about your experiences, you will be amazed to see what you have accomplished and what you now know about yourself that you never knew before. That new knowledge may enable you to make more informed long-term career decisions.

Format of Journals

You will turn in your journals as specified by your professor, either in class or via TWEN. Use the same format as used in the samples, i.e., your name, the due date of the journal entry, the week the journal entry covers, and the number of each weekly entry. Please refer to Attachments A-C at the end of this book.

Journals should be one to two double-spaced pages each week. To the extent possible, try to incorporate your Externship experiences into your discussions of the readings and classes. Please remember, however, that the Externship Staff does not share in the attorney/client privileged information matters. Keep this in mind when writing journals and during class and any private discussions.

Your journal should include observations and reflections of your field experience, the judicial system, and your insights. A recitation of the week's events is not adequate.

Your journal will be graded based upon the quality of your discussion. For those of you new to journal writing, we have listed below some topics to guide you and stimulate your thinking:

1. Your goals for your Externship (periodically redefined) and your progress toward meeting your goals.
2. Your thoughts or reflections about issues discussed in any of the Externship Seminar class sessions.
3. Comments on any of the reading from the Externship class sessions.
4. Professional responsibility and ethics.
5. Your observations about the practice of law.
6. The substantive law which you are working with.
7. What it means to be a lawyer in the context of the work that you are doing.
8. Justice.
9. Professional relationships.
10. Specific comments about what you are learning.
11. Legal education.
12. Anything else related to your Externship that interests you.

Please type your journals. We have attached entries from three different journals (Attachments A-C). The first two entries were well done (however, the second was a bit

brief), and the third one was unacceptable. If you have problems distinguishing between them, please see us right away.

NOTE: Timely completion of work is a critical component of being a good lawyer. In this class, your journals and time sheets are your lawyer's work. If they are turned in late, they will be graded accordingly.

Time Sheets

Time sheets must be kept on a daily basis and submitted regularly to the Program Coordinator. Time must be recorded in 0.1 (6 minute increments) of an hour and reflect your activities in detail, e.g., the tasks you perform on a specific case, including the steps you take in your research. See the example time sheets in the back of the book as Attachments D and E.

Please note that time sheets must be signed by your Supervising Attorney or Judge and submitted to the Externship Office on a regular basis before credit is awarded.

You must keep a running total of your cumulative hours at your placement. **It is not the responsibility of the Externship Staff to ensure that you have added your hours correctly or taken credit for all of the hours and days worked.**

The following items **may** be counted as part of your total Externship hours:

- Private meetings with your Supervising Attorney or Judge;
- A limited number of sick days, as approved by the Externship Director

The following items **may not** be counted as part of your total Externship hours:

- Holidays where your office is closed;
- Time spent writing in your journal or filling out your time sheet;
- Class meetings or preparation for class meetings;
- Time spent working at home (unless approved by the Externship Director);
- Lunch hours

The Externship runs on the same schedule as your regular classes. A limited number of hours may be accrued in advance of the semester with permission from the Externship Director and your Supervising Attorney or Judge. Likewise, you may complete your Externship up to one week early if you have the total number of required hours and appropriate permission from both your Supervising Attorney or Judge and the Externship Director.

Pro-Bono Requirement

In accordance with the Mission Statements for Gonzaga University and Gonzaga Law School, work done in an Externship placement must be on a **strictly pro-bono basis in a qualified public service placement**, without the benefit of pay or work study. The

Gonzaga University Community strongly supports equal access to justice in the community in which its graduates live and work; the Externship Program supports this ideal as well, thus making it the main goal of the course.

One-on-One Meetings

During your one-on-one meeting each semester with your Externship Faculty, you will be expected to discuss your Externship experience and be responsible for leading the discussion during the meeting on topics of your choice. Some students find it helpful to mark a few journal entries prior to their private meeting.

If you miss a scheduled private meeting, you are responsible for rescheduling, which must take place within one week of the missed meeting. If you do not reschedule the meeting in a timely manner, your grade will be affected.

Externs Evaluation of Placement

Within one week following the last day of your Externship, you are required to fill out and turn in to the Externship Office the Extern's Evaluation of Placement, which is a component of your final grade. Please be complete and candid on this form in order for the Externship Staff to make the best placement decisions for future externs. These evaluations will not be sent to your Supervising Attorney or Judge; they are for the school's use only.

Externship Grades

The one credit grade that you receive for the Externship Seminar is graded according to law school policies. Credit for the field placement is on a pass/fail basis.

