Judicial Extern Clinic
Professor George A. Mocsary
Course Syllabus – Summer 2018

Course Objectives: During this class, students will:

1. Improve lawyering skills, including writing, research, and legal analysis.
2. Demonstrate appropriate professional behavior and general job-related skills, including
   job knowledge, organization, interpersonal skills, and courtroom and chambers etiquette.
3. Reflect on the values and obligations of the legal profession as they apply to the court, to one’s
   clients, and to the public.
4. Learn how the judicial system operates and, more specifically, how judges decide legal issues and
   otherwise facilitate the resolution of legal disputes.
5. Observe and reflect upon the work of attorneys practicing before the court.

Minimum Course Requirements:

1. Satisfactory completion of the required number of work hours for the credit hours of enrollment.¹
   At least 20 percent of the required hours must be allocated to observation time.² Time spent on
   podcasts, quizzes, journals, and TWEN discussions count toward general work hours.

2. Satisfactory completion of all course assignments and requirements, including:
   - Completion of introductory podcasts & quizzes
   - Learning Plan
   - Daily Journal & Bi-Weekly Hours Reports
   - Participation in TWEN discussions
   - Midterm Performance Review and Midterm Report
   - Final Performance Review, Final Report, Placement Evaluation and Course Evaluation

Course Grade/Evaluation: This course uses an S+, S, S-, and U grading system. Students will be
assessed by their Field Supervisors and Faculty Supervisor using the Performance Review documents
posted on the TWEN page. In determining the final course grade, the Faculty Supervisor will give
substantial weight to: (1) the student’s ability to meet deadlines; (2) the quality of the student’s journal
entries, reports, and TWEN discussion commentary; (3) the Field Supervisor’s performance review; and
(4) the quality of the student’s writing samples (if any). A memo giving more detail about how the final
grade will be calculated is in the “Syllabus and Lesson Plans” folder on the TWEN page.

Contact Information: Professor Mocsary’s office is in Room 254 of the Law School. He can be
reached by email at gmocsary@law.siu.edu or phone at 505-847-6570. His administrative assistant is
Susan McLaren, who can be reached at susanw@law.siu.edu or 618-453-8738.

¹For two credits, 85 total hours are required; for three credits, 127.5 hours; for four credits, 170
   hours; for five credits, 212.5 hours; and for six credits, 255 hours.

²For 2 credits, 17 observation hours are required; for 3 credits, 25.5 hours; for four credits, 34
   hours; for five credits, 42.5 observation hours; and for six credits, 51 observation hours.
Explanation of Course Requirements and Assignments

Getting Started With the Course

The course will begin with a series of podcast lectures found in the Syllabus and Lesson Plans forum of the course TWEN page. **Students must complete Lessons 1 and 2 before starting the externship and Lessons 3 through 5 within the first two weeks of the externship.**

Lesson 1 is an Introduction to the course. Lesson 2 describes how to create the individualized Learning Plan. Lesson 3 is on Judicial Extern Ethics. Lesson 4 is an Overview of the Court System. Lesson 5 is on Judicial Opinion Writing. There are two additional podcasts that students may complete at their option. (If you are not familiar with The Bluebook citation format, I highly recommend that you do the podcast for Lesson 7.)

TWEN Discussions

Students are required to participate in the group discussion topics that the professor has posted in the Discussion forum on the TWEN page. Students also are encouraged to post their own questions, comments, or observations for class members to discuss at their option. In posting on the TWEN page, however, students must pay careful attention to their duty of confidentiality. If in doubt, the student should check with the Field Supervisor or Faculty Supervisor before posting. **Each student must have completed two of the discussion questions by the midpoint of his or her externship.**

Daily Journals and Bi-Weekly Hours Reports

1. Students will keep a **Journal** to be posted in the Journal forum on the TWEN page. Journal entries should focus on the extern’s personal reflections regarding the activities of a particular day. The goal is to demonstrate what the student has learned from the activities by connecting them with the students’ own observations, previous experience, background knowledge, or goals. Thus, the journal should NOT simply describe the activity or observation; the journal entries should memorialize the externs’ thoughts about: the lessons or skills learned from their own performance, the conduct of others, the substantive legal issues or ethical matters they encountered, or their observations of the legal system. Journal entries may be posted daily or, if the student keeps the journal in some other form, may be posted every other week on the date the extern submits his/her Bi-Weekly Hours Report. Keep in mind that your journal entries are not private – other externs may/will read them to complete the Final Discussion question for the course. So be mindful of your confidentiality responsibilities when posting in your journals. Please post journal entries directly into the TWEN page; do not attach them as files.

2. Students will keep accurate **Bi-Weekly Hours Reports** and email them to gmocsary@law.siu.edu. They are due by 5 p.m. every other Monday, beginning with the Monday after your first two weeks of work. Copies of these and other forms are included on the TWEN page in the Forms file. Students should save a copy to a file before transmitting because emails and faxes often get lost in transit. In calculating hours, students may include the time spent reviewing the podcasts, reading the materials in the lesson plans, and posting journals/discussion items on TWEN, in addition to work performed for the court.

3. **Observation Hours.** Each extern must spend at least 20% of the required work hours observing or participating in the following activities: Court proceedings or administrative hearings;
conferences with attorneys or other judges; and negotiation, arbitration, or mediation sessions. Students should try to observe other judges in court as well as their own supervisors. Also, when possible, students should try to observe both civil and criminal proceedings; a trial from beginning to end; proceedings in both state and federal court; and proceedings in both trial and appellate courts. Other observation activities, such as touring correctional facilities and ride-alongs with police officers, may be approved upon consultation with the professor.

