Externships provide a practical complement to classroom instruction by placing students in legal settings to gain meaningful experience. Through externships, students improve their research writing, and drafting proficiencies, and are exposed to the skills needed to be successful attorneys. These skills include direct client contact, such as interviewing and counseling, and the ability to reflect upon the work of legal institutions and to analyze how professional responsibility impacts the day-to-day practice of law. In any externship program, the quality of a student’s experience is directly related to the quality of the supervision provided. The relationship between the student and his or her placement is a dynamic one. We hope that this manual will assist you in effectively mentoring an extern and help you and your extern develop a mutually beneficial working relationship.

Drawing from the manual written by the Bay Area Consortium of Externships, this manual has been developed to reflect the ABA requirements for the conduct of externship programs. The manual articulates the standards we expect our extern supervisors to follow and highlights best practices in extern supervision. As you will read in ABA Standard 305, we are required to make regular contact with you, and appreciate your flexibility in fitting these calls or meetings into your schedule. We recognize and appreciate the demands of your time and understand that supervision of law student adds to your duties and responsibilities. As we work to develop meaningful and exciting externship placements, we hope you will offer your suggestions and feedback.

Thank you for your interest and willingness to supervise a Georgetown Law Center Extern.

Section I: Experiential Learning
Section II: Developing Student Externs
Section III: SUPERVISION GUIDELINES FOR EXTERNS

Appendix A: GULC Contact Information & Contact Schedule
Appendix B: ABA Standard 305 Governing Externship Programs
Appendix C: Workplace Confidentiality
Appendix D: Assignment Clarification
Appendix E: Georgetown Externship Supervision Agreement

SECTION I – EXPERIENTIAL LEARNING

Originally legal education in the United States was accomplished solely through experiential learning, i.e., learning by doing. New lawyers typically joined the profession after “reading law” as apprentices working for practicing attorneys. The academy entered the picture when the first law schools were formed over one hundred years ago, and legal education gradually evolved into a primarily academic pursuit (i.e., the study of a subject without the necessity for any direct experience) heavily based on the case method. Analyzing case decisions, typically using the Socratic method of teaching, does a

---

1 With minor modifications, we have adopted the Best Practices of the Bay Area Consortium on Externships Manual for Extern Supervisors and the American University Washington College of Law Externship Supervision and Assignment Clarification Guidelines. As early as 1993 with development of the Greater Los Angeles Consortium of Externships, law schools in different regions have worked collectively to develop practices and procedures both to ensure compliance with ABA Rules and also to promote the best experiences for law students in field placements. This manual highlights much of that collective wisdom.
wonderful job of teaching students to think like lawyers, and was probably a necessary innovation as the legal field became broader and more complex.

However, reliance on case studies through the Socratic method alone is not without a downside. Responding to desires for additional skills training, as well as calls for instilling a sense of social justice in law students, experiential learning reclaimed some of its original importance when many law schools added clinical education courses during the 1970s. Students supervised by law professors represented a limited number of clients in specialized areas of the law. At the same time, law schools added simulation courses that allowed law students to assume the role of an attorney in a variety of mock settings. Law schools also began to restore the apprenticeship component to legal education with programs variously referred to as externships, internships, or field placements. These programs provide the only opportunity law students have to see and work with lawyers as they practice on a day-to-day basis, serving live-clients in an education-focus, yet real world setting.

As further evidence of the importance of experiential learning, effective Fall 2016, all students ABA accredited law schools will be required to complete six credits of experiential education prior to graduation. In an externship, the field placement supervisors, and indeed all staff at the field placement site, play a critically important role in the student’s education and practical development. Law school administrators and professors partner with field placement supervisors to ensure a quality educational experience. In an externship the people at the field placement have an important role of modeling for students how to conduct behave and engage in particular legal interactions.

Students at a good placement site will learn in at least five important areas:

1. **Mission**: An externship gives students the chance to learn the mission of a particular government agency, court, or non-profit entity and to see how the organization accomplishes its mission.

2. **Skills**: We anticipate that students will improve their legal skills. Placements sites vary, and at some placements students will significantly expand their legal analysis, research, and writing skills. At other placements, the focus might be on negotiation skills, client communication skills, or courtroom demeanor.

3. **Copy**: The externship socializes law students whose professional identities will be molded in part upon what they see in their externships. For many students externships offer their first insights into practice, and what it means to be an attorney.

4. **Law**: We hope that students will increase their knowledge of substantive law such as criminal justice, environmental law, administrative law, or general civil law.

