



Chapter 13

Semester-in-Residence Programs: Design, Implementation, and Best Practices

Lance Cole¹ and Camille C. Marion²

Introduction

Legal education in the United States is in a state of transformational change³ that borders on existential crisis.⁴ The number of law school applicants has dropped from

1. Professor of Law and Director of the Center for Government Law and Public Policy Studies, Pennsylvania State University, Dickinson School of Law, Carlisle, Pennsylvania.

2. Professor and Director of Experiential Learning, Pennsylvania State University, Dickinson School of Law, Carlisle, Pennsylvania.

3. See Michael Bobelian, *A Transformational Decade: Question and Answer with Columbia Law School Dean David M. Schizer*, FORBES (May 2014) <http://www.forbes.com/sites/michaelbobelian/2014/05/01/a-transformational-decade-qa-with-columbia-law-school-dean-david-m-schizer-2/#1b2207115f61> (last visited April 27, 2016); see also BRIAN TAMANAHA, FAILING LAW SCHOOLS (2012); Brian Z. Tamanaha, *The Law School in the New Legal Environment*, 41 WASH. U. J.L. & POL'Y 131 (2013); William D. Henderson, *The Lawyer of the Future: A Blueprint for Change*, 40 PEPP. L. REV. 461 (2013); Ray Worthy Campbell, *Law School Disruption*, 26 GEO. J. LEGAL ETHICS 341 (2013); Bernard A. Burk, *What's New About the New Normal*, 41 FLA. ST. U. L. REV. 541 (2014); Dorothy A. Brown, *Law Schools are in a Death Spiral. Maybe Now They'll Finally Change*, WASH. POST (Mar. 9, 2015), http://www.washingtonpost.com/post-everything/wp/2015/03/09/law-schools-are-in-a-death-spiral-maybe-now-theyll-finally-change/?tid=sm_fb; Steven I. Friedland, *Adaptive Strategies for the Future of Legal Education*, 61 LOY. L. REV. 211 (2015) (arguing that law schools need to be strategic due to an uncertain and increasingly global market); Richard W. Bourne, *How We Got Here, and Where We Go Now*, 45 CREIGHTON L. REV. 651 (2012); Peter Lattman, *N.Y.U. Law Plans Overhaul of Students' Third Year*, N.Y. TIMES (Oct. 16, 2012), http://dealbook.nytimes.com/2012/10/16/n-y-u-law-plans-overhaul-of-students-third-year/?_r=0 ("There is a growing disconnect between what law schools are offering and what the marketplace is demanding in the 21st century" quoting Evan R. Chesler, the presiding partner of the law firm Cravath, Swaine & Moore and a trustee of N.Y.U. Law).

4. See Jeremiah A. Ho, *A Vast Image Out of Spiritus Mundi: The Existential Crisis of Law Schools*, 103 GEO. L. J. ONLINE 77 (2015); James E. Moliterno, *And Now a Crisis in Legal Education*, 44 SETON HALL L. REV. 1069 (2014). Cf. Deborah M. Hussey Freeland, *The Demand for Legal Education: The Long View*, 65 J. LEGAL EDUC. 164 (2015) ("The recent decline in the number of law school applicants has been regarded as part of a crisis in American legal education."); Eric C. Chaffee, *Answering the Call to Reinvent Legal Education*, 20 STAN. J.L. BUS. & FIN. 121 (2014).



just over 100,000 in 2004 to just below 56,000 in 2014,⁵ a decline that is unprecedented in the history of modern legal education.⁶ This precipitous decline reflects both a brutal contraction in post-graduation employment opportunities for law school graduates⁷ and markedly higher costs for legal education, as most law schools until recently continued to raise tuition even as enrollment was dropping.⁸ The net result of these national trends is a prevailing view among potential law school applicants that attending law school no longer is necessarily a good economic proposition and for many is instead now a risky career choice.⁹ This development is in itself a loud and urgent wake-up call for U.S. legal education, but it is only half the picture of the challenges law schools now face.

Over the same time period, private law practitioners and the clients who employ them have become increasingly reluctant to provide (or, for clients, to subsidize) post-graduation “on-the-job” practical skills training for newly minted lawyers. Instead,

5. See Freeland, *supra* note 4, at 172 (chart) and 171 (table); see also Mark Hansen, *As Law School Enrollment Drops, Experts Disagree on Whether the Bottom Is in Sight*, A.B.A. J. (Mar. 1, 2015), http://www.abajournal.com/magazine/article/as_law_school_enrollment_drops_experts_disagree_on_whether_the_bottom (originally published as Mark Hansen, Count Off: Law School Enrollment Continues to Drop, and Experts Disagree on Whether the Bottom Is in Sight, A.B.A. J., Mar. 2015, at 64) (showing that law school enrollment in 2014 fell for the fourth consecutive year); Natalie Kitroeff, *Law School Applications Set to Hit 15-Year Low*, BLOOMBERG BUSINESS (March 19, 2015), <http://www.bloomberg.com/news/articles/2015-03-19/law-school-applications-will-hit-their-lowest-point-in-15-years> (relying on LSAC data to show the drop in law school applications); Karen Sloan, *Has Law School Enrollment Hit Rock Bottom?*, THE NATIONAL LAW JOURNAL (July 20, 2015), <http://www.nationallawjournal.com/id=1202732508706/Has-Law-School-Enrollment-Hit-Rock-Bottom?slreturn=20160025223416> (showing the LSAC statistics regarding the number of law school applicants each year beginning 2005 and projecting 2015).

6. See Freeland, *supra* note 4, at 178 (chart).

7. See Bobelian, *supra* note 3; Ethan Bronner, *Law Schools' Applications Fall as Costs Rise and Jobs Are Cut*, N.Y. TIMES (Jan. 30, 2013), <http://www.nytimes.com/2013/01/31/education/law-schools-applications-fall-as-costs-rise-and-jobs-are-cut.html?smid=pl-share> (“The drop in applications is widely viewed as directly linked to perceptions of the declining job market.”); Burk, *supra* note 3; Jennifer Smith, *U.S. Law School Enrollments Fall*, WALL ST. J. ONLINE (Dec. 17, 2013), <http://online.wsj.com/news/articles/SB10001424052702304858104579264730376317914> (suggesting that the lack of legal jobs is steering potential law students away from a law degree); Brian Z. Tamanaha, *The Law School in the New Legal Environment*, 41 WASH. U. J.L. & POL’Y 131 (2013) (showing while many law school graduates are not able to secure employment, the ones who do are not compensated well); Henderson, *supra* note 3.

8. Tuition Tracker, Law School Transparency, <http://www.lawschooltransparency.com/reform/projects/Tuition-Tracker>; see also Freeland, *supra* note 4, at 169 (chart); Robert R. Kuehn, *Pricing Clinical Legal Education*, 92 DENV. U. L. REV. 1 (2014); Tamanaha, *supra* note 7; William D. Henderson, *Law School 4.0: Are Law Schools Relevant to the Future of Law?*, Legal Profession Blog (July 2, 2009), http://lawprofessors.typepad.com/legal_profession/2009/07/law-school-40-are-law-schools-relevant-to-the-future-of-law.html.

9. See Michael Simkovic & Frank McIntyre, *The Economic Value of A Law Degree*, 43 J. LEGAL STUD. 249 (2014); Matt Barnum, *The Two-Year Law Degree: A Great Idea That Will Never Come*, THE ATLANTIC (Nov. 2013). But see Blake D. Morant, *Twenty-First Century Legal Education: Debunking Myths and Misconceptions*, AALS NEWS, No. 2015-4 (Nov. 2015) (discussing global market demands for legal services and the “enormous demand for legal representation for the underserved throughout the nation”).

employers now expect law schools to turn out “practice ready” graduates, and law schools are being forced to implement new programs and devote additional resources to meet this expectation.¹⁰ The bottom line is that law schools now face the challenge of providing more skills training and greater practical competencies for law students at the same time declining enrollment has reduced available resources for almost all law schools¹¹ and increased budgetary pressures on law school administrators.¹² Whatever the long-term implications of these trends, the present reality is clear—law schools must do a better job preparing students to practice law, and most law schools must do so with less money and without the luxury of simply increasing the size of their faculties.

To their credit, law schools have responded to this “new normal”¹³ by adding more experiential education, and more kinds of experiential education, to their curricular offerings, as evidenced by the rich collection of experiential learning pedagogy and programs described in this book. An obstacle to introducing more experiential learning opportunities into the law school curriculum, however, is that many traditional forms of experiential education, such as clinics and small-enrollment practicum courses, are expensive and resource-intensive in comparison to traditional large-enrollment law school courses.¹⁴ This chapter focuses on a different kind of experiential learning program—one that can benefit law students without requiring a major new investment of scarce faculty resources by law schools. This “win-win” result for law students and law schools can be achieved by implementing a carefully conceived and effectively administered “capstone” semester-in-residence program.

We have administered a semester-in-residence program for third-year law students at our school, Penn State University’s Dickinson School of Law, since 2006. We began in 2006 with a federal government-oriented semester-in-residence program in Washington, D.C., and in 2010 we expanded to include a state government-oriented companion program in Harrisburg, the capital city of Pennsylvania. Over the ten years

10. See Margaret Martin Barry, *Practice Ready: Are We There Yet*, 32 B.C. J.L. & Soc. JUST. 247 (2012); see also Emily Taylor Vande Lune, *Settling for Six: Should the American Bar Association Have Done More?*, 39 J. LEGAL PROF. 305 (2015); David Segal, *What They Don’t Teach Law Students: Lawyering*, N.Y. TIMES, (Nov. 19, 2011), <https://www.nytimes.com/2011/11/20/business/after-law-school-associates-learn-to-be-lawyers.html?r=1&pagewanted=all>; Kuehn, *supra* note 8.

