

# **BACE** | Bay Area Consortium on Externships

Golden Gate University School of Law, Santa Clara University School of Law,  
Stanford Law School, UC Berkeley School of Law, UC Hastings College of the Law,  
UOP McGeorge School of Law, University of San Francisco School of Law



**MANUAL FOR EXTERN SUPERVISORS  
BEST PRACTICES – A PRIMER**

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## **MANUAL FOR EXTERN SUPERVISORS BEST PRACTICES – A PRIMER**

Externships provide a practical complement to classroom instruction by placing students in legal settings to gain meaningful experience. Through externships, students improve their research, writing, and drafting proficiencies, and are exposed to the skills needed to be successful attorneys. These skills include direct client contact, such as interviewing and counseling, and the ability to reflect upon the work of legal institutions and to analyze how professional responsibility impacts the day-to-day practice of law. In any externship program, the quality of a student’s experience is directly related to the quality of the supervision provided. The relationship between the student and his or her placement is a dynamic one; we hope that this manual will assist you in effectively mentoring an extern and help you and your extern develop a mutually beneficial working relationship.

Several years ago, Bay Area law schools formed the Bay Area Consortium on Externships (BACE). Recently, BACE has worked to develop joint evaluations and standards for the supervision of externs in their placements. Drawing from the manual written by the Greater Los Angeles Consortium on Externships, this manual has been developed with the participation of BACE member schools and reflects the ABA requirements for the conduct of externship programs. The manual articulates the standards we expect our extern supervisors to follow and highlights best practices in extern supervision. We recognize and appreciate the demands on your time and understand that supervision of a law student adds to your duties and responsibilities. As we work to develop meaningful and exciting externship placements, we hope you will offer us your suggestions and feedback.

Thank you for your interest and willingness to supervise an extern!

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## **SECTION I: EXPERIENTIAL LEARNING**

Originally legal education in the United States was accomplished solely through experiential learning, i.e., learning by doing. New lawyers typically joined the profession after “reading law” as apprentices working for practicing attorneys. The academy entered the picture when the first law schools were formed over one hundred years ago, and legal education gradually evolved into a primarily academic pursuit (i.e., the study of a subject without the necessity for any direct experience) heavily based on the case method. Analyzing case decisions, typically using the Socratic method of teaching, does a wonderful job of teaching students to think like lawyers, and was probably a necessary innovation as the legal field became broader and more complex.

However, reliance on case studies through the Socratic method alone is not without a downside. Responding to desires for additional skills training, as well as calls for instilling a sense of social justice in law students, experiential learning reclaimed some of its original importance when many law schools added clinical education courses during the 1970’s. Students supervised by law professors represented a limited number of clients in specialized areas of the law. At the same time, law schools added simulation courses that allowed law students to assume the role of an attorney in a variety of mock settings. Law schools also began to restore the apprenticeship component to legal education with programs variously referred to as externships, internships, or field placements. These programs provide the only opportunity law students have to see and work with lawyers as they practice on a day-to-day basis, serving live-clients in an education-focused, yet real-world, setting.

Experiential learning approaches are being recognized anew as an integral component of a legal education.<sup>1</sup> All BACE law schools offer students elective courses that allow them to earn credit while working without pay as externs for practicing attorneys. In an externship, the field placement supervisors, and indeed all staff at the field placement site, play a critically important role in the students’ education; in a real way, the field placement supervisors are an extension of the law school’s teaching faculty. Law school administrators and professors partner with field placement supervisors to ensure a quality educational experience. In an externship the people at the field placement have the most important role: much like children who study their parents for clues on how to behave, students’ observations within their particular placement inform their future professional interactions.

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1. See, *Educating Lawyers: Preparation for the Profession of Law*, Sullivan, Colby, Wegner, Bond, Shulman, Carnegie Foundation, (Jossey-Bass 2007); and *Best Practices for Legal Education: a Vision and a Road Map*, Stuckey and others. (Clinical Legal Education Association 2007).

