



UNC
SCHOOL OF LAW

Externship Program

Site Supervisor Handbook

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SITE SUPERVISOR HANDBOOK

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SITE SUPERVISOR HANDBOOK

Introduction

Thank you for choosing to participate in the Externship Program at the UNC Law School. This handbook contains basic information and detailed guidelines for your administration of the Externship Program as the extern site supervisor.

Your student extern will work with you approximately 10 hours each week over the 14 week Law School fall or spring semester for a total of 140 hours, and will receive 3 units of pass/fail academic credit for completing his/her Externship. Student externs in the summer program work 32 hours per week during the course of the summer session and receive 4 units of pass/fail credit. The UNC Law Professor serving as Faculty Supervisor for your extern will be either Maria Savasta-Kennedy or Janine Zanin.

It is our goal to make your job as the site supervisor a rewarding experience. To that end, we have designed several tools to facilitate your supervision of and feedback to your student extern.

- Responsibilities of Extern Site Supervisor: These guidelines describe your role as the extern site supervisor and address such matters as the quality of assignments given to student externs, your contact and supervision of student externs, and your evaluation of the student externs' work.
- Externship Placement Acceptance Form and Responsibilities of Externs: All students participating in the Externship Program must review and sign the Externship Acceptance Form, which spells out their duties and responsibilities in performing their externship work and in satisfying their academic requirements. The agreement covers the students' time and performance commitment, confidentiality concerns, and safeguards concerning any early termination of the externship.
- Externship Placement Learning Goals: In order to help our externs obtain the greatest educational benefit from their externship experience, we ask them to articulate at the beginning of each semester their learning goals for their externship. Your extern will share these goals with you and work with you to develop a plan for meeting these goals, submitting a copy of the completed Learning Goals Form to our office.
- MacCrate Report: We have included several excerpts from the American Bar Association's Report of the Task Force on Law Schools and the Profession (the "MacCrate Report") which describes fundamental lawyering skills and values. We ask the students to use these excerpts as a guide when creating their externship learning goals and when evaluating their progress in meeting those goals. You may also find the MacCrate Report useful as a lexicon when providing feedback and critique to your extern.
- Tips for Critiquing Student Writing: We hope that you will find these tips from various

judges and legal writing professionals useful when critiquing your extern's writing.

- Site Supervisor Mid-Term Evaluation of Student Extern: We have prepared a mid-semester evaluation form for your analysis and critique of the students' performance, in order to facilitate your supervision and feedback of the students' work. We ask that you complete the form by the fifth week of the semester, and meet with your student extern to discuss your review in person. **Please send the completed midterm evaluation to the externship office as soon as possible after meeting with your extern.**
- Site Supervisor Final Evaluation of Student Extern: We hope to leave the students with as much constructive commentary as possible as they head off to take the bar exam and begin their legal careers. Please complete this final evaluation of your student extern by the end of the semester, and provide the student with a copy at your exit interview with her/him. **Please send the completed final evaluation to the externship office as soon as possible after meeting with your extern.**
- Site Feedback Form: The Site Feedback Form is a mechanism for our students to provide you with constructive feedback on their externship experience. We believe that everyone benefits from both positive and constructive feedback, and we share this evaluation with you in the spirit of cooperative learning and support of your work with our students. At the completion of the extern's semester, your student extern will complete this evaluation and share a copy with you.
- Student Practice Rules: Externship sites that provide direct client representation or practical courtroom experience must certify their student externs under the NC Bar Student Practice Rules. We have included the basic certification rules here, as well as a sample of the letter which you must send to the Bar in order to complete the certification.

For additional information and copies of these forms, please visit our website at www.law.unc.edu then click on Programs and Centers, and select the Externship Program link. Forms are available in a number of formats; please contact Melissa Wood-Saltzman, Program Coordinator, at msaltzma@email.unc.edu should you need any forms emailed to you.

Thank you once again for your decision to participate in the Externship Program. Please call us any time with questions, comments or concerns. We look forward to working with you.

Very truly yours,

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UNC SCHOOL OF LAW
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EXTERNSHIP PROGRAM MISSION STATEMENT

The Externship Program at UNC School of Law is designed to enhance traditional classroom instruction by engaging students in real life lawyering experiences with practicing lawyers and judges in the community. Students receive three units of pass/fail credit for working with one of the Program's 100 externship partner placement sites for approximately ten hours a week during the 14 week semester. Judges at federal and state levels, and lawyers from government agencies, public interest groups, and corporate counsel offices serve as mentors and on-site supervisors for the students. The Externship Program's faculty supervisors guide and facilitate the students' exploration of their externship experience through tutorials, journal writing and class discussion.

Through the Program, student externs have the opportunity to "try on" and explore a particular area of practice and observe different lawyering styles and techniques. The Program aims to train students to examine legal doctrines and practice in the context of actual social and business problems and concerns. In the process, externships promote the students' development of key lawyering skills such as legal analysis, research and writing, interviewing and counseling, negotiation, policy making and both informal and formal advocacy. Through their work with faculty supervisors, students critically examine their learning strategies, their goals and progress, and develop self directed learning habits. The Program also promotes students' understanding of professional responsibility through discussion of ethical and moral issues arising in practice.

The Program works with approximately 125 students per year. We place up to 100 students at various externship sites during Fall and Spring semesters and up to 25 students in judicial externships for 32 hours per week during the seven week summer school program.

