



**AGENCY EXTERNSHIP  
2021 Spring Semester**

**COURSE RESOURCE  
HANDBOOK**

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# I. INTRODUCTION

## General

The University of San Diego School of Law is committed to developing students' practical legal skills, including written and oral advocacy, client counseling, and case management. Through the law school's practical skills training programs, including academic courses, interscholastic competition, clinical education, and field placement externship opportunities, the law school bridges the gap between (i) courses in legal theory and (ii) the practical skills and experience students need to become effective and successful lawyers

The USD Field Placement Program offers externship placements in the following programs: Agency Externship, Corporate Counsel Externship, Judicial Externship, and the Washington, D.C. Externship. These placements include law offices in government and nonprofit organizations, corporate legal departments, federal and state courts, and Washington D.C. federal government and nonprofit organizations. Students train under experienced attorneys, judges, and professors, learn professional responsibility and legal ethics in the real world, and build their professional network. USD's externship programs also provide a public service that instills in student externs a deep sense of social responsibility and a commitment to pro bono service.

## Agency and Corporate Counsel Externships

The Agency and Corporate Counsel externships include a *work component* and an *online academic coursework component*. Students work at externship placements for academic credit while enrolled in an Agency Externship or Corporate Counsel course under the supervision of a USD faculty member.

### Work Component

The work component provides students with opportunities to gain hands-on practical legal experience at government law offices in civil and criminal areas of the law, nonprofit organization law offices, and corporate legal departments. The work experience enables students to engage in a wide range of lawyering skills. The student externs are assigned to work in a legal setting under the supervision of experienced licensed attorneys, or an individual otherwise qualified to supervise legal externs. The on-site field placement attorney supervisors play a critical role in the student's educational experience. They assist student externs with understanding the professional responsibilities associated with working as attorneys and with representing clients. They also provide effective feedback on the student's written and oral work products.

### Online Academic Coursework Component (including writing requirements)

The online academic coursework component of the Agency and Corporate Counsel Externship courses is offered through the online Blackboard system. These coursework components are supervised by a USD law professor. The faculty supervisor has regular contact with students through Blackboard. As faculty supervisor, the professor will (i) assign, monitor and comment on student work posted online, (ii) correspond with the students individually and as a group, and (iii) review and enter scores in Blackboard for student journals, discussion board postings, as well as the following final assignments: final paper and work product. The faculty supervisor also will establish contact with each student's on-site placement attorney supervisor and communicate with the supervisors about the student's externship performance.

## Learning Outcomes and Written Understanding of Field Placement Program

The goal of the Agency and Corporate Counsel Externship courses is to enable law student externs to achieve the established Learning Outcomes set forth in the next section of this Manual. These Learning Outcomes were established in accordance with the American Bar Association (ABA) standards applicable to law school field placement programs. Also, in accordance with the ABA standards, this Handbook provides a written understanding among the students, faculty member, and persons in authority at the field placement of the: (A) substantial externship lawyering experiences and opportunities for performance, feedback and self-evaluation; and (B) the respective roles of faculty and any site supervisor in supervising the student and in assuring the educational quality of the experience for the student, including a clearly articulated method of evaluating the student's performance.

## II. USD FIELD PLACEMENT PROGRAM INFORMATION AND SUMMARY OF AGENCY EXTERNSHIP

### A. What is the Field Placement Program?

The Field Placement Program allows students to perform externship legal work for academic credit under the supervision of an attorney, or an individual otherwise qualified to supervise, at approved placement sites. In addition to working at a placement site, students must enroll in an externship course (graded on a pass-fail basis) designed to enhance the placement experience. Students have numerous choices to perform externship work at a wide variety of employers and in a range of practice areas. Field Placements are available for the following:

- Agency Externships (work at a government agency or nonprofit organization law office)
- Corporate Counsel Externships (work at corporate counsel law office)
- Judicial Externships (work at a state or federal court for a judge)
- Washington DC Externships (work for a government or public interest agency, non-profit trade association, think-tank or with a judge in DC)

### B. How Do I Find a Field Placement for an Externship Opportunity?

Students secure their own externships, drawing from the field placements on the law school's Approved Placement List. Alternatively, students can create their own externships, subject to faculty approval of the placement. The approved placements offer work in many different areas, including criminal and civil law, local government, civil rights, consumer protection, employment, environmental, health, housing, family, education, and regulatory matters.

Students should begin the process of locating an externship by searching in the Externship tab in the law school's #HireUSDLaw online tool. (#HireUSDLaw is an online recruiting tool maintained by the Office of Career and Professional Development. #HireUSDLaw provides students with easy access to job listings, recruiting programs, job fairs, professional networking, mock interview programs and calendar.) Externships posted in #HireUSDLaw generally will provide information on applying to that particular placement site. Students are urged to meet with an advisor in the Office of Career and Professional Development for assistance in identifying appropriate externship opportunities and to learn the process for seeking faculty approval of a placement not currently on the Approved Placement List.

### C. I Found a Field Placement, What's Next?

If a government or nonprofit organization law office has accepted a student into an agency externship placement, and the student meets the eligibility requirements, the student needs to complete the [Field Placement form](#) and submit it to the Office of Career and Professional Development at [lawcareers@sandiego.edu](mailto:lawcareers@sandiego.edu). The Field Placement Form is located at the following site: <http://www.sandiego.edu/law/forms/careers/field-placement.php>

The Office of Career and Professional Development will send you an email confirmation, which you will then need to share with the Registrar's office to enroll for the Agency Externship course. Be sure to do this during the registration period set by the Registrar's office to obtain academic credit.

## **D. Summary of Agency Externship**

The Agency Externship Program provides students the opportunity to gain valuable legal experience for academic credit on a pass/fail basis with a government agency or non-profit organization law office. (Externship work for academic credit is not permitted at a private law firm). Students working for the first time at an Agency Externship placement are enrolled in the Agency Externship I course. Students who previously worked at an Agency Externship placement are enrolled in the Agency Externship II course. Reference to Agency Externship in this document means both the Agency Externship I and II courses.

Students may enroll in the Agency Externship Course for 1 - 6 units of credit and must complete sufficient externship hours during the "academic session" for a minimum of 50 hours per credit. For purposes of the Agency Externship, the "academic session" is from the official start of classes to the law school's last day of final exams. Any externship work outside this time period may be counted towards pro bono hours, but not towards academic credit.

The number of credits shown below require the total number of externship hours indicated, as follows:

1 credit-50 hrs/ 2 credits-100 hrs /3 credits-150 hrs / 4 credits-200 hrs / 5 credits-250 hrs / 6 credits-300 hrs

### **1. Eligibility Requirements for an Agency Externship**

Law students, who are at the 2L and above level, may participate in an externship. Students must be supervised by an on-site licensed attorney, or an individual otherwise qualified to supervise legal externs, at the placement site. The faculty supervisor for the externship course will closely monitor and regularly correspond with students throughout the semester. The faculty supervisor will review samples of students' written work, assess their externship progress, correspond with on-site placement attorney supervisors, and determine course pass-fail grades.

### **2. Course Requirements**

The Agency Externship course consists of a work component and an online academic coursework component, which includes writing requirements. Academic coursework requirements include: mandatory orientation for first time participants, biweekly journals that summarize work performed; discussion board forums on legal practice topics; a three-five-page reflective paper at the end of the course; a work product for professor review; and a performance evaluation completed by the on-site supervisor showing satisfactory completion of the externship work experience. Please see the Course Syllabus for a full description of the course requirements.