Students at a good placement site will learn in at least four important areas:

1. First, we anticipate that students will improve their legal skills. Placement sites vary, and at some placements students will significantly expand their legal analysis, research, and writing skills. At other placements, the focus might be on negotiation skills, client communication skills, or courtroom demeanor.
2. Second, we hope that students will increase their knowledge of a substantive area of the law such as criminal justice, environmental law, administrative law, or general civil law.
3. Third, an externship gives students the chance to learn the mission of a particular government agency, court, or non-profit (or, at some schools, for-profit) entity and to see how the organization accomplishes its mission.
4. Finally, and perhaps most importantly, the externship socializes law students whose professional identities will be modeled in part upon what they see in their externships.

We thank you for your willingness to become directly involved in the externs' education, and ask that you choose assignments that will stretch their skills, and provide feedback which will allow them to learn efficiently from their experiences. To help externs reflect on their new experiences, the schools, as well as ABA rules, require externs to engage in a reflective component, often keeping reflective journals or attending related seminars. To further foster meaningful reflection, we hope that you will discuss with them professional mores, and the things that drive you to perform as a professional. Finally, and most importantly, we ask that you act as mentors and role models, helping the externs develop their own internal sense of professional commitment, responsibility, and identity.

## **SECTION II - DEVELOPING STUDENT EXTERNS**

Learning from experience is critical for your externs to increase and hone the knowledge, skills, and attributes (referred to collectively as “competencies”) that they will need to become new attorneys and to effectively perform the work needed to excel in the practice of law.

You, as the supervising attorney, are the lynchpin in creating that learning opportunity and providing much-needed experience. It is also our hope that the investment you make in developing your extern will serve you and your organization as the student’s competency and ability to take on progressively more complex tasks grows.

Many have attempted to articulate the critical skills needed to practice law. While no list is exhaustive, students should have an opportunity to observe and hone a range of skills during their externships. To facilitate this development we focus on a comprehensive set of ten key competencies.

The first five competencies relate to the legal skills essential to the substantive practice of law. These break down as follows:

- Knowledge of the Law (researching and finding the law, knowing general substantive and procedural law, developing subject-matter expertise)
- Marshalling Information (fact finding, questioning and interviewing, collecting and reviewing documents, e-discovery, organizing and categorizing information)
- Analysis (critical review, reasoning, problem solving, understanding what facts mean, understanding what the law means, and applying the law to the facts)
- Legal Expression (persuasive or objective oral and written communication of analysis, positions, opinions, arguments, and recommendations)
- Practice Skills (executing practice-specific tasks such as, in litigation, taking depositions, arguing motions, and trial tactics; or, in transactional work, negotiating, drafting agreements, conducting due diligence, and counseling clients)

The other five competencies relate to the intrinsic professional skills that underlie a successful practice. These are:

- Professionalism (maintaining integrity and honesty, diligence, civility, ethics, diversity, mistake management)
- Client Service (building client relationships; understanding the client’s business, interests, and needs; providing advice and counsel; and building trust)
- Leadership (communicating, influencing others, creative problem solving, collaborating, building consensus, envisioning, planning, and mentoring)

- Management (communicating, giving feedback, planning and implementing tasks, organizing and managing one's own work, working effectively as part of a team, organizing and managing others, and running the "business" side of the practice of law)
- Business Development (developing strategic relationships, networking, and marketing your office)

The key professional development tools for acquiring these competencies are work experience, feedback and evaluation, mentoring and coaching, and training. Work assignments are an especially effective professional development tool, especially when the assignments build on a solid foundation in the basics and progressively increase in complexity and responsibility.

Feedback and evaluation provide the most meaningful (if occasionally uncomfortable) opportunities for professional development. Students need to receive constructive, timely, and specific feedback on an ongoing basis. It is important for the feedback to be both corrective and positive so students can build on what they are doing well and develop in the areas that are weak. Coaching and mentoring (formal or informal one-on-one intensive relationships, whether long- or short-term) are essential but need to have a specific focus. Most students succeed when a single key skill they want to improve, such as writing, oral advocacy, or time management, is identified. Mentoring should start where the student is and move him or her along the development continuum to the desired goal.

Finally, training includes in-house programs, seminars, workshops, and clinics. To be effective, training should be interactive and go beyond the lunchtime conversation; you need students to think about the material and practice the specific skill during the semester and continually apply what they have learned to the work assigned.

