



NORTHERN ILLINOIS UNIVERSITY

College of Law

EXTERNSHIP HANDBOOK

Spring 2019

Director of Externships: Justice Jack O'Malley
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Thanks to Fordham University School of Law and the Bay Area Consortium of Externships (BACE) for the handbooks they posted on lexternweb.law.edu which served as guidance in developing this handbook.

**NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
SUPERVISOR CHECKLIST and IMPORTANT DATES**

- Read through Explanation of Program/Supervisor Guidelines.
- Read ABA Standard 303(a) and Standard 304(c).
- Read Illinois Rule 711.
- Read and sign the Supervisor Agreement, and return it to the Director of Externships **promptly**.
- Go through the Extern Schedule. The extern will be responsible for giving this document to the Director of Externships.
- Go over the extern's Statement of Goals with the extern and sign it. The extern will be responsible for giving the signed document to the Director of Externships.
- Complete the mid-semester evaluation and email it to the Director of Externships by **Monday, March 18, 2019**.
- Complete the final evaluation and email it to the Director of Externships by **Friday, May 3, 2019**.

Supervisors may send documents and information to the director at
lawexternship@niu.edu.

**NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
EXTERN CHECKLIST and IMPORTANT DATES**

- Read through Explanation of Program/Supervisor Guidelines.
- Read ABA Standard 303(a) and Standard 304(c).
- Read Illinois Rule 711.
- Go through the Extern Schedule with your supervisor. You are responsible for returning it to the Director of Externships **promptly**.
- Go over the Statement of Goals with your supervisor. You should both sign this document, and you are responsible for returning the signed document to the Director of Externships **promptly**.
- On or around **March 11**, be sure to speak with your supervisor about their mid-semester evaluation of you.
- Please turn in your mid-semester self-evaluation when by **Monday, March 18, 2019**.
- On or around **April 30, 2019**, be sure to speak with your supervisor about their final evaluation of you.
- Complete your final self-evaluation and turn it in to the Director of Externships by **Friday, May 3, 2019**.

EXPLANATION OF PROGRAM/SUPERVISOR GUIDELINES

INTRODUCTION

Thank you for volunteering to supervise law externs from Northern Illinois University College of Law. We trust that this will be an enriching experience for you, your organization and our students. This manual is intended to offer guidance to supervising attorneys, as well to provide the necessary evaluation forms and deadlines.

PURPOSE OF EXTERNSHIPS

Externships provide a rich opportunity for law students to apply the knowledge they have gained at school to a real-world setting in which attorneys are engaged in the practice of law. This type of learning is often referred to as “experiential learning,” in which a student “will apply and test the theoretical and empirical knowledge that [they] gained through reading in other law school courses or elsewhere. Experiential learning in law school offers an added dimension of personal experience with lawyers and lawyering.”¹ Because of the benefits of experiential learning, and help from employers like you, we offer students numerous opportunities.

EDUCATIONAL OBJECTIVES

The following are the educational objectives we have for our students’ externship experiences:

A. Lawyering Skills

Externships provide a wonderful opportunity for students to gain hands-on lawyering experience. Students are able to hone legal skills such as client interviewing, drafting memoranda of law, courtroom advocacy (for students who have a 711 license), drafting pleadings, performing legal research and myriad other experiential tasks.

B. Career Development

Through externships, law students are able to explore different areas of law and legal practice. This is very beneficial as they decide on the area of law they would like to practice following graduation.

C. Community Needs

Students are also able to learn about the legal needs in various communities through their externship placements. This provides a rich opportunity for students

¹ Ogilvy, Wortham and Lerman, Learning from Practice: A Professional Development Text for Legal Externs (2007)

to not only learn about the technical aspects of the practice of law, but also to learn how the law impacts individuals and communities.

D. The Legal System

Through externships, law students gain a better understanding of the legal system and how lawyers advocate within the system.

E. Ethics

Externships also provide an important opportunity to learn about ethical issues that may arise in a legal workplace setting and the ways in which attorneys confront and address those ethical issues in their legal practice.

STANDARDS GOVERNING NIU COLLEGE OF LAW'S EXTERNSHIP PROGRAM

A. ABA Standards 303 and 304

ABA Standards 303 and 304 provide a framework for experiential learning outside the classroom. Specifically, Standard 303 states, in part:

- (a) A law school shall offer a curriculum that requires each student to satisfactorily complete at least the following:
 - (3) One or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, a law clinic or a field placement. To satisfy this requirement, a course must be primarily experiential in nature and must:
 - (i) Integrate doctrine, theory, skills, and legal ethics; and engage students in performance of one or more of the professional skills identified in Standard 302:
 - (ii) Develop the concepts underlying the professional skills being taught [if you know what this means, tell us].
 - (iii) Provide multiple opportunities for performance.
 - (iv) Provide opportunities for self-evaluation.

