



# **Externship Program Handbook**

**Table of Contents**

A. Introduction ..... 3

B. Externship Program Rules and Requirements ..... 3

    1. Eligibility

    2. Site Selection, Academic Rules, and Conflicts of Interest

    3. Credits

    4. Academic Requirements

    5. Grading

    6. Requests for Withdrawal

C. Externship Placement Types ..... 6

    1. Judicial

    2. Government, Public Interest, and Corporate

    3. Independent Externship

D. Application Procedures ..... 7

    1. Overview, Pre-Application, and Deadlines

    2. Application Process for Judicial Placements

    3. Application Process for Government, Public Interest, and Corporate Placements

    4. Application Process for Independent Placements

E. Registering for an Externship ..... 10

F. Ohio Legal Intern Certificate ..... 10

G. Evaluations ..... 11

Appendix A – American Bar Association Standard 304.....12

Appendix B – Independent Externship Policies and Procedures Memorandum.....14

Appendix C – Site Supervisor, Faculty Supervisor, and Student Extern Agreement.....17

## **A. Introduction**

The externship program provides students the opportunity to obtain practical legal experience while earning course credit. Our externships provide students a setting where, under close supervision of an attorney or judge and with a faculty mentor/guide, they contribute to the ongoing work of the externship site, giving students the chance to learn the law by being active participants in the legal process. We also seek to ensure that externs are afforded the opportunity to observe legal proceedings in which the office is engaged in order to receive the broadest possible exposure to the legal system. Students will also set learning goals for their externship, attend seminars, submit timesheets, and interact with faculty who will guide and assist them with learning from their experience. Externships are regulated by the American Bar Association’s Standards for Legal Education.<sup>1</sup>

Some externships will allow (or may require) students to obtain a Legal Intern Certificate, which affords students the opportunity to appear and represent clients in court, under the supervision of a licensed attorney.

Cleveland-Marshall College of Law currently has more than 40 externship placement locations, including government agencies at the federal, state, and local level; judicial chambers; non-profit and public interest organizations; and corporations. Most sites participate in our program year-round, though some participate only in certain semesters.

The Office of Career Strategy & Employment (“OCSE”) coordinates the externship application process using a Pre-Application webform and CareerConnect. Please read Section D, Application Procedures, in this handbook for full details and instructions for applying to externship sites.

## **B. Externship Program Rules and Requirements**

### **1. Eligibility**

A student must be currently enrolled at Cleveland-Marshall College of Law and have completed the required first-year curriculum,<sup>2</sup> have a GPA of 2.25 or better, and obtain approval of the supervising attorney at the site. Some externships have additional requirements such as background investigations, additional required courses, or a different minimum GPA.

Students must complete an Externship Pre-Application by the specified deadline date for the desired externship semester. Students who do not complete the Pre-Application by the stated deadline will not be permitted to participate in the externship program for that semester. A late Pre-Application will only be accepted in extraordinary circumstances. Students must also meet with an OCSE Advisor before applying to individual externship sites.

### **2. Site Selection, Academic Rules, and Conflicts of Interest**

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<sup>1</sup> Externships (called Field Placements by the ABA) are required to provide the educational experience set forth in Standard 304 which is attached in Appendix A.

<sup>2</sup> The required first-year curriculum is 29 academic credits and consists of the following courses: Civil Procedure, Contracts, Criminal Law, Legislation and Regulation, Property, Torts, and Legal Research, Writing and Advocacy.

To ensure that each student has an appropriate externship experience and to comply with ABA Standards as well as the Ohio Rules of Professional Conduct, the externship program has several requirements and restrictions. The requirements and restrictions are as follows:

A. No student participating in the externship program may request or accept compensation from the placement site. Under certain circumstances students may be reimbursed for out of pocket expenses they incur in carrying out their duties at the placement sites.

