Legal Externship Program Handbook

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http://law.du.edu/index.php/legal-externship-program
INTRODUCTION

A legal externship is a monitored work experience where the student establishes intentional learning goals and reflects actively on what is learned throughout their experience. With more than 450 placements a year, the University of Denver, Sturm College of Law’s Legal Externship Program is an effective and comprehensive bridge to take students from law student to lawyer.

The Legal Externship Program is divided into practice-specific programs. Students enrolled in each of these programs are required to also enroll in an accompanying, for-credit seminar that will address topics specific to each practice area.

EDUCATIONAL OBJECTIVES

- Develop the art of lawyering, including such skills as research, writing, legal analysis, client interviewing, communication, negotiation, and advocacy.

- Provide opportunities that integrate substantive learning with the practice of law.

- Promote the ethical practice of law by sensitizing students to issues of professional responsibility.

- Assist students to develop confidence in practical lawyering situations.

- Increase students’ understanding of their own individual strengths and weaknesses as lawyers.

- Explore and understand workplace issues such as time management, workplace culture, teamwork, giving and receiving feedback, and achieving balance in one’s life.

- Promote self-directed and lifelong learning.
To assist you with the process of identifying professional interests and translating those into externship opportunities, four faculty members are available.

**LEGAL EXTERNSHIP PROGRAM FACULTY**

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**PROGRAM INFORMATION**

Seminars are a required component of all externships. If a student completes two externships in the same type of placement (i.e. Private Firm) s/he does not need to repeat the seminar. However, if a student earns credit for an externship with a Private Firm and then a Nonprofit, s/he is required to take the appropriate seminar.
BEFORE YOU ENROLL

- Only students who have completed a minimum of 28 credit hours are eligible to earn credit for an externship.

- Students receive academic credit for externships and must pay the standard tuition rate.

- Students cannot repeat an externship for credit unless they submit a memo describing how the externship will be substantially different and will provide additional educational value with a second semester. This memo must come from the Supervising Attorney and may be faxed or sent as an email to the Legal Externship Program.

- Student must notify the Legal Externship Program if s/he drops to academic probation during the externship. In the event of academic probation, the student must withdraw from the externship.

- Students may not receive monetary compensation for the externship and earn academic credit at the same time.

- Students may not earn academic credit for an externship if the Supervising Attorney is a family member. Students should disclose to the Legal Externship Program any familial relationship within the supervising attorney’s office.

- Students cannot be presently enrolled in a clinical program (i.e. Earthlaw, SLO) or completing clinical cases from a prior enrollment.

- The Externship Program strongly discourages students from enrolling in two externships simultaneously. In our experience, neither the student nor either placement organization receives the full benefit of the externship experience if a student’s time is divided in this way. Students are likely to miss opportunities at each placement that would otherwise be available to them, and supervising attorneys may develop the impression that a student’s interest in his or her externship is not as robust. Additional considerations include the potential for conflicts of interest between the placement organizations to arise, and the danger that the student may be overwhelmed with his or her workload. Accordingly, while students may request permission to enroll in two externships simultaneously from the Externship Program faculty, permission will be granted only in rare or extenuating circumstances.

- The failure of a student to disclose in writing his/her work, volunteer, and clinical activities is a serious violation of the Externship Code of Conduct, the Student Honor Code, and the Colorado Rules of Professional Conduct for which s/he may be subject to discipline including expulsion from the externship with a grade of “Fail,” and other disciplinary proceedings under the honor and professional codes.

- Students must notify the Legal Externship Program and his/her Supervising Attorney of any employment and legal volunteer work s/he does concurrently. The student should notify the Legal Externship Program and his/her supervising attorney if s/he changes employers or volunteers elsewhere during the externship (may require completion of Conflict Notification Forms).
WHILE YOU ARE ENROLLED

- Failure to complete any of the requirements of the externship as stipulated by the Course Requirements may result in a grade of "Fail."

- All representations of a student’s hours and the materials s/he submits regarding his/her externship are subject to the Student Honor Code.

- If the student appears in court or administrative tribunals s/he must comply with C.R.S. 12-5-116. Any violation may subject him/her to personal liability for the unauthorized practice of law.

- The student must provide quality professional services to the best of his/her ability.

- The student must devote the time required to complete the externship commitment.

- The student must preserve the confidentiality of his/her supervising attorney's clients and affairs.

- The student must attend externship seminars, and submit time reports and reflective components if applicable.

- Once the student exceeds the number of hours required for his/her externship, s/he can volunteer but cannot obtain additional academic credit.

- The student’s school email account is the primary notification method of the Legal Externship Program. S/he is expected to check his/her email account on a regular basis.

FINDING AN EXTERNSHIP

Remember, not every student is selected to extern for the first office they interview with. START EARLY and give yourself plenty of time to secure an externship!

Find, Interview, and Select Pre-Approved or Student-Arranged Supervising Attorneys by August 3rd (Fall 2015), last day of fall classes, (Spring 2016), last day of spring classes/April 27th (Summer 2015). These dates are subject to change. For current semester deadlines, please refer to the program website.

There are two ways to find a supervising attorney and an externship:

1. Search the externship webpage which contains a database of pre-approved supervising attorneys. Search for pre-approved supervising attorneys by field of practice, type of practice, or supervising attorney name at http://law.du.edu/forms/legal-externship-program/internships-and-mentors/search.cfm.

