



UNIVERSITY *of*  
DENVER

STURM COLLEGE OF LAW  
Legal Externship Program

## **Legal Externship Program**

### **Student Handbook**

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This handbook is required reading for all students interested in pursuing an externship and/or currently enrolled in an externship at Denver Law.

It includes the following:

- A. Externship Program Introduction
- B. Educational Objectives
- C. Externship Program Faculty & Staff
- D. Guidelines for Before You Enroll
- E. Guidelines for While You Are Enrolled
- F. Finding an Externship
- G. Registering for an Externship
- H. Externship Policies
- I. Externship Fieldwork Grading
- J. Fieldwork Requirements

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- K. Colorado Student Practice Rule
- L. Externship Code of Conduct
- M. ABA & University of Denver Policies



## **INTRODUCTION**

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At Denver Law, there are numerous ways to participate in experiential learning opportunities and to gain practical knowledge. With more than 500 placements a year, Denver Law's Legal Externship Program is one of the biggest and most robust programs in the country, offering students an effective and comprehensive bridge to go from law student to lawyer.

Legal externships specifically refer to monitored legal and law-related work experiences in which the placement is outside of the law school (versus working in an in-house clinic or as part of a lab with a faculty member). In externships, students get real-world working experience while establishing intentional learning goals and reflecting actively on what is learned throughout their experience under the guidance of both a Faculty Supervisor and Supervisor in the field. Students earn credit for their fieldwork.

## **EDUCATIONAL OBJECTIVES & LEARNING OUTCOMES**

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The Legal Externship Program aims to provide opportunities for students to work directly with practicing attorneys while engaging in critical reflection about the legal profession, their legal career, and their priorities and values as lawyers and individuals through supervised field experiences and faculty-guided reflection.

Specific objectives include to:

- 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.



## **LEGAL EXTERNSHIP PROGRAM FACULTY & STAFF**

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To assist you with the process of identifying professional interests, translating those into externship opportunities, and supporting you throughout your experience, a team of faculty and staff are available:

Alexi Freeman  
Associate Dean for Diversity, Equity and Inclusion  
Director of Externships & Social Justice Initiatives  
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## **GUIDELINES: BEFORE YOU ENROLL**

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Denver Law has established the following prerequisites and guidelines for enrolling in an externship for credit aligned with ABA standards, university rules, and best practices for externships:

- Only students who have completed a minimum of 28 credit hours are eligible to earn credit for an externship. In certain circumstances, an exception may be granted for students who have completed at least 22 credits. Preapproval from externship faculty is required.
- Students receive academic credit for externships and must pay the standard tuition rate for all credits.
- As of August 2016, students can receive both financial compensation and academic credit for an externship. More information on this is found in the Externship Policies section and on the Paid Externships section of our website: <http://www.law.du.edu/index.php/legal-externship-program/information-for-students/paid-externships>.
- For fall and spring semesters, students on academic probation are not permitted to enroll in an externship. Students must notify the Legal Externship Program if they drop to academic probation during a fall or spring externship. In this case, the student may have to withdraw from the externship. For the summer semester, students on academic probation are permitted to enroll in an externship.
- As of summer semester 2017, students can now work under the supervision of non-lawyers in particular, limited circumstances. See more on this in the section titled Externship Policies.
- Students may not earn academic credit for an externship if the Supervisor is a family member. Students should disclose to the Legal Externship Program any familial relationship within the Supervisor's office. Students may also be unable to earn academic credit for an externship if someone at the office is a family member – this will be determined on a case-by-case basis.
- Students cannot be enrolled in a clinical program (i.e. the Student Law Office) or be completing clinical cases from a prior enrollment while also being enrolled in an externship.
- Students can repeat an externship for credit one time without any additional approval. However, repeats at the same placement more than once require pre approval. The Supervisor must submit a brief email describing how the externship will be substantially different and will provide additional educational value with a second semester. Generally, repeat externships are limited to two semesters at the same placement, but exceptions may apply. See more on this in the section titled Externship Policies.
- 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 Supervisors may develop the impression that a student's interest in the 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 the 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 and approval from both supervisors is required.