B. Students may not participate in an externship and a clinic during the same semester. See Academic Regulation 4.8.

C. Students may not extern at the same organization more than once unless the student will have a substantially different experience and the Clinical Faculty approve. For example, a student who externed in the Juvenile Division of the County Prosecutor's Office may, with faculty approval, extern in the Felony or Appellate Division. Students may enroll in more than one judicial externship, but each externship must be in a different court system.

D. Students may not extern with their current employer.

E. Students may not extern at a former employer or organization where they volunteered or served as a Fellow unless the student and the organization agree that the student will have substantially different experience and the Clinical Faculty approve.

F. Students may not enroll in more than one externship per semester.

G. Students may only enroll in a total of 17 credits in externships and clinics throughout their law school career. See Academic Regulation 4.3.

H. Students may not enroll in externships that will result in a conflict of interest including, but not limited to:

1. Simultaneous work for a public defender's or prosecutor's office and a judicial externship in the same court system;
2. A judicial externship in a court if the student or a member of the student's immediate family is involved in a case pending before the court;
3. Such other work or circumstances determined to constitute a conflict by the site or the Clinical Faculty.

Students have an on-going responsibility to report potential conflicts of interest throughout their externship experience. Once students begin their externship, they are required to report any change of employment or other change in circumstance which might result in a potential conflict of interest to their Clinical Faculty Advisor.

Students who do not adhere to the rules and requirements of the externship program may (1) be prohibited from participating in future externships, (2) not be granted academic credit, and (3) fail the externship course.

### **3. Credits**

Students must complete 50 hours of fieldwork for each academic credit (see chart below). Each student should consult with the Externship Site to jointly determine how many hours of fieldwork will be available during a semester. Students are required to set a work schedule with their Site Supervisor. We suggest that students plan to schedule at least a five-hour long work day at their site.

Number of Credits	Total Work Hours	Suggested Hours Per Week – Summer Semester	Suggested Hours Per Week – Fall & Spring Semesters
3	150	21.5	10
4	200	28.5	14
5	250	36	17
6	300	43 <sup>3</sup>	20

#### 4. Academic Requirements

Students are required to attend a mandatory orientation held by the Clinical Faculty at the beginning of the semester. Students will be notified of externship orientation dates by email. Students are also required to enter into a written agreement with their site supervisor and their Clinical Faculty Advisor that sets forth each person’s obligations during the externship experience. A copy of the Agreement is attached in Appendix C. Students are also required to submit weekly timesheets, complete written assignments, attend meetings with their Faculty Advisor and peers, and participate in a final group discussion about their externship experience.

#### 5. Grading

The externship course is graded on a Pass/Fail basis. The grade is based on several course requirements:

- a. Compliance with the rules and requirements of the externship program;
- b. Satisfactory completion of the requisite number of fieldwork hours;
- c. Satisfactory completion of timesheets and written assignments;
- d. Satisfactory participation in externship seminars and presentations;
- e. Receipt of Site Supervisor’s evaluation of your work (which must be satisfactory); and
- f. Receipt of the student’s evaluations of the externship and the course.

#### 6. Requests for Withdrawal

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<sup>3</sup> We suggest that students taking 6 credits during a Summer semester plan on completing their work hours over 9 weeks versus the 7 week semester. Spreading the hours over 9 weeks would result in working 33.5 hours per week.

An application to the externship program is a commitment. Requests to withdraw an application are strongly discouraged. The process for withdrawing from participation in the externship program varies depending on the type of site that a student has applied to and the time at which the student wishes to withdraw.

Government/Public Interest/General Counsel Externships. Students wishing to withdraw their applications after the application deadline must contact the Office of Career Strategy & Employment for permission. Once the OCSE has granted a student permission to withdraw, the student must contact the site directly to withdraw their application. The OCSE must approve the wording of the student's email to the site asking to withdraw and be copied on the email.