5. **Experience**: Finally, the externship allows students to experience what it means to be in a particular practice setting, and helps inform their future learning and career goals.

We thank you for your willingness to become directly involved in the extern’s education, and ask that you choose assignments that will stretch their skills, and provide feedback that will allow them to learn efficiently from their experiences. To help externs reflect on their new experiences, Georgetown, as well as ABA rules, require externs to engage in a reflective component, writing reflective memos and attending related seminars. To further foster meaningful reflection, we hope that you will discuss with them professional mores, and the things that drive you to perform as a professional. Finally, and most importantly, we ask that you act as mentors and role models, helping the externs develop their own internal sense of professional commitment, responsibility, and identity.
SECTION II – DEVELOPING STUDENT EXTERNS

Learning from experience is critical for your externs to increase and hone the knowledge, skill, and attributes that they will need to become new attorneys and to effectively perform the work needed to excel in the practice of law.

You as the supervising attorney are the lynchpin in creating that learning opportunity and providing much-needed experience. It is also our hope that the investment you make in developing your extern will serve you and your organization as the student’s competency and ability to take on progressively more complex tasks grows.

Students should have an opportunity to observe and hone a range of skills during their externships. To facilitate this development we focus on a set of key competencies.

The first five competencies relate to the legal skills essential to the substantive practice of law. These break down as follows:

1. **Knowledge of the Law** (researching and finding the law, knowing general substantive and procedural law, developing subject-matter expertise)
2. **Marshaling Information** (fact finding questioning and interviewing, collecting and reviewing documents and reports, organizing and categorizing information)
3. **Analysis** (critical review, reasoning, problem solving, understanding what facts mean, understanding what the law means, and applying the law to the facts)
4. **Legal Expression** (persuasive or objective oral and written communication of analysis, positions, opinions, arguments, and recommendations)
5. **Practice Skills** (executing practice-specific tasks in litigation, policy, or transactional settings - taking depositions, arguing motions, developing case strategies; working in coalitions, forming policy agendas, writing reports; negotiating drafting agreements, conducting due diligence, and counseling clients)

Other competencies relate to the intrinsic professional skills that underlie a successful practice include:

1. **Professionalism** (maintaining integrity and honesty, diligence, civility, ethics, diversity, mistake management)
2. **Client Service** (building client relationships; understanding the client’s interests and needs; providing advice and counsel; and building trust)
3. **Leadership** (communicating, influencing others, creative problem solving, collaborating, building consensus, envisioning, planning, and mentoring)
4. **Management** (communicating, giving feedback, planning and implementing tasks, organizing and managing one’s own work, working effectively as part of a team, organizing, supporting, and managing others)

The key professional development tools for acquiring these competencies are work experience, feedback and evaluation, mentoring and coaching, and training. Work assignments are an especially effective professional development tool especially when the assignments build on a solid foundation in the basics and progressively increase in complexity and responsibility.

Feedback and evaluation provide the most meaningful (if occasionally uncomfortable) opportunities for professional development. Students need to receive constructive, timely, and specific feedback on an ongoing basis. It is important for the feedback to be both corrective and positive so students can both
build on what they are doing well and develop in areas that need improvement. Coaching and mentoring (formal or informal, whether long or short-term) are essential but need to have a specific focus. Most students succeed when a single key skill they want to improve, such as writing, oral advocacy, or time management, is identified. Mentoring should start where the student is and move him or her along the development continuum to the desired goal.

Finally, training includes in-house programs, seminars, workshops, and clinics. To be effective, training should be interactive and go beyond the lunchtime conversation; you need students to think about the material and practice the specific skill during the semester, and continually apply what they have learned to the work assigned.

SECTION III – SUPERVISION GUIDELINES FOR EXTERNs

STRUCTURING THE EXTERN’S EXPERIENCE

Be prepared: Before the student’s arrival, think about the projects you will assign the student, and who would be best to supervise those projects. In some cases students arrive to find that they are without an assigned desk or workspace, computer, password access, telephone access, office keys or entry codes, for a substantial period of time. All of this should be prepared before the student’s arrival so they can begin work soon after they begin.

Assign a primary attorney supervisor: Determine for whom the student will be completing assignments. If the student has more than one supervisor, assign an attorney supervisor that has ultimate responsibility for coordinating the student’s work. This includes ensuring students do not have too much or too little work and that they have a variety of assignments.

Ensure attorney supervision: Students must have attorney supervisors that are providing direct supervision and feedback. While there could be limited instances in which students may be supervised by non-lawyers for discrete aspects of the work in certain offices, this may not replace attorney supervision.