Once you have found an externship that interests you, please contact the office that is offering the externship and submit the application materials listed in the externship database. Most offices will want to arrange an interview and may require a cover letter, resume, writing sample, references and/or transcript. Keep
the writing sample relatively succinct – five pages is plenty. Writing “samples” are examples of legal writing you have completed such as a memo or brief you wrote in your Lawyering Process course.

2. Students can also establish a relationship with a supervising attorney and set up their own externship. Such externships may be arranged at any location where appropriate supervision and work is found – this includes out of state and international opportunities. Before you can arrange an externship, an attorney who is not pre-approved must submit the Supervising Attorney Application and then be approved to participate as a supervising attorney. To apply, the attorney or judge should complete the Supervising Attorney Application Form. Only attorneys who have been licensed to practice law in any state for a minimum of five years will be approved as supervising attorneys.

Please note: Students who wish to earn academic credit for an externship out of the state of Colorado must receive approval from the Legal Externship Program Faculty prior to leaving the state.

The Legal Externship Program Faculty will review all requests for student arranged externships and Supervising Attorney Applications. Only those Supervising Attorney Application Forms demonstrating that the student will be engaged in an enjoyable, unique experience of significant educational value will be approved.

Supervising Attorney Applications must be submitted no later than August 3rd (Fall), last day of fall classes, not the last day of the fall semester, (Spring) or the last day of spring classes, not the last day of the spring semester, (Summer). These dates are subject to change. For current semester deadlines, please refer to the program website. Approval of a student-arranged externship is not automatic. The Supervising Attorney Application and your request will be carefully considered, and reviewed for educational benefit. Any application and/or request may be denied, per the discretion of the Legal Externship Program Faculty. It is recommended that all students have a back-up plan and allow time for the approval process.

To obtain a copy of the Supervising Attorney Application Form, go to http://law.du.edu/forms/legal-externship-program/forms/mentor-application.cfm

REGISTRATION

Students enrolled in a clinic with the Student Law Office (SLO) cannot receive academic credit for an externship without the written approval from both the Externship Director and the Clinic Director.

If a Supervising Attorney offers you an externship, ask them to complete the appropriate form(s) and return them to the Legal Externship Program via email or fax on or before August 3rd (Fall), last day of fall classes, not the last day of the fall semester, (Spring) or the last day of spring classes, not the last day of the spring semester, (Summer). These dates are subject to change. For current semester deadlines, please refer to the program website.

Be sure to bring all required forms when you meet with your potential Supervising Attorney. Please keep in mind that if you located the Supervising Attorney through the externship webpage or from a list provided by the Legal Externship Program, your supervising attorney is “pre-approved.” If this is the case, s/he only needs to complete the Supervising Attorney Acceptance
form. If you found the externship placement on your own, and the Supervising Attorney has never supervised students through the Legal Externship Program, your Supervising Attorney will need to complete both the Supervising Attorney Application Form and the Supervising Attorney Acceptance Form.

Please note: You will **not be approved for academic credit until these forms are received and approved by the Legal Externship Program Faculty**. If you do not submit materials on or before the published deadline, you cannot earn academic credit for your externship. Please refer to the steps below for registration guidelines.

1. Once the Supervising Attorney Application and the Supervising Attorney Acceptance Forms have been received and approved, you will receive an email from the Legal Externship Program with a link to the Externship Registration Form.

2. Add yourself to the waitlist for your externship and seminar. You can obtain CRN information on the Registrar’s Class Schedule.

3. After all required forms have been submitted and approved, the Legal Externship Program will register you for your externship and seminar based on the information you provide on the Externship Registration Form.

### SEMESTER IN PRACTICE (SiP)

The Semester in Practice program is designed to give students the opportunity to develop their practice skills by participating in a full time externship (40 hours per week) accompanied by a 3 credit weekly graded seminar. In this capstone experience, offered to students in their last year of law school, students have significant exposure to the substantive law in their externship, and focus on skills and professional identity in their seminar. One of a handful of such programs in the country, the Semester in Practice is a bridge from law school to practice.

Each SiP is customized to the needs and desires of the student. Faculty in the Legal Externship Program meet with prospective students to help them find the externship that will provide significant development for them on their way to becoming practicing lawyers. By way of example, students in the past have participated in the SiP at District Attorney and Public Defender offices, private firms, general counsel offices in for profit and nonprofit organizations, county attorney offices and government agencies.

Students who participate in the SiP program are permitted to take a total of 19 externship credits during their time in law school (15 credits are permitted otherwise) and a total of 25 out-of-class credits.
EXTERNSHIP POLICIES

A. Earning Academic Credit

Most externships are offered for 3 credit hours. An extern must work 50 hours for each credit hour earned. Students may earn between 2 – 6 credits, per semester. A student may earn no more than 15 hours of academic credit from externships during law school (unless participating in the Semester in Practice). Externship credits are considered “out-of-class” credits, and a student may earn no more than 25 out-of-class credits toward their JD degree. Other out-of-class credits are earned through directed research, clinics, journals, and moot court. **Please note: Students interested in receiving 5 or 6 academic credits must receive approval from the Externship Faculty.**

Students may start counting hours for their externship two weeks prior to the start of the semester (first day of classes) until two weeks after the end of the semester (last day of classes.) The program is 16 weeks in the Fall and Spring, and 10 weeks in the Summer.

