Course L900
Clinical Externship
Spring Semester, 2006
law.loyno.edu/extern

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Course Description:

The educational objectives of the Extern Program are to strengthen your skills in order to enhance your competence upon initiating the practice of law.

In connection with that objective, you are expected to work on your ability to analyze and solve legal problems, evaluate legal arguments, communicate effectively in written and oral forms, set deadlines and meet them, implement a coherent and effective research strategy, and know and be able to use fundamental legal research tools. The extern experience also has as an objective to reinforce and amplify your knowledge of procedural and substantive areas of law, and the nature of legal rules and judicial institutions. Last, but not least, externs are expected to know and be able to identify ethical issues in the work they perform.

Student Responsibilities

In order to carry out the educational objectives of the Extern Program, you are required to

1) **Submit a Learning Goals Plan by February 6th**  The Learning Goals Plan is way for you to set objectives for your externship and to track the progress you have made. More information will be provided on the first night of class.

2) **Keep detailed time sheets of all extern activities.**  You must report your time by first registering at http://law.loyno.edu/extern and then using the Online Timesheet. You are expected to perform 60 hours per credit of placement work. This will work out to a little over 120 hours once you include travel, journal writing and class time.

3) **Submit bi-weekly journals.**  Journals must be submitted by e-mail by 5pm of the Friday before our class. (e.g., for class on Monday, February 6th, your journal will be due at 5 p.m. on Friday, February 3rd. **All e-mails must have the phrase “Extern Journal” in the subject line.** Please follow the attached format in preparing your journal. Your first journal is due February 3rd.

While composing your journal, please pay special attention to the upcoming seminar topic and the assigned reading for the upcoming Monday class. Give some thought to the topic and include your thoughts in your journal entry. Topics and readings are designed to enhance and compliment your extern experience.
Journals should also include summaries of assignments/cases observed (no identifying information, such as case numbers or litigant names, should be used-confidentiality at the placement must be observed at all times); discussion of any meeting had with the supervisors, including discussion of how feedback is sought and whether or not the feedback is adequate; discussion of any ethical issues encountered; discussion of observations of the judge with whom the law student works and of the attorneys practicing in his or her court, with particular attention to describing those attributes which the law student believes, based on his/her experience, are necessary and desirable to a good lawyer and judge; critical evaluation of the judicial decision-making process as observed by you; ethical issues and critical evaluation of your own work and progress.

4) **Participate in a regularly scheduled class of one hour duration.** You are required to participate in a bi-weekly seminar in addition to the work to be performed at your placement.

You will be paired with another student to conduct the discussion of one of the seminar classes. You will be assigned a partner and class date on the first night of class. This activity will require you and your partner to give serious thought to the topic and to provide the class your thoughts and insights about the topic. You should additionally do your own research, incorporating articles, websites, treatises or other information into your presentation. Please see the attached schedule of classes for more information about the topics.

5) **Other Responsibilities:** Please remember that externs receive no cash remuneration. Further, day students who participate in this course and are placed with the Louisiana Supreme Court and the United States District Court may not be employed during their work in those courts. Evening students may be employed but not for a law firm. Students who are externs for other courts or agencies may not be employed without the written permission of the supervisor as outside employment may create a conflict of interest.

**Grading**

This course is a two semester out placement with two credit hours allowed per semester. It is pass/fail. As part of the grading process, your field supervisor will be asked to evaluate your performance at the end of each semester. It is therefore important that you give some thought to seeking and obtaining feedback throughout the semester.

**Course Schedule and Topics**

As discussed above, seminar topics and readings will be assigned for each class. The readings will be available for download on the extern website, [http://law.loyo.edu/extern/](http://law.loyo.edu/extern/). Please be sure to do the reading before you write your journal entry for the class.

This is the schedule that we will follow:
January 23 – Introduction to Externship.

No Presentations.

February 6 – “Talk to Me!”: Communication Between Your Supervisors and You

Consider one of your first assignments. What problems did you have that could have been resolved more easily had you and your supervisor better communicated? What would you now do differently on a similar assignment? What have you observed in your placement about communication between attorneys; attorneys and support staff; and support staff amongst themselves?

Please also consider the feedback and support you have been given by your supervisor. Why do lawyers fail to give useful feedback to the people they supervise? What can you do to enhance the possibility of getting effective feedback? When time is an obstacle, what are some of the ways to address the problem? Feel free to incorporate previous experiences you have had in another job (legal or non-legal) into your discussion of this issue.

February 20 – “Law School Never Taught Me Anything About How To Be A Lawyer”

Part 1. Write about an experience in which your legal education was furthered by a practical experience you had in your externship. Have you been able to apply things you learned in one of your law school classes to an assignment in your externship? Are there classes you plan to add to your schedule, later on, that will reinforce what you learned in your externship? Do you find that the skills that you have acquired in law school are useful to your work in your externship? Which skills were those?