ABA Standard 304 sets out specific requirements for a field placement course. It states, in part:

- (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.
- (vi) Evaluation of each student's educational achievement by a faculty member.
- (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).

B. Article VII Illinois Rules on Admission and Discipline of Attorneys (Rule 711)

Under Rule 711, law students who have completed one-half of the total hourly coursework for graduation and who are in good academic standing may engage in representation as a "senior law student" under the supervision of an attorney licensed to practice law in the State of Illinois.

According to Rule 711(b), these services may only be carried out with the following organizations/programs:

- (1) A legal aid bureau, legal assistance program, organization or clinic chartered by the State of Illinois or approved by a law school approved by the American Bar Association.
- (2) The office of the public defender.
- (3) A law office of the State or any of its subdivisions.

C. Classroom Component

Students who are using their externship to meet the experiential graduation requirement will meet with appropriate faculty to comply with ABA Standard

304(c)(v). In addition, students are required to submit both a self-evaluation at semester midpoint and a final evaluation to further reflect upon their experiences at their placement.

D. Coursework/Credit Hour Requirements

Students receive three hours of credit for externship placements, which requires that they work at their field placements **168 hours over the course of the summer, including a period of at least seven weeks in which the extern works a minimum of 16 hours per week.** Students receive an additional credit for the seminar they are required to attend each week. Additionally, prior to enrolling in an externship, students must have taken or be taking NIU's Lawyering Skills and Professional Responsibility courses. For some externships, students also must have fulfilled the eligibility requirements for a 711 license.

RESPONSIBILITIES OF SUPERVISING ATTORNEYS

Supervising attorneys play a critical role in the field placement experience. In this sense, you are teachers as well as practitioners. Externs rely on meaningful feedback throughout the semester to learn and grow as law students and future attorneys.

A. Supervisor Agreement

At the outset, supervising attorneys need to complete the Supervisor Agreement form (attached).

B. Extern Schedule

Supervisors and externs also should review the Extern Schedule (attached) and agree upon a schedule for the semester.

C. Goals/Expectations

At the start of the externship, externs are required to submit to the supervising attorney a statement of goals for the semester (see Statement of Goals Form, attached). Subsequently, the supervising attorney and extern should meet to discuss these goals and how the extern can fulfill them during the semester. The final version of these goals should be approved and signed by the supervising attorney.

D. Attorney Availability

The supervising attorney should be in the office and available to the extern when the extern is at the placement site. If the supervising attorney is not available, another attorney should be present to answer questions or concerns the extern may have.

E. Assignments

Externs should be provided with meaningful assignments to fulfill the educational goals listed above. Externs should not be asked to perform clerical duties during their externship anymore than a supervising attorney would perform such duties.

Assignments should be articulated clearly and include a time frame for completion. Please remember to allow for more time than it would take attorneys to complete the assignment. It is helpful to be as specific as possible about the assignment and to give initial guidance about how an extern may begin the assignment.

F. Mid-Semester and Final Written and Oral Evaluations

The evaluation component of the externship program is extremely important. It is essential that the evaluations be completed in a timely manner and returned to the Director, and the supervising attorney should meet with the extern to discuss the evaluations. Positive feedback, as well as areas for improvement, should be conveyed to the extern. It also may be helpful, but is not required, to have the extern perform a self-evaluation prior to your own evaluation (self-evaluation attached in this handbook).

G. Confidentiality and Professional Responsibility

Supervising attorneys should discuss with externs confidentiality and any other ethics issues. If the student has a 711 license, please reinforce to the student that the title they should use is “Senior Law Student.” Otherwise, please reinforce that the student should use a title that conveys that they are not an attorney.

AGENCY/OFFICE/ORGANIZATION REQUIREMENTS

A. Prior to the Arrival of Extern

Determine the work space that will be available to the extern – e.g., desk, computer and phone. Gather information that the extern will need to work such as computer passwords, copier codes, office manuals and establish an email account for the extern, if necessary. Also, determine what support staff will be available to the extern. It is helpful to have an assignment ready for the extern’s first day so that the extern can begin work as soon as possible.