University of North Carolina School of Law
EXTERNSHIP PROGRAM

RESPONSIBILITIES OF EXTERN SITE SUPERVISOR

1. **Orientation:** The Extern Site Supervisor should ensure that basic substantive information is provided to the student at the beginning of the externship. Such orientation materials should include: an overview of the jurisdiction or mission of the agency or organization and the general legal issues presently before it; guidelines and resources for performing whatever lawyering tasks will be assigned to the student; office policies and procedures, professional dress code, etc.; introduction to others in the office with whom the student is likely to interact; and a tour of the facilities, library, office equipment, and so on.
2. **Adequate work space:** The Extern Site Supervisor should ensure that the student extern is provided with adequate work space.
3. **Assignments:** The Extern Site Supervisor should ensure that:
 - a. The student's assignments are part of the agency or organization's regular workload.
 - b. The student's assignments are as varied as the agency's or organization's workload and the student's abilities reasonably allow.
 - c. The student is included in discussions of strategy and implementation that arise out of research, writing or other work in which the student has played a significant part, whenever reasonably feasible.
 - d. The student is allowed to observe a sampling of matters that are routinely handled by the agency or organization, but which are beyond the scope of the student's capabilities.
 - e. The student's assignments are reasonable in terms of the student's commitment to work for the agency or organization approximately ten hours per week.
 - f. Menial tasks (filing, library updating, xeroxing, running errands, etc.) will occupy a minimal percentage of the student extern's workload.

- 4. Regular Contact and Supervision:** The Extern Site Supervisor should have regular contact with the student extern throughout the course of the semester, including:
- a. Developing Work Plans:** The Extern Site Supervisor should work with the student to develop goals for the externship experience and form a work plan that will enable the student to meet these goals. The work plan ideally should expose the student to a broad range of activities and decision-making processes and give the student some in-depth exposure to issues pertinent to the agency or organization's activities. (See the attached Externship Learning Goals which provides a forum for this discussion.)
 - b. Weekly Meetings:** The Extern Site Supervisor should meet with the student extern approximately once a week in order to provide the student with general supervision. (The student also may work with and be supervised by other individuals within the agency or organization, provided that the Site Supervisor continues to maintain this regular contact). The subject matter of these meetings may include evaluating the student's performance over the course of the prior week, discussing the activities of the agency or organization, and analyzing particular successes and problems that arise in the course of the externship. The Site Supervisor might also seek to assist the student in developing insights into legal practice, the lawyering process, or the general legal principles involved in the agency or organization's work, and otherwise provide guidance that can assist the student in launching his or her own legal career. This kind of mentoring can have tremendous educational value to the student, transcending even the value of the practical experience the student gains through the externship.
 - c. Evaluation:** The Extern Site Supervisor should provide the student with constructive, detailed evaluations of his or her performance. The Site Supervisor should complete a Site Supervisor Mid-Term Evaluation of Student and a Final Evaluation of student. The Site Supervisor should communicate, either verbally or in writing, with the student's Faculty Supervisor at the end of the semester, to discuss the Site Supervisor's perceptions of both the student extern's work and the externship program generally. Extern Site Supervisors are invited to call the UNC Externship Program Faculty Supervisors, Maria Savasta-Kennedy at (919) 843-9805, with any questions or comments.

Thank you for participating in the University
of North Carolina School of Law Externship Program.

University of North Carolina School of Law Externship Placement Acceptance Agreement

I, , agree to provide approximately
(Name)
10 to 11 hours of externship legal work per week, totaling a minimum of 140 hours, for

during .
(Name of Placement Organization) (Semester & Year)

I also agree to maintain a journal tracking my externship experience and attend periodic externship group and individual meetings. In exchange for fulfilling these requirements, I will receive three hours of ungraded academic credit. Before the actual externship begins, I understand that it is my responsibility to coordinate with the site supervisor to establish the day(s) I will extern during the semester, as well as any site requirements such as certification, background checks, security checks, etc., which must be completed before I arrive. I understand that participation in the Externship Program requires a serious commitment and that I will be expected to behave responsibly and professionally in performing all of my externship obligations. I understand that, once I have accepted a placement, I have a binding commitment to the site supervisor, and I may withdraw only for extenuating circumstances and only after consulting with an externship faculty supervisor. I have read the attached document entitled Responsibilities of Externs, and I understand and agree to comply with its requirements.

I also understand that participating in the Externship Program in no way relieves me of other academic responsibilities. I agree not to skip other classes to meet my externship responsibility, unless absolutely necessary.

I further understand that all information derived from or arising from this externship placement is to be deemed confidential and subject to the confidentiality requirements of the placement site and those imposed by the applicable rules of professional responsibility.

Finally, I understand that any breach of this Acceptance Agreement constitutes an honor code violation.

Signature of student:

Date:

Signature of faculty member:

Date:

Student information:

Address:

Telephone:

Email:

EXTERNSHIP PROGRAM

Responsibilities of Externs

1. All externs are required to perform a total of 140 hours of work over the course of the semester for the externship placement, with an average commitment of 10 to 11 hours per week at the placement site. Failure to do so will result in a student's not receiving credit for the externship.
2. All externs are required to participate in the classroom component of the externship program. The time required by the classroom component is in addition to the hours required by Paragraph 1 above.
3. All externs will honor the confidentiality requirements of the placement site and those imposed by the applicable rules of professional responsibility.
4. Externs shall carry out all externship assignments to the best of their abilities.
5. Externs may not receive compensation other than reimbursement for incidental expenses.
6. All externs are required to prepare and submit journal entries on established due dates. These journal entries may include externs' perceptions and insights about the work experience and workplace, the lawyering process, the institutions of the legal system, the experience of working with clients (where applicable), the law as it operates in practice, or other matters related to the externship experience. Externs may be asked to submit journal entries in response to specific questions posed by their UNC Externship Faculty Supervisor.
7. All externs must complete all required forms at the end of the semester.
8. No student may withdraw from an ongoing externship until adequate safeguards for the handling of cases and/or client problems assigned to the student have been arranged with the UNC Externship Faculty Supervisor and the supervising attorney at the placement site.

University of North Carolina School of Law
Externship Program

EXTERNSHIP PLACEMENT LEARNING GOALS AND PLAN

EXTERN NAME

SITE SUPERVISOR NAME

SITE

SEMESTER/YEAR

This document should serve as a blue print for the externs' goals, work schedule and weekly site supervisor meetings during the course of this externship. During the first week of the semester, students are required to identify and discuss with their site supervisor their particular learning goals for their externship. At this initial meeting, the extern and site supervisor should accomplish the following:

- Discuss the extern's goals and develop a plan for meeting those goals over the course of the semester;
- Identify any upcoming court dates, meetings, etc., which the extern might attend during the semester;
- Identify dates when the site supervisor will be out of the office or the office will be closed;
- Set up a schedule for weekly progress meetings with the site supervisor;
- Calendar dates for the midterm and final evaluation meetings.

