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**UNIVERSITY OF BALTIMORE SCHOOL OF LAW- SUMMER 2017**

**Course**: Judicial Externship

LAW 836.512

**Instructor:** Millicent Newhouse

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**Days/Time:** Office hours- Tues/Wed/Fri- Noon-1:30 or by appointment

**Location:**  Room assignments are available through MyUB.

**Course Description**:

LAW 836 JUDICIAL EXTERNSHIP

Under the supervision of a supervising judge and a faculty supervisor, students learn about the lawyering and judicial processes first hand by interning at the court and attending a classroom component. Students develop reflective learning and problem solving skills, increase their substantive legal knowledge, explore issues of professionalism and ethics, and gain a deeper understanding of the legal system, judicial decision making, and the practice of law. Students may register for a three credit internship and must have their field placement approved by the Director. This program has special rules with respect to who may register and what requirements must be satisfied to earn credit under this program. Prerequisite: Each student has successfully completed instruction equivalent to 28 credit hours toward the J.D. degree before participation in the field placement program.

**Course Materials:**

There is no required text.

**Student Learning Outcomes:**

The goal of this course is to promote meaningful reflection on your experiences in the field, the practice of law and the judicial process, both during your externship and in the future. In addition, we will consider various challenges and issues that arise in the practice of law. We will also examine the ethical obligations of lawyers and how they play out in various practice settings. More specifically the goals include:

a. SKILLS DEVELOPMENT

Students have opportunities to gain an understanding of the basic competencies required to practice law including: interpersonal skills, analytical, research and writing, drafting, issue identification, etc.

b. PROFESSIONAL RESPONSIBILITY

Field work offers a forum in which students can analyze and consider legal ethics.

c. SUBSTANTIVE LAW

Students gain an understanding not only of the legal theory but more importantly the practical application of the law pertaining to the areas in which their placement focuses. In addition, judicial placements offer a window into the judicial process and critical thinking.

d. SELF EVALUATION AND REFLECTIVE LEARNING

The field placement in conjunction with the classroom component and journal writing provides opportunities for learning from experience, feedback, and reflection.

The format of the class will be discussion-based and requires your active participation. We will also use TWEN as the primary out-of-class communication link. The syllabus for the course, reading assignments, the course calendar, and other vital information will be posted on TWEN. Please plan to check the TWEN page regularly so you are abreast of all matters affecting this course.

**Grades and Course Requirements:**

***Field Placement, Attendance, Participation and Readings 40% of grade***

This class is useful only if everyone attends and participates in the discussion. As such, you are required to attend each class and should contact me in advance if you need to miss a class or if you will be late. As per the UB attendance policy, you may not miss more than two classes. In advance of each class, please review the required readings listed in the syllabus, and be prepared to discuss them. **The use of laptops during class is prohibited as it interferes with the discussion.** There is no required text, all reading materials will be provided on TWEN or in class.

***Journal Assignments 30% of grade***

Each of you will keep a journal in which you discuss the progress of your externship and reflect on what you are learning either at the placement or in class. Topics for discussion include: substantive law, lawyers, legal institutions, and yourself. The journal entries have several functions. First, they require that you take time to reflect on what you have been doing. Critical reflection is an essential part of learning from experience, and the act of writing about your experiences should help you organize and clarify your thoughts and feelings about your externship. Secondly, they also provide data for discussion about the demands and constraints of the roles of lawyers and judges, which is a major focus of the course. Finally, the entries will help me understand how the judges are using your time, so I can better evaluate the program.

The communications should not be primarily accounts of what you did each day. Rather, they should focus on what you are thinking and feeling about your experiences. What is exciting or surprising? What is bothering you? What are your questions or insights about lawyering and judging? What criticism or praise do you have for the legal system? What else interests you or is important to you? What else would you like to experience?

Please be careful when writing your journals not to disclose any judicial confidences. If you have a question about whether it is appropriate to include a particular item, ask the judge or ask me. If you err, you must err on the side of non-disclosure. Time spent writing your journal entries does not apply to your field work requirement.

The journals are an integral part of the course. They will be evaluated in terms of your thoughtfulness and what they reflect about your learning experience. But, most importantly, they will help me learn whether you are having a challenging educational experience.

**Topics are assigned weekly and must be between one to two typed, double-spaced pages**. **Journal entries should include your cumulative time for the prior week at the bottom with a brief description of your activities. Journals and time are due on Wednesdays by 6pm and should be submitted via the TWEN assignment drop box. Please indicate if it is Journal 1, 2,3 etc. l and include your name at the top of each journal.**

***Written Work Product 20% of grade***

At the end of your placement, you must submit your written work product (e.g., memoranda, opinions, correspondence, etc.), which represents the array of work that you have performed and skills that you have developed during your placement. The writings must be substantive legal work which includes your analysis. Three credit enrollment requires 18 pages. The page requirement need not be one document. Be sure to remove/redact any information that may violate confidentiality or privilege. Your written work product is **due no later than Friday, July 7, 2017**.