## **SECTION III - TECHNIQUES FOR EFFECTIVE EXTERN SUPERVISION**

**I hear and I forget  
I see and I remember  
I do and I understand**

**Confucius (551 BC – 479 BC)**

A bit of anticipation and preparation will add greatly to the externship experience for all involved. What follows are some quick suggestions that will be useful as you prepare for and work with your externs.

### ***A. Be Prepared for the Externs' Arrival - Orient Yourself, Your Office, and the Extern***

#### 1) Before the extern arrives:

- Determine what desk, telephone, and computer the extern will use.
- Gather office keys, restroom keys, copier codes, computer passwords, and office manuals that the extern might need.
- Determine for whom the extern will be completing assignments. If the extern has more than one supervisor, designate one who will provide oversight, help prioritize assignments, and serve as the point of contact with the school.
- Determine which support staff the extern can rely upon if needed.
- Request an office e-mail account, if appropriate.
- Prepare a first assignment and gather the files, samples, and other materials the extern will need to get started. Externs are anxious to provide meaningful assistance from day one!
- Plan ahead for the extern to shadow supervisors at upcoming hearings, meetings, or conferences.

#### 2) First day orientation:

- Provide an office tour and staff introductions.
- Tell the extern how to contact his/her supervisors, including providing cell phone numbers if appropriate.
- Explain the office's mission and structure, and discuss any broader issues that are critical to serving the mission or client population.
- Explain the role that externs play in furtherance of these issues.
- Give the extern the first assignment.
- Have an express conversation about confidentiality; if your office uses a confidentiality agreement with externs discuss it and have the extern sign it. Remind externs of the confidentiality policy often.
- Brief the extern about office protocols regarding attendance, punctuality, security, safety emergency procedures, filing systems, routing of phone calls, dress code, computer usage, Lexis/Nexis, etc.

- Ask the extern to post his/her work hours, e-mail address, and cell phone contact number near his/her desk.
  - Ask the extern to provide you with any paperwork required by the school.
  - Invite the extern to upcoming staff or client meetings or other events.
  - Schedule a time within the first few days to have a conversation with the extern in which the goal is simply to get to know one another. As in any work situation, time spent establishing a cordial working relationship with your extern will help make it easier for you to understand each other's work style and meet each other's expectations.
- 3) Within a week:
- Many of the BACE schools require externs to establish learning goals for the semester with measurable objectives to serve as a guide to the externship. Whether or not your extern has been asked to draft learning goals, you may want to meet with him/her to discuss educational goals for the semester. This will allow you and the extern to have a mutual understanding regarding the kinds of work and experiences that will be available to the extern.

### ***B. Adequately Define and Explain Work Assignments***

1) Even if multiple attorneys are assigning work, a single person should be designated to act as a "clearinghouse" through which assignments are channeled. That attorney should review the proposed work before it is assigned, and ensure that externs do not have too much or too little work and that an extern is receiving a variety of assignments.

2) Assignments should:

- include an adequate description of the work required, including the desired form for the finished product, i.e., an overview outline, a detailed memo with copies of cases, a draft order, an oral briefing, a declaration, etc.
- provide a sufficient factual and contextual background
- clearly explain the purpose or objectives of the assignment
- provide a realistic time frame for completion (triple the amount of time you think it might take you)
- suggest available office or library reference materials ("I'd start with the Rutter Guide to orient yourself to...; a sample motion format can be found at...")
- include whether you will be available for questions along the way and, if not, who the extern should consult and how (e-mail, phone, in-person, etc.).

### ***C. Arrange Weekly Meetings to Check In With Your Externs***

Schedule a weekly "standing appointment" to meet individually with your externs to check in, review completed work, address any problems, and discuss future assignments.