### **3. Pro Bono Service Recognition**

Students working at an Agency Externship placement may end up working more hours than what is required for them to earn their academic credit for the course. For example, a student who is enrolled for 3 credits in the Agency Externship course is required to complete at least 150 externship hours during the academic session. If that student completes more than 150 hours, the student may apply to have the extra hours counted as pro bono legal services and go towards the law school's Pro Bono Service Recognition program. Information and forms about the Pro Bono Service Recognition's Policy and Process may be found at the following link in the law school's website: [USD Law School Pro Bono Recognition Program](#)

### **III. AGENCY EXTERNSHIP LEARNING OUTCOMES**

The Agency Externship opportunities, which include work at government agencies and nonprofit organizations, are designed to produce the following learning outcomes:

1. The enhancement of the following legal skills in a practical working environment: (i) legal research, (ii) legal analysis, and (iii) drafting legal documents such as research memoranda, opinion letters, contracts, motions, complaints, answers, trial and appellate briefs, and /or bench briefs;
2. The development of: (i) attorney skills through participation in activities such as interviews, negotiations, investigations, strategy formulation, etc., and (ii) oral advocacy skills through participation in, and observation of, a variety of legal proceedings such as depositions, pre-trial hearings, motions, trials, appellate arguments, and administrative hearings;
3. The enhancement of a student's ability to exercise good judgment and effective problem-solving skills through the application of legal principles learned in law school applied to everyday practical legal problems;
4. The development of high standards of legal professionalism and civility in the practice of law, as well as a good understanding of the types of professional responsibility issues that arise within the context of legal practice;
5. The exposure to different roles for attorneys and to a wide range of career opportunities available in the law.

# IV. AGENCY EXTERNSHIP COURSE SYLLABUS – 2021 Spring Semester

## 1. COURSE DESCRIPTION

This course includes Agency Externship I and II. The course consists of externship work at the student's respective placement and online academic coursework in Blackboard. Students receive academic credit, on a pass/fail basis, for:

1. Work in law related positions with a governmental agency or non-profit organization under the supervision of an attorney or an individual otherwise qualified to supervise legal externs.
2. Online coursework through Blackboard, including orientation (for first-time externs only), journals, discussion boards, and writing requirements.

Students working for the first time at an Agency Externship placement are enrolled in level I. Students who previously worked at an Agency Externship placement are enrolled level II. First time students must complete an Externship Orientation at the beginning of the Spring Semester by watching an orientation video provided to you by the Faculty Supervisor. Reference to Agency Externship in this document means both the Agency Externship I and II courses. As the Faculty Supervisor for the online academic coursework component, I will have regular contact with students online through the Blackboard system. This includes the following Faculty Supervisor activities: (1) closely monitors and comments on student work posted online, (2) corresponds with the students individually and as a group throughout the semester, and (3) reviews and enters scores in Blackboard for student weekly journals, discussion board postings, as well as the two final assignments, final paper and work product. Please feel free to contact me via my email address at [jsansone@sandiego.edu](mailto:jsansone@sandiego.edu).

## 2. COURSE REQUIREMENTS

Students may enroll in the Agency Externship course for 1 - 6 units of credit and must work at the externship placement during the "academic session." The "academic session" for the 2021 Spring Semester is from the official start of classes (Mon., Jan. 11) to the last day of the law school's final exam period (Fri., May 14). Any externship work outside this time period may be counted towards pro bono hours, but not academic credit. The following describes the course requirements.

### A. Externship Orientation for First Time Agency Externship Participants

First-time students participating in Agency Externship must complete an Externship Orientation by watching an orientation video. The Faculty Supervisor will provide you the video via an email near the beginning of the semester.

### B. Required Hours to Earn Course Credit

1. The following number of course academic credits requires the number of externship hours indicated:  
**1 credit-50 hrs; 2 credits-100 hrs; 3 credits-150 hrs; 4 credits-200 hrs; 5 credits-250 hrs; 6 credits-300 hrs**
2. EXTERNSHIP HOURS. The number of externship hours spent on the following two items shall count toward earning course academic credit:
  - a. Externship Work & Activities: Externship work for your agency, as well as time spent participating in activities (e.g., activities include observing a trial, attending a training session, touring a facility, etc.).
  - b. Online Coursework. Time spent preparing and uploading into Blackboard the required online coursework assignments. These required assignments include course orientation (for first-time externs), journals, discussion boards, and final paper.

**CHANGE IN POLICY FROM PRIOR AY (2019-20): The time spent on Online Coursework now counts towards your externship total hour requirement to earn course academic credit.**

[Students are to enter all Externship Hours (for work & online time) on the Agency Externship Course Time Log.]

### C. Two Components: Work Component and Online Academic Coursework Component

1. Work Component: The student's externship work at a placement must meet the following requirements:

#### Externship Work / Activities and Required Externship Hours

- Students are required to perform externship work and/or engage in externship agency activities, as assigned by their placements.
- Students are responsible for ensuring they satisfy the required number of externship hours (i.e., hours from work/activity at placement + online Blackboard coursework time) during the academic session (i.e., from start of classes to last day of final exam period) to earn their enrolled level of academic credit in this course.

#### Breadth of Work Responsibilities

- Students must perform a wide range of duties and participate in/observe law related activities.

- These may include (i) conducting legal research, (ii) writing memoranda or briefs, (iii) drafting pleadings or transactional documents, (iv) interacting with clients and opposing attorneys, (v) observing or participating in legal conferences such as client conferences, negotiation meetings or transactional closings, and/or (vi) observing or participating in activities, such as trials/hearings, depositions, interviews, field trips, etc.
- Complete a work product that is submitted to the Faculty Supervisor at the end of the semester.

#### On-Site Supervision at Placement

- A licensed attorney or an individual otherwise qualified to supervise legal externs must supervise the student unless approved by USD's Externship Academic Director.

#### Employer/Supervisor Responsibilities

- The placement employer, through its supervisors of the student externs, must provide the externs with a meaningful externship experience guided by the USD Externship Program Supervisor Requirements and Responsibilities, which are included in the Agency Externship Handbook in the law school's website.
- Each student extern's externship performance must be evaluated by an on-site supervisor indicating the student satisfactorily completed the externship work.

## **2. Online Academic Coursework Component through Blackboard (with Writing Requirements)**

#### Online Coursework includes:

- Journals & Time Logs
  - Discussion Boards
  - Final Paper (plus the submittal of a Work Product that was produced as part of the work at your placement)
- Time spent preparing and uploading these assignments are to be counted toward the required externship hours to earn academic credit for the Agency Externship course.

#### Biweekly Journals (with Time Logs)

- A journal is required each biweekly period. Each biweekly period is identified on the last page of this Syllabus.
- After each two-week period, a student must post in the online Blackboard system a journal that briefly summarizes each separate week for the two-week period. The time log also must be attached to this posting.
- The posted journal and time log are ONLY viewable by the Faculty Supervisor.
- The Faculty Supervisor will review the journal, post a comment, and enter a score for each journal.
- Each student must record on a time log the time spent on (i) work/activity for your agency and (ii) online coursework assignments for each biweekly period.
- Students must use the time log, which is in the form of an Excel Spreadsheet, provided in Blackboard.
- The hours must reflect time spent on: (i) work performed for the agency, including any time engaged in agency authorized activities (e.g., observing a court proceeding, attending a field trip, training sessions, deposition, etc.), and (ii) online coursework assignments (i.e., journals, discussion boards, and final paper).
- The time log must be submitted biweekly with each journal. Time logs **do not** need a supervisor signature.

#### Discussion Board (DB) Forums

- Students are required to participate in biweekly DB Forums hosted via the online Blackboard system.
- DB postings are required regardless of whether work was performed during the DB's biweekly period.
- Each required DB includes a legal practice topic with related questions for students to post answers.
- The Faculty Supervisor will review each student's posted DB answers and enter a score in Blackboard.
- For extra credit, students may (but are not required to) post comments to other students' DB answers. The Faculty Supervisor will review and score (for extra credit) DB comments.
- The posted DB answers and any DB comments are viewable by the professor AND the entire class.
- Students are expected to review all the classmates' DB postings.