LEARNING GOALS – Please list goals and include specific experiences that you think would help in attaining each goal:

EXTERN'S PLANNED WORK SCHEDULE (DAYS/TIMES)

IMPORTANT DATES/EVENTS

WEEKLY PROGRESS MEETINGS _____

MIDTERM EVALUATION/MEETING _____

FINAL EVALUATION/MEETING _____

Signature of Extern

Date

Signature of Site Supervisor

Date

Selected Excerpts from the MacCrate Report

Legal Education and Professional Development

An Educational Continuum
Report of The Task Force on Law Schools and the Profession: Narrowing
the Gap
American Bar Association
Section of Legal Education and Admissions to the Bar

JULY 1992

Opinions expressed in this Report are not to be deemed to represent the views of the Association or the Section unless and until adopted pursuant to their Bylaws.

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Dedication

Task Force

Chapter Five The Statement of Fundamental Lawyering Skills and Professional Values

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[B. Overview of the Skills and Values Analyzed](#)

[Fundamental Lawyering Skills](#)
[Fundamental Values of the Profession](#)

A. Organization of the Statement

The Statement first analyzes the fundamental lawyering skills essential for competent representation. It begins with two analytical skills that are conceptual foundations for virtually all aspects of legal practice: problem solving (Skill §1) and legal analysis (Skill § 2). It then examines five skills that are essential throughout a wide range of kinds of legal practice: legal research (Skill § 3), factual investigation (Skill § 4), communication (Skill § 5), counseling (Skill § 6), and negotiation (Skill § 7). The Statement next focuses upon the skills required to employ, or to advise a client about, the options of litigation and alternative dispute resolution (Skill § 8). Although there are many lawyers who do not engage in litigation or make use of alternative dispute resolution mechanisms, even these lawyers are frequently in a position of having to consider litigation or alternative dispute resolution as possible solutions to a client's problem, or to counsel a client about these options, or to factor the options into planning for negotiation. To accomplish these tasks, a lawyer needs to have at least a basic familiarity with the aspects of litigation and alternative dispute resolution described in Skill § 8. Skill § 9 identifies the administrative skills necessary to organize and manage legal work effectively. This section reflects the perception that adequate practice management skills are an essential precondition for competent representation of clients. Finally, Skill §10 analyzes the skills involved in recognizing and resolving ethical dilemmas.

The analysis of professional values recognizes that "training in professional responsibility" should involve more than "just the specifics of the Code of Professional Responsibility and the Model Rules of Professional Conduct"; it should encompass "the values of the profession," including "the obligations and accountability of a professional dealing with the lives and affairs of clients." McKay, *supra*, at 509-10. Value §1 examines the value of competent representation, analyzing the ideals to which a lawyer should be committed as a member of a profession dedicated to the service of clients. Value § 2 considers the value of striving to promote justice, fairness, and morality; it examines the ideals to which a lawyer should be committed as a member of a profession that bears "special responsibilit[ies] for the quality of justice" (Model Rules, Preamble). Value § 3 addresses the value of striving to improve the profession; it explores the ideals to which a lawyer should be committed as a member of a "self-governing" profession (*ibid.*). Finally, Value § 4 examines the value of professional self-development, analyzing the ideals to which a lawyer should be committed as a member of a "learned profession" (*ibid.*).

Each section is divided into a *statement* of the respective skill or value and a *commentary*. In the skills sections, the statements contain the bulk of the analysis, with the commentaries providing background on the particular skill and the manner in which it is analyzed. In the values sections, the statements tend to be briefer; the commentaries contain more analysis. These differences in style reflect a basic difference in the kinds of discourse best suited to express skills on the one hand and values on the other, particularly in a prescriptive format. Legal skills are illuminated by dissection and precise elaboration; values are better explicated in broad formulations nuanced by discussion.

The skills and values in this Statement are analyzed separately in order to promote clarity in examining the components of each one. However, the vision of legal practice underlying the Statement recognizes that individual skills and values cannot be neatly compartmentalized. There are numerous relationships between individual skills. Thus, for example, the formulations of the skills of counseling (Skill § 6), negotiation (Skill ~ 7), and litigation (Skill § 8) explain that these skills may require the application of the skills of legal analysis, legal research, and factual investigation (*see, e.g.,* Skill § 6.2(a)-(b), 7.1(b), 8.1(c), 8.3(d)); the analysis of the skill of negotiation explains that counseling skills are ordinarily employed to help a client decide whether to accept or reject the best terms obtained from the other side in a negotiation session (Skill § 7.3(a)); and the skill of problem solving typically requires that a lawyer employ interviewing skills to gather the facts needed to identify and diagnose the client's problem (*see* Skill §1.1). Similarly, there are relationships between individual values. For example, both the value of competent representation (Value §1) and the value of professional self-development (Value § 4) call for a commitment to continuing study, although the former section conceives of such study as a means of maintaining competence while the

latter treats it as a means of attaining excellence.

Moreover, there is a relationship between the skills and the values. As Value §1 explains, the specific skills examined in Skill §§ 1-10, together with the more general skill of self-appraisal (which is discussed in the text and Commentary of Skill §1) are essential means by which a lawyer fulfills his or her responsibilities to a client and simultaneously realizes the ideal of competent representation. The process of preparing to represent clients competently is a matter both of accepting certain professional values and of acquiring the skills necessary to promote these values.

