

## **APPLYING FOR CLINICS, EXTERNSHIPS** **AND TRANSNATIONAL COURSES**

Each third year student must enroll in one course that satisfies the actual practice requirement. These courses are filled in advance of regular course registration, when you will select your practicum courses. All 2L students must apply to at least three actual practice courses for the 2011 – 2012 academic year, although you may apply to as many as interest you.

Applications will be submitted online at <http://law.wlu.edu/students/ClinicApplication>; the system will open for applications at noon on Wednesday, March 16, 2011, and you must complete the process no later than noon on Friday, March 25. You may complete your application to any or all of your selected courses at any time, and also may also alter your selections, the order of your preference, upload revised documents and overwrite answers at any time until the close of the system. Assignments will be made in advance of formal registration for practicum courses.

Detailed instructions for the application process for these courses are on the following page.

The preferences you express along with the content of your application will be taken into account in making assignments. There can be no guarantee that you will receive your most preferred assignment, as our ability to accommodate students in some of these courses is extremely limited. Late applicants will not be considered until all timely applicants have been placed in a course.

**NOTE that these programs require students to remain engaged in their course work from the conclusion of each term's Immersion Course until the end of each term's exam period.** This does not result in a greater hours-per-term requirement. Instead, it permits the distribution of required hours over a longer period.

N.B. An unofficial transcript is a required component of your application. If you haven't yet requested one from Ms. Johnson, you should do so immediately.

## APPLICATION INSTRUCTIONS:

Open the application webpage: <http://law.wlu.edu/students/ClinicApplication>.

Step 1: Select at least three courses to which you'd like to apply by dragging them from the right column to the blue box in the left column. You may apply to as many courses as you like. Drag to order your selections in order of preference, most preferred at the top. Click UPDATE when you're through, and proceed to the Step 2 screen.

Step 2: Upload PDF versions of your resume and unofficial transcript. Note that document name will change once you upload it. Click the document name link to view the uploaded document. When you've finished, proceed to Step 3.

Step 3: For each of your course selections, answer the specific questions and upload any additional documents required. (If you don't see specific information for each of your selected courses, you forgot to click UPDATE in Step 1.) All uploaded documents must be in PDF format. Note that document name will change once you upload it. When you finish with the requirements for a particular course, click UPLOAD to submit your time-stamped application to that course. Though you don't have to complete all your applications at the same time, you must click UPLOAD for each of your selections to complete the process. View any uploaded document by clicking on the document name link.

## MAKING CHANGES:

- You may change the courses to which you'd like to apply, and/or your order of preference, until the application period ends. Remember to click UPDATE after adding or removing selections, so that the correct fields appear in Step 3. If you unselect a course and later select it again, your original course-specific submissions (if any) will be retained.
- You may change your PDF submissions (resume, transcript or course-specific documents) and your answers to course specific questions until the application period expires. To change an uploaded document, simply upload the new version – it will replace the earlier one. The system requires that a document be uploaded in order for new answers to course-specific questions to replace the answers already saved; if you're not replacing your course-related document, simply upload the same one again.

## PDF DOCUMENTS:

For instructions on how to convert a document to PDF, visit:

<http://law.wlu.edu/technology/page.asp?pageid=1167>

## **IN HOUSE PROGRAMS**

### **1. BLACK LUNG BENEFITS PROGRAM – Professor MacDonnell**

**Full Year; 5 credits per semester.**

This clinic represents physically disabled coal miners and their widows under the federal “Black Lung” benefits program. Students are responsible for their clients through every step in the process from the time the client is retained until a final decision is made either awarding or denying benefits. You will be involved in contacting your client; developing medical evidence; preparing motions, discovery papers; representing your client at hearing; written closing arguments; and other legal papers; deposing expert witnesses; and preparing appeals to either the Benefits Review Board or the United States Court of Appeals for the Fourth Circuit. As part of the classroom element of the clinic, students will participate in weekly oral and trial advocacy exercises along with receiving instruction in the substantive law of black lung litigation.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**

Provide a brief statement explaining your interest in the Black Lung Clinic and any professional, personal, or educational experiences that you feel are relevant.