#### Writing Requirements: Final Assignments (Work Product & Final Paper)

##### Work Product

- Students must upload into Blackboard one of their work products, which was produced as part of their work.
- A work product may include a legal memo, appellate brief, document filed in court (e.g., motion), or any other product that reflects legal work performed at the externship placement.
- If necessary, the work may be redacted or edited.
- Work Product Supervisor Form. This Form ONLY is required if the onsite attorney supervisor prohibits an actual work product submission (regardless of redactions) because of privilege or confidentiality reasons. The student must have the supervisor complete and sign the USD Agency Externship Work Product Supervisor Form. The student must scan and upload this completed Form into Blackboard in lieu of the actual work product.



## Final Paper

- The final paper is a self-evaluative review of your externship experience, which must address the following items:
  1. Briefly summarize the type of work you performed during the externship.
  2. Identify the legal skills/abilities you enhanced/developed during the externship and describe how they relate to the Course Learning Outcomes numbered 1, 2, & 3. (See Learning Outcomes below.)
  3. Describe how your externship experience enabled you to achieve Learning Outcomes numbered 4 & 5.
  4. Discuss how your overall externship experience better prepared you for a professional legal career.
- Include your evaluation of the supervision you received at your placement (see instructions in Blackboard).

### **3. LEARNING OUTCOMES**

The Agency Externship opportunities, which include work at government agencies and nonprofit organizations, are designed to produce the following learning outcomes:

1. The enhancement of the following legal skills in a practical working environment: (i) legal research, (ii) legal analysis, and (iii) drafting legal documents such as research memoranda, opinion letters, agreements, motions, complaints, answers, trial and appellate briefs, and /or bench briefs.
2. The development of: (i) attorney skills through participation in activities such as interviewing, negotiation, investigation, and strategy formulation, and (ii) oral advocacy skills through participation in, or observation of, a variety of legal proceedings such as depositions, pre-trial hearings, motions, trials, appellate arguments, and administrative hearings.
3. The enhancement of a student's ability to exercise good judgment and effective problem-solving skills through the application of legal principles learned in law school to everyday practical legal problems.
4. The development of high standards of legal professionalism and civility in the practice of law, as well as a good understanding of the types of professional responsibility issues that arise in legal practice.
5. The exposure to different roles for attorneys and a wide range of career opportunities available in the law.

### **4. COURSE GRADING POLICY**

This is a Pass/Fail course. To earn a passing grade, a student must:

1. Post the required journals (including attached time logs) and DB answers.
2. Earn at least an overall average score of 2.0 or better for journals & DB postings. (Scoring is based on the following scale: 1-unsatisfactory/2-satisfactory/3-good)
3. Time logs must show student completed his/her required number of externship hours.
4. Submit an acceptable satisfactory final paper and work product.
5. Be evaluated by an on-site agency supervisor indicating the student satisfactorily completed the externship work.

Journal: Each journal may earn 1-3 points.

Required DB Answer: Each required DB answer may earn 1-3 points.

Voluntary DB Comments: DB comments on other student DBs may earn an additional 1-3 extra credit points.

**[DB SCORING NOTE:** The “My Grades” section in Blackboard shows each required DB assignment may earn up to 3 points. A student must post a required DB answer to earn 1-3 points. The possibility of earning an additional 1-3 extra credit points for a total of up to 6 points is **ONLY** if a student voluntarily posts DB comments on other student DB answers for extra credit.]

***Failure to post a journal or DB answer means the required assignment was not completed, which will result in a failing grade for the course. A journal or DB must be posted even if it is a late posting.***

**NOTE ON LATE POSTINGS:** If any journal or DB answer is posted late, the score will be reduced by 1 point for each portion of a week it is late, down to a minimum of 0 points. Reductions may be waived by the Faculty Supervisor if justified by circumstances preventing the timely postings.

### **Scoring of Final Assignments (Paper and Work Product)**

The two final assignments are course requirements and must be submitted to earn a passing grade for the course. A score of 1 will be given for each satisfactory final assignment submitted, and a score of 0 will be given for each unsatisfactory final assignment. A 0 score for a final assignment will result in a failing grade for the course.

## 5. AGENCY EXTERNSHIP COURSE WEEKLY SCHEDULE

| 2021 SPRING SEMESTER AGENCY EXTERNSHIP PROGRAM<br>COURSE WEEKLY SCHEDULE & ASSIGNMENTS |   |  |
|--|---|--|
| NUMBERED WEEKS &<br>DATES OF WEEKS   | BIWEEKLY JOURNAL & TIME LOG<br>WORK PERIODS & DUE DATES<br>(All Journals are due by 5 pm)   | DISCUSSION BOARD<br>DUE DATES<br>(All DBs are due by 5 pm)                                     |
| Week 1: Jan. 11 – 17   | Journal 1 & Time Log<br>(For any work during Weeks 1 & 2)<br>DUE: Mon., Jan. 25   | DB #1: Introductions<br>DUE: Mon., Jan. 18   |
| Week 2: Jan. 18 – 24   |   | DB #2: Externship Work during<br>COVID<br>DUE: Mon., Feb. 1                                    |
| Week 3: Jan. 25 – 31   | Journal 2 & Time Log<br>(For any work during Weeks 3 & 4)<br>DUE: Mon., Feb. 8  | DB #3: Tips on Remote Externship<br>Work<br>DUE: Mon., Feb. 15                                 |
| Week 4: Feb. 1 - 7   |   | DB#4: Attorney Guidelines of Civility<br>& Professionalism<br>DUE: Mon., March 1               |
| Week 5: Feb. 8 – 14  | Journal 3 & Time Log<br>(For any work during Weeks 5 & 6)<br>DUE: Mon., Feb. 22   |  |
| Week 6: Feb. 15 – 21   |   |  |
| Week 7: Feb. 22 – 28   | Journal 4 & Time Log<br>(For any work during Weeks 7 & 8)<br><b>DUE: Sat., March 6</b> (Since this is the first<br>weekday of Spring Break, students may<br>wish to post prior to this due date.)   |  |
| Week 8: March 1 - 6  |   |  |
| March 7 – 14 <b>SPRING BREAK: No Assignment Due Monday, March 15</b>                   |   |  |
| Week 9: March 15 – 21  | Journal 5 & Time Log<br>(For any work during Weeks 9 & 10)<br>DUE: Mon., March 29   | DB #5: Networking during COVID<br>DUE: Mon., March 22  |
| Week 10: March 22 – 28   |   | DB#6: Organization as Client<br>DUE: Mon., April 5   |
| Week 11: March 29-April 4  | Journal 6 & Time Log<br>(For any work during Weeks 11 & 12)<br>DUE: Mon., April 12  | DB#7: Wrapping Up / Reflection on<br>Most Valuable Learning Experiences<br>DUE: Mon., April 19 |
| Week 12: April 5 – 11  |   |  |
| Week 13: April 12 - 18   | Final Journal 7 & Time Log<br>(For any work during Weeks 13 & 14)<br>DUE: Mon., April 26<br><b>[NOTE: Any necessary work after this<br/>due date to complete required hours for<br/>academic credit requires the final time<br/>log to be posted in the Journal 7 location<br/>when completed.]</b> |  |
| Week 14: April 19 - 25   |   |  |
| Wed., April 28: Last Day of Spring Semester Classes                                    |   |  |
| Friday, April 30   | Final Paper and Work Product -- DUE: Fri., April 30   |  |
| Friday, May 14   | Last day to work externship hours that count toward academic credit.  |  |

## V. ORIENTATION FOR FIRST TIME EXTERNSHIP STUDENTS

### **Mandatory Externship Orientation**

There is a mandatory orientation for all law students enrolled for the first time in a USD Law School Externship program who will be working at an externship placement.

