

UB Law Externship Program Field Placement Supervisor Manual



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This handbook was adapted from materials created by SoCalEx (Southern California Externships) and BACE (Bay Area Consortium on Externships).

Preface

Welcome to the University of Baltimore School of Law Externship Program. Thank you for your generosity in agreeing to supervise a law student for their academic externship. Working with experienced lawyers and judges engaged in legal practice provides UB Law students unique opportunities to learn practical skills that cannot be replicated in a class room. Thank you for partnering with UB Law to provide our students with valuable experiential learning opportunities.

I recognize that it's not easy taking on a student, especially given the professional shifts caused by the COVID-19 pandemic. Lawyers and judges have stepped up to provide students with both remote and in-person opportunities. I appreciate your flexibility and creativity in ensuring that students have valuable experiences despite these challenges.

This Manual includes UB Law's Externship Program policies, which are crafted in accordance with the ABA Standards Rules of Procedure for Approval of Law Schools, Chapter 3, Standard 304, which governs field placement courses. I have included checklists and feedback rubrics to make this Manual as helpful as possible. In light of the changes created by COVID-19, I have updated this resource to provide specific ideas and tools to strengthen communication and supervision in a remote context.

The success of the UB Law Externship Program is a direct result of the dedication, service and mentorship of supervising attorneys, judges and law clerks. Thank you for giving of your time and experience. I look forward to working with you and hope to meet you individually. I am available to answer any questions, navigate any concerns, and assist you in any way that I can.

With Gratitude,

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OVERVIEW & EDUCATIONAL GOALS

Learning practice-ready professional skills, building a professional network, finding a mentor, exploring career options and clarifying personal goals are just some of the benefits gained from legal externships. The primary objectives of the externship experience are:

- **Legal Analysis & Expression**—students should expand their critical thinking, problem solving, legal analysis, and oral communication skills.
- **Research Skills**—in addition to honing their legal research skills, students should engage in fact finding through interviews, document review, and information organization.
- **Substantive Law**—students should increase their knowledge of a substantive area of law, civil or criminal procedure, etc.
- **Professional Development**—students will develop essential professional competencies such as time management and communication. Students will further develop their professional identity, examine ethics in a practical setting, increase their self-awareness as it relates to integrity, civility, bias, etc.
- **Practical Skills**—students should engage in practice specific tasks such as drafting, counseling, investigating, trial preparation, client interaction, negotiation, etc.
- **Business Development**—students should develop strategic relationships, have opportunities for networking, gain an understanding of the operational management side of a law practice, non-profit or government agency.
- **Other Professional Skills**—may include skills such as interviewing, counseling, negotiation, fact development and analysis, trial practice, document drafting, conflict resolution, organization and management of legal work, collaboration, cultural competency and self-evaluation.

EXTERNSHIP COURSE REQUIREMENTS

- **Grades:** All UB Law externships are 3 credits and are graded on a pass/fail basis. A passing grade requires complying with all placement requirements and completing all academic requirements. No academic component can be waived.
- **Hours Requirement:** Students must complete 130 hours (140 for Advanced Externships) in the placement. Students are encouraged to work in large blocks of time and on at least two different days each week. All credited externship time must qualify as substantive legal work. Students are responsible for keeping a record of the hours spent in the field throughout the semester.
- **Writing Requirements:** Students are required to complete 10 cumulative pages of substantive legal writing. Multiple documents may be used to satisfy this requirement. Substantive legal writing means that students must use their own legal analysis and knowledge to complete written materials and synthesize information. This does not include the completion of legal forms using boilerplate language.
- **Classroom Component:** Each student who is participating in an externship must attend a classroom seminar which addresses, among other things, legal ethics and professionalism skills. Students may enroll in the Attorney Practice Externship class for all placements supervised by an attorney, or the Judicial Externship class for placements with a Judge. UB Law also offers a specialized Public Interest Lawyering Externship seminar in the Fall and a Corporate Counsel Externship seminar in the Spring. Advanced Externs do not have a seminar component but must complete other course requirements.
- **Appropriate Placements:** No student shall be assigned to a site if the Director of Externships deems that the placement would cause, or could cause, the appearance of impropriety. There is a strong presumption that a placement will not be approved if: (1) a parent, parent-in-law, spouse, domestic partner, offspring, sibling, or sibling-in-law is an employee, partner, or the like, (2) the supervising attorney has been in practice three or fewer years, or (3) the firm or agency has existed for three or fewer years.
- **Placements Must be Unpaid:** No student shall be assigned to a site at which the student is now, or in the past has been, employed for compensation. No student may receive compensation for the work performed from the field placement. Neither the office in which the student completes the externship, nor a member thereof, may pay for or contribute to the tuition charged for academic credits. The office may pay for or contribute toward the cost of parking, mileage, and/or public transportation, but such contribution is entirely voluntary and may not exceed the parking and mileage incurred.
- **Conflicts of Interest:** Any student employed in another law-related position during the semester must insure that all employers and externship supervisors are made aware of the student's relationship with the others and that each is satisfied that no actual or potential conflict of interest exists.
- **No Student Practice Licenses:** Externship students do not receive Rule 19 licenses (Legal Assistance by Law Students). Externship students may not represent any client or entity before any Maryland state district, circuit, or appellate court, unless the rules of that court permit representation by someone other than a licensed attorney or a party to the case.

