

Southwestern Externship Program Policies and Guidelines

I. Purpose and Goals of the Externship Program

In its mission to offer exceptional and diversified educational programs, Southwestern developed an Externship Program to offer experiential education to a large number of its students. The Program offers students the opportunity to gain legal education through real-life practice experiences, by externing at a select number of approved off-campus placements, primarily with governmental agencies, public interest entities, state and federal judges, and the legal departments of select organizations. The Externship Program enhances the students' legal education through hands-on experience as well as observation of the practice of law, with structured and appropriate supervision. Externships are also a great opportunity for students to refine educational goals and test career goals. The objectives of the Externship Program are to help students:

- Develop and improve professional skills;
- Develop the ability to solve legal problems in real-life situations;
- Reflect on values and responsibilities of the legal profession;
- Adjust to the role of the legal professional; and
- Learn how to learn from experience.

II. General Requirements

A. Curriculum Relationship: All externship placements will relate to the general law curriculum offered at Southwestern.

B. Grading: All externships are graded Credit/No Credit.

C. Unit Credit for Part-time Placements: *Fall/Spring Semester* -- Part-time non-judicial externship placements are for 3 units of credit. Part-time judicial externships are for 4 units of credit. *Summer Session* -- All part-time summer externships are for 2, 3 or 4 units of credit.

D. Unit Credit for Full-time Placements: *Fall/Spring Semester* -- Full-time externships are for 10 units of credit. *Summer Session* -- Full-time summer externships are for 5 units of credit. Full-time externships are normally limited to judicial externships. All other requests for full-time externships will be considered on a case-by-case basis by the Director of the Externship Program.

E. Compensation: The law school's policy is not to mix monetary compensation with unit credit. As discussed below, because the law school looks to the field placement supervisor to function as a law teacher, injecting the factor of any compensation can distort an otherwise beneficial teacher-student relationship. Therefore, students may not accept monetary compensation for externship work. Where it is the practice of host agencies to reimburse reasonable out-of-pocket expenses related to the placement, the extern may receive such reimbursement.

III. Student Eligibility and Application Requirements

A. Academic Standing: Students must be in good academic standing in the semester preceding their participation in the Externship Program. Some externship placements require high class ranking (e.g., top 10-30% for federal judicial); please check with the Externship Office and the placement descriptions. In addition, the Director of the Externship Program retains the discretion to base program admission on the student having compiled an academic record that exceeds the good standing requirement. A student falling below good academic standing (placed on academic probation) while participating in an externship may continue the placement barring extraordinary circumstances.

B. Eligibility: Full-time students can apply to do an externship beginning their first summer. Part-time students can apply to do an externship beginning their second summer; the Director of the Externship Program may waive the rule with respect to part-time students in exceptional circumstances, on a case-by-case basis. Students must complete their externship in the semester or term they begin it. Also, students may not repeat placements. A student who has failed to complete an externship or who receives a grade of No Credit will not be permitted to enroll in another externship.

C. Credit/No Credit Cap and Number of Externships: Students may not take more than 16 units of credit/no credit (i.e., Moot Court, Law Review, Law Journal, ITAP, Trial Advocacy, Negotiation, Externship), excluding those earned by transfer credit courses taken at another law school. The Director of the Externship Program, along with the Dean of Students, may grant waivers, on a case-by-case basis, to accommodate placements that may result in the student exceeding the credit/no credit cap. Students may participate in a maximum of two externships, subject to the credit/no credit unit limitation.

D. Pre-Application Requirement: Prior to applying for a placement, students must thoroughly familiarize themselves with these Externship Policies and Guidelines, and educate themselves about the various placement opportunities – e.g., through various informational events at the law school and extensive materials available at the Externship Office and online. Students should also meet with Externship Office staff and/or the Externship Director for counseling.