### **Requirement to View Video & Prepare Written Summary**

All first-time externs will be required to view a video of the orientation and certify to the Faculty Supervisor that video was viewed. The Faculty Supervisor will provide the first-time externs the orientation video with instructions on how to proceed.

This orientation is important to a successful externship experience. We hope students will find the information provided at the orientation to be valuable.

## VI. WHAT EXTERNS NEED TO KNOW BEFORE AND DURING THEIR EXTERNSHIP WORK

### A. **Confidentiality Statement**

#### **Law Student Compliance with Workplace/Client Confidentiality Rules**

Attorneys and their fellow employees must observe the ethical obligations of workplace /client confidentiality rules. Confidentiality is a fundamental principle of the lawyer-client relationship and work product doctrine. The USD School of Law urges all students participating in externship placements, who may or may not have had formal training in professional responsibility at the time of the placement, to be aware of their respective placement's confidentiality rules and any specific confidentiality policies.

USD Law Student Externs must comply with the following requirements:

- Be aware and familiar with your professional obligations at all times in the workplace.
- Be familiar and comply with your placement's confidentiality rules.
- Maintain the confidentiality of any information designated as confidential.
- Maintain the confidentiality of any information relating to the representation of a client.
- Do not disclose the identity of a client or reveal information leading to the disclosure or identity of a client without the express advance authorization of the supervising attorney.
- Where and when appropriate, redact any written work, as necessary, to preserve confidentiality.

Student externs should engage in a dialogue throughout the placement with supervising attorneys on the importance of confidentiality and the ethical implications involved in individual cases or circumstances.

**Please review the following for your reference and convenience:**

- California Business and Professions Code Section 6068 (e), *Duties of an Attorney*, the ethical obligation regarding client confidences and secrets;
- California Rules of Professional Conduct, Rule 3-100: **Confidential Information of a Client**

## **B. Tips for a Successful Externship Experience**

The following are suggested tips to help you have a successful externship experience:

### **1. Professionalism and Civility--Building Your Reputation!**

#### Understanding Professionalism in the Workplace

- ✓ Working in a law office requires professionalism in how you conduct yourself.
- ✓ Professionalism includes a dedication to civility, honesty, integrity, dignity, diligence, respect, courtesy, good character, and cooperation in how you perform your work and interact with others.

#### Civility in the Practice of Law—What is it?

- ✓ See California State Bar publication: [Attorney-Civility-and-Professionalism](#) [See Appendix]. Guidelines based on principles of integrity, respect, cooperation, and fair play.
- ✓ Civility means treating colleagues, clients, other counsel, the courts, and the public with dignity, decency, respect, courtesy, and candor. Civility requires attorneys to abstain from rude, disruptive, disrespectful, and abusive behavior.

### **2. Ethics: [California Rules of Professional Conduct](#)**(Ctrl+Click to access link to Rules)

#### Be Aware of Following Important Attorney Duties to Clients

- Duty of Loyalty: Avoid Conflicts of Interests.
- Duty of Confidentiality: Protect privileged and confidential information.
- Duty of Competence: Use legal knowledge, skill, and thorough preparation in legal work.
- Duty of Diligence: Be prompt and zealous in completing case (or projects) to completion.
- Duty of Communication: Inform clients of information necessary so able to make key decisions.

#### Comply with Confidentiality Rules

Familiarize yourself with your workplace rules regarding confidentiality of information. If you are not provided with confidentiality rules when you commence your work, ask your supervisor for any information about the office's confidentiality rules.

#### Avoid the Unauthorized Practice of Law

**General Rule:** Work by law office non-attorneys must be preparatory in nature. Such work may include research, investigation of details, the assemblage of data or other necessary information, and other work that assists the attorney in carrying out the legal representation of a client. All work must be supervised by an attorney and must become or be merged into the work of the attorney, so that it becomes the attorney's work product.

**Exception:** Certified Law Students (Required for those who want to appear in court)

- See Cal Bar [Practical-Training-of-Law-Students](#) [See Appendix]
- See Rule 9.42 Re Certified Law Students in [California Rules of Court: Title 9](#) Subdivision (d) of Rule 9.42 sets forth the "Permitted Activities" of certified law students. [See Appendix]

### **3. Enhancing Your Externship Learning Experience**

- Practice good time management
- Use in-house legal resources (e.g., brief banks, legal opinion files) if available
- Participate in all field trips and tours offered by your placement
- If work includes interviewing clients/witnesses, review helpful aids prior to interviews
- Start now building a highly respected professional reputation.

#### **4. Prepare Before You Show Up**

##### Prepare before Starting Work

Review the applicable area of law or procedural rules before you start. For example, if you are working at the Court of Appeal, review the standards of appellate review and the California Style Manual to familiarize yourself with citation form. If you are working in the bankruptcy courts, read an outline on bankruptcy law and be somewhat familiar with the basics of the Bankruptcy Code. If you are going to work in a federal district court, brush up on the rules applicable to federal jurisdiction. If you are working in a corporate law office, research recent articles about the company and its business activities.

##### Familiarize Yourself with the Office, Organization, or Company

Review the website about the office, organization, or company where you will be working. You may be able to learn a lot about how the office/organization/company is organized, the office staff or company executives and board of directors, the nature of its work, and much more.

##### Refresh on Research & Writing

Research and writing are the most important skills an extern will be expected to use. You will be expected to remember how to plan a research strategy and draft a memo. It has probably been a while since your first-year research and writing class, so you may want to review your notes from that class.

#### **5. What to Remember about Your Research and Writing**

- Develop a research strategy. That strategy should rarely begin with a term search for cases on Lexis and Westlaw, especially if the issue you are researching is new to you (and most will be). Start with treatises (Witkin or a relevant specialist), practice guides (Rutter), and digests (West).
- Outline before you begin writing. "Build" your memo or brief from there.
- Keep your writing clear and concise. Edit out unnecessary words and phrases and legalese. If you want help in this area, try *Plain English for Lawyers* by Richard C. Wydick.
- PROOFREAD! PROOFREAD!! PROOFREAD!!!
- Have another extern PROOFREAD for you, if possible! That second set of eyes is invaluable.
- You will be expected to produce thoughtful arguments and legal analysis. Never take shortcuts by substituting conclusion statements for careful analytic reasoning.

#### **6. Workplace -- Good Practices**

##### Dress for Success

That means dress in business attire that is appropriate for your placement's office environment. If you are not sure what attire is appropriate prior to commencing work, contact the office to ask.

##### Be Personable

Introduce yourself around. Everyone may look busy, but they are never too busy to say hello to a new person, especially someone who is friendly and eager to help.

##### Demonstrate Confidence

The extern with poise and confidence inspires confidence. When your supervisor talks with you about your work or your recommended course of action, be prepared to explain your position. Be articulate and firm in your convictions.

##### Ask Questions

Don't be afraid to ask questions when getting an assignment. Make sure you understand exactly what is being asked of you, the meaning of unfamiliar terms, key background facts, when it is due, what research sources you might use, what form you should use, who the audience is for your work product, and anything else that seems relevant.

##### Take the Initiative and Demonstrate Self-Reliance

Always try to figure something out for yourself before asking for help. But don't "spin your wheels" for too long before letting your supervisor know you are stuck. Your time and your supervisor's and company's time are valuable, so don't waste it.

### Be Open to Admit Something You Don't Know

Don't pretend that you know about something when you don't. A very important skill to have is to admit a lack of knowledge on a matter. Please tell your supervisor when you don't know something, whether it is about the law or the facts of the case.