These relationships between skills and values were taken into account in deciding the order in which to present the various skills and values. Thus, for example, the Statement analyzes skills before values because familiarity with Skill §§1-10 is essential for understanding the ideal of competent representation which is discussed in Value § 1. General foundational skills such as problem solving (Skill §1) and legal analysis (Skill § 2) are addressed before other skills that build upon them, just as the value of continuing study for the purpose of maintaining competence (Value §1) is addressed before the value of continuing study for the purpose of attaining excellence (Value §4). Otherwise, the order in which skills or values are presented does not reflect any views about their relative importance in the practice of law or in the process of preparing for practice.

The arrangement of skills is also not descriptive of the sequence in which they may be used in handling a client's legal problem. Effective lawyering is rarely, if ever, a linear, step-by-step process. Although skills such as problem solving and legal analysis are ordinarily applied at an early stage of the process, they are also relevant throughout a lawyer's representation of a client. As the analyses of these skills explain, a lawyer must constantly reassess a plan for solving a client's problem or a legal theory when new information becomes available (see Skill §§1.4(d), 1.5, 2.1(c)(iii)). In much the same manner, other sections recognize that the acquisition of new information may require that a lawyer reassess the validity of a plan for legal research (Skill § 3.3(d)(ii)) or an investigative strategy (Skill § 4.2(b)(i)(B)), that he or she counsel a client about the advisability of reconsidering a decision or adopting a new course of action (Skill § 6.5(c)), and that the lawyer re-evaluate the goals for a negotiation or the negotiating strategies or tactics which he or she previously selected to achieve those goals (Skill § 7.2(c)).

B. Overview of the Skills and Values Analyzed

Fundamental Lawyering Skills

Skill § 1:

In order to develop and evaluate strategies for solving a problem or accomplishing an objective, a lawyer should be familiar with the skills and concepts involved in:

- 1.1 Identifying and Diagnosing the Problem;
- 1.2 Generating Alternative Solutions and Strategies;
- 1.3 Developing a Plan of Action;
- 1.4 Implementing the Plan;
- 1.5 Keeping the Planning Process Open to New Information and New Ideas.

Skill § 2:

In order to analyze and apply legal rules and principles, a lawyer should be familiar with the skills and concepts involved in:

- 2.1 Identifying and Formulating Legal Issues;
- 2.2 Formulating Relevant Legal Theories;
- 2.3 Elaborating Legal Theory;
- 2.4 Evaluating Legal Theory;
- 2.5 Criticizing and Synthesizing Legal Argumentation.

Skill § 3:

In order to identify legal issues and to research them thoroughly and efficiently, a lawyer should have:

- 3.1 Knowledge of the Nature of Legal Rules and Institutions;
- 3.2 Knowledge of and Ability to Use the Most Fundamental Tools of Legal Research;
- 3.3 Understanding of the Process of Devising and Implementing a Coherent and Effective Research Design.

Skill § 4:

In order to plan, direct, and (where applicable) participate in factual investigation, a lawyer should be familiar with the skills and concepts involved in:

- 4.1 Determining the Need for Factual Investigation;
- 4.2 Planning a Factual Investigation;
- 4.3 Implementing the Investigative Strategy;
- 4.4 Memorializing and Organizing Information in an Accessible Form;
- 4.5 Deciding Whether to Conclude the Process of Fact-Gathering;
- 4.6 Evaluating the Information That Has Been Gathered.

Skill § 5:

In order to communicate effectively, whether orally or in writing, a lawyer should be familiar with the skills and concepts involved in:

- 5.1 Assessing the Perspective of the Recipient of the Communication;
- 5.2 Using Effective Methods of Communication.

Skill § 6:

In order to counsel clients about decisions or courses of action, a lawyer should be familiar with the skills and concepts involved in:

- 6.1 Establishing a Counseling Relationship That Respects the Nature and Bounds of a Lawyer's Role;
- 6.2 Gathering Information Relevant to the Decision to Be Made;

6.3 Analyzing the Decision to Be Made;

6.4 Counseling the Client About the Decision to Be Made;

6.5 Ascertaining and Implementing the Client's Decision.

Skill § 7:

In order to negotiate in either a dispute-resolution or transactional context, a lawyer should be familiar with the skills and concepts involved in:

7.1 Preparing for Negotiation;

7.2 Conducting a Negotiation Session;

7.3 Counseling the Client About the Terms Obtained From the Other Side in the Negotiation and Implementing the Client's Decision.

Skill § 8:

In order to employ-or to advise a client about-the options of litigation and alternative dispute resolution, a lawyer should understand the potential functions and consequences of these processes and should have a working knowledge of the fundamentals of:

8.1 Litigation at the Trial-Court Level;

8.2 Litigation at the Appellate Level;

8.3 Advocacy in Administrative and Executive Forums;

8.4 Proceedings in Other Dispute-Resolution Forums.

Skill § 9:

In order to practice effectively, a lawyer should be familiar with the skills and concepts required for efficient management, including:

9.1 Formulating Goals and Principles for Effective Practice Management;

9.2 Developing Systems and Procedures to Ensure that Time, Effort, and Resources Are Allocated Efficiently;

9.3 Developing Systems and Procedures to Ensure that Work is Performed and Completed at the Appropriate Time;

9.4 Developing Systems and Procedures for Effectively Working with Other People;

9.5 Developing Systems and Procedures for Efficiently Administering a Law Office.

Skill § 10:

In order to represent a client consistently with applicable ethical standards, a lawyer should be familiar with:

10.1 The Nature and Sources of Ethical Standards;

10.2 The Means by Which Ethical Standards are Enforced;

10.3 The Processes for Recognizing and Resolving Ethical Dilemmas.

Fundamental Values of the Profession

Value § 1:

As a member of a profession dedicated to the service of clients, a lawyer should be committed to the values of:

1.1 Attaining a Level of Competence in One's Own Field of Practice;

1.2 Maintaining a Level of Competence in One's Own Field of Practice;

1.3 Representing Clients in a Competent Manner.

Value § 2:

As a member of a profession that bears special responsibilities for the quality of justice, a lawyer should be committed to the values of:

2.1 Promoting Justice, Fairness, and Morality in One's Own Daily Practice;

2.2 Contributing to the Profession's Fulfillment of its Responsibility to Ensure that Adequate Legal Services Are Provided to Those Who Cannot Afford to Pay for Them;

2.3 Contributing to the Profession's Fulfillment of its Responsibility to Enhance the Capacity of Law and Legal Institutions to Do Justice.