- Students must notify the Legal Externship Program and the Supervisor of any employment and legal volunteer work being done concurrently. The student should notify the Legal Externship Program and the Supervisor if the student changes employers or volunteers elsewhere during the externship. Conflict Notification Forms are generally required in these instances and are available on CORE (our experiential management software described below).
- The failure of a student to disclose in writing any work, volunteer, and clinical activities is a serious violation of the Externship Student Certifications, the Student Honor Code, and the Colorado Rules of Professional Conduct. The student may be subject to discipline including expulsion from the externship with a grade of “No Pass,” and other disciplinary proceedings under the honor and professional codes.
- If a student receives a grade of No Pass for the fieldwork credit of an externship, the student may *not* be eligible for enrollment in future externships for credit.

#### **GUIDELINES: WHILE YOU ARE ENROLLED**

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- Failure to complete any of the requirements of the externship as stipulated by the Syllabus/Fieldwork Course Requirements may result in a grade of "No Pass."
- If a student receives a grade of No Pass for the fieldwork credit of an externship, the student may *not* be eligible for enrollment in future externships for credit.
- All representations of a student’s hours and the materials submitted regarding the externship are subject to the Student Honor Code.
- If the student appears in court or administrative tribunal, the student must comply with C.R.S. 12-5-116, known as the Student Practice Rule. Any violation may subject the student and/or Supervisor to liability for the unauthorized practice of law.
- The student must provide quality professional services to the best extent possible.
- The student must devote the time required to complete the externship commitment.
- The student must preserve the confidentiality of clients, office affairs, and the like.
- Externs must complete all assignments required by the Externship Program. To ensure compliance with the ABA, both first-time externs and repeat externs will be required to engage with externship faculty/staff to ensure they participate in ongoing, contemporaneous faculty guided reflection. First time externs will be required to enroll in a 1 credit pass/no pass seminar. Repeat and first-time



externs will receive their respective syllabi at the onset of the semester.

- Students can seek to add additional credit(s) to their fieldwork in any given semester provided they submit the request in writing to the externship office prior to the last day of classes in the given semester according to the deadline provided by the office.
- The law school email account (@law.du.edu) is the primary notification method of the Legal Externship Program and students are expected to check this email account on a regular basis. Students may also receive emails from CORELMS ([no-reply@corehighered.com](mailto:no-reply@corehighered.com)); please add it to your accepted senders.

## FINDING AN EXTERNSHIP

### I. Searching

There are namely two ways to find a Supervisor and an externship.

1. **Search via our [database](#).** The Legal Externship Program maintains a large, password protected, database for Denver Law students only that includes Supervisors that have already been approved by our program.

The database is searchable by:

- a) Rotation/placement type, such as corporate, nonprofit, etc.
- b) Practice area, such as environmental law, family law, etc., and/or
- c) Name of the Supervisor.

Your login for CORE is your DU email address (this is typically [firstname.lastname@du.edu](mailto:firstname.lastname@du.edu)) and your PioneerWeb password. If you do not remember your PioneerWeb login, please contact University Technology Services at 303-871-4700.

After you identify Supervisors/placements of interest, consider contacting them to be sure they have an extern position for the semester in which you want to work. Don't forget to review the binders in our office for student feedback on placements!

2. **Identify your own Supervisor.** Students can also establish a relationship with a prospective Supervisor and engage in the steps to 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. The Supervisor must be licensed to practice law for at least five years in any one state or combination of states (active or inactive status), OR for non-lawyers, must have at least five years of relevant experience and must still be able to provide with you a substantial lawyering experience as defined by the ABA.

If you identify a Supervisor and secure a placement, the Supervisor must complete and submit the [Supervisor Application \(https://rxpreceptor.com/signup/p/?UDenver\)](https://rxpreceptor.com/signup/p/?UDenver), which can also be found on our website. The institution code is SUPERVISINGATTORNEY. Once completed, approval is not automatic. Our office will carefully review the application and will share information about our



program with the prospective supervisor to ensure the placement will be an educational benefit to the student. We will notify you and the Supervisor if and when the placement is approved. Given this process, it is recommended that all students have a back-up plan and allow time for the approval process.

