Tips for Legal Externs

Before You Start

- **Write a Goals Memo or Outline.** Before you start your externship, or as early as possible in the externship, write a memo or outline of the broad objectives of your externship. This is different from the experiential checklist below in that it should be less filled with specific tasks you want to do but more reflect your general goals. For example, do you want your externship to help you determine what substantive are of law most appeals to you (e.g. environmental, civil rights, antitrust)? Do you want to ascertain whether this type of office, e.g. government, private firm or non-profit is a good fit for you? Are you hoping the externship will help you decide between criminal or civil work, between a litigation and transactional practice, between representing agencies, companies, or individuals? Are you interested in getting exposure to different types of legal tasks (e.g. research, writing, negotiation, litigation, client counseling)? Do you want to see how attorneys handle work/life balance issues? Are you hoping to learn more by doing or by observation or both? (See Chapter 2, Learning From Practice, 2nd Edition).

At the Beginning of the Externship

- **Post Your Work Days and Hours and Out of Office Contact Info.** Be clear as to your days/hours with both your supervising attorney and with each attorney whom you are working. It is a good idea to post your days/hours at your work space and in your email signature. You should also include a cell number/email where you can be reached when you are not in the office in case questions arise about your work product.

- **Make an Experiential Opportunity Checklist.** During your first week, make a list of the different types of legal work and events the attorneys in the office do. (For example, research and writing letters, memos, briefs; discussing issues with clients; discussing issues and/or negotiating with opposing counsel; discovery events such as taking depositions; writing complaints, interrogatories, and reviewing documents; working with experts; trial work, consulting with experts on potentially regulatory or policy issues, drafting regulations or legislation, meetings with industry/public interest groups regarding regulatory/legislative/policy issues). Then turn that list into a checklist for yourself of all of the types of events you should strive to participate in or observe during your externship. Review the list with your supervisor and check in on it periodically.

- **Meet with Your Supervisor to Discuss Goals and Interests.** At the beginning of your externship, have a substantive meeting with your supervisor in which you review your goals memo, experiential checklist, and discuss your interests and preferences in terms of the substantive legal areas and types of work you want exposure.

- **Clarify at the Outset Whether You Can Give Tasks to Clerical Staff.** Every office has different practices vis a vis the externs’ use of clerical staff. Some offices expect that externs will do their own clerical work (e.g. copying, faxing), while in others it is wholly
appropriate for externs to ask for clerical assistance. Determine your office’s practices at the beginning of your externship. Otherwise, you may either needlessly spend time on clerical work or offend clerical staff by asking them to do your work which is not within their realm of responsibility.

**At All Times**

- **Dress Appropriately.** What you wear conveys how serious you are about the office and your work. You should therefore dress appropriately *for the office in which you are externing.* This does not mean you need to wear a suit every day. Every office has its own dress code or practice for attorneys if there is not a specific dress code. You should follow what that code or practice is for attorneys, or even dress a tad nicer. So, for example, if attorneys wear jeans, you can wear jeans but it is probably better to wear kakis at least most of the time. If the attorneys wear suits every day, you should also wear a suit.

- **Be Equally Nice and Friendly to Support Staff as to Attorneys.** The best offices are those with a collegiate and friendly atmosphere and where everyone feels that they play an important part in furthering the mission of the organization. To that end, it is important to be equally nice and friendly to every member of the office team, from the custodian to the chief counsel.

- **Efficiently Manage Your Time and Advise Supervising Attorneys of Time Constraints.** It is essential that you are efficient and manage your time so that you can handle multiple projects during your externship and thereby get exposure to a variety of work, attorney styles, etc. Try to avoid getting stuck on one big long term project for the entire length of your externship. When you have multiple projects or tasks you are simultaneously working on, make sure that the quick and easy tasks do not get stuck behind a larger, long term task. One good time management strategy is every day to spend an hour doing small, short term tasks, before getting absorbed in the bigger stuff. Always advise the attorneys for whom you are working of your time constraints.

- **Turn In Organized, On Point, Thorough, Well-Written and Typo-Free Work.** As a legal extern, you will likely be doing a lot of research and writing. Here are some tips pertaining to written work product.

  - Make sure you understand the assignment, what product the attorney is expecting, and by when. When you are being given an assignment ask every question that comes to mind. Then, after a day or two working on it, ask more questions to be sure you are on the right track. It is better to get clarification early than to spend time doing a project wrong. (Besides, sometimes the attorney may have explained it wrong, or your research will indicate the attorney is thinking about the issue incorrectly.) Also, be sure to ask for the deadline of when the work must be complete.

  - Every memo should have a recitation of the relevant facts, and statement of the legal questions your project is to address.
Write out the facts as you understand them and legal questions to be answered first and run it by the assigning attorney to ensure you have understood the facts and issues correctly. If the assigning attorney is amendable, it is also a good idea to review with him/her an outline of the arguments/points the memo will discuss before you write them up.

If there are other externs, discuss your assignment with them. Brainstorm about different approaches or avenues of research. Multiple viewpoints are always better than one.

Every memo should have an organizational structure, with points and sub-points. Attorneys really appreciate being able to skim documents to find the exact part they’re interested in at a given time and headings/sub-headings facilitate this.

If there is no applicable law in the relevant jurisdiction say so before citing the law from other jurisdictions. This way, the assigning attorney or someone down the road who reads the memo will know that you looked and there was no law in the applicable jurisdiction.