SUPERVISOR AGREEMENT

Orientation: Extern will receive an orientation that advises them on office procedures and confidentiality. Extern will also be given an overview of their work and expectations.

Supervision: Extern will be assigned to a supervising attorney who will direct, monitor and mentor the student throughout their time at the placement providing multiple opportunities for performance review. Supervisors are expected to meet weekly with the Extern.

Assignments: Externs will be advised on how work is assigned, be given deadlines, and receive guidance throughout the completion of the assignment.

Feedback: Externs will be provided with individual, detailed and timely feedback on the work they have completed. Supervisors will also review the Extern's Learning Agreement, mid-semester self-assessment, and complete a final evaluation.

Diversity of Tasks: Extern will be given work similar to that of an entry-level attorney or a paid law clerk. This work will expose the student to a broad range of lawyering skills and administrative work will be kept to a minimum. Extern should produce at least 10 cumulative pages of original work product during the semester.

Observation: Extern will have opportunities to observe court proceedings, meetings, and other professional activities.

Opportunities for Reflection: Extern will meet with their supervising attorney, judge, or clerk to discuss their experiences in the placement and other relevant issues.

Logistics: Extern will have a designated workspace/computer to complete their work or be provided with necessary authorization to work remotely from their personal computer.

Bar Admission/Status: Supervising attorney or judge must be a member of a state bar, and have been a barred attorney for at least three years.

Billing: Extern's time cannot be billed to clients.

Remote Work: In light of the COVID-19 pandemic, Extern will be able to work remotely if appropriate under public health guidelines and considering the student's personal circumstances. Given the uncertainty of the moment, all field placements should have systems in place to ensure that students can work remotely should the necessity arise. If in person work is legally permissible during externship, the student may opt to work in person, subject to University approval. It is essential that field placement supervisors and students have conversations about remote work policies prior to commencement of the placement.

Policy on Discrimination and Sexual Harassment: UB Law requires that employers who wish to participate in the Externship Program not discriminate on the basis of race, color, national origin, religion, age, sex, marital status, sexual orientation, gender identity or disability and that they maintain a policy against sexual harassment. By participating in the Externship Program, employers are deemed to agree with this policy.

Externship Supervisor Checklist

Below are the most important things to remember, especially if you are hosting a remote extern or some of your office staff is working remotely. Planning and communication become especially important in a remote context.

- ✓ Allow students **remote access** to email and necessary systems and documents.
- ✓ Address **confidentiality** and **security** concerns with students up front.
- ✓ Plan and hold a remote **orientation**.
- ✓ Talk to the student about what their **goals** are for the experience.
- ✓ Hold **regularly-scheduled individual check-in meetings** with your extern. Have the student draft an agenda for the meeting in advance and meet via videoconference when in-person meetings are not possible
- ✓ Give **substantive feedback**. A weekly check in will remind you to do that.
- ✓ Have the student **track their work** on a shared spreadsheet (see tinyurl.com/ExternTracker for an example) and provide you with regular updates on their progress. That way you know what they are doing. Deadlines will help motivate students and enable them to hold themselves accountable.
- ✓ Create a **support structure** for the student. Connect students with mentors, administrative and technical support personnel, and any other students working with the office.
- ✓ Provide **opportunities** for students to get to know your office and coworkers -- help them create a network by making introductions and inviting them to in-person and virtual events.
- ✓ Be creative in finding **opportunities for student observation** as your practice evolves (i.e. remote office meetings, settlement conferences, and hearings).
- ✓ Give students both **short-term and long-term projects**. Long-term projects help students fill in any downtime when other types of work might not be available.
- ✓ Establish a set **work schedule** with your student, even if they are working remotely. Be clear on when the student is expected to be working and available, and what preferred communication methods are.
- ✓ Be **flexible** with student needs and compassionate. The pandemic has made students' situations challenging in unexpected ways.