Part 2. Discuss how this externship has helped you understand what is expected of an attorney. How prepared do you feel to take on the work of an attorney? Would you like to work in a similar position/firm after graduation? Have you eliminated certain areas of practice, as a result of your externship? How would you describe your personality and how do you think it will fit within the practice of law?

March 6 – “Now You’re In Charge”: How You Would Make Your Office Better

Imagine that you are a manager within your firm/organization. Could you propose some changes that would increase efficiency, improve working conditions, and boost employee morale? Be imaginative! What are some of the barriers that currently exist? Are there motivational programs or incentives that you could develop to improve organizational output? How would you make the workplace more satisfying? What techniques might you utilize to handle employees who are slow or are not working to capacity?

March 20 – What Does the Legal System Have To Do With Justice?
This topic requires you to pick a case that you have been working on and think about how justice might be served in the case. (If you haven’t been working on a particular case, e-mail the instructor for suggestions about how you might find an appropriate case). Consider the point of view of the plaintiff and then that of the defendant. What factors shape the parties’ view of justice (e.g., profits, revenge, societal improvement, etc.)? Then take a look at the justice issue from the point of view of the judge or trier of fact. Is it easy to reconcile the parties’ competing view of justice? Is justice just about reaching a middle ground between the parties or is something else involved? If possible, relate how you might have decided the case differently from the judge and why.

April 3 – Litigants Are People Too: The Human Dimension in Law

This topic requires you to do a courtroom observation and to analyze what you see. What motives do the parties have in bringing their case? What motives do the lawyers have? Are there issues that loom large in the case even though they do not emerge in the witness testimony or pleadings, e.g., morality, race and culture, or personal gain? How do the lawyers manipulate the parties to get what they want? What role do sympathy or prejudice play in the calculations of lawyers and judges? This assignment requires you to step back from the pleadings and speculate about the people involved.

April 17 – Ethics Are Everywhere...

Discuss a real ethical dilemma that arose at your workplace. What was the process for dealing with an ethical dilemma at your placement? Describe the process used to determine how to handle the situation. Did you feel comfortable with the resolution? If you are not aware of an ethical issue, ask a member of your firm/agency what he or she does when faced with an ethical issue.

Also give consideration to behavior you may have seen that may not rise to the level of an “ethical dilemma,” but that is still cause for concern. This might include, for example, a lawyer being discourteous, citing a case as good authority when it is not, or failing to comply timely with court orders. How would or did the judge deal with this behavior? Can you suggest how it might be dealt with differently?

May 1 – Why Does the Truth Matter?

Consider the importance of truth-telling in our legal system. Why is it important to the proper functioning of the system? Or is it? What are some of the possible consequences when a litigant does not tell the truth?

How do you distinguish whether someone is merely advocating or outright lying? Can you think of a situation in which it is justified to lie on behalf of a client or cause? Can you think of an example in your externship where you thought a witness, lawyer, or judge was being less than candid? What effect did you think it had on the case?
EXTERN AGREEMENT

I agree to the following:

1. Fulfill a two semester commitment to my placement. I understand that keeping this commitment is my professional responsibility and vital in maintaining the credibility to the Law School's extern program. Failure to complete the work as agreed endangers the viability of the particular placement and the possibility that future students may be placed there. Withdrawal from the course may only be done under emergency circumstances and needs the written approval of the Associate Dean for Academic Affairs.

2. Work 12-15 hours per week for a minimum of 120 hours (2 credits) per semester. I understand there is absolutely no remuneration for extern work.

3. Report my hours on a weekly basis.

4. Attend class, participate in class discussions as appropriate, and maintain a bi-weekly journal.

5. I understand that my work consists largely of my performing legal research and writing, summarizing and analyzing legal documents and in some instances, courtroom observation. I agree to seek feedback on my work on a regular basis.

6. Maintain all work strictly confidential, and otherwise conduct myself in a moral and ethical manner, and work on projects only while supervised by an attorney.

7. I will not accept employment during the course of the externship.

_________________________________________    ________________________________
DATE        STUDENT SIGNATURE
JOURNAL FORMAT

Journals are due by 5pm of the Friday before our class. They should be e-mailed to jmitchel@loyno.edu. The subject line must read “Extern Journal.” You may send the journal in any commonly-accepted word processing format (Microsoft Word is preferred, however). If you cannot turn in your journal timely, please send an e-mail explaining why and when you plan to have it in. In all events, your journal must be delivered prior to the start of that week’s class.

Please follow the following format for the beginning of your journal entry:

STUDENT NAME
JOURNAL 1 (2, 3, ETC.)
DATES COVERED IN JOURNAL 1 (2, 3, ETC.):
DATE SUBMITTED:

[Journal entry begins….]