



CONCORDIA UNIVERSITY  
SCHOOL OF LAW

# *Externship Supervisor Handbook*



*The Externship Program is designed to provide law students with valuable practical experience under the careful supervision of an experienced attorney or judge.*

V.4.0

Office of Experiential  
Learning

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## **SECTION I: EXTERNSHIP PROGRAM OVERVIEW**

The externship program combines field work with a contemporaneous class designed to reinforce lawyering skills and the social and ethical responsibilities of the profession. Students who have completed one full year of academic study and who are in good academic standing may participate in the externship program. Students will have the opportunity to work in a diversity of practice settings in an environment focused on student learning and under the careful supervision of an attorney. Field work must be supervised by an attorney and the work must be substantive legal work. The Externship Director provides oversight and evaluation to ensure the opportunity is providing an academic experience for the student, including periodic site visits or phone meetings with the field supervisor.

### **FIELD WORK REQUIREMENTS: HOST ORGANIZATION**

The host organization should create some structure for the student that meets the following minimum requirements which are also outlined in the Externship Agreement.

- Identify a field supervisor to structure and guide the extern's work experience.
- Complete the Externship Agreement with the extern prior to starting the externship.
- Review with the student office policies and procedures including confidentiality agreements.
- Provide students access to office resources and designated work space.
- Permit the student to observe daily work activities and provide meaningful work product.
- Expose students to work that will:
  - (1) improve their skills in legal analysis, research and writing;
  - (2) increase their knowledge of one or more substantive areas of law;
  - (3) improve on the practical skills necessary for successful law practice; and
  - (4) provide additional understanding of the professional and ethical responsibilities of the legal profession.
- Provide the extern with ongoing feedback and mentoring.
- Develop a work schedule with the student. The student should also provide the Externship Director with the start and end dates and the total number of hours the student will work with the host organization during the semester.
- Review and sign weekly timesheets.
- Be available for consultation with the Externship Director or faculty supervisor.
- Complete an evaluation of the student's performance mid-semester and at the end of the semester.

### **FIELD WORK REQUIREMENTS: STUDENT**

- Arrange a work schedule with the field supervisor and provide a copy to the Externship Director.
- Be prompt, punctual, and reliable at all times.
- Dress professionally to meet or exceed the standards of the office.
- Remain focused on extern duties during the time designated for work with the host organization.
- Be courteous and professional to the field supervisor, colleagues, and staff.
- Willingly accept all assignments and volunteer for additional assignments.
- Turn in work that is neat, complete, accurate, and on time.

- Submit weekly timesheets to field supervisor and faculty supervisor.

## **SECTION II: EXPERIENTIAL LEARNING AND THE PROCESS OF BECOMING AN ATTORNEY**

Law schools have a number of educational objectives, including exposure of students to different models of lawyering skills related to specific areas of legal practice, the acquisition of greater insight into the process of lawyering, the development of a sense of professional responsibility, and the awareness and ability to reflect on and learn from experiences. We stress to students that "doing" the work that they see performed by their field supervisors is just one component of the externship experience. Equally as important as performing lawyering tasks is the process of experiential learning in which students learn to reflect on their observations in order to make sense of their experiences and in order to integrate that reflection "to create new, or modify existing knowledge."<sup>1</sup>

As externship directors, we probably define your role as a field supervisor and mentor more broadly than you. Although we appreciate the attention you give externs regarding the performance of legal tasks such as drafting documents, discovering and using facts, and arguing motions, externs can learn other invaluable insights from your observations about the legal system. Many of the externs you will supervise will have little or no legal experience. We therefore often request externs to focus each week on a different aspect of the lifestyle of lawyers in the particular legal field in which they are practicing. For instance, in order for students to understand the legal context in which they practice, they need to reflect on a number of issues such as: (1) the relationships between the attorneys and support staff, clients, opposing counsel, and judges; (2) the lifestyle and demographics of such an attorney including gender, race, age, salary, and working conditions; (3) the relationship between the legal work and attorney values, perceptions, and concepts of self-worth; and (4) ethical challenges inherent in that type of law practice.

We expect students to discuss many of their observations with you; you can add a context to the student's observation by sharing your opinions about the legal system and the lifestyle of an attorney specializing in your particular field of practice. We also expect students to reflect on their experiences in journals. The process of writing complements the process of reflecting. It is therefore important for you and the extern to have a discussion at your earliest convenience regarding the scope of confidentiality for the written journals. This provides an excellent opportunity to discuss with the student the ethical and legal parameters of client confidentiality and any specific rules which your office may have regarding client loyalty and privilege.

It is clear that field supervisors provide students with a wealth of opportunities to not only practice law, but to experience and reflect upon the socialization process of becoming an attorney, as well as the quality of life your legal discipline might provide.

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<sup>1</sup> J.P. Ogilvy, Leah Wortham & Lisa G. Lerman, *LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS*, 6 (West 1998).

## **SECTION III: PROVIDING STRUCTURE FOR AND FEEDBACK TO LAW STUDENT EXTERNS**

During the time you supervise our law students, you are providing a critical part of the students' legal education. Students can earn a substantial number of units for field placement experience and we are understandably concerned that they receive appropriately challenging work and regular, effective feedback. This section contains suggestions on preparing assignments for externs and providing externs with feedback in a constructive manner.

### **A. STRUCTURING THE EXPERIENCE**

#### ***1. Be prepared for the externs' arrival.***

First, ask yourself what you expect the externs to do in your office. Will they be working primarily with one attorney or several? Who will be primarily responsible for assigning and reviewing work? These are basic concerns for all students and it helps everyone if you have these issues settled before the student starts work.

When the student arrives, take the time to conduct a brief orientation to the office. Particularly in large offices, it is very helpful if students are given a tour of the office and are introduced to people they will need to know. Explain up front your expectations and the students' obligations.

Ideally, before the first work is assigned, each supervisor should meet with their externs to discuss the externs' educational goals for the semester. The supervisor should also speak to the law school's extern coordinator about the school's expectations and educational goals. During the first week of the externship seminar, students are required to develop a learning agenda that sets forth, in some detail, the students' academic goals for the semester and is aimed to guide the students' progress during the externship. Please take some time at the beginning of the externship to discuss with the students their expectations and goals so, to the extent possible, the students receive work that promotes the stated goals.