Judicial Externships. Because the application process for Judicial Externships is different from the application process for other sites, the Office of Career Strategy & Employment will allow students to withdraw applications to judicial externships only prior to the application deadline date.<sup>4</sup>

Withdrawal After Application Deadline or Acceptance. Because externship sites rely on commitments made by our students, withdrawal after your application has been accepted by the site or after an application deadline has passed should only be requested under **extraordinary circumstances**. Because many of our sites engage in lengthy background checks, withdrawing after a site has accepted you as an extern or after an application deadline has passed may result in the site not having an extern that semester and may also prevent another student from externing at the site that semester. Any student wishing to withdraw an application after an application deadline or after the site has accepted the application must obtain OCSE's approval to withdraw before contacting the site. The OCSE must approve the wording of the student's email to the site asking to withdraw and be copied on the email.

## C. Externship Placement Types

A complete listing of all currently approved externship placement sites may be accessed on OCP's webpage. Students wishing to pursue an externship with an organization or judge not listed on OCP's webpage will need to follow the instructions in Appendix B for requesting approval of an Independent Externship.

### 1. Judicial Externships

During Judicial Externships, externs are integrated into the work of the judge's chambers: writing bench memos, drafting opinions, researching issues during trials, observing settlement conferences and mediations. Students also have the opportunity to observe proceedings in the courthouse, which may include trials, sentencing hearings or oral arguments.

### 2. Government, Public Interest, and Corporate

These externships are placements with public interest, governmental, non-profit or for-profit entities that provide opportunities for students to gain experience in a wide-ranging selection of practice areas and practice settings. During an externship, a student may have the opportunity to delve into substantive areas of

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<sup>4</sup> Students apply for judicial externships by choosing the type of court (federal district, state appellate, common pleas, probate) and OCP matches the student with available judges.

law; investigate claims; research and write motions or briefs; draft contracts; participate in hearings; or observe trials, hearings, settlement conferences, or negotiations.

### 3. Independent

C-M Law encourages students to pursue externships that relate closely to their professional goals. Frequently, this can be achieved through placement in an existing externship. From time to time, however, students seek a more particularized experience. C-M Law supports students in their exploration of alternative placements by permitting students to request that an externship be completed at an Independent Externship site. The goals of the Independent Externship are to provide flexibility regarding the placement opportunities available for students while simultaneously maintaining C-M Law's high standards for externships. We expect students to engage in work and receive supervision comparable to that of students in other externships. Please see Appendix B of this Handbook for full instructions on applying for an Independent Externship.

## D. Application Procedures

### 1. Overview, Pre-Application, and Deadlines

All students (including those seeking an Independent Externship) must complete an Externship Pre-Application prior to the deadline date for the semester they intend to complete an externship. ***These deadlines are constant and non-negotiable. Students not submitting a Pre-Application prior to the deadline will NOT be eligible to participate in an externship during that term except under extraordinary circumstances.*** The Pre-Application is available online at: <https://goo.gl/forms/RIK7SO9QI01jbGYW2>

The Pre-Application deadlines are as follows:

- February 15<sup>th</sup> for summer externships
- April 15<sup>th</sup> for fall externships
- September 15<sup>th</sup> for spring externships

The application processes are described below.

**Important Note:** Application materials must be appropriately drafted, include all requested items, and follow all instructions. Examples of application materials are provided in OCSE checklists and should be followed. Materials that are incomplete, poorly drafted, or otherwise inappropriate will not be sent to externship sites.

Please note that the submission of an externship application is viewed by the College of Law and by the placement sites as an indication of your intention to accept the externship offer if it is given. If you decide that you cannot pursue an externship that you have already applied for, it is your responsibility to notify the Office of Career Strategy & Employment **immediately** so that the externship site may be notified and another student can be given the opportunity to apply. For further information about withdrawing, please see Requests for Withdrawal on page 6.

There are specific timelines for externship pre-applications, meetings, and applications for each semester. Students who miss any of these deadlines, absent extraordinary circumstances, will not be permitted to apply to an externship for that term.