Provide an orientation: Conduct an orientation to the office so the student gets acquainted with the office and other staff members. Brief the student about the office protocols regarding attendance, punctuality, security, safety emergency procedures, filing systems, routing phone calls, dress code, computer usage, and Westlaw or Lexis/Nexis.

Discuss Confidentiality: Students in their second year of law school are unlikely to have had formal training or instruction about professional responsibility at the time that they begin their externship. For that reason, placements should inform student of the placement’s specific policies concerning confidentiality. Please see the Workplace Confidentiality sheet in the addenda.

Goals meeting: Within the first week of their placement, Georgetown Law students are required to sit down with their supervising attorney to discuss their educational goals for the semester as well as the supervisor’s goals regarding the work product to be completed. To the extent possible, the work that externs receive should promote the stated goals. Students are also likely to have some personal goals that they may be hesitant to articulate but that the supervisor may want to ask about and help coordinate. These include drafting a document they can use as a writing sample and having networking opportunities to learn more about your organization, the area of practice, and to discuss career strategies.
**Assign only substantive legal matters:** Students are required to be engaged in substantive legal work in order to receive academic credit for their externship. Although there are times - in an effort to meet a deadline or prepare for trial, publication, or presentation - that everyone pitches in to assist with administrative matters, these should not be part of the students’ regularly scheduled duties. Students should not spend full days answering phones, photocopying, updating databases, or scheduling events. They should never be assigned personal errands.

**Create opportunities to observe legal practice:** One of the most important aspects of a legal externship is the opportunity to observe attorneys in the practice of law. Avoid having students spend large amounts of time in relative isolation in the library. Students should be given every opportunity to meet with attorneys and to observe them in action by attending coalition meetings, meetings with co-counsel or opposing counsel, trainings, hearings and trials, settlement conferences, witness interviews and preparation, CLE events, appellate arguments, and other activities involving the attorneys working in the office. Whenever possible, students should be allowed to see the application of their work to the final product. Make sure that students are included on the lists of those receiving office memoranda.

**Assignments**

**Provide Clarity in Assignments:** There is a direct correlation between the quality of instruction, and the quality of the student work product. Please see the Assignment Clarification sheet in the addenda.

**Provide Feedback**

**They can take it:** You may be reluctant to critique an extern’s work, but externs need, deserve, and want honest feedback. Without feedback, externs often assume that “no news is good news,” and will continue to repeat the same errors unless they are given specific suggestions regarding how to improve. Lead with the positive – the goal is to highlight a particular success (be it a paragraph or an aspect of a presentation) so that it can be reinforced and replicated. Recognition of something that was well done can be a powerful motivator. Provide a limited number of suggestions for improvement at any given time.

**What is feedback?** Students should receive feedback on a variety of professional skills throughout the semester. These include research ability, legal analysis, creativity, oral advocacy, professionalism, client relations/communication, and inter-office skills.

**Provide feedback early in the process:** Externs should receive timely feedback on every completed assignment from the assigning attorney. One supervision model suggests that supervision should be FAST:

- **Frequent** – the weekly meetings work well to assure the frequency of feedback
- **Accurate** – describe actions or behaviors that can be addressed, not the person
- **Specific** – pinpoint discrete identifiable points to be replicated or improved upon
- **Timely** – if too much time passes, externs are likely to repeat their mistakes

**Set up a regular schedule:** While informal discussions are fine, we suggest setting up a regular meeting schedule to discuss ongoing projects, for you to provide ongoing feedback and for the students to ask questions and let you know if they feel they need additional information.

**Don’t tell, show:** Instead of making general comments, be specific. Occasionally, walk the student through your editing process so they understand exactly what was changed and why. Check for
understanding by posing a question or comment that allows the externs to show she or he can incorporate the suggestions going forward. At the conclusion of assignments, give the student a copy of the edited and/or final product.

**Listen to the student:** Externs are encouraged to engage with you in a collaborative supervision mode, not a passive one. We suggest that you encourage externs to assess their own work, to identify and discuss what they found challenging, and to suggest their own ideas as to how the work could be improved. See, A. Alexander and J. Smith, *A Practical Guide to Cooperative Supervision for Law Students and Legal Employers*, 29 Law Office Economics and Management.

**Pitfalls: Things To Avoid**

**Lack of clarity in assignments:** This is worth repeating. One of the best ways to ensure that students provide you with the product you want is to make sure that you have given them enough information at the commencement of the project. See Appendix D, *Assignment Clarification* for guidance on what questions need to be answered in order to provide students with clear instructions on an assignment.