Prepare a Plan for On-Boarding Ahead of Time

Create a Support Network for the Student

- It may take more than one supervisor to make a successful experience
- Are there other staff who can act as more informal mentors? (i.e. senior law clerks, junior attorneys)
- If you have more than one student, connect them with each other so they can support each other.
- Ask other staff to identify upcoming learning opportunities such as hearings, meetings, or conferences.

Before they Arrive -- 7 Things to Consider and Share with Student

1. **Start and End Dates**
 - a. Ensure these are clear to both the student and the employer
2. **Hours Expectations**
 - a. Full-time? Part-time? How many weeks?
 - b. This may change/evolve over time
 - c. When student is expected to be available for remote work
3. **Collect Student Information**
 - a. Basics – name, school, year, etc.
 - b. A photo to introduce them to the team -- an introductory email with photo will make your student feel seen, especially in a remote office environment
4. **Systems Integration**
 - a. Get student access to your computer systems, email, etc.
 - b. Consider what kind of access is necessary for remote work.
5. **Communication Methods**
 - a. Think about ways to communicate beyond email, especially in a remote office environment. Many offices use Microsoft Teams, Skype for Business or Slack to cut down on email and provide avenues to chat.
 - b. Consider text or WhatsApp groups (especially if students will not have access to work email on their phones).
 - c. When can the student expect you to be available to respond? What are your limitations?
 - d. Who else can student go to if you're not available?
6. **Be Intentional and Explicit about:**
 - a. **Supervision** - who will the student report to?
 - b. **Assignments** - who will assign work and how?
 - c. **Feedback** - how will feedback be given?
 - d. **Expectations** re attire, work space/background while working remotely

First Day - Extern Orientation

Introductions

- Office tour -- even if you are remote, consider sharing a video of the office space
- Have students meet other staff and attorneys (in person or on videoconference)
- Have students meet each other and encourage student cohesion

Office Overview and Policies

- Overview of the office's work, including how COVID-19 has changed things
- Explain how the office is functioning now and any standing meetings
- Identify resources for legal information and sample documents
- Specify where electronic documents should be saved

Ethics & Confidentiality

- Office policies for protecting confidentiality, especially while working remotely
- Conflicts of interest -- remember that students may be doing other legal work
- If student will have client contact, advise how to avoid unauthorized law practice

Communication

- What are the preferred methods of communication?
- For remote work, when is student expected to be online and what is the expected response time?
- When are you available? What time frame should a student expect for a response
- Is texting or another form of communication (e.g. Microsoft Teams, Slack) better?

Structure and Workflow

- Who will be assigning work to students?
- Back up supervisors if you are unavailable?
- Who else can they go to for questions? -- informal mentors, support staff, etc.
- Explain how to track their work. Consider using a shared spreadsheet (see tinyurl.com/ExternTracker for an example)

Keep it fun and interactive (especially for remote orientations)

- Remote work can be isolating unless offices make intentional efforts to build relationships.
- Students will be excited to connect on a personal level and do legal work
- Interactive online ice breaker ideas for hybrid, remote and in person teams: <https://www.owllabs.com/blog/ice-breakers>

Work with Students on Goals and Expectations



Get on the same page early on to avoid frustration and miscommunication!

Working in a remote or hybrid office is new to a lot of us. And forging new work relationships with limited in-person work is especially challenging. Everyone is juggling multiple responsibilities and has limited bandwidth. Court shutdowns and the shift to virtual hearings and law practice have also changed the nature of legal practice. These are some key issues to address at the start:

What are the Student's Goals?

- The Learning Agreement creates an opportunity to craft realistic goals and strategies for your student's experience.
- If your student is working entirely remotely, consider ways to include students in online learning opportunities beyond research and writing (e.g. online trainings, strategy & client meetings, settlement conferences, mediations, hearings, etc.)
- Consider connecting the student with professional contacts to make their experience more well-rounded in a world limited by social distancing.

Constraints on Time

- COVID-19 has changed work/life balance. You may homeschooling kids or taking care of family. What limitations should your student be aware of?
- Students may also have caregiving responsibilities. Do they need more flexibility?

