



Field Placement Program

Student Handbook & Placement Catalog

January 2018

Introduction

Learning in law must include both theory and practice, and that is the essence of Faulkner Law's Field Placement Program (or “Externship”). A robust legal education includes time in the classroom and time in the field with a lawyer or judge who mentors and supervises the student’s learning. Students who engage themselves in the course learn first-hand about issues arising frequently in practice and acquire a level of legal skills impossible to attain in the classroom alone. In addition to substance and skill, students experience the role, culture, expectations, and dynamics of lawyering in the world; and, bear the moral, ethical, and intellectual obligations of law practice.

The educational premise of the Field Placement Program is to develop students’ professional learning and professional identity through observation, reflection, discussion, and evaluation. First, students are placed with lawyers and judges in their offices to gain real-life experience in practice, and *learn through observation*. Second, students document their experiences and observations in journals to raise and explore questions about the profession and the student's place in it, *learning through reflection*. Third, students attend class where they engage critical questions, stories, and challenges of their work, the role of lawyers, the culture of the profession, and lawyers’ duties to clients and society, *learning through discussion*. Fourth, students actively seek feedback, criticism and guidance from their field placement supervisors, *learning through evaluation*.

Prerequisites

Prerequisites are a cumulative GPA of at least 2.0 and the successful completion of at least 28 semester hours.

Course

The Field Placement Program is an elective offering and is available each semester and during the summer term. Students may take up to two semesters in the Field Placement Program (in the same or a different placement). The course has two components: the classroom component (Field Placement Class) and the fieldwork component (Field Placement Hours). Consent of the Field Placement Program Director or course instructor is required prior to registering for the course.

Field Placement Class (8108)

The Field Placement Class is for one semester hour of credit. In the weekly class (in-person or online), placement students meet together and with the professor to reflect upon and glean lessons from their fieldwork experience – focusing on the ethical, professional, and practical realities of law practice. Students who have completed a previous field placement may omit the classroom component with the permission of the Field Placement Program Director.

Field Placement Hours (8229, 8309)

The fieldwork component is satisfied by completing a minimum of 120 hours of work in the field (earning two credits), time sheets, reflective and assigned journals, and student performance evaluations. Thus, students typically earn three credits for the field placement course – one credit for the classroom component and two credits for fieldwork. Students may earn additional fieldwork credit with permission. Each additional credit requires 60 hours of work in the field.

Grading and Details

The Field Placement Program is a Pass/D/Fail course 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.

Credits earned in the course count toward the Professional Development requirement.

Placements

Field placements are available in scores of public interest, non-profit, and public service law offices, courts, government agencies, and select private law firms. Students choose their own field placement and submit applications to their preferred placements. A listing of current, approved field placement offerings can be found in the catalog below. Students should also closely monitor unpaid internships posted by the Career Development Office and listed in the Faulkner Law newsletter. Many would qualify for field placement credit. Students may suggest and arrange new or one-time placements, with the prior approval of the Field Placement Program Director. All field placement hosts agree to the following:

- Review Faulkner Law's standards for supervising field placement students. The host must provide adequate supervision, explanation, and criticism to enable the student to complete work well and to learn from the experience.
- Ensure the student has sufficient work to complete their required fieldwork hours. The student must be given primarily legal work to accomplish. Legal work includes, but is not limited to, legal research and writing, drafting forms, preparing pleadings, document preparation for hearings, trial or depositions, discovery tasks, and observation of depositions, hearings, trials, conferences, interviews or other tasks common to attorneys.
- Certify and sign the student's time sheets each week.
- Complete mid-semester and final student performance evaluations.

- The student cannot be compensated in any form for any work performed for the field placement host during the semester/term.
- The placement may not generate any legal fees for work performed by the student. This includes charging a client or billing the student's time to a grant or other funding source. This also includes charging a client or billing for the supervisor's time spent training or assisting the student or reviewing the student's work.