11. See generally David Barnhizer, *Looking at the Law School Crisis from the Perspective of the University*, [lawnext.org]. Cf. Steven Davidoff Solomon, *Creditors Keep Troubled Law Schools on Life Support*, N.Y. TIMES, (Nov. 4, 2014) (“It does not take an economist to know that lower demand has hurt almost all law schools outside the top 10 terribly. Hardest hit are law schools in the lower tier, where law school applications have fallen even more rapidly.”).

12. See generally Barnhizer, *supra* note 11. See also *The Future of Legal Education: Get Real*, THE AMERICAN LAWYER (April 13, 2010); Kuehn, *supra* note 8.

13. See Freeland, *supra* note 4, at 165 (“Some extrapolate from this decline to a “new normal” (and thus, to the end of law school and the legal profession as we know it), while others suggest that it is a blip that will be accommodated by some budget cuts or the closing of a few excess schools.”).

14. See Peter A. Joy, *The Cost of Clinical Legal Education*, 32 B.C. J.L. & Soc. JUST. 309 (2012); Kuehn, *supra* note 8.



that we have spent jointly administering our program we have continuously refined our policies and procedures, the methods and substance of our communications with students participating in the program, and almost every other aspect of the program's administration. This chapter draws upon our ten years of experience and experimentation and seeks to distill the key lessons we have learned that may be of help to others who are designing and implementing similar programs.

We will begin by describing semester-in-residence programs, discussing the accreditation requirements for a program, and identifying what we believe are the essential elements of a successful program. We will then discuss the pedagogical goals of our program, summarize the benefits we believe it offers our students, identify the costs and risks we think are associated with these programs, and provide practical advice and suggestions for implementing and administering a semester-in-residence program. In the concluding section of the chapter we will return to a "big picture assessment" of what we believe is an appropriate role for semester-in-residence programs in a 21st century law school curriculum.

What Is a Semester-in-Residence Program?

We define a semester-in-residence program as a "capstone" experiential learning program for third-year law students in which the students are not required to be resident at their law school campus and earn the majority, though not all, of their academic credits by doing supervised legal work away from the law school in an approved legal internship. The program must also include a contemporaneous academic instructional component that satisfies accreditation requirements¹⁵ without requiring students to be resident at their law school campus, such as an on-site tutorial or a distance learning arrangement.¹⁶

This definition distinguishes a semester-in-residence program from a traditional "field placement externship," in which a student remains in residence at a law school and earns only a few credit hours (typically two to four) for supervised uncompensated experiential learning work (typically in a government agency, nonprofit organization, or judicial placement). This definition also distinguishes a semester-in-residence program from a traditional law school "clinic" experience, in which a law student earns academic credit (typically up to about six credit hours) working under the supervision of a clinical professor or other law school faculty member, such as a clinic staff attorney or fellow. Law schools of course offer a broad range of clinical opportunities, and we will not attempt to summarize or categorize them here, but in general they differ from our definition of a semester-in-residence program in that the clinic is part of the law

15. Accreditation requirements for semester-in-residence programs are discussed in more detail later in this chapter, in the section on What Are the Accreditation Requirements for a Semester-in-Residence Program.

16. These and other options also are discussed in more detail later in this chapter, in the section on What Are the Essential Elements of a Successful Semester-in-Residence Program.

school's regular curriculum, is administered at or near the law school campus, and is taught and supervised by someone who is a member of the law school faculty.¹⁷

Our definition also distinguishes a semester-in-residence program from traditional law school clinics and externships by administering the program as a “capstone” offering that is limited to third-year law students and is tied to an individual student's identified and approved career goals. While clinics and even some externship placements certainly can serve a capstone function for some students, if they happen to coincide with a particular student's career goals and provide sufficient experiential immersion in a particular area of law, most clinics and externships are offered on more of a “try it and see if you like it” basis, as opposed to the “identified and approved career goal” nexus that we require in our program and recommend for a semester-in-residence program. As we discuss in more detail below, we believe that the inclusion and effective administration of this capstone element is both the single most important element in a successful semester-in-residence program and the element that most distinguishes the kind of program we are describing from other, more traditional, law school experiential learning offerings.

Whether one applies the definition we have offered or uses some other definition, there is no doubt that more and more law schools are offering semester-in-residence programs. Our review of publicly available information on law school websites in early 2016 indicates that at least 90 law schools now offer some form of semester-in-residence program. Although the form and content of these programs vary widely, it appears that the majority of law schools (66 of the programs we identified) permit students to earn 10 or more credit hours for working in government or nonprofit organizations. It appears that less than half of the programs have on-site supervisors, while the other programs rely on technology to facilitate remote supervision by law school faculty members who are not on site. Some law schools collaborate with other law schools to offer students the opportunity to participate in a semester externship in Washington, D.C. The University of California, for example, allows students from UC campuses to participate in full semester externships based at the UC Washington Center. The Center offers residential accommodations for students and instructional space for those associated with the full semester externship. The results of our review, which we acknowledge is merely an unscientific compilation of the information law schools have made publicly available on their websites,¹⁸ is collected in Appendix A to this chapter.¹⁹

17. For information on complying with American Bar Association and Association of American Law Schools accreditation requirements relating to our definition of a semester-in-residence program, see the section below on What Are the Accreditation Requirements for a Semester-in-Residence Program.

18. For example, we have not endeavored to contact individual law schools to confirm that the information on their website is up-to-date, and we have not contacted schools with no reference to a semester-in-residence program on their websites to confirm that they do not offer such a program. The objective of our review was to gain a broad overview of what law schools are doing, not to compile a comprehensive compendium with definitive information on every law school in the country.

19. Notwithstanding the limitations on our review, we welcome additional information from

We think this relatively recent proliferation of semester-in-residence programs, and the wide variation in their form and content, answers some key questions and raises other important questions. The questions that in our view have now been answered are whether law schools should at least consider offering this kind of program (the numbers indicate that the answer is yes) and whether they are a temporary fad or have become a permanent part of the modern law school curriculum (again, the numbers suggest to us that they are here to stay). The unanswered questions include important issues such as how to ensure compliance with accreditation requirements, what are essential elements of a successful program, and what costs and risks are associated with implementing a program. Those are the questions that we try to answer in the remainder of this chapter.

What Are the Accreditation Requirements for a Semester-in-Residence Program?

The American Bar Association Standards and Procedures for Approval of Law Schools (“ABA Standards”) contain a number of provisions that apply to semester-in-residence programs.²⁰ ABA Standard 304, “Simulations, Law Clinics, and Field Placements,” is the provision that applies most directly. It requires that credit for field placement courses²¹ must be “commensurate with the time and effort required and the anticipated quality of the educational experience of the student.”²² To comply with this requirement law schools should consider carefully the number of credit hours awarded for work in a semester-in-residence program. Our experience and the benchmarking data we have reviewed from other law schools suggest that one academic credit for three hours per week of supervised legal work is a reasonable starting point, although other schools may decide to use a different standard based upon the types of internships, level of faculty supervision, and other aspects of their program.

While the ABA Standards give law schools a good deal of discretion in determining how and to what degree the faculty supervises the students’ internship work, they do require “evaluation of each student’s educational achievement by a faculty member.”²³

schools not included in Appendix A and corrections for any schools we have included, so that we can improve the accuracy and completeness of our database of semester-in-residence programs.

20. See STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS (AM. BAR ASS’N 2016–2017).

21. Standard 304(c) permits law schools to grant credit for field placement courses that provide “substantial lawyering experience” that “is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise” and that meet Other Enumerated Requirements. See STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 304(c) (AM. BAR ASS’N 2016–2017).

22. See STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 304(d) (AM. BAR ASS’N 2016–2017).

23. See STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 304(c)(vi) (AM. BAR ASS’N 2016–2017). The ABA Standards also permit a law school to “use faculty members

In our program we have an on-site faculty member who meets with the students each week, and in addition our program directors review students' electronically submitted time records throughout the semester to ensure that the work they are doing is appropriate for law school academic credit. Other law schools use a variety of supervisory methods, which we have included in the chart at Appendix A. That chart and the more detailed discussion below of how we administer our program should give schools that are considering implementing a semester-in-residence program a variety of options in structuring the faculty supervision component.

The most important ABA Standard for a semester-in-residence program is the requirement that the program include "a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection[.]"²⁴ As discussed in greater detail below, we have opted to satisfy this requirement with four mandatory written progress reports by students, which are reviewed by the full-time faculty program directors, and mandatory daily time log submissions, which also are reviewed by the program directors. We supplement these methods of providing faculty oversight and feedback with a required on-site co-requisite seminar, taught by the program's on-site supervisor, that gives students the opportunity to discuss their internships with both the on-site supervisor and the other students who are participating in the program in a contemporaneous classroom environment. In accordance with ABA Standards 303 and 304, the students do not receive experiential learning credit for the seminar. We recognize that we have taken a conservative and resource-intensive approach to satisfying the "contemporaneous, faculty-guided reflection" requirement, and other law schools may wish to use regularly scheduled tutorials, independent study arrangements, or other means to satisfy this requirement.

