

# JUMPSTARTING THE JUDICIAL EXTERNSHIP EXPERIENCE: BUILDING UPON COMMON THEMES FOR STUDENT SUCCESS IN THE CLASSROOM AND IN THE JUDGE'S CHAMBERS

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*Judicial externships provide a unique opportunity for students to experience the inner workings of a judge's chambers. Because students' experiences vary from one judicial placement to another, teaching the classroom component of this externship can be a challenge. By focusing on common themes shared by the students, regardless of their specific court placements, faculty can create a more cohesive and relevant classroom setting.*

*This article proposes four common themes for faculty to focus on in the classroom: judicial ethics, judicial research and writing, judicial decision-making, and professionalism. Students will be faced with potential ethical issues as soon as they arrive at their judicial placements. We need to make sure students are prepared to identify potential ethical issues and know how to proceed. Many students select the judicial externship because they want to improve their research and writing skills, and want to learn how judges make decisions. We can help prepare students for the type of writing that is expected of them in a judicial chambers and how to understand the judicial decision-making process. Finally, we cannot forget to teach the importance of professionalism in the judicial externship and how it can impact the student's experience, this semester and beyond. Through these themes and suggested methods of teaching, faculty can effectively complement their students' courtroom experiences with skills learned in the classroom.*

## INTRODUCTION

Judicial externships afford students one of the few opportunities to have access to the behind-the-scenes workings of a court and the process of judicial decision-making.<sup>1</sup> As a judicial extern, the student

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<sup>1</sup> DEBRA M. STRAUSS, BEHIND THE BENCH, THE GUIDE TO JUDICIAL CLERKSHIPS 7

may conduct legal research, draft bench memoranda, assist the judge in the preparation of final opinions, as well as assist the judge during hearings and trials.<sup>2</sup> The judicial extern learns the administrative workings of the court and also develops contacts and networks with judges, clerks and attorneys. Through this experience, the student begins to learn and understand court rules and procedures as they are actually practiced. A 2010-11 study by the Center for the Study of Applied Legal Education found that the most popular field placement program was the judicial externship.<sup>3</sup> One of the reasons for the popularity of judicial externships may be that “[n]o placement gives the student a greater appreciation for the breadth, the depth, and the reality of the law than placement with a judge who labors daily to apply its prescriptions to real cases.”<sup>4</sup>

As faculty, we help our students learn how to learn from their experience. In a typical judicial externship clinic, professors supervise a growing and diverse pool of students.<sup>5</sup> In addition to the class and student supervision, which is the focus of this article, there are many administrative duties that may be included in supervising judicial externship students. These include, but are not limited to, advising current and prospective students on proper placements and opportunities,<sup>6</sup> matching and placing students with appropriate judges, as well as maintaining a constructive line of communication between the students and judicial supervisors regarding the students’ work.

Teaching a group of externship students in a diverse set of placements can certainly be a challenge for faculty. Students may be placed at state and federal trial courts, as well as state and federal appellate courts. At Saint Louis University School of Law, for instance, students serve as judicial externs at federal and state courts in both Missouri and Illinois. Students may also serve as externs at the trial and appellate level courts in Missouri and Illinois. Connecting the skills

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(2002) (“A clerkship offers a unique opportunity to glimpse behind the scenes . . . into the practical workings of a judge’s chambers . . . [and] you will never again have the chance to gain this perspective on how judges make decisions and how the system of justice operates.”).

<sup>2</sup> *Id.* at 6.

<sup>3</sup> DAVID A. SANTACROCE & ROBERT R. KUEHN, THE 2010-11 SURVEY OF APPLIED LEGAL EDUCATION 8 (2010-11), available at <http://www.csale.org/results.html>.

<sup>4</sup> Gerard J. Clark, *Supervising Judicial Interns: A Primer*, 36 SUFFOLK U. L. REV. 681, 681 (2003).

<sup>5</sup> My typical class size ranges from 12 to 24 students each semester.

<sup>6</sup> This issue of placement can become complicated, as many students prefer federal district court placements over state trial court placements. Each court placement, however, benefits students in different ways. It is essential that the professor advise the students well before they commit to their placement.

learned at the various placements into cohesive classroom topics and discussions can be difficult.

To respond to the challenge of teaching judicial externships, including the diversity of placements,<sup>7</sup> faculty must locate common themes shared by the students regardless of their actual judicial externship placements.<sup>8</sup> It is up to the professor to create a syllabus and classroom setting that takes the specific experiences that the students are expected to have, and mold the relevant factors from the court experience into cohesive classroom topics and discussions. An additional hurdle for the professor is that some students dispute the importance of the time spent in the classroom because they would prefer to spend their time working in the judge's chambers.<sup>9</sup> Focusing the classroom experience on common core skills (which will be discussed in the following sections) will better connect the two settings so students can see more of an immediate application of what they are learning.

This article tackles a fundamental question associated with judicial externships – how to supplement the student's courtroom experience with skills learned in the classroom. In this article, I explore the intertwined relationship between these two experiences in order to find teaching strategies that benefit both faculty and students. Through thoughtful design and evaluation, externship faculty can develop themes to assist students in succeeding as judicial externs and future members of the legal profession. In Part I of this article, I will discuss one of the most significant themes for judicial externship students, understanding and applying judicial ethics, and the important role ethics plays in their externship. Students will be faced with potential ethical issues the minute they arrive in the judge's chambers and begin work on their first case. We need to make sure students know what the ethical rules are and that they can properly analyze the situation when they are faced with a potential ethical issue.

The next section, Part II, will discuss ways for professors to teach research and writing from the perspective of the judge and the judiciary. Many students come into the judicial externship already as strong legal writers or because they want to continue to develop this skill. It

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<sup>7</sup> See Clark, *supra* note 4, at 686 (“It is imperative that a courthouse experience be supplemented with a classroom component that may vary from semester to semester in response to actual student placements.”).

<sup>8</sup> See Stacy Caplow, *From Courtroom to Classroom: Creating an Academic Component to Enhance the Skills and Values Learned in a Student Judicial Clerkship Clinic*, 75 NEB. L. REV. 872, 889 (1996) (“Because of the diversity, I strive to locate the common ground shared by students regardless of their specific court placement.”).

<sup>9</sup> See *id.* (“I accept that students hardly ever value the time spent in a formal extern clinic class.”).

is important to teach students how the type of writing they will do in the judicial externship will be different than other writing they may have done in law school.