## II. Timing/Deadlines

Remember, not every student is selected to extern for the first office they interview with. We advise you to start your search early to give yourself plenty of time to secure an externship!

The externship program has both priority deadlines and rolling deadlines for each semester. The following are guidelines - Review the semester relevant form located on our website and regularly emailed for up to date deadlines:

- For **summer** externships:
  - o The externship **priority deadline is the last day of Spring classes**. Students who submit their completed externship registration materials on or before that date will automatically be accepted into the program for the summer.
  - o Students who submit externship registration materials after the priority deadline but by one week prior to the externship orientation for that semester will be admitted on a **rolling** basis until capacity is reached. No registrations will be processed after that date.
- For **spring** externships:
  - o The externship **priority deadline is the last day of Fall classes**. Students who submit their completed externship registration materials on or before that date will automatically be accepted into the program for the summer.
  - o Students who submit externship registration materials after the priority deadline but by the last date for final exams for fall semester will be admitted on a **rolling** basis until capacity is reached. No registrations will be processed after that date.
- For **fall** externships:
  - o The externship priority deadline is typically **August 3**. Given how close the priority deadline is to the start of the fall semester, there is no rolling deadline for fall externships.

These dates are subject to change. For the most up-to-date/current semester deadlines and specific dates, please refer to the program website.

Note: Securing your externship means ensuring that you have uploaded the signed [Supervisor Acceptance Form](#) to your account in CORE and that the Supervisor has already been pre-approved (i.e. the supervisor is our database), or the new Supervisor application has been submitted and reviewed as described above. See more information on this process below.

## REGISTERING FOR AN EXTERNSHIP

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If a Supervisor offers you an externship, congratulations! You are well on your way to having a robust educational experience.

### I. Student Steps for Enrollment



1. **Once you secure a placement, ask your Supervisor to complete the [Semester Specific Supervisor Acceptance form](#).** (Again, if the Supervisor is new, the [Application](#) is also required).

**Upload a completed Supervisor Acceptance form** to your account in CORE by the deadlines discussed above. **You will not be approved for academic credit until the application (if applicable) and acceptance form has been received and approved by the Legal Externship Program Faculty.** If you do not submit materials on or before the published deadline, you risk being unable to earn academic credit for your externship. Instructions on how to upload that signed form (signed by you and the Supervisor) is on the main page of CORE and described here:

Log into CORE. Click on Scheduling on the left tab and then click on Research Center. Type your Supervisor's name in the search box at the top. Click view next to your Supervisor. Click Submit to Site Prospector on the top. Fill out the required fields and attach the signed form.

2. **Determine the number of field credits.** You may enroll in an externship for 2 to 6 credits, which ranges from 100 (or 110) hours to 300 hours. 50 hours = 1 credit generally; however, **all first-time externs who enroll for 2 field credits must work 110 hours** (not 100) to ensure the externship is aligned with ABA standards. Repeat externs enrolled in 2 credits only have to work the standard 100 hours.

If you want to do an externship for 5 or 6 credits (250-300 hours) OR work outside of the state of Colorado, email [externships@law.du.edu](mailto:externships@law.du.edu) to discuss and secure the required pre-approval.

3. **Waitlist for your externship credit.** Add yourself to the waitlist for your externship field credits (L5025).

You can obtain the most up-to-date CRN information for the externship field credits on the [Registrar's Class Schedule website](#).

4. **If applicable, complete the [Student Practice Rule form](#) and submit it to our office in suite 365 for processing.** Do this ONLY if a) you will have earned 60 credits in the semester prior to the semester you intend to practice in court under your attorney's supervision AND b) you are working at an eligible placement, including a nonprofit group or in the government (PD and DA included). Once approved by the court, your placement Supervisor will be notified. Allow 2 weeks for processing. If you do this early, you will ensure that you are ready to practice in court at the start of your externship. Do not send this form to the registrar.
5. **If you are a first-time extern, save the date for mandatory orientation session.** The date will be listed on the Legal Externship Program website. It is usually the Thursday or Friday morning before classes begin. More information on this is under Externship Policies.