B. Repeating an Externship

Students who are repeating an externship for a second semester must include with their completed forms a memo from their Supervising Attorney describing how the externship will be substantially different, what different projects they will be working on, and the increased educational value of a second semester in that externship. Students are billed for the number of credits approved for the externship. Once a student has exceeded working the number of hours required for the externship, s/he can continue to work and volunteer his/her time at that office. However, s/he cannot obtain additional academic credit for that externship.

C. Withdrawal, Reduction of Credits or Increase in Credits

Permission to withdraw from an externship requires the written permission of the placement Supervising Attorney, the Legal Externship Program Faculty, and the Dean of Student Affairs.

Because Supervising Attorneys make a commitment to our students and rely on the student’s commitment, only extremely compelling circumstances will be considered for withdrawal from the course, or for reducing credits, once the drop/add period has passed. Class scheduling conflicts will not constitute extremely compelling circumstances. To withdraw from an externship or reduce the number of credits after the end of the drop/add period, a student must complete a Drop/Add Petition (located on the Registrar’s website). This petition will be submitted electronically to the Dean of Student Affairs and Externship Director Ann Vessels for consideration.

If you wish to increase the number of credits for your externship after the drop/add period has passed, please contact the externship office to schedule a meeting with one of the externship faculty. After this meeting if you still wish to increase your credits, you will need to submit a Drop/Add Petition. This petition is submitted electronically to the Dean of Student Affairs and Externship Director Ann Vessels for consideration.
D. Orientation

Orientation is mandatory for all first-time externs. There are no exceptions or alternatives to this requirement. The date of orientation is determined and published on the Legal Externship Program’s website one semester prior to the semester’s requirement.

E. Externship Seminar

Seminars are a required component of all externships and are graded courses. All students earning credit for their first externship must take the seminar that corresponds with their externship type. If a student takes multiple externships and his/her externship type changes, s/he must take the seminar that corresponds with the new externship type. If a student completes two externships in the same type of placement (i.e. Private Firm) s/he does not need to repeat the seminar.

Externship seminars may include:

- The Practice of Criminal Defense
- The Practice of Criminal Prosecution
- The Practice of Environmental/Natural Resources Law
- The Practice of Law in a General Counsel’s Office
- The Practice of Law in a Private Firm
- The Practice of Law in the Government Sector
- The Practice of Law in the Nonprofit Sector
- Judicial Placements
- Semester in Practice

F. Email Communication

Students are expected to use their law school email accounts. Email will be the primary notification method of the Legal Externship Program; therefore, it is the student’s responsibility to check his/her law school email account on a regular basis. Students may email from home accounts but all emails originating from the Legal Externship Program will be sent to the student’s law school email account.

G. Financial Aid

Plan your finances ahead for summer! Students who will be enrolled in an externship during the summer semester and using financial aid are encouraged to contact the Financial Aid Office during the fall semester prior to their externship to discuss how to best utilize their financial aid awards.
H. No Compensation

Students may not receive monetary compensation from their placement while also receiving academic credit. **There are no exceptions or waivers to this rule.** Requests to work with a Supervising Attorney, where the student has previously received monetary compensation must be made in writing, signed by the supervising attorney and student, stating the student will not be paid for his/her externship activities.

I. Public Service Requirement

There are a variety of ways to satisfy the Public Service Requirement [“How to Satisfy the PSR”]. A student may satisfy the Public Service Requirement through the successful completion of an externship for credit with a government agency (including the Public Defender’s and District Attorney’s offices), a nonprofit (501(c)(3)) organization, or a judge (judicial clerkship). Additionally, an externship at a private law firm may satisfy the Public Service Requirement if the student completes fifty hours of pro bono work and the project has been approved by the Director of Public Interest. For questions regarding the Public Service Requirement, please email the Public Interest Coordinator at publicinterest@law.du.edu.

J. Research – Lexis and Westlaw

Students may use their Westlaw and Lexis accounts for research they do as part of their externship.

**EXTERNSHIP GRADING**

The Legal Externship Program Faculty shall award a grade of Pass or Fail to students, as appropriate, for the field work component of the externship. A grade of “Fail” will not affect the student’s G.P.A. However, if a student receives a grade of “Fail,” the student will receive no credit for the externship and the grade of “F” will appear on the student’s transcript.

Before the grade can be submitted to the Registrar, all requirements of the Legal Externship Program must be submitted. Students must submit all requirements in a timely manner, on the Legal Externship Program website or uploaded to TWEN or Blackboard as stated in the Course Requirements. Completed files shall include:

A. Requirements

1. Supervising Attorney Acceptance Form – This is a one-page pdf that requires your Supervising Attorney’s signature. We cannot accept this form from attorneys who are not approved or have not submitted the Supervising Attorney Application for approval.

2. Externship Registration Form - The Externship Registration Form is an online form that builds the program’s database. This form provides information regarding your previous externship experiences as well as other pertinent information. You will receive an email with a link to this form when the Supervising Attorney Acceptance Form and the Supervising Attorney Application (if applicable) are received.
3. Extern Skills Self-Evaluation – This evaluation gives you the opportunity to rate your development in a variety of skills at the start of your externship. These are important skills for every practicing lawyer. You and your Supervising Attorney will each evaluate your development in those same skills at the end of the externship. This will give you an opportunity to identify your strengths and weaknesses, and may help you identify additional classes you would like to take during your remaining time in law school. This evaluation is confidential and will only be viewed by the Legal Externship Program staff.