#### ***2. Provide appropriate and well-defined assignments.***

It is recommended that one supervising attorney or clerk act as a "clearinghouse" through which all assignments pass. That attorney should gather potential assignments from other attorneys and review the proposed work before it is assigned. In this way, the placement can ensure that the assigning attorney has provided an adequate description of the work required and has equipped the student with enough background information to get the work done. In addition, if one person takes responsibility for all extern assignments, she can make sure that no one student has too much or too little work and that no student gets bogged down with an assignment that is too burdensome or has only marginal educational value. At some placements, attorneys who wish to assign work to an extern use a standard "Request for Extern Help" form in which they describe the assignment so the proposed task can be reviewed and approved before it is passed along to a student extern.

### ***3. Arrange weekly conferences with your externs.***

This suggestion seems obvious, yet it is often overlooked. Because all supervisors are extremely busy practitioners, it is very easy to let weeks go by without spending any time one-on-one with your externs. But, from the law school's perspective, it is *essential* that all students meet individually with their supervisors at least once a week to check in, review completed work, address any problems and discuss future assignments. If you schedule a weekly "standing appointment" to meet with your externs you are far less likely to find that your daily work prevents you from regularly meeting with the students.

## **B. PROVIDING CONSTRUCTIVE FEEDBACK**

### ***1. Provide feedback on assignments.***

The assigning attorney should provide timely feedback on assignments. Obviously, the nature of the feedback will vary depending on the type of assignment involved: a short research assignment resulting in a brief oral report may only warrant a five or ten-minute conversation, while a substantial written project deserves more time and attention. Students consistently report that receiving regular feedback throughout their externship highlighted their areas of weakness and greatly improved the learning experience. In addition, constructive feedback benefits the supervising attorneys who see vastly improved student performance.

When we talk about "providing feedback" we do not mean to suggest that the attorney should offer suggestions and the student should sit passively and accept those suggestions. Students will get far more out of a discussion when they are actively involved in evaluating their own performance.<sup>2</sup> To that end, students should be encouraged to assess their own work and to provide suggestions as to how the work could be improved.

### ***2. Provide constructive feedback.***

Most extern supervisors are very concerned with making the students' externship pleasant and, as a result, may shy away from the sometimes uncomfortable task of critiquing the students' work. While this impulse is understandable, students need, deserve and actually *want* honest feedback on their work.

In our experience, students often assume that "no news is good news," and will continue to repeat the same errors unless they are given specific notice that improvement is necessary. We therefore urge all supervisors to provide feedback early in the semester so any problems can be addressed before the externship proceeds too far. Most students are eager to become good lawyers and welcome specific advice on how they can sharpen their skills.

What sort of feedback should you offer and how should you go about it? First, include a healthy dose of positive feedback. In fact, it is a good idea to start off on a positive note. For example, even if the student's writing needs improvement, you may be able to honestly commend the student's research abilities. And if the research was weak, perhaps the student's eagerness and curiosity warrant a

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<sup>2</sup> See generally, A. Alexander and J. Smith, *A Practical Guide to Cooperative Supervision for Law Students and Legal Employers*, 29 Law Office Economics and Management 207 (1988).

compliment. While you should not be reluctant to criticize the work where necessary, students are apt to be less defensive if they hear some good news first.

In order to be effective, suggestions for improvement should be as specific as possible. Instead of telling a student to "tighten up the writing" or "use the facts more effectively," take a portion of the student's work and show them how to edit and rewrite the assignment. While this kind of feedback can be time consuming, it is also the most helpful.

We recognize that it can be difficult to systematically review students' work and cover all the relevant points. Below, we have set out nine categories you may want to consider when reviewing a student's performance.<sup>3</sup> You may not need or want to touch on each of these categories during every feedback session. But if you assess the student's performance on a specific assignment with these categories in mind it may help both you and the student focus on the areas of concern.

**(a) *Research Ability***

- knows the basic, non-computer library research tools and how to use them
- is familiar with computerized legal research resources
- does thorough, careful and accurate work
- produces practical and useful results

**(b) *Legal Analysis***

- integrates legal concepts and theory with facts in a coherent and logical progression

**(c) *Intellectual Capacity***

- displays intellectual curiosity
- thinks creatively and imaginatively
- develops alternative avenues of argument
- pursues analogous extensions in areas where the law is nebulous
- explores subsidiary and related issues uncovered by research to develop innovative legal theory

**(d) *Writing Skills***

- writes clearly, precisely and persuasively
- drafts well-organized written assignments
- cites accurately and properly

**(e) *Clarity of Oral Expression***

- speaks well and is easily understood
- is able to discuss issues clearly
- communicates effectively in various advocacy proceedings

**(f) *Judgment***

- is mature
- exercises good common sense
- knows how and when to ask questions or seek additional consultation
- sets appropriate priorities in handling assigned work

**(g) *Responsibility***

- is trustworthy and acts ethically
- takes initiative

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<sup>3</sup> This list is presented and discussed in A. Alexander and J. Smith, *A Practical Guide for Cooperative Supervision for Law Students and Legal Employers*, supra, at pp. 216-217. See also, Beryl Blaustone, *Teaching Law Students to Self-Critique and to Develop Critical Clinical Self-Awareness in Performance*, 13 CLIN. L. REV. 601 (2006).





## **SECTION IV: LAW STUDENTS AND WORKPLACE CONFIDENTIALITY**

The observance by lawyers and their respective employees of the ethical obligations of confidentiality is a fundamental principle of the lawyer-client relationship. We recommend that all externship placements implement steps to ensure that law students, who may or may not have experienced formal training in professional responsibility at the time of the placement, are aware of the specific confidentiality policies of the placement.

- ◆ Confidentiality policies should be in writing and distributed to each extern or law student volunteer each semester or summer session;
- ◆ Students should sign a confidentiality agreement (see sample on next page for your use or adaptation); and
- ◆ Students should actively engage in dialogue throughout the term of the placement with supervising attorneys on the importance of confidentiality and the ethical implications involved in individual cases or circumstances.

