

The Catholic University of America, Columbus School of Law
CUA Law Scholarship Repository

Scholarly Articles and Other Contributions

Faculty Scholarship

2012

Externship Demographics Across Two Decades With Lessons for Future Surveys

J.P. "Sandy" Ogilvy

The Catholic University of America, Columbus School of Law

Sudeb Basu

Follow this and additional works at: <https://scholarship.law.edu/scholar>



Part of the [Legal Education Commons](#), and the [Legal Profession Commons](#)

Recommended Citation

J.P. "Sandy" Ogilvy & Sudeb Basu, Externship Demographics Across Two Decades With Lessons for Future Surveys, 19 CLINICAL L. REV. 1 (2012).

This Article is brought to you for free and open access by the Faculty Scholarship at CUA Law Scholarship Repository. It has been accepted for inclusion in Scholarly Articles and Other Contributions by an authorized administrator of CUA Law Scholarship Repository. For more information, please contact edinger@law.edu.

EXTERNSHIP DEMOGRAPHICS ACROSS TWO DECADES WITH LESSONS FOR FUTURE SURVEYS

SUDEB BASU* & J.P. "SANDY" OGILVY**

This Article reports on the results of a 2007-2009 national survey of externship programs at American law schools and compares many of the data points to previous surveys of externship programs, the 2007-2008 CSALE survey, and some ABA/LSAC data, to chart the growth and increasing sophistication and complexity of the pedagogy associated with legal externships. The survey was conducted in order to provide comprehensive data across programs to assist new and existing externship programs in structuring their courses and field placements. Some of the data discussed include limits on the number of externship credits or externship courses, student involvement in externships, the distribution of credits awarded for externship courses, the average number of hours of fieldwork required for each credit, locale and organization type and subject matter or setting restrictions on field placements, the percentage of courses with a contemporaneous classroom component or seminar, the typical length of class sessions, the nature and percentage of time devoted to discrete topics in the classroom components, the type and percentage of time devoted to specific methods of instruction in the classroom component, the type of materials used, the use of reflective journals, grading practices, faculty status of externship course teachers, administrative support for externship programs, and methods of evaluation of externship placements. The authors recommend clarifications and improvements in data collection and processing for future surveys.

* Sudeb Basu graduated from the Columbus School of Law, The Catholic University of America, in 2011. Mr. Basu is a member of the Virginia State Bar. He worked with Professor Ogilvy to design the survey instrument from which most of the data in this article is derived and performed a significant amount of the analysis of the data. Before coming to law school, Mr. Basu worked as a software engineer and developed a number of applications in the telecommunications, Internet, and aviation industries.

** J. P. "Sandy" Ogilvy is an Ordinary Professor of Law at The Catholic University of America, Columbus School of Law, and the Director of the Office of Law and Social Justice Initiatives, the Innocence Project Clinic, and the National Archive of Clinical Legal Education. Professor Ogilvy has taught clinically for nearly 30 years including 17 years as director of the externship program at Columbus School of Law. He is an author and principal editor of the only textbook designed for legal externship seminars, *Learning from Practice: A Professional Development Text for Legal Externs* (2d ed. 2007).

INTRODUCTION

Like law school clinics, externships serve to bridge the gap between doctrinal education and the practice of law. As non-doctrinal programs, clinics and externships have encountered headwinds at law schools dominated by doctrinal faculty members who champion classroom education by the case method. Relative to doctrinal legal education and law school clinics, externship programs are newer, still evolving additions to the law school curriculum. There is therefore a need for surveys such as this one to track the progress of externship programs, identify innovations and trends in externship programs, highlight legal education standards that touch upon externships, and disseminate the data and findings to curriculum and course planners.

The authors conducted this survey from 2007 to 2009. We compare our data with the results of two other surveys conducted in 1992-1993 and 2002-2003. During our analysis of the 665 externship courses across 190 law schools in the 2007-2009 survey data, it became apparent that some of the survey questions were unclear, and that other steps could have been taken to benefit the post-survey data processing. Because of these imperfections, we refer throughout to data from the American Bar Association/Law School Admission Council (ABA/LSAC) as well as a 2007-2008 survey on clinics and externships conducted by the Center for the Study of Applied Legal Education (CSALE) to support our findings and corroborate our data.

Part I begins with a brief historical background on externship programs in law schools. We address the availability of externship courses across law schools and how schools enforce limits on the number of externship credits that a student may earn toward the J.D. degree. Student involvement in externship courses is one measure of the value that an externship program adds to the modern J.D. curriculum, yet neither our survey nor the ABA's annual questionnaire to law schools adequately distinguished several different measures of student "involvement" that are apparent in hindsight. Nevertheless, the data indicate lower participation in externships by part-time students as compared to full-time students, and we identify several initiatives law schools have taken to spur their participation.

In Part II, we present the distribution of total credits earnable in each of the 665 externship courses in our survey data, taking into account that many courses permit students to select from a range of total credits based on the number of hours that a student chooses to work at the placement site during the semester. We find that courses with three or more total credits are more likely to allocate a portion of these credits to a classroom component. With regard to the allocation of credits to the fieldwork component, we analyze the number of

hours a student must work at the placement site during the semester to earn each fieldwork credit.

In Part III, our analysis of the fieldwork component of an externship centers on the restrictions associated with the placement, whether by locale, type of organization, subject matter, or setting. Part IV discusses the classroom components of externship programs, and we note variation in classroom format and course materials due to recent changes to ABA Standard 305. We also examine the frequency of class meetings and the use of academic journals. Part V provides data about grading practices for externship courses, showing a general discomfiture with letter or number grades and a preference for pass-fail or credit/no credit grades for both the fieldwork and classroom components.

Part VI discusses administrative practices and addresses the employment status of faculty associated with externships, analyzes the secretarial support available to externship programs, and reports on the methods that schools use to evaluate placement sites. Finally, in Part VII, we note areas of improvement for future surveys based on our experiences with data collection and post-survey data processing.

I. EXTERNSHIPS' PLACE IN THE J.D. CURRICULUM

The term "externship" emerged around 1969, when surveys of law school clinical programs referred to "farm-out" clinics as externships.¹ Today, the term "externship" is synonymous with "field placement," and externships are clearly distinguished from clinics.² A 1970-1971 CLEPR³ survey divided externships into three categories that are recognizable today: (1) general placements in law offices; (2) selected placements, usually in a public agency, under the joint supervision of agency personnel and law school faculty; and (3) substantive law classes with field components involving cases or empirical

¹ See J.P. Ogilvy & Robert F. Seibel, *Externship Demographics Redux* 8 (The Catholic Univ. of Am., Columbus Sch. of Law Legal Studies Series, Working Paper No. 2007-13, 2007), available at http://ssrn.com/abstract_id=1077551 [hereinafter *Redux*].

² "Field placements refer to those cases in which someone other than full-time faculty has primary responsibility to the client; these placements are frequently called externships or internships." See LAW SCHOOL ADMISSION COUNCIL & AM. BAR ASS'N, ABA-LSAC OFFICIAL GUIDE TO ABA-APPROVED LAW SCHOOLS 70 (2012), http://www.americanbar.org/content/dam/aba/publications/misc/legal_education/2012_official_guide_for_web.authcheckdam.pdf [hereinafter ABA-LSAC GUIDE TO LAW SCHOOLS]. In contrast, clinics, or "[f]aculty supervised clinical courses[,] are those courses or placements with other agencies in which full-time faculty have primary professional responsibility for all cases on which students are working." *Id.*

³ See *Redux*, *supra* note 1, at 7-10. For more background on the Council on Legal Education for Professional Responsibility (CLEPR), see DVD: CLEPR: Its History and Its Legacy 1968-1980 (National Archive of Clinical Legal Education 2011) (on file with author).

research.⁴

Professors J.P. Ogilvy and Robert F. Seibel examined the history and development of externships in their report on a survey of law school externship programs conducted in 2002-2003.⁵ That report and others chart the ascendancy of the case method of legal education introduced at the end of the 19th century by Dean Christopher Langdell of Harvard Law School.⁶ Other law schools followed Langdell's lead, partly because it appeared to enhance the prestige of legal education and distinguish law schools from trade schools, with doctrinal faculty members applying the case method in classrooms.⁷

The rise of the case method contributed to the demise of the prevailing apprenticeship method of legal education.⁸ Lost in the transition from apprenticeship to doctrine was the practical training provided by a legal apprenticeship.⁹ In contemporary J.D. curricula, experiential legal education, which includes clinics and externships, serves to bridge the gap between doctrine and practice. However, some doctrinal faculty appears to have resisted the introduction and expansion of experiential courses. These tensions within law schools, the perceived value of experiential legal education, and the yet-unfilled gap between doctrine and practice in the modern J.D. curriculum have not gone unnoticed outside the legal profession.¹⁰ Surveys such as this track the progress of experiential courses against resistance, identify trends and practices in experiential education, and disseminate the data and findings to law school administrators and legal educators nationwide to assist in their curriculum and course planning.

The 2002-2003 report compared data on externship programs with earlier surveys conducted in 1987 and in 1992-1993.¹¹ This article compares the findings from the 2002-2003 survey with data from a subsequent survey conducted from 2007-2009.¹² We also compare our

⁴ See *Redux*, *supra* note 1, at 9-10.

⁵ See *Redux*, *supra* note 1, at 1-14.

⁶ See, e.g., Laura Holland, *Invading the Ivory Tower: The History of Clinical Education at Yale Law School*, 49 J. LEGAL EDUC. 504 (1999).

⁷ See David Margolick, *Education*, N.Y. TIMES, May 25, 1982, at C4.

⁸ See HOLLAND, *supra* note 6, at 505-07.

⁹ *Id.*

¹⁰ See, e.g., Editorial, *Legal Education Reform*, N.Y. TIMES, Nov. 26, 2011, at A18; David Segal, *What They Don't Teach Law Students: Lawyering*, N.Y. TIMES, Nov. 20, 2011, at A1.

¹¹ See *Redux*, *supra* note 1, at 14. See also Marc Stickgold, *Exploring the Invisible Curriculum: Clinical Field Work in American Law Schools*, 19 N.M. L. REV. 287, 298 (1989) (reporting on the 1987 survey); Robert F. Seibel & Linda H. Morton, *Field Placement Programs: Practices, Problems and Possibilities*, 2 CLIN. L. REV. 413 (1996) (reporting on the 1992-1993 survey).

¹² See *infra* Apps. A & B (showing questionnaires from the 2007-2009 survey). The

data with the 2007-2008 CSALE Survey.¹³ Unlike the growth and maturation of externship programs reported in the 2002-2003 comparisons with 1987 and 1992-1993 data, the subsequent progress of externship programs appears to be a consolidation of established trends.

A. Availability of Externships, With or Without Academic Credit

All 190 schools surveyed now offer externships with academic credit that a student can earn toward the J.D. degree. As of December 2011, the ABA reports 200 approved law schools, with one provisional approval.¹⁴ Our 2007-2009 survey includes data from 190 of these law schools. All of the 190 schools represented in the survey indicated that they had at least one externship course. In addition, all schools indicated that they offered an externship *for academic credit*.¹⁵

Externships were not available at all law schools as recently as 2002-2003. There were 186 ABA-approved law schools in 2002-2003, and 176 in 1992-1993.¹⁶ Four of 112 schools reporting data in the 2002-2003 survey indicated that they did not have any externship courses. The number of schools offering an externship for credit is not explicitly reported in the 2002-2003 survey, but in the 1992-1993 survey, fifty-eight of the sixty-eight schools responding (85%) offered an externship for credit.¹⁷ Thus, the award of academic credit has grown since the last survey.

In addition to achieving ubiquity, externship courses have also progressed in variety. Of the 190 schools responding to the 2007-2009 survey, 121 (64%) offered multiple externship courses. In 2002-2003, 52% reported data for more than one course, but 72% indicated in other responses that they offered more than one externship course. In 1992-1993, seventeen of fifty-eight schools (29%) described more than one externship course.

authors offer many thanks to all who responded to the survey, without whom this report would not have been possible.

¹³ DAVID A. SANTACROCE & ROBERT R. KUEHN, CENTER FOR THE STUDY OF APPLIED LEGAL EDUC., UNIV. OF MICH. LAW SCHOOL, REPORT ON THE 2007-2008 SURVEY available at <http://www.csale.org/files/CSALE.07-08.Survey.Report.pdf> [hereinafter CSALE SURVEY].

¹⁴ *ABA-Approved Law Schools*, AMERICAN BAR ASSOCIATION, http://www.americanbar.org/groups/legal_education/resources/aba_approved_law_schools.html (last visited Dec. 29, 2011).

¹⁵ See SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR, AM. BAR ASS'N, STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS (2011-2012), Standard 305(a) (permitting award of credit for externships subject to other rules), available at http://www.americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2011_2012_standards_and_rules_for_web.authcheckdam.pdf [hereinafter ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS].

¹⁶ See *Redux*, *supra* note 1, at 16-17.

¹⁷ See *Redux*, *supra* note 1, at 16.