**Lack of constructive feedback:** Constructive criticism is critical for the student to understand errors made on a project and to avoid making them in future assignments. Constructive criticism promotes efficiency, which benefits both the students and the attorneys. See the section on Feedback, above, for more information.

**Too little variety:** Externs should receive a variety of assignments. Repetitive assignments, such as “state by state compendiums” should be avoided unless they are only one part of a broader range of tasks.

**Your extern does not get to see what you do:** In addition to the traditional tasks of legal research and drafting legal documents, the experience should also include observation of courts, administrative hearings, legislative proceedings, meetings, conferences, negotiations, as well as a discussion of the supervisor’s interactions when completed. Going through your calendar and highlighting meetings, proceedings, or calls that would be appropriate for your extern to observe is a valuable way to enhance your extern’s experience.

**Supervision by non-lawyers:** A common issue for students is that the attorney supervisor delegates too much of the responsibility for supervision to non-attorneys. Even where there is an experienced clerk or paralegal, the student must still meet regularly and receive feedback from the attorney supervisor.

**Non-substantive work:** Supervisors should not assign non-substantive work, such as updating databases, scheduling meetings, event planning, updating websites, and answering phones. While any of these may have substantive element to them, or may provide some networking opportunities, they need to be limited in scope. Students are receiving academic credit for their work, and need to be engaged in substantive legal work.

**Unrealistic expectations based upon a law student’s time and training:** Particularly during the regular spring and fall semesters, when students are working only between 10-15 credited hours per week and are carrying a substantial academic load, some supervisors assign work that demands hours in excess of the weekly time that the extern has allotted for the placement. While there may be circumstances when this is acceptable, the supervisor should first consult with the student and understand that the student has to balance the demands of law school and other responsibilities outside of the externship.
**WINDING DOWN**

**Final Assignments:** Eleven weeks is a relatively short time. In the fall, students often try to complete their placement hours by Thanksgiving. In the spring, our students end classes in April. Consider whether new assignments can be completed in the amount of time the student has remaining so that you can both feel satisfied that your expectations were met.

**Exit Expectations:** Let the student know how things should end. If it is helpful for your extern to draft an exit memo that outlines the completed projects, and where those documents can be found, be sure to tell them. If a student is working on an ongoing project, let the student know how best to transfer information to a future extern or attorney who will continue the work.

**Final Meeting:** Take the time to have an exit meeting with the extern during the final week in your office. Share your impressions of the extern’s work. Provide examples of areas in which you have seen improvement and areas in which the student still needs to grow and develop. Let the extern know if you would like to serve as reference in the future, and if you would be amenable to staying in touch. Our students look up to you, and knowing that you have an interest in them and their development is very valuable.

**SUPPORT FROM THE LAW CENTER**

The Externship Office is here to support you. We are happy to assist you with giving feedback, to brainstorm how to address a student who is underperforming, or any other concerns you might have about an extern or the program. Please do not hesitate to call upon us for assistance.

Carmia N. Caesar  
Director of Externships & Public Interest Law Scholars  
(202) 661-6677  
carmia.caesar@law.georgetown.edu

**SERIOUS QUESTIONS OR CONCERNS**

Sometimes, in spite of everyone’s best efforts, something goes wrong. If that happens, we would like to know it, and we would like to help. A small problem could be an indication that there is something that the Law Center can do to strengthen orientation, or other guidance that we provide for the externs. A big problem could be an indication that the student is in need of support beyond what you should or could be expected to provide. If a student suddenly changes work habits or attendance, or the extern’s work product suddenly declines, please contact the JD Externship Program Director right away.
APPENDIX A
GEORGETOWN LAW JD EXTERNSHIP PROGRAM CONTACT INFORMATION & CONTACT SCHEDULE

Carmia N. Caesar
Director, JD Externships and PILS
Adjunct Professor of Law
Georgetown Law Center
600 New Jersey Avenue, NW
Washington, DC 20001
carmia.caesar@law.georgetown.edu
(202) 661-6677

Program email:
jdexternships@law.georgetown.edu

You will hear from the Director of the Externship Program at the beginning and end of the term.
1. After your externship student registers, you will receive a copy of the Georgetown Manual for JD Extern Supervisors. You will need to sign and return the Supervision Agreement.
2. At the end of the term, you will receive a student evaluation form via email. Please return that evaluation to the Externship Director.