### Always Be Prepared to Take Notes at Meetings

When your supervisor asks you to his/her office, bring a pad of paper and a pen with you. You never know when you may need to take notes in any meeting.

### Arrive on Time

Your supervisor relies on you to be there when you are scheduled to start. Working late or through lunch is fine for staying on top of your work. But don't use that as a reason to arrive late, unless your supervisor gave you the OK to arrive later. If you are supposed to come in at 9 am, then be sure you do so.

### Focus on Work--Avoid Use of Cell Phone in Workplace

Put your cell phone away so you aren't tempted to send or receive texts or personal calls. These interruptions are huge distractions, for you and for the office.

### Submit Work by Deadline

Don't expect your supervisor to ask for your work when it's due. You need to be sure to submit it on time. And, if you need extra time, be sure to communicate with your supervisor to get the OK to submit the work at a later date.

### Always Ask for Work after Completing Assignments

When you finish all your pending assignments, seek out your supervisor to ask for more work.

### Interact with and Support the Support Staff

Show the Support Staff the same respect you would want to be shown. Law offices work as a team, and the Support Staff is a very important integral part of the team.

## **7. Email Use-- Good Practices**

### Professional Use of Email

Treat each workplace email as an important professional communication. That means no abbreviations ("r u coming 2 the mtg?"), no emoticons, no ":",) and no "LOL". Proofread every workplace email you send; they create as much of an impression of your writing skills as would a cover letter or formal legal memo.

### Email is Not Verbal Communication

Remember---an email is not a verbal communication. The email is documentation of what you said. It lives on and can be retrieved and reviewed by others years down the road.

## **8. Internet Use -- Good Practices**

### Workplace Internet is for Work

Do not use any computer at your workplace for non-work-related matters, such as shopping, social networking sites, surfing the net, etc.

### Avoid Including Any Work Content on Social Networking Page

It's NOT appropriate to mention work on your social networking page. Confidentiality is critical.

### Exercise Caution on What You Include on Your Social Networking Page

Just as you find out about people by searching the internet at home, you must know that your supervising attorneys, judges, clerks and office staff do exactly the same thing when it comes to you. Is there anything on your social networking page that may reflect negatively on you generally as a professional at your externship placement? You are a professional now.

## **C. Tips on Getting Started & Participating in the Online Coursework Component**

When you access the Blackboard page for this course, please review the left-hand column of the page. It includes several tabs providing you access to important information about this class.

1. **Course Syllabus.** The “Course Syllabus” tab contains the syllabus for this course. Please read the syllabus so you understand all the requirements of this course. Also, the last page of the syllabus includes a time line listing all the course requirements, their due dates, and an identification of the Discussion Board topics.
2. **Announcements.** Each time you access this class on Blackboard, you first should check the “Announcements” tab for each week's new announcement I have posted in Blackboard for this class. The Blackboard system also will send you, via email, these announcements.
3. **Course Content.** The “Course Content” tab is the most important location in Blackboard for this class. At this location you will find important information and materials about the class. Most importantly, this tab provides access to the folders for the required assignments (i.e., posting biweekly Journals and Discussion Board postings). The following folders are located in the Course Content tab:
  - a. **Course Information & Materials.** This folder includes class forms and samples of documents you are required to submit to satisfy class assignments.
  - b. **Online Course Assignments.** The assignments include the posting of a biweekly journal (with an attached time log), and the posting of answers to the biweekly Discussion Board questions.
  - c. **Final Assignments.** The final assignments folder contains the following final assignments.
    - 1) Final Paper; 2) Work Product
4. **Posting Bi-Weekly Journals and Time Log**
  - a. You must briefly summarize each week of your externship work/activities during the biweekly period. (For example, if you worked in each one of the two weeks during the biweekly period, your journal should include two separate brief summaries for each week’s work /activities.)
  - b. You may type your biweekly journal directly into the space provided in Blackboard OR attach a one-page document that contains your biweekly journal. Please be sure to review the instructions for composing and formatting a journal, as well as to review the Sample Journal. These instructions and the Sample Journal are included in Blackboard's “Course Information & Materials” folder. Each journal must be limited to a one-page (8.5 x 11) document.
  - c. You must use the Time Log document that is included in Blackboard for recording your time. When you post your biweekly journal, you also must post your time log at the same time by attaching the time log to the journal posting.
  - d. Posting a biweekly journal is only required if you worked a portion of any day during the two-week period for that particular journal. (NOTE: If you did not work at all during the two-week period, please post a simple one sentence statement saying you did not work. You also should attach your time log showing no hours worked for that two-week period.)
  - e. The scoring for your biweekly journal postings is described in the Course Syllabus.

## 5. Posting to the Biweekly Discussion Board Forums

- a. There are several biweekly DB forums for this class.
- b. The first DB is on the topic of “Introductions.” This provides you the opportunity to introduce yourselves to each other and to your Faculty Supervisor. The remaining DB forms are on selected legal practice topics.
- c. Each DB Forum will include questions for you to post answers. You are required to post DB answers, for which you will receive a score. In addition, for extra credit, you may post a DB comment to one or more of your fellow students' DB answers. The extra credit is based on the same scoring standards applicable to the DB answers.
- d. The scoring for your biweekly DB postings, including both your DB answers/replies and your DB comments, is described below and in the Course Syllabus.

## 6. My Grades

This tab in Blackboard includes the scoring of your completed journals and DB postings.

The scoring is based on the quality of the posting, as follows:

1 - unsatisfactory / 2 - satisfactory / 3 –good

### Journals

The journals you post in Blackboard will earn a score between 1 - 3 points.

### Discussion Boards

DB Answers. Each DB Forum will include questions for you to post answers. You are required to post DB answers, for which you will receive a score from 1-3 points.

DB Comments. In addition, for extra credit, you may post a DB comment to one or more of your fellow students' DB answers. The extra credit posting will receive a score of 0-3 points.

IMPORTANT NOTE ON DB SCORING: While you can earn up to 6 points for each DB by posting both the DB answer (for up to 3 points) and DB comments (for up to 3 extra credit points), the course requirement only is for posting a DB answer that can earn up to 3 points. So, if you only post a DB answer and earn 3 out of a potential of 6 points, you will have earned the maximum points for the DB requirement.

The score is entered and tracked in Blackboard showing your cumulative scoring. See the Course Syllabus for a description of the Grading Policy for this class.



# VII. ONLINE ACADEMIC COURSEWORK COMPONENT: JOURNALS/TIME LOGS AND DISCUSSION BOARD FORUMS

## A. Instructions for Formatting and Composing Biweekly Journals & Time Logs

### 1. General Instructions

#### Biweekly Journals (See Appendix for Sample Journal)

The coursework component includes biweekly journals. Each journal must briefly summarize each separate week of the two-week period. (Each two-week journal period is identified on the last page of this Syllabus). Each journal must be accompanied by a biweekly time log (see below for the time log requirements).

- After each two-week period, a student must post in the online Blackboard system a journal that briefly summarizes each separate week for the two-week period. The time log must be attached to this posting.
- The top of each journal must include the student's name and the externship agency name.
- The posted journal and time log are ONLY viewable by the Faculty Supervisor.
- The Faculty Supervisor will review the journal, post a comment, and enter a score for each journal.
- A student may be excused from posting a timely journal only if the Faculty Supervisor approves the request based upon justifiable reasons that prevented the drafting of a journal by the due date/time.

(NOTE: If no work was performed during a biweekly period, please post a one sentence statement indicating you did not work that biweekly period. This will inform the Faculty Supervisor not to enter a journal score of 0 for failing to post a required journal.)