B. *Limits on Externship Credits and Externship Courses*

A cap on the maximum number of externship credits that can be applied toward the J.D. degree places an indirect cap on the number of externship courses a student can take. For example, if the maximum is eighteen semester credits, then a student can take one 15-credit externship course and another 3-credit externship course, or a student can take no more than six 3-credit externship courses during his or her law school career. Other restrictions may apply, such as a limit on the number of externship credits or courses that a student may take in a single semester, a rule restricting first-year participation in externships, or a list of prerequisite doctrinal courses that a student must complete before participating in a particular externship.

1. *Maximum externship credits toward the J.D. degree*

Our 2007-2009 survey asked if the law school specified a maximum number of externship credits that a student could earn toward the J.D. degree. We analyzed the responses, where provided, for the top thirty law schools ranked on Top-Law-Schools.com.¹⁸ The maximums ranged from a low of two credits to a high of twenty-one credits with an average and median of twelve; however, we believe that either the question was unclear, or schools have revised their policies, because a subsequent examination of the schools' websites shows that some of the lower maximums are inaccurate. The CSALE Survey reports a mode of twelve maximum fieldwork credits, which comports with our average and median. Less frequent than twelve on the CSALE Survey are six maximum fieldwork credits, followed by eight, ten, and fifteen credits.¹⁹ A maximum near eighteen credits can be derived from the ABA Standards for Approval of Law Schools;²⁰

¹⁸ *Top 2011 Law School Rankings*, TOP-LAW-SCHOOLS.COM, <http://www.top-law-schools.com/rankings.html> (last visited January 1, 2012).

¹⁹ See CSALE SURVEY, *supra* note 13, at 23 (reporting that 72.6% of the 131 schools surveyed limit the number of fieldwork credits toward the total needed for graduation).

²⁰ The maximum near eighteen credits is derived as follows. The ABA requires a minimum of 58,000 minutes of study, of which no fewer than 45,000 minutes must be in "regularly scheduled class sessions." See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 304(b). The classroom component of an externship counts toward "regularly scheduled class sessions," but the fieldwork does not. See *id.* Interpretation 304-3(e) (excluding fieldwork from "regularly scheduled class sessions"); see also *id.* Standard 306 (encompassing certain classes conducted by "distance education" within the 45,000 minutes of "regularly scheduled class sessions"). From the difference of 58,000 and 45,000, we obtain 13,000 minutes of available time for study that is not in regularly scheduled class sessions, such as field placement, moot court, law review, directed research, and courses taken outside the law school. See *id.* Interpretation 305-1. One credit hour on the semester system requires about 700 minutes of instruction. See *id.* Interpretation 304-4. Dividing 13,000 by 700, we obtain 18.57. Thus, if a school requires 58,000 minutes of study for the J.D. degree, a student who engages in exactly 58,000 minutes of study and applies

however, this limit can be higher where the law school requires, or the student engages in, a course of study that exceeds the minimum instruction time in the ABA Standards for the J.D. degree.²¹ The ABA Standards also limit the number of credits that a student can earn in a distance education course,²² which impacts the seminar or classroom component of an externship course that is conducted remotely while counting toward “regularly scheduled class sessions.”²³ Some law schools state that their limit on pass/fail credits applies to externships, or specify other rules to limit externship credits.²⁴

2. *Maximum externship credits in a particular semester*

CSALE asked its respondents to report the maximum number of externship credits that a student could earn in a single semester, without distinguishing the summer term from the fall and spring semesters.²⁵ CSALE reported a mode of three, followed by two and four, then six, more than ten, and five, followed by other credits.²⁶

3. *Maximum repetitions of a particular externship course*

A related metric is the number of times a student may take the same externship course; if the course is for credit, a student earns the credit(s) each time he or she completes the course. The 2007-2008 CSALE Survey reported that 44% of the 235 externship courses it surveyed permitted subsequent enrollment(s) after the initial term;²⁷

13,000 of those 58,000 minutes to fieldwork may earn about 18.57 credit hours for fieldwork. Of course, this derivation precludes earning credit for other activities under ABA Standard 305(a).

²¹ *But see* ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standards 304(c) & (e) (limiting to eighty-four months the duration of any student’s course of study for the J.D. degree, and limiting enrollment to a maximum of 20% above the number of credits required by a school for graduation).

²² *See* ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 306(d) (limiting to four per term and twelve overall the number of credits a student may earn in distance education courses).

²³ *See supra* note 20. The ABA defines “seminar” as a “course[] requiring a written work product and having an enrollment limited to no more than 25.” *See* ABA-LSAC GUIDE TO LAW SCHOOLS, *supra* note 2, at 70.

²⁴ For example, the University of Michigan Law School requires at least sixty-four credit hours in regularly scheduled law classes, out of eighty-two total credits required for the J.D. degree. Externship credits cannot be part of the sixty-four. Thus, eighteen credits (82 minus 64) are available for externship courses, subject to other applicable rules. *See* Registrar’s Office, Univ. of Mich. Law School, *Degree Requirements for Students Entering in 2009 and After*, available at [http://www.law.umich.edu/currentstudents/registration/Documents/Degree audit letter](http://www.law.umich.edu/currentstudents/registration/Documents/Degree%20audit%20letter), all students beginning 2009B.pdf.

²⁵ *See* 2007 SURVEY OF APPLIED LEGAL EDUC.: MASTER SURVEY, CENTER FOR THE STUDY OF APPLIED LEGAL EDUCATION, UNIV. OF MICH. LAW SCHOOL 27 (2007), available at <http://www.csale.org/files/Master.Survey.Complete.pdf>.

²⁶ *See* CSALE SURVEY, *supra* note 13, at 22.

²⁷ *See id.* at 20.

however, the majority of courses permitted no more than one or two repeats.²⁸ CSALE noted that the term of enrollment for an externship course was “overwhelmingly one semester.”²⁹

C. Student Involvement and Enrollment in Externship Courses

As shown here, there are at least three different ways to interpret the phrase “student involvement in externships,” and each interpretation yields a unique result. Therefore, the wording of a survey question that addresses “student involvement” should identify the particular metric sought and disambiguate the others. However, unlike the CSALE survey, neither our survey nor the ABA annual questionnaire to law schools achieved the desired precision.

1. Number of J.D. students involved in externships

Our 2007-2009 survey obtained data on the number of students enrolled in externship programs during the most recently concluded academic year, as shown in the following table.

TABLE 1: NUMBER OF STUDENTS ENROLLED IN EXTERNSHIP COURSES

Semester	Full-time students			Part-time students		
	Fall	Spring	Summer	Fall	Spring	Summer
Average	39.36	41.7	38.3	10	12.1	13.3
Median	26	27.8	25	5	5	5
Mode	20	50	55	1	1	5
Standard deviation	43.56	44.7	36.5	14	15.1	18.8

We asked for the total numbers of students enrolled in externship courses during each term of an academic year. The question was intended to learn how many students participated in externship courses during an academic year; however, there are two ways in which a student could have been counted more than once in response to the question as phrased. First, a student who took any externship course more than once in the same academic year could have been counted for each semester in which he or she enrolled in an externship course.³⁰ Second, if an externship course required more than one se-

²⁸ See *id.* (adding that 65.9% of these schools permitted no more than one additional enrollment, and 17.6% no more than two; however, 16.5% permitted three or more additional enrollments).

²⁹ See *id.* (reporting that 91.5% of externship courses required one semester to complete; 1.5% required two semesters; and 0.5% offered the option of either one or two semesters). See also *infra* text accompanying note 145.

³⁰ This count includes students who take different externship courses, or repeat the

mester to complete, all students taking that course could have been counted more than once.³¹ The ambiguity results from the conflation of two distinct metrics: (1) the number of students who participate in at least one externship course over the course of an academic year; and (2) the school's yearly enrollment levels in externship courses. A particular student is not counted more than once per academic year for the first metric, but could be counted more than once per academic year for the second. Both metrics are useful, but our survey question did not distinguish the two to obtain an accurate head count of the number of individual students who enroll in externship programs during an academic year.

The CSALE Survey pursued a third metric: CSALE surveyed overall voluntary student participation in externships over the course of the student's law school career.³² For this metric, a student cannot be counted in more than one academic year. CSALE reported median voluntary student participation in at least one externship course before graduation in the 26% to 30% range.³³ About 3.2% of respondents reported voluntary participation greater than 75%.³⁴

We turned to ABA data to corroborate our student enrollment data due to the large standard deviations.³⁵ The ABA in its annual questionnaire asks each law school to report "how many students are involved in field placements."³⁶ The question appears to seek the first metric, that is, the number of students who participate in at least one externship course over the course of an academic year. However, the phrasing of the ABA's query does not disambiguate the first metric from the second metric (the school's yearly enrollment levels in externship courses), or the third (voluntary student participation in at least one externship course before graduation).³⁷ Nonetheless, we examined the 2011 ABA data on student involvement in externships, as

same externship course, in an academic year. The CSALE Survey reported that "[a]bout 15%" of externs take the same externship course in another term. See CSALE SURVEY, *supra* note 13, at 20. In addition, the ABA standards permit up to eighteen externship credits. See *supra* text accompanying notes 20 and 21.

³¹ However, the discrepancies introduced by this anomaly likely are not significant, because externship courses that require more than one semester to complete are small in number. See *supra* note 29.

³² See CSALE SURVEY, *supra* note 13, at 11.

³³ See *id.*

³⁴ See *id.*

³⁵ See *supra* Table 1. High standard deviations can indicate high dispersion in the data.

³⁶ The ABA reports the data as "# involved in field placements," full-time and part-time, in its *Official ABA Data* on each law school. See, e.g., *Official ABA Data on The University of Akron School of Law*, https://officialguide.lsac.org/Release/SchoolsABAData/SchoolPage/SchoolPage_Info/ABA_LawSchoolData.aspx (last visited Jan. 31, 2012).

³⁷ A fourth possibility is the inclusion of students who participate in uncompensated field placements that are neither for credit nor part of any law school course or program.

shown in the next table.³⁸

TABLE 2: 2011 ABA-LSAC DATA ON STUDENT INVOLVEMENT IN EXTERNSHIPS (199 SCHOOLS)

	Number of schools reporting non-zero student involvement	Min	Max	Average	Median	Mode
Full-time	195	7	621	118	104	33
Part-time	82	1	637	28	16	8

From our 2007-2009 data, on average, 119 full-time students per school enroll in externship courses each academic year. Our average closely tracks the ABA-LSAC average of 118. Turning to part-time students in the 2007-2009 survey, on average, thirty-five part-time students enroll in externship courses each year. The ABA-LSAC average is close, at twenty-eight. In addition to similar averages, the enrollment data from the 2007-2009 survey and the ABA-LSAC show similar dispersion: the coefficients of variation run between 0.95 and 1.4 in the data from the 2007-2009 survey, and at 0.77 and higher for the ABA-LSAC data.³⁹ Thus, we conclude that the ABA-LSAC data corroborates the enrollment data from the 2007-2009 survey.

2. *Proportion of J.D. student body enrolled in externships*

Because of the great variations in the size of the J.D. student body across two hundred law schools, headcounts of student enrollment can be less useful than the proportion of students involved in externships. To determine what proportion of the J.D. student body the average enrollment numbers represent, we turned to other ABA data to determine the average size of full-time and part-time J.D. programs. From ABA data, we estimate that the average J.D. program enrolls 644 full-time students.⁴⁰ Thus, using our 2007-2009 data, about 18% of full-time students (119 out of 644) are enrolled in externship programs in any academic year. The percentage differs if the median

³⁸ See ABA-LSAC GUIDE TO LAW SCHOOLS, *supra* note 2.

³⁹ The coefficient of variation is the ratio of the standard deviation to the average. Coefficients of variation can be compared across different data sets because they are ratios, unlike averages and standard deviations.

⁴⁰ From 2008-09 ABA data on 197 law schools, we estimate that the average full-time J.D. program enrolls 644 students, and the average part-time J.D. program enrolls 172 students, as follows: the ABA shows a total J.D. enrollment of 152,340 students, of whom 126,898 are full-time (83.3%) and 25,442 are part-time (16.7%); all 197 schools reported full-time students, and 148 schools reported one or more part-time students. See *J.D. Enrollment* (2008-2009), AM. BAR ASSN, http://www.americanbar.org/content/dam/aba/migrated/legaled/statistics/charts/ftpt_jd_enrollment_0809.authcheckdam.pdf (last visited Dec. 29, 2011).

and mode are used instead of the average. Using the medians, 12% to 16% of full-time students enroll in externship programs each academic year. Using the mode from the 2007-2009 survey, 125 full-time students (19%) enroll in externship programs each academic year; however, the large discrepancy in the modes for the fall and spring terms (20 versus 50) is not easily explained. In addition, the mode from the ABA-LSAC data is 33, which does not conform to our mode of 125, and the median is 104, which compares to 79 in our data.

From the same ABA publication, we estimate that the average part-time J.D. program enrolls 172 students.⁴¹ Thus, as for full-time students, about 16% to 20% of part-time students are enrolled in externship programs in any academic year. However, the proportion is smaller compared to full-time students when using the median: about fifteen part-time students (9%) enroll, compared to 12-16% of full-time students. Using the mode, only seven part-time students (4%) enroll, compared to 19% of full-time students.

