JUDICIAL EXTERNSHIP– FALL 2018

Course Information and Tentative Syllabus

Professor Larry Dessem

I. Classes. Our regular class meeting time will be Tuesday from 5:00 to 5:50 in Room 107. As noted on the tentative syllabus that follows, we will not meet every Tuesday.

II. Office Hours and Communication. I welcome your questions, and I encourage you to raise those questions during our class periods so that your colleagues can benefit from both the questions and my responses. I will be happy to entertain individual questions immediately before or after class, and I'll also be happy to schedule other mutually convenient times to talk. You can reach me on my email at dessemrl@missouri.edu or on the phone at 573 882-7066 (office) or 573 256-6825 (home). Please be sure to join the course TWEN page for our course and check that page regularly, as I will use it to send you course material and otherwise communicate with the class.

III. Externship Purpose and Eligibility. The Law School’s externship webpage is at http://law.missouri.edu/academics/externships.html. As stated on this webpage, “The Externship offers students an opportunity to develop the skills necessary to bridge the gap between law school and law practice. Through the Externship, students prepare for ‘effective and responsible participation in the legal profession’ (ABA Std. 301) by applying the core concepts learned in law school courses to the challenges presented in the actual practice of law.”

As noted on the externship webpage, students are limited to a total of six credits that can be earned in law school externships (including the Landlord-Tenant Practicum) and can earn no more than three externship credits per semester. If you already have taken another externship for academic credit, please see me to confirm that this does not impact your eligibility to take this semester’s Judicial Externship. To earn two academic credits, students must work at least 100 hours for the judge with which they are externing, while students can earn three hours of credit for working 150 hours.

IV. Externship Placements. You are responsible for confirming your externship placement, by providing the judge with a letter such as the letter for this purpose on the Externship TWEN page.

III. Disability Accommodations. If you anticipate barriers related to the format or requirements of this course, if you have emergency medical information to share, or if you need to make arrangements in case the building must be evacuated, please see either Registrar Denise Boessen (Room 203) or Associate Dean Rafael Gely (Room 206) as soon as possible. To request academic accommodations (for example, a note taker), students also must register with the Office of Disability Services (http://disabilityservices.missouri.edu), S5 Memorial Union, 573-
882-4696. This is the campus office responsible for reviewing documentation provided by students requesting academic accommodations and for accommodations planning in cooperation with students and instructors, as needed and consistent with course requirements. For other MU resources for students with disabilities, click on "Disability Resources" on the MU homepage.

IV. **Intellectual Pluralism.** The Law School welcomes intellectual diversity and respects student rights. Students who have questions concerning the quality of instruction in this course may address concerns to either myself or the University’s Director of the Office of Student Rights and Responsibilities (http:osrr.missouri.edu). All students will have the opportunity to submit an anonymous evaluation of both this course and the instructor at the end of the course.

V. **Attendance and Participation.** I consider class attendance and participation to be extremely important and believe that not only your success, but the success or failure of our class, will depend, in part, upon the preparation and participation of each student in the class. For this reason, I expect any student who will not be present in class, or who will not be prepared to participate, to send me an email or give me a note explaining your inability to meet this class requirement. I also reserve the right to impose the sanctions permitted by the Law School upon students who, without a valid excuse, do not attend class or are not prepared to participate.

VI. **Class Preparation.** Students should join the TWEN course page. I will expect that each student has carefully read all of the day's assigned text material and has come to class prepared to discuss both that material and any questions contained in that material.

VII. **Text.** Our text will be Jennifer Sheppard’s *In Chambers: A Guide for Judicial Clerks and Externs* (2012), which will be supplemented with materials posted on the course TWEN site. I have asked the Law Library to place its two copies of this text on reserve.

In addition to the assigned text, I have asked the Law Library to put on reserve the following books that may prove helpful to you during your externship and beyond:

Wortham et al., *Learning from Practice: A Text for Experiential Legal Education* (Thomson-West 3d ed. 2016). This is the text that is used in the Law School’s regular (non-judicial) externship program. It contains good information on such topics as learning from experience, goals for the externship, learning from supervision, reflective lawyering, work-life balance, and ethical issues in externships.

Dunnewold et al., *Judicial Clerkships: A Practical Guide* (Carolina Academic Press 2010). This book is similar to *In Chambers*, and it has helpful material concerning drafting trial court documents, appellate opinions, and judicial correspondence. It also contains information about judicial clerkships and applying for judicial clerkships.
Chambers Handbook for Judges’ Law Clerks and Secretaries (West – Federal Judicial Center 1997). This book was prepared by the Federal Judicial Center for use within the federal courts. It contains extensive information concerning the litigation conducted in the United States courts, court governance and administration, and chambers and case management. In addition, the book contains citations to other helpful material and suggested supplemental readings for judicial law clerks.

You also may be interested in the following symposium: “Judicial Assistants or Junior Judges: The Hiring, Utilization, and Influence of Law Clerks,” 98 Marq. L. Rev. 1 (2014)

VIII. Grading. This course is graded pass-fail. In order to obtain a passing grade in the course, a student must:

(1) Attend the seven scheduled class meetings.

(2) Read the assigned material.

(3) Bring to our first class on August 21 (1) the completed Judicial Externship Placement Form (posted on TWEN site) and (2) a copy of your resume.

