

Judicial Externship Program Information Packet (September 2017)

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WHAT ARE THE EDUCATIONAL OBJECTIVES OF THE JUDICIAL EXTERNSHIP PROGRAM?

The Judicial Externship Program offers an exciting opportunity for students to participate in all aspects of the judicial process. Externs work with a judge and the judge's law clerks on a host of research projects, write memoranda, draft opinions and observe the daily proceedings brought before the court.

This program provides an invaluable opportunity for a "real-life" practice experience which will deepen your understanding of the workings of the judicial system and of the professional expectations and responsibilities of lawyers practicing within that system. Learning how to act, as well as think, like a lawyer is essential to your professional development and the goal of the judicial externship program is to provide such an educational and practical "hands on" professional skills learning opportunity.

Under current faculty guidelines, you may serve your externship with:

1. Any U.S. District Court Judge.
2. Any U.S. Court of Appeals Judge.
3. Any U.S. Bankruptcy Judge.
4. Any U.S. Magistrate Judge.
5. Any Judge of a state's highest or appellate court.
6. Any New Jersey Superior Court Judge assigned to the Appellate Division, the Law Division, Civil or Criminal Part, or the Chancery Division, General Equity or Family Part.

Please note that the faculty has not approved externships for academic credit with:

1. New Jersey Superior Court Judges who are assigned solely to the Superior Court, Law Division, Special Civil Part.
2. Trial level Judges in states other than New Jersey, unless approved by the Faculty Director.
3. U.S. or State Administrative Law Judges

WHAT ARE THE REQUIREMENTS FOR PARTICIPATION AND ACADEMIC CREDIT?

1. The requirements for academic credit in the Judicial Externship Program are requirements set by the ABA and the Law School and cannot be waived by the Faculty Director. Any application for the waiver of any requirement must be made directly to the Associate Dean for Academic Affairs.
2. **Credit Hour Requirement** - Under current ABA and Law School requirements, students are fully eligible to receive academic credit for participation in an externship program, including the Judicial Externship Program, after they have successfully completed 28 credits towards their J.D. degree.

Students who have successfully completed their first year of law school, but have not yet completed 28 credits of study, may still be eligible to receive academic credit for an externship, but this decision must be made on an individual basis by the Faculty Director. Specifically, ABA Standard 305(e)(6) requires that to receive academic credit for an externship, a student must have “successfully completed sufficient prerequisites or contemporaneously receive sufficient training to assure the quality of the student educational experience” in the externship program.

If you are applying for an externship for academic credit and have completed less than 28 credits, you should fill out the Statement of Appointment and schedule an appointment with Professor McLaughlin.

Note – Be aware that all students in any year of study are free to serve as an intern with a Judge in any semester without enrolling for academic credit under any arrangement agreeable to the student and the Judge. Even without the award of academic credit, serving as an intern for a Judge is an extremely valuable learning experience and an important resume enhancer.

3. **GPA Requirement** - Under the Law School’s externship requirements, there is no minimum GPA requirement for to receive academic credit for a summer semester judicial externship.

For fall and spring semester judicial externships, however, students must have achieved a minimum 2.33 cumulative GPA by the semester in which they will be serving their externship in order to receive academic credit.

If a student wishes to enroll in the externship program for academic credit in the fall or spring semester, and the student does not meet the minimum 2.33 GPA requirement at the time of registration for that fall or spring semester, the student should still register for the externship program in the normal course, and if the student's cumulative GPA meets the minimum requirement after the addition of new grades from the just completed semester, the student's registration will be automatically certified.

4. Students are prohibited from taking (for academic credit) both an externship and a clinic in the same semester, except during the summer semester.
5. **Summer semester externships** - The limit of six academic credits that may be earned in the summer semester includes the academic credit earned for the Judicial Externship Program. A student may thus enroll in regularly scheduled classes for only four academic credits during the summer semester if the student wishes to also earn two credits for the Judicial Externship Program.

Similarly, students who enroll in a summer abroad program that awards five or six academic credits may not enroll in the Judicial Externship Program for that summer semester.

For purposes of the summer semester, students may begin performing their hours with their Judge at the conclusion of exams for the spring semester and may serve till the beginning of the fall semester to complete the course requirements. Course requirements need not be fulfilled during the regularly scheduled seven weeks of the summer semester.

6. Students may enroll for additional judicial externships and receive academic credit provided that any additional externship is with a different judge.

