

The Clinical Program at Golden Gate University School of Law



SUPERVISING ATTORNEY HANDBOOK



Golden Gate University School of Law
Clinical Legal Education Program
Supervising Attorney Handbook

A. The School's Educational Objectives

The Law School's clinical programs provide students with the opportunity to have direct legal experience with clients, practicing lawyers and judges in a supervised setting. These programs are designed to be different from paid legal work available to law students because of the supervision provided, as well as the academic component required through the attendance of classes in conjunction with the clinic or externship. Participation of full-time faculty in all clinics ensures the quality of the clinical experience and results in clinics that are integrated with the other parts of the Law School curriculum. Clinics also are designed to give students exposure to diverse legal assignments and a level of responsibility that are typically not available to students. The educational value of these programs depends on appropriate organization and supervision by Law School faculty and field supervisors.

1. Goals

Our clinical and externship programs are designed to:

- a. Help students develop professional skills such as problem solving, legal analysis and research, factual investigation, and dispute resolution. By practicing under supervision in the community, students develop many of the everyday practical skills that lawyers need. These include: (a) counseling and communicating effectively with clients, opposing counsel, and the court; (b) identifying factual and legal issues through research, formulating relevant legal theories, and pursuing strategies appropriate for the client; (c) confronting and resolving ethical problems; (d) resolving disputes effectively;
- b. Help students learn the workings of courts and legal organizations and expose the students to the legal profession. They give students the opportunity to participate in activities designed to improve the legal profession;
- c. Help students learn how to organize and manage their legal work;
- d. Enhance students' learning of a particular area of law;
- e. Give students "real world" experience which enables them to participate more effectively in law school classes;
- f. Provide students with on-the-job training, particularly in research and writing, which complements their overall program of law school course work;
- g. Give students field experiences which support research projects;
- h. Permit students to begin making contacts in the profession, enhancing their ability to obtain employment and find potential role models and mentors;

- i. Reduce students' uncertainties about their ability to function as lawyers;
- j. Provide students with the opportunity to become aware of meaningful career alternatives, particularly in public interest and governmental settings;
- k. Give students the opportunity to assess the effectiveness of our legal processes firsthand which enhances their ability to serve the community by offering realistic and thoughtful criticisms and suggestions for reform; and
- l. Stimulate scholarship about clinical legal education among participating full-time faculty members.

2. Requirements

Each placement must meet the following requirements:

- a. *The student must have a carefully controlled and limited workload.* Like assignments in a course, the assignments should be thought out and carefully structured to accomplish the Law School's educational objectives. The amount of work should also be controlled and be based on the educational needs of the student, not merely the needs of the office where the student is placed.
- b. *Continuing and regular quality supervision must be provided.* One attorney must accept responsibility for each student. The student must have ready access to the supervisor. The schedule and procedures for supervision should be worked out in advance, and contact with the supervisor should constitute at least 10% of the hours each week that the student works. Supervision should entail explanation of assignments and verbal and written feedback and critiques. The supervisor must agree to complete written evaluation forms, furnished by the Law School, at the beginning of, during, and at the end of, the semester.
- c. *The student should be able to develop some expertise in specific areas of the law.* While exposure to the breadth of an office's work is required, each student is also expected to work on at least one project or area in depth. This is enforced in part by the substantial writing requirement, discussed below.
- d. *A substantial writing requirement must be met by the student.* The field supervisor should ensure that the student has submitted a substantial number of memos, briefs, or other written work. In the event the placement does not provide this experience, the field supervisor and the faculty supervisor will determine how the writing requirement will be met.

B. Guidelines for the Supervisor

The vast majority of Golden Gate University Law School students are mature, dedicated students who accept and fulfill the obligations and responsibilities that accompany participation in clinical programs. Nevertheless, field supervision is critical to ensure the quality of the clinical programs and to avoid any potential abuse of the programs. The field supervisor must ensure that the externship is meeting its educational objectives by giving the student challenging tasks and adequate feedback.