The Association of American Law Schools ("AALS") also has regulations that apply to a law school's operation of a semester-in-residence program. AALS Executive Committee Regulation 6-7.10 contains three requirements applicable to "Externship Programs" that would apply to a semester-in-residence program as defined in this chapter. Regulation 6-7.10 (a) requires that the academic credit earned for "educationally worthwhile experiences obtained in a legal office" should be "commensurate with the time and effort expended and the educational benefits derived by the student."²⁵ Regulation 6-7.10 (b) requires law schools to "set out the goals and methods of the program [in which students earn academic credit for experience in a law office] and explain how the program's structure is designed to achieve these goals."²⁶ That regu-

from other law schools to supervise or assist in the supervision or review of a field placement program[.]" STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 304(c)(iv) (AM. BAR ASS'N 2016-2017).

24. See STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 304(c)(v) (AM. BAR ASS'N 2016-2017).

25. See Association of American Law Schools, Association Handbook (amend. 2005) (Executive Committee Regulation 6-7.10(a); "Externship Programs").

26. See *id.* at 6-7.10(b).

lation also requires that the faculty approve the introduction of the program and remain responsible for ensuring that the program is meeting its objectives.²⁷ Regulation 6–7.10 (c) provides that law schools offering such a program “are encouraged to include an academic component designed to prepare students to participate effectively as externs and to enable students to derive substantial educational benefits from their externship.”²⁸ In addition, that regulation requires that “the academic component be taught by one who has the necessary expertise and who is selected and reviewed in the same manner as persons responsible for teaching other courses in the academic program.”²⁹

All of these requirements imposed by the ABA and the AALS must be taken into consideration in the design and implementation of a semester-in-residence program. Although the requirements are drafted in a general enough manner to provide law schools with a good deal of latitude, a well-designed program will include features that clearly and demonstrably meet all of the requirements. In the discussion that follows we offer some suggestions for ways to meet these requirements and comment on what we have concluded is the best way for our school to comply with the programs we offer, recognizing that other schools may choose different approaches.

What Are the Essential Elements of a Successful Semester-in-Residence Program?

Satisfying accreditation standards is of course only a minimum floor for establishing a semester-in-residence program; much more is required to make a program successful. Our experience has led us to believe that an essential foundational element for developing a successful semester-in-residence program is to communicate the existence and benefits of the program to incoming students, and to continue those communications throughout their first year of law school. We include a presentation about our program in the orientation session for incoming students, and we reiterate that information to first-year students in their small enrollment skills courses. These communications are important to ensure that all students are aware of the program and can consider early in their law school matriculation whether the program might be beneficial to them. In particular, explaining that the program will take them away from the law school for a full semester in their third year helps focus students on the need to choose their upper-level elective courses carefully and do everything possible to prepare for a semester of experiential learning with minimal “opportunity cost” of on-campus courses in which they otherwise might enroll. We discuss this “opportunity cost” below in more detail and offer suggestions as to how its adverse effects can be mitigated with effective course selection counseling prior to participation in the program.

27. *Id.*

28. *See id.* at 6–7.10(c).

29. *Id.*

Closely linked to a robust orientation and first-year communication effort is a well-developed webpage description of the semester-in-residence program,³⁰ including the eligibility requirements, the program logistics, and a description of internship opportunities. For example, on our website we include a link to an interview with our on-site supervisor and with students who participated in the program. The short video introduces current and potential students to the structure of the program and to our on-site supervisor. For current students, we include a password protected link to potential, though not exclusive, opportunities based on our past participants. Schools should consider whether to limit access to placement information to current students. Some other schools list potential opportunities on the law school's external webpage.

Featuring website profiles of prior students who participated in the program and advanced their careers by doing so also can help current students assess whether participating in the program might benefit them in achieving their career goals. In presenting this information to students it is important to make clear that the semester-in-residence program is not designed to lead to permanent employment with the internship office (students may be confused on this point and equate an internship with summer law clerk positions at law firms, which typically are designed to facilitate an offer of permanent employment on successful completion). At the same time, it is important to explain to students that the experience, skills, and professional contacts they gain from participating in a semester-in-residence program can prove to be invaluable assets in their job searches.

The final essential element of a communications foundation for a successful program is support from and coordination with the law school career services office. It is imperative that the law school's career services professionals understand the semester-in-residence program and incorporate it into their efforts to assist students with career planning and job searches. In many instances career services counselors will be in the best position to recognize that a particular student might benefit from the experience gained in a semester-in-residence program—for example, students who do not have stellar grades or high class rankings but have a very strong interest in a particular field of law may be able to both better prepare themselves to practice in that field and distinguish themselves from other applicants for positions if they have completed a semester-long internship in that field. For example, our students who completed internships at the Department of Justice have told us that experience helped them obtain post-graduation employment in state and local prosecutors' offices.

In addition to effective communication with incoming students and coordination with career services professionals, an essential requirement for a successful semester-in-residence program is designing a structure that provides a strong support system

30. In the years since we established our Semester in Washington Program, a number of our students have told us that they chose our law school because of their interest in participating in the program based upon what they learned about it from our website. Although this information is admittedly anecdotal, it suggests that establishing and publicizing a semester-in-residence program can help a law school attract students.

and a robust academic component in the remote location. For our Washington, D.C. program we recruited an on-site supervisor with senior government service experience and extensive private practice experience to teach a required on-site co-requisite seminar. The seminar focuses on federal legislative and regulatory practice, so it is relevant to the students' internship experiences and allows them to do supervised research and write a seminar paper on a topic that is related to their internship experience. Student enrollment fluctuates from year to year and from semester to semester. Over the past ten years enrollment has ranged from a high of 23 students in the spring semester to a low of two students in the fall semester. Typical enrollment is four to six students in the fall semester and six to twelve students in the spring semester.³¹

The on-site supervisor also advises students on matters relating to their internship experience and assists them with career counseling, networking, and leveraging their internship experience to assist them in their job searches. While technology and distance learning arrangements may be adequate to satisfy minimal accreditation requirements, we believe a dedicated on-site supervisor who can perform the role described above is a preferable approach. Moreover, because the role requires only teaching a single course and counseling a limited number of students, it can be filled by a well-qualified adjunct professor. This means that filling the position need not have the same budgetary impact for a law school as adding a full-time faculty member. Although adjunct professor compensation generally is not high, a law school teaching position has some measure of prestige associated with it, and this position can be attractive to accomplished practitioners who would welcome the chance to teach a law school class without having to travel or give up their practice and perhaps even relocate in order to do so.

After communication, on-site supervision, and a robust academic component, the next area of focus in designing a successful program is to identify and make available a wide range of high-quality internship opportunities. This is a step in which the program director or directors must invest significant time and energy to seek out, screen, and select appropriate internship positions. Law students are generally not well-equipped to do this entirely on their own, and they need assistance in both identifying opportunities and selecting the opportunity that will best help them achieve their career goals. From our experience we can offer a few observations on the internship selection process.

A preliminary consideration is what kinds of internships will be included in the program. Among the options that should be considered are positions in government agencies and offices, NGOs and public interest organizations, private sector for-profit businesses, public interest law offices, and private law firms. A difficult initial question is whether to limit internships to government and non-profit organizations, or to also include for-profit businesses and perhaps even private law firms. On the one

31. Our experience has been that most students prefer to participate in the spring semester, their final semester of law school. This permits students who plan to move to the Washington, D.C. area after completing law school to move one time.

hand, in some law school locations certain kinds of legal experience may only be attainable by working in private businesses and law firms. Entertainment law, for example, is a field in which it may be difficult to find internship opportunities in the public and nonprofit sectors. A reasonable argument can be made that students' career goals should be accommodated by including internships with for-profit private sector entities if that is the best (or perhaps only) way for students to obtain the experiential learning they seek. On the other hand, because students are both paying tuition for the academic credit they are earning and working a substantial number of hours per week (in our program approximately 30 hours/four days per week) for no compensation,³² the potential for exploitation, or at least the appearance of exploitation, of students is particularly high in private sector internships.

Recognizing that reasonable minds certainly can differ on this issue, we concluded that as a matter of policy we would limit the internships in our semester-in-residence program to governmental and nonprofit organizations. We believe this limitation is the best way to avoid any appearance that either our law school or the organizations in which our students work as interns are in some way taking advantage of the students. The absence of a profit motive in the organizations where we place our interns, as well as the fact that assisting government agencies and nonprofit organizations (without any limitations as to purpose or political affiliation or leanings), is generally in keeping with the pro bono obligations of the legal profession and reduces the likelihood that the program might be viewed as exploitative. Moreover, we have found, both in Washington, D.C. and in Harrisburg, that the range of opportunities in government and nonprofit organizations is more than adequate to meet the experiential learning needs of our students. We suspect that the same would be true in other large metropolitan areas and most, if not all, state capitals.

Whether a semester-in-residence program is limited to internships in governmental and nonprofit organizations, or also includes internships with for-profit entities, the program directors must carefully screen the internship opportunities to confirm that the experience a student will gain is appropriate for receiving law school academic credit.³³ Most important, the program directors must confirm that the students will be doing primarily legal work under the supervision of one or more licensed attorneys. Policy-related legal work, as is common at many nonprofit public advocacy organizations, can satisfy this requirement, so long as the work has a legal component and is supervised by attorneys. Pure policy work, with no tie to the legal system, or general administrative support work (such as traditional "college intern work") is not appropriate for awarding law school academic credit, and the program directors must take care not to place law students in those kinds of positions.³⁴

32. At the ABA annual meeting in 2016, the ABA House of Delegates voted to remove the prohibition on law students receiving compensation for work done in credit-bearing externship programs. See www.americanbar.org/news/abanews/aba-news-archives/2016/08/annual_meeting_20160.html.