Because of the time flexibility of the summer semester, a student may extern for two judges over the summer semester and receive four academic credits provided the student fully and

separately fulfills all of the requirements for academic credit as to both judges. In this instance, a student must serve a minimum of 150 hours with each judge and separately complete a minimum of 30 pages of written work product for each judge.

Note that there is a limit of eight academic credits (total) that may be earned for all externship programs, including the judicial externship. The Law School currently offers over 100 non-judicial externships for academic credit with various government and non-profit organizations. For further information on these externship opportunities, you should consult the "externship guide" on the Law School website.

<http://law.shu.edu/CareersInLaw/Currentstudents/Externship-Guide.cfm>

Note also that there is an overall limit of fifteen academic credits that may be earned in non-classroom and other self-directed courses (e.g. externships, clinics, moot court competitions, independent research, etc.)

7. If you intend to sit for the New York Bar, you must complete 50 hours of pro bono service prior to admission. The New York Board of Bar Examiners accepts work performed for a judge or court, whether or not you receive academic credit for the work. Therefore, your judicial externship will satisfy your New York Bar pro bono requirement.

New York requires you to fill out an Affidavit that you complied with the requirement. The Judge for whom you worked must also complete this Affidavit. To avoid problems later on, you should ask your Judge to complete the Affidavit at the end of your judicial externship.

The Affidavit can be downloaded at:

http://www.nycourts.gov/attorneys/probono/AppForAdmission_Pro-BonoReq_Fillable.pdf

You should keep the completed Affidavit in a safe place in order to submit it to the Board of Bar Examiners when you apply for admission.

8. During the semester in which a student registers for the judicial externship program, the student must devote a minimum of **150 hours** to chambers-related duties. This typically requires that a student spend about 12 hours a week, spread over two days, in chambers during the normal 13-week fall or spring semester.

Students who are enrolled for the spring semester, however, have the option of commencing their hours as soon as the fall exam period is over and serving with their Judge throughout the winter intersession.

9. During the summer semester, scheduling is more flexible and students may schedule their hours in any mutually agreeable way with their Judge. Be aware, however, that during the summer semester, irrespective of the law school requirements, some Judges may require their externs to be in chambers full time four or five days per week.
10. If at any time during the semester, you perform research for your Judge on your own time, you may receive credit for this time towards your 150 hours. The benefit of the program, however, is derived from your interaction with the Judge and from your first-hand observation of the litigation process at the courthouse. Consequently, the bulk of your time is to be spent in chambers and at the courthouse.
11. You must keep a careful **time log** of your hours each day and have your final time log signed by your Judge or by the Judge's law clerk. Bring this time log to the evaluative conference at the end of the semester.
12. In addition, you must complete a minimum of **30 pages of written work product** during your externship. This work product consists of the legal research and other writing projects that your Judge assigns you during the semester. The nature of your work product will vary depending on the court in which you are serving your externship.

If you are serving with a New Jersey Superior Court Trial Judge, for instance, your work product will likely consist of short, written digests of the many pre- and post-trial motions that trial judges must regularly decide. On the other hand, if you are serving with an Appellate-level Judge or a Federal District Court Judge, your work product will likely consist of two or three, lengthy draft opinions that you researched and wrote for the Judge.

Whatever the nature of your written assignments, you must complete all assignments to the Judge's satisfaction and, unless directed otherwise by your Judge, you must bring your 30 pages of work product to the evaluative conference at the end of the semester.

13. At the beginning of each semester, an externship class is held at the law school that all enrolled students must attend. If needed, a make-up class is scheduled for those students who cannot attend the class due to a schedule conflict.

In the fall and spring semesters, the class is scheduled immediately after the end of the drop/after period for that semester. For the summer semester, two classes are scheduled. One class is scheduled after the completion of the spring semester exams, and one is scheduled immediately after the end of the drop/add period for the summer semester. A student need only attend one of these two classes.

14. At the end of the semester, students must attend an evaluative conference with the Program's Faculty Director. You must bring the following to this conference:
 - a. Your completed and signed time log.
 - b. A letter from your Judge, signed by the Judge and on the Judge's court stationery, verifying full completion of the course requirements to the Judge's satisfaction, i.e. 150 hours and 30 pages of written work product. The Judge may prefer to mail this letter directly to the Program's Faculty Director and not give the letter to you. This is fine for the Judge to do.
 - c. Copies of your work product. At the conference, your work product is reviewed and then returned to you. Some Judges refuse to release a student's work product completed in chambers and consider all work product confidential. In this event, you need to have your Judge include **additional** language in the Judge's letter (see b.) stating that the work product was satisfactorily completed in terms of quality and quantity **but cannot be released because it is confidential.**
 - d. A completed course evaluation form.
15. Upon completion of the course requirements, a grade of a "Pass" and two credits are awarded.

