

# UB Law Forum

---

Volume 11  
Number 1 *Spring 1998*

Article 9

---

4-1-1998

## Public Service Externs Roll Up Their Sleeves

UB Law Forum

Follow this and additional works at: [https://digitalcommons.law.buffalo.edu/ub\\_law\\_forum](https://digitalcommons.law.buffalo.edu/ub_law_forum)

---

### Recommended Citation

UB Law Forum (1998) "Public Service Externs Roll Up Their Sleeves," *UB Law Forum*: Vol. 11 : No. 1 , Article 9.

Available at: [https://digitalcommons.law.buffalo.edu/ub\\_law\\_forum/vol11/iss1/9](https://digitalcommons.law.buffalo.edu/ub_law_forum/vol11/iss1/9)

This Article is brought to you for free and open access by the Alumni Publications at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in UB Law Forum by an authorized editor of Digital Commons @ University at Buffalo School of Law. For more information, please contact [lawscholar@buffalo.edu](mailto:lawscholar@buffalo.edu).

# Public service externs roll up their sleeves

In the last session of the New York State Legislature, a bill was introduced that would have required revocation of the driver's license of anyone convicted of selling drugs from a car. Though it did not become law, the bill did manage to pass in the Senate. Joel J. Java '98, then a second-year student in the Externship course, did much of the work on that bill while working in the office of Assemblyman Sam Hoyt, of Buffalo. Hoyt says he plans to resubmit that bill along with others done by externs.

"Those law students that I bring on to assist us get a serious level of responsibility," says Hoyt. His office is among dozens taking part in UB Law's new Externship in Public Service, a three-credit course under R. Nils Olsen, vice dean for academic affairs and director of clinical studies.

"We offer a fairly large menu of choices," Olsen says of placement opportunities under the course.

Last spring, when the externship program officially began, more than 80 second- and third-year students worked in 43 different sites. During the summer, another 35 students took part. Many of the placements are clerkships with judges, including U.S. District Court Judge John T. Curtin '49 and State Supreme Court Justice Rose H. Sconiers '73, both UB Law alumni. But a variety of other experiences are also available in the offices of district attorneys, public defenders, economic development agencies and municipal counsel. Some students have worked in the U.S. Environmental Protection Agency's Criminal Investigation Division while others have gone to the Litigation Unit in the office of state Attorney General Dennis C. Vacco '78, another UB Law graduate. While alumni play an impor-

tant part, however, many officials without direct Law School relationships have also opened their doors to students in the course.

The common theme among the various placements, explains Olsen, is that they involve public service, as opposed to working in private for-profit practice. Students gain valuable hands-on experience, learning what it is like to practice law with government and civic institutions devoted to preserving the public good. The students also give something back by providing skilled help.

"The externships allow students to get practical experience and it lets them network with lawyers, which is quite useful," Olsen says. "It also broadens the Law School's influence considerably. We are providing a public service to a large number of institutions throughout the region. The program has an educational value, but it also has many other good purposes. The community likes it and students like it."

Michael R. Risman, the City of Buffalo's acting corporation counsel, applauds the externship course. "We utilize the students on real-life projects," says the 1979 UB Law graduate. "They are very helpful to us. And with our budget constraints, it is very valuable to us."

Hoyt echoes that sentiment. "The benefits I get from it are considerable," he says. "It is like having an additional staff."

The externship course represents another expansion of UB Law's strong orientation toward public interest and clinical experience. Already the Law School offers a wide variety of experience-based opportunities, including clinics and internships, and UB Law graduates go on to find public-interest jobs at a rate higher than the national average.

The externship differs from the practicum in that it utilizes an established roster of placements for which students can apply, rather than requiring students to line up their own placement and faculty sponsor.

Externship applicants are considered on the basis of their grades and writing ability, and they may have to complete certain course prerequisites to qualify for some placements. Externs receive three credits and work 15 hours a week for 12 weeks in the placement office, where they are evaluated by the office's designated extern supervisor. In addition, they must keep a journal that both describes and analyzes their experiences and schedule periodic conferences with the externship faculty.