Make your Student Responsible for Communicating Updates to You

- Communication is a learned skill. You can teach your student this skill by **making them responsible** for giving you regular updates instead of you having to ask.
- A **shared assignment spreadsheet** can allow you to see the student's workload and hold the student accountable.
- Out of sight is out of mind! Have the student send you a **daily or weekly update** on where they are at on assignments.
- Have a **weekly check-in** and have the student send you an agenda in advance.
 - This ensures the student will have to prepare for the meeting, allowing it to be more efficient.
 - Students can update you on pending work and you can provide feedback on completed work.

Assignment Spreadsheet Model

You can download a version from here: tinyurl.com/ExternTracker

Extern Assignment Tracking Document ☆

File Edit View Insert Format Data Tools Add-ons Help All changes saved in Drive

100% \$ % .0 .00 123 Default (Ari... 12 B I S A

	A	B	C	D	E	F	G	H
1	Case	Specific Assignment	Estimated Time	Assigning Supervisor	Intern Name	Date Assigned	Date Due	Feedback Provided
2	XXXXXX	Review file and draft a demand letter. In this case an employee did not receive appropriate pay for an extended period. We have compiled the needed documents Here, we need a student to review the file, draft the letter (there are templates) and in drafting, double check the law listed in the cover letter. This may require additional counselling session with the client	6-8 hours, not including any client meeting	Sam SUPERvisor	D.B. Intern	9/12/2019	9/22/2019	Provided on draft and after sent by Sam
3	XXXXXX	Need a traditional legal memo on a potential novel legal claim in capital case. Requires student to read recent filings, law reviews, etc. Issue involved due process rights for gang affiliation.	Not sure. Maybe 20 hours?	Mohammed SUPERvisor	Alex Intern	9/15/2019	flexible - can dicuss	
4	XXXXXX	Observe and take notes at a court hearing	4-5 hours on 10/29	Salle SUPERvisor				
5								
6								
7								
8								
9								

SUPERVISOR'S ASSIGNMENT CHECKLIST

Things to Remember When Giving an Assignment to a Student

- ✓ **Deadline** – when the project is **due** (date and time), and possibly the priority of assignment.
 - Setting deadlines (even soft/flexible ones) will keep your student motivated and focused (especially if they are working remotely).
 - Setting internal deadlines will also help you build in time to provide feedback and allow for revisions.
 - Without deadlines, everyone struggles holding themselves accountable, especially in an independent work environment.
- ✓ **Context** for the assignment
 - How does this piece fit into the larger case/picture? Student engagement increases when they know why the work matters.
 - This helps the student understand who the **audience** is for the project (just you? client?).
- ✓ Tell the student where they **should start** with research
 - Identify any resources, websites, treatises, statutes, or regulations.
 - Provide samples whenever you can.
- ✓ Specify what **jurisdiction/s** matter in research assignments
- ✓ **Specify when and how** you want the student to check-in with you (e.g. "if you have questions email me tomorrow.")
- ✓ **Format** of what you expect and anticipated length.
 - Do you want copies of authority?
 - Specify how you want the assignment submitted (email?) or saved (shared cloud space?).

ASKING FOR SUPPORT ON AN ASSIGNMENT

Many of you had “open-door” policies so students could reach out at any point when they had a question about an assignment. With limited office time due to social distancing requirements and more remote schedules, you may need to be more specific about how you want students to reach out when they have questions outside of their regular weekly meeting. Do you want them to email you the question? Text you? Request a quick meeting or call? Many students will worry that they are taking your time unnecessarily if they aren’t told that they can reach out with these questions.

Encourage your students to write up their question. Sometimes just thinking through the question can help them resolve it. It may seem heavy-handed to explicitly tell students what to include in check-in emails, but it isn’t! They want to know what you want! And this guidance is part of their professionalism training and will assist them in your office and in the future.

A suggested format is:

- reminding you of the assignment
- stating what the question is, and
- what they have already tried to resolve it.

If they have provided this information, you will have a better sense of:

- 1) if a phone call or meeting is required, and
 - 2) if you want the student to send you any other information to review before you talk with them
-

For example:

Hi Sally Supervisor:

I know you are super busy, but if you have a few minutes, I have a question about my research assignment on the CARES ACT and small businesses.