In Part III, I share different approaches to teaching students about judicial decision-making. Like the other core themes I discuss, but for the judicial externship, students would not otherwise be exposed to this process in such an intimate way.

Finally, in Part IV, I address professionalism and why it is so vital to a successful student experience in the judicial externship. This is a topic that is often understated because students may perceive some of it as obvious or not as important as the more substantive topics covered in the judicial externship class. I would caution that without a deep understanding of the role of professionalism in the judicial externship, students may miss the full benefits of their experience. It is vital that faculty devote the time necessary to teach and discuss professionalism so students can have a successful judicial externship.<sup>10</sup> In sum, I hope to suggest that we restructure our traditional pedagogy along these common themes in order to effectively complement our student's courtroom experience with skills learned in the classroom.

#### I. ETHICS IN THE JUDICIAL EXTERNSHIP CLASS

The first and most important core theme for judicial externs is ethics. Some students grumble about spending more time learning ethics, but they quickly realize that this is a different kind of ethics than the typical lawyer ethics they are taught.<sup>11</sup> "An impartial and independent judiciary is an indispensable pillar in the structure of our [d]emocracy."<sup>12</sup> This is why the rules of ethics that govern this branch, its judges and employees are so important. Specifically, the following three ethical duties of law clerks and externs should be ad-

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<sup>10</sup> Of course, there are many other topics that can be discussed in a judicial externship class. I am sharing what I find to be the most significant for teaching judicial externship students. Other topics may include: court organization, judicial demographics, judicial clerkship selection, and jury instructions. See Mary Dunnewold, Beth A. Honetschlagler & Brenda Tofte, *Judicial Clerkships: A Bibliography*, 8 *LEGAL COMM. & RHETORIC: JALWD* 239, 240-44, 252 (2011).

<sup>11</sup> See Andrew L. Kaufman, *Judicial Ethics: The Less-Often Asked Questions*, 64 *WASH. L. REV.* 851, 852 (1989).

There is, however, one major difference between lawyers' ethics and judges' ethics. There is a substantial amount of substantive law relating to the former, and the possibility of sanctions for violation of that law has become quite real. Not only are there motions to disqualify lawyers from the representation of clients but there is also an increasing possibility of professional discipline, malpractice suits by clients, or even suits by third parties.

*Id.*

<sup>12</sup> Justice Ming W. Chin, *Judicial Independence: Under Attack Again?*, 61 *HASTINGS L.J.* 1345, 1345 (2010).

dressed: 1) confidentiality of chambers; 2) conflicts of interest; and 3) judicial decision-making on the record.<sup>13</sup>

### A. Confidentiality

One of the most important ethical duties of a law clerk is to understand the confidentiality of chambers. “Judicial clerks hold a unique and privileged position in the judiciary. Clerks are privy not only to litigants’ secrets and proprietary information, but also to judges’ decision-making processes. With such privilege comes great responsibility: clerks must keep information learned ‘on the job’ secret.”<sup>14</sup> When judges talk about confidentiality in chambers, most students understand it to mean “what goes on in chambers[,] stays in chambers.”<sup>15</sup> While this appears simple enough, students admit that the implementation is harder than they realize. There is a tremendous temptation to share the awesome experience they are having with others or even, to ask others outside of chambers for assistance.

Faculty members face constraints imposed by courts’ confidentiality requirements.<sup>16</sup> Faculty should strive to teach the students how to share their experiences in an ethical manner. One simple example to illustrate this is through the students’ timesheets. Faculty can give guidance as to what is appropriate information that students can share on their timesheets, and what information would be considered unethical. Specifically, students should be told not to share names of cases and parties on their timesheets, or during classroom discussions and exercises.

In one example, a student shared in class that he was struggling with a particular issue of criminal law in an order he was helping to draft for the judge. He wanted to seek out assistance from his criminal law professor, whom he thought could enlighten him on the issue. The parties had not articulated the issue well, and actually, the student believed the parties may have misunderstood the legal issue all together. We discussed in class how seeking help from the professor on a case or an issue would clearly be outside of chambers and would

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<sup>13</sup> REBECCA A. COCHRAN, *JUDICIAL EXTERNSHIP AND THE CLINIC INSIDE THE COURT-HOUSE* 10-38 (3rd ed. 2005).

<sup>14</sup> Dunnewold et al., *supra* note 10, at 254.

<sup>15</sup> COCHRAN, *supra* note 13, at 11.

<sup>16</sup> See FEDERAL COURT CODE OF CONDUCT FOR JUDICIAL EMPLOYEES, Canon 3 (2013) [hereinafter CODE FOR JUDICIAL EMPLOYEES], available at <http://www.uscourts.gov/RulesAndPolicies/CodesofConduct.aspx>.

A judicial employee should never disclose any confidential information received in the course of official duties except as required in the performance of such duties, nor should a judicial employee employ such information for personal gain.

*Id.* at Canon 3D.

violate the canons. However, we also debated whether there was a way to ethically get some more background information on the legal questions, without violating the judicial canons. We discussed getting consent from the judge, and possibly approaching the professor about resources that could provide better background information on the legal issue, without divulging confidential communication or facts about the case. The student was able to spot a potential ethical issue and before proceeding, was able to have a good discussion about how to go about resolving it. The entire class learned from this example.

In another situation, students brought writing samples to class from chambers that were not yet final and published. The students thought that bringing them in for educational purposes was permitted. Thankfully, before these writing samples were distributed in class, we discussed at length what could be shared and what could not be shared as a violation of the judicial canons. The students left understanding that the judge's decisions are confidential until they are published, and only then do they become public and can be discussed. Of course, only the opinion itself can be discussed, not discussions or thoughts the student or the law clerk was privy to that were not part of the final opinion.

The professor can provide additional exercises for students to think about and to further articulate the importance of confidentiality in chambers. For example, the professor can assign students to read the judicial canons in their entirety, and ask the students to submit a short paper answering the following questions: What is your understanding of the rules of confidentiality for judicial externs based on the canons? Ask your judge or his/her law clerk to explain the court's policy on confidentiality. Is it the same as, or different than, what you read and what we discussed in class?<sup>17</sup>

Another exercise asks the students to explain if revealing certain information would be considered a violation of their duty of confidentiality. For instance, students can be asked whether they are permitted to share information about their judge's decision-making process in general, without reference to a specific case; or whether they can disclose when one of the judge's decisions will be handed down and made public.<sup>18</sup> These scenarios ask students to recognize the important role of confidentiality in chambers, and what that means in practice. Furthermore, they direct students to be careful and learn the

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<sup>17</sup> At the end of this paper, students are asked to affirmatively state that they have read the entire Code of Conduct for Judicial Employees.