Here are some guidelines that may help the field supervisor:

1. Organization

The first problem in a busy office is one of “start-up.” Although the students have, in theory, a full semester to complete their hours, many of them want to get started right away and to “front-load” their hours so as to finish their obligation a week or two before the last day of classes. They are therefore particularly frustrated when they have trouble meeting with their supervisor during the first week of class. Students are encouraged to contact the supervisors before the beginning of classes to discuss their schedule and to arrange an initial meeting. The most effective way to deal with incoming students is to schedule an orientation meeting the first week of the semester. If students are to be sworn in to make court appearances, the orientation could be coordinated with the swearing-in ceremony. If possible, all the attorneys who will be supervising students should be asked to attend the orientation.

An orientation meeting introduces the new students to the office, helps them associate names with faces and generally makes them feel welcome. It also allows everyone to voice her/his expectations. Students sometimes complain, for example, that they receive assignments without clear instructions or specific deadlines. An initial meeting would allow for a clear explanation of office procedures. Work schedules can be established and questions can be answered. For example, students may want to know whether work may be taken out of the office to be finished at the law library or whether all work must be done on-site. The faculty supervisor can help the on-site supervisor anticipate questions that the students might have.

2. Assignments

The most common problem cited by students is that they are given nothing but research projects to do. Asking students to sit in a library throughout the course of their “clinic” defeats the purpose of the program. Although it may be convenient for students to take projects back to the law library to be completed, this practice should not result in a situation where the student goes to the office once a week for an hour to turn in and pick up assignments and is otherwise working on her/his own. Not only are these students totally isolated, but also they are not reaping the benefits of clinical education.

It is critical that the supervisor monitor the students and make sure that the students are integrated to the greatest degree possible into the everyday activities of the office. The supervisor should schedule regular meetings with each student beyond the orientation meeting to discuss the student’s progress and to deal with any problems that may have

arisen. The students always appreciate feedback on their work, and the mid-semester evaluation that is discussed with them in a conference should not be the only information that they receive about their performance.

Every effort should be made to minimize dead time. The student spends only a few hours a week at her/his clinic. It is frustrating if the student reports to work as scheduled and there is nothing to do, or the supervising attorneys are inaccessible. While attorneys are often very busy and students need to take the initiative in finding ways to make themselves useful, it is advisable to establish a system of assigning projects to students which does not depend on the presence of the attorney to whom they are assigned. This is especially critical in a small office where the student expects to work with just one individual and s/he is out of the office for a week or more, leaving the student wondering who to report to and what to do with her/his time. It is relatively easy to set up a place, such as a mail file or an in-tray on the corner of a particular desk, where the student should look for assignments or other communications from the supervisor. Students also appreciate having some workspace of their own, even if it is only a desk in a library or conference room or the supervisor's personal office. This makes a logical place to leave communications for the student.

In many offices, students are assigned to work with one or two attorneys exclusively throughout the course of their clinic. The quality of the student's experience is, accordingly, highly dependent on the success of the relationship between the attorney and the student. There are times when the team approach works very well. However, there are times when an attorney may be too busy to work with a student, or the work the attorney is doing may be inappropriate for delegation or so highly confidential that the student cannot realistically be involved. It is therefore critical that supervisors keep in contact with the student and the attorney to whom s/he is assigned to make sure that these "teams" are compatible and to reassign the student if necessary.

Finally, in some clinics, students are assigned tasks that they perceive to be clerical or paralegal in nature. Sometimes this perception springs from their misunderstanding about what attorneys actually do. Attorneys' tasks vary widely from clinic to clinic and it is difficult to compare the tasks assigned to a student with a governmental agency, for example, with tasks assigned to a student in a litigation clinic. Obviously, in every office there are some assignments that are less intellectually challenging than others. On the other hand, students should NOT be asked to spend hours photocopying or organizing files. It is inconsistent with the goals of the program to use students to perform what are essentially clerical tasks such as photocopying, filing, typing and answering the telephone. While every once in awhile a student may be asked to do one or more of these things, they cannot be a regular part of the clinical experience. Students, especially third year students who have often had considerable legal experience over the summer, have commented that the supervisors in some clinics tend to overestimate the amount of time that the students can commit to the clinic and underestimate their legal abilities.