E. Student Application: Students must apply for an Externship Program placement by filling out the Externship Application Form available online and in the Externship Office, Room W231. The completed Application and three copies of a current professional resume, on bond paper, must be submitted to the Externship Office, Room W231. Students applying for a judicial externship must also submit a writing sample with their application; some non-judicial placements also require a writing sample -- e.g., United States Attorney's Office. A cover letter is also required for some placements (e.g., all entertainment externships). All of the application material must also be emailed to the Externship Office. Finally, some placements require a transcript, which the Externship Office will provide to the placement. Because placements periodically revise their application process (e.g., cover letter or writing sample requirement) without notifying

us, please visit the placement's website for updated information before submitting your application materials to the Externship Office.

Students should submit their applications no later than:

- **September 15** for Spring placements.
- **February 1** for Summer placements.
- **March 1** for Fall placements.

Please note that some externships are highly competitive, such as federal judicial and government placements and placements in the legal departments of entertainment organizations. Also, some placements require a security clearance (primarily judicial and government), a process that may take up to 6 months. Finally, some placements require certification by the State Bar – e.g., the Preliminary Hearing Unit of the District Attorney's Office. Therefore, early planning and submission of application is necessary – as early as six months in advance (or more, especially for summer) for federal judicial and government externships, as well as externships requiring security clearance or State Bar certification. Please also note that some placements have prerequisites. For example, students wishing to participate in entertainment externships must have completed Copyright Law. This requirement applies regardless of whether the placement is obtained through Southwestern's Externship Office or through the student's own efforts. In exceptional circumstances, the requirement may be waived if the Directors of both the Externship Program and the Biederman Entertainment and Media Law Institute agree.

F. Placement Interview and Commitment to Placement: All externship placements require that the student be interviewed by the placement supervisor. Upon scheduling an interview, the student must notify the Externship Office. Once an interview is scheduled, the student must complete the interview, accept the position if offered, and arrange an appropriate work schedule for the semester. The student must immediately advise the Externship Office of the outcome of each interview (i.e., offer accepted or no offer).

Once a student accepts an externship, he/she must successfully complete the required hours of the externship and all other course requirements. Any proposed change of plans or any complications, at any time, should be reported immediately to the Director of the Externship Program or the Externship Office.

IV. Standards for Selection of Students for Externships

All placements are at the discretion of the Director of the Externship Program. In exercising that discretion, the following factors will be considered:

A. Ability to extern at the placement: Is the placement a good fit for the student? Does the student have the legal, professional, interpersonal and intellectual skills for a productive externship experience in the particular placement? In making this determination, the law school transcript will be examined, but it will not necessarily be

conclusive. In addition, an interview with the student, input from faculty, and performance in other externships and/or co-curricular and extra-curricular activities may be considered.

B. Reason for wanting to participate in the placement: Does the placement fit into the educational goals and career interests of the student?

C. Compliance with Requirements and Prerequisites: Has the student complied with all placement and Externship Program requirements and prerequisites?

V. Approved Placements and Evaluation of Placements

A. List of Approved Placements: The Externship Office maintains a list of approved placements and placement descriptions for students' review. The master list is updated annually in late summer. Please check online or with the Externship Office for revisions and additions during the course of the year.

B. Placement Selection and Approval: Placements will be with governmental agencies, courts, or public interest entities. Placement of students with for-profit organizations, such as the legal departments of select organizations, should be allowed only to take advantage of particular opportunities that cannot otherwise be duplicated by placement in not-for-profit entities. Approved placements are those that are compatible with the purpose and goals of Southwestern's Externship Program, detailed above. In addition, in order to be approved and continue to be part of the Externship Program, placements are screened to ensure that:

- The placement has sufficient staff resources to assign the student to a particular attorney or judicial officer for supervision;
- The supervising attorney or judicial officer is aware of his or her teaching and supervisory responsibilities, including providing the student with a variety of opportunities for hands-on legal experience as well as observation of law practice, exposing the student to a range of legal projects, training the student, assisting the student in the assigned tasks, and observing and critiquing the student's performance; and
- The supervising attorney or judicial officer will verify the accuracy of the student's time sheets throughout the period of the placement, and complete a detailed evaluation of the overall student performance at semester's end.