3. *Special considerations for part-time students*

Unlike the data for full-time students, both our median (5+5+5, or 15) and mode (1+1+5, or 7) for part-time students closely track the ABA-LSAC data (16 and 8 respectively). Lower percentages for part-time students compared to full-time students undoubtedly reflect the difficulty in finding meaningful opportunities for part-time students, most of whom may be employed full time. Law schools might look for ways to provide for-credit opportunities for part-time students to extern within the organization that employs them, but must do so in light of Standard 305, Interpretation 305-3, which prohibits credit for compensated field work beyond “reasonable [related] out-of-pocket expenses.”

Several schools reported on their efforts to offer externship opportunities for part-time students. For example, Brooklyn Law School, with a large evening division, has been able to find placements for part-time students with judges, public defenders, prosecutors, and other criminal justice agencies in the local family and criminal courts that have evening and weekend sessions.⁴² In addition, Brooklyn has seen opportunities with victim advocacy organizations that are open on nights and weekends for clients who work during the day, some unions and governmental social service agencies that do intake in the evening for clients with legal issues, and in the neighborhood public schools that have sessions in the evenings to provide legal advice to

⁴¹ *See id.*

⁴² E-mail from Lisa Smith, Asst. Prof. of Clinical Law, Brooklyn Law School, to LEX-TERN listserv (Jan. 9, 2009) (on file with author).

students and parents with little access to legal services.⁴³ Like the experience at Brooklyn, part-time students at Catholic University have found placements at service organizations with evening and weekend hours and with the local court-based mediation program. Some students, especially those working in the District of Columbia for the federal government, have been able to take advantage of flexible work schedules to create one full day each week for fieldwork.⁴⁴ Similarly, Phoenix Law School has had some success with “flex-time” student externship placements with the Arizona Foundation for Legal Services, which maintains web pages to provide legal information to minors and seniors.⁴⁵ The students help select questions submitted to the web pages, research answers that are within the bounds of ethics, draft answers, review the answers with volunteer lawyers, and then post the answers on the web pages.⁴⁶ Stetson University College of Law in Gulfport, Florida, reported placing part-time students in the offices of the general counsel of various corporations in the area because the corporations are sufficiently large that they have legal staff working into the night.⁴⁷ In short, there are creative ways to give part-time students externship opportunities.

4. *The CSALE survey compared*

The 2007-2008 CSALE Survey reported on the percentage enrollment in a field placement program of the entire J.D. student body in an average semester.⁴⁸ CSALE did not report data separately for full-time and part-time students. Nearly half the CSALE respondents (46.8%, the highest percentage) reported that 1% to 10% of their students were enrolled in externship programs in an average semester. Thus, CSALE’s mode is the 1% to 10% range, which is inconsistent with the 21% mode for full-time students in the 2007-2009 survey, but consistent with the 4% mode for part-time students. Three-quarters of CSALE’s respondents (75.6%) reported 1% to 20% enrolled. Thus, CSALE’s median is in the 11% to 20% range, which is consistent with the 13% median for full-time students in the 2007-2009 survey, but above the 9% median for part-time students. If we discard the mode for full-time students from our 2007-2009 survey due to the large dis-

⁴³ *Id.*

⁴⁴ E-mail from Lisa Lerman, Professor of Law, The Catholic Univ. of Am., Columbus Sch. of Law, to LEXTERN listserv (Jan. 9, 2010) (on file with author).

⁴⁵ E-mail from Michael A. Yarnell, Assoc. Prof. of Law and Director of Externships, Phoenix Law School, to LEXTERN listserv (Nov. 11, 2008) (on file with author).

⁴⁶ *Id.*

⁴⁷ E-mail from Charles H. Rose III, Professor of Excellence in Trial Advocacy, Stetson Univ. College of Law, to LEXTERN listserv (Nov. 1, 2008) (on file with author).

⁴⁸ See CSALE SURVEY, *supra* note 13, at 7.

crepancy in the counts for the fall and spring terms (20 versus 50), and the inconsistencies with ABA-LSAC data and the CSALE Survey (CSALE mode in the 1% to 10% range, compared to our 21% mode for full-time students), the gap between full- and part-time students closes to a 4% difference in the median values (13% as compared to 9%).

Returning to the CSALE Survey, nine-tenths of the respondents (91.6%) reported 1% to 30% enrolled, and less than one-tenth (about 8%) reported 31% or more enrolled in externships in an average semester.⁴⁹ A follow-up could be directed to these 8% of respondents, as well as to the respondents with high voluntary student participation in externships,⁵⁰ to determine the factors and practices that contribute to their success.

Finally, CSALE reported on a related metric, which is the average size of an externship class; from 235 courses reporting, CSALE found 35.6% of courses enrolled seven or fewer students, and 30.7% enrolled eight to fourteen students.⁵¹

II. ALLOCATION OF EXTERNSHIP CREDITS TO FIELDWORK OR CLASSROOM

Where an externship course offers academic credit that a student may earn toward the J.D. degree, the total number of credits may be separated between a classroom or seminar component of the externship and the work done at the placement site, called fieldwork. The classroom and fieldwork credits may be graded separately. Our analysis here begins with the distribution of the total number of credits, and concludes with a summary assessment of classroom and fieldwork credits. Subsequent sections discuss the classroom and fieldwork components of externships in further detail.

A. Total Credits for an Externship Course

Many schools reported more than one distinct externship course. We obtained data on 665 externship courses. However, 49 of the 665 courses did not state the number of credits associated with the course. Thus, credit data was analyzed for only 616 courses. Some schools reported externship courses that could be taken for a range of credits. If an externship course could be taken, say, for two to four credits, we counted that course three times for this “number of credits” statistic: once as a 2-credit course, once as a 3-credit course, and once as a 4-

⁴⁹ See *id.*

⁵⁰ See *supra* text accompanying note 34.

⁵¹ See CSALE SURVEY, *supra* note 13, at 20.

credit course. After the multiple counting, the 616 courses expanded to 1426 courses with a spread from one to fifteen credits, peaking at three credits, as shown in the following table.

TABLE 3: NUMBER OF CREDITS AWARDED

Credits	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Courses counted	74	222	315	223	135	136	62	57	46	41	23	44	25	15	8
Percent (%) of all courses counted	5.2	15.6	22.1	15.6	9.5	9.5	4.3	4.0	3.2	2.9	1.6	3.1	1.8	1.1	0.6

In the next table, the data are grouped to facilitate comparison with the 2003-2003 and 1992-1993 surveys.⁵² The 2002-2003 data as originally reported appears without italics in the table; however, the data are revised here to account for discrepancies in the original report.⁵³ The revised 2002-2003 data appears in italics in the table.

TABLE 4: NUMBER OF CREDITS AWARDED, BY RANGE

Credits:	LOW-CREDIT				HIGH-CREDIT	
	1-3	1-4	1-6	5-6	7-10	11-15
1992-93	54 (55%)		82 (83%)		16 (16%) of courses allowed >6 credits	
2002-03	179 (76%)	271 (82%)	119 (45%)	68 (26%)	32 (12%)	25 (9%)
<i>2002-03 (revised)</i>	<i>179 (45.2%)</i>	<i>271 (68.4%)</i>	<i>339 (85.6%)</i>	<i>68 (17%)</i>	<i>32 (8.1%)</i>	<i>25 (6.3%)</i>
2007-09	611 (42.8%)	834 (58.5%)	1105 (77.5%)	271 (19%)	206 (14.4%)	115 (8.1%)

The 2007-2009 survey generally comports with the 1992-1993 survey in the low-credit to mid-credit categories: about 55-60% of the courses are in the one to three or four credit range, and about 80% are in the one to six credit range. The revised proportion of one to three credit courses in 2002-2003 (45.2%) better comports with 2007-2009 (42.8%), and also with the CSALE Survey.⁵⁴ In the five to six credit range, the revised 2002-2003 data (17%) agrees with 2007-2009

⁵² See *Redux*, *supra* note 1, at 19.

⁵³ There is a discrepancy in the 1-6 credit column because the number of courses (119) is less than in the 1-4 range. There is another discrepancy where the text indicates 83% of the courses were in the 1-3 credit range, not 76% as shown in the table. Here, the 2002-2003 data are revised to correct for these errors and appear in italics: the total number of courses is re-computed as 396 (the sum of 271, 68, 32, and 25); the number in the 1-6 column is changed from 119 to 339 (computed either as the sum of 271 and 68, or as 396 minus the sum of 32 and 25); and the percentages have been recomputed against N=396.

⁵⁴ See CSALE SURVEY, *supra* note 13, at 20, 22 (reporting that 58.6%, or 87, of 149 externship courses awarded either 1, 2, or 3 *fixed* credits, i.e., CSALE did not count 86 other courses that awarded credits from a specified *range*).

(19%).⁵⁵

However, at the high-credit end of the scale, there may be a trend to more high-credit externship courses.⁵⁶ In 1992-1993, 16% of courses allowed more than six credits. The revised 2002-2003 percentage at 14.4%⁵⁷ is close to 1992-1993's 16%, but the proportion of high-credit courses rose to 22.5%⁵⁸ in 2007-2009. Such an increase in high-credit courses can be attributed to law schools adding summer programs, such as international programs, in which students engage in a large number of fieldwork hours,⁵⁹ as well as to more high-credit summer externship courses.⁶⁰ The CSALE Survey, which did not count courses that awarded a range (or "variable number") of credits, found that 6.3% of the 149 courses it counted awarded eleven or more credits.⁶¹ The percentage is equal to the revised 2002-2003 data, and only about 2% lower than in 2007-2009. However, CSALE reported that only 10% of the 149 courses it counted awarded seven or more credits,⁶² in contrast to 22.5% in the 2007-2009 survey and 14.4% in the 2002-2003 survey. The discrepancy with the lower CSALE percentage is difficult to explain without further analysis of the eighty-six courses CSALE did not consider because they awarded a variable number of credits.

B. Classroom Credits

The following table breaks out the data on reported externships with a classroom component by the total credits awardable for the externship. Courses that specified a range of awardable credits were counted more than once, resulting in an expanded count of 1426 total courses, of which 1097 reported a classroom component.⁶³

⁵⁵ See also CSALE SURVEY, *supra* note 13, at 22 (reporting that 13.3% of the 149 fixed-credit courses it counted awarded either 5 or 6 credits).

⁵⁶ See also *infra* note 118.

⁵⁷ Result of adding 8.1% and 6.3%.

⁵⁸ Result of adding 14.4% and 8.1%.

⁵⁹ See, e.g., University of the Pacific, McGeorge School of Law, *Summer Program in Guatemala*, http://www.mcgeorge.edu/Academic_Programs/International_Study/Summer_Program_in_Guatemala/Courses.htm (describing courses and optional eight-week externships that follow the classroom program); University of the Pacific, McGeorge School of Law, *Externship Placements (English-Spanish)*, http://www.mcgeorge.edu/Academic_Programs/International_Study/Summer_Program_in_Guatemala/Externship_Placements.htm (listing associated field placement sites in Guatemala). See also AM. BAR ASS'N, *New Foreign Summer and Intersession Programs Questionnaire*, http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/studyabroad/2011_foreign_summer_intersession_npq.doc (asking about externships, if offered as part of the program).

⁶⁰ See *Redux*, *supra* note 1, at 20.

⁶¹ See CSALE SURVEY, *supra* note 13, at 22 (reporting "more than 10 (6.3%)").

⁶² See *id.* (adding the percentages for 1, 2, 3, 4, 5 and 6 credits yields 89.9%).

⁶³ See *supra* Table 3.

TABLE 5: PERCENTAGE OF EXTERNSHIPS WITH A CLASSROOM COMPONENT, GROUPED BY EXTERNSHIP COURSE CREDITS

Semester credits awardable:	1 - 4	5 - 6	7 - 10	11 - 15
1992-1993	67%	73%	75%	
2002-2003	92%	89%	79%	76%
2007-2009	74% (617)	81% (219)	82% (168)	81% (93)

Both the 1992-1993 and 2007-2009 survey datasets show lower percentages of externships with a classroom component where the total credits are in the one to four range. The contrast in the 2002-2003 data is not easily explained.

The 2007-2009 expanded data appear on a per-credit basis in the next table. The percentages in the 11- and 13-credit columns, and to a lesser extent the 7- and 10-credit columns, are unexpectedly lower than the other high-credit externships. The data show that significantly lower percentages of 1- and 2-credit externships report a classroom component. Because the applicable ABA Standard does not require 3-credit courses to have a classroom component,⁶⁴ we would have expected the percentage of 3-credit externships reporting a classroom to be in the mid-60s along with the 1- and 2-credit courses; however, the 80% proportion matches the higher credit externships. We see no obvious explanation for the variation.

