



UNIVERSITY
OF WOLLONGONG
AUSTRALIA

Faculty of Business and Law
School of Law

LLB 397/ 3397 Legal Internship
Program

Guidelines for Supervisors



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Introduction

Clinical education programs for law students have been available for many years in some Australian law schools. The objective of such programs is to provide an understanding of the human, social and policy contexts of law and legal practice. At the University of Wollongong, this objective is met through the subject LLB397/ 3397 Legal Internship.

Internships fulfill an important component of both academic and practical education in law. The integration of professional experience into the learning process is highly effective in developing students' understanding of the law in action, as they are able to observe and perceive the relevance and application of theory to practice. Consequently, the program is not simply 'work experience' but a significant educational experience. In a workplace setting, students are exposed to the reality of the practice of law in all its dimensions - the integration of different areas of law, policy issues, the application and development of skills to the analysis and resolution of client concerns, ethical responses to situations which arise unexpectedly and spontaneously, issues of professional responsibility including responsibility to clients and case management, and the operations of the court system and government in the legal process.

Since the inception of the LLB program at UOW, a professional experience component has been part of the compulsory subject Lawyers & Australian Society and thus of the LLB degree. From 1993-2004, it involved 40 days of practical experience under the supervision of a lawyer, undertaken in two different workplaces. Until 2008 the internship component was known as the Professional Experience Program (PEP).

In 2005 the PEP was modified to accommodate the changing circumstances of students while retaining the essential pedagogical objectives of the original program. One internship experience of 20 days' duration was retained. In 2009, the structure was again changed with Lawyers and Australian Society becoming a 6 credit point subject (LLB197/ 1197) and the internship component established as a separate stand-alone 2 credit point subject (LLB397/ 3397). The program is now called the Legal Internship Program (LIP). The subject LLB197 Lawyers & Australian Society or LLB1197 Ethics and Professional Responsibility is a pre-requisite for enrolling in the subject LLB397/ 3397 Legal Internship (together with some specified second and/or third year LLB subjects). These subjects provide the theoretical knowledge and ethical framework necessary to appreciate the operation of the 'law in action'.



Aims and Objectives of the Legal Internship Program

The Legal Internship Program is not designed to teach students how to be good lawyers (or how to be lawyers at all) - it takes more than study at University to do that. The objectives are to:

- expose students to the law in operation in contexts where each student will come to perceive aspects of law which cannot be learned from reading or hearing about it;
- allow students to perceive ways in which the formal learning they acquire at University may be applied in practice and therefore to develop an appreciation of the practical dimensions of legal principles;
- enable students to relate the different areas of legal practice to the importance of developing the skills of legal research, communication, drafting, practice management and problem-solving; and
- enable students to observe and reflect upon the values, ethical standards and conduct of the legal profession in practice and to develop their own attitudes of professional responsibility.

At the end of their internship, students should be able to:

- appreciate some of the practical aspects and social dimensions of legal problems; and
- relate the application of different areas of legal principle to the application of the different skills of research, communication, and practice that different types of legal work require.

Internship Requirements

Each student is required to complete an internship of 20 working days under the supervision of a lawyer (the ‘supervisor’) in a location arranged by the Law School or the student. The days worked should be normal working days – 7 hours work time – though, understandably, at times, longer attendance may be required. Where students are undertaking unpaid internships it is expected that students should not regularly be required to work beyond normal office hours.

Before undertaking the internship each student will have completed the subject Lawyers and Australian Society and be in at least the second semester of their second year of the LLB degree. They will be aware of the requirements of confidentiality and the ethical framework that applies to all solicitors and barristers.

At the start of the internship the student will prepare a statement of internship objectives and proposed work activities in consultation with their supervisor. These objectives must be acceptable to their supervisor and then approved by the Law School.

During the internship the student is required to maintain a reflective journal. The approach to maintaining the journal may be discussed with the Subject Coordinator before and/or during the internship. The purpose and assessment of the journal is discussed later in this document.



Who Can Supervise a Student Internship?

Student interns must be supervised in the workplace by a person who is a lawyer and currently holds and has held a practising certificate for at least three years in the jurisdiction where the internship is being undertaken, or a person who can provide comparable supervision (eg Judge, Magistrate, Tribunal Member).

This requirement does not prevent work being carried out under the direction of or in association with other staff. The supervisor, however, will have responsibility for overall supervision. It is important that students undertake a range of activities including those with client contact.