# CONCORDIA UNIVERSITY SCHOOL OF LAW

## EXTERNSHIP PROGRAM

### Confidentiality Agreement

As part of my participation in the Concordia University School of Law Externship Program, I, \_\_\_\_\_, enter into this Agreement with my field supervisor, \_\_\_\_\_, and agree as follows:

- I have read Idaho Rule of Professional Conduct 1.6 pertaining to confidentiality of information.
- I shall not, except as authorized by my field supervisor, disclose to any other person or entity any proprietary, confidential, or sensitive information pertaining to the representation of a client at any time during or after my participation in the externship.
- I shall not use any such confidential information for my personal use or advantage or make it available to others.
- All information which has come into my possession, custody or knowledge pertaining to my participation in the externship program shall be presumed to be confidential until it becomes readily available to the general public without breach of confidential obligation.
- I shall refrain from using client identifying information or proprietary, confidential or sensitive information pertaining to the representation of a client in the journal assignments I am required to submit to the faculty supervisor at Concordia Law.
- All such information I am required to submit as part of my externship requirements shall remain confidential unless disclosure is specifically authorized by the field supervisor.

By my signature below, I acknowledge that I have read this Agreement and accept its terms.

\_\_\_\_\_  
Name of Student (printed)

\_\_\_\_\_  
Name of Field Supervisor (printed)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

## **SECTION V: APPLICABLE IDAHO RULES OF PROFESSIONAL CONDUCT**

**For your reference and convenience, this section contains:**

- ◆ Idaho Rule of Professional Conduct 1.6 CONFIDENTIALITY OF INFORMATION
- ◆ Idaho Rule of Professional Conduct 5.2 RESPONSIBILITIES OF A SUBORDINATE LAWYER
- ◆ Idaho Rule of Professional Conduct 5.3 RESPONSIBILITIES REGARDING NONLAWYER ASSISTANTS
- ◆ Idaho Rule of Professional Conduct 5.5 UNAUTHORIZED PRACTICE OF LAW
- ◆ Standards for Civility in Professional Conduct

## **RULE 1.6: CONFIDENTIALITY OF INFORMATION**

**(a) A lawyer shall not reveal information relating to representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation or the disclosure is permitted by paragraph (b).**

**(b) A lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary:**

- (1) to prevent the client from committing a crime, including disclosure of the intention to commit a crime;**
- (2) to prevent reasonably certain death or substantial bodily harm;**
- (3) to prevent, mitigate or rectify substantial injury to the financial interests or property of another that is reasonably certain to result or has resulted from the client's commission of a crime in furtherance of which the client has used the lawyer's services;**
- (4) to secure legal advice about the lawyer's compliance with these Rules;**
- (5) to establish a claim or defense on behalf of the lawyer in a controversy between the lawyer and the client, to establish a defense to a criminal charge or civil claim against the lawyer based upon conduct in which the client was involved, or to respond to allegations in any proceeding concerning the lawyer's representation of a client; or**
- (6) to comply with other law or a court order.**

### **Commentary**

[1] This Rule governs the disclosure by a lawyer of information relating to the representation of a client during the lawyer's representation of the client. See Rule 1.18 for the lawyer's duties with respect to information provided to the lawyer by a prospective client, Rule 1.9(c)(2) for the lawyer's duty not to reveal information relating to the lawyer's prior representation of a former client and Rules 1.8(b) and 1.9(c)(1) for the lawyer's duties with respect to the use of such information to the disadvantage of clients and former clients.

[2] A fundamental principle in the client-lawyer relationship is that, in the absence of the client's informed consent, the lawyer must not reveal information relating to the representation. See Rule 1.0(e) for the definition of informed consent. This contributes to the trust that is the hallmark of the client-lawyer relationship. The client is thereby encouraged to seek legal assistance and to communicate fully and frankly with the lawyer even as to embarrassing or legally damaging subject matter. The lawyer needs this information to represent the client effectively and, if necessary, to advise the client to refrain from wrongful conduct. Almost without exception, clients come to lawyers in order to determine their rights and what is, in the complex of laws and regulations, deemed to be legal and correct. Based upon experience, lawyers know that almost all clients follow the advice given, and the law is upheld.

[3] The principle of client-lawyer confidentiality is given effect by related bodies of law: the attorney-client privilege, the work product doctrine and the rule of confidentiality established in professional ethics. The

attorney-client privilege and work-product doctrine apply in judicial and other proceedings in which a lawyer may be called as a witness or otherwise required to produce evidence concerning a client. The rule of client-lawyer confidentiality applies in situations other than those where evidence is sought from the lawyer through compulsion of law. The confidentiality rule, for example, applies not only to matters communicated in confidence by the client but also to all information relating to the representation, whatever its source. A lawyer may not disclose such information except as authorized or required by the Rules of Professional Conduct or other law. See also Scope.

[4] Paragraph (a) prohibits a lawyer from revealing information relating to the representation of a client. This prohibition also applies to disclosures by a lawyer that do not in themselves reveal protected information but could reasonably lead to the discovery of such information by a third person. A lawyer's use of a hypothetical to discuss issues relating to the representation is permissible so long as there is no reasonable likelihood that the listener will be able to ascertain the identity of the client or the situation involved.

### **Authorized Disclosure**

[5] Except to the extent that the client's instructions or special circumstances limit that authority, a lawyer is impliedly authorized to make disclosures about a client when appropriate in carrying out the representation. In some situations, for example, a lawyer may be impliedly authorized to admit a fact that cannot properly be disputed or to make a disclosure that facilitates a satisfactory conclusion to a matter. Lawyers in a firm may, in the course of the firm's practice, disclose to each other information relating to a client of the firm, unless the client has instructed that particular information be confined to specified lawyers.

### **Disclosure Adverse to Client**

[6] Although the public interest is usually best served by a strict rule requiring lawyers to preserve the confidentiality of information relating to the representation of their clients, the confidentiality rule is subject to limited exceptions. Paragraph (b)(1) recognizes an exception for a client's stated intention to commit a crime. Idaho's rule differs from the ABA Model Rule in that a lawyer may reveal the client's stated intention to commit any crime, not just those involving potential death or potential bodily injury. It is also important to note that this is a permissive rule, in that the lawyer may reveal such confidences but is not required to do so.

[7] Paragraph (b)(2) recognizes the overriding value of life and physical integrity and permits disclosure reasonably necessary to prevent reasonably certain death or substantial bodily harm. Such harm is reasonably certain to occur if it will be suffered imminently or if there is a present and substantial threat that a person will suffer such harm at a later date if the lawyer fails to take action necessary to eliminate the threat. Thus, a lawyer who knows that a client has accidentally discharged toxic waste into a town's water supply may reveal this information to the authorities if there is a present and substantial risk that a person who drinks the water will contract a life-threatening or debilitating disease and the lawyer's disclosure is necessary to eliminate the threat or reduce the number of victims.