C. Placement Evaluation: The Director of the Externship Program is responsible for overseeing the evaluation of placements. Every placement should be thoroughly evaluated by the Director of the Externship Program or a faculty member through periodic on-site visits or their equivalent. The externs' input should also be considered. The criteria for evaluation are:

- How well the placement meets the Externship Program goals;
- How well the placement meets the objectives based on which it was approved;
- The suitability of the legal projects given to the student and the adequacy of the

- supervision by the supervising attorney or judicial officer;
- The benefits to the students from the placement; and
- The benefits to the law school from the placement.

D. Termination of Placement: An externship placement may be terminated as an approved placement if, after a placement evaluation, it is in the judgment of the Director of the Externship Program unsuitable for continued placement of Southwestern students.

E. New Placements: Law school policy is to encourage the establishment of new placements that will enhance educational opportunities for students. New placements should, however, have the potential for continuation. Thus, one-time placements or short-term programs will generally not be deemed suitable candidates for inclusion in Southwestern's Externship Program.

Requests for new placements should be discussed initially with the Director of the Externship Program. Students should not seek out a new placement and then request unit credit. Rather, the student should provide the following information to the Director of the Externship Program so that the Director can assess whether to approve the placement:

- Details about the proposed placement (including nature of organization and its legal work, number of attorneys);
- Details about the proposed supervising attorney (years in practice, whether experienced in supervising externs, contact information);
- Range of contemplated legal projects for the extern; period and hours (e.g., 8- or 10-week summer commitment, xx hours per week);
- Confirmation that student has discussed with the supervising attorney the educational nature of the externship; and
- Explanation how externship at the proposed placement fits with the student's educational and career goals.

VI. Student Requirements after Acceptance of a Placement

A. Acceptances: Once a student accepts an offer, the student must advise the Director of the Externship Program or the Externship Office of his/her acceptance of an offer. If the student has been in contact with other placements, he/she should follow up with the other placement(s) and explain that he/she has already accepted another externship.

If a student is selected for an externship and accepts the offer, he or she will not be able to withdraw the commitment except for compelling reasons. To obtain permission for withdrawal, the student must immediately, upon the knowledge of such compelling reasons, petition in writing to the Director of the Externship Program prior to the commencement of the externship. The petition must specify the compelling reasons for withdrawal. Failure to petition and receive approval may jeopardize the student's chances of being considered for a future externship placement. Under no circumstances will a student be allowed to withdraw an acceptance to go to another placement.

B. State Bar Certification: Several placements require State Bar Certification and/or offer opportunities for certified student fieldwork - e.g., the Preliminary Hearing Unit of the District Attorney's Office. Students should take the necessary steps to be certified in time for the beginning of the externship semester or session, where pertinent to the individual placements. Please visit the website for the State Bar of California, <http://www.calbar.ca.gov/>, and search for "Practical Training of Law Students."

C. Hours' Requirement: The following minimum hours' requirements apply to the corresponding externship units. Hours are computed on the basis of a regular semester and an 8-week summer session. Students must complete the minimum hours on a weekly basis for the duration of the semester or 8-week summer session.

Fall/Spring semester:

3 units – 13 hours/week (182 hours total);
4 units – 18 hours/week (252 hours total);
10 units – 40 hours/week (560 hours total).

Summer session:

2 units – 16 hours/week (128 hours total);
3 units – 23 hours/week (184 hours total);
4 units – 32 hours/week (256 hours total);
5 units – 40 hours/week (320 hours total).

Full-time externs will receive 15 hours of credit for satisfactory completion of the academic component of their externship, which can count toward their hours' requirement.

D. Schedules: Students must arrange with their placement supervisor a schedule for their externship. Students are expected to abide by their schedule. Gross, unauthorized deviations from the schedule will be cause for termination of the externship or for assignment of a failing grade or both. Authorization for deviations from approved schedules requires the consent of the placement supervisor and the Director of the Externship Program. Also, when requesting permission to take a course(s) in another program (i.e., day students in night program) due to conflicts between the externship schedule and the day curriculum, approval by the Dean of Students is required prior to any change in schedule.