The application timelines are as follows:

- For Summer Term Externships:
  - Pre-Applications must be submitted no later than February 15
  - Student meetings with the OCSE must be completed on or after February 1 and no later than February 25
  - Externships will be open for applications from February 20 until March 10
- For Fall Semester Externships:
  - Pre-Applications must be submitted no later than March 30
  - Student meetings with the OCSE must be completed on or after March 20 and no later than April 15
  - Externships will be open for applications from April 10 until April 30
- For Spring Semester Externships:
  - Pre-Applications must be submitted no later than September 15
  - Student meetings with the OCSE must be completed on or after September 1 and no later than September 25
  - Externships will be open for applications from September 20 until October 10

## 2. Application Process for Judicial Externships

Timing. Judicial externship applications generally open in April for the fall semester, in September for the spring semester, and in February for the summer. Because of the popularity of judicial externships, a student interested in a judicial externship is permitted to apply only to the judicial externship. If the student is not matched with a judge, he or she will then be permitted to submit applications to other sites.

### Application Process.

- a. Submit an Externship Pre-Application by the specified deadline date for your intended externship semester.
- b. Schedule an appointment with an OCSE Advisor to discuss your preferences and address any questions or concerns.

**Important Note:** You will not be able to apply to the judicial externship posting until you have submitted your Pre-Application and met with an OCSE Advisor. Please schedule this meeting as soon as possible after submitting your Pre-Application.

- c. Once you have met with an OCSE Advisor, you will be able to view the Judicial Externship posting and submit your application materials.

**Important Note:** A complete application to a judicial externship will include a: resume, writing sample, transcript, and Judicial Externship Placement Questionnaire.

- d. Once the application deadline has passed, the OCSE will use your application materials to match you to a judge and submit your application to that judge for consideration. Some judges conduct formal interviews before extending offers while others do not.



e. Once you accept an externship offer, you must notify the OCSE of your acceptance and for how many credit hours you would like to register. The OCSE will then notify Academic Services, who will authorize you to register for the externship course in CampusNet.

**Important Note:** All registrations must be complete by the Add/Drop deadline for each academic term. Any changes in the number of credit hours being registered for must also be made by the Add/Drop deadline for each academic term. Once the Add/Drop date has passed, changes to the number of credit hours will only be permitted under limited circumstances and must have the approval of the Site Supervisor and the Faculty Advisor.

### **3. Application Process for Government, Public Interest, and General Counsel Externships**

a. Submit an Externship Pre-Application, indicating your placement site preferences, by the Pre-Application Deadline for your intended semester (see pg. 7).

b. Schedule an Externships appointment with an OCSE Advisor during the externships meetings window to discuss your preferences and address any questions or concerns.

**Important Note:** You will not be able to apply to any externship postings until you have submitted your Pre-Application and met with an OCSE Advisor. If you do not meet with an Advisor during the externships meetings window, you will be ineligible to apply for externships.

c. Once you have met with an OCSE Advisor, you will be able to view the available externship postings and submit your application materials. All application materials must be submitted by the application deadline for that semester.

**Important Note:** You may only submit applications to two externships during the initial application window for a given semester. Therefore, it is crucial that you discuss your goals with your OCS Advisor and carefully consider your options before submitting your applications.

d. When the externship application deadline passes, the Office of Career Strategy & Employment will provide each site with all applications received for their externship. Some externship sites will make offers based on application materials alone, and others will interview students first. Calls or emails to set up an interview should be returned promptly by students within 24 hours

e. Once you accept an externship offer, you must notify the OCSE of your acceptance and for how many credit hours you would like to register. The OCSE will then notify Academic Services, who will authorize you to register for the externship court in CampusNet. All registrations must be complete by the Add/Drop deadline for each academic term. Any changes in the number of credit hours being registered for must also be made by the Add/Drop deadline for each academic term. Once the Add/Drop deadline has passed, changes to the number of credit hours will only be permitted under exigent circumstances and must have the approval of both the Site Supervisor and the Faculty Advisor.

#### **4. Application Process for Independent Externships**

If you are interested in pursuing an Independent Externship, please contact the OCSE prior to contacting the potential site in order to discuss the opportunity and review the process and procedure for independent externships.