Students are encouraged to use the TWEN email system to alert classmates of good observation opportunities, such as an upcoming trial or the dates of oral arguments in the appellate court. Observation hours are typically the best journal and discussion material, so students may share their observations with fellow classmates, paying careful attention, however, to confidentiality issues.

Learning Plan, Performance Reviews and Final Report

1. Students shall meet with their Field Supervisor (Judge or a designated law clerk) during the first week of their externship to develop a Learning Plan. The Learning Plan shall be submitted with the first Bi-Weekly Hours Report.

2. Upon completing half of the required hours, the student shall have the Field Supervisor complete a Midterm Performance Review. The Performance Review and a Midterm Report are due the Monday after completing half of your hours. The student shall then schedule a conference with Professor Mocsary to discuss these midterm assessments. Forms and instructions for the Midterm Report are provided in both the Forms folder and the Syllabus and Lesson Plans folder.

3. Upon the completion of all of the work hours, the student shall have the Field Supervisor complete a Final Performance Review. The Performance Review shall be submitted by the last day of the final exam period, along with the student’s Final Report, Course Evaluation, and Placement Evaluation. Forms and instructions for the Final Report are provided in both the Forms folder and the Syllabus and Lesson Plans folder.

Other Course Requirements and Assignments:

1. We will communicate via e-mail; therefore, students will need to check email regularly and will need to ensure that their email address on TWEN is one that they regularly check.

2. Students should request permission from their supervisors to send in one or two samples of writing that students are doing for the clerkship. (Do not send any writing samples without permission to do so. For confidentiality reasons, courts typically do not permit orders or opinions to be shared until they are officially filed in the public record and may not permit internal memos to be shared at all. If that is the case at your placement site, that is perfectly OK. Just let the professor know.) The length of the writing samples is not important. Most students submit orders or memos they have written. The names of the attorneys and the parties can be redacted. If you have not had the opportunity to get feedback from your judge, Professor Mocsary would be happy to review a writing sample and provide feedback.

3. All hours and reports must be completed and turned in no later than the first day of final exams (Thursday, August 2), unless you have made prior arrangements with Professor Mocsary.
OTHER IMPORTANT POLICIES AND PROCEDURES

Accommodations. If you need an accommodation for a disability, please let the professor (and, if appropriate, your field supervisor) know at your earliest convenience. Some aspects of this course may be modified to facilitate your participation and progress. As soon as you make me aware of your needs, we can work with the Disability Support Services Office to help us determine appropriate accommodations. I will treat any information you provide as private and confidential.

Recordings and Postings. The podcasts and other recordings created by the professor for this course are proprietary materials that are accessible only to the students enrolled in this class. Accordingly, these materials – as well as all written materials on TWEN, whether posted by the professor or other students – may not be copied, duplicated, or disseminated outside the course without express authorization from the professor. Violators are subject to sanctions under Section II.E.1 of the Law School’s Honor Code.

Emergency Procedures. Southern Illinois University Carbondale is committed to providing a safe and healthy environment for study and work. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the SIUC Emergency Response Plan and Building Emergency Response Team (BERT) program. Emergency response information is available on posters in buildings on campus, available on BERT’s website at www.bert.siu.edu, Department of Safety’s website www.dps.siu.edu (disaster drop down) and in Emergency Response Guideline pamphlet. Know how to respond to each type of emergency.

Instructors will provide guidance and direction to students in the classroom in the event of an emergency affecting your location. It is important that you follow these instructions and stay with your instructor during an evacuation or sheltering emergency. The Building Emergency Response Team will provide assistance to your instructor in evacuating the building or sheltering within the facility.

Saluki Cares. The purpose of Saluki Cares is to develop, facilitate and coordinate a university-wide program of care and support for students in any type of distress—physical, emotional, financial, or personal. By working closely with faculty, staff, students and their families, SIU will continue to display a culture of care and demonstrate to our students and their families that they are an important part of the community. For Information on Saluki Cares: (618) 453-5714, or siucares@siu.edu, http://salukicares.siu.edu/index.html. At the School of Law, Assistant Dean Judi Ray is also available to help students access university resources. Her email is judiray@siu.edu, and her phone number is (618) 453-3135.

Independent Work; Ban on Collaboration; Ban on Plagiarism. You are not allowed to obtain help on an assignment from any other person (including any other student) unless expressly authorized by the professor and then only to the extent expressly authorized. This ban on collaboration includes obtaining written materials from another student or communicating with another student about an assignment. This ban on collaboration applies to both graded and ungraded exercises. Permission to get help from someone else on one exercise does not necessarily give you permission to do so on another exercise. If you fail to comply with this requirement for independent work, you can be found in violation of the Honor Code, which can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation. When in doubt about how to
Plagiarizing another’s work, in whole or in part, is a violation of the Honor Code and can lead to serious penalties, including expulsion. An Honor Code investigation must also be reported to the Bar Examiners, even if you are cleared of any violation. The Honor Code defines plagiarism as:

passing off another’s ideas, words, or work as one’s own, including written, oral, multimedia, or other work, either word for word or in substance, unless the student author credits the original author and identifies the original author’s work with quotation marks, footnotes, or other appropriate designation in such a way as to make clear the true author of the work.

You are hereby explicitly authorized, in accordance with the policy described in this Independent Work; Ban on Collaboration; Ban on Plagiarism section, to discuss the past and upcoming material with each other for the purposes of engaging the material in preparation for writing your journals, answering your required TWEN discussion questions, and, to the extent your supervisor authorizes, learning from others how things are done in other chambers. You must, however, write your journal entries and TWEN discussion answers entirely on your own.