E. Placement Requirements: Externs must comply with all working hours requirements and conditions imposed by the placement. Students must arrive for the fieldwork and remain with the placement according to the dates and times specified by the placement. Placements generally run from the first day of instruction through the last day of instruction of the semester or session. The student is required to be at the placement each week of the semester or summer session.

F. Orientation/Guided Reflections/Faculty Advisors/Paper: All externs will be

required to attend an orientation session before starting the externship, and meet early on with their Faculty Advisor. In addition, all externs will be required to participate in "Guided Reflections," through the Externship Program's TWEN page in the form of online submissions concerning their placement; these submissions will be supervised by Faculty Advisors. Full-time externs must also submit an 8-10 page paper at the conclusion of their externship.

G. Work Product and Time Sheets: At regular intervals during the placement, the extern must submit time sheets signed by the placement supervisor, detailing the work done. At the end of the placement, the extern is also required to turn in a Work Product Folder that contains copies of all significant completed work products (e.g., motions, memoranda or trial notebook). This Folder may be picked up after review by the Faculty Advisor or the Director of the Externship Program. Confidential information should be redacted from the work product externs submit.

H. Confidentiality: The extern is expected to hold in strictest confidence all communications received in the course of the externship placement that are not matters of public record, and to adhere fully to the standards of professional conduct set forth in the Code of Professional Responsibility of the American Bar Association and the Rules of Professional Conduct of the State Bar of California.

I. Unlawful Practice of Law: At their placement, externs may have the opportunity for contact with clients or potential clients, the court, other attorneys, etc. Students should be extremely cautious in their communications so that they are limited to and do not overstep the scope of work that they are authorized to perform. All communications should be prefaced by disclosing the student extern status.

J. Professionalism: Externs are required to exhibit professional conduct at all times during their externships. Any extern failing to achieve an acceptable level of professionalism, in the sole judgment of the Director of the Externship Program, may have the academic credit for his/her placement reduced or eliminated, with no refund of tuition.

VII. Grading & Evaluation

A grade of Credit or No Credit (or partial credit) is determined by the Director of the Externship Program and in some cases the Faculty Advisor. The grade is based upon satisfactory and timely completion of the requisite externship hours, participation in the orientation and the Guided Reflection submissions, the work product, time sheets, the paper (for full-time externs), the evaluation of the placement supervisor, and the student's compliance with all course requirements.

Any student enrolled in an externship placement who fails to comply with any provisions of the Externship Program, of the Student Honor Code, or appropriate regulations governing the profession, may, at the discretion of the Director of the Externship Program, be assigned a No Credit and be barred from further placements.

Also, any student who does not satisfactorily and timely meet the academic component requirements (e.g., timesheets or Guided Reflections), will be subject to point deductions of one point per day, unless a compelling excuse applies (as discussed in the Externship Handbook/Syllabus). Students with 6 to 10 deduction points will be required to complete an extra writing assignment. Students exceeding 10 deduction points will lose one or more units without reimbursement for the unit(s) lost, as follows: 11 to 15 points, lose 1 unit; 16 to 20 points, lose 2 units; 21 to 25 point, lose 3 units; and continuing with each 5-point increment equivalent to loss of another unit.

VIII. SCALE Externships

These Policies and Guidelines also apply to SCALE students. However, with respect to SCALE II students who in their last Period participate in a full-time 8-week externship placement, unlike the traditional program, private law firms may be approved for externship placements. This exception is made for SCALE II students because they have limited opportunities during their time in law school to gain real world practical legal experience, test out career goals as well as explore opportunities for jobs upon graduation. Also, the hours' requirement for SCALE II externs' full-time externships will be 300 hours over the course of the 8-week externship.

IX. Administration of the Externship Program

- A. Director:** A full-time faculty member directs the Externship Program. The Director reports to the Dean.
- B. Administration:** The Externship Program is administered consistent with the policies and guidelines set forth in this document.
- C. Exemption & Waivers:** The Director of the Externship Program has the power to waive or grant an exemption from any requirement in the Externship Policies and Guidelines.

All requests for exemptions or waivers must be in writing and detail the basis for the requested exemption or waiver. The decision whether to grant or deny an exemption or waiver is solely within the Director's discretion.