I was asked to figure out what small businesses will qualify for forgivable loans, and how it might be different for non-profits versus for-profit businesses. I have gotten confused because I looked at some resources on the Health and Human Services website, the Department of Labor website, and the State of Maryland website, but there is some mixed guidance coming from these sites about who qualifies. I tried to read the CARES Act itself, but I couldn’t figure out the right place to be looking (it is very long). Since there aren’t any treatises on this, I am not sure which source to rely on or how I should handle this. Do you have a few minutes to check in?

Thanks, Stressed Student

WEEKLY CHECK-IN AGENDA

A weekly check-in takes on a higher level of importance when offices are remote or work schedules are staggered due to social distancing requirements. Students do not have the ability to “pop in” when they have questions. You won't be able to walk by their workspace to check in, either.

Many students are too intimidated to reach out (in person, or virtually) and so a standing meeting gives them a designated space to raise their questions and concerns.

The weekly check-in is very flexible to what is happening. But a standard set of items should include:

- An update on current assignments
 - Feedback on prior assignments (Was it received? Was it understood?)
 - Projects or opportunities the student is still hoping to have
 - A personal check-in – it may seem strange to explicitly include this, but it is important to make space to just see how the extern is doing since this won't happen naturally in remote office environments. This allows the student to raise other concerns (about family, health, etc.) that might not otherwise come up, but could be influencing their work.
-

SAMPLE AGENDA:

1. Personal Check in
2. Assignments (prior/current/future)
 - Prior Assignments:
 - i. I am still waiting for feedback on my first memo with John. Should I check in with him?
 - Update on Current Assignments:
 - i. Research assignment – I am just getting started on this. I started with the Rutter Guide, but it wasn't great. Do you recommend any other secondary sources?
 - ii. Drafting demand letter: I will have a draft by Tuesday. I am not sure how much of our arguments to include.
 - iii. 50-state survey – progressing well; I had done about ½ the states, and have reached out to our librarians for support on a few where I got stuck.
3. Opportunities for Observation & Engagement
 - I sat in on a client call this week – it was super interesting. Are there any other things like this I can attend?

The Weekly Email Update

Students should send a weekly (perhaps end-of-the-week) email updating supervisors on exactly where they are in their work. This takes the responsibility of follow up off of your shoulders, and encourages student accountability and communication.

SAMPLE WEEKLY UPDATE EMAIL:

Dear Sam Supervisor,

Here's my schedule next week:

Mon: 12:15-5pm

Tues: Annapolis with Joe for XXX trainings

Thurs: 9am-5pm

My to-do list:

Task	Deadline
Affirmative Action for XXX (building off of XXX work)	6/10
Follow up with XX re: <ul style="list-style-type: none">• Motion for XXX in XXX	6/10
Follow up with XX re: <ul style="list-style-type: none">• [intake] next steps	6/7
Title IX XXX Fact Sheet	End of Semester
Public XXX of XXX memo	End of Semester

Notes: The research for the Affirmative Action for XXX due on 6/10 is taking longer than expected. Can we meet briefly next week on Monday to discuss my research strategies thus far?

Sincerely,

Justin Extern

Providing Feedback

Suggested Frameworks for Providing Feedback: Pick one that feels comfortable to you.

FAST:

- **Frequent** – the weekly meetings work well to assure the frequency of feedback;
- **Accurate** – describe actions or behaviors that can be addressed, not the person;
- **Specific** – pinpoint discrete identifiable points to be replicated or improved upon;
- **Timely** – if too much time passes, externs are likely to repeat their mistakes.

SKM

- What you should **stop** doing
- What you should **keep** doing
- What you should do **more** of

AID Strategy

- **Actions:** specific observations
- **Impact:** result of the actions
- **Do:** mutually agree on alternative approaches

A Note about Constructive Feedback –

You may be reluctant to critique a student's work, but students need, deserve, and actually want honest feedback. Without feedback, students often assume that "no news is good news," and will continue to repeat the same errors unless they are given specific suggestions regarding how to improve. Because students are often not compensated monetarily for their work, it is useful to think of feedback as the "payment" they receive for the hours they are working.

Written Assignments

1. **Structure/Organization** – Was this logical? Easy to follow? Clear to the reader?
2. **Analysis** – Clearly identifies issue/s? Synthesizes or states rule clearly? Adequately supports rule? Applies rule to facts? Follows IRAC structure?
3. **Mechanics** – Follows grammar rules (sentence structure, punctuation, etc.)? Correctly uses citations?
4. **Tone** – Objective or persuasive as needed? Tone is appropriate to assignment/audience?
5. **Professionalism** – Work was timely completed? Format was what was asked for/expected?