Failure to comply with the requirements is grounds for termination (without credit) of the Externship, a grade of "F" and/or preclusion from participating in future Externships.

A Note from the Externship Staff

Thank you for reviewing the Externship Requirements Handbook. We hope it was helpful to you. For more information on this educational experience, we invite you to visit our office or to schedule an appointment to speak with the Externship Director. We are always happy to assist.

Attachment “A”

First Sample Journal Entry Good, Detailed and Reflective

Name: Joe Student
Journal Due Date: Friday, June 20, 2008
Journal Entry #4

Externship Journal for Week of June 16 – 20

This week has been another good week. I am really enjoying this opportunity to observe different proceedings and interact with Judge Davis and the court staff. I am amazed at how well the staff is able to coordinate the calendar and files and enter minutes on each hearing and proceeding, especially when there are 55-70 misdemeanor hearings in one morning.

This week, I have been able to watch more of the taped jury trial. One aspect of the trial that I approached Judge Davis about was the numerous bench discussions between the judge and counsel off the record. I have seen other bench trials where similar discussions have taken place, but in this trial there seems to be an abundance of these discussions. Judge Davis indicated that the attorneys in this trial were very good attorneys and so when they wanted to approach the bench, he took extra time to listen to the views of each attorney.

It is human nature to judge somebody or to have your own opinion on something when it comes up. I do it all the time when I observe hearings. The test for a good attorney or judge is to take a step back and look at the issue from an objective stance. The judge indicated that it is possible and that good attorney's can sway opinions based on good legal arguments.

This discussion moved again into trial preparation and its importance. However, the discussion focused on pre-trial submissions of paper instead of actual trial appearance. In a

telephone conference that I attended in the Judge's chambers, one party had filed a motion for summary judgment and the other party had filed a reply in opposition to summary judgment. Judge Davis relies heavily on compliance to the Rules of Civil Procedure, primarily Rule 7 which indicates the proper procedure for filing a paper with the court.

In the rule, it states that in a reply, each statement of fact should be recited and either admitted or denied. In this case, the rule had not been complied with and it immediately gave an unfavorable view of the party. Obviously, this initial view does not decide the motion, but it certainly gets under judge's skin.

When an attorney files with the court a paper that is not complete or does not comply with the rules that impression carries over into the trial and gives the impression of an unprepared attorney. As I discussed in earlier journals, the unprepared attorney is frowned upon. This week, I learned that it is not just preparing for the trial that is important, it extends to all paper and dealings leading up to the trial that must be prepared for.

Also this week, I observed a half-day bench trial over debt collection. The defendant appeared *pro se*. I have seen a few *pro se* litigants during the three weeks that I have been here and some are better than others. All, however, have been emotionally charged and, unfortunately, the law does not really deal well with emotional arguments. This particular *pro se* litigant cross-examined the plaintiff's first witness, who happened to be the company accountant, about information and procedures that she had no knowledge about. I still don't know why the plaintiff's attorney did not constantly object to such questions over relevancy. It was apparent that the questions the defendant was asking were emotionally driven so as to try to prove that his stance on not paying his debt was correct, even though it was not based on any legal argument.

Perhaps I need to develop a better opinion toward *pro se* litigants, and hopefully I will be able to before this externship is over. I have a hard time because they don't understand what kinds of arguments are relevant to the issue and how to make those arguments. In all reality, I don't have any idea how to make the arguments and what arguments to make, I just know that I would want to pay for an attorney if I was involved in any type of litigation.

Grade: A

Attachment "B"

Second Sample Journal Entry

Good, Reflective, but too brief

NOTE: Would pass but not get an "A"

Name: Joe Student

Journal Due Date: Monday, March 10, 2008

Journal Entry #3

Externship Journal for Week of March 6-10

One of the assignments I worked on during the past two weeks involves the imposition of restitution on criminal defendants. I found this concept and the way the courts have dealt with these defendants interesting. In 1984, Congress enacted several laws which aided the federal judiciary in imposing enforceable restitution decisions. The legislative history surrounding these laws outlined the importance of protecting victims. In conjunction with this, I researched the Inmate Financial Responsibility Program ("IFRP") which allows inmates an opportunity to work while incarcerated, make money, and pay off their fines and restitution responsibilities. I found

this whole program to be an excellent idea that served several purposes. First, it is a way to give inmates, some of whom never held steady employment, to learn a skill and heighten their self-esteem. Second, this program makes inmates take responsibility for their past actions, and make amends with those adversely impacted by their “bad” decisions. More than punitive, I think repaying those we hurt is therapeutic.