TABLE 6: PERCENTAGE OF EXTERNSHIPS WITH A CLASSROOM COMPONENT (DERIVED FROM 2007-2009 EXPANDED DATA)

Credits	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Total courses	74	222	315	223	135	136	62	57	46	41	23	44	25	15	8
Courses reporting a classroom component	49	137	252	179	108	111	47	50	39	32	17	36	18	14	8
Percentage	66	62	80	80	80	82	76	88	85	78	74	82	72	93	100

C. Fieldwork Credits

An important metric associated with fieldwork credits is the number of hours that a student must work at the placement site to earn each fieldwork credit. Across all credit ranges, the average number of hours of fieldwork per semester per credit is 51.7; the median is 50; and the range is 24 to 93. Assuming a 14-week semester, the average number of hours of fieldwork per week per credit is 3.7; the median is

⁶⁴ See *infra* text accompanying note 86.

3.6; and the range is 1.7 to 6.64.

For the 2002-2003 survey, the hours were reported per week instead of per semester: average 4.4; median 4; mode 4; and range 2 to 10. Again assuming a 14-week semester, the 2002-2003 hours per semester would show an average of 61.6, median 56; mode 56; and range 28 to 140. The next table presents data from this and the two prior surveys.⁶⁵

TABLE 7: HOURS OF FIELDWORK REQUIRED TO EARN ONE SEMESTER CREDIT

	Average	Median	Min	Max
Total hours required	51.7	50	24	93
(2002-2003 survey)	61.6	56	28	140
(1992-1993 survey)	53.34	56	14	98+
Hours per week	3.7	3.6	1.7	6.64
(2002-2003 survey)	4.4	4	2	10
(1992-1993 survey)	3.81	4	1	7+

The median near fifty hours of work per semester to earn one credit, which equates to about four hours of work per week, has remained consistent across the surveys. The CSALE Survey reported a mode in the 50-59 hours range per semester per credit, followed by less than 10 hours, 40-49 hours, 70-79 hours, and 60-69 hours.⁶⁶ The consistency near fifty hours per semester across surveys is remarkable because the ABA Standards do not specify the number of hours that a student must work at a field placement in order to earn one credit. Standard 305 and Interpretation 305-1 simply permit credit for fieldwork, provided the credit granted is “commensurate with the time and effort required and the anticipated quality of the educational experience of the student.”⁶⁷ Even though no standard governs the fieldwork hours-to-credits ratio, the consistent convergence around fifty hours per semester to earn one credit, and the great disparity in the range of twenty-four to ninety-three hours in the 2007-2009 survey, calls for a study of the outliers.

III. THE FIELDWORK COMPONENT OF AN EXTERNSHIP

The majority of externship courses place one or more restrictions on permissible fieldwork placements. For example, a general extern-

⁶⁵ See *Redux*, *supra* note 1, at 23-24 (presenting data from the 2002-2003 and 1992-1993 surveys, and finding from a 1992 AALS study that live-client clinics at law schools specify similar time requirements that averaged 3.88 hours of work per week for one semester credit).

⁶⁶ See CSALE SURVEY, *supra* note 13, at 22.

⁶⁷ See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 305.

ship may restrict the student to work in a non-profit organization and a judicial externship to work in chambers. Other restrictions of a geographic or substantive nature may apply. We addressed some of the more prevalent restrictions in our surveys.

A. *Locale Restrictions on Placements*

The number of schools known to permit field placement in a locale geographically remote from the law school increased from forty-four to sixty-three in the five years between the 2002-2003 and 2007-2009 surveys. In a remote placement, a student typically cannot both work at the placement and appear in person at law school classes on the same day.⁶⁸ Some courses, such as a “Semester in Washington, D.C.,” or an international program offered by a law school, appear to relocate participating students and faculty to the remote locale for the semester. Some remote placements require students to participate in regularly scheduled classroom or seminar sessions by teleconference with law school faculty back at the law school.⁶⁹

Of the 665 courses in this survey, 528 courses have data to indicate whether or not students could work at a remote placement. One hundred and seventy (170) courses (32% of 528) did not permit work at geographically remote placement sites. The other 358 courses (68%) likely⁷⁰ permit students to work at remote placements. Some of these 358 courses qualified their response as follows: sixty courses permitted remote placement only in summer; six added that the school must be able to conduct a site visit; and twenty-seven limited the geographic scope to “in-state” or “Tex-Mex border.” The data also show that 63 out of 190 schools (33%) permit students to work at remote placements.

In the 2002-2003 survey, 75% of the courses (202 out of 270 courses) placed geographic limits on placements; 39% of schools (44

⁶⁸ See also ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 304(b) (requiring at least 45,000 minutes of “attendance in regularly scheduled class sessions at the law school”); *id.* Interpretation 304-3(e) (excluding from Standard 304(b)’s “45,000 minutes” any work qualifying under Standard 305); *id.* Interpretation 305-1 (including field placement programs in the scope of Standard 305(a)).

⁶⁹ But see ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 306 (specifying quality standards for distance education, requiring twenty-eight credit hours of instruction before a student can enroll in a distance education course, and limiting the number of credits a student may earn in distance education courses).

⁷⁰ We derived 358 by subtracting the 170 courses with definite “no remote placement” responses from the 528. Note that we did not include in this analysis the 137 courses in the survey that provided no response to the remote placements question; thus, the 358 courses represent those that answered “yes” or the equivalent of “maybe yes.” It follows that a future survey should seek to eliminate any ambiguity in the question, and require a definite “yes” or “no” response, instead of permitting a free-form answer.

out of 112⁷¹) permitted students to work at remote placements.⁷² Of note, the proportion of surveyed courses that placed geographic limits on placements dwindled from 75% to 32% in the years between the surveys, and the number of schools permitting remote placements increased from forty-four to sixty-three. We speculate that law schools are more willing to use teleconferencing, site visits by faculty, and other means to accommodate remote placements, so long as a student timely satisfies all of the school's academic, residency, and other requirements for the J.D. program.

B. Organization Type Restrictions on Placements

The survey asked whether an externship course restricted placement. The question was intended to learn whether the course limited placement to certain types of organizations, such as to public interest organizations or to judicial settings, or if the course excluded other organizations such as private law firms.⁷³ Of the 665 courses in the 2007-2009 survey, data was provided for 540 courses. Of these, 431 (80%) placed some limitation as to type of placement, but at least 109 courses (20%) at 33 schools did not. The most common restriction was to limit placement to not-for-profit organizations.⁷⁴ In the 2002-2003 survey, 81% of the courses (231 out of 269 courses) placed some limitation as to type of placement, but at least 14% (thirty-eight courses at fifteen schools) did not.

Thus, the number of schools known to offer a placement without limitation as to type more than doubled from fifteen to thirty-three in the five years between the 2002-2003 and 2007-2009 surveys, and the proportion of such courses among all surveyed courses increased from

⁷¹ See *Redux*, *supra* note 1, at 15.

⁷² *Id.* at 21.

⁷³ See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 305, Interpretation 305-3 (prohibiting credit for compensated fieldwork beyond "reasonable [related] out-of-pocket expenses"). See also e-mail from Steven Grumm, Dir. Of Pub. Serv. Initiatives, Nat'l Ass'n for Law Placement (NALP), to J.P. Ogilvy, Ordinary Professor of Law, The Catholic Univ. of Am., Columbus Sch. of Law (Dec. 20, 2011) (on file with author) (showing eighteen of thirty-seven schools responding to an online query permit externships at private law firms; twelve did not permit students to earn externship credits at for-profit firms; another four schools permitted in-house placement at a corporation but not placement at a private law firm; and one school permitted placement for credit with a for-profit organization only for an externship course without a classroom component). Instead of asking about placement at "for-profit organizations," future surveys should inquire about placements with "private law firms," "in-house corporate counsel," and other for-profits of analytical interest. Some schools permit placements at such organizations, provided the extern's work is limited in some way, such as to a particular substantive area of the law.

⁷⁴ See also CSALE SURVEY, *supra* note 13, at 23 (reporting that of the 88.6% of courses that limit the type of placement, the most common is to not-for-profits (38%), followed by government (33.5%), no private firms (21.8%), and judicial (19%)).

14% to 20%. An externship without limitation as to type is consistent with a general externship, and the increases suggest more general externships. Other data from the survey also show an increase in general externships.⁷⁵

C. *Subject Matter or Setting Restrictions on Placements*

Of the 661 courses for which course names were provided, 528 course names (80%) suggest a specific subject matter or setting. The proportion (80%) is a marked increase from the 2002-2003 survey, where only 86 of 146 course names (59%) suggested a specific subject matter or setting. However, the broad range of possible interpretations makes it impossible for us to say with any high degree of confidence how many courses are specific subject matter courses. The classroom component of a specific subject matter externship would have students with only a judicial placement, only a public defender placement, only a prosecutor placement, and so on. Contrasted with a general externship where students may be in different settings or performing different tasks, it is easier to create a coherent classroom or seminar component for a specific subject matter or setting, and associated faculty members may have or develop greater familiarity with the work of a specific subject matter or setting.⁷⁶ Again, contrasted with a general externship where students often may arrange placements on their own initiative, a law school that offers a "selected placement" may work with related field organizations to accommodate a number of the school's students as externs. Moreover, a law school likely must reach some prior understanding with related organizations to accommodate externs before the school can offer a "substantive law class with field component."⁷⁷

Our analysis broadly counted course names such as "Civil Externship" as specific to subject matter or setting; however, we did not count geographic limitations such as "in-county" as specific unless the course name indicated a particular setting such as "Semester in D.C." or an international program. The CSALE Survey took a different approach that facilitates computerized processing of survey data. Rather than glean a subject matter restriction from the name of the externship course as in our survey, CSALE asked the respondent to select one substantive focus area for each course from a set of thirty-eight choices, plus "other."⁷⁸ The respondent identified the externship courses at the school that addressed each substantive area. If no ex-

⁷⁵ See *infra* text following Table 11.

⁷⁶ See *Redux*, *supra* note 1, at 21-22.

⁷⁷ See also *infra* text accompanying note 137.

⁷⁸ See 2007 SURVEY, *supra* note 25, at 7, 24.

ternship course at the school addressed an area, the respondent selected “no field placement program.”⁷⁹ In the CSALE Survey,⁸⁰ judicial externships were the most prevalent (11.4%) followed by public interest organizations (7.9%), government placements (7.4%), criminal prosecution (6.9%), general litigation (5.8%), criminal defense (5.3%), “other” (4.7%), and the remaining areas.⁸¹ Only one school reported no field placement program that identified with any of the thirty-eight substantive areas or “other.”⁸²

IV. THE CLASSROOM COMPONENT OF AN EXTERNSHIP

Of the 665 courses in the survey, 490 (74%) show a classroom component for the externship course, 91 (14%) do not, and the remaining 84 (12%) did not provide data on classroom component.⁸³ In the 2002-2003 survey, 90% of the courses (241 out of 271) reported a classroom component, a marked increase from 69% (68 out of 98 courses) in the 1992-1993 survey.

A. *Impact of Changes to ABA Standard 305 on the Classroom Component*

The report on the 2002-2003 survey partly attributed the increase from 1992-1993 to ABA accreditation pressures.⁸⁴ The report tracked changes to ABA Standard 305 that put increasing pressure on law schools to include a classroom component in externship programs, requiring, as of 2003, a contemporaneous classroom or tutorial component taught by a faculty member if the externship awarded six or more credits in a semester.⁸⁵ A later revision to ABA Standard 305, effective as of 2005, requires a contemporaneous seminar, tutorial, or other means of guided reflection if the externship awards four or more credits; the 2005 change has been described as both “tougher” and more flexible in that it lowers the credit requirement to four from six, but allows “other means of guided reflection” as an alternative to a class-

⁷⁹ See CSALE SURVEY, *supra* note 13, at 9.

⁸⁰ *Id.*

⁸¹ In our 2007-2009 survey, about 17% of 455 course names examined indicate a judicial externship.

⁸² See CSALE SURVEY, *supra* note 13, at 9.

⁸³ See also CSALE SURVEY, *supra* note 13, at 23 (reporting that 87.6% of field placement programs include a classroom component).

⁸⁴ See *Redux*, *supra* note 1, at 26 (adding as other causes the increasingly sophisticated externship pedagogy and the movement of doctrinal faculty into externship courses).

⁸⁵ See *Redux*, *supra* note 1, at 26 (citing 1986 change requiring consideration of whether the externship program had a classroom component; 1993 change preferring a contemporaneous classroom component in all externships where a field instructor directly supervised students; and 2003 change mandating a contemporaneous classroom or tutorial component taught by a faculty member if the externship awarded six or more credits in a semester).

room or tutorial component.⁸⁶ We speculate that the adoption of “other means of guided reflection” following the 2005 change to Standard 305 partly accounts for the proportional decrease of externships with a classroom component from 90% in 2002-2003 to 74% in 2007-2009. However, if the bulk of the eighty-four (12%) of courses that did not respond to the classroom component inquiry do have a classroom component, then the addition of 12% to 74% yields a result (86%) that is closer to the 90% from 2002-2003 and the 88% reported by the 2007-2008 CSALE survey.⁸⁷

B. Class Meetings and Award of Separate Class Credits

Of the 665 courses in the survey, 430 reported classroom hours. The average number of hours of classroom instruction during the semester is eighteen, or slightly more than an hour a week over fourteen or fifteen weeks. The median is fourteen hours and the mode is also fourteen hours, which means that most courses involve an hour of instruction each week over a fourteen-week semester.

