

## Steady Work: Exploring Values in an Externship Seminar

Some Articles that Consider Exploring Values through Externships

Linda F. Smith

Robert Condlin, *"Tastes Great Less Filling": The Law School Clinic and Political Critique*, 36 J. LEGAL EDUC. 45 (1986): "Over the years the most popular objectives [of clinical legal education] have been training in the motor dimensions of lawyer practice skills (skills training); teaching ethics, both the development of character and informing about relevant codes and rules (ethics); internalizing the tacit norms and lore of law practice (socialization); inspecting particular types of lawyer work prior to job selection (placement); increasing self-awareness of dispositions and values likely to affect performances as lawyers (self-awareness); teaching doctrine and analysis in an engaging fashion (pedagogy); and understanding the criticizing standard ways of performing lawyering practice skills for their contributions, both in specific instances and in the aggregate, to the legal system and the outcomes it produces (critique)." 46-47

Condlin asserts that the externships are the superior model to pursue the ultimate goal of "critique" because the roles of practitioner and teacher are separate so the student and faculty member can jointly, freely and candidly critique the student's experiences and because the supervising faculty member, unburdened by case obligations, can turn critique into scholarship and new knowledge. 59-60

Robert F. Seibel & Linda H. Morton, *Field Placement Programs: Practices, Problems and Possibilities*, 2 CLINICAL L. REV. 413 (1996)

"Among the most important of these [externship programmatic] goals, besides conventional skills training, are training in self-directed learning, education in perspectives on the legal system, and introducing students to a wide range of specific practice contexts. . . . Externship programs also provide an ideal structure for helping students to gain perspective on the legal system – to examine legal doctrine in the context of societal problems, apply jurisprudential and other philosophical considerations to the practice of law, and compare and critique legal systems." 419, 420

Linda F. Smith, *The Judicial Clinic: Theory and Method in a Live Laboratory of Law*, 1993 UTAH L. REV. 429 (1993)

"In summary, judicial clinics can benefit from lessons learned in designing other clinical legal education programs. Clinic work will expose the students to various court procedures in practice and allow the student to improve skills of writing and analysis. More importantly, however, a judicial clinic provides a window on the institutional operation of our courts and insight into the judicial role and judicial decision-making. The academic component should take the practical skills and insights the students gain in their judicial work, provide the broader context for those lessons, and then lead the students to think critically about the courts and the work they do. A judicial clinic should reward our students by developing better advocacy skills and our legal communities by encouraging the conscientious scrutiny of our institutions." 472-73

Linda F. Smith, *Designing an Extern Clinical Program: Or As You Sow So Shall You Reap*, 5 CLINICAL L. REV. 527 (1999)

“A field placement program can meet any of the goals which clinical legal education addresses: skills instruction, professionalism, understanding the law in a practice context, learning to learn from experience, exploring lawyering roles, and institutional critique. . . . However, once a law school has decided to offer an externship program, it should aspire to include reflective opportunities which are particularly suited to placement programs. . . institutional critique and critique of lawyering roles and practices.” 535

“Students who are working in legal institutions outside the law school—from judicial chambers to prosecutors’ offices—will gain insights about those institutions which cannot be produced in either the in-house clinic or the traditional classroom. The insights should lead to institutional critique. . . . They will observe many lawyering practices and assume various lawyering roles, having thoughts and feelings about their experiences. This should lead to ‘critique of lawyering practices . . . pursued for its contribution to the development of the individual . . . .’ 536 citing Condlin at 53.

“[T]he field placement should capitalize upon the opportunities offered for institutional critique” where students do not just play useful roles but become “savvy participant-observers” enabling faculty to “build upon this opportunity to help the student study that institutional role and to consider the legal system” from that perspective. 549-50

Linda F. Smith, *Why Clinical Programs Should Embrace Civic Engagement, Service Learning and Community Based Research* 10 CLINICAL L. REV. 723 (2004)

“This article describes ‘Civic Engagement,’ a pedagogical movement current on college campuses which includes ‘Service Learning’ courses and ‘Community Based Research.’ The article demonstrates that extern programs are ‘Service Learning’ courses, and argues that clinical faculty should join colleagues in other departments engaged in ‘service learning’ to advance this pedagogical approach. Similarly, extern programs are excellent jumping off points to add ‘Community Based Research’ to the law school curriculum. Here the article describes the author’s experiments in community based research and gives examples of various approaches from other law schools.” 723

Linda F. Smith, *Benefits of an Integrated (Prosecution & Defense) Criminal Law Clinic*, 74 MISSISSIPPI LAW J. 1239 (2005)

“This article shows how the this [externship] clinic allows students to acquire the skills of criminal law practitioners as well as to critique the criminal justice system and explore the students’ personal values in these roles.” 1239 Excerpts from student reflection papers “demonstrate the nature and variety of these reflections.” 1279