33. See *supra* note 22 and accompanying text. See also *supra* note 17.

34. See *supra* note 21.

After an initial screen to confirm that an internship is appropriate for law school academic credit, the next step in designing a successful program is to assemble an adequate number of internship opportunities that offer legal experience across a broad spectrum of legal practice areas and specialties. At a minimum, a program should offer internship opportunities in criminal justice (preferably both on the prosecution and defense sides), civil litigation (whether in government offices or nonprofit groups, such as whistleblower protection and environmental advocacy groups), business law (if a school opts not to include private sector internships, state and federal banking and securities agencies can provide business law experience), environmental law, labor and employment law, and a variety of other legal practice areas. This list is intended only to provide a starting point in constructing a program, and a particular law school should consider the employment trends of its graduates and the nature of legal work in its region. For example, a law school in the Silicon Valley region might have different priorities (likely intellectual property law) than a law school that is closer to Wall Street in New York (corporate and securities law) or to the oil producing regions of Texas and Louisiana (oil and gas law). Our aim here is not to prescribe a uniform template for all programs, but rather to encourage thoughtful initial analysis in designing a program that will help a law school provide the best possible opportunities for its students while capitalizing on opportunities to implement its greater strategic plan or goals.

One final point should be considered in connection with selection of internship opportunities. Should a semester-in-residence program include judicial internships? Again, this is an issue where reasonable minds can differ, but we decided not to include judicial internships in our programs. In considering the issue we noted that our students have adequate opportunities to obtain judicial internships in local, state, and federal courts without doing so in a semester-in-residence program. We also noted that many of our students obtain compensated judicial clerkships or internships after graduation from law school, which also led us to believe that it was not necessary for us to include judicial internships in our programs. A final consideration, which is admittedly a closer call, was whether the kind of work that is involved in a typical judicial internship meets the programmatic goals (a capstone immersion experience in a particular legal practice area) of our semester-in-residence programs. While recognizing the special benefits that a judicial internship can provide, particularly at the trial court level where interns are exposed to a wide variety of legal proceedings and styles of advocacy, we concluded that judicial internships were not a good fit and chose to focus our programs on the legislative and executive branches of government. At our school this has worked, in part because our close proximity to the state capital of a very large state provides students with ample opportunities for judicial internships outside our semester-in-residence programs in Harrisburg and Washington, D.C. Again, however, we wish to emphasize that we are not seeking to prescribe an outcome on this point, but rather are encouraging careful consideration of the issue at the early stages of designing and implementing a semester-in-residence program.

Once a program structure is in place and an appropriate range of internship opportunities has been identified, the next essential step is to provide interested students

with assistance and counseling in finding the internship that is right for them. As program administrators for the past ten years, this is where we have found we must devote the greatest amounts of time and attention to make the program work well. Obviously each student is different, both in terms of qualifications and career objectives. Although we often meet with first-year students to explain the program and answer questions, we typically begin working more intensively with students during their second year of law school to prepare them to participate in a semester-in-residence program in their third year.³⁵ This process usually requires a number of lengthy, one-on-one meetings with students to help them decide which internships to pursue, assist them with application materials, and in many cases help them choose which internship to pursue if they have more than one offer.

We also have developed a short—but important—“orientation session” for students who have obtained an internship. At the end of the preceding semester we meet with all the students who will be participating in the program in the following semester. We describe for them how we administer the program (including the reporting requirements that are discussed below), discuss how they should arrange their work schedules, describe the required on-site co-requisite seminar, and answer any questions they have about the program. We also discuss professionalism in the workplace and explain that they will in effect be acting as “ambassadors” for our law school to the offices where they will be interning, and that their performance will affect the opportunities of future students to follow in their footsteps and intern in those offices. Fortunately, these sessions seem to have been effective, because in ten years of administering our program we have never had a significant workplace performance problem arise.³⁶

The next phase of program administration, after assisting students secure internships and preparing them to begin work, is monitoring and oversight to ensure that the students perform well and that the internship positions provide the students with the high-quality experiential learning that the program is designed to deliver. While

35. At our school we permit students to enroll in our semester-in-residence programs in either the fall or spring semester of their third year. Although participation is generally higher in the spring semester (many students move to Washington, D.C. in the spring and then either stay in that area or move elsewhere after graduation), a number of students also choose to participate in the programs in the fall semester. Course offerings, personal living arrangements, and a variety of other factors can lead students to prefer the fall semester over the spring, so we have opted to make the program available in both semesters. Whether to offer the program in both semesters or limit it to the spring, when demand is likely to be higher, is yet another “start-up question” that must be decided when implementing a program. Another alternative is to initially offer the program only in the spring and then expand it to the fall if student demand justifies doing so.

36. Not only have we so far been fortunate not to have had a significant workplace performance problem, but a number of our students have been offered permanent positions in the offices where they interned. Although this is the exception and not the norm, and as discussed above we are careful not to promote our programs as pathways to employment in the offices where students intern, the instances in which students obtained employment as a result of their internships demonstrate that semester-in-residence programs can lead to permanent employment for some law students—a not inconsequential collateral benefit in today’s extremely competitive legal employment environment.

there are many ways to achieve these objectives, our experience has taught us that it is helpful to design as many “oversight redundancies” and “failsafe systems” into the program as possible. For example, in our programs both the on-site supervisor and the program directors at the law school are responsible for monitoring and oversight of the students’ internship work and experiences. The on-site supervisor performs this function through the weekly co-requisite seminar class meetings with students and by encouraging students to make individual appointments to discuss their internships and their job searches or career objectives. The program administrators also monitor the students’ internships through an online course management system that requires extensive reporting by students over the course of their internship.

We require all students in our programs to submit both daily time logs describing their work and a series of reflective reports that evaluate their internship experience. These reports include an “initial goals statement” in which students describe what they hope to accomplish during their internship, two interim “progress reports” in which students summarize their internship experience to date, and a “final report” in which they sum up their experience.

Practicing attorneys use time records for several purposes, including as a general monitor of the lawyer’s efficiency and as the basis for billing or receiving an award of attorney’s fees. Our students’ time logs serve similar purposes—they should provide us with a record of students’ work throughout the semester, and help us to analyze students’ time on various projects. We instruct students to record the hours worked on a project and a general description of the work that would be sufficient for client billing. We also caution students to maintain the confidentiality requirements of the placement office.

Students also complete two reflective progress reports and a final evaluation. For each report, we provide questions to help the students reflect on the experience and to provide information to us on the status of their work at various times during the semester. The information in time logs and reports allows us to continuously monitor the student’s work in real time and to provide feedback and suggestions on how to improve the internship. The collective information also provides us an early opportunity to intervene, if necessary, to ensure that the work complies with our program requirements.

In addition to the on-site supervisor’s monitoring efforts and the comprehensive reporting and oversight systems we have developed, we require internship supervisors to complete and submit a final evaluation of the students. The evaluation form we have developed requires supervisors to rate the students’ work, on a scale of one to five, in six categories: (1) quality of work; (2) pleadings, memoranda, and research; (3) case management; (4) appearances before courts, hearing officers, or administrative agencies; (5) punctuality; and (6) general work performance. Obviously other schools may wish to develop a different set of criteria for evaluation purposes, and we offer our own example merely as a point of departure.

Although we don't receive these evaluations until after an internship has concluded, they nonetheless are a valuable tool for evaluating whether any problems arose in connection with a particular internship. If supervisors note areas for potential improvement or other concerns we can both communicate those points to the student and take steps to ensure that future students, especially any who intern in that office, avoid falling short in the areas identified by the supervisor.

The final essential implementation step we recommend for maintaining a successful program is continual monitoring and improvement. For example, if we conclude that the work experience in a particular internship is not of the quality we seek for our program we eliminate that office from the internship opportunities available to our students. We also encourage students to look beyond the list of internship opportunities we have assembled. When students find new internship opportunities that meet our program criteria we allow students to pursue them, and then we carefully monitor the student's experience. If it is positive we add that office to our permanent list of internship opportunities. We also take advantage of alumni events to identify graduates of our school who are in offices that might offer internship opportunities. We have found that our alumni are happy to help us arrange to place students in their offices as interns, and the offices are pleased to have capable and enthusiastic interns volunteer to work in the office for academic credit rather than monetary compensation. All of these activities allow us to continuously improve and refine our semester-in-residence programs, improving the experience for the students who participate and building demand for our students (and goodwill for our law school) in the organizations where they intern.

What Are the Benefits of a Well-Administered Semester-in-Residence Program?

Semester-in-residence programs provide significant benefits for both the students who participate and the law schools that offer them. While we believe that the benefits to students are the more important of the two, and that they alone provide more than sufficient reasons for a law school to consider implementing a semester-in-residence program, after summarizing the benefits to students we also will discuss the benefits of these programs for law schools.