You will hear from the adjunct faculty member who is teaching the companion seminar to your extern’s field placement experience.
1. The faculty member will schedule a call with you a few weeks into the semester to ask if you have any questions or concerns about our student or the program.
2. The faculty member will reach out to you again in the second part of the semester, again to offer support and ask if you have any questions or concerns.

Your extern will need to meet with you at least twice to complete program documents.
1. At the beginning of the semester he or she will complete a Goals sheet, and record your feedback prior to submitting the document.
2. Midway through the semester, the student will revisit the memo with you, and make any necessary updates or changes.
APPENDIX B
ABA STANDARD GOVERNING EXTERNSHIP PROGRAMS

The American Bar Association, among many things, is the entity responsible for the accreditation of law schools. The Standards for Approval of Law Schools established by the American Bar Association are minimum requirements designed to aid law schools reach the goal of providing a sound program of legal education. ABA Standard 305 sets out the requirements for the development and operation of externships or field placement programs like those operated by GULC and other member schools. The 2015-2016 standard is included here for your reference.

Standard 305. FIELD PLACEMENTS AND OTHER STUDY OUTSIDE THE CLASSROOM

(a) A law school may grant credit toward the J.D. degree for courses that involve student participation in studies or activities in a format that does not involve attendance at regularly scheduled class sessions, including courses approved as part of a field placement program, moot court, law review, and directed research.

(b) Credit granted shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

(c) Each student’s academic achievement shall be evaluated by a faculty member. 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.

(d) The studies or activities shall be approved in advance and periodically reviewed following the school’s established procedures for approval of the curriculum.

(e) A field placement program shall include:
   (1) a clear statement of the goals and methods, and a demonstrated relationship between those goals and methods to the program in operation;
   (2) adequate instructional resources, including faculty teaching in and supervising the program who devote the requisite time and attention to satisfy program goals and are sufficiently available to students;
   (3) a clearly articulated method of evaluating each student’s academic performance involving both a faculty member and the site supervisor;
   (4) a method for selecting, training, evaluating, and communicating with site supervisors;
   (5) for field placements that award three or more credit hours, regular contact between the faculty supervisor or laws school administrator and the site supervisor to assure the quality of the student educational experience in the field placement program; and
   (6) a requirement that students have successfully completed sufficient prerequisites or contemporaneously receives sufficient training to assure the quality of the student educational experience in the field placement program; and
   (7) opportunities for student reflection on their field placement experience, through a seminar, regularly scheduled tutorials, or other means of guided reflection. Where a student may earn three or more credits hours in a field placement program, the opportunity for student reflection must be provided contemporaneously.

(f) A law school that has a field placement program shall develop, publish, and communicate to students and site supervisors a statement that describes the educational objectives of the program.
Observing ethical obligations of confidentiality is a central principle of the lawyer-client relationship. Because students may not have experienced formal training in professional responsibility at the time of the externship, we recommend supervising attorneys ensure that law students are aware of the confidentiality policies specific to the placement. If you do not already have policies or practices that pertain to externs, you may want to consider the following:

1. Confidentiality policies be set forth in writing and distributed to each extern at the beginning of the externship,

2. Externs sign an acknowledgement of receipt of the policies, and

3. Supervising attorneys discuss the importance of confidentiality and the ethical implications involved in a case or project with externs throughout the term of the placement.

SAMPLE EXTERN CONFIDENTIALITY AGREEMENT

Below are suggested confidentiality provisions a placement may wish to incorporate into a written confidentiality agreement and acknowledgment.

1. General – The obligations of confidentiality arising from DC Rule of Professional Conduct 1.6 regarding Confidentiality of Information also applies to externs. [Placement] staff, including externs, shall not disclose or release any information designated as confidential, or that may identify a party, client, case, or matter that is served by or brought to [Placement], without the express, advance authorization of the extern supervisor. The extern must keep confidential any information received from a client whether or not it pertains to a pending case. This legal obligation continues beyond the period of the externship. With the supervisor’s express permission only, an extern may use a properly redacted document as a writing sample.

2. Providing Legal Advice – Externs shall not give any legal advice to a person or client, nor express any opinion concerning the merits of a client’s case to a client or to any third party, unless he or she is supervised by an attorney or is authorized by the attorney to provide the advice.

3. Office Visits – No one other than [Placement] staff should be permitted in the offices without permission. If anyone other than [Placement] staff, including former staff members, enters the premises, they shall be escorted to an office or conference room. The extern or another staff member should state, “It is important that confidentiality be maintained. Please come with me to this office. How can I help you?” Externs should receive permission from their supervisor before inviting personal guests to visit the office.

