Law Clinical Semester Guidelines [1997]

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LAW

CLINICAL SEMESTER

GUIDELINES
Congratulations on your decision to mentor a Clinical Intern. We at NSU Law commend your dedication to the legal profession and believe that you will find the mentoring process a fulfilling experience. The following information will serve as a quick reference to help guide you through your duties as a Clinical Supervisor. Please take a few moments to read these guidelines and familiarize yourself with the concepts presented. Even if you have previously hosted an intern, it is a good idea to periodically review the information provided. If you have questions concerning these or other procedures, please contact Meg Chandelle, the Administrative Director of the Clinical Semester Program.

**FREQUENTLY ASKED QUESTIONS**

**What is the purpose of the Clinical Experience?**

The NSU Law Clinical Semester Program provides a dynamic learning experience for the student and serves as a bridge from the classroom to the “real world.” The primary goal of the program is to better prepare each law student intern to assume the responsibilities of being a lawyer by focusing on several key objectives:

1) Educating the student in fundamental lawyering skills
2) Instilling in the student a sense of professional responsibility
3) Promoting an understanding of the legal system and
4) Developing the student's ability to learn from experience
Does the Clinical Intern have any legal training?

Each Clinical Intern is a third year law student who has completed the majority of the substantive course work required for graduation. In addition, a clinic participant will receive three weeks of intensive instruction from members of NSU Law's full time and adjunct faculty immediately prior to his or her placement with you. This classroom component combines an interdisciplinary policy course with intensive skills training and advanced substantive law in the specialty area relevant to the clinic in which the student is enrolled.

What are my responsibilities and those of others in my office if we take on the supervision of a Clinical Intern?

American Bar Association Accreditation Standards require that one attorney assume primary supervisory responsibility for a Clinical Intern. While others in the office may assign and oversee the intern's work, one lawyer is designated as the Clinical Supervisor or mentor. In that capacity, the mentor reviews the intern's professional work product and provides feedback and guidance to the student. The Clinical Supervisor also supplies faculty members with periodic evaluations of the intern's performance. In addition to monitoring substantive and skills development, the Clinical Supervisor is asked to introduce the student to the concept of professionalism and focus on important ethical issues such as client confidentiality.
What types of tasks should the Clinical Intern be assigned?

It is important that the intern be provided with the opportunity for a meaningful experience in the field. A Clinical Intern should be assigned to professional tasks normally given to entry level lawyers in your office. The ABA makes it clear that academic credit cannot be awarded for the performance of non-professional tasks such as photocopying or filing. Of course, junior lawyers engage in some routine tasks such as copying reported opinions and filing legal documents as part of their professional work. Auxiliary tasks of this nature are expected, but should be limited.

What types of activities can a Clinical Intern perform?

The NSU Law Clinical Semester Program is comprised of six individual clinics: Business Practice, Children and Families, Environmental and Land Use Law, Criminal Justice, Public Service, and International Law. The types of activities performed depend on the Clinic in which you and the student participate.

The Clinical Intern should be fully engaged in the normal professional functions of the Clinical Supervisor’s practice. Some internships will take place in a business setting where the student could be assigned to tasks such as document preparation, contract review, dispute resolution, and client management. Another intern might be hosted by an office specializing in policy and legislative work where the primary tasks would include research, drafting, and attending professional meetings and conferences. A student might also serve as an intern in a government agency or legal aid office where the focus is on trial work or hearings.
This intern will typically participate in all aspects of a case, including client interviewing and counseling, case planning, discovery, trial or hearing preparation, and trial. Before a student may appear in court, he or she must be certified.

The Clinical Experience reflects the diversity of the practice of law in modern society and exposes the student to an area of law in which he or she is particularly interested. Whenever possible, an intern should be permitted to observe the experienced attorney perform the functions of his or her job and fully participate in the strategic decision making and advocacy process. Research and drafting assignments should always apply to actual, and not hypothetical, issues.

Will my Clinical Intern be permitted to appear in court?