***Additional Course Requirements 10% of grade***

 **TIMEKEEPING-** Externs must maintain weekly time sheets showing hours worked at the externship and a brief description of the major areas in which you worked. Your total weekly hours must be submitted at the bottom of your weekly journal entry. **Keep a cumulative list** of your time so you may easily tabulate your total hours at the conclusion of the semester. Your time sheets including your cumulative total are due no later than Friday, July 7th.

 **EVALUATION**- Schedule a meeting to discuss your evaluation with your judge or supervising clerk prior to the end of the course semester. During these meetings you and your judge should review and discuss your performance. **For your exit interview, provide your supervisor with the Evaluation form to be completed by them and reviewed with you. In addition, students must complete the Student Evaluation of Placement form.**

* **MEETING WITH COURSE PROFESSOR**- Students are required to schedule two individual meetings with the professor: one at the start of the semester and one at the end of the semester. Sign-up sheets will be available in class.

**Course Expectations:**

The Judicial Externship Program provides an unparalleled opportunity to participate in the workings of the state and federal courts in Maryland. The program is not a clerkship opportunity; rather, it is a course offered by the law school with the cooperation of members of the state and federal benches. The designation for students participating in this program is “Judicial Extern.” You should identify yourself by this title in person and in resumes. You should not refer to yourself as a “law clerk”.

All participants in the judicial externship program are expected to perform their duties in a professional manner. To help guarantee the program’s success, externs must conform to the guidelines discussed below. Failure to do so could result in immediate removal from the course and a failing grade.

***Confidentiality--***All information acquired as a result of your relationships with the judges is confidential. You should be prudent not to divulge this information, even to me or to other students enrolled in the course. Judges share their opinions of issues regarding pending cases under the assumption that their views will not become knows to others. A breach of this expectation of confidentiality will most likely have an impact on the propriety of the proceedings.

You must never initiate an ex parte contact with counsel, parties, witnesses, juror, or the press. Please be especially careful not to discuss cases in elevators or other public places. You should never engage in discussions with a party’s attorneys, either inside or outside of the courtroom, absent the consent of the presiding judge. Do not accept supplementary papers or information, including lists or copies of suggested cases, directly from an attorney (inform counsel that they may submit them to the judge or the judge’s clerk, if one exists). Never respond to attorney or press inquiries about when a decision in a pending case will be issued, your personal evaluation of the merits of a case, your assessment of the jurors’ reaction to evidence, or your personal philosophy concerning a substantive area of law. Even after a ruling becomes public, an extern must have no direct or indirect communication with the press concerning the merits of a case or an explanation of a ruling.

***Conflicts of Interest--***The term “conflicts of interest” applies to situations in which a judge or other employee or agent of the trial court must absent him/herself from a particular judicial proceeding because his/her impartiality might reasonably be questioned. As judicial externs, you are agents of the courts to which you are assigned and you must be scrupulous in your avoidance of conflicts of interest or even the appearance of conflicts of interest.

1. If you have either worked for, received an offer from, or have had one or more interviews with a law firm or government agency which represents a party or witness in a case being heard by any judge in the court to which you are assigned, you must inform the judge for whom you work (if the case is not being heard by your judge, the judge will now know not to discuss the case with the presiding judge).
2. If a family member (within the third degree of relationship), close friend, or close professional associate, (legal or non-legal, past or present), is a party, a witness, or an attorney (or member of an attorney’s staff) you must inform the judge right away.
3. If you have any knowledge about a case whatsoever which you have learned other than through your association with the judge, you must inform the judge right away.

***Outside Work--***If you have any other job while you are working with a judge, either compensated or uncompensated, make sure that the judge and I are informed of the details of that position. If there is any change in the status of your employment during the semester, you must promptly inform both. You may not extern for a federal judge and be employed by a law firm at the same time.

**Attendance**:

Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of attendance satisfactory to the professor. A student who exceeds the maximum allowed absences (generally 20% of class sessions) as illustrated below may be compelled to withdraw from the course, or may be barred from sitting for the final exam. Students who are forced to withdraw for exceeding the allowed absences may receive a grade of FA (failure due to excessive absence). This policy is consistent with American Bar Association Standards for Law Schools.

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| --- | --- | --- |
| Regular Semester Hours | | |
| Credit Hours | Meetings Per Week | |
|  | 1 |  |
| 3 | 1 absences |  |

**Course Website:**

This course has a TWEN page that links to this syllabus, announcements, the class assignments, and other class materials. You are responsible for self-enrolling in the TWEN page and for checking it regularly for course information.

**Computers:**

Students may not use laptop computers for class related purposes.

**Class Cancellation:**

If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web site or call the University's Snow Closing Line at (410) 837-4201. If the University is open, students should presume that classes are running on the normal schedule.

