

INTRODUCTION TO THE SYMPOSIUM ON LEGAL EXTERNSHIPS²: LEARNING FROM PRACTICE

J. P. OGILVY*

On March 7-8, 2003, The Catholic University of America's Columbus School of Law hosted its second national conference devoted entirely to the pedagogy and administration of legal externships, *Externships²: Learning from Practice*. The first conference, which was held in 1998, generated several articles that were published in the *Clinical Law Review*'s spring 1999 issue and elsewhere. This issue of the *Review* presents six papers from the second conference.

The continuing growth and importance of externships as a component of clinical legal education is reflected in one of the preliminary findings of a survey of externship programs that Bob Seibel of CUNY Law School and I recently have completed. We found that, with a couple of exceptions, every ABA-accredited law school in the country has one or more legal externship courses.¹ The articles in this issue of the *Review* demonstrate the growing sophistication of scholarship devoted to the theory and practice of legal externship pedagogy.

In *Externships and Ethics: A Primer on Confidentiality, Conflicts, and Competency Issues in the Field and in the Classroom*, Alexis Anderson, Cindy Slane, and Arlene Kanter provide guidance to all of the participants in the externship triad — students, faculty, and fieldwork supervisors — as they make their way through common ethical thickets. This piece is destined to be cited and circulated for years to come by persons struggling with these issues.

In *Confronting Students: Evaluation in the Process of Mentoring Student Professional Development*, Cynthia Batt and Harriet Katz

* Professor of Law and Coordinator of Clinical Programs, Columbus School of Law, The Catholic University of America. As chair of the conference's Planning Committee (which included Professors Leah Wortham, Lisa Lerman, and Kathryn Kelly), I would like to thank all of the presenters and participants in *Externships²: Learning from Practice*, who came from over 75 law schools, including attendees from China, Hungary, and Montenegro, for making the conference a truly educational event. I also want to thank the editors of the *Clinical Law Review* for publishing papers from the second conference as they did for papers generated by the first conference in 1998.

¹ I have created a World Wide Web portal site for faculty and administrators of legal externship programs: <http://www.law.cua.edu/lexternWeb/index.htm>. By clicking on the Program Descriptions tab, a user of the site can access externship information for every ABA-accredited law school (and some others as well) that has information posted on its school website.

draw on their intensive interviews of fieldwork supervisors and in-house clinic supervisors to identify qualities of professionalism that the fieldwork supervisors expect from the externs with whom they work. These qualities include a conscientious approach to work, curiosity and empathy, and appropriate personal and professional behavior. Batt and Katz explain how fieldwork supervisors teach (or, sometimes, fail to teach) these qualities, and the authors suggest some strategies that faculty members can use in partnership with fieldwork supervisors to mentor and evaluate the professional development of student externs.

In *Externship Field Supervision: Effective Techniques for Training Supervisors and Students*, Barbara Blanco and Sande Buhai describe an externship training curriculum designed to teach effective communication and reflection skills to students at the beginning of an externship experience. I believe that this piece will take its place alongside the venerable article (referenced by Blanco and Buhai) by Alice Alexander and Jeffrey Smith,² as required reading and study for externship faculty, fieldwork supervisors, and students wishing to understand and enhance learning from fieldwork in legal externships.

In *The Externship Class Requirement: An Idea Whose Time Has Passed?*, Erica Eisinger argues for more flexible regulation of legal externships by the American Bar Association (ABA) with respect to the classroom component, especially in courses in which the students do not have a common placement experience.

In *Evolution of ABA Standards Relating to Externships: Steps in the Right Direction?*, Peter Joy walks the reader through the history and development of ABA accreditation standards relating to legal externships. This piece is the first step for anyone wishing to understand the current standards or to play a role in shaping the standards in the future, including the changes currently under review by the Standards Review Committee of the ABA's Section of Legal Education and Admissions to the Bar, which substantially revise Standard 305(e)'s provisions regarding field placement programs.³

In *Why Clinical Programs Should Embrace Civic Engagement, Service Learning and Community Based Research*, Linda Smith explores the history and philosophical underpinnings of service learning and civic engagement in scholarship, showing that legal externships

² Alice Alexander & Jeffrey Smith, *A Practical Guide to Cooperative Supervision for Law Students and Legal Employers*, 29 LAW OFF. ECON. & MGMT. 207 (1998).

³ Memorandum from John A. Sebert, Consultant on Legal Education & Michael J. Davis, Chair, Standards Review Committee (ABA Section on Legal Education and Admission to the Bar) to Deans of ABA-Approved Law Schools, *et al.*, Re: Proposed Revisions to the ABA Standards for the Approval of Schools (Dec. 16, 2003) (available at www.abanet.org/legaled/standards/standardsproposedchangesdec.2003.pdf).

often can be considered service learning courses, and recommending them as an ideal base for promoting civically engaged scholarship. Smith offers examples from her own teaching in which she has taken steps to encourage civically engaged scholarship.⁴ This approach strikes me as one possible antidote to the shortcomings of the traditional externship seminar identified by Erica Eisinger in her piece in this issue of the *Review*.

Readers who would like more information about legal externships can visit the LexternWeb portal site on the World Wide Web.⁵ There you will find links to the externship pages on each law school's website and a growing set of resources including a bibliography, materials, manuals, and handbooks. Readers also may visit the *Externships²: Learning from Practice* conference website⁶ to view the outlines and download handouts from the many excellent conference presentations that did not make their way into articles.

⁴ I had a similar experience this year teaching a Public Policy Practicum course (initially designed and taught by my colleague Lisa Lerman) in which students take part in an externship in the fall semester and write a thesis throughout the year in the two-semester course. I asked students in the seminar to select a topic relating to an issue of access to justice. The students were asked to partner with a public or not-for-profit organization that can provide expert advice with respect to the thesis topic and that will be able to use the work created by the students.

⁵ See *supra* note 1. Faculty and administrators of externship programs can send me links to externship materials on their school webpages, which I will include on the LexternWeb site. For materials in electronic format that are not yet available on a school webpage, you may send me the materials as an attachment to an email, and I will post them on the LexternWeb site. Please send all materials to ogilvy@law.cua.edu.

⁶ The *Externships²: Learning from Practice* conference website is accessible from the LexternWeb portal, <http://www.law.cua.edu/lexternWeb/index.htm> (select the Conferences and Workshops tab) or directly at <http://law.cua.edu/news/conference/externships/index.htm>.