The current version of ABA Standard 305(e)(7) requires a seminar, regularly scheduled tutorial, or other means of guided reflection for an externship that awards four or more credits, but it does not specify that credit be awarded or graded separately for the fieldwork and the classroom component. If credit is awarded separately for the class associated with an externship, those credits may qualify toward the 45,000 minutes of instruction required by ABA Standard 304(b) even though the associated fieldwork credits do not.⁸⁸

Two hundred and thirty externship courses reported a separate award of class credit, representing about half (47%) of the 490 courses that reported a classroom component.⁸⁹ Where a course reported a range of awardable class credits, we used the high value for the range. Thus, ninety-three courses reported one separate semester credit for the class component (40% of 230), eighty-four reported two class credits (37%), thirty-one reported three class credits (13%), six reported four class credits (3%), ten reported five class credits (4%),

⁸⁶ See Anahid Gharakhanian, *ABA Standard 305's "Guided Reflections": A Perfect Fit for Guided Fieldwork*, 14 CLIN. L. REV. 61, 63-64 (2007).

⁸⁷ See *supra* note 83.

⁸⁸ See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 304(b) (requiring 45,000 minutes of instruction in regularly scheduled class sessions at the law school); Standard 306 (allowing the inclusion of up to four qualifying credits per semester of distance education in the 45,000 minutes required by Standard 304(b), which is relevant to externships at remote sites); and Interpretation 304-4 (suggesting 700 minutes of classroom instruction per semester credit).

⁸⁹ The percentage is consistent with the CSALE SURVEY, which reports that 40.7% of the 206 courses that reported a classroom component awarded distinct credits to the classroom component. See CSALE SURVEY, *supra* note 13, at 20, 23.

and six reported six class credits (3%). The average is two credits, the median also is two, and the mode is one credit. The mode of one credit aligns with the mode of fourteen hours of instruction over a 14-week semester reported above. Our review of the survey data shows that externship courses awarding higher class credits can be described as “substantive law class with field component involving cases or empirical research”;⁹⁰ for example, the six courses that reported six class credits are described as “health law concentration,” “civil rights concentration,” “children and families,” “personal injury,” “criminal justice,” and “environmental and land use law.”⁹¹

The 2002-2003 survey recorded an average across 241 courses of eighteen hours of instruction per semester, with a median of fourteen, and a mode of twenty-eight. In the 1992-1993 survey, the average of fifty-six schools reporting was 2.14 hours of instruction per week, the median was two hours, and the mode one hour. In comparing the data from the two surveys, the report on the 2002-2003 survey stated that “one to two hours of class time . . . was the norm.”⁹² The same holds for this survey.

C. Classroom Format

Of the 665 courses in the survey, we had useable classroom format data from 408 to determine the percentage of classroom time devoted to instruction in substantive or procedural law, skills, legal process, legal institutions, professional roles and responsibility, career choices, student reflection on their placement,⁹³ and other topics. A comparison with the 2002-2003 survey shows an increase in the amount of classroom emphasis on reflection on placements and career choices, offset primarily by a decrease in the emphasis on legal institutions. The greater emphasis on career choices may be a consequence of the tightening of the job market for law graduates. It also could be a consequence of greater involvement of career services personnel in the externship programs.

⁹⁰ See *supra* text accompanying note 4.

⁹¹ Cf. substantive law classes with associated clinics (not externships) are similar; for example, as of 2010, Harvard Law School listed fifty-seven such clinics on their website, with up to four credits awardable for the substantive law class, and up to four for the associated clinic. See *Clinics*, HARVARD LAW SCHOOL, <http://www.law.harvard.edu/academics/clinical/clinics/index.html>. See also *supra* note 2 (distinguishing clinics and externships).

⁹² See *Redux*, *supra* note 1, at 28.

⁹³ See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 304(e)(7) (requiring a field placement program to provide “opportunities for student reflection on their field placement experience”).

TABLE 8: NUMBER AND PERCENTAGE OF COURSES DEVOTING CLASSROOM TIME TO SPECIFIC TOPICS

	2007-2009 (N=408)	2002-2003	1992-1993
Substantive / procedural law	228 (56%)	104 (53%)	>35%
Legal process	225 (55%)	101 (52%)	<30%
Professional roles & responsibility	330 (81%)	167 (85%)	59%
Reflection on placements	313 (77%)	134 (68%)	>50%
Lawyering skills	280 (69%)	140 (71%)	59%
Legal institutions	187 (46%)	104 (53%)	30%
Career choices	200 (49%)	65 (33%)	N/A
Other activities	44 (11%)	15 (7%)	N/A

The next table shows the average percentage of time devoted to each topic, across courses that reported a percentage of time spent on specific topics. The data do not show a markedly greater average proportion of time devoted to substantive and procedural law (25%), as compared to the 2002-2003 survey (35%). The report on the 2002-2003 survey concluded that the data were consonant with a finding that many externships were subject matter or setting specific.⁹⁴ In 2007-2009, there appears to be as much emphasis on substantive and procedural law as there is on professional roles and responsibility (23%), reflection on placements (24%), and lawyering skills (28%).

TABLE 9: AVERAGE PERCENTAGE OF CLASSROOM TIME DEVOTED TO SPECIFIC TOPICS

	2007-2009	CSALE Survey (best fit to topic)	2002-2003
Substantive / procedural law	25% (N=203)	33%	35% (N=104)
Legal process	17% (N=213)	19.6%	15% (N=101)
Reflection on placements	24% (N=292)		25% (N=134)
Professional roles & responsibility	23% (N=311)	20.8%	23% (N=167)
Lawyering skills	28% (N=268)	18.8%	27% (N=140)
Legal institutions	13% (N=174)		15% (N=104)
Career choices	12% (N=189)		13% (N=65)
Other activities	21% (N=37)		35% (N=15)
Simulation	N/A	12.8%	N/A

The CSALE Survey named its classroom topics differently, other than substantive law and procedural law, which CSALE separated

⁹⁴ See *Redux*, *supra* note 1, at 30.

into two topics. All but CSALE's simulation⁹⁵ topic can be analogized to one or more of ours. The CSALE Survey found 33% of classroom time devoted to substantive and procedural law, 19.6% to case discussion (which likely encompasses both legal process and reflection on placements in the table above), 20.8% to professional responsibility or ethics, 18.8% to skills instruction, and 12.8% to simulation.⁹⁶

As shown in the following table, the data on specific teaching methods employed in the classroom component shows a marked increase in student presentations (58% to 67%) and in student facilitation (19% to 37%) compared to the 2002-2003 survey, with little or no change in the use of lecture or discussion, guest speakers, and other methods.

TABLE 10: NUMBER AND PERCENTAGE OF COURSES USING SPECIFIC TEACHING METHODS IN THE CLASSROOM COMPONENT

	2007-2009 (N=408)	2002-2003
Lecture / discussion	N=384 (94%)	N=189 (95%)
Student presentations	N=273 (67%)	N=115 (58%)
Guest speakers	N=225 (55%)	N=104 (52%)
Student facilitation	N=151 (37%)	N=37 (19%)
Other methods	N=71 (17%)	N=32 (16%)

The next table shows the average percentage use of a specific teaching method, across courses that reported a percentage use of that method. The data show a decrease in the average percentage of time devoted to student presentations; nevertheless, student presentations continue to command a quarter of the classroom time among the 67% of courses with a classroom component that use student presentations.

⁹⁵ The ABA defines a "simulation course" as "one in which a substantial portion of the instruction is accomplished through the use of role-playing or drafting exercises (for example, trial advocacy, corporate planning and drafting, negotiations, and estate planning and drafting)." See ABA-LSAC GUIDE TO LAW SCHOOLS, *supra* note 2, at 70.

⁹⁶ See CSALE SURVEY, *supra* note 13, at 24.

TABLE 11: AVERAGE PERCENTAGE OF CLASSROOM TIME USING SPECIFIC CLASSROOM TEACHING METHODS

	2007-2009	2002-2003
Lecture / discussion	55% (N=356)	58% (N=189)
Student presentations	24% (N=262)	32% (N=115)
Guest speakers	21% (N=208)	26% (N=104)
Student facilitation	32% (N=137)	29% (N=37)
Other methods	34% (N=35)	44% (N=32)

Taken together, the changes in the classroom component format suggest more general externships with placements in varied legal settings and less commonality in the substantive law. The changes also are consistent with the introduction of “other means of guided reflection” in the revised ABA Standard 305, effective as of 2005.⁹⁷

D. Classroom Materials

We obtained some data on the types of teaching materials employed in the classroom component for 422 of the 665 courses in the survey. Because respondents could check more than one category of teaching materials employed in a particular course, there is overlap in the responses, and the percentages do not add up to 100 as in the 2002-2003 survey; however, there appears to be a marked increase from 3% to 38% in the use of materials other than published text or compiled materials, as well as an increase in the use of compiled materials and published texts.⁹⁸ The growth in the “other” category suggests that future surveys should seek an explanation of “other.”

TABLE 12: USE OF INSTRUCTIONAL MATERIALS

	2007-2009	2002-2003	1992-1993
Published text	N=101 (24%)	N=33 (14%)	N=12 (18%)
Compiled materials	N=308 (73%)	N=119 (51%)	
Both text and compiled	N=59 (14%)	N=51 (22%)	
Other materials	N=163 (38%)	N=6 (3%)	
No materials	N/A	N=25 (11%)	

The 2005 revision to ABA Standard 305 requires a contemporaneous seminar, tutorial, or other means of guided reflection if the ex-

⁹⁷ See *supra* text accompanying note 86.

⁹⁸ Although the 2007-2009 survey did not seek to identify specific published materials used in externship seminars, it is reasonable to assume that many of the indications of use of published materials refer to OGILVY, WORTHAM & LERMAN, *LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS* (2d ed. 2007), which is the only textbook available for general legal externship courses.

ternship awards four or more credits.⁹⁹ About 42.8% of externship courses award less than four credits,¹⁰⁰ and may be exempt from this requirement. Our survey did not ascertain whether a course that is exempt from the requirement of a “contemporaneous seminar, tutorial, or other means of guided reflection” nonetheless uses instructional materials, or whether a course that awards four or more credits does not. Our survey also did not enquire whether it is the law school or the field organization that provides the instructional materials to externs.

E. Journaling

Sixty-four percent of the courses in the survey require students to keep academic journals. The proportion compares with the “nearly two-thirds” reported in the 2002-2003 survey, and 70.3% in the CSALE Survey.¹⁰¹ Of the 356 courses where any journal use was reported, the journal requirement ranged from one to sixty-five journal entries over the course of the semester, with the average number of journal entries required during the semester being about sixteen. The median figure is about fourteen entries and the mode is also fourteen, which are consistent with the 2002-2003 range of one to fifty journal entries required during the semester, with an average near eleven, a median about thirteen, and a mode of fourteen.¹⁰²

The following table analyzes the number of journal entries required during a semester by credits awarded. Data from the 2002-2003 survey appears in parentheses for comparison.

TABLE 13: NUMBER OF REQUIRED JOURNAL ENTRIES
PER SEMESTER
(2002-2003 DATA SHOWN IN PARENTHESES)

Course credits	Mean	Median	Mode	Range
1-4	16 (9.49)	14 (14)	14 (14)	1-65 (1-50)
1-6	16 (10.0)	14 (12)	14 (14)	1-65 (1-50)
5-6	13 (11.5)	14 (14)	14 (14)	1-65 (1-16)
7-10	15 (11.8)	13 (14)	14 (14)	3-65 (5-14)
11-15	21 (13.7)	14 (14)	14 (14)	2-65 (3-35)

The CSALE Survey also asked whether students shared their journal with the on-site field supervisor, and only 8.5% of externships

⁹⁹ See *supra* text accompanying note 86.

¹⁰⁰ See *supra* Table 4.

¹⁰¹ See CSALE SURVEY, *supra* note 13, at 23.

¹⁰² See *Redux*, *supra* note 1, at 35 (concluding “that in most courses using journaling as a pedagogical tool, students are required to submit one entry each week during the semester”).

with journaling did so.¹⁰³

V. GRADING EXTERNSHIP COURSES

A. *Grading Externships with No Classroom Component*

The 2007-2009 and 2002-2003 surveys examined grading separately for courses with and courses without a classroom component. Of the ninety-one courses without a classroom component for which we have partially useable data on grading practices, the fieldwork component is graded pass/fail or credit/no-credit in seventy-three (80%), and graded either numerically or alphabetically in five (<5%). The 2002-2003 survey recorded an identical percentage of such courses (80%) that were graded pass/fail or credit/no-credit.

B. *Grading Externships that have a Classroom Component*

The next table summarizes grading practices for 490 courses with any useable data on a classroom component, and compares the 2007-2009 data with the 2002-2003 survey data on 240 courses shown in italics. Each row shows an independent tally across all 490 courses; hence, a course that provides a grade for the classroom as well as the fieldwork component will have been counted once for the "Classroom (seminar)" row, again in the "Fieldwork" row, and a third time in the last row if the classroom and fieldwork components were graded in the same manner.