<sup>18</sup> FED. JUD. CTR., MAINTAINING THE PUBLIC TRUST: ETHICS FOR FEDERAL JUDICIAL LAW CLERKS 6 (2d. 2011), available at [https://oscar.uscourts.gov/assets/Maintaining\\_the\\_Public\\_Trust\\_\\_Ethics\\_for\\_Federal\\_Judicial\\_Law\\_Clerks\\_2011.pdf](https://oscar.uscourts.gov/assets/Maintaining_the_Public_Trust__Ethics_for_Federal_Judicial_Law_Clerks_2011.pdf).

ways in which they can and cannot share information learned in chambers.<sup>19</sup>

Students can sometimes take their understanding of the canons and the importance of confidentiality to another extreme, and not know how to share *any* information appropriately and ethically about their judicial experience. Take the following exchange between a professor and student for example:

**Student:** Professor, you won't believe what happened to me last week in an interview with The Jones Law Firm.

**Professor:** What happened?

**Student:** Mr. Jones saw that I am working with Judge Ables this semester and was excited to hear more about my experience.

**Professor:** Oh good – what did you talk about with him?

**Student:** Well, actually, I explained to him that the work I did in chambers with Judge Ables was confidential and I could not speak to him about it.

**Professor:** Well, that is true. But I think Mr. Jones was probably asking to learn more about the type of work you are doing and the experience you are having with Judge Ables, not asking you to divulge confidential communication from the judge's chambers.

**Student:** Oh – I thought I could not share any information about anything I learned from chambers.

**Professor:** No – that is not what we discussed in class. The canons prohibit you from divulging confidential communication and obstructing the work of the court, but you can certainly discuss broadly the type of work and experience you are having.

**Student:** Okay, I see.

Students often do not know what is appropriate to share, and what is prohibited. I use this example in class and ask students to discuss a better approach to this situation. Specifically, I ask students to prepare for an experience like this. What would you say? How much can you share? Unfortunately,

the [Judicial] [C]ode is, in many respects, written in general language that leaves judges [and clerks] uncertain of the appropriate behavior under specific circumstances. For example, the code requires judges to avoid not only actual impropriety, but also the appearance of impropriety. Absent ethics education, judges [and clerks] are left to their own devices to understand this requirement and other requirements under the code and a vast body of relevant case law that can be confusing and contradictory.<sup>20</sup>

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<sup>19</sup> *Id.* at 7.

<sup>20</sup> Cynthia Gray & Frances Kahn Zemans, *Instructing Judges: Ethical Experience and Educational Technique*, 58 *LAW & CONTEMP. PROBS.* 305, 306 (1995).

This is why discussing specific scenarios and application of the judicial canons is essential in the classroom. “Since society views judicial clerks as extensions of their judges, clerks must conduct themselves with dignity and neutrality at all times.”<sup>21</sup>

### B. Conflicts of Interest

A second ethical duty that judicial externs need to recognize is the dreaded conflicts of interest – both actual conflicts and potential conflicts. Students should understand the implications of their present employment, past employment, and future employment. A student’s outside activities may cause conflicts and must be disclosed to the judge.<sup>22</sup> Students are often able to recognize basic conflicts issues, such as “I worked at this firm last summer” or “I am planning to work at this firm next year,” and we discuss the importance of disclosure in class.<sup>23</sup>

However, the more subtle and complicated conflicts arise from a student’s interest in volunteer, non-legal activity, such as political activity.<sup>24</sup> Students must recognize the importance of disclosing political activity as well. Interestingly, this topic is so important that there is a specific judicial canon devoted to it.<sup>25</sup>

Another subtle area for conflicts can arise when students do not recognize the significance of a particular connection or relationship that they have. Consider this exchange between a professor and student:

**Student:** Professor, I need to discuss something with you.

**Professor:** Sure – what is going on?

**Student:** I am enjoying my externship so far. I am busy and just got a new, exciting case to work on.

**Professor:** Oh good – is that what you wanted to talk about?

**Student:** Well, yes, actually. I spent about a week on it and I am eager to keep working on it, but I just realized that the law firm for one of the parties is the law firm my roommate is working at. Her name is not on the file or anything, but she mentioned the case to me

<sup>21</sup> Dunnewold et al., *supra* note 10, at 254.

<sup>22</sup> CODE FOR JUDICIAL EMPLOYEES, *supra* note 16. As stated in Canon 4A, “A judicial employee’s activities outside of official duties should not detract from the dignity of the court, interfere with the performance of official duties, or adversely reflect on the operation and dignity of the court or office the judicial employee serves. . . .” *Id.*

<sup>23</sup> FED. JUD. CTR., *supra* note 18, at 1-10 (good source of information on judicial law clerk ethics and interpretation of the judicial canons).

<sup>24</sup> See CODE FOR JUDICIAL EMPLOYEES, *supra* note 22, at Canon 5. “A judicial employee should refrain from partisan political activity; should not act as a leader or hold any office in a partisan political organization . . . .” *Id.* at Canon 5A.

<sup>25</sup> See *id.* (“Canon 5: Judicial Employee Should Refrain From Inappropriate Political Activity”).



a while back, and I think she worked on it.

**Professor:** Okay – I see. Have you told anyone about this?

**Student:** No. I have been thinking about our ethics discussions in class though, and it feels funny, though I don't think it is a violation of the canons if I continue to work on it. What do you think?

**Professor:** What did we discuss in class about how to approach a similar situation?

**Student:** I don't remember exactly. I know we talked a lot about disclosure and letting the judge know if we have any potential issues, but I haven't been there very long and I am worried about raising this issue with the judge if I don't have to. I really would like to continue to work on the case.

**Professor:** I can understand that. Did we discuss sharing this information with anyone else in class? Is there anyone else you can discuss this with besides the judge?

**Student:** Yes – we did talk some about approaching the law clerk first with any potential issues and letting them assist in deciding if this is something I need to share with the judge. I did not approach the law clerk yet, but I certainly can to see what she says. If she thinks it is best to share this with the judge, then I will.