4. Meeting Clients During Intake – As the supervising attorney shall explain to the extern, [Placement] staff should explain to potential clients that confidences or secrets disclosed by
the client will be kept confidential, and that staff cannot reveal this information without the client’s permission.

5. Taking Office Files Off-Site – Offices files shall not be taken from the premises without permission from the extern’s supervisor. In cases where permission is given, only copies and not originals of files shall be taken off-site. Office files should never be emailed to private email accounts. If communicating with a supervisor, co-worker, client, or others regarding confidential case information, special care should be taken to preserve confidentiality. Records of email communications should be maintained consistent with office policy.

6. Disposing of Office Files – Confidential information shall be disposed of by shredding it at the office or in accordance with the protocol for disposal of electronic copies.

7. Acknowledgement – By signing this agreement, the extern agrees to comply with the provisions above, and confirms he or she has read DC Rule of Professional Conduct 1.6 regarding Confidentiality of Information.

Print Name: ________________________    Date: ________________

Signature: ___________________________
DC Rule of Professional Conduct Rule 1.6 - Confidentiality of Information

(a) Except when permitted under paragraph (e), (d), or (e), a lawyer shall not knowingly:

(1) reveal a confidence or secret of the lawyer's client;

(2) use a confidence or secret of the lawyer's client to the disadvantage of the client;

(3) use a confidence or secret of the lawyer's client for the advantage of the lawyer or of a third person.

(b) "Confidence" refers to information protected by the attorney-client privilege under applicable law, and "secret" refers to other information gained in the professional relationship that the client has requested be held inviolate, or the disclosure of which would be embarrassing, or would be likely to be detrimental, to the client.

(c) A lawyer may reveal client confidences and secrets, to the extent reasonably necessary:

(1) to prevent a criminal act that the lawyer reasonably believes is likely to result in death or substantial bodily harm absent disclosure of the client's secrets or confidences by the lawyer; or

(2) to prevent the bribery or intimidation of witnesses, jurors, court officials, or other persons who are involved in proceedings before a tribunal if the lawyer reasonably believes that such acts are likely to result absent disclosure of the client's confidences or secrets by the lawyer.

(d) When a client has used or is using a lawyer's services to further a crime or fraud, the lawyer may reveal client confidences and secrets, to the extent reasonably necessary:

(1) to prevent the client from committing the crime or fraud if it is reasonably certain to result in substantial injury to the financial interests or property of another; or

(2) 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 the crime or fraud.

(e) A lawyer may use or reveal client confidences or secrets:

(1) with the informed consent of the client;

(2)(A) when permitted by these Rules or required by law or court order; and

(B) if a government lawyer, when permitted or authorized by law;

(3) to the extent reasonably necessary to establish a defense to a criminal charge, disciplinary charge, or civil claim, formally instituted against the lawyer, based upon conduct in which the client was involved, or to the extent reasonably necessary to respond to specific allegations by the client concerning the lawyer's representation of the client;

(4) when the lawyer has reasonable grounds for believing that a client has impliedly authorized disclosure of a confidence or secret in order to carry out the representation;
(5) to the minimum extent necessary in an action instituted by the lawyer to establish or collect the lawyer's fee; or

(6) to the extent reasonably necessary to secure legal advice about the lawyer’s compliance with law, including these Rules.

(f) A lawyer shall exercise reasonable care to prevent the lawyer's employees, associates, and others whose services are utilized by the lawyer from disclosing or using confidences or secrets of a client, except that such persons may reveal information permitted to be disclosed by paragraphs (c), (d), or (e).

(g) The lawyer's obligation to preserve the client's confidences and secrets continues after termination of the lawyer's employment.

(h) The obligation of a lawyer under paragraph (a) also applies to confidences and secrets learned prior to becoming a lawyer in the course of providing assistance to another lawyer.

(i) For purposes of this rule, a lawyer who serves as a member of the D.C. Bar Lawyer Counseling Committee, or as a trained intervener for that committee, shall be deemed to have a lawyer-client relationship with respect to any lawyer-counselee being counseled under programs conducted by or on behalf of the committee. Information obtained from another lawyer being counseled under the auspices of the committee, or in the course of and associated with such counseling, shall be treated as a confidence or secret within the terms of paragraph (b). Such information may be disclosed only to the extent permitted by this rule.

