Externship Handbook
&
Placement Catalog

Fall 2014
Introduction

The Externship Program presents opportunities for students to apply the lessons and training received in law school and to gain insight on the mechanics of being a lawyer by participating in the daily business of a law practice and observing practicing lawyers at work. At their field placements, externs should take advantage of the opportunity to learn from practitioners and to begin climbing the steep learning curve that signals the transition to practice.

In class, the professor and students collaborate to reflect on the students’ experiences in the workplace, to glean lessons and wisdom from the field experiences, and to accelerate learning in preparation for practice. The professor will supplement these guided discussions with exercises and lessons in the art of lawyering and life in practice.

Prerequisites

Prerequisites for taking this course are a cumulative GPA of at least 2.00 and the successful completion of at least 29 semester hours.

Courses

There are two Externship courses: Externship I (8309) and Externship II (8229).

Externship I is the introductory externship course, wherein students receive 3 credits for completing the coursework/class portion (1 credit) and 120 hours working at a public interest placement (2 credits, 60 hours per credit). Course materials (syllabi, course schedule, readings) are provided by the professor at the first class meeting.

Externship II is for second externships. Acknowledging that the student has achieved familiarity with, if not mastery of, the skills taught in the classroom portion of Externship I, subsequent externship experiences do not require it to be repeated. Thus, Externship II is a 2 credit course with students working 120 hours at a placement (2 credits, 60 hours per credit). Externship II is intended to build upon Externship I and provides more individual teaching and student assessment than does Externship I.

Grading and Details

Externship courses are Pass/D/Fail courses with no final exam. Students who timely complete the requirements and who receive good marks from their placement supervisor will be given a passing grade. Students who perform in a sub-standard manner, who do not timely submit their materials or who do not satisfy the course requirements will be given either a D or a failing grade.

Grades are based on written documentation of work in time sheets and journals and their timely submission and on the placement supervisor’s evaluation of the student’s work.

Taking this course for 3 hours of credit satisfies the Professional Skills requirement.
Placements

Externship placements can take a variety of forms, from public service law firms to government agencies and judicial offices. The rest of this manual gives a listing of placements that are available on an ongoing basis. The professor also maintains a short list of placements that are frequently, though not continually, available.

Placements outside those listed in this catalog must be approved by the professor. As a guide, to qualify as an appropriate externship placement, the following minimum conditions must be met:

1. The student cannot be compensated in any form for placement work during the externship semester. This includes compensation from the placement, as well as compensation in the form of grants or stipends for public interest work.
2. The placement may not charge for services performed by the student or for any time spent training or assisting the student or reviewing the student’s work. This includes charging a client or billing the student’s time to a grant or other funding source.
3. The student must work only on pro bono matters (matters wherein the client is not paying in any form for services rendered during the course of representation).

These factors are threshold requirements, and the professor may allow or deny a placement that meets these recommendations based on an assessment of whether the placement furthers the goals of the Externship Program.

If you are interested in a placement not listed in this catalog, please contact the professor as soon as possible to ensure the placement meets program guidelines.

Special Summer Considerations

We realize that many of our students return home or leave Montgomery during the summer and may wish to complete an externship at home or wherever the student intends to practice after graduation. Distance externships are acceptable, provided they meet all other criteria for placement and the student’s supervisor signs the required paperwork. When a student is completing Externship I during the summer and is unable to attend the weekly class due to distance, an online curriculum will be provided in place of the on-site weekly class. All other course requirements apply without regard to the student’s physical location.

Whether the distance-student is completing Externship I or Externship II, the professor will remain in close contact via e-mail and telephone over the course of the summer to provide feedback, address problems, and ensure that the quality of the student’s experience is not impacted negatively by the distance.

Prior approval of the professor is necessary before students in these circumstances may register for a summer externship.
Fall 2014 Deadlines

As soon as possible, students should notify the professor teaching the course (Professor McTear for Fall 2014) of their intent to participate in the program, as well as their placement area of interest. The professor will then provide the necessary information for the student to submit application materials/interview. Placements are NOT required to accept any specific student, and the professor will work with students to find other acceptable placements if the student’s first choice is unavailable.

If you are proposing a new placement (not listed herein), you should have it approved by the professor prior to registering for classes.

Students should enroll for Externship I or Externship II during registration for fall classes, which begins on April 7, 2014.

**Externship may be added in late registration, but last-minute externships are limited in availability. If you decide to pursue a fall externship after registration has closed, please notify Professor McTear immediately.**

Students may not begin counting hours for Externship credit until the first day of fall classes (August 13, 2014) and must complete all hours and assignments by the last day of fall classes (November 21, 2014).

Checklist for Fall 2014 Externships

PRIOR TO FALL REGISTRATION (April 7-14, 2014)

_____ 1. Review the Externship Handbook and Placement Catalog and decide upon a particular placement or area of interest.