Value § 3:

As a member of a self-governing profession, a lawyer should be committed to the values of:

3.1 Participating in Activities Designed to Improve the Profession;

3.2 Assisting in the Training and Preparation of New Lawyers;

3.3 Striving to Rid the Profession of Bias Based on Race, Religion, Ethnic Origin, Gender, Sexual Orientation, or Disability, and to Rectify the Effects of These Biases.

Value § 4:

As a member of a learned profession, a lawyer should be committed to the values of:

4.1 Seeking Out and Taking Advantage of Opportunities to Increase His or Her Knowledge and Improve His or Her Skills;

4.2 Selecting and Maintaining Employment That Will Allow the Lawyer to Develop As a Professional and to Pursue His or Her Professional and Personal Goals.

MEMORANDUM

TO: OUR SITE SUPERVISORS

FROM: MARIA SAVASTA-KENNEDY

RE: A GUIDE TO EVALUATING YOUR EXTERNS' WRITTEN WORK

Several of you have mentioned that it would prove useful to have additional guidance in evaluating your externs' research and writing efforts. I have adapted the following "key" from our First Year Research and Writing Program to help define various levels and particular attributes of your externs' written products. The key is based on the traditional "A - D" grading system, which basically equates to the current "4-1" evaluation system used in our Midterm and Final Evaluations. For our purposes the key is useful as a lexicon of specific terms and phrases that you might use in your written and oral evaluations of your students' particular written products. Please let me know if you find this helpful - your comments and suggestions are greatly appreciated.

An "A" (or "4" for "Excellent") means that the student's written work:

- (a) is clear, easy to read, and powerful;
- (b) is based on sound logic and persuasive reasoning;
- (c) is based on solid, well-applied research;
- (d) helps the reader and resolve the legal issues in the case;
- (e) uses case law effectively to illustrate legal rules in a meaningful way;
- (f) demonstrates an innovative or creative approach;
- (g) follows acceptable format;
- (h) has few if any conspicuous Bluebook errors and uses "Bluebook language" to communicate substantive legal issues efficiently;
- (i) is virtually free of errors in grammar, spelling, syntax, and typing.

In sum, an "4" means that you are confident in relying on the student's work with little or no revision.

A “B” (or “3” for “Good”) means the student’s written work :

- (a) is similar to, but lacks the power or polish of an “A” assignment;
- (b) is complete, but may also be overly wordy;
- (c) is generally well-written, logical and persuasive;
- (d) contains only one or two Bluebook errors, if any, but may not use "Bluebook language" as effectively as possible to convey substantive information about the law;
- (e) contains few if any errors in grammar, spelling, syntax, and typing.

In sum, a “3” means that you would feel confident in using the student’s work product with some revisions and might seek some verification of the student’s position.

A “C” (or “2” for “Satisfactory”) means that the student’s written work:

- (a) is generally well-organized and addresses all major points, but may require the reader to reread text before fully grasping the author's point;
- (b) does not make full use of the case law to illustrate applicable rules of law;
- (c) may contain some errors in grammar, spelling, syntax, or typing;
- (d) may contain conspicuous Bluebook errors.

In sum, a “2” means that the student is on the right track, but the you would feel uneasy about relying unguardedly on the student’s legal research and analysis.

A “D” (or “1” for “Unsatisfactory”) means that the student’s written work:

- (a) fails to fully explain and evaluate the major legal issues;
- (b) contains illogical, implausible, or irrational analysis;
- (c) conspicuously fails to follow required format;
- (d) contains conspicuous errors in grammar, spelling, or typing;
- (e) demonstrates little effort to apply Bluebook format.

In sum, a “1” assignment is not acceptable to you. It may provide you with a few cases or ideas from which to begin, but would be undependable standing alone.

**UNC School of Law
Externship Program**

TIPS FOR CRITIQUING STUDENT WRITING¹

Site Supervisors are sometimes reluctant to provide feedback to student externs on legal writing. It is a time consuming task. It may be uncomfortable for the site supervisor, who may fear hurting the student's feelings. Site supervisors also may be unsure how best to approach the critique. Yet receiving legal writing critique can be one of the most beneficial aspects of the student's externship experience. The following suggestions are used by many legal writing teachers and may help keep the critique process positive, efficient, and effective.

1. *Give an overall assessment of the work before discussing details:*

Students will understand specific comments better if they see the overall picture. Before commenting on individual sentences, first give an overall assessment of the work, state what areas were done well, and what areas you will focus on in the critique. For example, "Your organization is sound, but I want you to work on making your analysis more concise."

2. *Mix positive comments with constructive criticism:*

Most people, in any situation, will have a difficult time staying focused on improving if they receive only negative feedback. Providing positive comments in and of itself is an effective learning tool because novices need to hear what they have done well. Try to begin your critique with a positive comment and then mix positive comments with constructive criticism (see #3).

3. *Use good writing samples to illustrate points, including the student's own work:*

It often is helpful for the novice to see samples or models of prior good work by you or other attorneys so that they understand what is expected. In addition, when experienced attorneys rework student writing, it is helpful for them to explain to students why changes were made and to give them a copy of the final product. Finally, if a student's work needs improving in one section, pointing to another part of the writing where it was done well not only illustrates the point but helps instill confidence that the student is capable of doing better work in that area.

4. *Comment of specifics:*

Provide constructive criticism in many areas including development of analysis, overall organization, paragraph organization, sentence structure, grammar, and conciseness. Whatever the area, it is helpful to provide specifics on what needs to be improved, rather than general comments. For example, rather than stating generally that analysis needs to be improved, show how the student could strengthen the analysis by comparing the facts of this case with a prior case. Don't assume a student will understand how to improve without specific guidance.