4. Learning Agenda – It is very important that you take time to complete this form with your Supervising Attorney. This is an opportunity for you and your Supervising Attorney to communicate about what you would like to experience, and what the Supervising Attorney would like you to experience. Many issues that might otherwise arise during an externship can be resolved by clear communication at the beginning of the externship when preparing the Learning Agenda.

5. Externship Mid-Semester Report – This report should be completed and submitted with the Externship Project List. This report provides you with an opportunity to evaluate your externship by comparing your experience with your Learning Agenda. This report can serve as a valuable communication tool, especially if your externship is not meeting the goals that were established on the Learning Agenda. It also gives the Legal Externship Program Faculty an opportunity to check in with you regarding the environment and the work you are completing throughout the semester. http://www.law.du.edu/documents/legal-externship-program/Externship-Mid-Semester-Report.pdf.

6. Externship Project List – This report is a list that, when completed, should be very helpful to you. By keeping track of your projects in this format, you will have ready access to them before an interview, when you are revising your resume, and when you may want to use the work at a later date.

7. Supervising Attorney’s Mid-Semester Evaluation of Student Extern – During the Fall and Spring semesters, your Supervising Attorney must complete a mid-semester evaluation. Please be sure to give your Supervising Attorney plenty of notice regarding this deadline.

8. Externship Final Evaluation – You must complete an evaluation of your externship. These evaluations assist the program in assessing externship value and provide useful information to other students who are pursuing the same opportunity. These evaluations are kept confidential; your name is removed from all parts of the evaluation before it is provided to other students. This evaluation will not be shared with your supervising attorney.
9. Supervising Attorney’s Final Evaluation - Your Supervising Attorney must complete a final evaluation. Please be sure to give your Supervising Attorney plenty of notice regarding this deadline.

B. Forms

All program forms and evaluations are posted on the “Forms” page of the Legal Externship Program’s website at http://www.law.du.edu/index.php/legal-externship-program/forms. Due dates are subject to change. Students should refer to published due dates on the program’s website or ultimately in the Course Requirements which serves as the syllabus for the field work experience.

C. Reporting Time Worked

Externs must complete 50 hours of work for every registered credit (i.e. a 3 credit externship would require 150 hours). The student must submit online time reports to the Legal Externship Program weekly by Monday at 11:59 p.m. (for the previous week). The time report must not provide identifying information about clients or cases, confidential information, any information that may violate the attorney-client privilege, or any information that the supervising attorney has reasonably asked the student to keep confidential.

During the Fall and Spring semesters student externs must work a minimum of 10 weeks up to a maximum of 16 weeks. During the Summer semester externship hours must be completed in a minimum of 6 weeks up to a maximum of 10 weeks.

Time reports not submitted in a timely manner shall be rejected and the hours will not count towards the student’s required hours. Submission of timesheets and the representation of hours worked therein are subject to the Student Honor Code.

1. Follow these directions to submit your time reports:
   a. Go to the externship website http://law.du.edu/index.php/legal-externship-program
   b. Click on the link “Current Externs”
   c. Click on the link “Timesheet Submissions” (http://law.du.edu/index.php/legal-externship-program/current-externs/timesheet-journal-submission)
   d. Log in to the Externship Timesheet Submission page using your Banner ID number (Student ID) and the password you were provided by the Legal Externship Program. Your password will be issued to you by the Legal Externship Program after your paperwork has been received and your externship has been approved. Please note: Your password is not your PioneerWeb password
   e. Enter your hours into the appropriate box in the pre-set timesheet
   f. Click submit
   g. Your timesheet will automatically be entered into a database which will track your progress.
   h. You will receive an email confirming the submission of your timesheet. If you do not receive an email confirming your submission, please notify the Legal Externship Program at externships@law.du.edu.
2. Sample Activities Log and Tenths Table (How to track your hours while working in your externship)

Sample Only

You are **NOT** required to complete this type of daily log! (although, it may be useful to track the hours you worked at your externship)

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**Joe Extern Daily Activities**

**8/16**

8:30-9:15 Meeting with supervisor to discuss day’s schedule = **45 minutes/in tenths** .8

9:15-11:45 Observe supervisor in court = **2 hours 30 minutes/in tenths** 2.5

11:45-12:30 Lunch

12:30-1:08 Copy information from Client X’s file for court = **38 minutes/in tenths** .7

1:09-4:40 Legal research for supervisor = **3 hours 31 minutes/in tenths** 3.6

4:40-5:30 Write brief memo on results of research = **50 minutes/in tenths** .9

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**8/18**

8:30-9:30 Meeting with supervisor to discuss day’s schedule = **1 hour/in tenths** 1.0

9:30-11:20 Additional legal research for supervisor = **1 hour 50 minutes/in tenths** 1.9

11:20-12:46 Revise memo on research = **1 hour 26 minutes/in tenths** 1.3

12:46-1:30 Lunch

1:30-2:00 File motion at court for supervisor = **30 minutes/in tenths** .5

2:00-2:15 Pick up information from opposing attorney = **15 minutes/in tenths** .3