HOW DO YOU APPLY WITH A JUDGE?

Several months before the anticipated start of the externship, students apply directly to any of the qualifying Judges (listed above) with whom they are interested in externing. Thus, a student should apply for a spring semester externship in September or October of the fall semester; for a summer semester externship, from January on of the spring semester.

Although there is no deadline for applying with a Judge, you should apply as early as possible, especially for State Supreme Court and Federal District Court summer externships which fill up quickly. Also, although some Judges may send a specific request to the Law School seeking externs, most Judges do not, especially the federal and state appellate-level judges, because they regularly receive so many unsolicited applications from students from all of the area law schools. You should not, therefore, limit your applications only to Judges who have expressly requested externs on the Law School website.

If you make a late decision to extern for Judge, be aware that you may apply right up to the beginning of the semester in which you wish to serve. Of course, many positions will be filled the longer a student waits to apply, but there are so many judges in New Jersey alone, over 400, that it is nearly always possible to find an available externship even late in the application process.

The application process consists of sending a cover letter and resume to the Judge. Your cover letter should include a basic explanation of the Seton Hall Judicial Externship Program (see the sample letter below) and personal information about yourself that is relevant to your desire to serve as an extern with this Judge. Judges conduct interviews of potential candidates and then select their externs.

Full information about Federal and State Judges, as well as assistance with the application process, including resume review, is available from the Office of Career Services. The Office of Career Services also maintains up-to-date Excel spreadsheets for various Federal Circuit Courts of Appeals and District Courts, the New Jersey Supreme Court, and the New Jersey Superior Court Appellate Division, Law Division, and Chancery Division.

To access the lists, visit the Document Library of the Symplicity System at: <https://law-shu-csm.symplicity.com/students/index.php?cck=1&au=&ck=>

If you have questions about how to access the lists or need other assistance with the application process, please contact the Office of Career Services.

SAMPLE:

Dear Judge _____:

I am a _____ year student at Seton Hall University School of Law and expect to graduate in June 201___. I am interested in serving as your Judicial Extern for the (Summer, Fall, Spring) Term of 201__.

The Seton Hall Judicial Externship Program allows students to earn two academic credits for serving a minimum of 150 hours in a Judge's chambers and completing a minimum of 30 pages of written work product for the Judge.

[Add your personal information here.]

Thank you very much for your kind consideration of my application.

Respectfully yours,*

Your Name

* The etiquette among lawyers is to sign all letters to Judges "Respectfully yours," and not with one of the other common closings of "very truly yours, etc."

SOME CONSIDERATIONS IN CHOOSING A JUDGE

Whether you are applying to Federal or State Judges, Trial or Appellate, some factors to consider in making the selection are:

How Many Other Externs Will Be Serving With The Judge? If the Judge will have a large number of externs (remember that students from all of the area law schools are also applying), you may not be able to have significant interaction with the Judge, there may be insufficient work available, limited access to work areas, fewer opportunities to sit in on conferences, court hearings, etc.

As a general rule, State Trial Judges typically have the fewest externs, often only one or two. In whatever court, however, Federal or State, Trial or Appellate, the opportunity for significant one-on-one interaction with the Judge, work responsibility, etc. is greatly enhanced when there are fewer externs. This is something you should inquire about during your interview.

To What Extent Does The Judge Interact With The Externs? You should expect that you will work most closely during your externship with the Judge's law clerk or clerks. But the students who have the most rewarding and positive experiences serve with Judges, in whatever court, who regularly interact with them (bringing them into court, reviewing their work, talking about the cases with them, sharing lunch or other time with the externs, etc.)

This active involvement is present at all levels, Federal and State, Trial and Appellate. You should therefore inquire at your interview about how much interaction you will have with your Judge.

What Will Be The Nature Of Your Duties? Remember, that your externship is meant to be more than a resume enhancer. Your externship should be an invaluable academic and "real world" learning experience, unlike anything that you could experience in the classroom. You are not there to be an office file clerk. You are there to acquire first-hand knowledge of the litigation process, as well as to apply, and improve, your research and writing skills in a "real world" legal environment.

You need to inquire therefore about your research and writing assignments, and most importantly, whether you will have the opportunity to observe courtroom activity (jury selections, cross-examinations, oral arguments, etc.). Seeing law come to life is the unique value of this externship, and you should inquire if you will have these opportunities with your Judge. Remember, the Judge is not paying you to work. You are volunteering your time in exchange for a meaningful educational experience.