Overall, as much structure as possible would be well received. Students appreciate regular meetings, regular contact with the on-site supervisor, and a system for distributing assignments and maintaining communication and feedback on their performance. All of these enhance the student's experience in the clinic and help forward the goals of the program.

3. Evaluation Process

The Law School requires that the field instructor engage the student on a regular basis throughout the term in a critical evaluation of the student's field experience. The Law School also requires that the faculty supervisor periodically review the field program, considering the time devoted by the student to the field placement, the tasks assigned to the student, selected work products, and the field instructor's engagement of the student in a detailed evaluation of the student's field experience.

Your evaluations of the student are important to meet the Law School's educational objectives. In fact, a student cannot be certified to receive credit until the entire program requirements have been met and the evaluations have been received. An evaluation should be filled out by every attorney with whom the student has had substantial contact. A fair amount of thought should go into them. Evaluations that are perfunctory or hurriedly prepared are of little value to the student or to you.

We suggest that you also schedule regular meetings with the student over the semester to discuss the student's work and your assessment of it. The student will always appreciate constructive criticism and advice. In addition, these meetings would be an appropriate occasion to elicit the student's reactions to the type of work s/he has been doing.

At the end of the semester, the students are asked to evaluate their clinical experiences. Any constructive suggestions, comments or problems are passed on to you. The evaluations are considered by the Law School when deciding whether to suspend or discontinue any clinics. In addition, to ensure Law School review of the student's field experiences, the Law School requires the faculty supervisors to make periodic visits to the student's placement. The faculty supervisor will meet with all field supervisors, inquire as to the student's experience and evaluate the physical setting. The faculty supervisor will obtain the field supervisor's assessment of the student's work. The student's perception that her/his work is important and is being closely monitored will be reinforced by this site visit. In addition, the faculty supervisor would appreciate hearing your comments regarding anything the Law School can do to help the effectiveness of the clinical placement.

As noted, the faculty supervisor will also periodically review the available written work performed by the student. The faculty supervisor will try to review the working drafts as well as any final product. The frequency of the review will vary with the number of credit hours awarded for the externship. The faculty supervisor will be happy to meet any concerns you may have about confidentiality of the student's work.

The supervisor's commitment to organizing the clinical experience and educating and evaluating the student will enhance the student's educational experience and the quality of the student's work, benefiting the student and you. We appreciate your willingness to participate in reaching the goals of our clinical program.

C. Law School Support

1. Seminars

Students meet in seminars approximately every other week, sometimes more frequently. We discuss work problems and issues, and encourage field supervisor participation by (a) maintaining contact with the faculty, and (b) inviting some to the seminar to conduct the class.

2. Regular Contact

One of the faculty instructors will be in contact with you during the semester. American Bar Association rules require regular visitations to student placements. We encourage you to contact us regarding any problems, issues you would like covered in the seminar, or other matters that will strengthen and facilitate the clinical program.

Supervisor's Statement

Student name: _____ Semester and year: _____

Faculty Advisor: _____ Clinic: _____

Organization name: _____

Organization address: _____

Supervisor's name: _____ Telephone: _____

_____ Fax: _____

_____ Email: _____

Note: One attorney who has been a member of the California State Bar for two years must accept supervisory responsibility for each student.

Date student begins work: _____

Hours student will work each week (please explain if variable): _____

Will this student be certified under California Student Practice Rules? Yes No

Are additional law students currently employed? Yes No

If yes, how many? _____

Total number of lawyers in office: _____

Please answer the following questions as fully as possible using additional sheets if necessary. In addition, please attach a resume, as well as a firm or agency "profile" describing the nature of your office's work (if applicable).

1. ABA rules prohibit compensation of students for work done for law school credit. Instead, the supervisor must work with, supervise and provide feedback to students. **For every ten hours put in by each student, the supervisor must put in at least one hour of such supervision.** Is it possible for you to meet this requirement?

Yes No

If no, explain supervisory plan:

2. **Describe the nature of the supervision you have planned**, including estimates of time involved, matters to be covered in your meetings, and whether you have any training materials or program that you will utilize.