2:15-4:46 Draft answer to motion = **2 hours 31 minutes/in tenths** 2.6

4:46-5:50 Meet with supervisor to discuss draft = **1 hour 4 minutes/in tenths** 1.1

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**8/20**

8:30-10:16 Work on revisions to draft of answer = **1 hour 46 minutes/in tenths** 1.8

10:16-10:30 Leave draft with supervisor for review = **14 minutes/in tenths** .3

10:30-11:30 Legal Research = **1 hour/in tenths** 1.0

11:30-12:30 Lunch

12:30-4:30 Orientation and Training at Prosecutor’s Office = **4 hours/in tenths** 4.0

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**Tenths Table**

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<thead>
<tr>
<th>Time</th>
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<td>:00 - :06</td>
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<td>:07 - :12</td>
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<td>:31 - :36</td>
<td>.6</td>
</tr>
<tr>
<td>:37 - :42</td>
<td>.7</td>
</tr>
</tbody>
</table>

**Example:** If you worked 3 hours and 17 minutes on your timesheet you would report 3.3 hours. Remember to round up.
D. Reflection

One of the requirements of an externship for credit is a reflective component, which may be journals, blogs and/or discussion boards. If you are taking a seminar course, this reflective component will be established by your seminar instructor. If you are a repeat extern not required to take a seminar course, your Legal Externship faculty instructor will establish the reflective component. These entries are an opportunity for you to reflect on your experience. Hopefully, this process will help you make sense of what you’ve learned, why you’ve learned it and how the learning took place. In addition, reflection will help you link what you have learned in your classes to the wider perspective of learning, allowing you to see the big picture.

Reflection is an essential part of learning from experience. It is not a practice that is simply useful for law students, but rather a practice that can be helpful throughout your professional life. The importance of reflective journaling was described as follows by several professors:

Reflective practice should help you to decide what type of practice you will pursue and to refine the moral and ethical standards you will bring to that practice. You may begin with an ill-defined idea of your professional interests. Alternatively, you may have a clear vocation in mind that may change or evolve as you continue your professional development. The extent to which you achieve satisfaction from your work will depend on your ability to integrate your values into your professional choices. For example, you may think that you want to do criminal defense work because you believe that society has a duty to guarantee fairness to those accused of crimes. As you gain experience in the practice of criminal law, you may feel frustrated by the players and process. This perspective may lead to changes in your professional goals. You may conclude that you want to work on policy or legislative changes in the criminal justice system rather than represent individual clients. Reflective observation will help you to surface your reactions to and thought about your professional aspirations.

L. Lerman, J.P. Ogilvy, L. Wortham, Learning from Practice (Westgroup 1998).

If journals or blogs are required, please be sure to follow the length and word requirements as indicated by your seminar instructor. Journals are read by your seminar instructor and the Externship staff only. Blogs may also be read by your classmates. Your seminar instructor may provide you with topics for journal and blog entries, or you may be able to select topics. In the event you have the opportunity to select your own topics, here are a few you might consider:

1. What is the culture of your externship site? (Formal, informal, hierarchical, friendly, orderly, etc.) Is this the culture you like? If not, what would you prefer?
2. Is team work utilized at your externship site? Should it be? Why? How could the lawyers work better as a team?

3. How effective is communication at your externship site? In what ways do the lawyers communicate? What are the obstacles created by ineffective communication?

4. What is your work style and how do you deal with deadlines; what will your future lawyering style (how do you want to work and be perceived) be? Are you a good time manager? How could you improve your time management skills?

5. Has law school properly prepared you for the practice of law? Discuss your shortcomings and talents, and how this externship will aid in your progression.

6. What are the stressors at your externship site? How can you alleviate some of the stress?

7. Identify an ethical quandary or decision that you have observed. Explain the issue, how it was resolved and whether you think the resolution was proper and why.

8. Is there anything that troubles or concerns you about becoming a lawyer?

9. Reflect upon and summarize what you have learned from your externship experience this semester. Describe how the learning experience of your externship has changed you. If you feel you have not been changed by the experience, describe why not. To do this, imagine that you have to defend getting academic credit for this experience and try to include everything you can think of in that defense.

10. What were your goals when you came to law school? Have those goals changed or been refined? In what ways? Why? Which lawyers have had an impact on your aspirations as a lawyer?

**COLORADO STUDENT PRACTICE ACT**

Students who have completed 60 credit hours and work for particular types of legal organizations may be certified with the Attorney Registration Office of the Colorado Supreme Court and may appear in court in certain non-felony cases in accordance with Rule 226.5 (reproduced below). Students in these types of placements should complete and submit the Certificate of Eligibility Form as early as possible since certification can take up to three weeks to process. The Supreme Court will notify the extern’s supervisor directly when they are certified to practice; the student will receive a copy of this letter sent from the Attorney Registration Office of the Supreme Court.¹

¹ If you have not received notice from the Attorney Registration Office within three weeks’ time, please contact the Legal Externship Program.
Only qualified students and qualified agencies are eligible for certification. Students shall not violate the statute and should notify the Externship Office in writing if their Supervising Attorney asks them to do so. Be aware that students who violate the statute risk personal liability for the unauthorized practice of law.

Rule 226.5. Legal Aid Dispensaries and Law Student Externs.

(1) Legal Aid Dispensaries.

Students of any law school that maintains a legal-aid dispensary where poor or legally underserved persons receive legal advice and services shall, when representing the dispensary and its clients, be authorized to advise clients on legal matters and appear in any court or before any administrative tribunals or arbitration panel in this state as if licensed to practice law.