The individual states and the federal government permit some supervised students to appear in court for a limited purpose in connection with a law school practice program. In the State of Florida, for example, a qualified student may be certified to appear in court pursuant to Chapter 11, Rules Governing the Law School Civil and Criminal Practice Program, which grants limited permission to those persons so certified to appear in court. Florida limits in-court representation by duly certified interns to the categories described below:

1) Appearance for the State in Criminal Proceedings;
2) Appearance on behalf of Governmental Officers or Entities;
3) Appearance on behalf of an Indigent Person. Legal aid organizations which use law student interns pursuant to Chapter 11 must be approved by the Supreme Court.
In-court representation of non-governmental clients is only permitted in legal aid and public defenders' offices. A student from the Business Practice Clinic who is placed with a private law firm, for example, would not be entitled to appear in court on even minor matters. Specific requirements concerning written consent and attorney supervision apply to all certified interns. For those placements authorized to use certified legal interns, it is your responsibility to ensure that you are in compliance with the applicable rules.

**Are there any evaluation procedures I should follow?**

During the course of the Clinical Semester, you will be providing your student with feedback on the quality of his or her work and monitoring the development of professional skills and values. People always respond well to praise, so if your intern is doing a good job, don't be afraid to comment on a job well done. You should also critique the student's work so that he or she learns how to improve performance. From time to time, you will be sent an evaluation form to complete and return to the school. When evaluating the Clinical Intern, you will be asked to consider specific skills such as research, writing, and interviewing, in addition to subjective criteria like initiative and diligence. Interns may also be required to complete weekly time sheets. The Clinical Supervisor is asked to sign off on these time sheets before the student submits them to the school.
Will I have the opportunity to interview an intern before he or she is assigned to my office?

Yes. The NSU Law Clinical Program Director will select a student who has identified your office as a desired placement. You will be contacted by the school and provided with the student's name. You may arrange an interview directly with this student. When you have completed the interview, we ask that you contact the Administrative Director as soon as possible to confirm your acceptance of an applicant. If you feel that an applicant is not a good match for your office for whatever reason, we will provide an interview with another candidate subject to availability.

What should be covered during the interview?

It is important to describe to the student in some detail the type of work that is handled by your office. Your conversation should include a realistic assessment of the types of duties and other activities in which the student will participate during the course of the placement. Candid discussions between you and the student at the time of your initial meeting should help alleviate any misunderstandings or disappointments down the road.

If any special applications are required by your office, such as background checks for placements involving the federal government, the student should be provided with the application materials as early as possible. All processing must be completed in time for the student to begin his or her placement in accordance with the academic calendar.
Is the Clinical Intern entitled to receive compensation for his or her work?

ABA rules are explicit: Clinical Interns may not receive financial compensation for professional work for which academic credit is received; therefore, we must ask that you do not provide the intern with even a minimal salary. ABA standards do permit the award of a nominal stipend to interns to reimburse them for such items as travel, parking, and living expenses. Stipends are neither required nor customary and are left to the discretion of the individual placement. Meg Chandelle is available to discuss this issue with you on an individual basis.

Whom do I contact for more information about the program or to discuss situations which arise during the course of the placement?

You are encouraged to contact the Administrative Director, Meg Chandelle, to discuss any questions you may have. The NSU Law Clinical Program telephone number is (954) 262-6063 and the administrative director's e-mail address is chandellem@nsu.law.nova.edu.

Although our clinical program generally provides a very positive experience for the mentor and intern alike, there are occasional surprises. Please contact us at once if any problem arises that you feel should be brought to our attention.
The Law Center is grateful for your active participation in the Clinical Semester Program. The success of our program is dependent upon the support of dedicated members of the legal community who share our commitment to prepare law students to become competent and ethical professionals. If there is anything we can do to assist your efforts in meeting our goals for the program, please let us know.

The Law Center admits students of any race, sex, sexual preference, age, color nondisqualifying handicap, religion, or national or ethnic origin.

Nova Southeastern University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097; Telephone number 404-679-4501) to award bachelor's, master's, educational specialist, and doctoral degrees.