## **2. COMMUNITY LEGAL PRACTICE CENTER – Professor Belmont**

### **Full Year; 5 credits per semester.**

Students in the Community Legal Practice Center (“CLPC”) represent lower income Rockbridge area residents in a general practice law firm setting. In the clinic, students assist their clients with the entire range of civil legal concerns they present. Students are responsible for their clients from the initial intake interview until the client’s issues are resolved. Students conduct all client interviews, participate in intake decisions, develop case strategies, draft documents including wills and powers of attorney, prepare all correspondence and court papers, interface with opposing counsel, engage in settlement negotiations, and conduct trials and evidentiary hearings on behalf of their clients.

Students are exposed to a wide variety of substantive legal issues - - for example, in the current academic year the clinic has handled cases involving adverse possession, breach of contract, fraud, defamation and social security disability, and has counseled clients on landlord-tenant issues and developing a non-profit entity. However, students should expect that the concerns of the clinic’s client base will result in at least some focus on family law (including child custody, adoption, and adult guardianship) and end of life planning issues. In addition to their client work, students will spend time in a group setting engaged in case rounds, reflective exercises and skills development. Depending upon the students’ level of knowledge in these areas, students will also meet with Professor Belmont in a more traditional classroom setting for substantive modules on Law Practice Management, Virginia Civil Practice and Procedure, Family Law, Basic Wills and End of Life Planning, Basic Consumer Law, Landlord-Tenant Law and Elder Law. Preference will be given to students who are third-year practice certified.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**  
Provide a brief statement explaining your interest in the Community Legal Practice Clinic and any professional, personal, or educational experiences that you feel are relevant.

### **3. CRIMINAL JUSTICE CLINIC – Professor King**

**Full Year; 5 credits per semester.**

Students in the Criminal Justice Clinic represent indigent people facing criminal charges in local trial courts. Each student assumes responsibility for all aspects of several different criminal cases throughout the year, including fact investigation, legal research, client counseling, and all court appearances, including trials, pleas, and sentencing hearings. Students have primary professional responsibility for each of their cases, from appointment by the judge until trial or sentencing. Typical of some of the types of cases that clinic students handle are assault, larceny, possession of marijuana, DUI, and destruction of property.

CJC students are assigned criminal cases in Rockbridge County and surrounding counties, including occasionally in Roanoke and Staunton. Students are individually responsible for all facets of the representation of their clients, including client interviewing and counseling; making arguments on bail and conditions of release; developing a theory of the case; factual investigation; legal research; drafting motions or other submissions to the court; discovery litigation; pre-trial motions practice; plea negotiations; trial advocacy; and sentencing advocacy. In addition, a classroom component of the clinic allows students to learn substantive criminal law and procedure, develop their trial advocacy skills, and explore ethical dilemmas that prosecutors and defense lawyers face. Students must be third-year practice certified.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**

Provide a brief statement explaining your interest in the Criminal Justice Clinic and any professional, personal, or educational experiences that you feel are relevant.

#### **4. CITIZENSHIP AND IMMIGRATION PROGRAM – Professor Haas**

**Fall, Spring or Full Year; 5 credits per semester.**

The Citizenship and Immigration Program provides direct representation to poor immigrants in south and central Virginia. This program handles asylum cases for those fleeing persecution in their homeland. We also help other immigrants obtain legal status, particularly children and victims of domestic violence. Students will have the opportunity to work on applications and petitions for various forms of affirmative relief, as well as courtroom-based advocacy for clients in deportation proceedings. In all cases, students will be the primary case-handler, and will engage in client interviews, legal research, fact investigations, consultations with government counsel, gathering evidence, preparing affidavits, and case planning and strategy. For deportation defense, students will also prepare motions and briefs, and conduct hearings at the immigration court in Arlington. There may be opportunities to prepare written appeals to the Board of Immigration Appeals in Falls Church. Students will also conduct outreach and client visits at the immigration detention facility in Farmville. A classroom component will focus on lawyering skills, substantive law, and discussions of student cases. Students are not expected to have any knowledge of or prior experience with immigration law or the immigration system. Students are not expected to speak a foreign language.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**  
Provide a brief statement explaining your interest in the program. Include in the statement any previous personal or professional experience you have with immigration law or the immigration system. Please also mention any foreign language skill you possess. Indicate your enrollment preference: Fall, Spring, One Semester/No Preference, Full Year

## **5. TAX CLINIC – Professor Michelle Drumbl**

### **One Semester or Full Year; 5 credits per semester.**

Through the Tax Clinic, students provide representation to income-eligible taxpayers who have post-filing controversies with the Internal Revenue Service (IRS) and/or the State of Virginia. In addition, students serve the broader public interest by undertaking advocacy projects to either: 1) educate the community on the tax issues that arise in our clinic; or 2) recommend administrative reforms on issues of concern to low-income taxpayers.