Summary of Independent Externship Policies and Procedures:

- a. The student informs OCSE of his or her interest in obtaining an independent externship and submits a Pre-Application through CareerConnect.
- b. The student contacts the organization to determine whether a qualified supervisor is available to assign and mentor the student's work and comply with the externship program's policies and procedures.
- c. The student submits a written proposal detailing the externship to the Clinical Faculty and meets with a member of the Clinical Faculty to discuss the proposal at least 30 days before the first day of class for the term.
- d. A member of the Clinical Faculty meets with the Site Supervisor at the organization to explain the requirements of our program and our policies and procedures.
- e. The Clinical Faculty approves the student's written proposal. The student follows the instructions for registration below.

See Appendix B for the policies and procedures governing Independent Externships.

#### **E. Registering for an Externship**

Students may not register for the externship course until the Office of Career Strategy & Employment has received confirmation from the student regarding acceptance and hours/credits requested. Once confirmation is received, the student will be sent an email from the OCSECP notifying the student that they are authorized to register for the Externship Course.

#### **F. Ohio Legal Intern Certificate**

Students who have completed 60 credit hours may be eligible to obtain certification from the Ohio Supreme Court to represent, with certain restrictions and limitations, individuals in civil or criminal cases (including felony cases). The student must be "employed by or associated with a law school clinic, legal aid bureau, public defender's office, or other legal services organization that provides legal assistance primarily to financially needy individuals, or is responsible for handling civil cases or prosecuting criminal misdemeanor cases for the state of

Ohio or a municipal corporation.” Rule II of the Ohio Supreme Court Rules for the Government of the Bar of Ohio, Limited Practice of Law by a Legal Intern, specifies the eligibility requirements, application process, scope of representation, and other related matters.

For more information please review the full text of Rule II, which can be found at

<http://www.supremecourt.ohio.gov/AttySvc/admissions/interns/default.asp>

## **G. Evaluations**

### **1. Student Performance Evaluations**

The Supervising Attorney at each externship site must complete a student performance evaluation at the end of the semester. The survey is completed online via a link the Supervising Attorney will receive from the OCP. Students will not be awarded a grade until the Site Supervisor’s performance evaluation is completed and returned. Students are responsible for ensuring that a timely evaluation is forwarded from their Site Supervisor.

### **2. Student Site Evaluations**

Student externs must complete two externship site placement evaluations. The first is a general evaluation of the externship experience, completed in CareerConnect, for the Office of Career Strategy & Employment. The second, completed in TWEN, is a more in-depth evaluation intended to provide feedback to both your faculty and Site Supervisors. Students will not be awarded a grade until both site placement evaluations are completed

### **3. Course Evaluations**

Student externs must also complete an evaluation of the externship course.

## APPENDIX A

### Standard 304: SIMULATION COURSES, LAW CLINICS, AND FIELD PLACEMENTS

- (a) A simulation course provides substantial experience not involving an actual client, that (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member, and (2) includes the following:

  - (i) direct supervision of the student’s performance by the faculty member;
  - (ii) opportunities for performance, feedback from a faculty member, and self-evaluation; and
  - (iii) a classroom instructional component.
  
- (b) A law clinic provides substantial lawyering experience that (1) involves advising or representing one or more actual clients or serving as a third-party neutral, and (2) includes the following:

  - (i) direct supervision of the student’s performance by a faculty member;
  - (ii) opportunities for performance, feedback from a faculty member, and self-evaluation; and
  - (iii) a classroom instructional component.
  
- (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).
  
- (viii) 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.

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.

## Appendix B



### Policies and Procedures for Independent Externships

#### I. Policy Statement

C-M Law has a long tradition of providing externship opportunities for its law students. For more than two decades, students have been placed with some of the leading government, judicial, corporate counsel, and non-profit legal offices in the region. These placements provide students with a unique opportunity to improve their writing, research and oral communication skills; to appreciate the significant ethical issues facing the profession; and to integrate what they learn in the classroom with the actual practice of law. For the externs to fully achieve these goals, and in order for the program to meet ABA/AALS accreditation standards, significant supervision is required by an attorney at the placement site (referred to as the “Supervising Attorney”) and the Faculty Advisor responsible for the externship program during the relevant term. Externships are further distinguished from other employment situations in that a student cannot receive compensation for the student’s services.