(j) For purposes of this rule, a lawyer who serves as a member of the D.C. Bar Practice Management Service Committee, formerly known as the Lawyer Practice Assistance Committee [see footnote], or a staff assistant, mentor, monitor or other consultant for that committee, shall be deemed to have a lawyer-client relationship with respect to any lawyer-counselee being counseled under programs conducted by or on behalf of the committee. Communications between the counselor and the lawyer being counseled under the auspices of the committee, or made in the course of and associated with such counseling, shall be treated as a confidence or secret within the terms of paragraph (b). Such information may be disclosed only to the extent permitted by this rule. However, during the period in which the lawyer-counselee is subject to a probationary or monitoring order of the Court of Appeals or the Board on Professional Responsibility in a disciplinary case instituted pursuant to Rule XI of the Rules of the Court of Appeals Governing the Bar, such information shall be subject to disclosure in accordance with the order.

(k) The client of the government lawyer is the agency that employs the lawyer unless expressly provided to the contrary by appropriate law, regulation, or order.
APPENDIX D
Assignment Clarification
An important key to a successful externship is the ability of the supervising attorney to effectively assign legal research and writing projects. It is important to know exactly what you expect from students and to communicate these expectations. It is also important to ensure that externs have adequate opportunities to request information and discuss their progress throughout the process. Spending more time up front to clarify some of the issues below will save considerable time and effort for both you and the students. For each major assignment, we recommend that you discuss the following points with your externs.

**Audience and Purpose**
- For whom is the student writing? Will anyone see it but you?
- Are you using this assignment for a specific purpose (e.g., client letter, contract, etc.)?
- Have you explained how this piece fits into the overall case or project?

**Structure and Style**
- Is there a specific format that you want the student to use? Do you have samples or templates to provide?
- How formal should this document be (e.g., rough draft or polished draft? Bluebook citations or not)?
- Do you want copies of cases, legislative history, or other research materials?
- Have you explained that a rough draft in practice should mean that the student has proofread, and edited the document for your review?
- Does the assignment involve writing that is substantially different from what students are taught in a first year Legal Writing class?

**Research Guidance**

**Strategy**
- Is there a particular research strategy you want the student to use?
- Is there a starting point you would recommend?
- Are there specialized sources or materials used by your office with which the student might not be familiar?
- Is there one question on which you want the student to focus?
- Do you want an objective conclusion or do you want the student to advocate for a specific position?
- Do you want the law supporting one side of the issue or both?
- Is there relevant legislative history that the student should be informed of or should research?
- What jurisdiction do you want the student to search (e.g., state law, federal law, administrative law/regulations)?
- Are there key stakeholders that should be involved in the development of this project?
- Are there meetings that the extern should attend to gain a better understanding of the interests of all of the parties involved in this issue?
- Are there groups or disciplines that are involved in the outcome of particular project or practice area, e.g., scientists, lobbyists, community groups, etc.? 
**Background Information**

- Is there any information on this client or matter in the office (e.g., a case file or previous research)?
- Have you provided the student access to this information?
- Are there meetings outside of the office that the extern should attend, or individuals from other organizations with whom the extern should meet?

**Deadlines & Communication**

*Timing*

- When do you need the assignment completed (e.g., rough draft deadline, final deadline)?
- How should the student prioritize this project relative to other assignments?
- How long should the student spend on the project, and have you taken into account your level of expertise as compared to a student who has completed 2-4 semesters of law school?

*Communication*

- How often should the student check in with you?
- How do you prefer the student communicate with you? Should they call, email, drop-in?
- To whom should the student reach out if you are not available?
- Have you asked the student if she or he has questions, remembering that the student may be unfamiliar with the substantive area of law and the available resources?
Georgetown University Law Center
Supervision Agreement for JD Externship Field Supervisors

Student’s name, year and GU ID: __________________________________________

Student’s start and end dates (not to exceed the last day of classes): __________________________________________

Supervisor’s name and title: __________________________________________

Supervisor’s phone number: __________________________________________

Supervisor’s email address: __________________________________________

Name of placement organization and address where student will perform his or her work:

___________________________________

___________________________________

___________________________________

Is this the same location as the Supervisor’s Office? __________

Georgetown University Law Center awards two or three academic credits to students who successfully complete a field placement. In order to assure that the field placement has significant learning value for students, the Law Center requires that field supervisors agree to comply with the following supervision requirements (please check off each section):

I.  At the beginning of the field placement, the supervising attorney and the student should meet and agree on the specific objectives of the externship. Consideration should be given to these standards as well as the stated objectives of the placement, the current case load of the office and the student’s pedagogical goals. Throughout the semester, the supervisor and the student should assess if these objectives are being met and if not, how best to achieve them.