**Professor:** That sounds like a good approach. It is certainly consistent with what we discussed in class. There are plenty of cases in chambers for you to work on. The law clerk and the judge will be happy to know that you are paying attention to ethical issues and that you are bringing this to their attention, regardless of the ultimate decision. The chambers needs to be made aware of the situation so they can decide if this creates a conflict of interest or the appearance of impropriety, and how to proceed with the case. As we discussed in class, it is important that you protect the reputation of the judge and integrity of the judicial system.

**Student:** Okay – thank you professor. I am glad I shared this with you.

This is a typical example of a student believing that there may be an ethical issue, but not wanting to raise attention to it for fear of losing work or being reprimanded. Students have to be reminded of the larger picture and their role in a potential ethical situation like the one presented. In this particular scenario, the student later told me that the judge thanked her for her disclosure and reassigned the case to a different judicial extern. She received another assignment to work on. She was glad she made the right decision to disclose. That is one of the most important lessons for students to remember: when in doubt, disclosure is best.

### C. *Decision-Making on the Record*

A third important area to discuss when addressing ethics is decision-making on the record, and why this is essential to the role of the judge.<sup>26</sup> The role of the law clerk and judge is constrained by the record in making factual determinations. It is the role of the attorneys as advocates to present the facts to the judge. While law clerks are free to investigate legal matters and theories, they are not generally free to investigate or supplement facts that the parties have provided.<sup>27</sup> If they were permitted to do this, they would take on the role of an advocate in developing facts, which would be improper for the court.

Faculty can use class simulations to recreate the interactions between a law student and a judge using specific case scenarios each week. Students should consider the scenarios and explain what they would do and why. This can be followed by quizzes and exercises on the ethical hypotheticals. For example, the professor can assign the following scenario. “You are working on the *Jones* case. The litigation involves a serious car accident at the nearby corner of Main Street and Stoop Avenue. [Can] [y]ou drive down to the intersection to look at the skid marks and the damage to the streetlight[?]”<sup>28</sup> It is important for students to recognize here that they cannot deliberately go out and seek additional facts for a case – that is the role of the attorneys to develop the facts for the court. The attorneys bring in fact witnesses and expert witnesses to a case and develop their testimony in court, not in the privacy of chambers. Another scenario asks: “You are working on the *Jones* case. You are researching a post-conviction motion. The criminal defendant was the subject of a made-for-TV movie which you viewed.”<sup>29</sup> Can you work on this case? What, if anything, should you do? The students should recognize that if they have had access to information outside of the record, that they should disclose that to the judge, and to not rely on that information in assisting the judge in her decision-making. The judge’s decision must be based solely on facts presented to him or her in court, not from an external source, outside the court record. Of course, we distinguish this with the law clerk’s duty to independently provide legal research and analysis to the judge, regardless of what the parties provide in the record.

Understanding ethical implications of their day-to-day activities

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<sup>26</sup> COCHRAN, *supra* note 13, at 38-40.

<sup>27</sup> *Id.* at 38 (noting that this is true “except as to facts of which the court is free to take judicial notice”).

<sup>28</sup> *Id.* at 44.

<sup>29</sup> *Id.*

in a judge's chambers is essential to the function of the judiciary and the students' judicial externship experiences. While students may not always know what to do in a particular ethical dilemma, I ask them to be sure that they can at least recognize the potential ethical issue and bring it to the judge's (or law clerk's) attention. Issue spotting is important and something law students are well trained to handle. Only with a good, basic understanding of these ethical rules can we later discuss other core legal skills like judicial research and writing, judicial decision-making, and professionalism.

## II. RESEARCH AND WRITING IN THE JUDICIAL EXTERNSHIP CLASS

It comes as no surprise that research and writing is a core theme in the judicial externship class. While drafting opinions and bench memoranda is a critical part of a judicial extern and law clerk's time, the research behind the opinions and memoranda is also a significant part of their job. Because the legal issues have been defined by the parties, the students must first analyze the legal research the parties have presented.<sup>30</sup> A good law clerk will conduct her own independent research on the issues, as well as "conduct significant research to understand the relevant law."<sup>31</sup> Additionally, when looking at cases within parties' briefs, clerks "must Shepardize the cited case law to ensure their vitality."<sup>32</sup>

"Judges and clerks tend to be strong writers and to have strong opinions about writing in general."<sup>33</sup> Judges expect law clerks to possess good legal research and writing skills.<sup>34</sup> Clear and concise writing is always important, but especially important for judicial writing that may set legal precedent. "[T]he research and writing of a case is not merely a mechanical process; it is educative and brings the writer to a fuller understanding of the issues and the interplay between those issues and the law."<sup>35</sup> Legal opinions must be understandable and clear to a range of audiences. As one author pithily put it: "Opinion writers do not write just for the parties to the instant litigation; they also write for other damn fools – namely, practicing lawyers, scholars, students, public officials, and even other judges."<sup>36</sup> Judicial externship students learn how to grasp legal problems and independently prepare solutions to them, through their own means of research and problem-

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<sup>30</sup> Caplow, *supra* note 8, at 879.

<sup>31</sup> RUGGERO J. ALDISERT, *OPINION WRITING* 169 (3rd ed. 2012).

<sup>32</sup> *Id.*

<sup>33</sup> Dunnewold et al., *supra* note 10, at 247.

<sup>34</sup> LOUIS J. SIRICO, *JUDGING: A BOOK FOR STUDENT CLERKS* 199 (2002).

<sup>35</sup> Douglas K. Norman, *Legal Staff and the Dynamics of Appellate Decision Making*, 84 *JUDICATURE* 175, 175 (January/February 2001).

<sup>36</sup> COCHRAN, *supra* note 13, at 115-16.

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One of our educational goals in the judicial externship is to develop students' legal research and writing skills.<sup>38</sup> The students learn how to "evaluate the hierarchy of authority, investigate new resources, formulate a research plan, look at legislative history and weigh the applicability of precedent."<sup>39</sup> Through class assignments and externship experiences, the students learn that not all writing is the same. They learn the difference between writing for a trial judge and writing for an appellate judge. Students may find themselves writing a bench memorandum for the first time. The judge is typically the primary audience for this type of writing, so the memorandum should contain a thorough and objective analysis of the facts, the issues and the legal reasoning for the clerk's recommendation so that the judge can make a good decision.<sup>40</sup> This is particularly true if the judge sits on an appellate court where the judge will need to deliberate with other judges.<sup>41</sup> While this style of writing may be new to the students, their drafting of objective and persuasive memoranda in their previous legal research and writing classes provide a foundation for the students to learn to write bench memoranda.<sup>42</sup>

Many students are also fortunate enough to draft their first legal opinion as a judicial extern. Of course, a legal opinion is different than the objective bench memorandum just discussed. The audience is much larger than the judge, and includes the court as a whole, the parties, and the public at large.<sup>43</sup> This mental shift from objective writing, or even other types of persuasive writing, can be a challenge for students. Teaching students to seek out appropriate samples of their judge's writing will serve them well as they began to draft these new documents.<sup>44</sup>

The editing process, beginning with discussions of the legal issues

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<sup>37</sup> Caplow, *supra* note 8, at 879-80.

