

Goal V

education for branchwide professional excellence

California Court of Appeal,
SECOND APPELLATE DISTRICT

JUDICIAL EXTERNSHIP PROGRAM

Promoting Appellate Practice

For several years, the [Second Appellate District of the California Court of Appeal](#) had a good externship program. Each year it drew students from five local law schools to work on opinions under the supervision of a few justices.

But in 2004 the district greatly expanded the breadth and depth of its Judicial Externship Program to

- ▶ Increase judicial participation to enable more externs to learn skills under the direct guidance of the justices
- ▶ Increase student participation to expose more aspiring lawyers to appellate practices and procedures
- ▶ Introduce formal instruction via seminars to teach the externs skills to improve their performance and productivity

Externs now work directly with both justices and research attorneys to review appellate briefs, examine court records, conduct legal research, and draft opinions and memoranda. In weekly seminars, justices, research attorneys, and appellate practitioners teach the principal aspects of the appeals process and the role of the appellate courts in the development of law.

Through writing workshops, externs get direct feedback on their work.

Externs also observe argument sessions in the appellate court, participate in weekly writ conferences, and attend judicial conferences before and after oral argument sessions.

Participating justices and appellate staff are dedicated to constantly improving the new program. In the past, while externs learned how to review appellate records and identify critical issues on appeal, they received no instruction on how to resolve issues. Now, one program seminar focuses on the approaches used to decide difficult issues, including legal precedent, public policy, and judicial philosophy.



More recently, the program has expedited the screening of applicants by transmitting applications to justices electronically for review and by interviewing applicants via videoconferencing.

Impacts

- ▶ Student interest in the program has exploded. In 2003, 25 law students applied for externships; by 2006 the applications had increased more than a dozenfold.
- ▶ Nearly 80 percent of judicial chambers—25 out of 32—now supervise the externs directly, compared with only a handful of judicial chambers as recently as 2003.
- ▶ The program's externs make up a more diverse group, with representatives coming from more than 20 law schools nationwide in the past three years, including [Harvard](#), [Georgetown](#), [Baylor](#), and [Northwestern](#).
- ▶ The program has generated increased interest in appellate litigation, with many externs taking summer associate positions with appellate practice groups.

BEYOND THE APPEALS COURT

As part of their externship, students

- ▶ *Observe trial court proceedings in civil, criminal, juvenile delinquency, and child dependency courts for context on the issues raised in appeals*
- ▶ *Discuss the trial court fact-finding process with the judges conducting those proceedings*
- ▶ *Observe oral arguments before the [California Supreme Court](#)*
- ▶ *Participate in postobservation discussions with [Supreme Court](#) justices to explore procedural differences and similarities between the Supreme Court and the intermediate appellate courts*



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Presiding Justice Roger W. Boren (right), Associate Justice Kathryn Doi Todd (center), and Associate Justice Victoria M. Chavez (left), Division Two Justices of the Second Appellate District, listen as appellant's attorney Barry Zelner presents the issues for argument held in the courtroom at the [University of Southern California's Gould School of Law](#) on March 22, 2006.