Oral Report

1. **Organization** – Question restated up front? Followed a logical structure? Listener could follow?
2. **Analysis** – Logical? Sufficiently supported? Related to facts/case? Sufficient detail offered? Ultimate question was answered?
3. **Presentation** – Speed okay? Eye contact? Pace? Tone? Posture? Ums (filler speech)?

Feedback Outline Worksheet

1. Write out two key points that you want to address.

a. _____

b. _____

2. Write out two positive observations.

a. _____

b. _____

3. Transition to constructive feedback.

4. Two areas for improvement/development.

a. _____

b. _____

5. Agreed upon action steps and notes.

Feedback Rubric For Written Work

TASK	Is Developing Skill	Has Developed Skill	Has Advanced Skills	COMMENTS
PROFESSIONALISM <ul style="list-style-type: none"> • Asked clarifying questions • Managed time effectively • Met deadline 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
LEGAL ANALYSIS <ul style="list-style-type: none"> • Legal issues and rules defined clearly • Proper/effective application of facts to legal framework • Conclusion clearly stated 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
QUALITY OF WRITING <ul style="list-style-type: none"> • Well-organized paragraphs • Logical structure • Little need to re-read to understand • Clear and concise 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
EXECUTION <ul style="list-style-type: none"> • Properly formatted product • Free from spelling and grammatical errors 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
RESEARCH AND CITATIONS <ul style="list-style-type: none"> • Proper scope of research • Citations used where necessary • Citations properly formatted 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
MET GOALS OF ASSIGNMENT <ul style="list-style-type: none"> • Answered the relevant questions • Analyzed the appropriate facts and legal issues 	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Generate Self-Evaluation and Focused Feedback with Students

Ask students to offer questions about their written product in Word comments to elicit specific feedback. This can ensure that you are aware of where they are having questions and forces them to engage in critical thinking as they are writing.

See an example below:

ARGUMENT

I. THE INFORMATION SHOULD BE SET ASIDE BECAUSE PROSECUTOR FAILED TO PRESENT SUFFICIENT EVIDENCE TO SHOW A REASONABLE OR PROBABLE CAUSE OF BURGLARY.

Under California Penal Code § 995, an Information must be set aside when the defendant was committed without reasonable or probable cause. Cal. Penal Code § 995(a)(2)(B). To determine reasonable or probable cause, the court, "acting as a man of ordinary prudence," decides whether it can "conscientiously entertain a reasonable suspicion" that the defendant committed as offense. *People v. Donahue*, 46 Cal. App. 3d 832, 836 (1975). An Information will be set aside for insufficient reasonable or probable cause ~~when there is no evidence that a crime has been committed or there is no evidence to connect~~ the defendant with a crime. *See People v. Upton*, 257 Cal. App. 2d 677, 686 (1968). ~~The burden of proof is on the prosecution~~ to produce that evidence. *Id.* at 685.

Under California Penal Code § 459, any person who "enters any house...with intent to commit...larceny or any felony is guilty of burglary." Cal. Penal Code § 459. Additionally, burglary of an inhabited dwelling is first-degree burglary. Cal. Penal Code § 460(a). In this case, the prosecution failed to present sufficient evidence to establish reasonable or probable cause that Mr. Gleason entered the dwelling with intent to commit a felony.

a. Neither Mr. Gleason's presence on an open deck nor his phone in a room establishes probable cause that a burglarious entry occurred.

~~Courts have recognized that, "it is important to establish reasonable limits" as to what constitutes a burglarious~~ entry. *People v. Calderon*, 158 Cal. App. 4th 137, 144. (2007). Today, burglary remains an invasion of possessory right that ~~endangers the occupant's personal safety and, thereby, potentially inviting more violence.~~ *People v. Garza*, 15 Cal. 3d 709, 715 (1975). The burglary statute's purpose is not to deter trespass or intended crimes that are prohibited by other laws. *Calderon*, 158 Cal. App. 4th at 144. Rather, the burglary statute's primary purpose is to protect against dangers to personal-safety inherent in intrusion. *See id.* Regardless of the approach courts use to determine sufficient . . .

A Supervisor

This phrasing of the standard is setting the bar pretty low – there are better quotes for your client.

A Student

I know you said to frame the standard favorably to our client. I tried to do so here. Did it work? Was that enough?