#### Biweekly Time Logs (See Appendix for Sample Time Log)

- Each student must record on a time log the time spent on: (i) work/activity for your agency, and (ii) online coursework assignments for each biweekly period.
- Students must use the time log, which is in the form of an Excel Spreadsheet, provided in Blackboard.
- The hours must reflect time spent on: (i) work performed for the agency, including any time engaged in agency activities (e.g., observing a court proceeding, attending a field trip, training sessions, deposition, etc.), and (ii) online coursework assignments.
- The time log must be submitted biweekly with each journal. Time logs **do not** need a supervisor signature.
- The time log must be uploaded online into Blackboard by attaching it to the journal posting.

### 2. Requirements for Formatting Biweekly Journal

- Enter your name and the name of your agency at the top of your journal.
- Each biweekly journal must include a brief summary of your work and activities for each separate week of the two-week period.
- For each weekly summary, please include a heading that identifies the week of work.
- You can type your journal into the space provided for each Journal page or you can attach a document as your journal.
- Your journal should not extend beyond the space of one page (8.5x11).

### 3. Requirements for Composing Journal Summary

Your summary for the week should be brief, limited, and focused on the following substantive content for the types of items indicated:

**Research Memo:** Describe the legal subject/topic, the issue the memo will address, and the purpose you hope to achieve by the memo.

**Motion (including Points & Authorities):** Describe the type of motion, the legal subject matter, and the purpose you hope to achieve by the motion.

**Appellate Brief:** Describe the type of brief, the legal subject matter, the main issue(s) the brief will address, and what you hope to achieve by the brief.

**Watching Court Proceeding:** Describe the type of proceeding (e.g., jury trial, motion, etc.), the nature & purpose of the proceeding (e.g., murder trial, civil trial involving excessive force allegations against police officer, etc.), and what key portion(s) of the proceeding you observed (e.g., jury selection, opening statements, direct / cross examinations, closing arguments, etc.).

**Court Appearance:** Describe the type of proceeding (e.g., arraignment, prelim, motion, etc.), the legal subject matter involved in the proceeding (e.g., criminal procedure motion to suppress evidence), and the purpose of what you hope to accomplish by the appearance.

**Watching Deposition:** Describe the type of: (i) case associated with the deposition, (ii) deponent (e.g., witness of accident, defendant in lawsuit, etc. --- don't identify names), and (iii) what purpose is hoped to be accomplished by the depo.

**Training Session:** Describe the subject(s) of the training.

**Field Trip / Tour:** Describe where and what you went to see, as well as highlights of what you saw.

**Other Types of Assignments:** Your summary should focus on the substantive legal content associated with the assignment.

DO NOT include details in the journal summary that are unrelated to the substantive content of the assignment or activity.

## **B. Discussion Board Forums**

The Agency Externship online academic coursework component includes Discussion Board (DB) Forums. DB Forums consist of topics assigned by the Faculty Supervisor for online student discussion.

The purpose of the Forum is to have students discuss topics designed to enhance practical learning on subjects that generally are not part of the externship work experience. Examples of DB Forum topics include, but are not limited to, the following:

- i. time management
- ii. techniques/skills for interviewing clients/witnesses
- iii. attorney civility and professionalism
- iv. issues re: representing a client organization
- v. networking/career planning

Students participate in the biweekly DB Forums hosted via the online Blackboard system. Students post their answers for each DB Forum, as well as post their comments to other students' postings. All students have access to all DB postings so they can learn from each other through the sharing of ideas and thoughts on a subject.

The real strength to the success of a DB Forum is the opportunity for students to read about the practical insights, ideas, and thoughts fellow classmates have gained from working in a wide variety of law offices. This process of learning about other work experiences at various placements may lead to students applying for externships at these other placements in future semesters.

## VIII. ON-SITE SUPERVISOR REQUIREMENTS & RESPONSIBILITIES: SUPERVISION OF USD LAW STUDENT EXTERNS

The University of San Diego School of Law is extremely thankful for the meaningful supervision provided by on-site field placement supervisors of USD law student externs. The Law School very much appreciates each supervisor's time, effort, and interest in helping the externs gain a valuable practical learning experience.

For purposes of assisting supervisors with the supervision of USD law student externs, this document includes a list of supervisor requirements and recommended responsibilities. We hope this list provides each supervisor with helpful information, ideas, and approaches for supervising the externs.

The following two introductory Sections are included for the supervisors' background information:

Section A includes a brief overview of the USD Field Placement Externship Program.

Section B includes USD's Externship Learning Outcomes. Supervisors are encouraged to support and assist the externs' achievement of these Learning Outcomes.

### A. USD Field Placement Externship Program: Brief Description

1. Students Earn Academic Credit. The USD Externship Program provides law students opportunities to work for academic credit.
2. Externs are Enrolled in an Academic Course as Part of Externship Work. Law student externs are enrolled in an academic course in connection with their externship work. The academic course is pass-fail that is conducted online between the externs and faculty supervisor.
3. Externship Course Consists of Two Components. The externship course consists of two components: (a) **Work Component** – the work at the placement; (b) **Online Academic Coursework Component** – online work assigned by USD faculty member, including writing requirement of final paper submitted to the USD faculty supervisor at the end of the academic term.
4. Extern Requirement of Work/Activity Hours. Externs are required to perform a specified number of hours of externship work, including externship activities (e.g., observing court proceedings, depositions, negotiation sessions; attending training sessions, meetings; participating in field trips, etc.), and online coursework assignments. A student may enroll for 1-6 credits for the course. The student extern must complete at least the following number of externship hours: 50 hours for each enrolled credit (e.g. 50 hours for 1 credit and up to 300 hours for 6 credits).
5. Required Time Period to Work for Academic Credit: Students may enroll in the Agency Externship Course for 1 - 6 units of credit and must work during the "academic session" to earn academic credit. For purposes of the Agency Externship, the "academic session" is from the official start of classes to the last day of final exams. Any externship work outside this time period may be counted towards a student's pro bono hours, but not academic credit.

### B. Agency Externship Learning Outcomes

The Externship Program is structured to produce the following learning outcomes:

1. The enhancement of the following legal skills in a practical working environment: (i) legal research, (ii) legal analysis, and (iii) drafting legal documents such as research memoranda, opinion letters, agreements, motions, complaints, answers, trial and appellate briefs, and /or bench briefs.
2. The development of: (i) attorney skills through participation in activities such as interviewing, negotiation, investigation, and strategy formulation, and (ii) oral advocacy skills through participation in, or observation of, a variety of legal proceedings such as depositions, pre-trial hearings, motions, trials, appellate arguments, and administrative hearings.
3. The enhancement of a student's ability to exercise good judgment and effective problem-solving skills through the application of legal principles learned in law school to everyday practical legal problems.
4. The development of high standards of legal professionalism and civility in the practice of law, and a good understanding of the types of professional responsibility issues that arise in legal practice.
5. Exposure to different roles for attorneys and to a wide range of career opportunities available in the law.