<sup>38</sup> Ruth C. Vance, *Judicial Opinion Writing: An Annotated Bibliography*, 17 LEGAL WRITING: J. LEGAL WRITING INST. 197, 206 (2011) (recommending MARY DUNNEWOLD, BETH HONETSCHLAGER & BRENDA TOFTE, JUDICIAL CLERKSHIPS: A PRACTICAL GUIDE 125 (2010), as a helpful "'how-to' guide for drafting all types of documents common to trial and appellate courts"); *see also* J.P. OGILVY, LEAH WORTHAM, LISA LEHMAN, & ALEXIS ALEXANDER, LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS 283 (2d ed. 2007) (discussing externship skill development).

<sup>39</sup> Caplow, *supra* note 8, at 879.

<sup>40</sup> MARY DUNNEWOLD, BETH HONETSCHLAGER & BRENDA TOFTE, JUDICIAL CLERKSHIPS: A PRACTICAL GUIDE 125-26 (2010) [hereinafter A PRACTICAL GUIDE].

<sup>41</sup> *Id.*

<sup>42</sup> Marie A. Monahan, *Towards a Theory of Assimilating Law Students Into the Culture of the Legal Profession*, 51 CATH. U. L. REV. 215, 223 (2001).

<sup>43</sup> A PRACTICAL GUIDE, *supra* note 40, at 215.

<sup>44</sup> SIRICO, *supra* note 31, at 204 ("Ask your judge for copies of a few samples of his or her opinions he or she thinks were particularly well written. Use them as a guide.").

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with the judge and her law clerks, followed by drafts and continued revisions, relies heavily on the amount of supervision the judge and law clerks are able to provide.<sup>45</sup> Here, the student learns that writing for a judge can be quite different from her prior legal writing experience.<sup>46</sup> While legal writing courses in law school provide a foundation, “there are fundamental concepts that define a writing course, [and] there are fundamental goals of a judicial externship course.”<sup>47</sup> One difference is the student’s need to appreciate that she is not “writing on behalf of a client or advocating a position.”<sup>48</sup> Students should also keep in mind “the different objectives and functions of a trial court or an appellate court in announcing its ruling.”<sup>49</sup> To help students grasp these distinctions, faculty can provide resources that may have been written for judges, but can be just as beneficial for student externs and law clerks.<sup>50</sup>

Faculty can engage students in judicial research and writing through an exercise that asks each student to bring a sample of their judge’s writing to class.<sup>51</sup> Have the students exchange their sample with a neighboring student. Then, ask the student to edit the writing sample. Once regrouped, ask the students to decipher between good and bad examples and explain their reasoning. This exercise will teach them the importance of skills like editing and how to give a critique. It also teaches them how to apply the readings and classroom discussion on good judicial writing to actual judicial samples.

Faculty can also engage students through an exercise that asks all students to edit the same opinion. There are a number of cases that a professor could use to illustrate less effective opinion writing in class.<sup>52</sup> For example, “[t]he *DiFrancesco* opinion has been used to teach judges how NOT to write an appellate opinion.”<sup>53</sup> The professor could give this opinion to their entire class, so that they all see the same opinion and develop their own reasoning for why it constitutes a less effective judicial opinion. The professor can ask the students specifically to “act as [a] reviewing judge or editor for the author . . . of the *DiFrancesco* opinion. Critique the reasoning, research, citations,

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<sup>45</sup> Caplow, *supra* note 8, at 880.

<sup>46</sup> *Id.*

<sup>47</sup> Monahan, *supra* note 42.

<sup>48</sup> Caplow, *supra* note 8, at 880.

<sup>49</sup> *Id.*

<sup>50</sup> Dunnewold et al., *supra* note 10, at 249.

<sup>51</sup> See Part I *supra* (making sure students understand the potential ethical issues involved in sharing writing and that they can only bring in a final, published copy of the judge’s writing).

<sup>52</sup> COCHRAN, *supra* note 13, at 124.

<sup>53</sup> *Id.* (referring to *United States v. DiFrancesco*, 449 U.S. 117 (1980)).

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analysis, and writing in the opinion.”<sup>54</sup> This class exercise allows the students to formulate their own ideas about what makes an effective opinion, and to learn that not every written opinion is an effective one. When asking the students to decide criteria that make an effective opinion, faculty should further ask the students to broadly explore what the purpose of opinion writing is? Who is the intended audience? What will happen if the writing is not effective and well written?<sup>55</sup> Then students could be asked to discuss the different core parts of a judicial opinion and how best to approach drafting each part.<sup>56</sup>

An additional, and important, exercise to use here is to ask students to share their experiences with writing during the semester. What challenges have they faced? What successes have they had? What tips will they take away? Many students are tentative about sharing this, but find comfort in knowing they are not the only ones struggling with a particular area in writing. For instance, many students report that they may spend too much time researching before beginning to draft or that they cite to too many cases for authority when all they really need is one or two citations. By knowing that others are having similar experiences, they feel more confident and are able to come up with common strategies to continue to progress in their writing in chambers.

### III. JUDICIAL DECISION-MAKING AND THE ROLE OF EXTERNS AND LAW CLERKS IN THE JUDICIAL EXTERNSHIP CLASS

#### A. *Insight Into the Judge’s Decision-Making*

The third core theme to be discussed is in the judicial externship class judicial decision-making, and exploring the role of law clerks and externs in the judge’s decision-making process. Many students report that this is the primary reason they sought out a judicial externship – to better understand the judge’s decision-making process. “A judicial clinic student will be privy to the judge’s thoughts in deciding a given issue and the reasons for the judge’s views. Students may see judges as guided by precedent, result-oriented, or motivated to develop the law.”<sup>57</sup> This gives students a chance to see a side that is not available in the classroom setting. While students coming into a judicial externship have read judicial decisions, they may “not really understand how they came to be.”<sup>58</sup> As a judicial extern, students get an up close view

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<sup>54</sup> *Id.* at 137.