3. **Indicate the areas of law** in which you expect this student to work. (Be specific.)

4. **Describe the nature of the work** and the types of lawyering tasks each student will perform. We encourage the widest possible use of the student’s lawyering skills and legal training.

5. **Describe the student’s workspace** – does he/she have access to a computer, telephone and a place to keep his/her work files?

I accept supervisory responsibility for this student.

Date _____ **Supervisor** _____

Please return this completed form to your student intern or fax to the Clinic Program Office at (415) 442-6609.

Supervisor’s Interim Evaluation of Student Performance

Both American Bar Association and Golden Gate University School of Law rules require a report to the school each semester by any outside supervisor/teacher when the student has requested academic credit for outside work. Since clinical work is not graded, your report will not endanger the student’s credit, except that failure to furnish any report can result in no credit for the student for that semester. We encourage you to discuss this report with the student.

Student name: _____ Semester and year: _____

Supervisor’s Name: _____ Clinic: _____

Organization name: _____

For questions one through three, please give the student a number grade, using the following scale. Please provide comments.

- 4 = Excellent, as good as I would expect from any law student
- 3 = Good, compared to other law students, but not the highest level of performance
- 2 = Satisfactory work by a law student
- 1 = Unsatisfactory

1. **Quality of Work:** How do you rate the quality of work done by the student? Please include written work, as well as interviews, client contact or other significant work.

Number Grade:

Comments:

2. **Reliability of Student:** Does the student arrive at work on time, on the days agreed to, and complete assignments on time?

Number Grade:

Comments:

3. **Attitude of Student:** Does the student demonstrate what you consider to be an appropriate attitude in relating to you, other attorneys and staff in your office, other agency personnel, witnesses, court personnel?

Number Grade:

Comments:

The following questions do not require a number grade. (Please feel free to attach additional comments in any form you find convenient.)

4. Please discuss the student's work strengths as you observed them:

5. Please discuss the area(s) in which the student has most improved:

6. Please discuss the area(s) and student skills needing some improvement or additional emphasis in the future:

7. Did you discuss the contents of this form with the student? (Again, you are encouraged to do so.)

8. What is your estimate of the average amount of supervision provided to the student each week?

Date

Supervisor

Please return this completed form to your student intern or fax to the Clinic Program Office at (415) 442-6609.

Supervisor's Final Evaluation of Student Performance

Both American Bar Association and Golden Gate University School of Law rules require a report to the school each semester by any outside supervisor/teacher when the student has requested academic credit for outside work. Since clinical work is not graded, your report will not endanger the student's credit, except that failure to furnish any report can result in no credit for the student for that semester. We encourage you to discuss this report with the student.

Student name: _____ Semester and year: _____

Supervisor's Name: _____ Clinic: _____

Organization name: _____

For questions one through three, please give the student a number grade, using the following scale. Please provide comments.

4 = Excellent, as good as I would expect from any law student

3 = Good, compared to other law students, but not the highest level of performance

2 = Satisfactory work by a law student

1 = Unsatisfactory

9. **Quality of Work:** How do you rate the quality of work done by the student? Please include written work, as well as interviews, client contact or other significant work.

Number Grade:

Comments:

10. **Reliability of Student:** Does the student arrive at work on time, on the days agreed to, and complete assignments on time?

Number Grade:

Comments:

11. **Attitude of Student:** Does the student demonstrate what you consider to be an appropriate attitude in relating to you, other attorneys and staff in your office, other agency personnel, witnesses, court personnel?

Number Grade:

Comments:

The following questions do not require a number grade. (Please feel free to attach additional comments in any form you find convenient.)

12. Please discuss the student's work strengths as you observed them:

13. Please discuss the area(s) in which the student has most improved:

14. Please discuss the area(s) and student skills needing some improvement or additional emphasis in the future:

15. Did you discuss the contents of this form with the student? (Again, you are encouraged to do so.)

16. What is your estimate of the average amount of supervision provided to the student each week?

Date

Supervisor

Please return this completed form to your student intern or fax to the Clinic Program Office at (415) 442-6609.