_____ 2. E-mail Professor McTear (kmctear@faulkner.edu) for application information, assistance in selecting an appropriate placement, or approval of alternate placements.

_____ 3. April 7-14, 2014: Upon approval by Professor McTear, register for Externship I or II, as appropriate, during fall course registration. *To add an externship after registration has closed, contact Professor McTear FIRST.*

_____ 4. BY May 9, 2014: Submit all requested application materials to Professor McTear (kmctear@faulkner.edu) in .pdf format.

All materials will be sent to the placement supervisors by Professor McTear on May 12, 2014. You can expect to hear from them directly regarding interviews and confirmations after that date.

_____ 5. Notify Professor McTear when your placement has been confirmed by the placement supervisor or if you have not been contacted by your requested placement by June 13, 2014.
Available Placements

Placements are divided into 3 categories: Public Service, Government, and Judicial.
Each group is further split into State/Local and Federal sections.

The Externship Program has relationships with several organizations who offer externship placements frequently, but aren’t able to commit to considering externs on a rolling basis. Professor McTear can provide more information about the availability of any placement not listed below.

If you have further questions about an organization, contact the professor for more information.

Public Service

State/Local

10th Circuit Office of the District Attorney, Brandon K. Falls (Birmingham) and Arthur Green, Jr. (Bessemer): Students can expect to do research and short memo writing, copying discovery, preparing exhibits for court, requesting certified copies of prior convictions, and attending court hearings and trials. Requirements: Interest in criminal law and trial advocacy.

12th Circuit Office of the District Attorney, Tom Anderson: Students can expect to assist in case preparation, legal research, witness interviews and case trials in all levels, including traffic, district court and circuit criminal court. Requirements: 3L with 2.5 GPA or higher, preferred. 2L with 3.0 GPA or higher considered.

15th Circuit Office of the District Attorney, Ellen Brooks: Students will be expected to perform tasks that include case preparation, courtroom shadowing, and writing post-conviction documents. Students obtaining a 3rd year practice certification may have the opportunity to use it. Requirements: 3rd year preferred, but not required.

19th Circuit Office of the District Attorney, Randall Houston:

Elmore County (Wetumpka): Student will perform research on legal, administrative, and political issues, organize docket and witness preparation, attend court proceedings in circuit and district court, and may participate in trial presentation with 3rd year practice certification. Requirements: 2L or 3L.

Autauga County (Prattville): Students will assist in prosecution of criminal cases in both District and Circuit Courts, research legal issues, prepare motions and responsive filings, and assist in docket management for traffic and District Courts. Requirements: 3rd year practice certification preferred.

Alabama Appleseed: Alabama Appleseed was established in 1999 and is affiliated with the Appleseed Foundation in Washington, D.C. Its mission is to identify significant needs in Alabama, tackle their root causes and craft practical, lasting solutions through legal advocacy, community activism, and policy expertise. Interns may work in any of the following areas: Immigrant Justice, Welcoming Alabama, Payday Lending Reform, Constitutional Reform, Heirs’ Property, or General/Organization. Requirements:
10-week commitment to program, beginning late May/early June, demonstrated concern for social justice, proficiency with the internet and computer-based software, strong verbal communication skills, including the ability to communicate information clearly to non-policy oriented audiences both in writing and through public speaking, ability to manage time and multiple tasks, working independently or collaboratively, with little supervision, and willingness and flexibility to travel, if necessary. (Request full program description from professor.)

**Alabama Office of the Attorney General, Luther Strange:** Students will assist attorneys in daily duties related to the specific division to which the student is assigned. Requirements: Top 25% of class. *Summer applicants must go through Spring OCI for summer semester placements.*

**Foundation for Moral Law:** Students will be researching constitutional issues, especially issues relating to religious liberty and the right to life, and preparing briefs and other documents relating to such issues. Requirements: Successful completion of Constitutional Law preferred, but not required.

**Legal Services Alabama**

- **Montgomery Office or Dothan Office:** LSA is a non-profit law firm that provides free civil legal aid to Alabama’s low-income community. Particular areas include mortgage foreclosure, housing defense, elder law, domestic abuse, low-income taxpayer assistance, bankruptcy, and consumer assistance, including assistance with public benefits. Law school students who volunteer with us can expect to perform research, assist with client intakes and interviews, draft legal documents, and provide supervised counsel and advice to clients. Requirements: Successful completion of Legal Research and Writing, interest in public interest and poverty law, ability to write and communicate effectively. *LSA-Montgomery applicants must go through Spring OCI for summer semester placements.*

**Southern Poverty Law Center:** Externs will work primarily on issues affecting children, prisoners, the LGBT community, and economically disadvantaged communities. Externs will assist Center attorneys, advocates, and paralegals with significant legal research and writing, field investigations, outreach, and public policy advocacy. Requirements: We encourage 2Ls with a minimum GPA of 3.0 to apply.

