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**WESTERN STATE COLLEGE OF LAW**  
*Civil & Judicial Externship Seminar*

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**COURSE SYLLABUS**

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**Course Information**

June 7, 2017 through July 26, 2017

Wednesdays, 4:20 to 6:20 p.m. in Room 215

Office Hours: Wednesdays, 2:00 to 4:00 p.m.

**Required Text:**

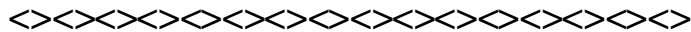
Wortham, Leah; Brooks, Susan; Scherr, Alexander; and Maurer, Nancy, *Learning From Practice: A Text for Experiential Legal Education* (3d ed.) (2016)

You will also be provided and assigned a Student Reading Packet, supplemental readings such as practice guides, journal articles, newspaper articles, and book excerpts.

**Recommended Texts:**

California Civil Practice Statutes and Rules, Annotated (Thomson Reuters 2016)

California Style Manual, 4th Edition (Thompson West 2001)



## **COURSE OVERVIEW**

This is a graded Advanced Professional Skills course. It is taken in conjunction with a field placement in a non-profit, court office, government organization, corporation, or a private law firm doing work for academic credit. In this course, we will explore the meaning of being a lawyer and a member of the legal profession, as well as develop skills necessary for working in the legal field. Lawyers produce a wide variety of documents and utilize a wide variety of lawyering skills in representing clients. These fundamental professional skills are required during law school. You began building these fundamental professional skills in your first year in Legal Writing and Research I and II. This course is designed to further train you in the professional skills necessary for representing your clients competently and to “hit the ground running” when you begin to practice law. This course focuses on the following six lawyering skills, all of which are required for performing many lawyering tasks:

- 1) Solving a problem or accomplishing an objective for clients in practice settings;
- 2) Drafting legal documents in practice settings;
- 3) Drafting advanced persuasive and/or objective documents;
- 4) Communicating effectively with clients, including client counseling;
- 5) Using technology in practice settings;
- 6) Communicating effectively through oral advocacy.

Additionally, we will explore the lawyer-client relationship in various work settings, as well as the skills and tools required for being successful in the workplace. We will also carefully examine the ethical obligations of lawyers and how they play out in various practice settings.

Students will receive material and engage in discussions, which will call upon the need to exercise their analytical and advocacy skills. These class discussions will include simulations, in-class collaborative problem solving, role-playing, guest lecture(s), drafting exercises, graded written assignments, reflective journaling, and review of the assigned reading. The students will be required to synthesize these skills which will prepare the student for the “every day” practice of law.

## GRADING/STUDENT RESPONSIBILITIES

In order to receive a passing grade for the course, students must complete the following requirements during the term:

### A. Goals and Skills Assessment Form

Complete the “Goals and Skills Assessment Form” as assigned.

### B. Weekly Time Sheets

Weekly Time Sheets must be filled out by students and signed by the field supervisor on a weekly basis. (See Forms Packet.) These Time Sheets require you to indicate the time you arrived at and left work, the total hours per day, time spent at lunch, and a detailed description of activities for each day worked. Do not count time taken for lunch (unless it is a working lunch) or personal errands; do not count a holiday on which you do not work; do not count time spent writing Journals and other assignments that do not constitute work product for your placement. Each three-unit externship requires 150 hours during the summer semester. Students typically work 20-25 hours per week at their placements during the summer.

### C. Journal Assignments

You will also be required to submit journal assignments to use as a tool for reflecting on your work, the workplace, and how it relates to your career goals. Journals are assigned on a weekly basis throughout the summer term and are included in the Student Reading Packet.

Format: Each journal should be 2 to 3 pages, double-spaced. Each journal submission must be clearly and separately labeled with your name, journal number, and date.

Content: An important part of your learning experience this term will be the reflection and analysis you engage in while preparing your journal entries and other writing assignments. Journal entries should describe any connections among the prompts provided, your placement assignments and activities, and the course assignments. Include in your journals reflections on topics such as:

- your approach to your assignments or activities
- difficulties or frustrations you encounter
- meetings or substantive discussions with your supervising (or another) attorney or judge
- feedback you receive
- comments on the attorneys, judges and other personnel that you observe at your placement
- operation of your office and other legal institutions
- how ethical issues are addressed
- your career goals.

Write not only about what you have done at work, but also what you are thinking and feeling, and how your experience fits or does not fit your conception of the legal profession and your role in it.

*Confidentiality:* Your journals are confidential and will not be discussed with any other members of the class without your permission. I will be the only one reading the journal; therefore, please be frank in your descriptions of people and events at your work and your reactions to them. If you discuss an issue that I think would be of interest to the entire class or important to share during a small group meeting, I will ask your permission before sharing the information you have provided.

That said, you should be aware of any confidentiality rules operative within your workplace and respect those rules in your journals (i.e., the attorney-client privilege). For example, you may need to refrain from including case or client names, or otherwise changing non-essential details in your written journal entries, in order to preserve client confidentiality.

#### **D. Other Written Assignments**

In addition to your journal writing, you must complete the following: in-class writing assignments, a legal document preparation, and a sample work product from your placement site (approved by the supervising attorney, redacted if needed). Some assignments will be collaborative in nature, while others will be independently produced. Throughout the term, students will engage in self-assessment of their written work, and they will participate in peer review exercises.

*Format:* Formatting requirements for other written assignments, whether in-class or otherwise, will be provided. In addition to course formatting requirements, you will be responsible for identifying and utilizing formatting requirements outlined in the California Rules of Court, local court rules, the California Style Manual and any other applicable authorities. Other than in-class assignments, grading criteria will be provided.