#### ***D. Provide Timely and Constructive Feedback on All Assignments<sup>2</sup>***

1) *Providing Timely Feedback* – Externs should receive timely feedback on *every completed assignment* from the assigning attorney. One supervision model suggests that supervision should be FAST:

- F**requent – the weekly meetings work well to assure the frequency of feedback
- A**ccurate – describe actions or behaviors that can be addressed, not the person
- S**pecific – pinpoint discrete identifiable points to be replicated or improved upon
- T**imely – if too much time passes, externs are likely to repeat their mistakes

2) *Providing Constructive Feedback* – you may be reluctant to critique an extern’s work but externs need, deserve, and actually *want* honest feedback. Without feedback, externs often assume that "no news is good news," and will continue to repeat the same errors unless they are given specific suggestions regarding how to improve.

a) **Lead with the positive** – the goal is to highlight a particular success (be it a paragraph or an aspect of a presentation) so that it can be reinforced and replicated. Recognition of something that was well done can be a powerful motivator.

b) **Provide a limited number of suggestions** for improvement at any given time.

c) **Plan what you want to communicate** in terms of content and the manner in which you will say it.

d) **Check for understanding** by posing a question or comment that allows the extern to show he/she can incorporate the suggestions going forward.

e) **Remain open** to the possibility of improvement. Occasionally an extern’s work does not measure up and a natural inclination may be to give the extern less demanding work. However, the extern’s placement with you has an educational purpose; allowing the opportunity to demonstrate learning is critical to the extern’s professional development.

Externs are encouraged to engage with you in a collaborative supervision mode, not a passive one. We suggest that you encourage externs to assess their own work, to identify and discuss what they found challenging, and to suggest their ideas as to how the work could be improved. See, A. Alexander and J. Smith, *A Practical Guide to Cooperative Supervision for Law Students and Legal Employers*, 29 *Law Office Economics and Management* 207 (1988).

#### ***E. Create Opportunities for Learning:***

Students are motivated to do their best work when they understand the intrinsic value of the task they have been given, and also see where that task fits into the larger picture of the work of the office. In addition to giving your extern research and writing assignments, make sure to invite him/her to observe you, and/or co-workers, in the full panoply of lawyering tasks that you engage in yourself.

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2. The mid-term and end-of-term evaluations which are included in this manual are useful reference tools when considering topics on which you might want to provide externs with feedback. The broad topics of the evaluations are: Research and Analytical Skills, Writing Skills, Legal Knowledge, Oral/Advocacy Skills, Ethical Concerns, Attitude and Work Habits, and Professionalism.

Although lawyering tasks vary among different law offices, if your office engages in all or some of the activities described below, consider including the extern, either as observer or participant:

- Client interviewing and counseling
- Witness interviewing and preparation
- Fact investigation
- Case strategy discussions
- Depositions
- MCLE events
- Meetings with co-counsel
- Negotiations with opposing counsel
- In-chambers discussions or staff meetings
- Hearings and/or trials

***F. Keep the lines of communication open:***

No matter how informal and friendly your office may be, be aware that there is a significant imbalance of power between supervising attorneys and externs. Most externs are aware of their place in the office hierarchy and may be reluctant to ask questions or seek advice for fear of appearing incompetent. When you make every effort to create and maintain a comfortable and effective working relationship, the externs' educational experiences and their contributions to your office will be maximized.

***G. What to Expect from the Law School Coordinators/Directors***

The law school coordinators and directors are here to support you. We are happy to provide training for you and your office on effective supervision techniques, to assist you with giving feedback, to brainstorm how to address a student who is underperforming, or any other concerns you might have about an extern or the program. A site visit will be arranged periodically so that you might meet with the coordinators/directors from the different schools; the purpose of the site visit is to maintain open communication between the placement and the school and to model collaboration for the externs. We are eager to support you and are grateful for your work with our students; please do not hesitate to call upon us for assistance.

**APPENDIX A            BACE MEMBER SCHOOLS – CONTACT LIST**

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**School of Law**  
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San Francisco, CA 94117  
phone: (415) 422-4467  
fax: (415) 422-4470  
externships@usfca.edu

## **BACE MEMBER SCHOOLS – EXTERNSHIP PROGRAM WEB ADDRESSES**

### **Golden Gate School of Law**

[http://www.ggu.edu/school\\_of\\_law/academic\\_law\\_programs/practical\\_legal\\_training/clinical\\_programs](http://www.ggu.edu/school_of_law/academic_law_programs/practical_legal_training/clinical_programs)

### **Santa Clara University School of Law**

<http://law.scu.edu/apd/externship.cfm>

### **Stanford Law School**

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

### **University of California, Berkeley School of Law**

<http://www.law.berkeley.edu/179.htm>

### **University of California, Hastings College of the Law**

<http://www.uchastings.edu/academics/clinical-programs/judicial-externs/index.html>  
<http://www.uchastings.edu/academics/clinical-programs/out-placement/legal-externship.html>