## **RULE 5.2: RESPONSIBILITIES OF A SUBORDINATE LAWYER**

**(a) A lawyer is bound by the Rules of Professional Conduct notwithstanding that the lawyer acted at the direction of another person.**

**(b) A subordinate lawyer does not violate the Rules of Professional Conduct if that lawyer acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional duty.**

### ***Commentary***

[1] Although a lawyer is not relieved of responsibility for a violation by the fact that the lawyer acted at the direction of a supervisor, that fact may be relevant in determining whether a lawyer had the knowledge required to render conduct a violation of the Rules. For example, if a subordinate filed a frivolous pleading at the direction of a supervisor, the subordinate would not be guilty of a professional violation unless the subordinate knew of the document's frivolous character.

[2] When lawyers in a supervisor-subordinate relationship encounter a matter involving professional judgment as to ethical duty, the supervisor may assume responsibility for making the judgment. Otherwise a consistent course of action or position could not be taken. If the question can reasonably be answered only one way, the duty of both lawyers is clear and they are equally responsible for fulfilling it. However, if the question is reasonably arguable, someone has to decide upon the course of action. That authority ordinarily reposes in the supervisor, and a subordinate may be guided accordingly. For example, if a question arises whether the interests of two clients conflict under Rule 1.7, the supervisor's reasonable resolution of the question should protect the subordinate professionally if the resolution is subsequently challenged.

### **RULE 5.3: RESPONSIBILITIES REGARDING NONLAWYER ASSISTANTS**

With respect to a nonlawyer employed or retained by or associated with a lawyer:

- (a) a partner, and a lawyer who individually or together with other lawyers possesses comparable managerial authority in a law firm shall make reasonable efforts to ensure that the firm has in effect measures giving reasonable assurance that the person's conduct is compatible with the professional obligations of the lawyer;
- (b) a lawyer having direct supervisory authority over the nonlawyer shall make reasonable efforts to ensure that the person's conduct is compatible with the professional obligations of the lawyer; and
- (c) a lawyer shall be responsible for conduct of such a person that would be a violation of the Rules of Professional Conduct if engaged in by a lawyer if:
- (1) the lawyer orders or, with the knowledge of the specific conduct, ratifies the conduct involved; or
  - (2) the lawyer is a partner or has comparable managerial authority in the law firm in which the person is employed, or has direct supervisory authority over the person, and knows of the conduct at a time when its consequences can be avoided or mitigated but fails to take reasonable remedial action.

#### **Commentary**

[1] Lawyers generally employ assistants in their practice, including secretaries, investigators, law student interns, and paraprofessionals. Such assistants, whether employees or independent contractors, act for the lawyer in rendition of the lawyer's professional services. A lawyer must give such assistants appropriate instruction and supervision concerning the ethical aspects of their employment, particularly regarding the obligation not to disclose information relating to representation of the client, and should be responsible for their work product. The measures employed in supervising nonlawyers should take account of the fact that they do not have legal training and are not subject to professional discipline.

[2] Paragraph (a) requires lawyers with managerial authority within a law firm to make reasonable efforts to establish internal policies and procedures designed to provide reasonable assurance that nonlawyers in the firm will act in a way compatible with the Rules of Professional Conduct. See Comment [1] to Rule 5.1. Paragraph (b) applies to lawyers who have supervisory authority over the work of a nonlawyer. Paragraph (c) specifies the circumstances in which a lawyer is responsible for conduct of a nonlawyer that would be a violation of the Rules of Professional Conduct if engaged in by a

## **RULE 5.5: UNAUTHORIZED PRACTICE OF LAW**

**(a) A lawyer shall not practice law in a jurisdiction where doing so violates the regulation of the legal profession in that jurisdiction.**

**(b) A lawyer admitted to practice in another jurisdiction, but not in this jurisdiction, does not engage in the unauthorized practice of law in this jurisdiction when:**

**(1) the lawyer is authorized by law or order, including *pro hac vice* admission pursuant to *Idaho Bar Commission Rule 222*, to appear before a tribunal or administrative agency in this jurisdiction or is preparing for a potential proceeding or hearing in which the lawyer reasonably expects to be so authorized; or**

**(2) ) other than engaging in conduct governed by paragraph (1):**

**(i) a lawyer who is an employee of a client acts on the client's behalf or, in connection with the client's matters, on behalf of the client's commonly owned organizational affiliates;**

**(ii) the lawyer acts with respect to a matter that arises out of or is otherwise reasonably related to the lawyer's representation of a client in a jurisdiction in which the lawyer is admitted to practice; or**

**(iii) the lawyer is associated in the matter with a lawyer admitted to practice in this jurisdiction who actively participates in the representation.**

**(a) A lawyer shall not assist another person in the unauthorized practice of law.**

### **Commentary**

[1] A lawyer may regularly practice law only in a jurisdiction in which the lawyer is admitted to practice. The practice of law in violation of lawyer-licensing standards of another jurisdiction constitutes a violation of these Rules. This Rule does not restrict the ability of lawyers authorized by federal statute or other federal law to represent the interests of the United States or other persons in any jurisdiction.

[2] There are occasions in which lawyers admitted to practice in another jurisdiction, but not in this jurisdiction, will engage in conduct in this jurisdiction under circumstances that do not create significant risk to the interests of their clients, the courts or the public. Paragraph (b) identifies four situations in which the lawyer may engage in such conduct without fear of violating this Rule. This Rule does not address the question of whether other conduct constitutes the unauthorized practice of law. The fact that conduct is not included or described in this Rule is not intended to imply that such conduct is the unauthorized practice of law. With the exception of paragraph (b)(2)(i), nothing in this Rule is intended to authorize a lawyer to establish an office or other permanent presence in this jurisdiction without being admitted to practice here.