*Content:* Other written assignments are utilized to advance your competency in lawyering skills necessary for working in the legal field. Each such assignment is structured to reinforce the importance of understanding audience, purpose, and reader expectations. These other assignments include both legal drafting as well as assignments intended to provide you with opportunities to improve your advanced persuasive and objective writing skills.

*Grading:* In-class writing assignments, as well as student self-assessment and peer-assessment of assignments, will be graded on your good-faith efforts.

## CLASS ATTENDANCE AND PARTICIPATION

Students are expected to be present and ready to participate at each class and to stay for the entire class. A late arrival or early departure may be treated as an absence. You must be prepared to meaningfully participate in each class. This class is most productive (and fun) if you have read the required material and thought about it before class, and are willing to discuss it together. All viewpoints are welcome. I may provide a guest speaker this summer which will afford a unique opportunity to engage with a practitioner in the field. I may also from time to time assign additional reading in the form of short current event or scholarly articles. We will be fortunate to have a relatively small number of students which will allow this seminar to incorporate a great deal of participation and flexibility in attaining our objectives.

Because this is not a lecture course, it requires your active participation and engagement. Throughout the semester, you will be asked to assess your own writing, and also to exchange your assignment(s) with another student or group of students in class. Comments and questions from other writers will help you hone your own writing skills. You are expected to:

- Actively engage in in-class assignments and exercises;
- Actively engage in in-class discussions;
- Show you have prepared for class by reading and thinking about the assignment;
- Show you understand or are trying to understand the course concepts and principles;
- Ask clear questions and build on others' contributions;
- Make connections between different subjects discussed;
- Use the material to generate your own insights and applications; and
- Exhibit willingness to experiment with new skills and approaches to material.

Western State's Class Attendance Requirement as outlined in the Student Handbook apply to this class; "satisfactory attendance means attending at least 85% of scheduled classes during the semester." Consequences for failing to meet the Attendance Requirement include receiving a failing grade.

**Important!** R.E.S.P.E.C.T = Taking responsibility for your learning and class progress. You are responsible for keeping track of your absences and your placement hours (minimum 150 is required to pass this class). If you are absent, you are responsible for obtaining notes, assignment sheets and any other relevant information.

Please turn off or silence your cell phones during class and feel free to use your computer in the classroom in accordance with WSU computer use policy.

## **Oral Advocacy**

You will also participate in oral advocacy exercises throughout the term. These exercises will be related to formal course assignments, as well as in-class collaborative problem solving exercises. You will be encouraged to share experiences and observations from your respective placements. You will also be asked to provide constructive feedback and self-assess your own efforts. Participating in oral advocacy exercises will be factored into your course participation grade.

## **Writing Samples**

You are responsible for submitting one (1) substantial writing sample (10 – 15 pages) produced during your externship. This writing sample should be representative of the legal tasks you are performing at the placement. Generally, appropriate written work should evidence legal research and analysis and the application of legal principles. If your written work product consists of short documents, such as client letters, 2-3 such writings count as one writing sample. Please follow the Preparing a Writing Sample worksheet provided in the Student Reading Packet.

The writing sample must include the comments provided by the attorney or judge who critiqued your work product. If your supervisor provides verbal feedback of your work, please reduce this information to writing and attach such to your draft product. If you submit a draft and a final product of a particular document, that will count as one writing sample.

Should your placement not involve the production of substantial written work, or should the work produced not be available for submission due to confidentiality concerns, you must submit an alternative writing sample on a topic approved by the Civil and Judicial Externship Director.

## **Court/Attorney Meeting Observation**

If you are able to do so, you are encouraged to observe a court proceeding, mediation, hearing, appearance, or formal meeting among attorneys as part of your externship. Your primary task is to observe and evaluate the performance of the lawyers and/or the judges. Are they well-organized? Well-prepared? Is their conduct professional? Allow yourself to observe any and all aspects of the proceedings. After the court proceeding or meeting, you should prepare a 1 to 2 page memorandum of what you observed.

The memorandum must include the following elements:

1. A description and summary of the matter
2. Location (which courthouse, office, mediation office, etc.)
3. Your impression of the attorneys, judges, clients, etc.
4. Details description of the proceeding/meeting
5. Conclusion: what you think worked well, what could have been improved

Please label the assignment “Court Observation/Attorney Meeting” and bring it to class. You will be asked to share your experiences. Any memoranda or oral presentations related to court/attorney observations will also be factored into your course participation grade.

## **Two Office Visits with Career Resources**

Students are required to schedule one meeting in June and one meeting in July with the Career Resources Department. Meetings can be scheduled by signing up in the red appointment notebook outside of Suite 203, or via e-mail, or making arrangements with the Director.

## **Additional Course Requirements**

- Review the Summer 2017 orientation materials which outlines the educational goals of the Externship Program, the role of the supervising attorney/bench officer, and the student’s responsibilities (excerpts provided on first day of class);
- Review Western State’s Standards of Agreement for Supervision of Externship Students (provided on first day of class);
- Complete the required hours at your placement and perform your field placement work in a satisfactory manner;
- Complete and submit the Weekly Time Sheets;
- Submit placement supervisor’s signed Agreement to Supervise Student Extern (placement supervisor has been provided a blank form);
- Ensure completion and submission of placement supervisor’s Mid-Term Evaluation of Externship Student (see Forms Packet);
- Complete and submit Student Externship Final Evaluation of the placement and the placement supervisor (see Forms Packet);
- Ensure completion and submission of placement supervisor’s Final Evaluation of Externship Student (see Forms Packet).

## **DISABILITY SERVICES STATEMENT**

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza's phone number and email address are: (714) 459-1117; [despinoza@wsulaw.edu](mailto:despinoza@wsulaw.edu). When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Susan Keller at [skeller@wsulaw.edu](mailto:skeller@wsulaw.edu). Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."