## **C. Supervisor Responsibilities: On-Site Supervision of Law Student Externs**

- **Designated Supervisor - Licensed Attorney.** The externship placement must designate a licensed attorney or an individual otherwise qualified to supervise, as the supervisor of externs. This supervisor is responsible for the overall supervision of the extern's work and must be available to the extern and the USD faculty supervisor for consultation. This does not preclude externs from working for other attorneys in addition to the designated supervisor.
- **Establishing Work Schedule.** Supervisors need to work with externs to establish a work schedule. While the schedule should be consistent with the needs of the externship placement and supervisor, it must be designed to satisfy the extern's required total number of hours and not conflict with the extern's class schedule.
- **Externship Orientation.** The externship placement should provide an orientation for the externs at the beginning of the externship designed to give a helpful perspective of what the externship experience will involve and what the office expectations will be of the externs.
- **Diversity of Assignments/Tasks.** Supervisors should assign externs work and activities that include a variety of legal subjects and a broad range of lawyering skills to develop.
- **Assignments.** Supervisors are required to assign externs substantive legal work appropriate to the extern's abilities, including clear expectations and deadlines. Supervisors need to be aware of an extern's workload and provide on-going guidance, if needed, for managing and prioritizing the workload.
- **Feedback.** Supervisors need to provide externs with specific, individualized, timely, and constructive verbal or written commentary on their work. Supervisors are encouraged to focus on such issues as the difficulty of the assignment, the persuasiveness and clarity of the work product, areas for needed improvement and where the extern excelled. The overall objective should be for the extern to achieve a valuable learning experience.
- **Establish Weekly Conferences with Externs.** Supervisors should consider establishing regular conferences with externs at least once a week. The learning process is greatly enhanced when externs are able to meet individually with their supervisors at least once a week to review current work, address any issues or concerns, and discuss future assignments. If a weekly "standing appointment" is scheduled to meet with externs, it is likely that the grind of daily work will not prevent meetings with the externs.
- **Attendance at Training Sessions.** Supervisors are encouraged to have externs attend training sessions offered by the externship placement, including any MCLE presentations, if appropriate.
- **Observation of Legal Proceedings.** Supervisors should provide externs opportunities, where and when possible, to observe court proceedings, client/staff/strategy meetings, and other appropriate legal proceedings/activities, such as depositions, negotiations, client/witness interviewing, etc.
- **Certified Law Student Courtroom Experience.** Supervisors should provide externs, who are certified law students, opportunities to appear in court proceedings, where and when possible and feasible.
- **Opportunities for Reflection.** A supervisor should provide externs with opportunities to meet and discuss their observations, experiences, and other issues relevant to the legal profession with him/her, other attorneys, and staff in the externship placement.
- **Supervisor Contact with Faculty Supervisor.** Supervisors are strongly encouraged to contact the Faculty Supervisor about any questions or concerns with the USD Externship Program, as well as to discuss specific matters involving an individual extern. Supervisors must contact the Faculty Supervisor immediately to discuss any extern issues or concerns that may jeopardize the continuation of an extern's work.
- **Supervisor's Evaluation of Extern Work Performance.**
  - Supervisors must complete a USD evaluation form, entitled "Evaluation of Student Extern Work Performance," at the end of the externship.
  - Review and discuss the completed evaluation with the extern.
  - An extern's overall performance must be at least satisfactory for the student to earn a passing grade.

## **IX. Evaluation of Student Extern Work Performance (Evaluation Form in Appendix)**

Upon the completion of a student extern's work performance, the on-site supervisor at the field placement is required to complete an evaluation of the extern's work performance. The USD Faculty Supervisor provides the Evaluation Form to the on-site supervisors for completion. (See the Evaluation Form in the Appendix.)

An on-site supervisor's evaluation of externship work performance is a valuable tool for measuring whether the externship work experience achieved the program's learning outcomes. For this reason, the evaluation serves as one of the academic standards for a student to earn a "Pass" as the final grade for the course. For a student to be considered for a "Pass" as the final grade, the evaluation must indicate an overall externship performance that is minimally satisfactory or better.

## **X. APPENDIX**

### **A. Agency Externship Appendices**

#### **SAMPLE JOURNAL**

##### **JOURNAL 1**

STUDENT NAME

NAME OF PLACEMENT

##### **Week 1 (Mon., Jan. 11-17)**

My first week of work at the City Attorney's Office went very well. The externs were provided an orientation covering what will be expected of us this Spring Semester. The orientation consisted of a description of the type of assignments that will be given to us, a review of confidentiality rules and expectations, an explanation of the various research tools the office provides, along with a variety of other administrative matters.

During the week I already had the opportunity to work on the following two assignments:

##### **Memo on Calif. Public Records Act**

Legal Subject: The legal subject of this assignment involves the California Public Records Act.

Issue: The issue is whether any legal exemptions apply to a public records act request the city received for certain materials.

Purpose: The purpose of the memo is to analyze and determine if any of the public records requested are protected by statutory exemptions under the Calif. PRA.

##### **Memo on Land Use Matter**

Legal Subject: The legal subject of this assignment involves a land use matter.

Issue: The issue is whether the city's municipal ordinance provision on conditional use permits allows a property owner to make certain changes to her property.

Purpose: The purpose of the memo is to advise the City's Land Use Department on whether it is legally authorized to issue a permit to the property owner. As of the end of this week, I was still conducting research on this assignment.

##### **Week 2 (Mon., Jan. 18-24)**

I felt much more comfortable and at ease during my second week of work. I had the opportunity this week to attend a couple court proceedings and observe deputy city attorneys in court. I also worked on my two legal memos from last week.

##### **Observed a Court Hearing on a Motion**

Legal Subject: The legal subject of this court hearing involved a Motion to Dismiss a Complaint that was filed by a plaintiff who alleged he was injured by a city employee in an auto accident.

Issue: The issue was whether the plaintiff fully complied with the City's Claim requirements prior to filing his lawsuit. I was able to watch the attorneys on both sides make their arguments.

##### **Observed a Trial in Federal Court**

Legal Subject: The legal subject in the trial involved allegations of civil rights violations.

Issue: The trial in federal court was about a complaint against the city police for violation of civil rights based on allegations of excessive force. Over a couple days during the week, I was able to watch the jury selection, opening statements by both attorneys, and the direct & cross examination of several witnesses.

I was able to complete my memo on the public records act assignment and submitted it to my supervisor during the week. I also completed my research on the land use assignment and have been drafting the memo. I hope to complete the drafting of the memo sometime next week.

# SAMPLE TIME LOG

## 2021 SPRING SEMESTER TIME LOG (for WORK Hours & ONLINE Blackboard Hours)

NOTE: Externship work hours prior to Jan. 11 are ONLY for Pro Bono purposes, and are NOT to be reported on this time log.

### Enter WORK Hours Only

Enter number of hours worked----do NOT enter start & end times of day).

### Enter ONLINE Hours Only

| <u>NUMBERED WEEK (WEEK)</u> | <u>MON.</u> | <u>TUES.</u> | <u>WED.</u> | <u>THUR.</u> | <u>FRI.</u> | <u>SAT.</u> | <u>SUN.</u> | <u>Total<br/>WORK<br/>Hours</u> | <u>Total<br/>Week of<br/>ONLINE<br/>Hours</u> | <u>TOTAL<br/>HOURS</u> |
|-----------------------------|-------------|--------------|-------------|--------------|-------------|-------------|-------------|---------------------------------|---|------------------------|
| Week 1                      |             |              |             |              |             |             |             |                                 |   |                        |
| Week 2                      |             |              |             |              |             |             |             |                                 |   |                        |
| Week 3                      |             |              |             |              |             |             |             |                                 |   |                        |
| Week 4                      |             |              |             |              |             |             |             |                                 |   |                        |
| Week 5                      |             |              |             |              |             |             |             |                                 |   |                        |
| Week 6                      |             |              |             |              |             |             |             |                                 |   |                        |
| Week 7:                     |             |              |             |              |             |             |             |                                 |   |                        |
| Week 8:                     |             |              |             |              |             |             |             |                                 |   |                        |
| Week 9:                     |             |              |             |              |             |             |             |                                 |   |                        |
| Week 10:                    |             |              |             |              |             |             |             |                                 |   |                        |
| Week 11:                    |             |              |             |              |             |             |             |                                 |   |                        |
| Week 12:                    |             |              |             |              |             |             |             |                                 |   |                        |
| Week 13:                    |             |              |             |              |             |             |             |                                 |   |                        |
| Week 14:                    |             |              |             |              |             |             |             |                                 |   |                        |
| Grand Total No. of Hours    |             |              |             |              |             |             |             |                                 |   |                        |

[Externship work hours after May 14 are ONLY for Pro Bono purposes, are NOT to be reported on this time log.]