We believe the most important overarching benefit of a well-administered program is that it provides an exceptionally effective bridge between law school studies and the "real world" of legal practice that will follow law school for most students.³⁷ Key

37. We recognize, of course, that some law students go to law school for reasons other than to prepare themselves for practicing law, such as to gain an additional credential for an academic career or to use the skills gained in law school for a career in business. For those students the kind of semester-in-residence program we describe may have less of a direct benefit, although they too may benefit from a semester of immersion in a professional legal environment (particularly if it may be the only opportunity they will have for such exposure). In any event, as we emphasize in our concluding section below, we are not advocating semester-in-residence program participation for all law students. To the contrary, we believe that the best way to administer a semester-in-residence program is to

to this benefit is the “immersion” quality of a semester-in-residence program, which permits participating students to begin to develop real legal practice competencies and even make the first steps toward specialization in their chosen field of law. In this regard, the “matching process” we have described above, in which the program administrators assist students in identifying and obtaining an internship that will further their career goals, is essential. When performed effectively, this process results in students who graduate law school with demonstrably greater competence in a particular area of law in comparison to students who do not participate in a semester-in-residence program.

The resulting distinction, which will be reflected both on a student’s resume and in his or her skill set upon graduation, leads to a second important benefit: participation in the program will help students get jobs. We have seen numerous instances in which students who participated in our programs and found employment in their chosen field learned that the experience they obtained in the program distinguished them from other candidates and was a major factor in their hiring. To provide a few examples, we have had students who interned with the Department of Justice, the Department of Treasury, and congressional committees, among many others, in our federal government-oriented program in Washington, D.C. In our state government-oriented program in Harrisburg we have had students intern at Pennsylvania Environmental Hearing and the Pennsylvania Department of Education, among others. In a number of instances students who interned in these positions have subsequently told us that their internship experience was instrumental in helping them land a job in their chosen field of practice. As noted above, we are careful in advising students that they should not anticipate obtaining permanent employment in the office where they intern,³⁸ but we are also aggressive in advising students that the experience, skills, and contacts they acquire by participating in our program will help them in their job searches. Although this involves something of a counseling and program promotion tightrope walk, we have found that it can be accomplished so long as the message is clear and consistent.

We should also note some corollary benefits that can accompany the two major pedagogical and career enhancement benefits described above. Some students select a field of practice and an internship position with the good faith expectation and hope

make it available only to those students who affirmatively choose to participate and can demonstrate that their participation is directly linked to their career goals. We believe that the time and opportunity costs involved in participating in a semester-in-residence program make doing so a less than optimal choice for students who only want to “try out” a particular area of practice or, especially, students who simply want to avoid a semester of in-class law school work.

38. Even though we do from time to time see our students obtain employment in the office where they intern or in some other part of the organization where they intern, none of the internship placements in our program anticipate an offer of permanent employment after completion of the internship. The fact that by chance some such opportunities may arise during or after an internship does not change the essential nature of our program, and we avoid presenting the program in a manner that might create false hopes of likely post-internship employment in the organizations where our students intern.

that they will ultimately practice in that field, and then in the course of their internship experience they find that they simply do not like the work, or the reality of practice in the field is not what they expected. All is not lost in those cases, however. Even an internship that results in a change in career path for a particular student provides that student with valuable experience, and a resume enhancement, that will prove helpful to the student in transitioning into a different career direction. Perhaps more important, learning over the course of a single law school semester that one is really not cut out to be a prosecutor or a securities lawyer is much better than spending one or two years of post-law school employment reaching that same realization. We have had students tell us that they are very happy they participated in our program because it taught them, in a way that law school otherwise could not, that they really did not want to be a certain kind of lawyer. We consider those cases among the greatest successes of our program, even though the students in question took their careers in different directions than they had anticipated when we worked with them in the program.

Another benefit of a semester-in-residence program is a bit more elusive than the easily identified benefits described above, but is nonetheless worthy of discussion. A well-known but seldom acknowledged fact of academic life is that many law students tend to disengage during their third year of law school. Some students become bored with the routine of law school classes; others see that their class rank is essentially established and therefore feel they have no incentive to work especially hard during their third year.³⁹ At the other end of the spectrum, some feel they have obtained the skills they need to prepare them to enter the legal profession, and they prefer work experience to additional classroom instruction. For all of these students a well-administered semester-in-residence program can provide an effective antidote for the malady of third-year malaise.⁴⁰

39. Fortunately, this represents a minority of law students, or at least we hope that is the case, and we know that many students find the third year to be extremely rewarding and throw themselves into clinical work, moot court teams, law review editing, and a host of other valuable and career-enhancing activities. The fact remains, however, that more than a few law students just do not like the third year of law school, and they tend to disengage as a result. See generally Erin Fuchs, *63% of Law School Grads Think the Third Year is Pointless*, BUSINESS INSIDER (Sept. 10, 2013); Peter Lattman, *N.Y.U. Law Plans Overhaul of Students' Third Year*, N.Y. TIMES (Oct. 16, 2012), http://dealbook.nytimes.com/2012/10/16/n-y-u-law-plans-overhaul-of-students-third-year/?_r=0 (quoting Brian Z. Tamanaha, a law professor at Washington University); Debra Cassens Weiss, *Two-Year Law School Was a Good Idea in 1970, and It's a Good Idea Now, Prof Tells ABA Task Force*, A.B.A. J. (Feb. 10, 2013).

40. As indicated in note 37 above, we do not think students who are tired of law school and see a semester-in-residence program as just a way to escape additional classroom instruction are good candidates for a program. Being bored with law school, however, does not necessarily mean that a particular student would be bored with a carefully selected internship placement that would complement the student's career goals, or that the student could not excel in such an internship. We have found that even the "hardest cases" usually can be guided into a useful and productive internship that has a sound pedagogical basis. In fact, we are convinced that some of the students we have assisted in this manner obtained career success that they never would have been able to match if they had just stayed at the law school and enrolled in a selection of classroom offerings based on available options, scheduling preferences, likes and dislikes of particular professors, and the other bases for course selection that all too often are employed by disengaged third-year law students.

Two additional significant benefits for students participating in semester-in-residence programs should be briefly noted. We have found that a perhaps less obvious benefit of a semester's immersion in a near-full-time internship is the teaching of professionalism and law-related "soft skills" to a degree that is difficult to replicate in a classroom environment. Students who are placed in a four-day-a-week, semester-long internship become a member of their office's professional legal team in a manner that part-time interns do not. They attend more meetings, and they have more interactions with clients, adversaries, co-counsel, and other participants in the day-to-day life of the office. As a result, they have much greater opportunity to develop interpersonal skills, communication skills, and other soft skills that will be immensely valuable to them in their own subsequent professional careers. In the past, law firms devoted time to training and developing these skills in new associates. After the 2008 economic downturn, law firms curtailed associate training programs. Firms now expect starting associates to have had some experience questioning clients, preparing documents, and working in teams. Law school clinics and simulation courses,⁴¹ among other traditional curricular offerings, also teach these skills to varying degrees, but we believe the "full immersion" of a semester-in-residence program provides benefits in this area that the traditional law school curriculum cannot match.

The final, and perhaps most obvious, benefit that a semester-in-residence program offers for participating students is the "networking" opportunity that arises from becoming a member of a professional office in a location removed from their law school location. At a minimum, the move to a new location opens up a new spectrum of contacts and events that will benefit students. In most instances the specialized work in a particular internship will introduce students to new organizations and professional activities that can be extremely useful in launching their careers. At a more personal level, supervisors and co-workers often become mentors for students. Those mentors will provide both career advice and introductions to other professionals, who in turn may assist the student in finding permanent employment, gaining entrée into organizations that typically do not hire directly from law school, or otherwise assist the student. We have found that our programs in the nation's capital and the state capital of Pennsylvania both offer an exceptionally rich and diverse range of networking opportunities that are especially beneficial to our students. We would expect that programs in other state capitals and major urban legal centers would be similarly advantageous.

We are convinced that the many benefits for students that we have described above are sufficient to make the case for adding a semester-in-residence program or programs at most law schools. The cost of these programs is minimal—in our case we added one adjunct professor as an on-site supervisor and have shared the on-campus administrative duties between two full-time faculty members who assumed the administrative responsibilities as an "add on" to their regular teaching and other responsibilities with no course relief or other reduction in service to the law school

41. See generally STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, Standard 304 (AM. BAR ASS'N 2016–2017).

(if one faculty member were to undertake the role we think some course relief would probably be necessary, however). In short, establishing a semester-in residence program does not require a significant new investment of faculty resources. This is an especially important point in the current climate of budgetary constraints and limitations on new hiring that most law schools confront.

In return for this low up-front investment a law school obtains a very significant expansion of the experiential learning opportunities that are available to an important subset of their student bodies—third-year students. By identifying and assembling a broad range of internship opportunities as we have described, a law school that implements a semester-in-residence program can markedly expand the opportunities for skills training and practical experience available to its third-year students. Not only is this the right thing to do from a pedagogical perspective, it may well be a practical necessity for law schools that are competing for a share of the now much-reduced law school applicant pool.

Once a semester-in-residence program is up and running, it can provide a more subtle benefit for law schools, one that correlates with the size of the program and the extent of student participation. To state the obvious, students who are participating in a semester-in-residence program at a remote location are not enrolled in courses offered on the law school campus. This reduces demand for seats in classrooms (and in clinics) on campus. At a minimum it will result in somewhat lower enrollment in classes, and in some cases could even make offering a second section of a particular class or adding a new clinic unnecessary. We want to take care to avoid overstating the importance of this point, but a semester-in-residence program is certain to have at least a modest marginal effect on demand for upper-level course offerings on campus. Even if the only benefit is slightly smaller class size, that alone can make a difference in a law school's overall measures of student satisfaction and teaching effectiveness, which is worth taking into account in assessing the benefits of implementing a semester-in-residence program.