II. Supervisors who telework or spend considerable time away from the office should identify attorneys to whom the student may report or secure additional assignments and establish effective means of communication when either the student or the supervisor is out of the office.
III. \textit{Conflicts that arise between a student and supervising attorney} should be brought to the immediate attention of the Externship Director.

IV. \textit{Students should be assigned to attorneys on a one-to-one basis to the fullest possible extent.} Whenever possible, the student should be located at the same site as the supervising attorney. Supervising attorneys should not commit to supervision during semesters in which they will be traveling frequently if such travel will impede their ability to provide meaningful supervision.

V. \textit{Students should approximate working as lawyers to the maximum extent possible, and always under the direct supervision of a lawyer.} Students should be present whenever possible if there are meetings that relate to the substance of the assignments they have been given. Students should be actively encouraged to take on the most challenging work they can reasonably handle.

VI. \textit{Where possible students should be involved in the preparation of final documents and/or presentations that will actually be submitted to court, agency, client, opposition, etc.} Students should be given sufficient time to accomplish a project so that it can be submitted, after approval by a supervisor, as a final document (consistent with pertinent court rules relating to the unauthorized practice of law).

VII. \textit{Students should not be asked to spend more than a minimal amount of time on menial tasks, unless it is work that would otherwise be completed by an attorney, e.g., filing, library updating, indexing, etc.}

VIII. \textit{If consistent with the practice of the office, going to court, attending hearings, meetings and depositions, and being present and assisting during meetings, etc. are all encouraged. To the extent possible, these activities should take place in connection with, and be an integral part of, the student’s work assignments.} For example, if the student prepared a motion or a portion of a trial brief, she or he should be allowed to attend the argument or a portion of the trial. If a strategy session takes place with clients or outside attorneys on a matter the student is working on, the student should be invited if it is appropriate for a law student to attend. If the student prepared questions or a witness for a deposition, the student should be invited to attend.

IX. \textit{An active and well thought out supervision and feedback process between the supervising attorney and the student throughout the semester is essential.} Supervision and feedback procedures should include the following:

A. When a matter is assigned to the student, the student and supervising attorney should discuss the objectives (immediate and long-term) of the client and the organization. The discussion also should include the relative importance of the matter to the organization, with an explanation of the type of student work that will be useful as opposed to having only marginal utility. Time deadlines and other expectations should be specified, and should take into account both parties’
workloads. The student also should be advised of the full range of resources, methods and materials available in doing the job.

B. While the student should be encouraged to work independently, the supervising attorney must make him or herself available throughout the project to answer the student’s questions and discuss the issues.

C. When a first draft is completed, the supervising attorney should review the work for its overall effectiveness and give the student a critique of the work product as to accuracy, style, clarity and persuasive content. We encourage supervising attorneys to ask the student to redraft a document as many times as necessary until the supervising attorney is satisfied.

D. Whenever possible, the supervising attorney and the student should discuss:

   (1) alternative methods of handling the matter;
   (2) the relationship of the specific job to the larger substantive, procedural or practical issues involved, e.g., a specific motion should be discussed within the context of motion practice in general; and
   (3) any policy, career, professional or ethical consideration contained in the matter.

X. **At the end of the externship, and midway through the semester, the supervising attorney shall provide the student with a comprehensive assessment of his/her performance, including both strengths and areas for further development.**

XI. **Mandatory Class Sessions** for the Externship Program are scheduled throughout the week in an effort to accommodate as many student schedules as possible. In the event of a conflict, your cooperation in allowing students to alter their hours to attend the mandatory class sessions is greatly appreciated.

Please note: Georgetown University Law Center does not provide malpractice insurance for students in field placements.
I understand that attorneys work in a variety of practice settings, and that I am under no obligation to comply with portions of this agreement that are inconsistent with the nature of the work performed by my office. With these limitations in mind, I agree to comply with all other supervision requirements. Furthermore, I understand that failure to comply with these supervision requirements could result in the above named Georgetown Law student not receiving credit for his or her work, and could prevent Georgetown Law Students from receiving credit for work with my agency or organization in the future.

In addition to signing this agreement, I have read and familiarized myself with the contents of the *Georgetown Law Manual for JD Externship Supervisors.*

________________________________________________________________________

Supervisor’s Name & Title

________________________________

Signature of Supervisor

Date

Thank you for participating in the Georgetown Law JD Externship Program. If I can answer any questions, please let me know.

Carmia N. Caesar
Director, Externships and Public Interest Law Scholars
carmia.caesar@law.georgetown.edu
Tel: (202) 661-6677

*Supervision Agreement forms should be returned to the student.*