For private, for-profit law firm field placements, the firm must review the U.S. Department of Labor's [guidance](#) on unpaid internships, acknowledge its understanding of the 7-factor test used to determine acceptable unpaid internships, and commit to the student being the "primary beneficiary" of the field placement arrangement. Further, the law school encourages student participation in pro bono matters and court-appointed cases. Student participation in pro bono work or indigent representation will help advance the bar's calling to serve those who cannot afford adequate legal assistance.

Students will be notified via email regarding the field placement application process and course registration instructions. Students will submit application materials to Professor John Craft for forwarding to their preferred placements. Many field placement hosts select students through On-Campus Interviewing (OCI), so students should pay careful attention to OCI postings and deadlines. Consent of the Field Placement Program Director or course instructor is required prior to registering for the course.

Placements for Summer and Fall 2018

The placements below have agreed to be listed as regular field placement hosts. Some placements have minimum application requirements, and the placement process is competitive. Each placement will select which student(s), if any, it will offer field placements to in any given semester. Field placements are divided into 5 categories: Access to Justice, Government Practice, Judicial, Legislation and Public Policy, and Prosecution. Some categories are further split into State/Local and Federal groups.

Access to Justice

15th Judicial Circuit Office of the Public Defender (Montgomery): The Office provides criminal defense services to indigent defendants in the District and Circuit Courts of Alabama's 15th Judicial District (Montgomery County). The Office begins representing clients at the earliest possible stage of the criminal process, and frequently meets clients while they are held in detention. Students can expect to attend these meetings, and strategize with the litigation teams as case facts, investigative directions, and legal theories are discussed. In addition to researching issues as directed by trial counsel, students will assist in conducting initial interviews of clients, and investigating complaints from inmates who are detained beyond their sentences, or beyond the applicable statute of limitations without indictment. Students will also help write motions for suppression, dismissal, or Rule 32 relief. Students will also be permitted to represent clients in District Court in selected cases under the careful supervision of Assistant Public Defenders. Requirements: 3rd year practice certification required, top 1/3 of class.

Equal Justice Initiative (FALL 2018 ONLY): 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 students 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 Defenders Program, Inc. (Middle District of Alabama): The Federal Defender Program for the Middle District of Alabama provides representation to 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, field placement credit, and an unpaid ten (10) week summer 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. Students 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. Students will have opportunities 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.

Jefferson County Public Defender's Office

Legal Services Alabama: 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: Interest in public interest and poverty law, ability to write and communicate effectively.

Government Practice

State/Local

Alabama Administrative Office of the Courts: Legal research, memo writing, and assisting the AOC in its administration of the trial courts of the State and/or its legislative capacity for the Chief Justice. Requirements: 2.5 minimum GPA. Federalist Society or Christian Legal Society preferred.

Alabama Board of Nursing: The Alabama Board of Nursing is one of the largest licensing boards in the state. The Board's legal division is responsible for prosecuting nurses when a violation of the Nurse Practice Act is found to have occurred. The student would be responsible for preparing cases for administrative hearings, including interviewing witnesses and preparing hearing materials. The student would also be responsible for drafting consent orders for informal case resolution.

Alabama Board of Pardons and Paroles: Students will assist the Legal Division's Chief Legal Counsel and staff attorneys with criminal and civil litigation, including appellate work; policy and legislative work;

contracts and leases; and special projects likely dealing with prison reform efforts and victim notification. Requirements: 3L preferred, top 30% of class.

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.

Alabama Department of Education: Students can expect to participate in legal research, preparation of memoranda of law, attending and observing hearings and meetings, document review and summary, and other opportunities for practical experience as they arise. Requirements: Background in education preferred, rising 3L preferred.

Alabama Department of Human Resources (Montgomery Regional Legal Office): The Montgomery office consists of three Assistant Attorneys General and a paralegal office manager, and represents 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 Human Resources (State Office)

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.

Alabama Department of Transportation: Students will draft and file court documents, maintain case files, and conduct legal research on various issues including property, environmental, EEOC, and ADA. Requirements: Top 30% of class.