### **University of the Pacific, McGeorge School of Law**

<http://www.mcgeorge.edu/x1915.xml>

### **University of San Francisco School of Law**

<http://www.law.usfca.edu/academics/externships.html>

## APPENDIX B

### ABA STANDARD GOVERNING EXTERNSHIP PROGRAMS

The American Bar Association, among many things, is the entity responsible for the accreditation of law schools. The Standards for Approval of Law Schools established by the American Bar Association are minimum requirements designed to aid law schools reach the goal of providing a sound program of legal education. ABA Standard 305 sets out the requirements for the development and operation of externships or field placement programs like those operated by BACE member schools. The standard is included here for your reference.

#### Standard 305. STUDY OUTSIDE THE CLASSROOM

(a) A law school may grant credit toward the J.D. degree for courses or a program that permits or requires student participation in studies or activities away from or outside the law school or in a format that does not involve attendance at regularly scheduled class sessions.

(b) Credit granted shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

(c) Each student's academic achievement shall be evaluated by a faculty member. For purposes of Standard 305 and its Interpretations, the term "faculty member" means a member of the full-time or part-time faculty. When appropriate a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program.

(d) The studies or activities shall be approved in advance and periodically reviewed following the school's established procedures for approval of the curriculum.

(e) A field placement program shall include:

(1) a clear statement of the goals and methods, and a demonstrated relationship between those goals and methods to the program in operation;

(2) adequate instructional resources, including faculty teaching in and supervising the program who devote the requisite time and attention to satisfy program goals and are sufficiently available to students;

(3) a clearly articulated method of evaluating each student's academic performance involving both a faculty member and the field placement supervisor;

(4) a method for selecting, training, evaluating, and communicating with field placement supervisors;

(5) periodic on-site visits or their equivalent by a faculty member if the field placement program awards four or more academic credits (or equivalent) for field work in any academic term or if on-site visits or their equivalent are otherwise necessary and appropriate;

(6) a requirement that students have successfully completed one academic year of study prior to participation in the field placement program;

(7) opportunities for student reflection on their field placement experience, through a seminar, regularly scheduled tutorials, or other means of guided reflection. Where a student can earn four or more academic credits (or equivalent) in the program for fieldwork, the seminar, tutorial, or other means of guided reflection must be provided contemporaneously.

## APPENDIX C

### WORKPLACE CONFIDENTIALITY

Observing ethical obligations of confidentiality is a central principle of the lawyer-client relationship. Because students may not have experienced formal training in professional responsibility at the time of the placement, BACE schools recommend externship supervisors ensure that law students are aware of the confidentiality policies specific to the placement. BACE schools advise the following:

- Confidentiality policies be set forth in writing and distributed to each extern at the beginning of the externship,
- Externs sign an acknowledgement of receipt of the policies, and
- Supervising attorneys discuss the importance of confidentiality and the ethical implications involved in a case or matter with externs throughout the term of the placement.

For your reference:

- See California Business and Professions Code Section 6068, Duties of an Attorney, on the ethical obligation regarding client confidences and secrets.
- See California Rules of Professional Conduct, Rule 3-100, Confidential Information of a Client.

### SAMPLE EXTERN CONFIDENTIALITY AGREEMENT

Below are suggested confidentiality provisions a placement may wish to incorporate into a written confidentiality agreement and acknowledgment.

1. **General** –The obligations of confidentiality arising from CA Business and Prof. Code § 6068 apply to externs. [Placement] staff, including externs, shall not disclose or release any information designated as confidential, or that may identify a party, client, case, or matter that is served by or brought to [Placement], without the express, advance authorization of the extern supervisor. The extern must keep confidential any information received from a client whether or not it pertains to a pending case. This legal obligation continues beyond the period of the externship. With the supervisor’s express permission only, an extern may use a properly redacted document as a writing sample.
2. **Providing Legal Advice** – Externs shall not give any legal advice to a person or client, nor express any opinion concerning the merits of a client’s case to a client or to any third party, unless he or she is supervised by an attorney or is authorized by the attorney to provide the advice.
3. **Office Visits** – No one other than [Placement] staff should be permitted in the offices, without permission. If anyone other than [Placement] staff, including

former staff members, enters the premises, they shall be escorted to an office or conference room. The extern or another staff member should state, “It is important that confidentiality be maintained. Please come with me to this office. How can I help you?” Externs should receive permission from their supervisor before inviting personal guests to visit the office.