How Far Will You Have To Travel For The Externship, Is There Public Transportation, Parking etc.? You should also consider the expense and convenience in selecting a particular externship. For instance, if you are here in Newark or North Jersey for the summer, and are considering an externship offer from a Federal District Court Judge or Magistrate Judge in Trenton, you should weigh the cost of gas, tolls, and parking or the cost of the train each day, the time that you will spend in transit, etc. Perhaps, you would have a better experience staying closer to home and avoiding a lengthy or expensive commute.

Also, with respect to summer externships, there is nothing wrong in spending the summer in a pleasant environment (at the Jersey Shore, in the Highlands of Sussex County, or in your home state) and externing for a Judge in that area. There are excellent Judges in all locales. If you have any other questions concerning the choice of a particular externship, please contact Professor McLaughlin.

HOW DO I REGISTER FOR THE JUDICIAL EXTERNSHIP PROGRAM?

The registration process for the Judicial Externship Program differs from ordinary course registration in that students cannot register for the externship online as with other courses.

Once a student has received an externship offer from a Judge, the attached Statement of Appointment must be completed and delivered to Mary Malfitano, the Administrative Assistant. The Statement of Appointment will then be reviewed and signed by Professor McLaughlin and submitted to the Registrar's Office for enrollment. Students must be registered for the Judicial Externship Program for the semester in which they will be performing their externship.

A Final Note from Professor McLaughlin on the Special Importance of this Program

This externship should be one of the most enjoyable and valuable experiences that you will have in law school. If this were medical school, it would now be time to go to the hospital and see all of the classroom and textbook material that you learned come to life. For law school, this is the opportunity to go to the courthouse and see real judges and lawyers bringing civil procedure, evidence, and your other substantive courses to life. Professors can only talk about the law in the classroom and this is the great limitation that we have in teaching you to become the next generation of lawyers and judges.

As an extern, you will be learning more about your profession than you could ever learn in the classroom. Drink in every minute that you can. Keep your eyes and ears open to everything. If your Judge is not on trial, make time to watch a trial in progress somewhere in the courthouse. Experience is the best teacher and squeeze everything you can out of this one.

Remember also that doing a great job for a judge and making him or her take favorable notice of you is as good as an A+ in civil procedure or evidence. Think of how beneficial a reference from your judge saying that you did an excellent job will go in enhancing your resume and credentials. Remember that actions always speak louder than words. Now is the perfect time to demonstrate that irrespective of what your GPA may or may not be, you can do as good a job for your judge as the finest student from the finest law school.

With this externship, you are beginning to build your professional reputation. If you choose to serve as an extern, do not waste this wonderful opportunity to impress. You will never regret it.

Judicial Externship Program
Statement of Appointment

Once you have received a commitment for a Judicial Externship with a particular Judge, please complete this form and **deliver it to Mary Malfitano on the fifth floor.**

Last Name: _____ First Name: _____

Phone: _____ - _____ - _____ Seton Hall ID Number _____

Cum. GPA _____ Academic credits completed prior to commencement of externship _____

Have you previously earned academic credit for a judicial externship? Yes ____ No ____

If yes, please list the Judge and Court _____

I have received a Judicial Externship for the **(circle)** Fall/Spring/Summer 201 __ Semester

Judge's Name and Court:* _____

Judge's Address: _____

***You must be specific here, because not all courts qualify. Please list the specific court of the Judge, e.g., N.J. Superior Court, Chancery Division, General Equity; N.J. Superior Court, Law Division, Civil Part (Special Civil Part does not qualify); N.J. Superior Court, Law Division, Criminal Part; U.S. District Court – D.N.J.; U.S. Magistrate Judge –D.N.J.; etc.)**

Appointment Statement - I understand that to be eligible for two academic credits I must satisfy the cumulative grade point average requirement (fall and spring semesters only), devote a minimum of 150 hours to chambers-related duties, complete a minimum of 30 pages of written work product, and attend the required class and evaluative conference. I understand that I am prohibited from taking any clinical course in the same semester, unless it is a summer semester, and I may not receive credit for a second externship with the same Judge.

Signature of Student

Date

Signature of Faculty Director

Date

NOTE - The Registrar will be unable to add the externship to your schedule if you are already at or near the credit maximum for the semester (12 for part-time, 16 for full-time). If you need a course dropped, please complete the following and the Registrar will drop the course for you:

Course Name: _____ Course Number: _____