C-M Law encourages students to pursue externships that relate closely to their professional goals. Frequently, this can be achieved through placement in an existing externship. From time to time, however, students seek a more particularized experience. C-M Law supports students in their exploration of alternative placements by permitting students to identify independent externship placements. Students have secured independent externships at various sites, including the Lake County Captains, Cleveland Metropolitan School District, The Rock and Roll Hall of Fame, Lincoln Electric, and in many other corporate, governmental, and nonprofit settings across the country.<sup>5</sup>

Independent externships are intended to provide flexibility regarding the placement opportunities available for students while simultaneously maintaining C-M Law’s high standards for our externship program. We expect students to have learning experiences that are similar to students at our established externship sites.

With those objectives in mind, we have adopted the procedures stated below to govern the approval and implementation of Independent Externships.

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<sup>5</sup> Most externship placements are in the Greater Cleveland metropolitan area or within reasonable driving distance of Cleveland. We will consider Independent Externship in a more remote location, on the condition that suitable arrangements can be made for participation in the Externship Seminar and appropriate supervision of the student’s work.

## II. Procedures

### A. Prerequisites:

1. Completion of the required first-year curriculum.
3. A cumulative GPA of 2.25 or above.
4. Approval from Clinical Faculty.
5. The Site executes a Memorandum of Understanding with C-M Law stating that it will comply with ABA Standard 304.

### B. Procedures for obtaining approval of an Independent Externship:

1. A student who has identified a particular area of law in which he or she would like to gain experience—for example, poverty law or civil liberties—should identify an organization that addresses that area of law.
2. The student informs the Office of Career Strategy & Employment of their interest in securing an independent externship and submits a Pre-Application.
2. The student contacts the organization to determine whether an attorney is available to assign and mentor the student's work and comply with the externship program's policies and procedures.
3. The student submits a written proposal to the Clinical Faculty at least 30 days before the first day of classes of the term in which the proposed externship, if approved, will commence. The written proposal shall include the following information:
  - (a) a description of the organization;
  - (b) a description of the legal work the extern will do (e.g., client interviews, legal research, drafting documents or memos, court appearances, etc.);
  - (c) a description of the opportunities to observe attorneys in action that are available to the student such as attending meetings, observing court proceedings, listening to telephone calls between attorneys and clients, attending board meetings, and attending witness interviews.
  - (d) the tentative work schedule the extern has negotiated with the organization, including the days of the week and the hours on those days;
  - (e) an explanation of the educational benefits that the extern believes will result from the placement;
  - (f) the Supervising Attorney's name, position within the organization, address, e-mail address, and phone number;

- (g) a statement that the student and Supervising Attorney have considered and discussed any anticipated conflicts of interest, impact on the attorney-client privilege between the organization and its clients, and other ethical concerns that the placement might raise; and
  - (h) any other information the student deems relevant to the proposal or specifically requested by the Clinical Faculty.
4. Upon receipt of the written proposal, a member of the Clinical Faculty will meet with the Site Supervisor to (a) explain how the Externship Program works, (b) determine if the proposed experience meets our requirements, and (c) request that the site execute the Memorandum of Understanding.
  5. After a member of the Clinical Faculty meets with the Site Supervisor, the Clinical Faculty will approve or deny the proposal for an independent externship. The Clinical Faculty's denial of a proposal is final and is not appealable to the Dean of the law school, the Associate Deans, the faculty, or any committee thereof.

**C. Procedures following approval of an Independent Externship:**

After the independent externship is approved, the student must register for the independent externship course and comply with the externship program rules and requirements set forth in the Externship Program Handbook.