4. **Meeting Clients During Intake** – As the supervising attorney shall explain to the extern, [Placement] staff should explain to potential clients that confidences or secrets disclosed by the client will be kept confidential, and that staff cannot reveal this information without the client’s permission.
5. **Taking Office Files Off-Site** – Offices files shall not be taken from the premises without permission from the extern’s supervisor. In cases where permission is given, only copies and not originals of files shall be taken off-site. Office files should never be emailed to private email accounts. If communicating with a supervisor, co-worker, client, or others regarding confidential case information, special care should be taken to preserve confidentiality. Records of email communications should be maintained consistent with office policy.
6. **Disposing of Office Files** – Confidential information shall be disposed of by shredding it at the office or in accordance with the protocol for disposal of electronic copies.
7. **Acknowledgement** – By signing this agreement, the extern agrees to comply with the provisions above, and confirms he or she has read California Business and Professions Code section 6068 and California Rule of Professional Conduct 3-100, regarding confidentiality provisions.

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

## **APPENDIX D**

### **PRACTICAL TRAINING OF LAW STUDENTS**

The State Bar of California's Practical Training of Law Students (PTLS) program certifies law students to provide specified legal services under the supervision of an attorney. If externs with your office will be appearing in court or counseling members of the public, externs should be advised to apply to the State Bar for PTLS certification (this process requires declarations by the extern, the law school, and the attorney who will supervise the student at the field placement as well as payment of a processing fee).

Further information about the PTLS program is available at the [calbar.ca.gov](http://calbar.ca.gov) website, by phone: (415) 538-2175, or by e-mail: [PTLS@calbar.ca.gov](mailto:PTLS@calbar.ca.gov). Attorneys who supervise certified law students must be active members of the CA Bar who have practiced or taught law for at least two years, and typically may supervise no more than five certified students concurrently. PTLS applications may take a few weeks for the Bar to process. If you require externs to be certified, you may want to have them submit their PTLS applications before their placement begins.

## APPENDIX E

### LEGAL ISSUES RELATED TO EXTERNSHIPS

This section is not intended to provide legal advice, but to provide useful references for organizations hosting law students for academic credit.

All BACE member schools are committed to a policy against discrimination in externships based on color, race, religion, marital status, sex, national origin, age, sexual orientation, gender identity, disabilities, and military status. We encourage you to create working environments where all students may participate and where students feel safe from harassment, and provide the following references for your consideration:

- 1) Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq.
- 2) Sexual Harassment Laws, Title VII of the Civil Rights Act, 42 U.S.C. Section 2000 et. seq.
- 3) California Fair Employment and Housing Act, Government Code Section 12940 et. seq.

#### Workers' Comp and Legal Malpractice

These areas can be complicated. Organizations that have questions are advised to work with their legal counsel's office.

#### Further reading

Alan S. Levins and R. Brian Dixon, **Interns: Employees or Not?**, California Lawyer, August 2008.

**EXTERNSHIP SUPERVISOR AND EXTERN AGREEMENT**

Extern: \_\_\_\_\_ Semester/Year: \_\_\_\_\_

Supervisor(s): \_\_\_\_\_

Placement: \_\_\_\_\_

Thank you for your support, supervision, and mentoring of a law student. The following are the minimum standards expected of extern supervisors and externs who will receive academic credit.

**Supervisor's Agreement:**

Please initial each standard and add any comments to the bottom of this form.

\_\_\_\_\_ **Orientation:** Externs receive an orientation, including a discussion of office procedures and confidentiality, and an overview of the work and expectations of the extern.

\_\_\_\_\_ **Supervision:** Externs are assigned a supervising attorney, judge or justice, who will participate in directing, monitoring, and mentoring them throughout the semester. At a minimum, supervisors are expected to meet weekly with their externs.