(2) Law Student Externs.

A. Practice by law student extern (formerly section 12-5-116.1)

(1) An eligible law student extern, as specified in section 2B, may appear and participate in any civil proceeding in any municipal, county, or district court (including domestic relations proceedings) or before any administrative tribunal in this state, or in any county or municipal court criminal proceeding, except when the defendant has been charged with a felony, or in any juvenile proceeding in any municipal, county or district court, or before any magistrate in any juvenile or other proceeding or any parole revocation under the following circumstances:

(a) If the person on whose behalf the extern is appearing has provided written consent to that appearance and the law student extern is under the supervision of a supervising lawyer, as specified in section 2D.

(b) When representing the office of the state public defender and its clients, if the person on whose behalf the extern is appearing has provided written consent to that appearance and the law student extern is under the supervision of the public defender or one of his deputies.

(c) On behalf of the state or any of its departments, agencies, or institutions, a county, a city, or a municipality, with the written approval and under the supervision of the attorney general, attorney for the state, county attorney, district attorney, city attorney, or municipal attorney. A general approval for the law student extern to appear, executed by the appropriate supervising attorney pursuant to this paragraph (c), shall be filed with the clerk of the applicable court/administrative tribunal and brought to the attention of the judge/presiding officer thereof.

(d) On behalf of a nonprofit legal services organization where poor or legally underserved persons receive legal advice and services if the person on whose behalf the student is appearing
has provided written consent to that appearance and the law student extern is under the supervision of a supervising lawyer, as specified in Section 2D.

(2) The consent or approval referred to in subsection (1) of this section, except a general approval, shall be made in the record of the case and shall be brought to the attention of the judge of the court or the presiding officer of the administrative tribunal.

(3) In addition to the activities authorized in subsection (1) of this section, an eligible law student extern may engage in other activities under the general supervision of a supervising lawyer, including but not limited to the preparation of pleadings, briefs, and other legal documents which must be approved and signed by the supervising lawyer and assistance to indigent inmates of correctional institutions who have no attorney of record and who request such assistance in preparing applications and supporting documents for post-conviction relief.

B. Eligibility requirements for law student extern practice (formerly section 12-5-116.2)

(1) In order to be eligible to make an appearance and participate pursuant to section 2A, a law student must:

(a) Be duly enrolled in an ABA accredited law school, or a recent graduate of such a law school who has applied for admission to the Colorado Bar. For purposes of this rule, the "law student's" eligibility continues after graduation from law school and until the announcement of the results of the first bar examination following the student's graduation, provided for anyone who passes that examination, eligibility shall continue in effect through the date of the first swearing in ceremony following the examination.

(b) Have completed a minimum of two years of legal studies;

(c) Have the certification of the dean of such law school that the dean has no personal knowledge of or knows of nothing of record that indicates that the student is not of good moral character and, in addition, that the law student has completed the requirements specified in paragraph (b) of this subsection (1) and is a student in good standing, or recently graduated. The dean of such law school has no continuing duty to certify the student's good moral character after the student has graduated from law school at that point, the law student/applicant to the Colorado Bar has obligations to maintain the integrity of the profession pursuant to Colo. RPC 8.1.

(d) Be introduced to the court or administrative tribunal in which the extern is appearing as a law student extern by a lawyer authorized to practice law in this state;

(e) Neither ask nor receive any compensation or remuneration of any kind for the extern's services from the person on whose behalf the extern renders services; but such limitation shall not prevent the law student extern from receiving credit for participation in the law school externship program upon prior approval of the law school, nor shall it prevent the law school, the state, a county, a city, a municipality, or the office of the district attorney or the public defender
from paying compensation to the law school extern, nor shall it prevent any agency from making such charges for its services as it may otherwise properly require; and

(f) State that the extern has read, is familiar with, and will be governed in the conduct of the extern's activities under section 2A by the Colorado Rules of Professional Conduct.

C. Certification of law student extern by laws school dean-filing-effective period-withdrawal by dean or termination (formerly section 12-5-116.3)

(1) The certification by the law school dean, pursuant to section 2B(1)(c), required in order for a law student extern to appear and participate in proceedings:

(a) Shall be filed with the clerk of the Colorado Supreme Court Office of Attorney Registration, and unless it is sooner withdrawn, shall remain in effect until the student's graduation.

(b) May be withdrawn by the dean at any time by mailing a notice to that effect to the clerk of the Colorado Supreme Court Office of Attorney Registration, and such withdrawal may be without notice or hearing and without any showing of cause; and

(c) May be terminated by the supreme court at any time without notice or hearing and without any showing of cause.

D. Qualifications and requirements of supervising lawyer (formerly section 12-5-116.4)

(1) A supervising lawyer, under whose supervision an eligible law student extern appears and participates pursuant to section 2A, shall be authorized to practice law in this state and:

(a) Shall be a lawyer working for or on behalf of an organization identified in sections 2A(1)(b)-(d);

(b) Shall assume personal professional responsibility for the conduct of the law student extern; and

(c) Shall assist the law student extern in the extern's preparation to the extent the supervising lawyer considers it necessary.

HISTORY: Source: Entire rule added and effective June 16, 2011.