<sup>55</sup> *Id.* at 115-17.

<sup>56</sup> SIRICO, *supra* note 33, at 200-03.

<sup>57</sup> Linda F. Smith, *The Judicial Clinic, Theory and Method in a Life Laboratory of Law*, 1993 UTAH L. REV. 429, 440 (1993).

<sup>58</sup> Abner J. Mikva, *Judicial Clerkships: A Judge’s View*, 36 J. LEGAL EDUC. 150, 153

of how judges decide cases.<sup>59</sup> While the essence of the judicial role is making decisions, describing this process has proven to be quite difficult.<sup>60</sup>

For a class session on judicial decision-making, the students are assigned to read “The Case of the Speluncean Explorers.”<sup>61</sup> This article presents several hypothetical judges’ opinions on a hypothetical case involving the murder conviction of four men following a cave exploration accident. “Each opinion has a dominant orientation within jurisprudence, but each also shows the mixed doctrinal influences and variations on the theme that real opinions do.”<sup>62</sup> Students are asked to discuss each judge’s philosophy and reasoning. Which judge do students agree with the most and why? Which judge’s legal analysis is most sound and why? By getting students to contemplate these questions, it “crystallizes important conflicts of principle” and demonstrates a variety of legal philosophies.<sup>63</sup> Similar to separate concurring opinions, students may agree with the ultimate decision made by a particular judge in an opinion, but may not equally agree with their analysis or interpretation of the facts or law.

To further develop their understanding of the judicial decision-making process, the professor can ask the students to analyze the judge’s decisions from the Speluncean Explorers’ case in the context of a new, more modern criminal fact pattern. The professor can use an existing criminal case that has already been published or create a new hypothetical fact pattern. The students would be asked to think about, and prepare a response to, the following questions. How would each judge in the Speluncean Explorers case decide this new criminal case? How would their decision be similar to or different from their prior decision? Would the court reach a majority decision or would it be split again, as in the Speluncean Explorers decision? Which judge’s analysis makes the most sense to you and why? This helps convey to students the variety of potential factors that may be involved in judicial decision-making.

Additionally, students could be asked to consider in class how public opinion may or may not influence judicial decision-making. “Because the pressures faced by judges will inevitably affect their clerks, [students] considering applying for or entering judicial clerk-

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(1986).

<sup>59</sup> Clark, *supra* note 4, at 686.

<sup>60</sup> BENJAMIN CARDOZO, *THE NATURE OF THE JUDICIAL PROCESS* 9 (1921).

<sup>61</sup> Lon L. Fuller, *The Case of The Speluncean Explorers*, 62 *HARV. L. REV.* 616, 616 (1949).

<sup>62</sup> PETER SUBER, *THE CASE OF THE SPELUNCEAN EXPLORERS* xi (1998).

<sup>63</sup> *Id.* at ix.

ships will benefit from a better understanding of these pressures.”<sup>64</sup> Through these exercises, students can begin to have a deeper understanding of the judge’s decision-making process.

Another way to engage the students in this discussion of judicial decision-making is to assign a court observation exercise. The professor can have students attend a sentencing hearing and discuss the following: Who was present in the courtroom and what were their respective roles? Who appeared to be in charge of the process? What was the judge’s specific role in the process? Did the location have any influence on the proceedings? Did the judicial-decision making you observed appear similar to or different from your experience this semester with your judge? The students should be asked to describe their overall impression of the court/judge they observed.

Of course, students will also see judicial decision making first-hand, and be able to reflect on those observations in the classroom. The students will have the opportunity to not only see how a judge reaches his or her decision in a particular case, but also how the judge reacts to certain judicial problems “rang[ing] from overcrowded dockets, to uncivilized litigation tactics, to poorly trained attorneys, to maintaining judicial demeanor.”<sup>65</sup> By allowing a student the opportunity to witness these issues faced by a judge first-hand, they are afforded rare insight in tackling such issues that they themselves might face later in their career.

Finally, students may gain additional insight into a judge’s decision-making process through a judicial interview exercise. Each student is asked to interview the judge they are placed with and to share their interview in class. The student is asked to describe the educational and personal background of their judge. They should explore questions such as where did he or she grew up? Where did their judge attend undergraduate/law school? Where did he or she practice? What areas did their judge practice in? How did she become a judge? Was he or she elected or appointed? The student should ask their judge to describe the selection process. What are the formal/informal political procedures involved? The student should ask the judge to describe the pros/cons of each process. The student can explore what the judge’s likes/dislikes about the position are? What are some of the judge’s biggest challenges in decision-making? Does their judge have any advice to law students/future lawyers/future judges? Students enjoy hearing about all the different judges and their paths to the bench.<sup>66</sup>

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<sup>64</sup> Dunnewold et al., *supra* note 10, at 247.

<sup>65</sup> Smith, *supra* note 57, at 441.

<sup>66</sup> Interestingly, many students thank me each semester for this specific exercise as it



### B. *The Role of Externs and Law Clerks*

While judicial law clerks have become recognized as essential to the functioning of the judiciary, not all judges agree on the specific role law clerks should play in chambers.<sup>67</sup> Judges utilize law clerks in varying ways. In one chamber, law clerks may be asked to review each case independently and prepare a draft opinion deciding the case as the clerk thinks it ought to be decided. Of course, the judge will review, edit and discuss the draft with the law clerk. Some judges prefer this as it gives them an unbiased opinion from their law clerk about how they view the case. Yet other judges will tell the law clerk their decision on a case and ask them to draft the opinion accordingly. Some judges ask their law clerks to draft portions of an opinion, while they draft the rest. It is important for students to see and hear about these varying approaches, and not assume there is only one way that law clerks are utilized in chambers.

Although judges may use their law clerks differently, “[t]he real worth of judicial clerks to the judicial system . . . is greater than their input into the decision . . . .”<sup>68</sup> The clerks offer “flexibility . . . to an institution that would ossify without them.”<sup>69</sup>

One exercise that can foster dialogue among the students about this topic is to ask students the following three questions focused on who law clerks are and what their role is. Specifically, focus the students on: How is the world of clerking different from practicing law? What are the skills of a good law clerk? What are the most significant ethical rules that govern them? Each student should share their thoughts and give their perspective in class.