\_\_\_\_\_ **Assignments:** Externs are informed of the system for assigning work projects and given clear deadlines, and will receive on-going guidance for managing the workload.

\_\_\_\_\_ **Feedback:** Externs are provided specific, individualized, and timely feedback on each assignment. Periodic written evaluations will be completed and provided to the school.

\_\_\_\_\_ **Diversity of Tasks:** Externs are assigned the same kind of work as a paid law clerk or entry-level staff attorney, including exposure to a broad range of progressively more complex lawyering skills. Administrative work will be kept to a minimum.

\_\_\_\_\_ **Observation:** Externs will have opportunities to observe court proceedings, client/staff/strategy meetings, and other appropriate and timely professional activities.

\_\_\_\_\_ **Opportunities for Reflection:** Externs will meet with their supervisor, other attorneys and staff to discuss their observations, experiences, and other issues relevant to the profession.

\_\_\_\_\_ **Logistics:** Externs have a designated workspace and access to the tools (e.g., telephone, computer, library) and support reasonably necessary to complete assignments.

\_\_\_\_\_ **No Compensation.** I understand that students are prohibited from receiving compensation during an externship for academic credit, except for reimbursement of reasonable out-of-pocket expenses related to the externship.

**Extern's Agreement:**

I have discussed the above standards with my supervisor. I agree to follow directions, seek clarification and advice in a timely fashion, and comport myself with professionalism and integrity.

My supervisor and I agree that the start and end dates of my externship are:

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Number of units of credit I seek for this externship: \_\_\_\_\_. I understand that to receive credit I must on average work \_\_\_\_ hours per week.

During this semester, I have the following classes and academic commitments:

Name of Class:	Day/Time:
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

*We have reviewed this document and agree to act in accordance with these expectations. We are aware that we may contact the instructor/director of the Law School's Externship Program with any questions or issues that arise during the externship.*

**Student Signature:** \_\_\_\_\_

Date: \_\_\_\_\_ Email Address: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

**Signature of Supervisor:** \_\_\_\_\_ **Title:** \_\_\_\_\_

Date: \_\_\_\_\_ Email Address: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

This form was developed and adopted for use by the Bay Area Consortium on Externships (BACE). Participating schools: Golden Gate, Santa Clara, Stanford, UC Berkeley, UC Hastings, University of the Pacific/McGeorge, University of San Francisco

**BACE** Bay Area Consortium on Externships  
**Mid-Term Evaluation of Law Student Extern**

Extern: \_\_\_\_\_ Semester/Year \_\_\_\_\_

Supervisor(s): \_\_\_\_\_

Placement: \_\_\_\_\_

Please provide a brief description of the extern's range of tasks and responsibilities:

**Please score the extern using the following scale:**

1 = Unacceptable	Performance consistently fails to meet minimum expectations.
2 = Needs Improvement	Performance occasionally falls short of minimum expectations.
3 = Satisfactory	Performance meets minimum requirements; no evidence of particular strength or serious deficiency.
4 = Good	Performance meets expectations, competent.
5 = Excellent	Performance effective and strong, frequently beyond expectations.
6 = Outstanding	Performance consistently and significantly above expectations, on par with an entry level attorney.

<b>Research and Analytical Skills</b> SCORE = ____	Thorough, complete, identifies and addresses relevant issues, develops effective research strategies, etc.
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Comments/Examples:

<b>Writing Skills</b> SCORE = ____	Writing is clear, complete, fluent, and persuasive; proofreads, uses citations accurately, etc.
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Comments/Examples:

<b>Legal Knowledge</b> SCORE = ____	Demonstrates adequate familiarity with applicable law and procedure, etc.
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Comments/Examples:

<b>Oral/Advocacy Skills</b> SCORE = ____	Expresses thoughts clearly and fluently, articulates well, tailors communication
--	--

		to fit audience, etc.
Comments/Examples:		
<b>Ethical Concerns</b>	SCORE = ____	Recognizes ethical issues and raises them appropriately, conforms with office confidentiality protocols, etc.
Comments/Examples:		
<b>Attitude and Work Habits</b>	SCORE = ____	Dependable, reliable, manages time well, efficient, demonstrates attention to detail, etc.
Comments/Examples:		
<b>Professionalism</b>	SCORE = ____	Demonstrates maturity, uses good judgment, relates well with co-workers, responds well to constructive feedback, etc.
Comments/Examples:		
<b>Any Additional Skills</b> (e.g., client relations, fact investigation, case theory, cultural competency, leadership, etc.)		
<b>Overall Mid-Term Evaluation (1-6)</b> SCORE = ____		
Please comment on the areas/skills that the extern should focus on improving over the remainder of the semester.		