**Federal**

**U.S. Attorney’s Office for the Middle District of Alabama:** United States Attorneys conduct most of the trial work in which the United States is a party. The United States Attorneys have three statutory responsibilities under Title 28 Section 547 of the United States Code: the prosecution of criminal cases brought by the federal government, the prosecution and defense of civil cases in which the United States is a party, and the collection of debts owed the federal government which are administratively uncollectible. Students can expect to perform legal research using Westlaw, the United States Code, and Sentencing Guidelines, summarize testimony in hearing and trial transcripts, draft legal arguments for motions, briefs, and other pleadings, assist AUSAs in preparing for hearings and trials, and attend court proceedings including initial appearances, arraignments, suppression hearings, motion hearings, trials, and sentencing hearings. Requirements: 3L, GPA of 3.0 or higher, federal background check (can take up to 6 weeks to process).
**Equal Justice Initiative:** EJI focuses on protecting the civil and human rights of the poor and people of color who suffer unfair treatment and discrimination in the legal system. EJI represents dozens of Alabama death row prisoners who have been wrongly convicted and sentenced to death; works to reform the death penalty by challenging the lack of counsel for death row prisoners; challenges life imprisonment without parole sentences for young children; advocates for medical parole on behalf of seriously ill prisoners who would pose no threat to society if released; and assists prisoners in non-capital cases who have been subject to an abusive prosecution, who have received overly harsh or excessive sentences for nonviolent offenses, or who have been wrongfully convicted. EJI confronts and challenges racial bias in jury selection by engaging in public advocacy efforts and through legal challenges in Alabama and the Deep South involving the discriminatory use of peremptory strikes and the underrepresentation of racial minorities on grand juries, trial juries, and as jury forepersons. EJI also works in poor rural communities across the Deep South to assist people who are dealing with crippling poverty and deprivation. Law student interns work closely with EJI attorneys and engage in a variety of work experiences. Students conduct legal research and draft memoranda, pleadings, and briefs for litigation efforts in both state and federal court. The issues primarily involve substantive criminal law, criminal procedure, death penalty law, constitution law, civil rights law, habeas corpus law, and appellate practice and procedure. Students also work directly with clients, conduct investigations on cases, and assist in the development of publications, reports, and education resources for lawyers, policymakers, and the public. Requirements: A strong commitment to EJI’s mission, work, and clients.

**Federal Defender Program, Inc. (Middle District of Alabama):** The Federal Defender Program for the Middle District of Alabama provides representation to the persons charged with federal crimes in the twenty three southeastern counties of Alabama and to people on Alabama’s death row whose appeals are entering federal habeas. This office offers internship, externship, and an unpaid ten (10) week summer internship program to first, second, and third year law students who possess excellent research and writing skills and demonstrate an interest to work in federal criminal trial work, capital habeas issues, and indigent defense issues. Prior course work in criminal law and criminal procedure would be helpful to the students. Split summers are considered. Law Interns assist attorneys and investigators at all stages of client representation, including interviewing clients and witnesses, reviewing and organizing discovery materials, researching federal constitutional and criminal law issues, and investigating and preparing cases for pleadings, hearings and/or trial. Law Interns will have opportunities throughout their internship to observe criminal trials and hearings of Federal Defender staff, appellate arguments conducted locally by the Alabama appellate courts and the U.S. Court of Appeals for the Eleventh Circuit, and other court proceedings. Requirements: Minimum 2.0 GPA.

**Government**

**State/Local**

**Alabama Department of Corrections:** Students will attend court hearings, personnel hearings, depositions, tour corrections facilities, draft pleadings, summarize depositions, and research legal issues related to complaints arising within the Alabama Department of Corrections. Requirements: None.
Alabama Department of Education: Students can expect to participate in legal research, preparation of memoranda of law, attending hearings and meetings and providing observation, document review and summary, and other opportunities for practical experience as they arise. Requirements: Background in education preferred, but not required.

Alabama Department of Human Resources (Montgomery County): Our office consists of three Assistant Attorneys General and a paralegal office manager and presents six county Departments of Human Resources in Juvenile and Circuit Courts. Students can expect to prepare motions and orders and go to court. Requirements: Successful completion of Family Law preferred, but not required.

Alabama Department of Personnel: (SPRING ONLY) This placement will have exposure to the legislative, judicial, and executive branches of government. Bill drafting and monitoring will be the primary duties; however, there will be exposure to legislative committees and the Personnel Board. During this placement, the student will see how the Alabama Administrative Procedure Act is implemented and carried out. The legislative session is January through May on Tuesdays, Wednesdays, and Thursdays.