Additional follow-up questions regarding the role of law clerks should be included. For instance, direct the students to think specifically about their own chambers or court by asking: Does your chambers have law clerks? If not, why not? Should it? If so, how many law clerks? How long will they/have they served? What is their role in chambers? How does the judge utilize them? What is your role as a judicial extern? What observations have you made in chambers about the role of law clerks? Do law clerks have too much power? Why or why not?

Although the role of a law clerk may vary from chambers to chambers, “[i]t is possible for a clerk to have great impact . . . simply by performing the basic tasks of researching and checking the re-

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gave them an opportunity to engage one-on-one with the judge on a personal level, which they otherwise may not have had the chance to do.

<sup>67</sup> Dunnewold et al., *supra* note 10, at 244.

<sup>68</sup> Mikva, *supra* note 58, at 151.

<sup>69</sup> *Id.*

cord.”<sup>70</sup> While a law clerk’s impact can vary depending on certain factors of the case itself, it is worth noting that law clerks “make important contributions in cases assigned to their judge for writing a decision” by taking part in the extensive work that goes into preparing a judicial decision.<sup>71</sup> While judicial decision-making may be a challenge to define and teach, these efforts will certainly enlighten students more than when they began their judicial externship.<sup>72</sup>

#### IV. PROFESSIONALISM IN THE JUDICIAL EXTERNSHIP CLASS

Another valuable skill set students learn and develop during their judicial externships is professional responsibility and work place skills. Students are placed in a small chambers where they interact daily with the judge and his or her staff. For many, if not all, students, it is their first interaction with a judge in this way. It is important that we teach the students the professional and legal skills they need to thrive in this new setting.

Faculty help students understand the judiciary and the judicial process. We help students develop working knowledge of local courts and their rules. Through observation and reflection, students learn about complex and simple litigation matters. Accordingly, the students gain exposure to the way that areas of law, such as evidence and procedure, are implemented in practice. Through this process, the students develop a sense of professional responsibility. The judicial externship class helps students see and appreciate the value in clerking, and these students may become more competitive law clerk candidates after graduation.

##### A. *Supervisory Issues*

The characteristics of each court will help students understand their role, and shape the experiences that they will receive in the judicial externship. For example, students who are hoping to practice lo-

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<sup>70</sup> Hon. Jefferson Lankford, *Judicial Law Clerks: The Appellate Judge’s “Write” Hand*, 31 ARIZ. ATT’Y 19, 21 (July 1995).

<sup>71</sup> *Id.*

<sup>72</sup> Another theme I discuss with students is “To Clerk or Not to Clerk?” After a few weeks into the semester, ask the students how many of them plan on applying for a judicial clerkship after graduation? How can they use the skills acquired in this class to enhance their application? How can they apply what they are learning to future employment? Sometimes I use former students who are/have served as law clerks to come and speak about their experience.

The challenge in presenting this topic is deciding when to introduce it to the class. You don’t want to raise it too early (the students are not ready to think about it), and you don’t want to raise it too late (after the students made their decision to apply or not to apply). I have found that by the fourth or fifth class in the semester, students are eager to discuss this topic.

cally may be best served by clerking at a state trial court where they have more interaction with the lawyers, the judges, and the parties.<sup>73</sup> For students looking for a litigation experience, a state trial court may be their best option.<sup>74</sup> “These courts move in a rapid fashion and the writing and filing of briefs and judicial opinions [are] rare.”<sup>75</sup> Therefore, the students placed in that type of court may have the opportunity to observe and engage more in the daily activities of the court. An appellate court, on the other hand, may be best for students who excel in quiet work spaces and prefer to spend most of their time researching and writing for the judge.<sup>76</sup> Because these courts are focused largely on reviewing the lower court record and on determining questions of law, the “[p]ublication of opinions requires extensive and high-quality research.”<sup>77</sup> For other students, a federal district court placement may be best as they are hoping to seek a clerkship after graduation. The role of each court is essential for the student to understand so that they may maximize their externship experience.

While judicial externships offer students a range of exceptional opportunities, judicial externships can also provide a variety of challenges for our students. One challenge students may face at their placement is the lack of immediate direction and supervision on their work and projects, which may confuse and frustrate them. Students may not receive appropriate guidance as to what is expected of them. Judges and law clerks are busy and may not have the time to mentor and instruct students adequately. Take the following student as an example:

**Student:** Professor, I need to talk to you about something going on in chambers.

**Professor:** Yes, of course. How is everything going?

**Student:** Okay, I think. I was assigned this case to draft something on, but the judge just told me to do what I thought was best.

**Professor:** Did the judge tell you what he wanted you to draft exactly?

**Student:** I was not clear on that and I felt stupid asking. I did quite a bit of research and I am ready to write, but I don’t know how to go about it.

**Professor:** What do you think you should do next?

**Student:** I am not sure. I think the law clerk thinks I don’t know what I am doing, so I am afraid to ask him as well.

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<sup>73</sup> STRAUSS, *supra* note 1, at 36-37.

<sup>74</sup> *Id.*

<sup>75</sup> Clark, *supra* note 4, at 684.

<sup>76</sup> STRAUSS, *supra* note 1, at 37-39.

<sup>77</sup> Clark, *supra* note 4, at 684.

**Professor:** Do you think the judge and the law clerk would want to know where you are with this assignment so far?

**Student:** Yes. The law clerk asked me the other day how I was doing on the assignment, but I just said fine. I guess I could follow up with him to see what he thinks the judge expects?

**Professor:** That sounds like a good idea, especially because he already reached out to you. You could explain to the law clerk what happened with the judge and that you want to use your time efficiently, but you are not clear where to start. You could also ask him for a sample to review as you draft.

**Student:** Okay – I can do that. Then maybe I will not have to bother the judge again until I have more specific questions.

**Professor:** Keep me posted. Let me know if you are able to move forward.

By slowly guiding this student to develop a strategy for supervision by, in this case, approaching the law clerk, the student can continue to make progress with the assignment. Sometimes it is that simple to make sure students do not feel lost in their work in chambers. It is important that students be advised and encouraged to consult with their professor if they face issues like this in their chambers.