*Please discuss the content of this evaluation with the extern before forwarding it to the law school.*

\_\_\_\_\_  
Supervising Attorney/Law Clerk or Judge

\_\_\_\_\_  
Date

\_\_\_\_\_  
Extern

\_\_\_\_\_  
Date

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**Final Evaluation of Law Student Extern**

Extern: \_\_\_\_\_ Semester/Year: \_\_\_\_\_

Supervisor(s): \_\_\_\_\_

Placement: \_\_\_\_\_

Thank you for your support, supervision, and mentoring of a law student. Your candid evaluation of this student is much appreciated. Please provide specific examples and enough detail to inform the student and instructor of the student's progress in the specific areas noted below. *Please discuss the content of this evaluation with the student before, or promptly after, forwarding it to the law school.*

Scope of Responsibilities: Has the extern's range of tasks and responsibilities changed significantly since the mid-term evaluation? Comments:

**Please score the extern using the following scale:**

- |                       |   |
|-----------------------|---|
| 1 = Unacceptable      | Performance consistently fails to meet minimum expectations.  |
| 2 = Needs Improvement | Performance occasionally falls short of minimum expectations.                                       |
| 3 = Satisfactory      | Performance meets minimum requirements; no evidence of particular strength or serious deficiency.   |
| 4 = Good              | Performance meets expectations, competent.  |
| 5 = Excellent         | Performance effective and strong, frequently beyond expectations.                                   |
| 6 = Outstanding       | Performance consistently and significantly above expectations, on par with an entry level attorney. |

**Research and Analytical Skills** SCORE = \_\_\_\_\_

Is the student able to bring his or her knowledge of legal principles to bear in analyzing cases? Is s/he able to recognize and properly identify legal issues in case fact patterns? Has s/he shown creativity in turning facts to legal advantage? Is s/he able to distinguish relevant from tangential issues? Is the student skilled with utilizing both computer and print resources?

**Writing Skills** SCORE = \_\_\_\_\_

Does the student use proper grammar, spelling, (syntax?), and citation format? Does the student appreciate the differences in style among the different forms of legal writing (e.g. analytical for memoranda, argumentative/advocative for motions/pleadings)? Is the student's work well organized, concise, and clear?

**Legal Knowledge** SCORE = \_\_\_\_\_

Has the student demonstrated adequate familiarity with basic concepts of applicable law and procedure? Is the student adept at grasping legal problems and at fashioning solutions to them independently? Have you seen progress in these areas? Please discuss specific examples.

**Oral Skills** SCORE = \_\_\_\_\_

Is the student able to communicate clearly concerning legal matters? Is the student able to "think on his or her feet" and respond to extemporaneous questions? Is the student able to communicate in a manner appropriate to the particular audience (e.g., clients, supervising attorneys, staff, judges, etc.) If the student has appeared in court, how would you describe his or her demeanor and efficacy in communicating in the courtroom?

**Ethical Concerns** SCORE = \_\_\_\_\_

Does the student recognize ethical problems as they arise, and deal with them appropriately? Does s/he seem properly reflective concerning the ethics of judicial decision making or practice? Has s/he properly conformed with confidentiality protocols? If applicable: Is s/he able to advocate zealously on a client's behalf while operating within ethical norms?

**Professionalism** SCORE = \_\_\_\_\_

Has the student demonstrated maturity, good judgment, and sensitivity in interactions with other staff, attorneys, judges, clients, etc.?

**Attitudes and Work Habits** SCORE = \_\_\_\_\_

Does this student seem eager to learn? Does s/he accept constructive criticism? Is s/he diligent? Have the student's attendance, punctuality, industriousness, and attention to detail been satisfactory?

**Is there any reason that this student should not receive credit for the externship with your office? If yes, please explain.**

**What advice do you have for this student regarding his/her future professional development?**

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date