## II. Externship Program Steps for Enrollment



1. Once the required forms are received and approved as outlined above, you will receive an email from our office confirming your status.
2. The Legal Externship Program will then remove you from the respective waitlists and officially register you for your externship based on the information provided on the Supervisor Acceptance Form (i.e. the number of credits you and the Supervisor provided on the Acceptance Form).

## **EXTERNSHIP POLICIES**

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Denver Law has established certain prerequisite and guidelines for enrolling in an externship for credit aligned with ABA standards, university rules, and best practices for externships. Details on some of these policies follow.

### **I. Limitations on Credits**

As noted above, an extern must work 50 hours for each credit hour earned (with the only exception being 110 hours worked for any first-time externs enrolled in 2 credits). Students may earn between 2 to 6 credits, per semester, and approval is required for enrollment for 5 or 6 credits because it is a significant amount of credits to devote to a placement and to use from your credit limits as described below.

A student may earn no more than 15 hours of academic credit from externships during law school (unless participating in the Semester in Practice, when that limit increases to 19). 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 (not counting the seminars), externships, journals, non-law graduate University of Denver courses, and other law school graduate courses. Students can petition to go above these limits using the petition process.

Please note: With the exception of Semester in Practice students, 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 must be at least 10 weeks during fall or spring, and at least 6 weeks in the summer.

### **II. Repeating an Externship**

Students can repeat an externship one time at the same placement and follow the standard registration procedures. Students seeking to repeat an externship for more than one additional semester, whether paid or unpaid, must have their Supervisor submit a brief email 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. This information should be sent directly from the Supervisor to [externships@law.du.edu](mailto:externships@law.du.edu).



### III. Paid Externships

As of August 2016, in accordance with revised ABA standards, Denver Law permits students to receive both pay and credit simultaneously. However, the externship must still abide by all requirements and regulations set forth in the student and Supervisor manuals and forms as well as all Denver Law and ABA policies. For the most up-to-date information on paid externships, including information on how to enroll and receive approval, please visit <http://www.law.du.edu/legal-externship-program/information-students/paid-externships>.

### IV. Working with Non-Attorney Supervisors

As of summer semester 2017, in accordance with revised ABA standards, Denver Law permits students to work under the supervision of non-lawyers in limited circumstances. Such supervisors must have at least five years of experience in their respective field. The experience still must provide a substantial lawyering experience that is reasonably similar to the experience of a lawyer advising or representing a client or **engaging in other lawyering tasks** in a setting outside a law clinic under the supervision of a licensed attorney or an **individual otherwise qualified to supervise**. We anticipate most supervisors who would be approved in these limited circumstances would work in policy or compliance type environments, though other circumstances may exist. We recommend talking with the Externship team prior to pursuing this type of externship. Certainly externs and supervisors cannot engage in the practice of law if working with a non-attorney supervisor.

### V. Withdrawal from Externship or Reduction/Increase of Field Credits

Permission to withdraw from an externship requires the written permission of the placement Supervisor (email is fine), the Director of Externships, and the Dean of Student Affairs. Because Supervisors 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. Even if the add/drop period has not passed, we strongly discourage dropping your externship for these same reasons and will discuss the situation with you if you take steps to drop or reduce credit.

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 Dean of Academic Affairs for consideration in consultation with the externship director.

If you wish to increase the number of field credits for your externship after the drop/add period has passed, please contact the externship office to discuss. This must be submitted according to the deadlines given by the externship office and by the last day of classes for the relevant semester.

### VI. Orientation

Orientation is **mandatory** for all first-time externs. Students will be excused only in extenuating circumstances of a serious nature. Orientation will help ensure that you understand the program's

requirements, ethical considerations, and more. The date of orientation is determined and published on the Legal Externship Program's website at least one semester prior, and often earlier, to the relevant semester of the externship. For spring and fall, it is typically the Thursday or Friday morning before classes for the semester begin. For summer orientation, it is typically the Thursday after finals end.

## **VII. Reflective Engagement – First-Time Externs & Repeat Externs**

### **1. Background**

To ensure compliance with the ABA, both first-time externs and repeat externs will be required to engage with externship faculty/staff to ensure they participate in ongoing, contemporaneous faculty guided reflection. First time externs will be required to participate in a 1 credit pass/no pass seminar. Both first-time externs and repeat externs will be provided with syllabi at the beginning of each semester outlining their roles, requirements, and responsibilities as Denver Law externs. All requirements must be completed to be eligible to receive a grade of Pass.