**EXTERNSHIP CODE OF CONDUCT**

**Code of Professional Responsibility**

All students are expected to conform their conduct to the standards of the Code of Professional Responsibility and the Judicial Code, as applicable. Students are prohibited from discussing confidential case information with anyone other than personnel at their placement. Cases will
not be discussed during the seminars, and students should not discuss confidential case information in their journals, with their instructor, or with any externship students who are not working at the same placement as authorized by their Supervising Attorney(s).

In particular, externs must certify that they have read, understood, and agree to be bound by the following Colorado Rules of Professional Conduct:

1. Rule 1.6.Confidentiality of Information:

   (a) A lawyer shall not reveal information relating to the representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by paragraph (b).

   (b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:

   (1) to prevent reasonably certain death or substantial bodily harm;

   (2) to reveal the client's intention to commit a crime and the information necessary to prevent the crime;

   (3) to prevent the client from committing a fraud that is reasonably certain to result in substantial injury to the financial interests or property of another and in furtherance of which the client has used or is using the lawyer's services;

   (4) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime or fraud in furtherance of which the client has used the lawyer's services;

   (5) to secure legal advice about the lawyer's compliance with these Rules, other law or a court order;

   (6) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of the client; or

   (7) to comply with other law or a court order.

2. Rule 1.7.Conflict of Interest: General Rule

   (a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:
(1) the representation of one client will be directly adverse to another client; or

(2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:

(1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;

(2) the representation is not prohibited by law;

(3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and

(4) each affected client gives informed consent, confirmed in writing.

3. Rule 1.10. Imputed Disqualification: General Rule

(a) While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by Rules 1.7 or 1.9, unless the prohibition is based on a personal interest of the prohibited lawyer and does not present a significant risk of materially limiting the representation of the client by the remaining lawyers in the firm.

(b) When a lawyer has terminated an association with a firm, the firm is not prohibited from thereafter representing a person with interests materially adverse to those of a client represented by the formerly associated lawyer and not currently represented by the firm, unless:

(1) the matter is the same or substantially related to that in which the formerly associated lawyer represented the client; and

(2) any lawyer remaining in the firm has information protected by Rules 1.6 and 1.9(c) that is material to the matter.

(c) A disqualification prescribed by this Rule may be waived by the affected client under the conditions stated in Rule 1.7.
(d) The disqualification of lawyers associated in a firm with former or current government lawyers is governed by Rule 1.11.

(e) When a lawyer becomes associated with a firm, no lawyer associated in the firm shall knowingly represent a person in a matter in which that lawyer is disqualified under Rule 1.9 unless:

(1) the matter is not one in which the personally disqualified lawyer substantially participated;

(2) the personally disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom;

(3) the personally disqualified lawyer gives prompt written notice (which shall contain a general description of the personally disqualified lawyer's prior representation and the screening procedures to be employed) to the affected former clients and the former clients' current lawyers, if known to the personally disqualified lawyer, to enable the former clients to ascertain compliance with the provisions of this Rule; and

(4) the personally disqualified lawyer and the partners of the firm with which the personally disqualified lawyer is now associated reasonably believe that the steps taken to accomplish the screening of material information are likely to be effective in preventing material information from being disclosed to the firm and its client.

4. Professional Conflicts of Interest Required Disclosures for Work, Volunteer and Clinic (repeating externs)

Students must disclose to their Supervising Attorneys and to the Legal Externship Program any current employer, any volunteer legal work they perform. Students must also update their Supervising Attorneys and the Legal Externship Program if any of these relationships change during the semester. All disclosures must be in writing. **Failure to fully disclose work, volunteer, and clinic activities will result in expulsion from an existing externship and a grade of Fail.** Failure to fully disclose these or any other potentially conflicting activities will also be considered a violation of the student honor code and will subject students to disciplinary actions thereafter.

**Externship requests will be denied if a student’s activities create a potential professional conflict of interest which cannot be reconciled.**

**ABA and DENVER LAW POLICIES**

The following University of Denver Policies are available on the University of Denver web page. [http://www.du.edu/deo/EqualOpportunity.html](http://www.du.edu/deo/EqualOpportunity.html)
A. Policy Statement

The University of Denver strives to create and maintain a community in which people are treated with dignity, decency and respect. The environment of the University should be characterized by mutual trust, freedom of inquiry and expression, and the absence of intimidation, oppression and exploitation. People in this community should be able to work and learn in a safe, yet stimulating, atmosphere. The accomplishment of this goal is essential to the academic mission of the University.

Therefore, the University will not tolerate unlawful discrimination or harassment of any kind. Through the procedures which follow and by targeted educational programming, the University will seek to prevent, correct and discipline behavior that violates this Policy.

B. Prohibited Conduct.

1. Discrimination
   a. It is a violation of this Policy to discriminate in the provisions of educational or employment opportunities, benefits or privileges, to create discriminatory work or academic conditions, or to use discriminatory evaluative standards in employment or educational settings if the basis of that discriminatory treatment is, in whole or in part, the person’s race, color, national origin, age, religion, disability, sex, sexual orientation, gender identity, gender expression, genetic information, marital status, or veteran status.

   b. Discrimination of these kinds may also be strictly prohibited by a variety of federal, state and local laws, including Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; the Americans with Disabilities Act (ADA) of 1990 and as amended by ADA Amendments Act of 2008; the Genetic Information Nondiscrimination Act of 2008; the Vietnam Era Readjustment Assistance Act; Title 24, Article 34 of the Colorado Revised Statute, and Denver Municipal Ordinance. This Policy is intended to comply with the prohibitions of these anti-discrimination laws.

   c. Discrimination in violation of this Policy will be subject to severe sanctions up to and including termination.

