



Cleveland State University

Cleveland-Marshall College of Law
Office of the Dean

Policies and Procedures for Independent Externships

I. Policy Statement

Cleveland-Marshall has a long tradition of providing externship programs for its law students. For more than a decade, students have been placed with the U.S. Attorney's Office, the Federal Public Defender's Office, state appellate court judges and federal district and appellate court judges. 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 compensation cannot be paid for the student's services.

Cleveland-Marshall encourages students to pursue externships that relate closely to their personal career goals. Frequently, this can be achieved through placement in an existing externship. From time to time, however, students seek a more particularized experience. Cleveland-Marshall supports students in their exploration of alternative placements through its Independent Externship program. Students have secured Independent Externships at various sites, including Cleveland Legal Aid, the Ohio American Civil Liberties Union, the Guardian Ad Litem program of the Cuyahoga County Probate Court, the Trumbull County Prosecutor's Office, the Ohio Attorney General's Office, the Supreme Court of Ohio, the U.S. Trustee's Office (bankruptcy court oversight), and in other governmental and nonprofit settings. Recently, students had Independent Externships with Amnesty International in Australia and the International Criminal Tribunal for the Former Yugoslavia in The Hague, Netherlands.¹

¹ 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.

The goals of the Independent Externship are to provide flexibility regarding the placement opportunities available for students while simultaneously maintaining Cleveland-Marshall's historically high standards for externships. We expect students to engage in work and receive supervision comparable to that of students in other externships. Most often, students conduct legal research and draft motions, memoranda of law, or appellate briefs. When working in a judge's chambers, they may write bench memos in preparation for hearings on cases or draft orders and opinions. In some placements, they may conduct client or witness interviews, engage in discovery and document review, or other types of fact investigation. A key aspect of every externship is close supervision by a designated person at the placement. We expect that the supervisor will keep track of the quantity and quality of the student's assignments throughout the semester. As is true in any law setting, we expect the student will discuss her findings with the person who made the assignment, if different from the supervisor. In addition, the supervisor will review and comment on the student's work throughout the term so that the student hones her/his professional skills, be they written or oral, and expands her/his understanding of professional responsibilities.² We also encourage supervisors to involve externs in the work of the office outside of the particular assignments, e.g., observing depositions, trials, sentencing hearings, or other appropriate proceedings.

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

II. Procedures

A. Prerequisites:

1. The student must have completed the Required Core Courses.
2. The student must have completed 29 semester hours of course work towards the law degree.
3. The student must have a cumulative GPA of 2.50 or above.
4. The student must obtain permission from the attorney who will be supervising his or her work.
5. The student must obtain permission from the Associate Dean for Academic Affairs.

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. Placements at private law firms are not permitted.

² Often, and ideally, the externship will result in a student writing a document that may then be utilized as a writing sample in other contexts.

2. The student should contact the organization to determine whether an attorney is available who is willing and able to assign and mentor the student's work and to coordinate supervisory efforts with the Faculty Advisor for externships.
3. The student must submit two documents to the Associate Dean for Academic Affairs at least 30 days before the first day of registration for the term in which the proposed externship, if approved, will commence: (a) a written proposal detailing the externship and (b) a Statement of Understanding signed by the Supervising Attorney.

The written proposal shall include the following:

- 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) the tentative work schedule the extern has negotiated with the organization, including the days of the week and the hours on those days;³
- d) an explanation of the educational benefits that the extern believes will result from the placement;
- e) the Supervising Attorney's name, position within the organization, address, e-mail address, and phone number;
- f) 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
- g) any other information the student deems relevant to the proposal or specifically requested by the externship committee or member thereof.

³ During the academic year, externships are for 4 or 6 credits; during the Summer, 3 or 5 credits. During the fourteen-week Fall or Spring terms, for 4 credits, a student must commit 16 hours per week; for 6 credits, 24 hours per week. In the seven-week Summer term, registering for 3 credits requires a student to work 24 hours per week; 5 credits requires 40 hours per week.

A copy of the Statement of Understanding that the Supervising Attorney must sign is attached.

4. Upon receipt of the written proposal, the Associate Dean for Academic Affairs will review the proposal and either approve it, deny it, or return it to the student with a request to provide additional information.
5. The Associate Dean's denial of a proposal is final and is not appealable to the Dean of the law school, the faculty, or any committee thereof.

C. Procedures following approval of an externship:

1. Upon approval of an Independent Externship, the Faculty Advisor for the externship program during the relevant term will meet with the Supervising Attorney to further discuss the goals and objectives of the externship program. The externship Faculty Advisor will also be available throughout the course of the semester to answer questions and receive feedback from the Supervising Attorney.
2. The extern is required to attend the Externship Seminar conducted by the Faculty Advisor for the externship program. The Faculty Advisor, at the commencement of each term, determines the specific dates and times of the seminars. For externships outside of the Cleveland area, the student must meet with the Faculty Advisor prior to leaving Cleveland and make alternative arrangements.
3. Each extern will be required to maintain a journal that chronicles work assignments at the placement. The journal must be submitted to the Faculty Advisor on a weekly basis. The Faculty Advisor, at the commencement of the externship, will announce specifics as to the form and content of the journal.
4. Final drafts of the student's work product will be submitted to the Faculty Advisor for review. The extern and Supervising Attorney must screen any work product released to the Faculty Advisor so that disclosure does not jeopardize the attorney-client privilege or create any other potential conflicts of interest or ethical concerns.
5. The Supervising Attorney shall closely monitor the student's work, making sure that the tasks assigned are consistent with the goals and objectives of Cleveland-Marshall's externship program, and

providing meaningful feedback to the student. Upon completion of the externship, the Supervising Attorney will evaluate the student's performance on a form provided by Cleveland-Marshall.

6. The Faculty Advisor will conduct an onsite visit, if feasible (depending on the location of the externship), during the course of the externship. Otherwise, the Faculty Advisor will speak with the supervisor via telephone.
7. Grading is pass/fail based upon the student's compliance with the externship requirements as outlined herein and the evaluation provided by the Supervising Attorney.

Cleveland State University

Cleveland-Marshall College of Law
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STATEMENT OF UNDERSTANDING

I have read the Policies and Procedures for Independent Externships at Cleveland-Marshall College of Law and agree to serve as a Supervising Attorney pursuant to the requirements set forth therein for

(Student's Name)

(Attorney's Name) (please print)

(Address)

(Phone)

(E-mail)

(Attorney's Signature)

(Date)