A Supervisor

I do see that you were trying to present the favorably for your client – that said, more could be done. Requiring that there was "no evidence" for overturning is too low. Did you find cases with language that was stronger for our client? (I.e. that the evidence had to be enough for a reasonable person to believe it?)

A Supervisor

Deleted: a reasonable or

A Student

I know you said to frame the standard favorably to our client. I tried to do so here. Did it work? Was that enough?

A Supervisor

Yes, nice start. It is succinct and frames the issue.

A Supervisor

Sorry, I don't understand what this means.

Ideas for Remote Work and Non-Case Related Activities

COVID-19 has slowed down many legal practices. If you are having trouble finding appropriate work for your student, consider some of the following strategies:

1. Invite students to **observe** your team meetings, client interviews, negotiations with opposing counsel, hearings, strategy sessions, case reviews, etc. Even if there is not much for a student to do in these contexts, students often learn the most by observing legal practitioners.
2. Assign students **long-term tasks** that have been on the back burner.
3. Ask students to **update manuals, charts, bench books, fact sheets**, etc.
4. Turn a shorter assignment into a **longer memorandum** or writing sample that can be written and researched from home.
5. Assign students **research and writing** for matters that you anticipate will likely come up in the next several months.
6. Ask students to **read articles** you have been meaning to get to and write a summary.
7. Take advantage of a student's **tech skills** to update your website, social media, or create other media tools.
8. Have students write **summaries or briefs of new or salient cases** for you to use as a reference.
9. Have students create and give a **presentation** to staff or community partners. Students can present on an assignment they have enjoyed or been inspired by, or provide a substantive training/legal update.
10. Find opportunities for students to participate in **communication** and correspondence with clients, community partners, opposing counsel, etc.
11. Ask students to read **background materials and attend CLEs**. Give students access to training materials and webinars.
12. Involve students in **prep and moot sessions** for court or virtual hearings.
13. Help students connect virtually with others in your field through virtual **networking and community events**.
14. Arrange **informational interviews** between students and colleagues to discuss the student's career path.

Remote Observation Tips

Means of Observation

1. Telephone
2. Video Conference
3. Court Webcasts
4. Other Remote Means

Types of Remote Observation Opportunities

Everything is happening online these days. Remember to invite your student to anything you would have taken the student to in-person

- **Meetings**
 - Client meetings
 - Staff meetings
 - Strategy sessions
 - Calls: Opposing counsel, client, managing partner/litigation director, witness, court clerk, paralegal
- **Networking/Community Events**
 - CLEs
 - Community organization collaboration and outreach
 - Bar events
 - Informational interviews or brown bags (internal and larger legal community)
- **Proceedings and Discovery and Settlement**
 - Hearings, settlement conferences, mediations, oral argument, motions, trials, depositions
 - Court calls and Zoom proceedings
 - Webcasts of court proceedings
- **Your Colleagues' Meetings, Proceedings, Calls, Etc.**
 - Be creative! Reach out to colleagues and ask for your student to tag along (remotely).

Debrief Conversation

- This will replicate your walk back from court talk where you tell your student what you really think!
- Don't forget to call your student back and debrief after the meeting!
- A candid conversation about the meeting or proceeding is invaluable to the student.

Building Community With Externs

Creating a sense of community can be hard with a remote office environment. These are some ways to build connections with students.

Brown bags

- Internal
- Speaker series

Informational Interviews

- 1:1
- Discuss career path

Student Collaboration

- Work together
- Pairs/teams

Collegial Setting

- Personal check-ins
- Personal interaction

Fun!

- Remote happy hour
- Virtual games/activities

8 Fun Ideas for Remote Team Building:

1. Have a Parade of Pets (or kids!)
2. Games on Jack Box
3. Trivia on House Party
4. Board games on BlueJeans
5. Remote talent show, TikTok-style
6. Cook the same recipe together over Zoom
7. Do a Bob Ross tutorial from YouTube over Zoom
8. Have a 10-minute dance party over Zoom
9. Watch a legal movie together with Netflix Party

ANTI-DISCRIMINATION AND HARASSMENT POLICY

The University of Baltimore School of Law is committed to a policy against discrimination in externships based on color, race, religion, marital status, sex, national origin, age, sexual orientation, gender identity, disabilities, and military status. The School of Law encourages you to create a working environment where all students may participate and feel safe from harassment and discrimination.