[3] Lawyers not admitted to practice generally in the jurisdiction may be authorized by law or order of a tribunal or an administrative agency to appear before a the tribunal or agency. Such authority may be granted pursuant to formal rules governing admission *pro hac vice* or pursuant to informal practice of the tribunal or agency. Under paragraph (b)(1), a lawyer does not violate this Rule when the lawyer appears before such a tribunal or agency. Nor does a lawyer violate this Rule when the lawyer engages in conduct in anticipation of a proceeding or hearing, such as factual investigations and discovery conducted in connection with a litigation or administrative proceeding, in which an out-of-state lawyer has been admitted or in which the lawyer reasonably expects to be admitted. Nothing in paragraph

(b)(1) is intended to authorize a lawyer not licensed in this jurisdiction to solicit clients in this jurisdiction.

[4] When lawyers appear or anticipate appearing before a tribunal or administrative agency with authority to admit the lawyer to practice *pro hac vice*, their conduct is governed by paragraphs (a) and (b)(1) and not by (b)(2). Paragraph (b)(2) authorizes a lawyer to engage in certain conduct other than making or preparing for appearances before such a tribunal. For example, paragraph (b)(2)(i) recognizes that some clients hire a lawyer as an employee in circumstances that may make it impractical for the lawyer to become admitted to practice in this jurisdiction. Given that these clients are unlikely to be deceived about the training and expertise of these lawyers, lawyers may act on behalf of such a client without violating this Rule. The lawyer may also act on behalf of the client's commonly owned organizational affiliates but only in connection with the client's matters. Lawyers authorized to practice under this paragraph may be subject to registration or other requirements, including assessments for client protection funds and mandatory continuing legal education.

[5] Paragraph (b)(2)(ii) recognizes that the complexity of many matters requires that a lawyer whose representation of a client consists primarily of conduct in a jurisdiction in which the lawyer is admitted to practice, also be permitted to act on the client's behalf in other jurisdictions in matters arising out of or otherwise reasonably related to the lawyer's representation of the client. This conduct may involve negotiations with private parties, as well as negotiations with government officers or employees, and participation in alternative dispute-resolution procedures. This provision also applies when a lawyer is conducting witness interviews or other activities in this jurisdiction in preparation for a litigation or other proceeding that will occur in another jurisdiction where the lawyer is either admitted generally or expects to be admitted *pro hac vice*.

[6] Paragraph (b)(2)(iii) recognizes that association with a lawyer licensed to practice in this jurisdiction is likely to protect the interests of both clients and the public. The lawyer admitted to practice in this jurisdiction, however, may not serve merely as a conduit for an out-of-state lawyer but must actively participate in and share actual responsibility for the representation of the client. If the admitted lawyer's involvement is merely *pro forma*, then both lawyers are subject to discipline under this Rule.

[7] The definition of the practice of law is established by law and varies from one jurisdiction to another. Whatever the definition, limiting the practice of law to members of the bar protects the public against rendition of legal services by unqualified persons. Paragraph (c) does not prohibit a lawyer from employing the services of paraprofessionals and delegating functions to them, so long as the lawyer supervises the delegated work and retains responsibility for their work. See Rule 5.3.

[8] Lawyers may also provide professional advice and instruction to nonlawyers whose employment requires knowledge of law; for example, claims adjusters, employees of financial or commercial institutions, social workers, accountants and persons employed in government agencies. Lawyers may assist independent nonlawyers authorized by the law of a jurisdiction to provide particular legal services, for example, paraprofessionals authorized to provide some kinds of legal services. In addition, a lawyer may counsel nonlawyers who wish to proceed *pro se*.

[9] Nothing in this rule is intended to conflict with Idaho Bar Commission Rule 222, which provides for *pro hac vice* admission of lawyers from other jurisdictions.

# Standards for Civility in Professional Conduct

The Idaho State Bar  
United States District Court, District of Idaho  
and  
the Courts of the State of Idaho

## PREAMBLE

An attorney's conduct should be characterized at all times by personal courtesy and professional integrity in the fullest sense of those terms. In fulfilling our duty to represent a client vigorously as attorneys, we will be mindful of our obligations to the administration of justice, which is a truth-seeking process designed to resolve human and societal problems in a rational, peaceful and efficient manner.

Uncivil, abrasive, abusive, hostile or obstructive conduct impedes the fundamental goal of resolving disputes rationally, peacefully and efficiently. Incivility tends to delay, and often deny, justice.

A judicial officer's conduct should be characterized at all times by courtesy and patience toward all participants. Judicial officers owe all participants in a legal proceeding respect, diligence and punctuality. Judicial officers should lead by example.

These standards are designed to encourage attorneys and judicial officers to meet our obligations to each other, to litigants and to the system of justice, and thereby achieve the twin goals of civility and professionalism, both of which are hallmarks of a learned profession dedicated to public service.

The lawyers and judicial officers of this district and this state are firmly committed to meeting their obligations of civility and professionalism to each other, to litigants, and to the system of justice.

While these standards are voluntary and not to be used as a basis for litigation or sanctions, it is expected that all lawyers and judicial officers will make a commitment to adhere to these standards in all aspects of their dealings with one another and with other participants in the legal process.

These standards should be incorporated as an integral component of the teaching of professionalism to law students and practicing lawyers alike. Copies may be made available to clients to reinforce our obligation to maintain and foster these standards.

## ATTORNEYS' RESPONSIBILITIES TO OTHER COUNSEL

1. We will treat all other counsel, parties and witnesses in a civil and courteous manner, not only in court, but also in all other written and oral communications.

2. We will not, even when called upon by a client to do so, abuse, or indulge in offensive conduct directed to other counsel, parties or witnesses. We will abstain from disparaging personal remarks or acrimony toward other counsel, parties, or witnesses.

3. We will not encourage or knowingly authorize any person under our control to engage in conduct that would be uncivil if we were to engage in such conduct.

4. We will not, absent good cause, attribute bad motives or improper conduct to other counsel or bring the profession into disrepute by unfounded accusations of impropriety.

5. We will avoid *ex parte* communications with the court or tribunal, including the judge's staff, on pending matters, except when permitted by law.

6. Honesty and fair dealing are integral components of civility. Promises and agreements fairly reached, whether orally or in writing, will be adhered to in good faith. When reiterating oral promises or agreements in writing, counsel shall fairly, completely and in good faith restate all elements of the parties' oral agreement.

7. We will endeavor to confer early with other counsel to assess settlement possibilities. We will not falsely hold out the possibility of settlement as a means to adjourn discovery or to delay trial.

8. In civil actions, we will stipulate to relevant matters if they are undisputed and if no good-faith advocacy basis exists for not stipulating.