If this rough and imprecise economic analysis is not enough to convince a skeptical law school administrator that a semester-in-residence program is a low-cost/high-return allocation of resources that is worth pursuing, there is one additional factor that should be factored into the decision-making calculus. Almost without exception we have found that the students who participate in our programs are extremely happy with the experience and grateful to the law school for making the opportunity available.⁴² They leave law school, we believe, with a more positive overall view of the experience, and they stand out in their subsequent loyalty to the law school as measured

42. The credit for this positive outcome goes almost entirely to the internship supervisors who work with our students and to our on-site supervisor who provides both a high-quality academic component to their internship experience and a readily available source of advice, counsel, and encouragement as they work in their internships and pursue post-graduation employment. We wish to express our gratitude for these contributions to our program, and at the same time reiterate for those who are considering implementing a program that the quality of the internship experiences and the on-site supervision are the crucial elements for a successful semester-in-residence program.

by attendance at alumni events, participation in fundraising efforts, willingness to mentor new graduates, and generally staying connected to the law school. While these benefits cannot be quantified in any precise manner, their value is obvious. In a time when too many students are leaving law school dissatisfied and disillusioned, anything that law schools can do to help reverse that trend seems to us to be a “no brainer” — and we are convinced that semester-in-residence programs easily meet that test.

What Are the Costs and Risks Associated with a Semester-in-Residence Program?

We are convinced that the benefits of a semester-in-residence program, for both law students and law schools, are substantial. We also acknowledge, however, that there are costs and risks that necessarily accompany even the most carefully conceived and effectively administered programs. Those costs and risks are discussed below, and we include in the discussion our suggestions for minimizing the costs and mitigating the risks without compromising the program quality.

Two major costs/risks associated with a semester-in-residence program demand recognition and consideration. First, participation in such a program necessarily reduces by one-sixth (or by one-fourth, if the mandatory and generally uniform first-year courses are excluded) the available classroom instruction time for law students. This is without question a substantial cost, and not one that should be lightly dismissed. Without question, law students who choose their classes carefully and apply themselves diligently will benefit greatly from the courses they take during both semesters of their third year. While we would not argue that it is possible to completely reduce this “opportunity cost” of foregone classroom instruction, we believe it is possible to minimize the cost with counseling and careful advance planning. If students begin preparing early for participation in a semester-in-residence program, they should be able to complete all or almost all of the classes that are most important for their particular career goals during the second year and half of the third year of law school.⁴³

43. If scheduling or course sequencing makes it impossible for a student to take a particular course if they participate in a semester-in-residence program, it may be possible to find a creative solution to the problem. For example, a student may be able to take an “independent study” with a professor that covers much of the key subject matter in a course. In some instances a course may be offered at a time that would permit a student to commute back to the law school campus to take the course (even though this is admittedly inconsistent with the structure of the kind of semester-in-residence program we propose, “the perfect is the enemy of the good,” and a practical accommodation may be necessary in an exceptional case). Finally, in an extreme case a student may be able to enroll in the course in question at another law school, in or near the location of their internship, even though that might entail an additional tuition payment to the other law school. While none of these possible solutions is ideal, they all illustrate that options are available short of forgoing participation in the semester-in-residence program because of a single course conflict.

As with many of the other issues we have discussed in this chapter, the best way to address this issue is with early communication, counseling, and planning. The fact that most law school curricular offerings in the second and third year are elective courses supports, at least to some degree, the argument that it is possible to “schedule around” a semester-in-residence program without undermining overall academic integrity. In addition, if a law school has required upper-level courses,⁴⁴ they usually are “bar preparation” courses, such as evidence and taxation, that most students take in the second year or can take in one of the semesters of the third year, leaving the other semester of the third year open for a semester-in-residence program. Finally, and perhaps most directly relevant to this issue, law schools now provide in their scheduling and course requirements a wide variety of “co-curricular” activities, and the ABA now permits up to 19 credit hours of co-curricular activity.⁴⁵ The academic credit for the internship portion of a semester-in-residence program “counts against” this ABA limit on credit earned outside the classroom, so to that extent the internship credits are already provided for under the existing system of accreditation checks and balances. Students of course may have to forgo other experiential learning opportunities, such as clinics or moot court teams, to stay within the ABA limits⁴⁶ and participate in a semester-in-residence program, but that is only a difference in degree from the choices students routinely make in choosing among both classroom courses and experiential learning options.⁴⁷

This “classroom time opportunity cost” is closely related to the second major cost/risk issue that we acknowledge accompanies implementation of a semester-in-residence program—risk of bar examination failure for students who participate.

44. Here we are referring to courses other than Professional Responsibility, which is required under ABA accreditation requirements. *See STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS*, Standard 303(a)(1) (AM. BAR ASS’N 2016–2017).

45. *See STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS*, Standard 311(a) (AM. BAR ASS’N 2016–2017).

46. Some schools may have limits on co-curricular activities that are below the maximum permitted by the ABA. While this is an academic policy decision that should be made by the faculty and dean at a particular school after considering all the relevant circumstances for their academic program, it may be that a school with a lower limit on co-curricular credit might increase the limit if it chooses to implement a semester-in-residence program.

47. As we have said so many times before in this chapter, this is a point that can best be addressed by early communication and effective counseling. If students know in advance what the limits are and choose their co-curricular activities with those limits in mind, in most cases they will be able to do the things that are most important to them and also participate in a semester-in-residence program. For example, students may be able to earn academic credit for editing a law journal for one semester of their third year, but might have to forgo credit for a semester if they participate in a semester-in-residence program. Alternatively, a school might allow students to earn more credits than are required for graduation, permitting a student to earn credits for a co-curricular activity such as editing a journal or participating in a moot court competition, but not count those credits toward graduation requirements. Again, this is a matter for the faculty and dean to decide as a matter of academic policy at their school, and our suggestions and examples are intended only to provide a starting point for discussion, not to suggest that any of the approaches and policies we discuss are appropriate for any particular law school.



The risk here is that participating in a semester-in-residence program and taking fewer substantive courses as a result may cause a student to be less prepared for the bar exam and, at least in close cases, might tilt the balance against passage of the exam. Again, we recognize the validity of this concern and acknowledge that it will be present to some degree in even the best-administered program.⁴⁸ We have two suggestions for mitigating this risk, which we discuss below, and we also note that most students now take a commercial bar preparation course, so to some degree that practice should help reduce the likelihood that participating in a semester-in-residence program will adversely affect students' bar passage rates.

One thing a law school can do to reduce the "bar exam failure risk" for students who participate in a semester-in-residence program is to limit participation to students who maintain a specified minimum GPA or class ranking. A wealth of statistical evidence shows that students with poor law school academic performance are most likely to fail the bar examination,⁴⁹ so excluding those students should reduce the bar exam failure risk. At our school we have tried both approaches, for a time allowing all students in good academic standing to participate in our program and for a time limiting participation to students who meet specified academic performance criteria. Our experience is too limited to draw any definitive conclusions, but we encourage schools that are concerned about bar passage to consider imposing academic eligibility requirements on at least a trial basis so they can experiment with a semester-in-residence program and determine if the benefits we have described can be made available to their students without an unacceptable adverse impact on bar examination performance.

A second institutional response to the "bar exam failure risk" is to provide a supplemental bar exam preparation course and allow (or require) students who participate in a semester-in-residence program to enroll in the course. Many schools are now offering supplemental bar preparation courses,⁵⁰ and if a school has an overall bar passage rate that is low enough that implementing a semester-in-residence program raises serious concerns about its impact on bar passage, then adding such a course may be in the overall best interest of the school, without regard to the possible implementation of a semester-in-residence program. At bottom this is an issue that

48. We note, however, that this particular risk likely correlates with the historical overall bar passage rates at a particular law school. A school that has an overall high bar pass rate may be less exposed to this risk if it implements a semester-in-residence program than a school with a lower overall bar pass rate. Faculty and administrators may wish to take this into account both in considering whether to implement a program and in considering whether a program perhaps should be limited to students with a certain level of academic achievement or whether supplemental bar preparation opportunities should be made available to students who participate in a semester-in-residence program. Both of the latter points are discussed in more detail below.

49. See, e.g., Katherine L. Vaughns, *Toward Parity in Bar Passage Rates and Law School Performance*, 16 T. MARSHALL L. REV. 255 (1991).

50. See, e.g., Tarek Fadel, *Law Schools Failing Bar Prep: How Do We Solve the Dilemma?* JDBLOG.COM (Jan. 7, 2013); Aleatra P. Williams, *The Role of Bar Preparation Programs in the Current Legal Education Crisis*, 59 WAYNE L. REV. 383 (2013).



must be addressed on a school by school basis. Schools that are fortunate enough to have historically consistent high overall bar pass rates may not find this to be a matter of great concern; schools with low bar pass rates, in contrast, may wish to consider supplemental bar preparation measures and strict academic eligibility requirements, and in some instances may determine that a semester-in-residence program is not in the best interests of their students and school.

In addition to these two major cost/risk factors, semester-in-residence programs present other potential pitfalls for law schools, although we believe that most can be avoided with careful planning and administration of the program. A semester-in-residence program will have some effect on the level of student participation in clinics, moot court competitions, law journal editing, and other traditional upper-level law school co-curricular activities. If semester-in-residence programs are available only to third-year students for one semester, however, the effect on other student activities should be minimal and manageable. It also is not clear that this is entirely a downside risk of the programs. As discussed above, demand for experiential learning and extracurricular opportunities is increasing, and if a law school finds that demand exceeds supply for clinic opportunities, positions on moot court teams, etc., then adding a semester-in-residence program to the school's menu of experiential learning and extracurricular activities may help a law school balance supply and demand for an expensive curricular commodity.