¹ Based on the research of Bernadette Feeley, Suffolk University School of Law

5. ***Don't fix everything:***

Editing and reworking the student's entire writing will be time consuming, may overwhelm the student, and does not provide the student the opportunity for self-improvement. Keep in mind that our goal is not only to fix a particular assignment, but to help the novice develop as a self-editor. A more efficient and effective method is to edit one portion of the paper, explain why the changes were necessary, create priorities for redrafting, and then allow the student to redraft.

6. ***Develop priorities for redrafting:***

If a student's work needs improvement in many areas, it might be helpful for the student to do several redrafts. Set but limit priorities for the first redraft. For example, priorities for the first redraft can be improving overall organization and/or developing research and analysis. The second redraft can focus on other aspects of the writing.

7. ***Ask the student to evaluate his or her own performance:***

Before beginning their critique, you may ask your student extern to evaluate their own research/writing process and their final product. This will encourage students to reflect on their own learning process and develop a theory for improved performance. It also may produce an acknowledgement that a certain part of the writing needs improvement.

8. ***Remember a little experience can make a big difference:***

It helps to remind ourselves that, for the novice, sometimes even the most basic concepts need to be explained. There can be a wide gap of knowledge between law students and attorneys who have been practicing for even a short time. Keeping this in mind helps maintain an effective mentoring relationship.

9. ***Provide guidance before and during the assignment:***

One key to moving the student's work to a higher level is providing guidance on the assignment before and during the writing process. When assigning the project, it is helpful to explain the context of the assignment as it fits into the overall case, discuss research strategy tips and any specific reference materials in your field, and the goals of the assignment. Once the project begins, the student should be encouraged to ask questions as they arise, and meet with you before they begin writing. This will assist the student in getting it right the first time and, ultimately, will save time for the student and the site supervisor.

**University of North Carolina School of Law
EXTERNSHIP PROGRAM**

SITE SUPERVISOR MID-TERM EVALUATION OF JUDICIAL EXTERN

Student:

Placement Site:

Semester Worked:

Supervisor:

1. Is the student adhering to his/her work plans and completing assigned projects in a timely fashion?
2. How well is the student able to take direction and work under supervision?
3. Is the student meeting the Placement Learning Goals identified at the beginning of the semester?
4. Is the student meeting weekly hour requirements?
5. Is the student providing weekly work logs in a timely fashion?
6. How is the student's assistance being used this far? For example: research; drafting bench memos; drafting orders; observing court proceedings; etc.
7. How often do you meet with the student? How often do you provide feedback?
8. What kind of training are you providing the student?
9. What opportunities for observation of the law and the lawyering process are you affording the student?

For Questions 10 – 16, please use the following rating system:

Please evaluate your student extern in each of the following areas on a scale of 1 to 4 (4=Excellent, 3= Good, 2=Satisfactory, 1= Unsatisfactory, NA=Not Applicable).

In addition, please make detailed comments where appropriate.

10. *Research Ability*

-] Student knows the basic, non-computer library research tools and how to use them
-] Student is familiar with computerized legal research resources
-] Student does thorough, careful and accurate work
-] Student produces practical and useful results

Comments:

11. *Legal Analysis and Reasoning*

-] Student effectively assesses and weighs the pros and cons of different legal arguments presented to the court
-] Legal analysis is coherent and well-organized
-] Student displays intellectual curiosity
-] Student displays the ability to draw supportable conclusions from the facts and the law presented
-] Student pursues analogous law and/or policy rationale in areas where the law is unclear
-] Student produces high quality, useful work product

Comments:

12. *Writing Skills*

- Student writes clearly, precisely and persuasively
- Student drafts well-organized written assignments
- Student cites accurately and properly

Comments:

13. *Clarity of Oral Expression*

- Student speaks well and is easily understood
- Student is able to discuss issues clearly

Comments:

14. *Judgment*

- Student is mature and exercises good common sense
- Student knows how and when to ask questions or seek additional consultation
- Student sets appropriate priorities in handling assigned work

Comments:

15. *Responsibility*

- Student is trustworthy and acts ethically
- Student takes initiative
- Student is dependable and conscientious about work
- Student meets deadlines and manages time well
- Student accepts criticism and constructively modifies work habits

Comments:

16. "Plus" Traits

- Student shows an interest in the employer's work
- Student is cooperative and accommodating to the needs of the office
- Student remains unruffled in emergency situations
- Student is courteous and respectful to all staff
- Student demonstrates sensitivity to office human relations dynamics
- Student appears self-confident and enthusiastic
- Student maintains a professional demeanor

Comments:

- 17. If you have indicated that the student's work needs improvement, please describe more specifically what the student can do to improve.

- 18. Please identify any other issues that the student, or the Externship Faculty Supervisors, should address this semester.

Thank you! We appreciate your time and efforts to make this a worthwhile program.

SUPERVISOR NAME & TITLE	SIGNATURE	DATE
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STUDENT NAME	SIGNATURE	DATE
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**University of North Carolina School of Law
EXTERNSHIP PROGRAM**

SITE SUPERVISOR FINAL EVALUATION OF JUDICIAL EXTERN

STUDENT:

PLACEMENT SITE:

SEMESTER WORKED:

SUPERVISOR:

Please evaluate your student extern in each of the following areas on a scale of 1 to 4 (4=Excellent, 3= Good, 2=Satisfactory, 1= Unsatisfactory, NA=Not Applicable). In addition, please make detailed comments where appropriate.

