



# Micronesian EXTERNSHIP PROGRAM

FIELD PLACEMENT HANDBOOK

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## **Micronesia Externship Program**

### **I. Mission**

The mission of the Micronesia Externship Program is to provide John Marshall students with practical legal experience working in a multi-cultural environment under the supervision of a practicing attorney or judge and to provide students with the experience of practicing in a legal community which provides services to a historically underserved population.

### **II. Program Description**

Through the Micronesia Externship Program, Atlanta's John Marshall Law School seeks to place students in legal offices throughout the Commonwealth of the Northern Marianas, the Federated States of Micronesia, the Republic of Palau, and the Territory of Guam. Students in the Micronesia Externship Program are assigned to work under the supervision of attorneys practicing for the government or in the public interest sector. Prior to leaving for their assigned externship placement, students participate in a fourteen hour orientation program. While working in their assigned externship placement, students engage in a variety of tasks that assist them in developing their lawyering skills and expose them to local customs and traditions. Students participating in the summer program will earn three to six out-of-class credit hours for the work completed at the field placement. Students participating in the semester program will earn twelve out-of-class credit hours for the work completed at the field placement. Students will be graded on a pass/fail/no credit basis.

### **III. Program Requirements and Goals**

#### **A. Educational Goals:**

The goals of the Micronesia Externship Program are to:

1. Provide students experience in the following areas:
  - a. working in an international environment;
  - b. understanding the role of the United States in the development of the law of other nations;
  - c. understanding how the law develops in various communities;
  - d. understanding cultural differences and how those differences help to shape the law;

- e. understanding alternative dispute resolution models as they relate to cultural needs and understandings; and
  - f. understanding the intersection between local culture and tradition and the law.
2. Provide professional skills instruction in the following areas:
- a. problem solving;
  - b. legal analysis and reasoning;
  - c. legal research;
  - d. fact investigation;
  - e. interviewing and counseling;
  - f. negotiation; and
  - g. organization and management.
3. Provide students with opportunities to develop written and oral communication skills by:
- a. drafting pleadings, legal memoranda and correspondence;
  - b. drafting transactional documents;
  - c. drafting and commenting on legislation and resolutions; and
  - d. representing clients in formal and/or informal judicial and administrative proceedings.
4. Instill fundamental values of the legal profession by:
- a. acquainting students with the rules governing attorney conduct in their jurisdictions;
  - b. enhancing students' ability to recognize ethical dilemmas;
  - c. encouraging students to address and resolve ethical issues in context; and
  - d. emphasizing the lawyer's responsibility to:
    - i. provide competent representation;
    - ii. promote fairness and justice; and
    - iii. engage in an on-going process of professional growth and development.
5. Teach students means of learning from experience by encouraging them to:
- a. invite critique by supervisors and peers;
  - b. engage in thoughtful self-assessment; and
  - c. reflect on and extrapolate from placement experiences and observations.
6. Promote students' understanding of the roles played by various "actors" in the judicial system.

7. Promote students' understanding of the psychological and sociological factors that may affect an attorney's ability to be an effective counselor and advocate for his or her clients.
8. Provide opportunities for examining the application of legal doctrines learned in the classroom to the resolution of "real world" legal problems.
9. Critique the capacities and limitations of both the legal system and lawyers operating within the system by examining:
  - a. the effectiveness of the civil justice system and alternatives to civil adjudication as a means for resolving disputes; and
  - b. the impact of the justice system on those who have contact with the system.
10. Expose students to the importance of public service and the need for equal access and competent legal representation for all.

B. Seminar:

Prior to departing for the externship placement, the student shall participate in a fourteen hour seminar. For the summer program, the seminar will take place during the week after final exams for the spring semester and the week before the start of the summer session. For the semester program, the seminar will take place during the first week of the semester. The seminar shall include the history of the former Trust Territory of the Pacific Islands and the Territory of Guam, introduction to the current legal framework of the Island jurisdictions, introduction to the customs and traditions of the Islands, instruction in legal research for each island jurisdiction, and participation in simulation exercises in areas of interviewing, counseling, negotiation, fact investigation, and case preparation. At the conclusion of the externship, the student shall submit a paper discussing the externship experience.

C. Tasks at Placement Site:

To accomplish the course goals, students should be engaged in a variety of tasks at their placement sites, including, as appropriate:

1. Interviewing clients and witnesses;
2. Counseling clients about strategies and choices;
3. Negotiating settlement agreements;
4. Participating in case strategy planning sessions with attorneys;
5. Drafting pleadings, legal memoranda, and correspondence;
6. Drafting and commenting on legislation and resolutions;
7. Observing and participating in a diverse selection of courtroom proceedings, including motions, presentation of witness testimony, and oral arguments;
8. Observing legislative proceedings; and
9. Observing and participating in a diverse selection of office proceedings, including meetings with clients and attorneys, and negotiation and settlement conferences.

D. Non-Legal Assignments:

Neither Law School policy or the ABA Standards permit students to earn academic credit for photo-copying, typing or answering the telephone. While an extern may be asked to do one or all of these activities periodically, these activities cannot be a regular part of the placement experience. Students cannot earn credit for time traveling to and from their placement. Time spent with the supervising attorney traveling to interviews, depositions, hearings or trainings can be counted toward their required credit hours. Supervisors are encouraged to take students with them to practice-related activities outside the office.

**IV. Placement Site Obligations**

In order to insure the successful transition of the student to the placement site, the placement site shall commit to the following:

1. The placement site shall identify an appropriate Supervising Attorney to work with the student during the externship placement.
2. The placement site shall make arrangements for someone from the placement site to meet the student at the airport and transport the student to the student's housing.
3. Prior to the student arriving on-island, the placement site shall assist the student in identifying and securing appropriate housing. Appropriate housing means a furnished studio apartment or its equivalent located in a secure area of the island. Safe means the housing has functioning windows and doors with locks and is not located in a known high crime area. Housing should be located such that the student will not have difficulty getting to the office. The student shall be responsible for paying for the housing and for transportation to and from the office.