### **2. Specialty Programs**

Each semester, the Legal Externship Program develops and offers a range of different specialty programs in which applications are solicited and students enroll in subject-specific, robust seminars that range from 1 to 3 credits. More information is available each semester on our website under Specialty Programs - <http://www.law.du.edu/legal-externship-program/information-students/program-requirements/specialty-programs>. The corresponding seminars often teach a mix of substantive law and skills relevant to the area of practice. These programs often have earlier deadlines than regular externships. Such deadlines and/or requirements will be posted on the Legal Externship Program's website during the semester prior to the program.

### **3. Semester in Practice Program**

The Semester in Practice Program (SiP) is one of our flagship specialty programs. SiP gives students the opportunity to develop practice skills by fulfilling up to 15 credits (a minimum of 8 and maximum of 12 field work credits plus a 3-credit graded seminar). Students work full time during the externship (40 hours per week) regardless of the number of field credits needed and cannot enroll in any other courses simultaneously.

In this capstone experience, offered only 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 meet with prospective students to help them find the externship that will provide significant development for them on their way to becoming practicing lawyers. Students in the past have participated in the SiP at a huge range of placements, both private and public.



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. The SiP Program is offered only during the fall and spring semesters to students in their last year of law school.

As enrollment is limited and the amount of time and tuition funds a student expends is much more for a SiP placement, the application process is a bit different than traditional externships. Students are required to complete an application to be admitted to the program. Application information is sent via email and posted online. Check the website for more detailed information each semester, however, **generally, applications are due around late March (for fall) and October (for spring). Students may be accepted after the published deadlines as space allows.**

### **VIII. 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 the law school email account on a regular basis. Students may email from home accounts but generally all emails originating from the Legal Externship Program will be sent to the student's law school email account. COREELMS may also send emails. Please add to your list of accepted senders.

### **IX. Financial Aid & Scholarships**

Students who will be enrolled in an externship during the summer semester and intend to seek financial aid are encouraged to contact the Financial Aid Office during the semester prior to their externship to discuss how to best utilize their financial aid awards. Generally, 4 credits are required to receive aid but contact Financial Aid to confirm. Scholarships may also be eligible for disbursement in the summer, but contact Financial Aid to confirm.

### **X. Public Service Requirement**

There are a variety of ways to satisfy Denver Law's Public Service Requirement (PSR), which requires all JD students to engage in a minimum of 50 hours of supervised, uncompensated, law-related public service work during their law school careers as a prerequisite to graduation. One way to satisfy the PSR includes enrollment in certain externships. An externship for credit with a government agency (including state/local/federal agencies, public defender offices, and district/US attorney offices), a nonprofit organization, or a judicial externship automatically satisfies the PSR provided you pass the externship and do not receive any sort of payment or compensation. No additional assignments or documentation is required. Following the relevant semester, your progress report will indicate satisfaction of the PSR.

Additionally, an externship at a private law firm may satisfy the PSR if the student completes fifty hours of pro bono work (no pay received by the student or the placement/lawyer) and the project has been approved by the Director of Public Interest Initiatives. For questions regarding the Public Service Requirement, including engaging in a Volunteer Legal Experience which requires volunteering for 50 hours at an entity versus working for credit, email [afreeman@law.du.edu](mailto:afreeman@law.du.edu).

### **XI. Research**

Research database companies have different policies regarding their usage for externships, for externships in different semesters, and for paid/unpaid externships. Please review your syllabus for the most up to date information to ensure what is permissible.

## **EXTERNSHIP GRADING**

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### **I. Fieldwork**

The Legal Externship Program Faculty shall award a grade of Pass or No Pass to students, as appropriate, for the field work component of the externship. Students' grades are determined both by satisfactory performance in the field and completion of Denver Law's fieldwork assignments, as described above.

More information on what is required by Denver Law to earn field credit is listed in the semester-specific syllabus, which is provided at the onset of each semester.