9. We will not use any form of discovery or discovery scheduling as a means of harassment, or for any other improper purpose.

10. We will make good faith efforts to resolve by agreement our objections to matters contained in pleadings, discovery requests and objections.

11. We will not time the filing or service of motions or pleadings in any way that unfairly limits another party's opportunity to respond.

12. We will not request an extension of time solely for the purpose of unjustified delay.

13. We will consult other counsel regarding scheduling matters in a good-faith effort to avoid scheduling conflicts.

14. We will endeavor to accommodate previously scheduled dates for hearings, depositions, meetings, conferences, vacations, seminars or other functions of other counsel.



15. We will notify other counsel and, if appropriate, the Court or other persons, at the earliest possible time when hearings, depositions, meetings or conferences are to be canceled or postponed.

16. We accept primary responsibility, after consultation with the client, for making decisions about procedural agreements. We will explain to our clients that cooperation between counsel in such matters is the professional norm and may be in the clients' interests. We will explain the nature of the matter at issue in any such proposed agreements and explain how such agreements do not compromise the clients' interests.

17. We will take depositions only when actually needed to ascertain facts or information or to perpetuate testimony. We will not take depositions for the purposes of harassment or to increase litigation expenses.

18. We will not engage in any conduct during a deposition that is inappropriate under court rule or rule of evidence, including:

- (a) obstructive questioning;
- (b) inappropriate objections;
- (c) irrelevant questioning.

19. Document requests and interrogatories shall be drafted in accordance with court rule, without placing an undue burden or expense on any party.

20. Responses to document requests and interrogatories shall be submitted in accordance with the court rules, fairly meeting the request or question without strained interpretation. We will not produce documents or answer interrogatories in a manner designed to hide or obscure the existence of particular documents or information.

21. We will base discovery objections on the court rules or rules of evidence, without withholding disclosable information.

22. When a draft order is to be prepared by counsel to reflect a court ruling, we will draft an order that accurately and completely reflects the court's ruling. We will promptly prepare and submit a proposed order to other counsel and attempt to reconcile any differences before the draft order is presented to the court.

23. We will not ascribe a position to other counsel that counsel has not taken, or otherwise seek to create an unjustified inference based on counsel's statements or conduct.

#### **ATTORNEYS' RESPONSIBILITIES TO THE COURT**

1. We will speak and write civilly and respectfully in all communications with the Court.

2. We will be punctual and prepared for all Court appearances so that all hearings, conferences and

trials may commence on time; if delayed, we will notify the Court and counsel, if possible.

3. We will be considerate of the time constraints and pressures on the Court and Court staff inherent in their efforts to administer justice.

4. We will not engage in conduct that brings disorder or disruption to the courtroom. We will advise our clients and witnesses appearing in Court of the proper conduct expected and, to the best of our ability, prevent our clients and witnesses from creating disorder or disruption.

5. We will not knowingly misrepresent, mischaracterize, misquote or miscite facts or authorities in any oral or written communication.

6. We will act and speak civilly to marshals, clerks, court reporters, secretaries and law clerks with awareness that they, too, are an integral part of the judicial system.

#### **COURT'S RESPONSIBILITIES TO ATTORNEYS AND LITIGANTS**

1. We will be courteous, respectful, and civil to lawyers, parties, agency personnel, and witnesses.

We will maintain control of the proceedings, recognizing that judges have both the obligation and the authority to ensure that judicial proceedings are conducted with dignity, decorum and courtesy.

2. We will not employ hostile, demeaning or humiliating words in opinions or in written or oral communications with attorneys, parties or witnesses.

3. We will be punctual in convening hearings, meetings and conferences; if delayed, we will notify counsel, if possible.

4. In scheduling hearings, meetings and conferences, we will be considerate of time schedules of lawyers, parties, and witnesses and of other courts and tribunals. We will inform counsel promptly of any rescheduling, postponement, or cancellation of hearings, meetings, or conferences.

5. We will make reasonable efforts to decide promptly matters presented to us for decision.

6. While endeavoring to resolve disputes efficiently, we will be considerate of the time constraints and pressures imposed on attorneys.

7. We recognize that a lawyer has a right and duty to present a cause fully and properly, and that a litigant has a right to a fair and impartial hearing. Within the practical limits of time, we will allow lawyers to present proper arguments, to make a complete and accurate record, and to present a case free from unreasonable or unnecessary judicial interruption. At an appropriate time and in an appropriate manner, we will bring to a lawyer's attention conduct that we observe that is inconsistent with these standards.

8. We will not impugn the integrity or professionalism of any attorney on the basis of the

clients whom, or the causes, which, an attorney represents.

9. We will do our best to ensure that court personnel act civilly toward attorneys, parties and witnesses.

**JUDICIAL OFFICERS' RESPONSIBILITIES  
TO EACH OTHER**

1. We will be courteous, respectful and civil regarding opinions, written or oral, authored by another judicial officer.
2. In all written and oral communications, we will abstain from disparaging personal remarks or criticisms about another judicial officer.
3. We will endeavor to work with other judicial officers in an effort to foster a spirit of cooperation in our mutual goal of enhancing the administration of justice

## **SECTION VI: THE WORKPLACE ENVIRONMENT FOR LAW STUDENT EXTERNS**

The workplace environment is extremely important to the successful externship experience. Students who feel comfortable and welcome are far more productive. While it may not always be possible to provide separate workspace for each extern, we recommend, at a minimum, that students be provided with:

- A desk or other secure workspace that is their own;
- A phone or easy access to a phone;
- A desktop computer, or sufficient access to one to facilitate prompt assignment completion;
- Sufficient office supplies to accomplish assigned tasks;
- Access to adequate legal research materials to accomplish assigned tasks;
- Access to support staff, if necessary to accomplish a task;
- Office keys or restroom keys, if necessary;
- Copier and fax access, if necessary to accomplish a task;
- Clear instructions regarding parking;
- Written office procedures and policies.