**Academic Integrity:**

Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or School of Law. Violations of academic integrity include, but are not limited to: cheating, plagiarism, misuse of materials, inappropriate communication about exams, use of unauthorized materials and technology, misrepresentation of any academic matter, including attendance, and impeding the Honor Code process. The School of Law Honor Code and information about the process is available at http://law.ubalt.edu/academics/policiesandprocedures/honor\_code/.

**Title IX Sexual Misconduct and Nondiscrimination Policy:**

The University of Baltimore’s Sexual Misconduct and Nondiscrimination policy is compliant with Federal laws prohibiting discrimination. Title IX requires that faculty, student employees and staff members report to the university any known, learned or rumored incidents of sex discrimination, including sexual harassment, sexual misconduct, stalking on the basis of sex, dating/intimate partner violence or sexual exploitation and/or related experiences or incidents. Policies and procedures related to Title IX and UB’s nondiscrimination policies can be found at: http://www.ubalt.edu/titleix.

**Disability Policy:**

If you are a student with a documented disability who requires an academic accommodation, please contact Leslie Metzger, Director of Student Services, at 410-837-5623 or lmetzger@ubalt.edu.

**Journal/Reading Assignments**

**Week 1 One- Journal Due May 17 Introduction/Goals and Expectations**

Journal Assignment: As you think about your firs weeks in the externship and initial meetings with the judge and the judge’s clerk and other staff, consider what would make this a good experience. What skills would you like to develop? What are your short and long-term goals and how do you plan to accomplish them?

Reading-See week 1 readings posted on TWEN

**Week Two- Journal - Due May 24 Focusing on the Work**

Journal Assignment: Are you receiving feedback on your work verbally or in writing or both? How busy are you? Not enough work, too much or just right? Are there other interns/externs? Are you receiving assignments from more than one person? Are you receiving one assignment at a time or multiple assignments? What is your strategy for managing the work?

See week 2 readings posted on TWEN +

Reading: https://www.washingtonpost.com/posteverything/wp/2016/02/17/im-a-liberal-lawyer-clerking-for-scalia-taught-me-how-to-think-about-the-law/?utm\_term=.cf47b4fe8c93

**Week 3- Journal- due June 1 Work Environment & The Rules**

What is the chambers environment like? What is the attire in the office, for court, for meeting with clients? Any office rituals or habits you have observed so far? How would you describe the culture? What does professionalism look like? Give some examples. Are there regular staff meetings and if so, is there an agenda or is it mainly reporting? Any case discussion and how are issues resolved and addressed? Compare and contrast public sector attorneys and private sector attorneys in the courtroom. Have you discussed/observed ethics issues that have come up or that you should be aware of? Describe.

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Readings- See week 3 reading on TWEN and Review Title 18 of the Maryland Rules. Maryland Rule 18-100.1 et seq.

**Week 4- Journal -due June 7 Professional skills/ Communication**

Journal Assignment: Describe the communication between you and the judge and the clerk? Is the communication in person or by email? Is the style of communication formal, casual or does it vary? Are you initiating the contact or is the supervisor and what is the frequency of communication? Any email protocol or social media policies at your externship site? Any thoughts on inter-office communications vs. communication with the people who appear before the court? Describe a time when you interacted with a member of the judiciary outside of the courtroom. Describe where (court function, social function, on the street) and how you acted differently than you may have in the courtroom. Alternatively, describe seeing a “casual” interaction between a member of the judiciary and a member of the bar, or simply, a citizen.

Reading- See week 4 readings posted on TWEN

**Week 5- Journal due- June 14 A closer look at the role of Judges and a little about you**

Journal Assignment: Part A- Critique a decision you observed; was it a good decision? Why or why not? What would you have done differently? Do you think judges should be elected- why or why not?

Part B- what do you like to do for fun? How do you handle stress? What are your observations of how the judge and the staff handle stress and work/life balance?

Reading: See week 5 readings posted on TWEN + Read the PDF application for Maryland Trial and Appellate Judges

http://www.courts.state.md.us/judgeselect/judgeappl.html

**Week 6 – Journal due- June 21 + PRESENTATIONS The legal system**

Journal Assignment: How has this externship shaped, amended and informed your views of the law, lawyers, judges, the legal system and the legal profession. Have your opinions changes and have there been any surprises? How has this experience impacted your thoughts on the role of lawyers and what it means to be a professional?

**Week 7- Journal due- June 28 + PRESENTATIONS Lessons learned**

Review each of your prior journal entries. Did any of your learning goals change from the beginning of the externship to now? Reflect on your externship experience and discuss the three most important take-away lessons from your experience.  Be sure to emphasize what skills did you strengthen and how has the externship impacted your professional development.  Define what professional success means to you including the relative importance of money, recognition, influence, providing help to others, work/life balance, etc. Share your thoughts on the kind of lawyer you would like to be and the kind of work you might want to do in the future?

**Due by July 7**

1. Written work product;

2. Supervisor evaluation of student;

3. Student evaluation of placement;

4. Hours with cumulative total; and

5. **Final Journal**-