TABLE 14: GRADING FOR EXTERNSHIP COURSES WITH CLASSROOM COMPONENT
(2002-2003 DATA SHOWN IN ITALICS)

	Letter or number grade	Pass/fail or credit/no-credit	Total
Classroom (seminar) graded	N=164 (38%) <i>(N=91: 41%)</i>	N=270 (62%) <i>(N=131: 59%)</i>	434 222
Fieldwork graded	N=64 (13%) <i>(N=54: 24%)</i>	N=415 (87%) <i>(N=174: 76%)</i>	479 228
Both classroom (seminar) and fieldwork graded in the same way	N=44 (15%) <i>(N=85: 40%)</i> <i>(1992-93: N=29: 43%)</i>	N=246 (85%) <i>(N=127: 60%)</i>	290 212

The percentage of courses that use letter or number grades for the classroom (seminar) portion of an externship course has remained consistent at 38% compared to 41% in 2002-2003 and a similar proportion in 1992-1993, despite a great increase in the number of courses

¹⁰³ See CSALE SURVEY, *supra* note 13, at 23.

reporting data.¹⁰⁴ This consistency well below 50% has been attributed to a “general discomfiture” in assigning letter or number grades in clinical and externship courses out of concern that such grades are inflated and do not compare with grades in traditional courses, and that assigning letter or number grades would “cause an influx of students in search of higher grades into these courses.”¹⁰⁵ Moreover, there may be some concern that it is difficult or inappropriate for the fieldwork supervisor to assign the fieldwork component grade because the fieldwork supervisor sees only one or two students and does not have the same experience as a faculty member providing grades consistent with the law school grading customs and policies. Reluctance to award a letter or number grade for fieldwork would be consistent with such concerns, and the data show an increase from 76% to 87% in the large proportion of courses that report fieldwork grades as pass/fail or credit/no-credit. In addition, there is a striking reduction in the number and percentage of courses that award a letter or number grade for both the classroom (seminar) and fieldwork components of the course: for the 290 courses that reported grading seminar and fieldwork in the same manner, forty-four (down from eighty-five in 2002-2003) or 15% (down from 40% in 2003-2003 and 43% in 1992-1993) awarded letter or number grades for both.

The CSALE Survey agrees with our data. Although CSALE did not analyze grading separately for externship courses with and without a classroom component, it reported that 84.2% of students received a pass/fail grade for their fieldwork credit hours,¹⁰⁶ 62.7% received a pass/fail grade for the classroom component,¹⁰⁷ and 31.1% received a letter/numerical grade for the classroom component.¹⁰⁸ The respective percentages from the 2007-2009 survey in the table above are 87%, 62%, and 38%.

VI. ADMINISTRATION OF EXTERNSHIP PROGRAMS

A. *Employment Status of Faculty Associated with Externship Programs*

Data from 171 of the 190 schools in the survey, taken from 469 of the 665 courses, permits us to identify that 39% of all 665 externship courses in the survey report that at least one tenured or tenure-track faculty member is assigned to teach in that course. If a course reported more than one status for its associated faculty, we counted only

¹⁰⁴ See *Redux*, *supra* note 1, at 37-38.

¹⁰⁵ *Id.* at 38 (citations omitted).

¹⁰⁶ See CSALE SURVEY, *supra* note 13, at 22.

¹⁰⁷ *Id.* at 23.

¹⁰⁸ *Id.*

the highest-status faculty member in the course. Of the 665 courses in the survey, 34% of the courses reported teaching by tenured faculty, 5% by tenure-track faculty, 11% by faculty on long-term contract, 6% by faculty on short-term contract, 7% by adjunct faculty, and 6% by other faculty. About 29% of the courses did not report the faculty status of the teacher.

If we count the proportion among the 469 reporting courses instead of the 665 courses overall, 49% of the courses reported teaching by tenured faculty, 8% by tenure-track faculty, 16% by faculty on long-term contract, 9% by faculty on short-term contract, 10% by adjunct faculty, and 9% by other faculty. The 2002-2003 survey reported on the percentage of schools, not courses, and therefore cannot be directly compared to per-course data. Of the 106 schools that reported faculty status, the 2002-2003 survey reported that 45% employed tenured faculty to teach at least one externship course in the school's program, 9% employed tenure-track faculty, 20% employed faculty on long-term contract, 13% employed faculty on short-term contract, and 10% employed other faculty. Even though the 2002-2003 data cannot be directly compared to this survey, its per-school proportions are consistent with this survey's per-course count across the 469 reporting schools.¹⁰⁹

The ABA Standards require the association of law school faculty with a field placement program;¹¹⁰ in addition, the ABA Standards implicitly require a trained supervisor at the placement site.¹¹¹ In this survey, even though nearly 90% of schools provided data relevant to the faculty status inquiry, 29% of the courses provided no usable data. Since the ABA Standards appear to require faculty involvement in all externship courses, our survey should have required a response to the faculty status inquiry, or, in the alternative, a free-form explanation as to how the course satisfies the pertinent ABA standard. We did not. We also suspect our survey question was unclear, because there are at least four ways in which "faculty" may be associated with an externship course: (1) a law school's administrative faculty associated with

¹⁰⁹ See also *infra* text accompanying note 144 (identifying the separation of per-school and per-course data as an area of concern).

¹¹⁰ See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 305(c) (requiring full-time or part-time faculty from a law school to evaluate academic achievement for study outside the classroom); Standard 305(e)(2) (stating that a "field placement program shall include . . . faculty teaching in and supervising the program who devote the requisite time and attention to satisfy program goals and are sufficiently available to students").

¹¹¹ *Id.* Standard 305(e)(4) (stating that a "field placement program shall include . . . a method for selecting, training, evaluating, and communicating with field placement supervisors"). *But see* CSALE SURVEY, *supra* note 13, at 23 (reporting that nearly two-thirds of the courses surveyed do not provide any training for on-site supervisors).

the supervision and review of the school's field placement program; (2) supervisors at the field placement site who are also adjunct faculty; (3) doctrinal faculty teaching a substantive law class associated with an externship course; and (4) non-doctrinal experiential educators teaching the classroom component of an externship or supervising externs from within the law school.¹¹² The CSALE Survey inquired about the job description of the person teaching the classroom component separately from the job description of the person who supervised the field placement program from within the law school.¹¹³

B. Status of Externship Faculty Compared to Doctrinal Faculty

Neither this survey nor the 2002-2003 survey adequately addressed a core inquiry that concerns the status of externship faculty in law schools generally, given the historical tensions between doctrinal faculty and experiential educators. The 2007-2008 CSALE Survey analyzed responses relevant to faculty status from 357 faculty members who were associated primarily with clinical and externship courses.¹¹⁴ Even though the CSALE Survey reports the job descriptions of clinical and externship faculty separately,¹¹⁵ its Staffing Sub-Survey does not distinguish faculty associated with externships from faculty associated with clinics.¹¹⁶ CSALE's Staffing Sub-Survey, however, is instructive for the questions it asks and the comparisons it draws. In order to compare faculty status, a survey needs to address separately the status of clinical, externship, doctrinal, and perhaps other faculty. Rather than survey doctrinal faculty, CSALE's practical approach was to ask the applied legal educators who responded to compare their standards for advancement or retention with the standards for doctrinal faculty at their school.¹¹⁷

¹¹² Doctrinal faculty are likely to be involved in teaching the classroom or seminar portion of the category of externship described as "substantive law class with field component involving cases or empirical research." See *supra* text accompanying note 4. See also CSALE SURVEY, *supra* note 13, at 22 n.10 (suggesting that one or more respondents assumed a survey question referred to the on-site supervisor at the placement office instead of the law school faculty directing the externship course, when asked how many student externs the person supervised on average in a semester).

¹¹³ See CSALE SURVEY, *supra* note 13, at 21, 24.

¹¹⁴ See CSALE SURVEY, *supra* note 13, at 6, 21, 25-32.

¹¹⁵ See *id.* (reporting the job descriptions of persons in charge of clinics (question 7), persons teaching the classroom components of a clinic (question 14) or externship (questions 26 & 27), persons supervising the casework component of a clinic (question 19), and persons supervising field placements from within the law school (question 7)).

¹¹⁶ See *id.* at 25-32. See also *id.* at 1 n.2 (defining "applied legal educator" and "clinician" as interchangeable terms that refer to a teacher or supervisor of a clinic or field placement program).

¹¹⁷ See *id.* at 25-26 (comparing standards for clinicians on tenure track and clinicians on contract with the standards for doctrinal faculty).

C. *Administrative or Secretarial Support Provided to Externship Programs*

We obtained data on the availability of administrative support from 307 of the 665 courses represented in the sample. One hundred and twenty (36%) reported having a staff coordinator; 59 (19%) have a secretary (at least part-time); 162 (53%) have an administrative assistant; and 18 (6%) have some other staff available to support the externship program.

The 2002-2003 survey reported on the percentage of schools, not courses, and therefore cannot be directly compared to the per-course data. In 2002-2003, 41% of externship programs reported having a staff coordinator; 39% a secretary (at least part-time); and 11% some other staff. Even though the data from the two surveys cannot be directly compared, the data appear to show a large increase in available support from a secretary or administrative assistant.

The ABA Standards appear not to address administrative support directly, speaking instead to the adequacy of "instructional resources" generally, seeking proportionality with the number of students enrolled in externships and to the number of credits awarded.¹¹⁸ Our inquiry sought to ascertain both the overall type and amount of administrative support that a law school provides to its externship program, and the adequacy of the administrative support.¹¹⁹ The per-school data from the 2002-2003 survey is suited to an analysis of the overall type and amount of administrative support, and the per-course data from this survey is suited to an analysis of the adequacy of the administrative support. However, neither survey asked whether the person responding believed the level of support to be "adequate," and if it was not adequate, what additional resources would make the support adequate. The CSALE Survey addressed the subjective assessment of adequacy, that is, it asked respondents to identify the major challenges confronting their field placement programs. Lack of secretarial support ranked third (12.4%) after demands on faculty time and insufficient numbers of faculty.¹²⁰ Responding to a separate inquiry about the overall externship programs, a large percentage of respondents (21%) reported inadequate secretarial support, but the same percentage of respondents believed their secretarial support

¹¹⁸ See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Interpretation 305-4(b) (calling for instructional resources to be devoted to the externship program in proportion to the number of students enrolled in externships and to the number of credits awarded).

¹¹⁹ See *Redux*, *supra* note 1, at 40-41.

¹²⁰ See CSALE SURVEY, *supra* note 13, at 13, 22 (adding that a law school externship supervisor typically supervised around 11 students per semester, with a mode of 5 or 6).

adequate.¹²¹

To eliminate confusion, any survey question that addresses support needs to clearly distinguish support provided by the law school, which is the measure of interest, from support that is provided by the field organization to the extern at the placement site.¹²² Although we are not aware of any law schools that misunderstood the question in our surveys, we believe our survey questionnaires could have further clarified this point. Moreover, our survey questions did not distinguish support from administrative assistants and secretaries, which is the metric of interest, from the support provided to the externship program by the faculty at the law school; thus, one hundred and ninety-one courses (62%) responding to the 2007-2009 survey reported administrative support from faculty members.

We did not compare the data on administrative support with the sizes of externship programs. Since the relevant ABA standard seeks proportionality with the number of students enrolled in externships,¹²³ we conclude that the appropriate measure of a school's externship program size is the number of students enrolled in externship programs over a calendar year (or academic year including the summer term).¹²⁴ As discussed in a previous section, there are different metrics associated with student enrollment in externship programs;¹²⁵ the chosen metric must be disambiguated from the others. We strongly recommend that a survey inquire separately about the number of students enrolled in externship programs on an overall or per-school basis, rather than attempt to derive the size from possibly incomplete or ambiguous per-course data. The ABA does report the number of students involved in field placements;¹²⁶ however, the ABA data is suspect because its underlying survey question is ambiguous and allows at least three different ways to respond.¹²⁷

In addition to correlating the data on administrative support with externship program size, the data also should be correlated with the number of credits awarded. In contrast to externship program size, which is a per-school statistic, the number of credits awarded is a per-course statistic. Schools often report a range of credits awardable for

¹²¹ *Id.* at 13.

¹²² *See, e.g.,* CSALE SURVEY, *supra* note 13, at 21 n.9 (noting that at least one law school misunderstood the question to include person(s) in the field who were supervising the students).

¹²³ *See supra* note 118.

¹²⁴ Other ways to measure the size of a school's externship program include the number of externship courses, and the proportion of instructional resources devoted to the program.

¹²⁵ *See supra* text accompanying notes 30-40.

¹²⁶ *See supra* note 36.

¹²⁷ *See supra* text accompanying notes 36-40.

a particular course, and any analysis should use the maximum awardable credits for a course where the survey response states a range.

D. Evaluation of Placement Sites

Of the 665 courses in the survey, we have data on 493 courses with respect to how placements are evaluated. The following table presents the data, with overlap among the methods because respondents could select one or more of three different site evaluation methods for each course.