In the Tax Clinic practice, students represent clients before the IRS. Typical issues on our docket include representing a taxpayer who is under audit, appealing an audit or assessment, navigating collection disputes, and working with nonfilers to bring them into compliance. In certain cases where the taxpayer has not succeeded in resolving the problems with the IRS, the clinic can pursue litigation in the U.S. Tax Court. Unlike the separate Volunteer Income Tax Assistance (VITA) program, the Tax Clinic does not engage in routine current year tax return preparation.

In the Tax Clinic, students are responsible for all aspects of the representation including case intake, client interviews, research and development of case strategy, and representation before the IRS, the Virginia Department of Taxation, or the U.S. Tax Court.

The Tax Clinic includes a classroom component during which the students learn about tax procedure and ethical issues specific to tax practice. In addition, students will spend time in a group setting engaged in case rounds, reflective exercises, and skills development.

The Tax Clinic experience is largely centered on administrative law and transactional practice, with a heavy emphasis on client counseling. Unlike other clinics, the Tax Clinic is not a litigation-based clinic. Students looking for a courtroom experience should be aware of that while the Tax Clinic does occasionally file a petition with the U.S. Tax Court, these cases very rarely go to trial. In lieu of a trial experience, students would have the opportunity to negotiate a settlement with IRS Counsel.

The Tax Clinic is open only to students who will have completed the Federal Income Taxation of Individuals course prior to the semester that the student enrolls in the clinic.

APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:

Provide a brief statement elaborating on your interest in the Tax Clinic. In addition, please indicate your enrollment preference – Full Year or One Semester.

## **6. VIRGINIA CAPITAL CASE CLEARINGHOUSE – Professor Bruck**

**Full Year; 5 credits per semester.**

Since 1988, the Virginia Capital Case Clearinghouse (VC3) has served as Virginia's litigation resource center for lawyers representing capitally-charged defendants at the trial level in both state and federal courts. VC3 students work in two-member teams to assist defense counsel with legal research, discovery analysis, drafting of motions and legal memoranda, client counseling, and many other tasks involved in defending death penalty cases at trial. Students also assist with appeals at the state, federal and U.S. Supreme Court stages, and in state and federal legislative research. The clinic maintains [www.vc3.org](http://www.vc3.org), the comprehensive on-line resource for Virginia's death penalty defense bar. In addition, each clinic member undertakes an original research and writing project for inclusion on the website. In the past year VC3 student teams have, among many other projects:

- assisted a Marine Corps JAG defense team in a capital court-martial,
- met with and helped counsel clients regarding life-saving plea bargains,
- drafted a certiorari petition to the U.S. Supreme Court concerning two critical constitutional issues in capital punishment law,
- organized a large-scale service project to uncover evidence in support of a challenge to one of the main causes of wrongful convictions; and
- helped develop a new national on-line resource, [www.SolitaryWatch.org](http://www.SolitaryWatch.org), to monitor the rapid increase in the use of long-term solitary confinement in U.S. prisons.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**

Provide a brief statement explaining why you're interested in VC3.

## **TRANSNATIONAL OFFERINGS**

These courses offer students an opportunity to engage in advanced legal writing, research, and development of advocacy materials in matters of substantive international and foreign national law. Goals are to harmonize classroom legal learning with the practical work of lawyers in a diversity of transnational settings, thereby offering a capstone kind of learning experience in international law which bridges the gap between the study and practice of law.

## **7. TRANSNATIONAL TRIBUNALS – Professor Rice**

**Either Fall or Spring; 5 credits.**

This innovative International Law Practicum works with the Defense Support Section and the defense attorneys of the Extraordinary Chambers in the Courts of Cambodia (ECCC), the Karadzic defense team at the International Criminal Tribunal for Former Yugoslavia (ICTY), the development of the criminal defense function at the Special Tribunal for Lebanon and prepares case summaries from Transnational Tribunals for an online case reporter.