I found this entire process to take a realistic approach in positively affecting society as well as giving inmates a sense of accomplishment. To this end, I found the reading concerning “Lawyer Language,” by Ronald Goldfarb particularly interesting. It seems as though our profession is so “sterile.” I often wonder how we uncover the truth in our system which is often so far removed from the incident at issue. With all the “assuming arguendols,” and the “hereinafters”. I wonder how a jury or a judge can truly transport themselves mentally back to an occurrence to determine exactly what happened. This is why I found the IFRP so refreshing. It seemed to be very straightforward, with a sound legislative history.

I found the readings on opening statements very interesting in that they reinforce the concept of humanness. I am refreshed by the acknowledgment of how important it is to be sincere, genuine and understandable. After three years of law school, I have seen some of my humanity squeezed out of me. I am glad to know the quest to recapture my humanity will serve me well in the courtroom. I’m curious to know how a jury will react to my style of presentation. I long to be passionate about the causes I advocate and I think it will be interesting to see how that is perceived by a jury. I look at the lawyers I know and it seems that the best trial lawyers are those who are the most down to earth.

Grade: B

Attachment “C”

Third Sample Journal Entry Not acceptable, weak and not reflective

Name: Joe Student
Journal Due Date: Monday, April 24, 1999
Journal Entry #3

Journal Entry for Week of April 17th

This week was a light week for me. Not only was there nothing on the court calendar, but I wasn't feeling too well. So, I worked on an Order of Continuance and the Motion for New Trial.

The only interesting thing this week was the government's "Motion" for a search warrant. Apparently, this is the second time one came across the judge's desk. I had to work on the warrant to see if the procedural requirements were met and then see if there were enough facts to support the warrant.

Grade: F

Attachment "D"



EXTERNSHIP PROGRAM
Weekly Timesheet

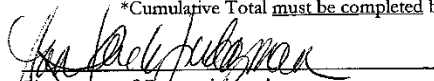
Name: Jill Student Work Week of: June 16, 2008
 Placement Office: Hon. Jack Judgeman Date Submitted: June 27, 2008

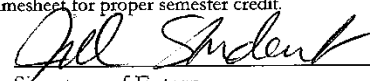
Please calculate time in tenths (.1) of an hour (6 minute increments).

Date	Pro Bono Task	Hours	Total
6/16/08	Review Trial Memoranda and exhibits for Department of Labor & Industries v. Jones.	3.4	6.9
	Observe morning plea calendar.	3.5	
6/17/08	Observe motion for clarification proceeding In Re: Detention of Smith.	.9	5.2
	Begin to review court materials In Re: Detention of Smith.	1.3	
	Draft bench memorandum re: Dept. of Labor & Industries v. Jones with Judge	3.0	
6/18/08	Review Order to Show Cause in re: Spokane Valley v. Kramer	.1	4.7
	Continue to review court materials In Re: Detention of Smith.	1.2	
	Finalize bench memorandum re: Dept. of Labor & Industries v. Jones.	3.4	
6/19/08	Review bench memorandum re: Dept. of Labor & Industries v. Jones.	.7	5.3
	Review Dept. of Labor & Industries v. Jones with Judge.	1.0	
	Observe Dept. of Labor & Industries v. Jones proceeding.	1.9	
	Continue to review court materials In Re: Detention of Smith.	1.7	
6/20/08	Observe presentment of Kent v. Simms	1.5	7.4
	Continue to review court materials In Re: Detention of Smith	2.6	
	Observe Motion for Expedited Discovery in re: Palmer Newsprint Company v. Public Utility District No. 1 of Palmer County.	1.0	
	Review memoranda in support of and in opposition to Motion for Preliminary Injunction in re: Palmer Newsprint Company v. Public Utility District No. 1 of Palmer County.	2.3	
6/21/08	Research cases cited in re: Palmer Newsprint Company v. Public Utility District No. 1 of Palmer County.	1.5	1.5

Total Hours for the Week: 31
 Prior Week's Cumulative Total: 92.8
 *Cumulative Total for Semester: 123.8

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


 Signature of Supervising Attorney
 or Supervising Judge


 Signature of Extern

Attachment "E"



EXTERNSHIP PROGRAM Weekly Timesheet - Spring 2007

Name: Jill Student Work Week of: April 9-14
Placement Office: City Prosecutors 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	<u>4.7</u>
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	<u>3.0</u>
4/12	Write Memo: motion to set for trial. memo of points & authorities.	3.0	<u>3.0</u>

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

Jill Student
Signature of Extern