**V. Supervising Attorney**

A. Qualifications:

To support the educational goals and objectives of the Micronesian Externship Program and the requirements that the student must meet, the Supervising Attorney must:

1. Hold a current, active bar membership and be eligible to practice in the jurisdiction in which the externship placement is located; and
2. Be able to supervise the written and clinical work of the student over the minimum required hours of the externship and/or to coordinate the student's activities as they may be delegated to other licensed attorneys for certain facets of the externship.

B. Supervising Attorney Responsibilities:

To support the educational goals and objectives of the Micronesian Externship Program, the Supervising Attorney must:

1. Ensure that the student:
  - a. Has full exposure to all of the relevant activities in the Supervising Attorney's office and practice;
  - b. Receives the benefit of the Supervising Attorney's thinking in case strategy and preparation, interviewing, client counseling, negotiations, professionalism, ethical choices, and other decision-making areas of the Supervising Attorney's practice;
  - c. Observes ethical practice within the office;
  - d. Receives information on office policies and procedures that regulate the agency or office, including attire, parking, file handling, or other topics relevant to the student's externship experiences;
  - e. Engages in or observes interviewing, negotiations, client counseling, case preparation, research and analysis, trial and other advocacy, as appropriate or available in the office;
  - f. Creates at least one piece of legal writing, whether motion, memorandum to an attorney or court, trial or appellate brief, or similar document appropriate to the practice;
  - g. Receives timely and candid feedback regarding the student's performance and learning; and
  - h. Meets regularly with the Supervising Attorney;
2. Provide the John Marshall Law School Director of the Micronesian Externship Program ("Director") with timely and candid evaluations of the student, including immediate notice of any gross deviation of the student's obligation to the Supervising Attorney or office or agency hosting the student or of the student's obligation to a client of the Supervising Attorney or office or agency hosting the student.
3. Provide the Director with documentation demonstrating that the student and the Supervising Attorney have agreed to the student's schedule of hours for the externship and have agreed as to the manner in which assignments or opportunities may be given to the student to ensure clarity of priority, scope, project format, due dates, and cost constraints (e.g. restrictions on use of internet research);
4. Provide the Director with interim and final written evaluations of the student; and
5. Accommodate at least one scheduled on-site visit by the Director and be available as necessary, by telephone or e-mail, to communicate with the Director about the circumstances of the student.

## **VI. Student Eligibility**

In order to be eligible to participate, students must have:

1. Completed all required first year courses;
2. Have a cumulative grade point average of 2.0 or better;
3. Submit a current resume and completed Micronesian Externship Program application;
4. Submit a writing sample;

5. Have a passport which is valid for at least six months from May 15<sup>th</sup> of the year of application to the Program;
6. Interview with the Director of the Program;
7. Be accepted to the Program; and
8. Meet any additional requirements of the Placement Site.

## **VII. Student Obligations**

Each student must:

1. At the time of registration for the summer program chose to participate for 3, 4, 5 or 6 credit hours. At the time of registration for the semester program, register for 12 credit hours. For each academic credit hour, the student must work 47 hours at the placement site. Thus, for a 3 credit hour externship, the student must work 141 hours or 18 eight hour days; for a 4 credit hour externship, the student must work 188 hours or 24 eight hour days; for a 5 credit hour externship, the student must work 235 hours or 30 eight hours days; for a 6 credit hour externship, the student must work 282 hours or 36 eight hour days; and for a 12 credit hour externship, the student must work 564 hours, or 40 hours per week for 14 weeks.
2. For the summer program, complete all work hours at the externship site between May 15<sup>th</sup> and August 1<sup>st</sup> of the Program year; and
3. For the semester, complete all work hours at the externship site between the end of the seminar and the end of that semester's exam period;
4. Prior to departing for the externship site, attend the seminar on-campus, including participation in all activities and assignments;
5. Complete the initial and final skill self-assessments;
6. Submit weekly time sheets, via e-mail, or TWEN;
7. Participate in weekly Discussions via TWEN;
8. Submit a paper discussing the externship experience; and
9. Submit their externship file, which includes copies of all written assignments, redacted as necessary to protect the confidentiality of the client.

Externs are graded on a pass/no credit/fail basis. Grades are based in part on the Supervising Attorney's evaluation of the student, including, but not limited to, the student's work habits, work quality, and professionalism, and in part on the student's participation in the externship's classroom component facilitated by the Director.

## **VIII. Supervision of the Micronesian Externship Program**

The John Marshall Law School Micronesian Externship Program is supervised by the Law School's Director of the Micronesian Externship Program. The Director establishes placement sites, places the students, conducts the seminar, and monitors each student's progress and evaluates his or her performance. The Director may also visit placement sites during the summer session, if a student is placed at that site, to meet with the Supervising Attorney.



Before students are placed in a particular office, the Supervising Attorney at the site must agree to expose the students to the full range of tasks outlined above. The attorney(s) also must be willing to provide timely evaluation of the students' work and certify student attendance at the placement.

The attorneys at the placement sites to which the students are assigned are professionally responsible for the content and quality of the students' casework. Supervising Attorneys are expected to allow students to conduct as much casework as is consistent with the effective representation of the client or the interests of the placement site. The Director will assist site supervisors with the development of supervision skills.

## **IX. Monetary Compensation**

Students are not allowed to receive any monetary compensation or fringe benefits from the placement site, with the exception of reimbursements for out-of-pocket expenses.