1. *Research Ability*

- Student knows the basic, non-electronic library research tools
- Student is familiar with computerized legal research resources
- Student does thorough, careful and accurate work
- Student produces practical and useful results

Comments:

2. *Legal Analysis and Reasoning*

- Student effectively assesses and weighs the pros and cons of different legal arguments presented to the court
- Legal analysis is coherent and well-organized
- Student displays intellectual curiosity
- Student displays the ability to draw supportable conclusions from the facts and law presented
- Student pursues analogous law and/or policy rationale in areas where the law is unclear
- Student produces high quality, useful work product

Comments:

3. *Writing Skill*

- Student writes clearly, precisely and persuasively
- Student drafts well-organized written assignments
- Student cites accurately and properly

Comments:

4. *Clarity of Oral Expression*

- Student speaks well and is easily understood
- Student is able to discuss issues clearly

Comments:

5. *Judgment*

- Student is mature and exercises good common sense
- Student knows how and when to ask questions or seek additional consultation
- Student sets appropriate priorities in handling assigned work

Comments:

6. *Responsibility*

- Student is trustworthy and acts ethically
- Student takes initiative
- Student is dependable and conscientious about work
- Student meets deadlines and manages time well
- Student accepts criticism and constructively modifies work habits

Comments:

7. *"Plus" Traits*

- Student shows an interest in the employer's work
- Student is cooperative and accommodating to the needs of the office
- Student remains unruffled in emergency situations
- Student is courteous and respectful to all staff
- Student demonstrates sensitivity to office human relations dynamics
- Student appears self-confident and enthusiastic
- Student maintains a professional demeanor

Comments:

8. *General Effectiveness:*

- Please rate the student's effectiveness overall.

9. Has the student satisfactorily completed the requisite hours during the semester? (Fall/Spring, 140 hours) (Summer, 32 hours per week).

10. Has the student provided weekly work logs in a timely fashion?

11. Please comment on any changes in the student's work over the course of the semester. Did the student's work improve during the semester?

12. If there were an opening in your chambers, or another judge's chambers, for an attorney fresh out of law school, would you recommend this student for that position?

13. We would greatly appreciate any comments or suggestions you may have regarding the Externship Program.

Thank you! We appreciate your time and efforts to make this a worthwhile program!

Name and Title

Signature

Date

Student Name

Signature

Date

University of North Carolina School of Law

**EXTERNSHIP PROGRAM
STUDENT FEEDBACK TO SITE SUPERVISOR**

All forms available on Blackboard

STUDENT:

PLACEMENT SITE:

SEMESTER /YEAR WORKED:

SUPERVISOR:

This student site evaluation is provided in the spirit of cooperative learning and reflects our belief that everyone benefits from both positive and constructive feedback, including our site supervisors. At the completion of your semester, please complete this evaluation and share a copy with your site supervisor. This formalized feedback mechanism is intended to assist us in our efforts to provide support and constructive feedback to our externship site supervisors.

1. Did you meet the Placement Learning Goals that you identified at the beginning of the semester? If not, why not? Did you gain benefits from your externship that were not identified in your Placement Learning Goals?

2. Please provide constructive feedback for your site supervisor concerning the quality and effectiveness of the mentoring and supervision you received this semester. For example, what kind of direction and feedback did you receive on your work?

3. What part of the externship did you like best and why?

4. What were the drawbacks, disadvantages, or weaknesses of the externship?

5. How can the externship at this site be improved for future externs (e.g., workload, supervision, physical environment)?

Site Supervisor (please sign and print)

Date

Extern (please sign and print)

Date

NC State Bar

Rules and Regulations

SUBCHAPTER C

Rules Governing the Board of Law Examiners and the Training of Law Students

Section .0200 Rules Governing Practical Training of Law Students

.0201 Purpose

The following rules are adopted to encourage law schools to provide their students with supervised practical training of varying kinds during the period of their formal legal education and to enable law students to obtain supervised practical training while serving as legal interns for government agencies.

History Note: Statutory Authority G.S. 84-23

Readopted Effective December 8, 1994

Amended June 7, 2001; March 6, 2008

.0202 Definitions

The following definitions shall apply to the terms used in this section:

- (1) Eligible persons - Persons who are unable financially to pay for the legal services of an attorney, as determined by a standard established by a judge of the General Court of Justice, a legal services corporation, or a law school legal aid clinic providing representation. "Eligible persons" includes non-profit organizations serving low-income communities.
- (2) Government agencies - The federal or state government, any local government, or any agency, department, unit, or other entity of federal, state, or local government, specifically including a public defenders office or a district attorney's office.
- (3) Law school - An ABA accredited law school or a law school actively seeking accreditation from the ABA and licensed by the Board of Governors of the University of North Carolina. If ABA accreditation is not obtained by a law school so licensed within three years of the commencement of classes, legal interns

may not practice, pursuant to these rules, with any legal aid clinic of the law school.

(4) Legal aid clinic - A department, division, program, or course in a law school that operates under the supervision of an active member of the State Bar and renders legal services to eligible persons.

(5) Legal intern - A law student who is certified to provide supervised representation to clients under the provisions of the rules of this Subchapter.

(6) Legal services corporation - A nonprofit North Carolina corporation organized exclusively to provide representation to eligible persons.

(7) Supervising attorney - An active member of the North Carolina State Bar who satisfies the requirements of Rule .0205 of this Subchapter and who supervises one or more legal interns.

History Note: Statutory Authority G.S. 84-23

Readopted Effective December 8, 1994

Amended June 7, 2001; March 6, 2002; March 6, 2008

.0203 Eligibility

To engage in activities permitted by these rules, a law student must satisfy the following requirements:

(1) be enrolled in a law school approved by the Council of the North Carolina State Bar;

(2) have completed at least three semesters of the requirements for a professional degree in law (J.D. or its equivalent);

(3) be certified in writing by a representative of his or her law school, authorized by the dean of the law school to provide such certification, as being of good character with requisite legal ability and training to perform as a legal intern;

(4) be introduced to the court in which he or she is appearing by an attorney admitted to practice in that court;

(5) neither ask for nor receive any compensation or remuneration of any kind from any client for whom he or she renders services, but this shall not prevent an attorney, legal services corporation, law school, or government agency from

paying compensation to the law student or charging or collecting a fee for legal services performed by such law student;

(6) certify in writing that he or she has read and is familiar with the North Carolina Revised Rules of Professional Conduct and the opinions interpretive thereof.