Alabama Department of Public Health: Students can expect to research projects related to enforcement of public health laws, privacy (HIPAA) of protected health information, and preparation for administrative hearings. Requirements: 2L or 3L.

Alabama Law Institute: (SPRING SEMESTER ONLY!) During the Spring semester of each year, law students extern with the Alabama Law Institute during the legislative session to provide legal research support to members of the state legislature. Students work out of the Law Institute Office at the State House in Montgomery and the externship coincides with the legislative session.

Federal

Department of Veterans Affairs, Office of Regional Counsel: Students will be involved in Legal Research and writing, preparing for, observing, and assisting with EEO and MSPB hearings, mediations, and arbitrations, tort litigation, and other types of hearings; assisting with Federal Tort Claims Act administrative investigations; assisting with the day to day operations of a small government legal office.

Judicial

State/Local

Alabama Supreme Court

Clerk’s Office: Student will be involved in research, writing, jurisdiction checks, compliance with appellate rules reviews, attending rules committee meetings, and meetings with the Justices and staff of the Alabama Supreme Court. Requirements: Top 40%, 2L or 3L, strong research and writing skills, strong communication skills. Personal interview and background check required. Knowledge of Alabama Rules of Civil Procedure, Criminal Procedure, and Appellate Procedure.
Alabama Court of Civil Appeals

Hon. Scott Donaldson: The Court of Civil Appeals is the intermediate state appellate court for civil matters. Students can expect to conduct research on appellate matters and draft memoranda on matters of law. Requirements: 2L or 3L.

Alabama Court of Criminal Appeals

Hon. J. Michael Joiner: The Court of Criminal Appeals hears all appeals of felony and misdemeanor cases in Alabama. Externs perform legal research and draft memoranda and opinions to assist the Court. Requirements: Journal membership is preferred, but not required.

Jefferson County Circuit Court-Civil Division

Hon. Joseph Boohaker: Students can expect to participate in all motion practice, review orders prepared by the court, participate in drawing juries and voir dire, and be quizzed on legal issues by judicial staff on the cases that arise before the court. Requirements: 2nd year student.

Montgomery County Circuit Court

Hon. Truman Hobbs, Jr.: Duties include legal research, helping in Judicial Assistant’s duties; observing court. Requirements: Preference of 2nd year students in top half of class.

Hon. Tracy McCoey: Duties include observing court proceedings, issuing orders from the Court, setting hearings, and legal research as necessary.

Hon. William Shashy: Interns will assist in managing dockets, drafting orders, and various other tasks, such as answering phone calls, research, and observing court proceedings. Requirements: 2L or 3L.

Montgomery County Circuit Court: Family Court Division

Hon. Bob Bailey: Family Court includes domestic relations, child support, and juvenile divisions. Students can expect to observe trials and hearings; research child custody, child support, and divorce; calculate child support amounts, arrearages, and interest; and review paperwork on uncontested divorces. Requirements: 3L (2L considered with recommendation by professor).

Hon. Calvin Williams: Duties include reviewing pleadings, contacting attorneys relative to filing deficiencies, preparing orders, assisting Judge in court as needed, working with office and courthouse staff, and legal research as needed. Requirements: 2nd year student, minimum GPA 2.8.

Lee County Circuit Court

Hon. Chris Hughes: Circuit court. Duties include observing court proceedings, organizing court filings, performing legal research and drafting orders. Requirements: flexible.

Hon. Jacob A. Walker, III: Circuit court. Duties include filing, case file management, research, and observing court hearings and trials. Requirements: 2nd or 3rd year, 3.0 minimum GPA.

Lee County Circuit Court: Family Court Division

Hon. Mike Fellows: Judge Fellows is the family court judge for Lee County, Alabama. He hears domestic relations, child support, and juvenile cases. Students will do legal research for the judge as well as projects for his administrative staff. Requirements: 2nd or 3rd year student.
Chattahoochee Judicial Circuit (Ga.) Superior Court

Hon. Frank Jordan: The Chattahoochee Judicial Circuit is composed of six counties and the judges of this circuit alternate visiting all counties. Students can expect to observe domestic, civil, & criminal proceedings, as well as advise the Judge on the relevant law and any issues that may arise. Students will also be asked to draft orders and research different areas of law.

Federal

United States District Court for the Middle District of Alabama

Hon. Terry Moorer: Externs with a federal judge allows the student to sit in on trials and hearings, conduct extensive legal research, sift through full case records, and write draft judicial opinions in various areas of law. Requirements: Top 50% of class, 3L preferred, completed or concurrent enrollment in Federal Courts course strongly recommended.

Hon. Keith Watkins: Externs can expect to draft case summaries, proof opinions, write memos, examine and sort evidence, and attend court. Requirements: 2L or 3L, top 10% of class.

**Please contact Mr. Howell in Career Services regarding additional availability of Federal Judicial Externships.**