# Agency Externship Program

## Work Product Supervisor Form

(This form should be used only if all the student's work products are confidential or privileged.)

TO: Agency Externship Supervisor

Each student intern is required to submit a work product to the USD law professor for this Agency Externship course. The work must be a product that the student produced or substantially produced as part of his/her externship work.

If all the student's work products are confidential or privileged and cannot be released, please complete this form. This form is in lieu of the student intern submitting a work product towards satisfaction of this course's writing requirement.

You should complete and sign this form and provide it to the student for submittal to the Agency Externship course law professor.

### **AGENCY SUPERVISOR CERTIFICATION**

I certify that \_\_\_\_\_ completed work products in this  
(print student name above)  
externship, which cannot be released because of confidentiality or privilege reasons.

Brief Description of Work Product(s)

Supervisor Name (print) \_\_\_\_\_

Agency \_\_\_\_\_

Date \_\_\_\_\_

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



## University of San Diego School of Law Agency Externship Program

### EVALUATION OF STUDENT EXTERN'S WORK PERFORMANCE

**PLEASE NOTE: This evaluation must be completed and returned to the Faculty Supervisor for the student extern to receive academic credit for his/her externship work.**

Name of Student \_\_\_\_\_

Name of Placement Organization \_\_\_\_\_

Supervisor's Contact Information (Enter information of supervisor primarily responsible for supervision of extern)

Name \_\_\_\_\_

Title \_\_\_\_\_

Phone \_\_\_\_\_

Email \_\_\_\_\_

Student Extern's Work Hours

Total number of hours student worked at your organization this academic term: \_\_\_\_\_

### Evaluation Instructions

Please complete an assessment of the student's externship work performance according to the Rating Scale below and the following guidelines:

- You need not enter comments on the separate performance categories below (items 1 -4) unless any of the separate ratings includes an "Unsatisfactory" rating.
- You are encouraged to include comments for the "Overall Externship Work Performance" rating (item 5).
- As part of the student's overall learning process, please share this evaluation with the student. You are encouraged to review and discuss the evaluation with the student.

### Rating Scale for Student Externship Performance

- 1 Unsatisfactory Performance.** Includes: insufficient and inconsistent output, inadequate research and analysis, carelessness and inaccuracies, insufficient preparation for tasks, weak organization and case management.
- 2-4 Minimal Satisfactory Performance.** Includes: minimal adequate performance, difficulty in meeting deadlines and completing basic tasks and assignments, need for close supervision.
- 5-6 Satisfactory Performance.** Includes performance that consistently: meets and sometimes exceeds minimum standards, works efficiently, exhibits good organization and case management skills, requires normal level of supervision.
- 7-9 Above Satisfactory Performance.** Includes performance that consistently: exceeds minimum standards, anticipates and meets deadlines, requires minimal supervision, works independently, learns effectively from colleagues, and seeks opportunities to learn and improve
- 10 Excellent Performance.** Includes performance that consistently: demonstrates outstanding judgment and planning, exhibits high level of lawyer tasks and skills, identifies issues, and proposes solutions, requires little to no supervision, generally performs at the level of a first-year attorney.

## ASSESSMENT OF STUDENT'S EXTERNSHIP WORK PERFORMANCE

[1: Unsatisfactory; 2-4: Minimally Satisfactory; 5-6: Satisfactory; 7-9: Above Satisfactory; 10: Excellent]

### 1. Legal Analysis and Research:

Identifies key legal and factual issues.

1  2  3  4  5  6  7  8  9  10  N/A

Locates relevant statutes, case law, regulations and other relevant research materials.

1  2  3  4  5  6  7  8  9  10  N/A

Produces clear, succinct written summaries of research.

1  2  3  4  5  6  7  8  9  10  N/A

Comments:

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### 2. Judgment and Problem-Solving Skills:

Thinks creatively about each case or project.

1  2  3  4  5  6  7  8  9  10  N/A

Knows how and when to ask questions or seek additional consultation.

1  2  3  4  5  6  7  8  9  10  N/A

Exercises good common sense.

1  2  3  4  5  6  7  8  9  10  N/A

Comments:

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### 3. Writing and Verbal Communication Skills:

Writes clearly, precisely, and persuasively.

1  2  3  4  5  6  7  8  9  10  N/A

Drafts well-organized, well-researched written assignments.

1  2  3  4  5  6  7  8  9  10  N/A

Communicates verbally in a clear and confident manner.

1  2  3  4  5  6  7  8  9  10  N/A

Comments:

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[1: Unsatisfactory, 2-4: Minimally Satisfactory, 5-6: Satisfactory, 7-9: Above Satisfactory, 10: Excellent]

#### 4. Professionalism and Courtesy:

Maintains a regular work schedule, arrives to work on time, provides adequate notice of tardiness or illness.  
1  2  3  4  5  6  7  8  9  10  N/A

Completes assignments on a timely basis.  
1  2  3  4  5  6  7  8  9  10  N/A

Treats attorneys, staff, clients, & public with courtesy & civility in written and verbal communications.  
1  2  3  4  5  6  7  8  9  10  N/A

Comments:

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#### 5. Overall Externship Work Performance

1  2  3  4  5  6  7  8  9  10  N/A

Comments:

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#### ADDITIONAL COMMENTS

Do you have any additional comments or suggestions concerning either this student or the USD School of Law Agency Externship Program?

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**I certify that the student's overall externship work performance was satisfactory or better.**

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Please submit this completed Evaluation by emailing it to:

John Sansone, Professor-in-Residence and Faculty Supervisor  
Agency Externship Program, USD School of Law

Email: [jsansone@sandiego.edu](mailto:jsansone@sandiego.edu)

## **B. ABA and California State Bar Appendices**

### **American Bar Association Standard Governing FIELD PLACEMENTS**

The USD School of Law Field Placement Program complies with the following ABA standards set forth under Standard 304, subdivision (c), governing "Field Placements."

### **ABA Standards and Rules of Procedure for Approval of Law Schools**

#### **Chapter 3: Program of Legal Education**

#### **Standard 304, Subdivision (c). FIELD PLACEMENTS**

- (c) A field placement course provides substantial lawyering experience that (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise, and (2) includes the following:
- (i) direct supervision of the student's performance by a faculty member or site supervisor;
  - (ii) opportunities for performance, feedback from either a faculty member or a site supervisor, and self-evaluation;
  - (iii) a written understanding among the student, faculty member, and a person in authority at the field placement that describes both (A) the substantial lawyering experience and opportunities for performance, feedback and self-evaluation; and (B) the respective roles of faculty and any site supervisor in supervising the student and in assuring the educational quality of the experience for the student, including a clearly articulated method of evaluating the student's academic performance;
  - (iv) a method for selecting, training, evaluating, and communicating with site supervisors, including regular contact between the faculty and site supervisors through in-person visits or other methods of communication that will assure the quality of the student educational experience. When appropriate, a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program;
  - (v) a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection; and
  - (vi) evaluation of each student's educational achievement by a faculty member.; and
  - (vii) sufficient control of the student experience to ensure that the requirements of the Standard are met. The law school must maintain records to document the steps taken to ensure compliance with the Standard, which shall include, but is not necessarily limited to, the written understandings described in Standard 304(c)(iii).
- (d) Credit granted for such a simulation, law clinic, or field placement course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.
- (e) Each student in such a simulation, law clinic, or field placement course shall have successfully completed sufficient prerequisites or shall receive sufficient contemporaneous training to assure the quality of the student educational experience.