In accordance with University policy, a grade of "No Pass" for the fieldwork will not affect the student's G.P.A. If a student receives a grade of "No Pass," the student will receive no credit for the externship and the grade of "NP" will appear on the student's transcript.

### **II. Weekly Hours Tracking/Reporting Time Worked**

Students must submit hours worked on CORE each Monday by 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 Supervisor has reasonably asked the student to keep confidential. You are asked, however, to categorize the type of work you completed and how many hours in each type. If you only include total hours and do not categorize the hours, you will be asked to input the hours again.

Logging hours helps you and our program determine whether you are on track to complete the hours requirement associated with the field credits you are registered for. Remember, each credit is worth 50 hours and thus if you enrolled for 3 field credits, you must work 150 hours (with the exception of 110 hours being required for first-time externs enrolled in 2 field credits).

Hours must be completed during the registered semester. Specifically, during the Fall and Spring semesters externs must work a minimum of 10 weeks. During the summer semester, students must complete externship hours in a minimum of 6 weeks.

You are asked to record hours in **15 minute intervals**. Many lawyers are required to track their time and we imagine that some of you may be trained on this in your office. For our purposes, 15 minutes allows you to get into the practice of tracking time without being too onerous.

Follow these directions to submit your time reports:

1. Log into CORE
2. Click on "Hours Tracking/Timesheet" on the left-hand navigation.
3. Click on "Record New Hours" on the right-hand side of the screen.





4. Fill out your Supervising Attorney/Site information, dates you are entering time for, and enter your hours into the appropriate boxes in the pre-set timesheet.
5. Click Submit.

Note: Time reports not submitted in a timely manner may be rejected and the hours may 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.**

### **III. Ongoing, Contemporaneous Faculty-Guided Reflection**

The pedagogy behind externships promotes reflection, which can take on very different forms, from journals to blogs to in-person discussion groups. Overall, regardless of the medium or end work product, our program aims to help you actively 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 has been discussed in the following ways:

*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.<sup>1</sup>*

First-time externs and repeat externs will have different requirements as it relates to reflection. Details and due dates will be discussed in your respective syllabi.

If essays or blogs are required, please be sure to follow the length and word requirements as indicated. Unless otherwise indicated, reflective exercises are read by essays are read by Externship faculty/staff only. Blogs may also be read by your classmates. You may be provided with topics, or you may be able to select topics.

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<sup>1</sup> L. Lerman, J.P. Ogilvy, L. Wortham, Learning from Practice (Westgroup 1998).

## COLORADO STUDENT PRACTICE RULE

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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, which only includes nonprofit organizations and government entities, should complete and submit the [Student Practice Rule form](#) as early as possible since certification can take up to two weeks to process. Students submit the form to the Externship office, and we work with the Dean to submit it to the Supreme Court. The Supreme Court will notify the extern's supervisor and the extern directly when the extern is certified to practice.

Only qualified students and qualified agencies are eligible for certification. Students shall not violate the rule and should notify the Externship Office in writing if their Supervisor asks them to do so. Be aware that students who violate the rule risk personal liability for the unauthorized practice of law.

**Please note: You should always be sure to designate yourself as “law student extern or intern” vs. “student attorney, student attorney intern” or anything else similar to that. Colorado Attorney Regulation Counsel’s position is that designations using the word “attorney” are forbidden in all contexts because they risk suggesting a general authorization to practice law.** When in doubt, check with your Supervisor.

*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

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### 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 any reflection activities, and students should not discuss confidential information in their essays or blogs, with their instructor, or with any externship students who are not working at the same placement as authorized by their Supervisor(s).

Students must disclose to their Supervisor and to the Legal Externship Program any current employer and any volunteer legal work they perform. Students must also update their Supervisor and the Legal Externship Program if any of these relationships change during the semester. All disclosures must be in writing (using relevant notification forms available). Failure to fully disclose work, volunteer, and clinic activities can 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.**

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 2.7. 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.

## **ABA and DENVER LAW POLICIES**

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The following University of Denver Policies are available on the University of Denver web page: <http://www.du.edu/deo/EqualOpportunity.html>. We include them here for your easy reference.

### **Equal Opportunity Statements**

#### **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.

### **3. Consensual Sexual Relationships.**

- 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**

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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 as it Relates to Disability Status**

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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**

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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?**

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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?**

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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.