Inquiries regarding **sexual harassment** and **sex discrimination** related to educational programs and activities should be directed to:

Anita Harewood, Title IX Coordinator
Vice President, Office of Government and Public Affairs, Academic Center, Room 114
phone: 410.837.4533, T9@ubalt.edu

Inquiries or complaints regarding **other forms of discrimination**, such as complaints of discrimination on the basis of race, religion, age, disability, national origin, ethnicity or other legally protected characteristics, should be directed immediately to the following offices:

For inquiries or complaints **relating to students**, contact:

Office of Student Support, Academic Center, Room 112, 1420 N. Charles St.
410.837.4755, StudentSupport@ubalt.edu

For inquiries or complaints **relating to faculty or staff**, contact:

Office of Human Resources, 1319 N. Charles St., Charles Royal Building, 3rd Floor
410.837.5410

Other Resources:

these references are not intended to provide legal advice, but to serve as a reference for organizations hosting law students for academic credit.

- Title VII of the Civil Rights Act, 42 U.S.C. §2000 et. seq., including sexual harassment and other forms of prohibited discrimination
- U.S. Equal Employment Opportunity Commission, www.eeoc.gov/law
- Americans with Disabilities Act, 42 U.S.C. §12101, et seq.
- Information and Technical Assistance on the American with Disabilities Act, www.ada.gov
- State of Maryland Commission on Civil Rights, <https://mccr.maryland.gov>

If you have any concerns about your organization's ability to provide a work experience in accordance with the above policies, please contact the Director of Externships.

Additional Resources

Remote Work (general)

Barbara Z. Larson, Susan R. Vroman, Erin E. Makarius, *A Guide to Managing your (Newly) Remote Workers*, Harvard Business Review, March 16, 2020, available [here](#).

Cameron Albert-Deitch, *Working Remotely for the First Time? These Seasoned Experts Have Advice for You to Follow*, Inc., available [here](#).

Tsedal Neeley, *15 Questions about Remote Work, Answered*, Harvard Business Review, March 16, 2020, available [here](#).

Michael Bernick, *Remote Work and Best Practices: The Coronavirus Workplace Series*, Forbes, March 16, 2020 available [here](#) (offering advice on ensuring compliance with employment and disability law in a remote work environment).

Remote Work (law specific)

Nicole Black, *7 Types of Tech Tools to Help Lawyers Set up Virtual Offices*, ABA Journal, March 19, 2020, available [here](#).

Lauren Krasnow, *What Lessons Can Lawyers Learn from Week One of Working from Home*, Law.com, March 21, 2020, available [here](#).

Christopher Walker, *Legal Internships in the Administrative State During the Summer of 2020*, Yale Journal on Regulation, April 2, 2020, available [here](#).

Probono.net, *Remote Legal Support Guide: A Best Practices Manual for Nonprofit and Pro Bono Innovation*, available [here](#).

Incoming Student Population

Courtney G. Lee, *Changing Gears to Meet the “New Normal” in Legal Education*, 53 Duq. L. Rev. 39 (2015) (overviewing the background, credentials, and impact of federal education policies on incoming students).

Feedback

Rebecca Aced-Molina, *The Pitfalls of Praise*, Stanford Social Innovation Review (Jun. 9, 2017), available [here](#).

Justin Bariso, *It Took Sheryl Sandberg Exactly 2 Sentences to Give the Best Career Advice You'll Hear Today*, Inc (Oct. 31, 2016), available [here](#).

Sheila Heen and Douglas Stone, *Find the Coaching in Criticism*, Harvard Business Review (Jan.-Feb. 2014).

Field Placement Pedagogy

Leah Wortham, Alexander Scherr, Nancy Maurer, and Susan L. Brooks, *Learning From Practice: A Text for Experiential Legal Education, Third Edition*, West Academic Publishing (1998).

Deborah Maranville, Lisa Tadtke Bliss, Carolyn Wilkes Kaas, and Antoinette Sedillo López, *Building on Best Practices: Transforming Legal Education in a Changing World*, LexisNexis (2015)

COVID-19 Specific Resources

Harvard Business Review: Daily Alert and Management Tip of the Day, for coverage of the Coronavirus as it relates to work management, available [here](#).

Management Information Exchange, for various resources regarding working from home, direct legal services, policy analyses, and more, available [here](#).

National Disaster Legal Aid Advocacy Center, for information on national efforts & resources, trackers, and pro bono opportunities, available [here](#).

Section of Civil Rights and Social Justice, American Bar Association webinar series highlighting critical legal issues, available [here](#).