History Note: Statutory Authority G.S. 84-23

Readopted Effective December 8, 1994

Amended June 7, 2001; March 6, 2008

.0204 Certification as Legal Intern

Upon receipt of the written materials required by Rule .0203(3) and (6) and Rule .0205(6), the North Carolina State Bar shall certify that the law student may serve as a legal intern. The certification shall be subject to the following limitations:

(a) Duration. The certification shall be effective for 18 months or until the announcement of the results of the first bar examination following the legal intern's graduation whichever is earlier. If the legal intern passes the bar examination, the certification shall remain in effect until the legal intern is sworn-in by a court and admitted to the bar.

(b) Withdrawal of Certification. The certification shall be withdrawn by the State Bar, without hearing or a showing of cause, upon receipt of

(1) notice from a representative of the legal intern's law school, authorized to act by the dean of the law school, that the legal intern has not graduated but is no longer enrolled;

(2) notice from a representative of the legal intern's law school, authorized to act by the dean of the law school, that the legal intern is no longer in good standing at the law school;

(3) notice from a supervising attorney that the supervising attorney is no longer supervising the legal intern and that no other qualified attorney has assumed the supervision of the legal intern; or

(4) notice from a judge before whom the legal intern has appeared that the certification should be withdrawn.

History Note: Statutory Authority G.S. 84-23

Readopted Effective December 8, 1994

Amended June 7, 2001

.0205 Supervision

(a) A supervising attorney shall

(1) be an active member of the North Carolina State Bar who has practiced law as a full-time occupation for at least two years;

(2) supervise no more than two legal interns concurrently, provided, however, there is no limit on the number of legal interns who may be supervised concurrently by an attorney who is a full-time member of a law school's faculty or staff whose primary responsibility is supervising legal interns in a legal aid clinic and, further provided, that an attorney who supervises legal interns through an externship or out-placement program of a law school legal aid clinic may supervise up to five legal interns;

(3) assume personal professional responsibility for any work undertaken by a legal intern while under his or her supervision;

(4) assist and counsel with a legal intern in the activities permitted by these rules and review such activities with the legal intern, all to the extent required for the proper practical training of the legal intern and the protection of the client;

(5) read, approve and personally sign any pleadings or other papers prepared by a legal intern prior to the filing thereof, and read and approve any documents prepared by a legal intern for execution by a client or third party prior to the execution thereof;

(6) prior to commencing the supervision, assume responsibility for supervising a legal intern by filing with the North Carolina State Bar a signed notice setting forth the period during which supervising attorney expects to supervise the activities of an identified legal intern, and that the supervising attorney will adequately supervise the legal intern in accordance with these rules; and

(7) notify the North Carolina State Bar in writing promptly whenever the supervision of a legal intern ceases.

History Note: Statutory Authority G.S. 84-23

Readopted Effective December 8, 1994

Amended June 7, 2001; March 6, 2002; March 6, 2008

SUBCHAPTER C

.0206 Activities

(a) A properly certified legal intern may engage in the activities provided in this rule under the supervision of an attorney qualified and acting in accordance with the provisions of Rule .0205 of this subchapter.

(b) Without the presence of the supervising attorney, a legal intern may give advice to a client, including a government agency, on legal matters provided that the legal intern gives a clear prior explanation that the legal intern is not an attorney and the supervising attorney has given the legal intern permission to render legal advice in the subject area involved.

(c) A legal intern may represent an eligible person, the state in criminal prosecutions, a criminal defendant who is represented by the public defender, or a government agency in any proceeding before a federal, state, or local tribunal, including an administrative agency, if prior consent is obtained from the tribunal or agency upon application of the supervising attorney. Each appearance before the tribunal or agency shall be subject to any limitations imposed by the tribunal or agency including, but not limited to, the requirement that the supervising attorney physically accompany the legal intern.

(d) In all cases under this rule in which a legal intern makes an appearance before a tribunal or agency on behalf of a client who is an individual, the legal intern shall have the written consent in advance of the client. The client shall be given a clear explanation, prior to the giving of his or her consent, that the legal intern is not an attorney. This consent shall be filed with the tribunal and made a part of the record in the case. In all cases in which a legal intern makes an appearance before a tribunal or agency on behalf a government agency, the consent of the government agency shall be presumed if the legal intern is participating in an internship program of the government agency. A statement advising the court of the legal intern's participation in an internship program of the government agency shall be filed with the tribunal and made a part of the record in the case.

(e) In all cases under this rule in which a legal intern is permitted to make an appearance before a tribunal or agency, subject to any limitations imposed by

the tribunal, the legal intern may engage in all activities appropriate to the representation of the client, including, without limitation, selection of and argument to the jury, examination and cross-examination of witnesses, motions and arguments thereon, and giving notice of appeal.

History Note: Statutory Authority G.S. 84-23

Readopted Effective December 8, 1994

Amended June 7, 2001; March 6, 2002; March 6, 2008

.0207 Use of Student's Name

(a) A legal intern's name may properly

(1) be printed or typed on briefs, pleadings, and other similar documents on which the legal intern has worked with or under the direction of the supervising attorney, provided the legal intern is clearly identified as a legal intern certified under these rules, and provided further that the legal intern shall not sign his or her name to such briefs, pleadings, or other similar documents;

(2) be signed to letters written on the letterhead of the supervising attorney, legal aid clinic, or government agency, provided there appears below the legal intern's signature a clear identification that the legal intern is certified under these rules. An appropriate designation is "Certified Legal Intern under the Supervision of [supervising attorney]."

(b) A student's name may not appear

(1) on the letterhead of a supervising attorney, legal aid clinic, or government agency;

(2) on a business card bearing the name of a supervising attorney, legal aid clinic, or government agency; or

(3) on a business card identifying the legal intern as certified under these rules.

History Note: Statutory Authority G.S. 84-23

Readopted Effective December 8, 1994

Amended June 7, 2001; March 6, 2008