"They can experience the particular lifestyle of the position they have chosen," Olsen explains. "And they are forced to reflect on the nature of the legal work of the office and its role in serving the public interest. The idea is to have them do what a lawyer would do if the lawyer were hired in that setting."

"I think it's great to give students an opportunity to come down and do some real-world stuff," says Barbara A. Kavanaugh, a Buffalo Common Council member and 1983 UB Law graduate. She put Ayoka A. Tucker '98, then a second-year student, to work researching an issue involving city park land. "A local town had encroached on about eight feet of the land," Kavanaugh says. "I had her looking at whether there was a way to transfer the land to the town. The bottom line was we couldn't. She was able to reduce the options for me. It is as good to learn what you can't do as what you can."

State Supreme Court Justice Barbara Howe has externs conduct research, attend conferences with attor-



Left to right: Jeremy Toth '96, Assemblyman Sam Hoyt and Joel J. Java '98

neys and visit other courts. "I don't want to name cases, but a student could work for an entire externship on one extremely complicated case involving thousands of pages of briefs, exhibits, deposition transcripts and other documents," says Howe, a 1980 UB Law graduate and president-elect of the Law Alumni Association. "It gives students a real taste of the magnitude of what is done in a judicial setting."

Although the Externship in Public Service was not offered as a formal upper-division course until last spring, several students participated in a trial run that started a year earlier in Hoyt's office.

Jeremy Toth '96 was the first extern. Hoyt tossed him a traffic law idea regarding the prohibition against passing a stopped school bus. Toth recalls that "somebody asked him to introduce the legislation, but I found out through my research that it was a bad idea and I convinced him not to do it." After Toth graduated that spring, Hoyt invited him to join his staff full time.

"Now I supervise the law students," Toth says. "Each student has one major

project, which is a piece of legislation that they work on." Students research, analyze, contact parties with a potential interest in the bill, and pursue possible alternatives. Sometimes they write the legislation itself.

Hoyt has now introduced several bills written by Externship students. One would have required that rental videos be labeled if they have been edited or otherwise changed from the original theatrical release. Another would have amended the state law that prevents Buffalo from enacting a residency requirement for police, firefighters and sanitation workers.

"They get the most fundamental grass-roots understanding of how a bill becomes law," Hoyt says of the students. "You can't practice law effectively until you understand those fundamentals. It's a little different than taking a civics course. You are actually drafting the bill. You are involved from A to Z. They get an appreciation of not only the legislative process, but the politics of the legislative process."

Java recommends the experience highly. "I was worried when I started

that I wouldn't be doing a lot of law, but that turned out not to be the case," he says. "It opened my eyes to the fact that there is a lot more for lawyers to do than work in courtrooms." Java followed the externship with a summer internship in the state Attorney General's legislative bureau in Albany.

David C. Weir '98 saw public service from a somewhat different perspective during his externship last summer. He worked in the felony trial unit of the Erie County District Attorney's office. "I wrote a bunch of briefs, a couple memoranda of law, and did a lot of research," he recalls. "You could say I did the whole spectrum. I worked on felony trials, but it was everything from indictments to search and seizure." When things slowed down, he found time to sit in court and absorb a little trial technique.

For Weir, now a third-year student, the experience was valuable not because he wants to become a criminal trial lawyer — he expects to write wills and do estate planning. But he sought the D.A.'s office placement specifically because he wanted to broaden his legal horizons while he had the opportunity. "In law school you will hear what an indictment is but you won't actually see one," he says. "Here you get to really experience it. There is something about actually doing it. Everybody should do it. You learn so much on the job."

In developing the Externship course, as well as other experience-based learning opportunities, UB Law is part of an important trend toward making field placement a component of legal education. According to an article in the spring 1996 *Clinical Law Review*, externships help students develop the ability to pursue self-directed learning. And while externships are not as closely supervised as clinical programs, the article states that they are not necessarily less effective at teaching lawyering skills.

"I think it is great that the Law School is giving students more real-life experiences and a chance to build their skills," says Risman, at the Buffalo corporation counsel's office. "And I think it really helps the law students in terms of their resumes. We will definitely take more externs in the future." ■