(4) By our second class on August 28 submit to me:

   a. a copy of your completed letter to your supervising judge (see the form for such a letter on the TWEN site), including your start and end dates and the approximate number of hours you will work each week;

   b. a three to four page Externship Description Memorandum describing the judicial position that your judge holds (citing relevant statutes), the duties of that individual, basic biographical information that you can gather about your judge from public sources, a citation to the rules of court that apply to your judge’s court or tribunal, and a short discussion of the application of Rule 2 (the Missouri Canon on Judicial Ethics) and how you, as a newly appointed judge on the same court, would explain to a new law clerk the most relevant and significant portions of these Canons for you, your law clerk, and your court.

(5) Maintain accurate time records, signed by your judge, which should be submitted to me each time you complete 50 hours of work.

(6) In cooperation with your judge, develop a written list of goals and activities for your externship and submit this to me by September 4. These goals and activities might include such things as writing a research memorandum, drafting a court document or opinion, observing court proceedings, or meeting with others in the courthouse. This one-page
document should be signed and dated by you and your judge by September 4 and then reviewed in your exit interview and signed and dated by you both at that time.

(7) Keep a journal of your placement experiences, consisting of at least one page (300 words) each week. The journal should briefly describe your activities, but, much more importantly, reflect on those activities. While you are to submit the journal to me, I will not share it with others. Your first journal entries should be submitted to me by September 21, so that we can discuss it during the individual conferences during the week of September 24. The second set of journal entries should be submitted October 26, while the entire semester’s journal should be included in the work notebook that you will submit by November 21.

(8) Schedule and hold an individual conference with me during the week of September 24.

(9) Make one class presentation.

(10) Write a three to four page summary memorandum to include in your work notebook to be submitted by November 21, describing your externship placement, the best points of the externship and things that might make this a better externship in the future, and the extent to which you achieved the goals and activities set at the outset of the externship.

(11) Hold an exit interview with your judge, at which time you should review your list of goals and activities and obtain the judge’s signature and date on this form a second time.

(12) By November 21 turn in your work notebook, which should include a cover sheet, your initial letter to your supervising judge (#4), your Externship Description Memorandum (#4), time sheets (#5), goals and activities sheet (#6), journal entries (#7), summary memorandum (#10), and a completed Student’s Evaluation of Judge Form.

IX. Academic Integrity. Academic integrity is fundamental to the activities and principles of a university. All members of the academic community must be confident that each person's work has been responsibly and honorably acquired, developed, and presented. Any effort to gain an advantage not given to all students is dishonest whether or not the effort is successful. The academic community regards breaches of the academic integrity rules as extremely serious matters. Sanctions for such a breach may include academic sanctions from the instructor, including failing the course for any violation, to disciplinary sanctions ranging from probation to expulsion.
The School of Law's Honor Code applies to all work done in this course. When in doubt about the Honor Code or about plagiarism, paraphrasing, quoting, collaboration, or any other action that may raise questions of academic integrity, please see me.

X. Course Discussion and Privacy. University of Missouri System Executive Order No. 38 lays out principles regarding the sanctity of classroom discussions at the university. The policy is described fully in section 200.015 of the Collected Rules and Regulations. In this class, students may not make audio or video recordings of course activity, except students permitted to record as an accommodation under section 240.040 of the Collected Rules. All other students who record and/or distribute audio or video recordings of class activity are subject to discipline in accordance with the provisions of section 200.020 of the Collected Rules and Regulations of the University of Missouri pertaining to student conduct matters.

Those students who are permitted to record are not permitted to redistribute audio or video recordings of statements or comments from the course to individuals who are not students in the course without the express permission of the faculty member and of any students who are recorded. Students found to have violated this policy are subject to discipline in accordance with the provisions of section 200.020 of the Collected Rules and Regulations of the University of Missouri pertaining to student conduct matters.

XI. Learning Outcomes. Students in this course will:

- Enhance their legal research and writing skills;
- Gain insights into judicial decision-making;
- Apply knowledge and skills learned in other law school courses;
- Learn about the staffing of the judiciary and within individual judge’s chambers;
- Learn and apply the ethical rules that apply to the judiciary; and
- Gain insights into effective and ineffective approaches to legal argument.

Course assessment will include both formative and formative tasks and exercises.

XII. Suggestions. I am interested in constructive criticism concerning this course, and I hope you will share your thoughts with me as the semester progresses. I look forward to a good semester for both you and your judges!
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Tentative Syllabus and Reading Assignments

Professor Larry Dessem

August 21: What Do Judicial Externs and Clerks Do?: Basic Information to Get You Started; Civil Litigation Process; text, pp. 1 – 27; Externship Page from MU law school website. Bring to this class your completed Judicial Externship Placement Form (posted on TWEN site) and a copy of your resume.

August 28: A panel of former judicial externs will talk with us about the role of judicial externs and law clerks. Please read pages 59-77 and 193-198 of the course text, concerning legal research. Bring to class a copy of your completed letter to your supervising judge and a three to four page Externship Description Memorandum.

September 4: Judge Karen Mitchell of the Missouri Court of Appeals will speak with us about judging and judicial externs and law clerks. Your Goals and Objectives Memo is due today.

September 21: The first installment of your externship journal entries is due by this day.

Week of Sept. 24: Individual Conferences with Professor Dessem.

October 2: Judicial Ethics; Professionalism and Ethics for Judicial Clerks; Text pp. 47-58; Missouri Code of Judicial Conduct (TWEN link).


October 30: Student Presentations to Class

November 13: Student Presentations and Course Summation. Work notebook due by Wednesday, November 21 (preceded by exit interview with judge).