B. First Day of Arrival

Be sure that you or someone shows the extern around the office, just as you would a first-day employee. Discuss the mission of the organization/agency with the extern and how the extern can help carryout that mission during semester. Explain office protocol such as attendance, punctuality, dress code, emergency procedures and confidentiality. Establish a schedule for when the extern will come to the office each week and make sure that this is a time when the supervising attorney(s) will be present (see Extern Schedule, attached).

C. Throughout the Externship

Incorporate the extern into the office environment as much as possible – e.g., staff meetings and lunches. Externships are a great opportunity for students to develop professional relationships and also to get a “feel” for an office environment and culture. Attorneys within the office should meet with the extern frequently to touch base and allow the extern to get to know the attorneys better.

D. Concerns

Should you have any concerns at any point, please feel free to contact the director:

Justice Jack O’Malley (Ret.)
Director of Externships/Visiting Professor of Law
NIU College of Law-Swen Parson Hall – Room 197E
DeKalb, IL 60115
lawexternship@niu.edu

Thank you again for your service to our students. As a supervising attorney, we hope that it will be a positive experience for you as well.

SUGGESTED READINGS/ RESOURCES

Alexis Anderson, Arlene Kanter & Cindy Slane, *Ethics in Externships: Confidentiality, Conflicts, and Competence Issues in the Field and in the Classroom*, 10 Clin. L. Rev. 473 (2004).

James H. Backman, *Externships and New Lawyer Mentoring: The Role the Practicing Lawyer is Filling in Educating Lawyers*, 24 BYU J. of Public Law 1 (2009).

Cynthia Batt & Harriet N. Katz, *Confronting Students: Evaluation in the Process of Mentoring Student Professional Development*, 10 Clin. L. Rev. 581 (2004).

Kathleen Connolly Butler, *Shared Responsibility: the Duty to Legal Externs*, 106 W. Va. L. Rev. 51 (2003).

Liz Ryan Cole, *Training the Mentor: Improving the Ability of Legal Experts to Teach Students and New Lawyers*, 19 N.M. L. Rev. 163 (1989).

Daniel J. Givelber, Brook J. Baker, John McDevitt & Robin Miliario, *Learning Through Work: An Empirical Study of Legal Externship*, 45 J. Legal Educ. 1 (1995).

Neil Hamilton and Lisa Montpetit Brabbit, *Fostering Professionalism Through Mentoring*, 57 J. Legal Educ. 102 (2007).

Peter A. Joy, *Evolution of ABA Standards Relating to Externships: Steps in the Right Direction?*, 10 Clin. L. Rev. 681 (2004).

Susan K. McClellan, *Externships for Millennial Generation Law Students: Bridging the Generation Gap*, 15 Clin. L. Rev. 255 (2009).

James E. Moliterno, *On the Future of Integration Between Skills and Ethics Teaching: Clinical Legal Education in the Year 2010*, 46 J. Legal Educ. 1 (1996).

J. P. Ogilvy, Leah Wortham & Lisa G. Lerman, *Learning from Practice: A Professional Development Text for Legal Externs* 2d ed.(Eagan, MN: Thomson/West 2007). (This is the text the externship students will be required to purchase).

Nancy M. Maurer and Robert F. Seibel, *Addressing Problems of Power and Supervision in Field Placements*, 17 CLIN. L. REV. 145 (2010).

Carolyn R. Young & Barbara A. Blanco, *What Students Don't Know Will Hurt Them: a Frank View from the Field on How to Better Prepare Our Clinic and Externship Students*, 14 Clin. L.Rev. 105 (2007).

NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
SUPERVISOR AGREEMENT

Name of Student Extern: _____

Name of Externship Placement Organization: _____

Name and Title of Supervising Attorney: _____

Supervising Attorney's Email Address: _____

Supervising Attorney's Telephone Number: _____

1. I have read NIU College of Law's Externship Explanation of Program/Supervisor Guidelines.
2. I accept primary responsibility for the extern and will supervise the extern throughout the semester.
3. I will inform the extern regarding office policies, rules and procedures at the beginning of the externship.
4. I will ensure that a suitable working environment is provided for the extern.
5. I agree to give legal tasks that utilize the extern's legal skills. I also agree that I will not rely on the extern for office clerical tasks – e.g., copying and filing.
6. I will not ask the extern to work more than 40 hours in a week.
7. I will meet with the extern the first day to discuss the extern's Statement of Goals. I will approve these goals if they are ones that can be met over the course of the semester. I will also discuss with the extern the experiences and activities that are available for the extern to fulfill these goals.
8. I will perform and submit to the Director of Externships a written mid-semester evaluation of the extern. The extern and I will meet after I have completed the

written evaluation to discuss it. At this time, we will also discuss the progress in meeting the goals listed in the Statement of Goals.