TABLE 15: METHODS USED TO EVALUATE PLACEMENTS

	2007-2009 (N=493)	2002-2003 (N=266)
Student Evaluations	467 (95%)	247 (93%)
Site Visit	335 (68%)	161 (61%)
Other	228 (46%)	125 (47%)
Student Evaluation and Site Visit	321 (65%)	150 (56%)
Student Evaluation, Site Visit, and Other	136 (28%)	62 (23%)
Student Evaluation and Other	214 (43%)	119 (41%)
Site Visit and Other	137 (28%)	70 (26%)

The data show a 7% increase from 2002-2003 in the use of site visits. Many courses use multiple methods for evaluating placements; there is a 9% increase in the use of both student evaluations and site visits at placement sites. The data support an increase in the use of site visits to evaluate placements.

We analyze the use of site visits across different ranges of course credits. As for the “Number of Credits” analysis,¹²⁸ a course is counted more than once if it reports a range of credits that could be awarded. For example, if a student could earn two to four credits in an externship course based on the amount of work done in a term, we counted that course once as a 2-credit course, again as a 3-credit course, and a third time as a 4-credit course. After the multiple counting, the total number of courses expands to 1426, and the number of courses using site visits expands to 976. The counts and percentages appear in the next table.

¹²⁸ See *supra* Table 3.

TABLE 16: USE OF SITE VISITS

Credits	2007-2009			2002-2003
	Number of courses in the survey (N=1426)	Number of courses using site visits (N=976)	Percentage of courses using site visits	Percentage of courses using site visits
1-3	611	357	58%	57%
1-4	834	496	59%	61%
5-6	271	208	77%	56%
7-10	206	181	88%	46%
11-15	115	91	79%	60%

Compared to the 2002-2003 survey, there are large increases in the use of site visits for externship courses awarding five or more credits, as shown in the rows for 5-6, 7-10, and 11-15 credits. The increase can be attributed to a change in the ABA standards. The ABA standard in effect at the time of the 2002-2003 survey required an on-site visit by a full-time law school faculty member if an externship course awarded seven or more credits for fieldwork in a term;¹²⁹ however, the authors of the report on the 2002-2003 survey believed that “a number of schools were out of compliance” with that requirement.¹³⁰ The ABA standard in effect at the time of this 2007-2009 survey requires “periodic on-site visits or their equivalent by a faculty member” for courses awarding “four or more academic credits . . . for field work in any academic term or if on-site visits or their equivalent are otherwise necessary and appropriate.”¹³¹ The change relaxed the site visit requirement in that it allowed “their equivalent” and only periodically,¹³² but the change was also more rigorous in that it reduced the credit threshold from seven to four due to perceived problems with quality control caused by lack of faculty oversight of lower-credit externships.¹³³

In addition, site visits or their equivalent are now required if “otherwise necessary and appropriate,” presumably notwithstanding the number of credits awarded. However, the authors are not aware of an ABA standard or interpretation that directly addresses when it

¹²⁹ Memorandum from John A. Sebert, *Revisions to ABA Standards 302 and 305* (Aug. 23, 2004), available at <http://www.docstoc.com/docs/51026795/302---and-305-Standards> (last visited Jan. 9, 2012).

¹³⁰ See *Redux*, *supra* note 1, at 44.

¹³¹ See *infra* note 140. See also CSALE SURVEY, *supra* note 13, at 23 (reporting that most (36.7%) of the externships in the survey that use regular site visits conduct a visit once a semester, followed by once a year (30%), every other year (28.3%), and more than once a semester (5%)).

¹³² The ABA concluded that a site visit was not always necessary in every term that the externship was offered and that the goals of a site visit could be satisfied by means other than a personal visit to the site. See Sebert, *supra* note 129.

¹³³ See Sebert, *supra* note 129.

might be “necessary and appropriate” to conduct a site visit or its equivalent; some law schools set policies for their own externship programs to align with the ABA requirement.¹³⁴ Thus, a survey should inquire into the equivalent method that the law school employs to bring an externship into compliance with ABA Standard 305(e)(5) where the externship does not require periodic site visits, but nonetheless awards four or more credits in a term for fieldwork. Our handwritten questionnaire provided the respondent with an opportunity to write in an alternative method used to evaluate the placement site; however, the questionnaire neither drew attention to ABA Standard 305(e)(5) nor required a response to the question as a smart web form could have done.¹³⁵

The CSALE Survey, which did not break out data by the number of credits awarded, reported that 60.4% of the 235 externship courses responding to the survey used site visits.¹³⁶ The CSALE percentage is consistent with the data from the 2002-2003 survey, and with the lower credit ranges in this 2007-2009 survey.

VII. OTHER RECOMMENDATIONS FOR FUTURE SURVEYS

In the future, externship surveys should attempt to categorize each externship course as (1) general placement; (2) setting-specific placement; or (3) substantive law class with field component.¹³⁷ If there is a classroom or seminar component associated with a setting-specific placement, it would be useful to determine whether that differs from the classroom or seminar component of a general placement, and if it does differ, how the classroom or seminar component is tailored to the particular type of placement. Substantive law classes with a field component may be few in number, but differ in significant ways from the other two categories of externship. For example, it is likely that the classroom or seminar component associated with such externships differs significantly from the other two categories, with doctrinal faculty teaching the substantive law class, and non-doctrinal externship faculty supervising the placement from within the law school.¹³⁸ It is also necessary to distinguish a substantive law class

¹³⁴ See, e.g., *Faculty Extern Advisor Handbook*, LEWIS & CLARK LAW SCHOOL, <http://law.lclark.edu/live/files/8828-externships—faculty-handbook-2012> (last visited Jan. 9, 2012) (requiring an on-site visit by the extern’s faculty advisor for a new placement site, a site not visited in the last three calendar years, upon a change in the site contact/mentor, or at the discretion of the law school’s externship program director).

¹³⁵ See *infra* text accompanying note 147.

¹³⁶ See CSALE SURVEY, *supra* note 13, at 23.

¹³⁷ See *supra* text accompanying note 4.

¹³⁸ See *supra* text accompanying note 113.

with field component from a substantive law clinic.¹³⁹ In sum, the course-specific questions within an externship survey should be tailored to the externship's CLEPR category.

We noted a general discomfiture with assigning letter or number grades in association with externship courses. Surveys could correlate the classroom grading method to the number of classroom credits, to analyze whether the proportion of letter or number grades awarded for the classroom component increases with the number of classroom credits. We stated earlier that an externship course awarding higher class credits appears to be a substantive law class associated with a related field component, and it may be that law schools are more comfortable with awarding letter or number grades for such substantive classes. In addition, all future surveys should carefully distinguish total course credits, fieldwork credits, and classroom credits in any question that refers to credits.

With regard to queries addressing the employment status of faculty associated with externships, surveys should distinguish the various types of faculty, and be able to identify from the responses a circumstance where the field placement supervisor is part of the law school's faculty. From the language of the pertinent ABA standards, it is also relevant whether the faculty member is employed part-time or full-time by the law school, and whether the faculty member is employed by the same law school that offers the externship course or by another law school. The survey should attempt to determine whether use of faculty from other law schools is favored where the other law school is located near a remote placement site,¹⁴⁰ or for some other reason.

To reduce complexity and uncertainty in data analysis, the authors strongly recommend that externship surveys develop separate, tailored questionnaires for externship placements during a regular (fall or spring) semester, and externship placements during the abbreviated summer term. If an externship course is offered in summer as well as in fall or spring, that course should be reported and analyzed as two different courses. Provision should be made for an externship course that extends beyond one semester, whether or not one of the semesters is a summer term.¹⁴¹ In addition, surveys should identify

¹³⁹ See *supra* note 91.

¹⁴⁰ See ABA STANDARDS FOR APPROVAL OF LAW SCHOOLS, *supra* note 15, Standard 305(c) (permitting where appropriate the involvement of faculty members from other law schools "to supervise or assist in the supervision or review of a field placement program"); Standard 305(e)(5) (requiring "periodic on-site visits or their equivalent by a faculty member" for externships awarding four or more credits, or "if on-site visits or their equivalent are otherwise necessary and appropriate").

¹⁴¹ See *infra* text accompanying note 145.

externship courses that must be the only course that the student takes in a term, such as a summer program. Such courses likely merit additional analysis.

Our survey provided one copy of a school-specific questionnaire to the primary externship contact at each law school.¹⁴² To reduce the burden on respondents, surveys could first populate the survey database with relevant information on each law school that can be obtained from the ABA, LSAC, and law school websites. This includes, for example, the name and address of the law school and the number of full-time and part-time students. Such initial seeding of the database also reduces the cleanup required on the back end before data analysis can begin. For example, the 2007-2009 survey asked respondents to provide school-wide information, which led to a few multiple master entries for the same law school where more than one person responded for that school or where the name of the university differed from the name of the law school.

Faculty members responsible for specific externship courses completed one course-specific questionnaire for each course.¹⁴³ More information about externships is available today on the websites of law schools; however, the content changes frequently. If the 200 or so law school websites can be surveyed in the space of a semester or two, the survey staff could seed the per-course responses in advance with information from the websites. These forms can then be forwarded to law schools for faculty members to verify or complete.

Survey questions should clearly separate per-school (i.e., school-wide) information from per-course information.¹⁴⁴ To reduce the chance of confusion, *no* question associated with an externship *course* should relate to a matter or data that is common to the law school's externship *program*, and vice versa. All data associated with the law school, or data that is common to a school's externship program, should be requested on the per-school form, or obtained from the websites of the ABA, LSAC, or the law school.

More complete and accurate data can be obtained with other improvements in the survey questionnaire. For example, the questionnaire for the 2007-2009 survey was slanted toward an underlying assumption that law schools proceeded on a three-term academic year (fall, spring, and summer), and that an externship course would be offered in one of those terms. This assumption does not work very well for the few law schools that are on a quarter system, nor does it

¹⁴² See App. A.

¹⁴³ See App. B.

¹⁴⁴ Compare App. A (per-school questionnaire used in later stages of this 2007-2009 survey) with App. B (per-course questionnaire).

work well for traditional semester-system schools where an externship course straddles more than one term. For example, an externship course could continue through the fall and spring terms, with one final grade awarded at the end of the spring term.¹⁴⁵ At least one externship course straddled a spring term and the following summer. In addition, we applied an assumption about a 14-week semester to derive per-week numbers for some data; however, there is no easy assumption that can be made about a law school's summer term. Thus, the survey should gather sufficient data about the duration of an externship, particularly for the summer term.

Our survey contains information on 665 externship courses in 190 law schools. For a data set of this magnitude, computerized data processing and analysis should be greatly favored over manual examination of responses. If possible, a smart web form should be favored over a paper questionnaire to eliminate the need for data entry and manual examination of responses.¹⁴⁶ For the 2007-2009 survey, neither the paper questionnaire sent out in the later stages of the survey nor the web form completed by the majority of responders sufficiently restricted the data entry to numeric form where a number was required. Where the units of measurement, such as per-week or per-semester, also were not clear or did not apply to the person responding, we were left to interpret free-form text input where a number was expected. In addition to restricting input to a valid numerical or other range, a smart web form could perform cross checks on the data "on the fly," alerting the respondent to inconsistent data as it is entered. Rather than ask the respondent to write out information in response to a question, a smart form would require the respondent to select one or more items from a menu of set choices.¹⁴⁷ In short, the smart form writes its data to a spreadsheet in a format that is ready for computerized analysis. The result of an up-front effort to create such a smart form is more accurate data, with remarkably less effort on the back end to clarify, interpret, and enter the responses into a spreadsheet.

We recognize that much of the survey data, in addition to administrative support,¹⁴⁸ can be analyzed by externship program size as measured by the number of students enrolled in externship programs

¹⁴⁵ *But see* CSALE SURVEY, *supra* note 13, at 20 (reporting that only 1.5% of surveyed externship courses required two semesters to complete, 0.5% required one or two semesters, 6.5% reported "other," but 91.5% had a mandatory term of one semester).

¹⁴⁶ Software driving a smart web form would analyze the respondent's input as it was entered, alert the respondent to inconsistent input, vary the questions based on the selections made and input already completed, and ensure all data entered into the form was in an appropriate format for direct transfer to an electronic spreadsheet for analysis.

¹⁴⁷ *See, e.g., supra* text accompanying note 78.

¹⁴⁸ *See supra* text accompanying notes 123 and 124.

over the course of a year. Such an analysis would show commonalities among schools of similar size, and differences between the larger and smaller programs. There also is interest in reviewing limited sets of data from groups of specified law schools, such as the “top-30” schools,¹⁴⁹ or in comparing the data across *U.S. News and World Report* tiers.¹⁵⁰ Thus, surveys should store their results in a format that facilitates flexible analyses of this nature.

Finally, we note that surveys of this magnitude are multi-term projects. With high turnover of student assistants across several semesters, it is unlikely that any one student will work on the project from beginning to end. Therefore, a key ingredient of success is good documentation of the goals of the project, the survey instrument, and the data processing scheme.

CONCLUSION

This survey is the first time since 1992-1993 in which all responding law schools report at least one externship course for academic credit earnable toward the J.D. degree. Even though externships for credit are now ubiquitous, legal education standards require law schools to limit the total number of externship credits that a student may earn, and some schools set their own rules to enforce a limit.