Along with the physical set up of the office, it is important to include the student in the office culture. The more the student is treated as part of the team, the better the experience will be for the student and most likely, performance will be positively influenced. As a minimum, consider some of the following:

- Students be invited to meetings, if they are relevant to the work or may enhance understanding of the project or task;
- Students be included in investigation or research out of the office, if appropriate or may enhance the understanding of the task or project;
- Office memoranda be circulated to students, if appropriate;
- Students be included in the informal matters of the workplace, such as celebrations or group luncheons;
- Students have been formally introduced to all staff they are likely to encounter during the workday;
- Students understand and receive instructions as to any workplace limitations, such as areas that may be off-limits or files or materials that may be sensitive or confidential;
- Finally, it is critically important to communicate clearly and frequently with externs. Open communication can prevent misunderstandings, clarify office relationships and ensure that your extern is a functioning member of your work environment and the mission of your team.

## SECTION VII: MID-SEMESTER EVALUATION

**Student:** \_\_\_\_\_

**Agency:** \_\_\_\_\_ **Supervising Attorney:** \_\_\_\_\_

Please comment with respect to the factors listed below where appropriate.

**Quantity** – Amount of work performed; completion of work on schedule.

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**Quality** – Accuracy; neatness; thoroughness; amount of revision necessary.

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**Work Habits** – Punctuality; attendance; observance of rules and regulations.

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**Personal Relations** – Getting along with fellow employees; meeting and handling the public; grooming.

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**Adaptability** – Performance in new situations or with minimum instructions; initiative (e.g., suggestions, constructive criticism).

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**Progress** – Speed and thoroughness of learning; efforts at self-improvement.

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**Ability to Write Effectively** –

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**Interviewing Ability** (if applicable) –

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**Comments and Goals** –

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\_\_\_\_\_  
**Field Supervisor's Signature**

\_\_\_\_\_  
**Position**

\_\_\_\_\_  
**Date**

## SECTION VIII: FIELD SUPERVISOR'S EVALUATION FORM<sup>4</sup>

Externship Placement: \_\_\_\_\_

Supervisor(s): \_\_\_\_\_

Student Extern: \_\_\_\_\_

*Unless otherwise requested, this evaluation may be shared with your student.*

<b>LAWYERING SKILLS</b>	<b>Not Applicable</b>	<b>Poor</b>	<b>Fair</b>	<b>Good</b>	<b>Excellent</b>
Legal Knowledge					
Research					
Writing					
Analysis					
Oral Communication					
Interviewing					
Client Counseling					
Investigation					
Negotiation					
Other Skills					
<b>PROFESSIONALISM/WORK HABITS</b>	<b>Not Applicable</b>	<b>Poor</b>	<b>Fair</b>	<b>Good</b>	<b>Excellent</b>
Client Relations					
Office and Staff Relations					
Professional Ethics					
Initiative					

<sup>4</sup> This evaluation form was developed by the Greater Los Angeles Consortium on Externships ("GLACE").

	<b>Not Applicable</b>	<b>Poor</b>	<b>Fair</b>	<b>Good</b>	<b>Excellent</b>
Judgment					
Thoroughness and Attention to Detail					
Dependability					
Attitude toward Supervision, Criticism					
Productivity and Time Management					

**STRENGTHS:** Please describe the extern’s contributions to your chambers or office, such as the type of projects completed or areas in which the extern showed particular strength or skill:

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**NEEDS IMPROVEMENT:** For each category in which you rated the extern “Poor” or “Fair,” please provide examples or otherwise describe the reason for the rating:

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**EXTERNSHIP PROGRAM:** Do you have any suggestions for improving our externship program in general, or ways we might assist you better in the future?

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Date: \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF FIELD SUPERVISOR

*Thank you for participating in the Externship Program. Please return the completed form to:  
Brenda Bauges, Director of Experiential Learning & Career Services. [bbauges@cu-portland.edu](mailto:bbauges@cu-portland.edu)*

## SECTION IX: EXTERNSHIP AGREEMENT

### CONCORDIA UNIVERSITY SCHOOL OF LAW EXTERNSHIP AGREEMENT

**Extern Name:** \_\_\_\_\_ **Semester/Year:** \_\_\_\_\_

**Supervisor Name:** \_\_\_\_\_

**Agency/Firm/Organization Name:** \_\_\_\_\_

**Anticipated field work start and end dates:** \_\_\_\_\_

**Number of hours to be worked per week:** \_\_\_\_\_

Thank you for supervising and mentoring a law student as they begin the transition from the classroom to the practice of law. We recognize that extern supervision takes time and effort, and we hope your experience with a Concordia Law student is rewarding. The ABA requires that law school faculty provide direct supervision over the academic integrity of externship placements. To that end, we strive for certain minimum requirements as identified below. Please initial each requirement.

#### **EXTERN'S AGREEMENT**

\_\_\_ **Office hours:** Externs will arrange a work schedule with their field supervisor that works for both parties. If an extern is going to be late or absent, the extern will call ahead of time to inform the supervising attorney and to reschedule the work hours.

\_\_\_ **Office conduct:** Externs will be focused on their extern duties during their time with their host. Externs will be courteous and professional to the host and the host's colleagues and staff.

\_\_\_ **Assignments:** Externs will willingly accept all assignments given to them and volunteer for additional assignments when their work is complete. Externs will provide work product that is neat, complete, accurate, and on time.

\_\_\_ **Dress:** Externs will dress professionally to meet or exceed the standards of the office.

\_\_\_ **Timesheets:** Externs will submit professional, weekly timesheets to their supervising attorney and to the Director of Experiential Learning.

#### **SUPERVISOR'S AGREEMENT**

\_\_\_ **Orientation:** Externs will receive an orientation, including a discussion of office procedures and confidentiality, and an overview of the work and expectations of the extern.

\_\_\_ **Supervision:** Externs will be assigned a supervising attorney who will participate in directing, monitoring, and mentoring the student throughout the semester.

\_\_\_ **Assignments:** Externs will be informed of the system for assigning work projects and given clear deadlines, and will receive on-going guidance and feedback on assignments.

\_\_\_ **Evaluation:** Site supervisors will provide on-going guidance and feedback on assignments, and will complete a formal evaluation of the extern's performance.

\_\_\_ **Diversity of tasks:** Externs will have opportunities to observe meetings, court proceedings, and other professional activities. Externs will also be assigned legally substantive work, including exposure to a broad range of lawyering skills.

\_\_\_ **Logistics:** The extern will have a designated workspace and access to telephone, computer, copier, and other resources and support reasonably necessary to complete assignments.

\_\_\_ **Documents:** I have reviewed the U.S. Department of Labor Wage and Hour Division Fact Sheet.