## **Most Relevant ABA Policies**

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### **Standard 304. Simulation Courses, Law Clinics, and Field Placements**

American Bar Association  
Section of Legal Education and Admissions to the Bar  
Revised Standards  
for Approval of Law Schools  
August  
2016

(a) A simulation course provides substantial experience not involving an actual client that (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member, and (2) includes the following:

- (i) direct supervision of the student's performance by the faculty member;
- (ii) opportunities for performance, feedback from a faculty member, and self-evaluation; and
- (iii) a classroom instructional component.

(b) A law clinic provides substantial lawyering experience that (1) involves advising or representing one or more actual clients or serving as a third-party neutral, and (2) includes the following:

- (i) direct supervision of the student's performance by a faculty member;
- (ii) opportunities for performance, feedback from a faculty member, and self-evaluation; and
- (iii) a classroom instructional component.

(c) A field placement course provides substantial lawyering experience that (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise, and (2) includes the following:



- (i) direct supervision of the student's performance by a faculty member or site supervisor;
- (ii) opportunities for performance, feedback from either a faculty member or a site supervisor, and self-evaluation;
- (iii) a written understanding among the student, faculty member, and a person in authority at the field placement that describes both (A) the substantial lawyering experience and opportunities for performance, feedback and self-evaluation; and (B) the respective roles of faculty and any site supervisor in supervising the student and in assuring the educational quality of the experience for the student, including a clearly articulated method of evaluating the student's academic performance;
- (iv) a method for selecting, training, evaluating and communicating with site supervisors, including regular contact between the faculty and site supervisors through in-person visits or other methods of communication that will assure the quality of the student educational experience. When appropriate, a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program;
- (v) a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection;
- (vi) evaluation of each student's educational achievement by a faculty member; and
- (vii) sufficient control of the student experience to ensure that the requirements of the Standard are met. The law school must maintain records to document the steps taken to ensure compliance with the Standard, which shall include, but is not necessarily limited to, the written understandings described in Standard 304(c)(iii).

(d) Credit granted for such a simulation, law clinic, or field placement course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

(e) Each student in such a simulation, law clinic, or field placement course shall have successfully completed sufficient prerequisites or shall receive sufficient contemporaneous training to assure the quality of the student educational experience.

#### *Interpretation 304-1*

*To qualify as an experiential course under Standard 303, a simulation, law clinic, or field placement must also comply with the requirements set out in Standard 303(a)(3).*

### **Standard 302. Learning Outcomes**

A law school shall establish learning outcomes that shall, at a minimum, include competency in the following:

- (a) Knowledge and understanding of substantive and procedural law;
- (b) Legal analysis and reasoning, legal research, problem-solving, and written and oral communication in the legal context;
- (c) Exercise of proper professional and ethical responsibilities to clients and the legal system; and
- (d) Other professional skills needed for competent and ethical participation as a member of the legal profession.



*Interpretation 302-1*

*For the purposes of Standard 302(d), other professional skills are determined by the law school and may include skills such as, interviewing, counseling, negotiation, fact development and analysis, trial practice, document drafting, conflict resolution, organization and management of legal work, collaboration, cultural competency, and self-evaluation.*

**Standard 303. Curriculum**

(a) A law school shall offer a curriculum that requires each student to satisfactorily complete at least the following:

- (1) one course of at least two credit hours in professional responsibility that includes substantial instruction in the history, goals, structure, values, and responsibilities of the legal profession and its members;
- (2) one writing experience in the first year and at least one additional writing experience after the first year, both of which are faculty supervised; and
- (3) one or more experiential course(s) totaling at least six credit hours. An experiential course must be a simulation course, a law clinic, or a field placement. To satisfy this requirement, a course must be primarily experiential in nature and must:
  - (i) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills identified in Standard 302;
  - (ii) develop the concepts underlying the professional skills being taught;
  - (iii) provide multiple opportunities for performance; and
  - (iv) provide opportunities for self-evaluation.

(b) A law school shall provide substantial opportunities to students for:

- (1) law clinics or field placement(s); and (2) student participation in pro bono legal services, including law-related public service activities.