Students may, if the work is present, receive instruction in the preparation of an adequate defense and the problems facing the defense through the study of the Iraqi or Afghanistan criminal defense function. The role of the Practicum is to assist with the right to a fair trial and to support fair trials through effective representation of the accused. W&L students in the Practicum have been undertaking detailed legal research and analysis. For the students, researching a broad range of issues under international law and human rights has been a challenge, as many of the questions involved have not been answered before.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**

Provide a brief (300 word) statement explaining why you want this international program, and what, if any, international experience, courses or foreign language skills you have. If you have a preference as to which semester, please include in your statement.

## **8. TRANSNATIONAL ACCESS TO JUSTICE – Professor Rice**

**Spring; 5 credits.**

Transnational Access to Justice is currently taught through the Liberia Human Rights Practicum as a joint program at Washington and Lee School of Law and the Louis A. Grimes School of Law at the University of Liberia, Monrovia, Liberia. The Practicum is taught in partnership with the United Nations Office on Drugs and Crime (UNODC). For the 2010-2011 semesters four third-year law students at W&L and twelve law students at the Louis A. Grimes will participate in the Practicum, per semester. The Practicum's purpose is drawn from key provisions of UN ECOSOC Resolution 24/2007 "International Cooperation for the Improvement of Access to Legal Aid in Criminal Justice Systems, Particularly in Africa." The specific focus is prison overcrowding at the Monrovia Central Prison. The Practicum culminates with the four W&L students' two-week travel to Liberia and optionally a neighboring country to work with their Liberian counterparts seeking to fulfill the Practicum's broad goal of building greater access to justice in Liberia's criminal justice system.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**  
Provide a brief (300 word) statement explaining why you want this international program, and what, if any, international experience, courses or foreign language skills you have. If you have a preference as to which semester, please include in your statement.

## **9. TRANSNATIONAL EUROPEAN COURT OF HUMAN RIGHTS - SERBIA – Professor Rice**

**Either Fall or Spring; 5 credits.**

Students will study Human Rights issues through the cases and procedures of the European Court of Human Rights and will review potential cases of Serbian individuals or groups for suitability for application to the ECHR. This Practicum will be jointly taught with students and faculty from Union University School of Law in Belgrade, Serbia by video conference. Travel to Belgrade for a joint class followed by travel to the ECHR in Strasbourg France is anticipated. Our colleagues in Belgrade will be the Belgrade Center for Human Rights and assist with their clients to present their issues. The potential cases will be reviewed by joint student teams who will be responsible for preparing a case memo and suitability analysis. The case summary and analysis will be reviewed by all students acting as a law firm to make final recommendations to the applicant. Cases found to be suitable for application to the ECHR will be additionally reviewed for possible acceptance into the practicum where we will act as Agent for the Applicant and make the application to the ECHR.

### **APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**

Provide a brief (300 word) statement explaining why you want this international program, and what, if any, international experience, courses or foreign language skills you have. If you have a preference as to which semester, please include in your statement.

## **EXTERNSHIP PROGRAMS**

### **10. PROSECUTORS**

**Professor Russell**

#### **COMMONWEALTH'S ATTORNEY -**

**Fall Placement: 5 credits. Spring Law Related Service: 2 credits.**

#### **UNITED STATES ATTORNEY -**

**Externs have been selected following the Symplicity application process.**

Six students will be placed with a Commonwealth's Attorney's office. Recent participating offices are located in Covington, Fincastle, Lexington, Lynchburg, Roanoke, and Salem, Virginia. For most externs, travel time is significant. Externs prosecute felonies and misdemeanors under Virginia law in Virginia trial courts under the supervision of a prosecutor at the placement. Typical extern case assignments include criminal traffic offenses such as DUI and reckless driving; domestic violence; drug offenses; shoplifting and other larceny offenses. Most trials and hearings in which externs participate are before a judge; however, some externs have the opportunity to participate in a jury trial. In addition to courtroom work, externs participate in plea bargaining, witness interviews and other matters of trial preparation. Many will do a police ride along and visit a crime lab. Further, most externs typically conduct some research and writing to help the attorneys at their placements with pending cases. Writing assignments often include drafting appellate Briefs in Opposition, discovery responses, motions in limine and memoranda of law related to the sufficiency of the Commonwealth's evidence or the constitutionality of the police action.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**

Provide a brief statement (one page) detailing your educational goals and your particular interest in a prosecution externship. Indicate in addition whether you would prefer a placement in a smaller community (e.g., Lexington) or a larger community (e.g., Roanoke).