Another risk, although one we would hope would not arise with a program that is administered as we describe, is that students who participate might perform poorly in their internship positions and damage the reputation of the law school. We think this risk can be largely eliminated by careful screening of students wishing to participate in the program and matching of those students to their internship positions. For example, we make sure that students who apply for internships in specialized areas of practice have taken the law school courses that will prepare them for their internship.⁵¹ If they cannot take those courses before they begin the internship we steer them to an alternative that better matches their academic background and skill set. Another way to guard against this problem is to confirm that a student has a serious interest in the field of law that is the focus of their internship; students who sincerely aspire to a career in a particular field of law are less likely to have performance issues when they intern in that field. Finally, if a school has particular concerns in this area it may wish to impose stricter academic eligibility requirements for students to participate. Some combination of these approaches should be sufficient to effectively manage the "performance risk" for a program.

51. For example, we confirm that students who wish to intern in prosecutors' offices or with public defenders have taken upper-level criminal procedure courses. We confirm that students who wish to intern with securities regulators have taken corporate and securities law courses, with environmental regulators have taken environmental law courses, with tax authorities have taken taxation courses, etc. This "pre-screening" process has worked well for us; as noted above, in our ten years administering our program we have not had any significant student performance issue at any internship in our program.

One final set of risks merits careful consideration. While law school is by nature a competitive endeavor, and it is impossible to treat all students exactly the same in every respect (to point out just one obvious example, students who perform best in the first year have more opportunities to participate in prestigious law journal editing positions), it is important that all students be treated fairly. Like other aspects of legal education, semester-in-residence programs can present fairness issues. For example, moving to a new location to participate in such a program is likely to cost more than remaining on campus. Students will incur additional out-of-pocket costs in moving to a new location (although if the location of the program is where a student plans to move after law school in any event, then the move to participate in a semester-in-residence program may be more a matter of timing than incremental costs). While law schools cannot alleviate all economic disparities among students, the issue may merit consideration in connection with implementation of a semester-in-residence program. If a law school has funds available, it could provide some need-based financial aid to students who participate in such programs. Program administrators may also wish to consult with financial aid officials at their law school to determine if supplemental loans may be available for students who need financial assistance to participate in a program and are willing to incur additional debt to do so.⁵²

A final risk is perhaps the most difficult of all the potential downsides associated with a semester-in-residence program—the risk that the program may be perceived as exploiting law students. As noted above,⁵³ a semester-in-residence program by its very nature involves law students paying tuition to a law school and receiving academic credit for essentially donating their time to an organization during an internship. The potential for at least the perception of exploitation is obvious, and it is a concern that we take very seriously. We have given much thought to this issue, and we have arrived at a position that we believe strikes a balance between the best interests of our students and the practical necessities of a “credit for volunteer work” academic program. Although we will describe our analysis and conclusions below, we recognize that others may take a different position on this issue, and we do not profess to have found the only—or even the best—solution to this problem. To the contrary, we welcome feedback and suggestions from others on this especially important issue.

In our programs we have chosen to limit the approved internship opportunities to government agencies and offices or nonprofit organizations such as NGOs and

52. In general, we are very reluctant to advocate anything that increases law student debt burdens. Having said that, however, the marginal cost for students of participating in a semester-in-residence program is likely to be minimal compared to the overall cost of their legal education. If participation in a semester-in-residence program will potentially have a material positive effect on a student's post-graduation employment prospects (and, as we have already explained in this chapter, we believe that in many instances that may well be the case), then it may make sense for a student to incur modest additional debt to participate in a program. Whether or not a particular student does so is a difficult financial decision that should be made by the student only after careful consideration of the benefits of the program and the costs associated with participation.

53. See *supra* note 32 and accompanying text.



public interest advocacy organizations. We do not permit semester-in-residence internships at for-profit corporations or law firms. Our rationale in imposing this limitation is that removal of profit motivation from the internship equation will reduce the risk that the program could be viewed as exploiting students. In essence we regard our program as “partnering” with government offices and nonprofit organizations to both provide valuable experiential learning opportunities for law students (our primary motivation) and serve the public interest by providing uncompensated legal interns to government and nonprofit organizations. This partnership is a two-way street in that we require the organizations where our students intern to commit to providing our students with high-quality legal work experience, a high degree of supervision and training,⁵⁴ and meaningful feedback throughout the internship experience. Our goal is that all parties involved will benefit: the students will get experience and training; the organizations will get highly motivated and capable interns with no monetary cost; and the law school will be able to expand significantly the range of experiential learning opportunities it can offer.

Other law schools may reach a different conclusion, and we readily acknowledge that private law firms and legal departments in for-profit businesses certainly can potentially provide high-quality experiential learning opportunities for law student interns. We would suggest, however, that if a school chooses to include those kinds of internships in its semester-in-residence program, it may wish to build in enhanced monitoring and reporting procedures to ensure that law student interns get good work (weeks of document coding or review, for example, would not in our view meet this test), are adequately supervised, and receive meaningful feedback. Schools that take this approach should also be prepared to explain why placing students in for-profit organizations, which may bill for or otherwise benefit financially from the students’ work, is not exploiting the students. There may well be any number of good answers to this question, such as students obtaining the opportunity to do highly specialized and cutting-edge legal work that is not available in government or nonprofit entities, but schools should be prepared to provide those answers should the issue arise.

What Role Should a Semester-in-Residence Program Play in the Law School Curriculum?

As the discussion above indicates, we believe the substantial benefits associated with a semester-in-residence program far outweigh any costs or risks the programs present. We also believe that a broader, “big picture” consideration of the current state of American legal education provides strong support for law schools making

54. Although we do not have empirical evidence or extensive relevant experience to prove our point, we believe that students are more likely to get higher quality work, training, and feedback in a nonprofit environment. In for-profit organizations, and particularly in private law firms, the overriding imperative of operating the business profitably (and meeting billable hour requirements in many private law firms) is likely to take precedence over training and mentoring law student interns.



semester-in-residence programs available to students who wish to take advantage of the unique benefits the programs offer.

As noted above, law schools are under increasing pressure to both cut costs and provide more experiential instruction to produce “practice ready” graduates.⁵⁵ The job market for new law school graduates is as challenging as it has been in decades,⁵⁶ and students are rightfully expecting that law schools will do everything possible to assist them in finding jobs after graduation.⁵⁷ At a minimum, this extremely competitive job market requires that law schools give students the opportunity to gain practical experience and develop expertise in fields of specialization that will enhance their employment prospects.

At the same time that law schools are under pressure to provide more experiential learning and practical training, concerns about the high costs of legal education have caused some to question whether three years of law school still is the appropriate model for American legal education.⁵⁸ A number of law schools have implemented programs to allow students to gain a J.D. degree in fewer than three years.⁵⁹ Moreover, as we have discussed above, many law students reportedly question the value of the third year of law school,⁶⁰ and it seems clear that not all students need three years of traditional law school instruction (and ABA accreditation standards to some degree recognize this point by permitting a substantial amount of academic credit for work outside the classroom, as discussed above).

Finally, many law students (and perhaps especially millennials)⁶¹ find the transition from law school to legal practice challenging. We have already made the case for semester-in-residence programs providing a beneficial “bridge experience” for third year law students and being particularly effective for teaching professionalism and soft skills that are necessary to succeed in legal practice, so we will not repeat

55. See Barry, *supra* note 10.

56. See *supra* note 7 (collecting authorities).

57. See the discussion in our Introduction regarding transformational change in legal education.

58. See Barnum, *supra* note 9; Weiss, *supra* note 39; Samuel Estreicher, *The Roosevelt-Cardozo Way: The Case for Bar Eligibility After Two Years of Law School*, 15 N.Y.U. J. LEGIS. & PUB. POL'Y 599 (2012) (arguing that New York should allow students to sit for the bar after completing two years of law school); Christopher T. Cunniffe, *The Case for the Alternative Third-Year Program*, 61 ALB. L. REV. 85 (1997) (proposing that there is no need for a third year of law school in the classroom and a year of practice or externship would be more beneficial to the student).

59. For example, Drexel University's Thomas R. Kline School of Law implemented a two-year J.D. program. The following schools also advertise a two-year degree program: Brooklyn Law School, Creighton University School of Law, Pepperdine University School of Law, Regent University School of Law, Southwestern Law School, University of Dayton School of Law, University of Washington School of Law, Vermont Law School, Washburn University School of Law.

60. See *supra* note 38.

61. See generally Jason S. Palmer, *The Millennials Are Coming*, 63 CLEV. ST. L. REV. 675 (2015) (noting the challenges of millennials during law school); Susan K. McClellan, *Externships for Millennial Generation Law Students*, 15 CLINICAL L. REV. 255 (2009).



those points here. We do believe, however, that a well-administered semester-in-residence program can help students make the transition into practice and leave them better prepared for practice—in other words, help produce “practice ready” graduates.

All of this might suggest that we would advocate for a curriculum that requires a semester-in-residence experience for all graduating law students. We do not. To the contrary, our experience makes us believe that a semester-in-residence program will be most successful if students self-select and participate in the program voluntarily. Students who choose to participate are more likely to have planned and prepared for the experience, and they are more likely to devote the effort and energy necessary to excel. We also recognize, as discussed above, that not all students can afford to participate in a semester-in-residence program. Finally, and most important, not all students need or would benefit from the advantages a semester-in-residence program provides.