An important measure of the value of externships is student involvement in externship courses. There are several ways to measure student involvement; however, neither our survey question nor the annual questionnaire from the ABA specified the desired student involvement metric with sufficient clarity. Nevertheless, it appears that proportionately fewer part-time students participate in externships than full-time students, and schools should take steps to boost the participation of part-time students.

Where an externship course adds a classroom component, the total course credits often are allocated separately to the classroom component and to the fieldwork carried out at the placement site. To earn credit for the fieldwork component, a student needs on average to work for fifty hours at the placement site to earn each semester credit. From our data, total externship course credits range from a low of one to a high of fifteen, with the largest number of courses at three credits. There is a trend toward higher credit externships. For lower-credit

¹⁴⁹ See e-mail from Robert L. Jones, Jr., Dir. Notre Dame Legal Aid Clinic, to J.P. Ogilvy, Ordinary Professor of Law, The Catholic Univ. of Am., Columbus Sch. of Law (Nov. 7, 2011) (on file with author) (seeking subset of survey data).

¹⁵⁰ See CSALE SURVEY, *supra* note 13, at 5 (asking respondents to provide their most recent *U.S. News and World Report* ranking within set ranges, to permit “rough comparisons”).

courses in the one to two credit range, about 60% of courses add a classroom component, but the proportion rises to around 80% for courses from three credits to thirteen, and to 90% at fourteen credits. All fifteen-credit externships in our data have a classroom component. Our data show a continued general discomfiture with assigning letter or number grades for externship courses, whether for the fieldwork component or the classroom component.

Schools may restrict an externship placement in various ways. Our survey inquired about restrictions by locale, type of organization, subject matter, and setting. Some restrictions impact the design of the externship's associated classroom component. Our data show a trend to more general externships with fewer restrictions, and also to greater acceptance of placement at sites remote from the law school, even though remote placement may transform the classroom component to distance learning.

Recent changes to ABA Standard 305 require a classroom component for externships courses with four or more total credits, but allow "other means of guided reflection" as an alternative to class. We believe the full impact of these changes on externship course design is yet to play out. From our data on the classroom component, the average course requires one hour of instruction per week during the semester. The classroom format shows an increase in the amount of classroom emphasis on reflection on placements and career choices, offset primarily by a decrease in the emphasis on legal institutions. There is also a marked increase in the use of student presentations and student facilitation. These changes are consistent with an increase in general externships and the introduction of "other means of guided reflection" in the revised ABA Standard 305. There is also an increase in the use of classroom materials other than published text or compiled materials, suggesting a need to seek an explanation of these unspecified other materials. Of the 64% of courses that require students to keep academic journals, the average number of journal entries required is near one per week, with a large range from one to sixty-five entries that merits future investigation of the outliers.

Many areas of improvement are apparent in hindsight, and documented for the benefit of future designers of externship surveys. Not all of these shortcomings are limited to our surveys; notably, ambiguity in questions addressing "student involvement" extends to the annual ABA questionnaire for law schools. Finally, we note that surveys of this magnitude are lengthy, multi-term efforts with high staff turnover. Such efforts benefit from a well-documented layout of the survey instrument and database at the inception, with continuity in project management from inception to closure. Regardless, we believe the

data provided in this article provide an excellent snapshot of the state of externship programs today and can assist individual programs in further refining their curricula.

Please complete this form first.

Externship Survey

Information About
THE LAW SCHOOL

Page 1 of 2

Name of the Law School: _____

Name of the University: _____

Name of person responding to this survey: _____

Your position ("job title"): _____

Your work mailing address: _____

Your work telephone number: _____

Your work e-mail: _____

Total number of students at the law school (full-time plus part-time): _____

Total number of part-time students: _____

Minimum number of credits required for the J.D. degree: _____

If these are not "semester credits," please describe length & type of term: _____

Number of different Externship Courses: _____

("Externship Course" means any course for which

- (a) a student earns credits towards the J.D. degree;
- (b) the student is placed at a work location outside the law school; and
- (c) there may be an [optional] classroom [seminar] component.)

Total number of students enrolled in Externship Courses (on average, or min-max range):

	Fall	Spring	Summer
Full-time J.D. students			
Part-time J.D. program			

APPENDIX A

Please complete this form first.
Information About
THE LAW SCHOOL

Externship Survey Page 2 of 2

Maximum number of Externship Course credits that a student may earn towards the J.D. _____

Support personnel available for all the Externship Courses

	Number of persons	For each person, on average, the percentage of their time that is allocated to the Externship Courses
Faculty coordinator		
Administrator		
Administrative Assistant		
Secretary		
Other (please describe below):		

Next: Please complete one set of Externship Course Forms for each separate Externship Course.

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 1 of 11

AN EXTERNSHIP COURSE

Name of the Externship Course:

Description (you may attach a course description or provide a web page URL):

Special features, if any:

Website (either the URL, or how to navigate to the website):

Duration of the Externship Course ("year long," "one semester," "spring and summer," or other):

APPENDIX B

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 2 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
Number of sections offered for this course (please leave blank or write "N/A" if not offered in a particular term/semester)			
Number of different placements (work locations) available			
Average number of students per placement (work location). Instead of one average number, you may specify a range, e.g., 3 to 10.			
Permitted placement(s), e.g. "federal agency," if limited			
Restriction on placement(s), e.g., "no private firms," if limited			
Permitted geographic area for placement			
Restriction on geographic area of placement			

APPENDIX B

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 3 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
Type of work typically performed by the student (check all that apply)	Clerking (research and writing) _____ Client representation (litigation or transactional) _____ Other advocacy (lobbying, gov't relations, etc.) _____ Observation / critique _____ Other (please describe): _____	Clerking (research and writing) _____ Client representation (litigation or transactional) _____ Other advocacy (lobbying, gov't relations, etc.) _____ Observation / critique _____ Other (please describe): _____	Clerking (research and writing) _____ Client representation (litigation or transactional) _____ Other advocacy (lobbying, gov't relations, etc.) _____ Observation / critique _____ Other (please describe): _____
Method(s) used to evaluate the placement (work site) (check all that apply)	Student evaluations _____ Site visits _____ Other (please describe): _____	Student evaluations _____ Site visits _____ Other (please describe): _____	Student evaluations _____ Site visits _____ Other (please describe): _____
Number of term credits a student may earn for this course (you may specify as a range, e.g., 1 to 10, or just the Total if not separated)	Fieldwork: _____ Classroom: _____ Total: _____	Fieldwork: _____ Classroom: _____ Total: _____	Fieldwork: _____ Classroom: _____ Total: _____

APPENDIX B

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 4 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
Hours of fieldwork required (if the total credits for the Externship Course are not separated into fieldwork and classroom components, please provide your estimate of the hours required in the field to obtain one credit)	Specify as one of either : _____ hours per field credit hour, for the entire term, e.g., 50. <i>or</i> _____ hrs per week, for _____ weeks, to earn _____ field credit(s).	Specify as one of either : _____ hours per field credit hour, for the entire term, e.g., 50. <i>or</i> _____ hrs per week, for _____ weeks, to earn _____ field credit(s).	Specify as one of either : _____ hours per field credit hour, for the entire term, e.g., 50. <i>or</i> _____ hrs per week, for _____ weeks, to earn _____ field credit(s).
Classroom (seminar) component	Meets for _____ hours per week, for _____ weeks.	Meets for _____ hours per week, for _____ weeks.	Meets for _____ hours per week, for _____ weeks.
The course uses these textbooks / materials (check all that apply)	<i>Learning from Practice</i> (West 2007) _____ Compiled materials _____ Other (please describe):	<i>Learning from Practice</i> (West 2007) _____ Compiled materials _____ Other (please describe):	<i>Learning from Practice</i> (West 2007) _____ Compiled materials _____ Other (please describe):

APPENDIX B

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 5 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
What <i>per cent</i> of the course format is: (please note that your percentages should add up to 100 for each term)	Lecture/discussion ____ Guest speakers ____ Student presentations __ Student facilitation ____ Other ____ Please describe "other":	Lecture/discussion ____ Guest speakers ____ Student presentations __ Student facilitation ____ Other ____ Please describe "other":	Lecture/discussion ____ Guest speakers ____ Student presentations __ Student facilitation ____ Other ____ Please describe "other":

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 6 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
What <i>per cent</i> of the course time is devoted to: (please note that your percentages must add up to 100 for each term)	Substantive/procedural law: _____ Legal process: _____ Legal institutions: _____ Professional roles & responsibilities: _____ Career choices: _____ Student reflection on their placement: _____ Other: _____ Please describe "other":	Substantive/procedural law: _____ Legal process: _____ Legal institutions: _____ Professional roles & responsibilities: _____ Career choices: _____ Student reflection on their placement: _____ Other: _____ Please describe "other":	Substantive/procedural law: _____ Legal process: _____ Legal institutions: _____ Professional roles & responsibilities: _____ Career choices: _____ Student reflection on their placement: _____ Other: _____ Please describe "other":
Whether a student journal is required, and If it is, the number of entries required in the journal (during the term)	Journal required? _____ # entries: _____	Journal required? _____ # entries: _____	Journal required? _____ # entries: _____

APPENDIX B

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 7 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
Method of grading the fieldwork component (please place a check mark)	Numerical _____ Letter grades _____ Credit / No credit _____ Pass / Fail _____ Other (please describe):	Numerical _____ Letter grades _____ Credit / No credit _____ Pass / Fail _____ Other (please describe):	Numerical _____ Letter grades _____ Credit / No credit _____ Pass / Fail _____ Other (please describe):
Please indicate the basis for the fieldwork grade as a percent of the total, if it is a numerical or letter grade (please note that your percentages should add up to 100 for each term)	Journals _____ Papers _____ Work product at placement _____ Evaluation by fieldwork supervisor _____ Other _____ Please describe "other":	Journals _____ Papers _____ Work product at placement _____ Evaluation by fieldwork supervisor _____ Other _____ Please describe "other":	Journals _____ Papers _____ Work product at placement _____ Evaluation by fieldwork supervisor _____ Other _____ Please describe "other":

APPENDIX B

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 8 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
Method of grading the classroom (seminar) component (please place a check mark)	Numerical _____ Letter grades _____ Credit / No credit _____ Pass / Fail _____ Other (please describe):	Numerical _____ Letter grades _____ Credit / No credit _____ Pass / Fail _____ Other (please describe):	Numerical _____ Letter grades _____ Credit / No credit _____ Pass / Fail _____ Other (please describe):

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 9 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
<p>Please describe the basis for the classroom (seminar) grade as a <i>per cent</i> of the total, if it is a numerical or letter grade</p> <p>(please note that your percentages should add up to 100 for each term)</p>	<p>Journals _____</p> <p>Papers _____</p> <p>Work product at placement _____</p> <p>Exam _____</p> <p>Evaluation by fieldwork supervisor _____</p> <p>Class participation _____</p> <p>Other _____ Please describe "other":</p>	<p>Journals _____</p> <p>Papers _____</p> <p>Work product at placement _____</p> <p>Exam _____</p> <p>Evaluation by fieldwork supervisor _____</p> <p>Class participation _____</p> <p>Other _____ Please describe "other":</p>	<p>Journals _____</p> <p>Papers _____</p> <p>Work product at placement _____</p> <p>Exam _____</p> <p>Evaluation by fieldwork supervisor _____</p> <p>Class participation _____</p> <p>Other _____ Please describe "other":</p>

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 10 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
Are any fieldwork products required of students, in addition to seminar products (please check)	Learning agreement _____ Submission of work product _____ Final report/evaluation _____ Substantial paper _____ Other _____ Please describe "other":	Learning agreement _____ Submission of work product _____ Final report/evaluation _____ Substantial paper _____ Other _____ Please describe "other":	Learning agreement _____ Submission of work product _____ Final report/evaluation _____ Substantial paper _____ Other _____ Please describe "other":
Number of faculty teaching the classroom component of this course (all sections)	Adjunct _____ Tenured _____ Tenure track _____ Long-term contract _____ Short-term contract _____ Other _____ Please describe "other":	Adjunct _____ Tenured _____ Tenure track _____ Long-term contract _____ Short-term contract _____ Other _____ Please describe "other":	Adjunct _____ Tenured _____ Tenure track _____ Long-term contract _____ Short-term contract _____ Other _____ Please describe "other":

APPENDIX B

Please complete one questionnaire for each separate Externship Course.

Externship Survey

Information About

Page 11 of 11

AN EXTERNSHIP COURSE

	Term / Semester (If the data for two or more terms are the same, please write "SAME AS" in the space for the other(s))		
	Fall	Spring	Summer
Number of fieldwork supervisors for this course			
Law school provides training to the fieldwork supervisors (please circle YES / NO)	YES / NO	YES / NO	YES / NO
If YES, please describe the training that the law school provides training to the fieldwork supervisors (you may attach materials or provide a web site URL if easier)			

Your comments (e.g., any questions that were ambiguous or confusing and any topics not covered by this survey that you would like to see on any subsequent surveys):

APPENDIX B