2. Sexual Harassment.
   a. This Policy prohibits sexual harassment by any faculty, student, staff or agent of the University. Besides disciplinary action under this Policy, the sexual harasser may also suffer criminal and/or civil penalties in a court of law.

   b. Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature will constitute “sexual harassment” when:

      i) Submission to such conduct is either explicitly or implicitly term or condition of an individual’s employment or status in a course, program or University-sponsored activity; or
ii) Submission to or rejection of such conduct is used as the basis for employment or educational decisions affecting that individual; or

iii) Such conduct has the purpose or effect of unreasonably interfering with an individual’s academic or work performance, or of creating an intimidating, hostile or offensive environment for working or learning.

a. The University strongly discourages sexual relationships between a teacher and student or between a supervisor and staff member because such relationships tend to create compromising conflicts of interest, or the appearance of such conflicts.

b. The relationship may give rise to the perception on the part of others that there is favoritism or bias in academic or employment decisions affecting the student or staff member. Moreover, given the uneven balance of power within such relationships, consent by the student or staff member in such cases is suspect and may be viewed by others or, at a later date, by the student or staff member as having been given as the result of coercion or intimidation. The atmosphere created by such appearances of bias, favoritism, intimidation, coercion or exploitation undermines the spirit of trust and mutual respect that is essential to a healthy work and academic environment.

c. As in all cases, the burden of proving sexual harassment (defined in Section I.B.2 above) rests with the accuser. But when charges of harassment are brought by the student or subordinate employee during or subsequent to such a relationship, and the teacher or supervisor claims that the relationship was consented to by the student or employee, the burden will be on the teacher or supervisor to prove that the relationship was consensual and voluntary.

d. As used in this section, the term “teacher” includes a faculty member, or a graduate student, administrator, coach, advisor, counselor, residence staff or program director having supervisory responsibilities for students.

e. Sexual exploitation or sexual harassment of any kind, as described in Section I.B.2. or Section I.B.3., is a violation of the Policy and will be subject to severe sanctions up to and including termination.

4. Retaliation.
a. No hardship, no loss of benefit, and no penalty may be imposed on any student, faculty, or staff as punishment for:

i) filing or responding to a bona fide complaint of discrimination or harassment;

ii) appearing as a witness in the investigation of a complaint; or
iii) serving as an investigator or as a member of the Equal Opportunity Board.

b. Retaliation or attempted retaliation of this kind is a violation of the Policy and will be subject to severe sanctions up to and including termination.

5. Groundless and malicious complaints. Anyone who abuses the Policy by bringing groundless and malicious complaints of discrimination, harassment or retaliation violates the Policy and will be subject to severe sanction up to and including termination.

C. Procedures
The Affirmative Action/Equal Opportunity Officer and the Equal Opportunity Board shall develop and publish procedures and rules implementing this Policy. Such procedures and rules shall be approved by the Provost and the Vice Chancellor for Business and Financial Affairs.

Americans with Disabilities Act

THE AMERICANS WITH DISABILITIES ACT: WHAT EVERY STUDENT SHOULD KNOW. “It is a violation of this Policy to discriminate in the provision of educational or employment opportunities, benefits or privileges, to create discriminatory work or academic conditions, or to use discriminatory evaluative standards in employment or educational settings if the basis of that discriminatory treatment is, in whole or in part,...disability status.”

University of Denver’s Equal Opportunity Policy

University policy prohibits discrimination on the basis of disability status. Everyone is protected from discriminatory treatment whether he or she has a current disability, has a record of disability, is regarded as having a disability, or has a relationship or association with someone with a known disability. In interpreting and enforcing the anti-discrimination policy, the University looks to the Americans with Disabilities Act of 1990 (ADA), as well as Section 504 of the Rehabilitation Act of 1973, for guidance.

Disability

A person with a disability has, has a record of, or is regarded as having an impairment that substantially limits a major life activity such as walking, seeing, breathing, learning or caring for one’s self. Epilepsy, paralysis, HIV infection, AIDS, substantial hearing or visual impairment, and mental retardation are examples of disabilities. A cosmetic disfigurement or past record of cancer may also be included. Not included are short-term, non-chronic conditions such as a broken leg, a sprain or the flu. Current illegal drug use also is excluded.

Who is Covered?

Qualified individuals with disabilities, including students, are protected by the ADA and DU’s equal opportunity policy. However, to ensure that you receive reasonable accommodation, you must inform your professor, academic administrator, and the Disabled Persons’ Resources or the Learning Effectiveness Program that you have a disability and need accommodations.

What Type of Protection is provided?
Persons with disabilities must be given equal opportunity to participate in University programs. This does not mean that a disabled student is guaranteed equal results, only that he or she has a fair chance to achieve those results. Persons who are related to, or who associate with, a person with a disability are also protected from discrimination. The University will do the following:

1. Make reasonable modification to policies, programs, and practices that have the effect of excluding people with disabilities.
2. Provide auxiliary aids and services for classes and programs.
3. Offer programs, services and materials in alternative formats.