Do not underestimate the importance of typo-free work: Proof, Proof, and Proof again.

Do not submit a project right after typing the last keystroke. Rather, set it aside for a day or two and then return to it for a fresh perspective. You will find ways to improve your work.

**Routinely Confer with Assigning Attorney on Ongoing Projects.** In addition to running preliminary outlines, facts and approaches for written work by the assigning attorney, you should check in regularly to determine whether the expectations have changed or if there are any new relevant facts or avenues of legal inquiry to be undertaken. Doing so will also give you the opportunity to ask about what else may be happening on the matter and whether you can observe calls, meetings or other events.

**Ask for Feedback.** Attorneys are often swamped and forget to give feedback on projects completed by externs. It is your responsibility, to initiate the feedback discussion. When you turn in a project, try at that time to schedule a specific day and time to meet with the assigning attorney to get feedback. It may be difficult to pin down the attorney, and do not be overly insistent, but if the attorney is amenable, having a set date and time for feedback will enhance the chances that you will get prompt feedback on the assignment. If your attorney is resistant to setting a specific day/time, then a week after submitting the assignment, gently try again to schedule feedback. If you keep getting stonewalled, you should raise the issue with your supervisor.

**Ask to Re-Write Submissions In Response to Comments/Feedback.** Once you have received feedback, unless the comments are few and minor, you should ask if you can re-
work the project to address the feedback received. Often an attorney will say that it is not necessary, but you should explain this is for your own development and so that you can be sure you understand what the problems identified were and how to address them.

- **Keep Your Door and Ears Open.** Be a perpetual eves-dropper. Listen to the conversations taking place in the hallways, cafeteria, etc. That way you can hear about interesting cases and issues, get a better picture of the daily lives of the attorneys, hear strategies being developed, and potentially discover observation opportunities.

- **Observe As Many Different Elements of the Practice as You Can.** Keep your experiential checklist on hand and jump at every opportunity to observe the nuts and bolts of practice, e.g. negotiations, client consultations, depositions, meetings with law makers, etc. Don’t rely on attorneys to “invite you” to sit in on these events. Ask what’s happening, learn about events through other means, and then ask whether you can observe. If you sit in on hearings, meetings, negotiations or calls, don’t leave immediately after the event but stay for any discussion the attorneys have with each other after the event. A debrief of an event among case attorneys, or between an attorney and client can be just as valuable to sit in on as the event itself. In such debriefs, attorneys candidly discuss a case’s strengths and weaknesses, speculate about the other side’s positions, and strategize on next steps and how to get the best outcome.

- **Self-Advocate to Enhance Your Externship Experience.** The person most instrumental in shaping the quality of your externship is you. If you are unhappy with the type of projects, want different experiences, are not getting adequate feedback, you cannot count on your supervisor or assigning attorneys to read your mind. Rather, you need to ask for what you want and self-advocate.

- **Participate in Office Social Events.** Lunch or coffee with the attorneys in your office is not just eating or drinking. You may hear about interesting matters you could work on or about events you can observe. You can see case brainstorming and strategizing that will give you a unique insight you will not get from just doing research and writing projects. And, you may be the extern an attorney choses to seek out with an interesting assignment.

- **Meet Regularly with Your Supervisor.** Meet regularly with your supervisor to ensure that both of your expectations are being met. This is a good way for you to get feedback on your performance and gives you a forum to self-advocate for the type of work you would like to try, or events you want to observe.

**At Your Mid-Way Point**

- **Evaluate Your Progress In Terms of Your Goals Memo and Experiential Checklist.** Midway through your externship, dust off your goals memo and experiential checklist and evaluate your progress in meeting your goals, and checking off observational opportunities.
• **Confer with Supervising Attorney.** Let your supervising attorney know how and what you’re doing, ask if s/he has received any feedback on your work or could help get you feedback you have not received, point out the things on your experiential checklist you have not yet done/observed, and any types of work or substantive areas you would like her/him to find you projects in. Again, do not be afraid to self-advocate.

• **Ask for Feedback From Assigning Attorneys From Whom It Is Outstanding.** At the latest, at your midway point, check back in with those assigning attorneys for whom you have completed assignments and not yet let received feedback.

**During Your Last Week**

• **Make a Comprehensive List of All the Projects You Worked On and See if Any are Suitable Writing Samples.** Take the time to review all your work before you leave. If there are good potential writing samples, cleanse them (redact case identifying information) and get permission to use them from the assigning or supervising attorney. Make a comprehensive written list of all your projects, what you did, and for whom. This could be useful in the future if you have to describe in an interview, resume or cover letter the work you did (without case identifying information).

• **Meet with Every Attorney With Whom You Worked.** Ask them for career advice, and suggestions, contacts etc. Ask those who gave you excellent feedback if they would be a reference. Ask if you can call them from time to time for advice, suggestions, etc.

• **Meet with Your Supervisor.** Give them the list of projects you worked on for your file so they will always have it in case someone ever wants to check. Give your supervisor feedback about the externship including things they can do to improve it.

**After Your Externship**

• **Keep in Touch With Your Supervisor and Attorneys You Worked With.** It’s always good (and easy with email and social media) to keep in touch with your supervisor and the attorneys with whom you’ve worked. Remember that even if that office does not frequently have openings or hire students straight out of school, the people with whom you’ve built relationships have friends and former colleagues in other offices who might be hiring.