9. I will perform and submit to the Director a written final evaluation of the extern, and after completing the evaluation, the extern and I will meet to discuss it.
10. I certify that I am an active member of the Illinois Bar or the bar of another state.
11. I have read and understand the ABA Rules relating to externships and Illinois Rule 711.

(Signature of supervising attorney)

(Date)

Please return to the Director of Externships by the due date indicated in the Checklist and Important Dates in the Externship Handbook. You may email the form to lawexternship@niu.edu.

**NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
EXTERN SCHEDULE**

The extern and externship supervisor agree that the extern will work the following days/hours each week:

These hours can be changed as long as both the extern and supervisor agree to the change.

The extern and supervisor understand that the extern must work at least 168 hours over the course of the summer at the externship placement, including a period of at least seven weeks in which the extern works a minimum of 16 hours per week, and that the student will not work more than 40 hours in a week.

During the semester, the following are the extern's classes and academic commitments:

Name of Class:

Day/Time:

Please return to the Director of Externships by the due date indicated in the Checklist and Important Dates in the Externship Handbook. You may email the form to lawexternship@niu.edu.

**NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
EXTERN STATEMENT OF GOALS**

Name of Student Extern: _____

Name of Externship Placement Organization: _____

Name and Title of Supervising Attorney: _____

1. Identify five goals for the externship and indicate how the externship experience will aid the student in reaching these goals. Use extra space below, or additional sheets, as needed.

1. _____

2. _____

3. _____

4. _____

5. _____

(Signature of supervising attorney)

(Date)

(Signature of extern)

(Date)

Please return to the Director of Externships by the due date indicated in the Checklist and Important Dates in the Externship Handbook. You may email the form to lawexternship@niu.edu.

Please review these goals mid-semester to ensure that you are on the path toward meeting the goals by the end of the semester.

**NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
MID-SEMESTER EVALUATION OF EXTERN**

Name of Student Extern: _____

Name of Externship Placement Organization: _____

Name and Title of Supervising Attorney: _____

Please feel free to use additional space if needed. If any of the questions do not apply to the work performed by the extern, please indicate so with a "N/A." Also, please discuss this evaluation with the extern after its completion.

1. Please describe the overall quality of the extern's work thus far. What are the extern's strengths and areas for improvement?

2. Does the extern complete tasks in a timely fashion? If not, please explain.

3. Please evaluate the extern's writing skills using the following scale:

- 1 = poor
- 2 = improvement needed
- 3 = satisfactory
- 4 = good
- 5 = excellent

Clarity: 1 2 3 4 5

Persuasiveness: 1 2 3 4 5

Grammar: 1 2 3 4 5

Use of legal citations: 1 2 3 4 5

4. Please evaluate the extern's legal research skills using the following scale:

- 1 = poor
- 2 = improvement needed
- 3 = satisfactory
- 4 = good
- 5 = excellent

Thoroughness:	1	2	3	4	5
Effectiveness:	1	2	3	4	5
Completeness:	1	2	3	4	5

5. Please describe the extern's ability to interview and counsel clients.

6. Please evaluate the extern's oral advocacy and communication skills using the following scale:

- 1 = poor
- 2 = improvement needed
- 3 = satisfactory
- 4 = good
- 5 = excellent

Clarity:	1	2	3	4	5
Persuasiveness:	1	2	3	4	5
Ability to Articulate Legal Arguments:	1	2	3	4	5

7. Please describe the extern's ability to establish and maintain professional relationships both within and outside the office.

8. Please describe the extern's ability to recognize ethical issues and resolve those issues appropriately.

9. Please evaluate the extern using the following scale:

- 1 = poor
- 2 = improvement needed
- 3 = satisfactory
- 4 = good
- 5 = excellent

Dependability: 1 2 3 4 5

Reliability: 1 2 3 4 5

Motivation: 1 2 3 4 5

10. Does the extern participate in strategizing and thinking critically about the matters on which the extern is working? Please explain.