City of Montgomery Legal (City Investigations): Students will conduct legal research and drafting, assist with city policy revisions, and learn and apply administrative law and employment law, including personnel hearings and other civil work. Requirements: Interest in governmental work.

Governor's Legal Office

Federal

Department of Veterans Affairs, Office of Regional Counsel (Montgomery): 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 Trial Courts

Elmore County Probate Court: Students will review pleadings, attend hearings, write orders, advise judge on completeness of files, conduct legal research, organize involuntary commitment hearings, and interact with citizens, attorneys, other judges, and other courts. Requirements: The probate court deals with elder law, so an interest in that area is preferred.

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.

Lee County Circuit Court

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

Hon. Jacob A. Walker, III: Duties include filing, case file management, research, and observing court hearings and trials. Requirements: 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.

Montgomery County Circuit Court

Circuit Court includes civil and criminal cases. Students can expect to assist in managing dockets, observe court hearings and trials, conduct legal research, draft orders, and assist the judge and his staff with other assigned tasks.

Hon. Johnny Hardwick

Hon. Truman Hobbs, Jr. (Prefer 2L in Top 50% of class)

Hon. Roman Shaul

Montgomery County Circuit Court: Family Court Division

Family Court includes domestic relations, child support, and juvenile cases. Students can expect to review pleadings for filing deficiencies; prepare orders; 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. Bob Bailey (Prefer 3L)

Hon. Calvin Williams (Minimum 2.8 GPA)

State Appellate Courts

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.

Alabama Court of Criminal Appeals

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

Alabama Supreme Court

Clerk's Office: Students will be involved in research, writing, jurisdiction checks, compliance with appellate rules, attending rules committee meetings, and meetings with the Justices and staff of the Alabama Supreme Court. Requirements: Top 40% of class, 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.

Federal Trial Courts

United States Bankruptcy Court for the Middle District of Alabama

Hon. William Sawyer: Requirements: Completion of Bankruptcy course.

United States District Court for the Middle District of Alabama

Magistrate Judges: Working with a magistrate 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.

Hon. Gray Borden

Hon. Wallace Capel

Hon. Terry Moorer

Hon. Keith Watkins: Students can expect to draft case summaries, proof opinions, write memos, examine and sort evidence, and attend court. Requirements: Top 10% of class, professor recommendation.

Legislation and Public Policy

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. Students may work in any of the following areas: Immigrant Justice, Welcoming Alabama,

Payday Lending Reform, Constitutional Reform, Heirs' Property, or General/Organization.

Requirements: 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.

Alabama Department of Personnel: 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 legislature meets Tuesdays, Wednesdays, and Thursdays during the session.

Alabama Education Association: The Alabama Education Association (AEA) represents school employees who are experiencing employment difficulty. Externs will be expected to attend hearings and observe, filing, assist in the preparation of training materials for attorneys and educators, research, and other legal tasks as assigned.

Alabama Law Institute: During the Spring semester of each year, law students work 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 field placement coincides with the legislative session. The legislature meets on Tuesdays, Wednesdays, and Thursdays during the session.

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.

Southern Poverty Law Center (FALL 2018 ONLY): Students will work primarily on issues affecting children, prisoners, the LGBT community, and economically disadvantaged communities. Students 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.

Prosecution

State/Local

10th Circuit Office of the District Attorney (Birmingham): 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 (Troy): Students can expect to assist in case preparation, legal research, witness interviews and trials at 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 (Montgomery): 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:

Elmore County (Wetumpka): Students 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.

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 Office of the Attorney General: Students will assist attorneys in daily duties related to the specific division to which the student is assigned. Requirements: Top 1/3 of class. FOR SUMMER EXTERNSHIPS ONLY: Students must apply through and by the deadlines for the office's Summer Clerkship Program, details [here](#).

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 preferred, GPA of 3.0 or higher, federal background check (can take up to 6 weeks to process).