**DIRECTOR'S AGREEMENT**

\_\_\_ **Orientation:** The Director will provide the site supervisor with information regarding the educational goals and objectives of the externship experience.

\_\_\_ **Supervision:** The Director will communicate regularly with the student and the site supervisor and will conduct a mid-semester site visit in person or by phone.

\_\_\_ **Evaluation:** The Director and the site supervisor will evaluate the student's educational achievement.

\_\_\_ **Reflection:** The Director will review journal assignments and timesheets and provide periodic written feedback to the student. The Director will meet with students in a class or regularly scheduled tutorial.

We have reviewed this document and agree to act in accordance with the outlined expectations.

**Student signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_      **Email/phone:** \_\_\_\_\_

**Supervising Attorney signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_      **Email/phone:** \_\_\_\_\_

**Director of Experiential Learning signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_      **Email/phone:** \_\_\_\_\_



## **SECTION X: ABA STANDARD 305. STUDY OUTSIDE THE CLASSROOM**

As you may be aware, all American Bar Association-accredited law schools are subject to an accreditation review from time to time. As part of regular accreditation inspections, Accreditation Committees are required to evaluate field placement programs. In particular, Committees are required to evaluate the qualifications, training and performance of field instructors and to determine whether the placements are meeting their stated educational objectives. Additionally, standards require frequent contact with supervisors, visits to field placements, and in some instances, mandatory classroom components. To more fully assist you in understanding the structure of our programs and the requirements imposed on our students, faculty and field supervisors, we have provided a copy of ABA Standard 305.

### **ABA Standards and Rules of Procedure for Approval of Law Schools (2015-2016)**

*Excerpt from Chapter 3: Program of Legal Study*

#### **Standard 305. FIELD PLACEMENTS AND OTHER STUDY OUTSIDE THE CLASSROOM**

**(a) ) A law school may grant credit toward the J.D. degree for courses that involve student participation in studies or activities in a format that does not involve attendance at regularly scheduled class sessions, including courses approved as part of a field placement program, moot court, law review, and directed research.**

**(b) Credit granted for such a course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.**

**(c) ) Each student's academic achievement in such a course shall be evaluated by a faculty member. When appropriate a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program.**

**(d) The studies or activities shall be approved in advance and periodically reviewed following the school's established procedures for approval of the curriculum.**

**(e) ) A field placement program shall include:**

**(1) ) a clear statement of the goals and methods, and a demonstrated relationship between those goals and methods to the program in operation;**

**(2) adequate instructional resources, including faculty teaching in and supervising the program who devote the requisite time and attention to satisfy program goals and are sufficiently available to students;**

**(3) a clearly articulated method of evaluating each student's academic performance involving both a faculty member and the site supervisor;**

**(4) a method for selecting, training, evaluating, and communicating with site supervisor;**

## **Fact Sheet #71: Internship Programs Under The Fair Labor Standards Act**

This fact sheet provides general information to help determine whether interns and students working for “for-profit” employers are entitled to minimum wages and overtime pay under the Fair Labor Standards Act (FLSA).<sup>1</sup>

### **Background**

The FLSA requires “for-profit” employers to pay employees for their work. Interns and students, however, may not be “employees” under the FLSA—in which case the FLSA does not require compensation for their work.

### **The Test for Unpaid Interns and Students**

Courts have used the “primary beneficiary test” to determine whether an intern or student is, in fact, an employee under the FLSA.<sup>2</sup> In short, this test allows courts to examine the “economic reality” of the intern-employer relationship to determine which party is the “primary beneficiary” of the relationship. Courts have identified the following seven factors as part of the test:

1. The extent to which the intern and the employer clearly understand that there is no expectation of compensation. Any promise of compensation, express or implied, suggests that the intern is an employee—and vice versa.
2. The extent to which the internship provides training that would be similar to that which would be given in an educational environment, including the clinical and other hands-on training provided by educational institutions.
3. The extent to which the internship is tied to the intern’s formal education program by integrated coursework or the receipt of academic credit.
4. The extent to which the internship accommodates the intern’s academic commitments by corresponding to the academic calendar.
5. The extent to which the internship’s duration is limited to the period in which the internship provides the intern with beneficial learning.
6. The extent to which the intern’s work complements, rather than displaces, the work of paid employees while providing significant educational benefits to the intern.
7. The extent to which the intern and the employer understand that the internship is conducted without entitlement to a paid job at the conclusion of the internship.

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<sup>1</sup> The FLSA exempts certain people who volunteer to perform services for a state or local government agency or who volunteer for humanitarian purposes for non-profit food banks. WHD also recognizes an exception for individuals who volunteer their time, freely and without anticipation of compensation, for religious, charitable, civic, or humanitarian purposes to non-profit organizations. Unpaid internships for public sector and non-profit charitable organizations, where the intern volunteers without expectation of compensation, are generally permissible.

<sup>2</sup> E.g., *Benjamin v. B & H Educ., Inc.*, --- F.3d ---, 2017 WL 6460087, at \*4-5 (9th Cir. Dec. 19, 2017); *Glatt v. Fox Searchlight Pictures, Inc.*, 811 F.3d 528, 536-37 (2d Cir. 2016); *Schumann v. Collier Anesthesia, P.A.*, 803 F.3d 1199, 1211-12 (11th Cir. 2015); see also *Walling v. Portland Terminal Co.*, 330 U.S. 148, 152-53 (1947); *Solis v. Laurelbrook Sanitarium & Sch., Inc.*, 642 F.3d 518, 529 (6th Cir. 2011).

Courts have described the “primary beneficiary test” as a flexible test, and no single factor is determinative. Accordingly, whether an intern or student is an employee under the FLSA necessarily depends on the unique circumstances of each case.

If analysis of these circumstances reveals that an intern or student is actually an employee, then he or she is entitled to both minimum wage and overtime pay under the FLSA. On the other hand, if the analysis confirms that the intern or student is not an employee, then he or she is not entitled to either minimum wage or overtime pay under the FLSA.

**Where to Obtain Additional Information**

This publication is for general information and is not a regulation. For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

**U.S. Department of Labor**  
Frances Perkins Building  
200 Constitution Avenue, NW  
Washington, DC 20210

**1-866-4-USWAGE**  
TTY: 1-866-487-9243  
[Contact Us](#)