11. Please provide any additional comments you wish.

12. Please note the skills that you would like the extern to improve upon during the remainder of the semester.

(Signature of supervising attorney)

(Date)

(Signature of extern)

(Date)

Please return to the Director of Externships by the due date indicated in the Checklist and Important Dates in the Externship Handbook. You may email the form to lawexternship@niu.edu.

**NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
EXTERN MID-SEMESTER SELF-EVALUATION**

**EXTERNS SHOULD COPY AND PASTE THESE QUESTIONS IN A
SEPARATE WORD DOCUMENT, TYPE ANSWERS and email it to
Justice Jack O'Malley at lawexternship@niu.edu**

Name of Student Extern:

Name of Externship Placement Organization:

Name and Title of Supervising Attorney:

If any of the questions do not apply to the work performed by you, please indicate so with a "N/A."

1. Please describe your duties and assignments at your externship placement up until this point in the semester.
2. Do you think you will be able to accomplish the goals that you listed on your "Statement of Goals?" Please explain.
3. Do you feel that your time is well spent while working at your placement site? Please explain.
4. Are you satisfied with the supervision that you are receiving at your externship placement site? Please explain.
5. How would you evaluate your work performance thus far?
6. What areas do you think are in need of improvement?
7. How might you be able to improve upon those skills the remainder of the semester?
8. If you have any additional comments, please feel free to discuss them here.

Please return to the Director of Externships by the due date indicated in the Checklist and Important Dates in the Externship Handbook. You may email the form to lawexternship@niu.edu.

4. Please evaluate the extern's legal research skills using the following scale:

- 1 = poor
- 2 = improvement needed
- 3 = satisfactory
- 4 = good
- 5 = excellent

Thoroughness:	1	2	3	4	5
Effectiveness:	1	2	3	4	5
Completeness:	1	2	3	4	5

5. Please evaluate the extern's ability to interview and counsel clients.

6. Please evaluate the extern's oral advocacy and communication skills using the following scale:

- 1 = poor
- 2 = improvement needed
- 3 = satisfactory
- 4 = good
- 5 = excellent

Clarity:	1	2	3	4	5
Persuasiveness:	1	2	3	4	5
Ability to Articulate Legal Arguments:	1	2	3	4	5

7. Please describe the extern's ability to establish and maintain professional relationships both within and outside the office.

8. Please describe the extern's ability to recognize ethical issues and resolve those issues appropriately.

9. Please evaluate the extern using the following scale:

- 1 = poor
- 2 = improvement needed
- 3 = satisfactory
- 4 = good
- 5 = excellent

Dependability: 1 2 3 4 5

Reliability: 1 2 3 4 5

Motivation: 1 2 3 4 5

10. Does the extern participate in strategizing and thinking critically about the matters on which the extern is working? Please describe.

11. Please provide any additional comments you wish.

12. Is there any reason that the extern should not receive credit for the externship? If yes, please explain.

13. What advice do you have regarding the extern's future professional development?

(Signature of supervising attorney)

(Date)

(Signature of extern)

(Date)

Please return to the Director of Externships by the due date indicated in the Checklist and Important Dates in the Externship Handbook. You may email the form to lawexternship@niu.edu.

**NIU COLLEGE OF LAW
EXTERNSHIP PROGRAM
EXTERN FINAL SELF EVALUATION**

EXTERNS SHOULD COPY AND PASTE THESE QUESTIONS IN A SEPARATE WORD DOCUMENT, TYPE ANSWERS and email it to the Director of Externships at lawexternship@niu.edu

Name of Student Extern:

Name of Externship Placement Organization:

Name and Title of Supervising Attorney:

If any of the questions do not apply to the work performed by you, please indicate so with a "N/A."

1. Please describe your duties and assignments at your externship placement during the semester.
2. Were you able to accomplish the goals that you listed on your "Statement of Goals?" If so, how were you able to meet these goals? If not, please explain.
3. Did your goals change throughout the semester? Please explain.
4. Did you feel that your time was well spent throughout the semester? Please explain.
5. Were you satisfied with the supervision that you received at your externship placement site? Please explain.
6. How would you evaluate your work performance at your externship placement?
7. What legal skills did you improve upon while at your externship placement?
8. Did your externship experience help you learn about professionalism and legal ethics? Please describe.
9. How have your career goals been influenced by your externship experience?
10. Would you recommend this externship placement for other students? Why or why not?

Please return to the Director of Externships by the due date indicated in the Checklist and Important Dates in the Externship Handbook. You may email the form to lawexternship@niu.edu.