This leaves us recommending what we believe is a balanced and pragmatic approach: law schools should assess their particular curricular needs, faculty and staff resources, competitive position in the market for legal education, student bar exam performance and employment prospects, and all the other relevant factors (including those we have identified in this chapter and others that we may not have noted), and then carefully consider whether implementing a semester-in-residence program would benefit their students and their school. If the answer is yes, we hope that the discussion and recommendations in this chapter will prove helpful in successfully implementing a program. If the answer is no, a law school has a wide range of options for achieving most, if not all, of the benefits of a semester-in-residence program—and many of those options are discussed in other chapters of this book.

While we believe that semester-in-residence programs can make a unique contribution to a law school’s educational program and present an opportunity that should be carefully considered, and in many instances should be offered for students who want it, we are not asserting that every law school should have a semester-in-residence program. As strongly as we believe in the advantages a semester-in-residence can provide, we also know there is no “one size fits all” solution to the many challenges facing legal education in the 21st century.

APPENDIX

Law School	Program Name	# of Credits	Location(s)
Alabama	Federal Externship	10 credits	Washington, D.C.
Albany	Semester in Practice	12 credits	Various
Arizona State	Externship	6–9 credits (+ additional courses)	Washington, D.C.; Los Angeles, CA
Arizona Summit	Externship	Between 2–12 credits	Various locations
Boston College	Semester in Practice	13 credits (10 for work, 3 for classroom)	Washington, D.C.; London
Boston University	Semester in Practice	12 credits (10 for work, 2 graded)	Washington, D.C.; London
Brooklyn	Washington, DC Im- mersion Semester	10 credits for work	Washington, D.C.
California—Berkeley California—Davis California—Hastings California—Irvine California— Los Angeles	UCDC Law Program and Away Field Place- ment ⁶²	10 credits, 3 for com- panion course	Washington, D.C. and various locations
Case Western Reserve	Externship	Not specified	Various national and international locations
Columbia	Externship on the Federal Government	12 credits (4 graded academic and 8 ungraded clinical)	Washington, D.C.
Denver	Semester in Practice	12 credits for work, 3 for seminar	Not specified
District of Columbia	Externship Program	8-credit option	Metropolitan D.C.
Drexel	Co-op Intensive	7–12 credits	200 existing place- ments, with the option to create an individual placement
Duke	Duke in D.C.	9 credits for 450 field- work hours and 4 graded credits for seminar	Washington, D.C.

62. The University of California offers a uniquely collaborative consortium of UC law schools jointly administered as a single program.

Duquesne	Externship	6–12 credits	Atlanta, GA; Washington D.C.; The Hague, Netherlands
Elon	Semester in Practice	13 credits	Various upon approval
Florida	Semester Away Program	Not specified	South Florida, Washington, D.C., or Tallahassee, Florida
Florida Coastal	International Externships	Up to 12 credits	The Hague, Netherlands
Florida State	Externship Program	Up to 10 credits	Various national and international locations
Georgia	Semester in Practice	10 credits in Atlanta (up to 16 by taking courses in Atlanta); 13 credits in D.C. (10 work, 3 from non-clinical course)	Atlanta, GA; Washington, D.C.
Gonzaga	Externship Program	Range 3–15 credits (1 from seminar)	Various locations across country upon placement
Harvard	Semester in Washington	Not specified	Washington, D.C.; the website also says that other focused externships are available to be conducted outside of Boston, MA upon application
Hawaii	Pacific/Asia Externships	12 credits	Pacific Rim
Hofstra	Hofstra Law in D.C.	13 credits (10 for work, 3 for classroom credit)	Washington, D.C.
	Pro Bono Scholars Program	12 credits (10 for work, 2-credit seminar)	Not specified
Idaho	Public Service Externships	Up to 12 credits	Spokane, WA; various locations upon approval
Indiana—Bloomington	Semester Public Interest Program	10 credit (8 for work, 2 for class)	Washington D.C.
Iowa	Field Placement Program	3–14 credits	Various national and international locations
Lewis and Clark	Externship Program	Up to 12 credits	Various national and international locations

Loyola Los Angeles	Full-Time Judicial Externship	7–10 credits	“Off campus”
Maine	Externship Program	12–14 credits	Washington, D.C.; various locations upon approval
Maryland	Externships	3–11 credits, plus a 1–2 credit workshop	Not specified
Mercer	Semester in Atlanta	4–12 credits, plus seminar if first externship	Atlanta, GA
Michigan State	Washington, D.C. Semester Program	6 credits, plus course credits	Washington, D.C.
Michigan	Full-Time Externship Program	A full semester’s worth of credits	Anywhere nationally or internationally; Specific programs are Geneva, India, and South Africa
Minnesota	Public Interest Residency Program	8 credits + 2 class credits / semester, for two semesters	Minnesota
Mississippi College	Remote Externship Course	3–6 credits, plus a weekly online course, plus a pre-externship seminar	Students may extern out-of-state or outside the Hinds/Madison/Rankin County area
Mississippi	Clinical Externship Program	3–12 credits	Wherever students plan to live or practice, upon approval
Missouri-Kansas City	Overseas Internships	Not specified	Non-US
Mitchell Hamline	Semester-in-Practice	10–12 credits	Various locations
Nevada	Externship-Alternate Placement	4–7 credits	Various, listed on website
New Mexico	UNM Law Semester in D.C.	12 credits (3 additional course credits)	Washington, D.C.
New Hampshire	Legal Residencies	Not specified	Variety, proposed by student
North Carolina	Semester in Practice	12 credits	Washington, D.C.; New York City; Atlanta; North Carolina
Northeastern	Cooperative Legal Education Program	Not specified	Various
Northern Illinois	Bridge to Practice Externship	12 credits	Chicago, Springfield, IL.

Northern Kentucky	Semester in Practice	4–12 credits	Washington, D.C., Chicago, Various upon approval
Northwestern	Intensive Semester Practicum	9 credits for fieldwork, 3 credits for a class	Various in the U.S.
Notre Dame	Notre Dame Law in D.C.	10 credit (8 for work, 2 for class)	Washington, D.C.
Nova Southeastern Law	Field Placement Clinics	Not specified	National and international
Oregon	Externship	3–10 credits	Not specified
Pennsylvania State- Dickinson	Semester in Washington	10 credits + 2 for sem- inar	Washington, D.C.
Pepperdine	Washington D.C. Externship	10 credits	Washington, D.C.
Pittsburgh	Semester in D.C. Program	12–15 credits	Washington, D.C.
Quinnipiac		Not specified	Connecticut; Los An- geles; other locations
Richmond	D.C. Externship Program	Not specified	Washington, D.C.
Roger Williams	Semester-in-Practice	14 credits (12 for work, 2 for seminar)	Washington D.C., Los Angeles, New Jersey, Remote locations upon approval.
St. Thomas (Florida)	Multiple full-time externships	12 credits	Various, including FL and NYC
San Diego	Washington D.C. Externship	12–15 credits (partly fieldwork, partly coursework)	Washington, D.C.
San Francisco	Judicial Externship Civil and Criminal Law Externship	2–13 (Judicial) 3–13 (Civil/Criminal)	Various
Santa Clara	Judicial Externship	11 credits	Not specified
Seattle	Externship	15 credits (12 field- work, 3 seminar)	Public agencies, non- profits, and courts in Western Washington or Alaska

Southern University	Externships	6–12 credits	Various
Southern Illinois	Intellectual Property Semester in Practice	Not specified	Chicago, Washington, D.C., Southern California, Nashville, anywhere in U.S.
Southwestern	Externship Program	10 credits	U.S. District Court, 9th Circuit Court of Appeals
Stanford	Standard Externship Program Special Circumstances Externship Program	12 credits	Various national and international locations
Stetson	Externship	Up to 12 credits	Not specified
Suffolk	International Semester in Practice	12 credits	Various
Syracuse	Semester in Washington D.C.	12 credits	Washington, D.C.
Texas	Semester in Practice Internship	10 credits	Outside Austin
Texas Tech	Regional Externship Program	12 (10 fieldwork, 2 course)	Dallas/Fort Worth, Austin, San Antonio, Houston
Tulsa	Full Semester Externships	Not specified	Local-National-International
WMU Thomas M. Cooley	Externship	10 credits	Various
Utah	Hinckley Washington D.C. Clinic	2–9 credits	Washington, D.C.
Vanderbilt	Externship Program	8 credits	Various

Vermont	Full-Time JD Externship Program (Semester in Practice)	11 credits (+ 2 classroom credits)	Not specified
Villanova	Externships	3–12 credits	Not specified
Virginia	Full-Time Externships UVA Law in D.C.	12 credits (9 for work, 3 graded)	Local, national or international; Washington, D.C.
Wake Forest	Metropolitan Internship	13 credits (10 for work, 3 for required classroom component, possibility of 1–2 more for research)	Washington, D.C.
Washington and Lee	D.C. Program	10–11 credits	Washington, D.C.
Washington University	Congressional and Administrative Law Externship Semester in Practice Externship	12 credits (9 credit hours pass/fail; 3 credit hours graded) 12 credits	Washington, D.C. Various
Western State	Full-Time Judicial Appellate Externship	10 units	Various
West Virginia	Full-Time Externship Program Federal Judicial Externship Program	13 credits	Various
Willamette	Externship Program	10–15 credits	Various
William and Mary	Washington, D.C. Fall Semester Externship	12 credits	Washington, D.C. and surrounding area
Wisconsin	Externships	Up to 12 credits	Various