Another challenge involves the students' inability to discuss the specifics of their fieldwork,<sup>78</sup> but the need for faculty to understand the quality and content of the work enough to help students set and meet learning and professional development goals. One way that faculty can try to combat these challenges is to use timesheets to check that their students are doing quality work and receiving appropriate supervision. Timesheets can be very useful to both the student and the professor throughout the semester. The student is able to note the date, start and end time, the numbers of hours worked and the description of legal activities each day they are at their judicial externship, which helps them to organize and manage their legal work. The student can look at the timesheets and evaluate her progress throughout the semester. She can use the timesheets to determine whether she is having difficulty in a particular area and needs further guidance. The professor can look at the timesheets and give constructive feedback about the type of work and projects the student

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<sup>78</sup> See *supra* notes 13-21 and accompanying text (discussing ethical constraints and confidentiality of chambers); ABA MODEL CODE OF JUDICIAL CONDUCT (2013).

A judge may consult with court staff and court officials whose functions are to aid the judge in carrying out the judge's adjudicative responsibilities, or with other judges, provided the judge makes reasonable efforts to avoid receiving factual information that is not part of the record, and does not abrogate the responsibility personally to decide the matter.

*Id.* at Rule 2.9(A)(3).

is working on.<sup>79</sup> The next section will discuss ways to help students, with the support of faculty, to continue to build their workplace skills in the unique context of the judicial externship.

### *B. Goal Setting*

Goal setting at the beginning of the semester can also be a very useful tool for both the student and the faculty member.<sup>80</sup> Students are taught to plan for their judicial externship experience. Unlike a traditional course where the syllabus is laid out with areas to be taught, learning in an externship setting can be different. A student's goals and objectives may be different than the judge's or the supervising law clerk's, whose primary interest is to get their work done.<sup>81</sup> For instance, at the end of the semester, some students lament how they wish they had the opportunity to draft an opinion in a civil case or that they wish they had the opportunity to observe more trials. I share these stories with students each semester to teach them to plan for their experience and what they want to learn. If students wish to observe more trials, they should inform the judge and her staff, who are usually happy to advise the students when an interesting trial will be taking place. If a student lets the judge and her staff know that one of the student's goals is to draft a civil opinion, the judge will keep that in mind as she is making assignments throughout the semester. By sharing their goals with the judge and the faculty supervisor, the student has a greater likelihood of success in meeting their goals.

The student should be asked to contemplate the following questions as they begin their externship at the beginning of the semester: Why did you want to have this experience? How will this shape your legal career? Write and reflect on your specific goals and the specific experiences you will seek out to achieve these goals this semester. What challenges do you foresee? How can you try to overcome these challenges? The student is also encouraged to reference relevant classroom materials and discussions in setting their goals. Finally, students are taught that this is an assignment that they should refer back to throughout the semester. How am I progressing on my goals? What adjustments do I need to make?

As a faculty supervisor, it is also valuable to share the specific goals of the judicial externship clinic with your students, as well as the judges and their staff. An overarching goal for the judicial externship is for students to recognize and develop the core skills necessary to be

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<sup>79</sup> In my class, students have to post their timesheets biweekly on Westlaw's TWEN page for this course.

<sup>80</sup> OGIIVY ET AL., *supra* note 38, at 11-12.

<sup>81</sup> *Id.* at 22.

an effective judicial extern. Specifically, as faculty, our goals could include: improving students' judicial writing and analytical skills; increasing students' knowledge of legal procedure and substantive practice areas; exposing students to the judicial decision-making process; and gaining a better understanding of the role of the judiciary in our complex legal system. By sharing and discussing our goals for the judicial externship, we can track our students' progress each semester.

### C. *Evaluation Criteria*

Finally, faculty should share with students the evaluation criteria by which they will be critiqued each semester. The supervisor evaluation form I use asks judges to provide comments regarding the students' progress in a number of areas, including legal research, legal writing and analysis, professional judgment and initiative, and ethics. The form also provides an opportunity for the judges to give, in narrative form, any other additional comments about the students. For each of the specific areas identified on the form, the supervisor is asked additional questions. For instance, under ethics, the supervisor will be asked if the student was able to recognize and appropriately respond to ethical issues. Students may request to see their evaluations at the end of the semester, which I encourage them to do. I teach my students to ask for constructive criticism and to make adjustments appropriately.

Teaching professionalism as a core skill to our judicial externs ensures they are prepared for the challenges and rewards of their judicial externships.

### CONCLUSION

As faculty, we quickly learn that our students want to make a difference. They choose to participate in a judicial externship because they want to do something meaningful. The judicial externship experience helps them prepare for their careers as law clerks and as lawyers. It also gives them the opportunity to apply and develop the skills they have learned in the classroom in a real judicial setting. These educational goals are captured in the words of the great philosopher, Aristotle, "For the things we have to learn before we can do them, we learn by doing them."<sup>82</sup>

Serving as a judicial extern for a semester is a tremendous honor for our students. It is often students' first experience with a judge in a courtroom, or their first exposure to a judge's chambers. They are introduced to the inner-workings of a courtroom and the rules of evi-

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<sup>82</sup> ARISTOTLE, THE NICOMACHEAN ETHICS, Book II.

dence and ethics, which can be challenging and overwhelming. As faculty, we can make sure our students are prepared both ethically and otherwise to fill the role of a judicial extern. Professors have to juggle the many demands and competing interests of teaching and supervising the judicial externship each semester. However, if we fail in our teaching and supervision, we may not only fail our students, we may also cause violations of the ethical canons and a disruption to the court's work.

By teaching our students judicial ethics, judicial research and writing, judicial decision-making, and professionalism, we prepare our students for what they will practice, and help them learn from that practice. In the classroom, we can bring to life ethical issues and teach students how best to identify and resolve them before they happen in chambers. Students learn how to research and write judicial opinions, so judges can resolve cases more efficiently and effectively. We teach students how judges make decisions, and how to assist judges in this challenging role. Finally, we teach our students the importance of professionalism so that they can continue to grow in their role as judicial externs, and as future law clerks and lawyers.

While students may face certain challenges in their judicial externships, many of my students will tell me afterwards that it was the most rewarding experience they had in law school thus far. The judicial externship experience provides students with important insight about the role of the judge and the judiciary overall. This is something that cannot be taught in the classroom alone. When professors focus a companion judicial externship class on the core themes presented here – judicial ethics, judicial research and writing, judicial decision-making, and professionalism – they provide students with the tools to address issues that the students will come face-to-face with in their externships and the tools for a successful judicial experience. The judicial externship class, when taught well and focused on common themes, gives our students an amazing and rich experience, both inside the courthouse and inside the classroom.

