

University of St. Thomas School of Law  
Judicial Externship Course  
Syllabus  
Fall – 2010  
Monday's from 5:00 to 5:55 p.m.  
Room 324

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## INTRODUCTION

The purpose of the judicial externship program is to offer students an opportunity to learn about the judicial process, the role of judges and judicial clerks under the direct supervision of a state or federal judge or justice. Judicial externs will have the opportunity to study the process by which judicial decisions are made as well as gain insight into the various legislative and policy considerations that influence judicial decisions. Judicial externs will assist the judge or justice by providing legal research, analysis and individual viewpoints regarding the issues in the cases before the court.

The program will require time commitment both in the field and classroom components, level of quality of the expected work product and the degree of professionalism required. Judges will expect students to have excellent legal research and analytical skills. Judges will also expect students to be able to express their opinions about the issues under consideration. Students must be certain they are prepared to commit to the work, the challenges, and the hours by organizing their lives in such a manner as to avoid the need to drop the externship course.

Dropping the externship will obviously upset the Judge's calendar. Judges in some cases will have planned to count on the extern's assistance in meeting the workflow demands. Therefore, special rules for dropping the course will apply to the judicial externship program. The drop procedures will be different than those described in Rule III (B)(2) of the law school policies.

My goal is to have the classroom experience be as flexible as possible to meet student needs. Students should take the initiative to review the schedule of topics listed and suggest a different arrangement either for themselves or the class as a whole in order to meet course objectives. In addition, students should also view the classroom as a workshop to discuss issues related to their field assignments with which they may need assistance or simply a sounding board to assist with further reflection or problem solving. The classroom is designed to provide each student the maximum amount of support with identifying ways to improve the extern experience.

## **CREDITS AND GRADING**

Students will receive three (3) law school credits for their work in the judicial extern program. The total time commitment will be 150 hours between the fieldwork and the classroom hours. The course will be graded pass/fail. The grade will be based on attendance, a final presentation/paper, and a final evaluation from the supervising judge or justice. The student who does not complete the classroom and fieldwork portions of the program will receive a failing grade.

1. **Class Attendance and Participation: 25% of grade.** Class attendance and participation is mandatory. Each student is expected to be prepared to offer thoughts and to respond to questions asked about the reading assignments. A student will be dropped from the externship program if he or she has more than two unexcused absences. The class will be organized in such a manner as to review topics covered in the previous classes and to work with students on their presentations/papers as well as assist with any issues or problems related to the field experience. Attendance will be kept in order to ensure that each student complies with the hourly class requirement.
  
2. **Journaling/Activity Logs/Time Sheets: 25% of grade.** As a means to evaluate the program each student will maintain journals & logs of activities with regard to the fieldwork. The Journal should describe in sufficient detail each assignment given the student by the judge or justice. The log should describe how much time the student spent on each assignment given the student by the judge or justice. In addition the journal should describe the student's involvement in conferences with the judge or justice as well as the student's observations of hearings, trials, motions, conferences involving the judge or justice and attorneys, negotiations, settlements, etc. Here again, the student should include the amount of time spent observing these various activities.

Students must submit copies of their activity logs & journals every two weeks. The journal must provide a clear picture of the activities the student has been working on and the amount of time spent. However, the journal must not provide any identifying information about the client or cases, confidential information, or information that might violate attorney-client privilege. The judge or justice supervising the student or their designee must sign each activity log report submitted by the student to the instructor. Activity log sheets will be provided to you for the purpose of keeping track of your activities.

3. Field Supervisor Evaluation: 50% of grade. The student will be evaluated at the conclusion of the externship based on the supervisor's evaluation of the student's:
  - a. Research ability
  - b. Legal and analytical skills
  - c. Intellectual capacity and creativity
  - d. Writing skills
  - e. Oral expression
  - f. Common sense, judgment and ability to set priorities
  - g. Initiative and responsibility
  - h. Ability to relate well and effectively with co-workers and clients
  - i. Enthusiasm, temperament, office demeanor and behavior.

### **JUDICIAL EXTERNSHIP SEMINAR**

Required text: Ogilvy, Worthan, Lerman, et al, Learning from Practice: A Professional Development Text for Legal Externs (Second Edition 2007).

There will also be hand-outs in class provided by the instructor which will be given in advance of any class discussion on the particular issue. These hand outs must be read prior to the next class and will be tied into certain guest speakers and topics.

The seminar offers students an opportunity to understand the working of the judicial system as well as the challenge of maintaining the judiciary as a trusted and respected institution of government. As importantly, the seminar affords students another opportunity to work on formation. Formation, in this context means that students will be able to consider the compatibility of their ethics, values, faith, or passion for social justice as it relates to their image of the kind of lawyer or judge they hope to become.

The judicial externship will enhance student learning and growth to the extent that the student engages in self-reflection. The student presentation/paper is designed to provide the student with an opportunity to engage in that reflection and creatively share the results with the rest of the class.

### **OUTLINE OF CLASSROOM COMPONENT**

Session One – Class organization – Role of Judges/Staff and other Court Personnel

Session Two – Jury Trials Civil/Criminal; Meet the Judge and Establish Fieldwork Schedule.

Session Three – Read Chapter 1: Learning from Experience  
Chapter 12: Learning from Observation

Session Four – Read Chapter 2: Setting Goals for the Externship  
Chapter 11: Journals

Session Five – Read Chapter 3: Learning from Supervision  
Chapter 15: Management Skills

Session Six – Read Chapter 14: Skills Development  
Chapter 17: Balancing Personal Life and Professional Life

Session Seven – Read Chapters 4, 5, 6 & 7: Ethical Issues  
“Judges behaving badly, what do you do?”

Guest Speaker: Lawyers Board of Professional Responsibility  
Board of Judicial Standards

Session Eight – Read Chapter 16: Bias in the Legal Profession

Guest Speaker: Racial Bias and Gender Fairness Task Force  
Reports and Findings.

Session Nine – Read Chapter 19: Class Presentations

Guest Speaker (TBA)

Session Ten – “Who runs this place anyway?”

Guest Speakers: Court Administrators

Session Eleven – Read Chapter 18: Career Planning: Externships and Career Planning

Guest Speakers: Attorney Panel

Session Twelve – Class Presentations

Session Thirteen – Class Presentations

## **COMPENSATION**

Students shall receive no compensation for the work performed as a part of the judicial externship program. This rule does not preclude reimbursement of incidental out of pocket expenses related to the field placement.

**Note:**

Classroom accommodations will be provided for qualified students with documented disabilities. Students are invited to contact the Enhancement Program – Disability Services about accommodations for this course within the first two weeks of the term. Telephone appointments are available to students as needed. Appointments can be made by calling (651)962-6315 or (800)328-6819, ext. 6315. You may also make an appointment in person in O’Shaughnessy Educational Center, room 119. For further information, you can locate the Enhancement Program on the web at <http://www.stthomas.edu/enhancementprog/>.