## 11. JUDICIAL EXTERNSHIPS

### Professor Forster

Students will be selected to serve as clerks for state and federal trial and appellate judges. Court locations range from Rockbridge and the surrounding counties, to Harrisonburg and Roanoke/Salem, with potential postings in Abingdon and Warrenton. You will work side by side with the judge and his or her regular law clerks, and attend court as schedules and duties permit. Arrangements with judges for 2011 – 12 placements have not been finalized; past participating judges include:

US Court of Appeals for the Fourth Circuit, Salem: Judge Agee

US District Court, Roanoke: Judges Turk and Wilson, Magistrate Judge Urbanski

US Bankruptcy Court, Harrisonburg: Judge Krumm

Virginia Supreme Court, Roanoke: Justice Koontz

Virginia Circuit Courts

Lexington/Fincastle: Judges Irvine and Trumbo

Roanoke: Judges Dorsey, Apgar, Broadhurst and Weckstein

Salem: Judges Doherty and Swanson

Staunton: Judges Ludwig and Franklin

**Federal and appellate courts: Year-long commitment, 5 credits per semester.**

**State trial court: Fall Placement: 5 credits. Spring Law Related Service: 2 credits.**

APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:

Indicate your interest in a placement with a trial or appellate court or both.

Indicate your interest in bankruptcy, other federal or state court or any combination.

Provide a brief statement detailing your educational goals and your interest in a judicial externship. If you've expressed a preference, your statement should detail your particular interest in (1) a trial or appellate placement and/or (2) a bankruptcy, other federal or state court placement. If you would like to clerk for a particular judge not listed, your statement should provide include the name of the judge and the reasons for your interest.

Provide a writing sample not more than [10 pages] in length.

Applicants for Judicial Externships will be interviewed by Professor Forster.

## **12. OTHER EXTERNSHIPS**

**Dean Natkin**

**Either Fall or Spring; 3 or 5 credits.**

**There is a contemporaneous classroom component for these placements.**

**Placements can be arranged or finalized over the summer with Dean Natkin.**

In addition to the above listed opportunities, students can work at a variety of offsite placements. Externs have worked with private law firms, City and County Attorney Offices, with Corporate and University Counsel, with Legal Aid, Public Defenders, The Justice Center, or with other legal organizations. Other options include work with the Bankruptcy Trustee for the Western District of Virginia, working for a state or federal agency, a public interest organization, etc. Some sites have existing relationships with Washington and Lee, but students are free to “create” a unique experience by locating a site where they’d like to work. Students must receive Dean Natkin’s approval for a placement prior to acceptance as a five-credit externship, which will be determined along the following guidelines.

### **Guidelines for Externship Placements:**

- 1) Students must be engaged in substantial, authentic legal work at the site. To the extent possible, the work should place the student in a lawyer’s role.
- 2) The students’ work may not be compensated nor may it be billed. This does not preclude an Experience Provider from reimbursing a student for travel or other expenses incurred as a direct result of the program.
- 3) The Experience Provider will designate an individual to serve as a mentor for each student in the placement. The designated mentor is expected to have direct contact with each student each day the student is onsite and to conduct debriefings and provide feedback for assignments and tasks undertaken. This does not preclude the student from working with other attorneys and staff on site.

4) The Experience Provider will give students the opportunity to perform a variety of tasks in order to develop various skills and will share redacted copies of work product with the faculty supervisor.

5) The Experience Provider will complete formal evaluations of each student twice a semester, will have routine contact with the faculty member in charge of the program, and will work with the faculty member to develop and encourage appropriate learning goals and objectives for the students and for the program in general.

**APPLICATION REQUIREMENTS IN ADDITION TO RESUME AND UNOFFICIAL TRANSCRIPT:**

Provide a brief statement as to your educational goals for an externship and your interests.

Indication of semester preference.

Indication of interests from following list: Private Practice or Corporate Counsel, Legal Aid, Public Defender, Government (including agencies and local government), Other Public Interest Organization, Other (please describe).

Indication of geographic area from following list: Between Harrisonburg, Charlottesville and Roanoke, Richmond area, Washington DC metro area, Other (please describe).