Internship Locations

While it is recognised that not all law graduates intend to practice as barristers or solicitors, the Legal Internship Program also provides a foundation for student Practical Legal Training. Consequently, the internship should be 'practice-based', enabling students to apply their legal knowledge, and include:

- experience of the types of routines and procedures which are commonly found in offices in which legal services (broadly defined) are provided;
- experience of the dynamics which are commonly found in the provision of legal services;
- contact with and responsibility to the clients of the office or organisation in which professional experience is undertaken;
- experience in the process of becoming a professional.
- Within that context, internships can be undertaken in a wide range of locations, for example:
 - in a firm of solicitors (large or small, city, suburban or rural; specialist practices);
 - in the legal department of a corporation;
 - in the legal department of a government department or statutory authority;
 - in a government policy department or law reform commission;
 - in a community legal centre;
 - with an employer or employee association;
 - with a judicial member of a Court or Tribunal;
 - with a barrister;
 - in the registry of a Court or Tribunal;
 - in a law clinic, legal advice and referral service, or other practical law application project established by or operated in association with the School of Law; or
 - with other approved persons or organisations able to meet the objectives of the internship program.

The internship may include the use of summer clerkships or current employment if the proposed experience meets the internship program guidelines.

Law-related environments such as teaching, legal publishing, and information technology support do not qualify for professional experience internships as they are not practice-based.



Work Roles

Specific work roles in the internship could include:

- observing office procedures;
- handling and reading files, including documents associated with them;
- sitting in on interviews with clients;
- sitting in on conferences with Counsel;
- attending Court proceedings;
- undertaking research;
- attending government offices for filing documents;
- preparing forms or drafting straightforward documents and letters;
- discussions with the supervisor about issues arising in cases and files.

UOW Code of Practice – Student Professional Experience

The University of Wollongong *Code of Practice – Student Professional Experience* sets out what is expected from students, the University and host organisations in providing internship (student professional experience) programs. It applies to student professional experience programs that form the whole or part of a subject or course offered at the University. The code assists in promoting a productive learning experience for students.

The code supports the development of the distinctive qualities of a graduate of the University of Wollongong as detailed in the UOW Graduate Qualities Policy.

Students are provided access to a copy of this Code when they enrol in the Law School’s Legal Internship Program and must sign an acknowledgement form to indicate that they have read and understood the Code, noting particularly their responsibilities under the Code.

The following information has been extracted from the Code:

Student Responsibilities

Students will:

- comply with all requirements for undertaking the placement program (including attendance, dress, behaviour);
- comply with reasonable directions given by the Host Organisation and/or the University in connection with the placement;
- be available to undertake activity during the scheduled hours agreed to between the Host Organisation and the University;
- undertake activity during unscheduled hours only with the prior agreement of the University;
- undertake additional activities as required by the University in the event of absence affecting the student’s progress during the placement (whether or not as a result of seeking academic consideration as a result of the absence);
- notify the Placement Coordinator and the Academic Supervisor in a timely manner of any unscheduled absences from the Host Organisation during the placement;
- adhere to the standards of professional behaviour appropriate to the student’s discipline;
- otherwise behave in an appropriate manner consistent with relevant University policies, codes, standards and rules;



- comply with policies and procedures of the Host Organisation, including those relating to WHS and employment equity and diversity;
- at all times appropriately and responsibly use the resources of the Host Organisation.
- maintain appropriate levels of communication with the University regarding his or her progress during the placement, including complying with any specific communication requirements specified by the Faculty;
- undertake all assessment activities required in relation to the placement; and
- preserve the confidentiality of information concerning the Host Organisation, its employees, clients and its operations obtained during the placement.

Expectations in relation to the host organisation

The University expects each Host Organisation will:

- adequately supervise students;
- provide a safe placement environment for students free from discrimination and harassment;
- comply with responsibilities of a person conducting a business or undertaking as outlined in the Work Health and Safety Act 2011 and Work Health and Safety Regulations 2011, specifically in relation to the health, safety and welfare of students on work experience. This includes providing induction training to students (including WHS induction) at the commencement of the placement;
- put in place adequate support for students to assist in achieving the objectives of the placement, including,
 - modelling appropriate standards of professional behaviour for the relevant discipline,
 - providing the student with an adequate workspace and with appropriate resources,
 - providing an appropriate range of experiences for the student,
 - where necessary, supporting the student to identify accommodation;
- care for students and advise the Faculty in the event of any accident, incident or illness affecting the student;
- provide reasonable access to Faculty staff to the Host Organisation's premises to facilitate assessment and monitoring of student progress; and
- promptly report to the Faculty should it become apparent that a student is having difficulty meeting the objectives of the placement or is otherwise unable to continue with the placement.



School of Law Responsibilities

The Law School will:

- facilitate, through the Placement Coordinator and/or the Academic Supervisor, ongoing communication between the University, the Host Organisation and students;
- maintain the confidentiality of student information;
- organise and plan the placement program with students and supervisors and negotiate on aspects of student progress and assessment;
- be in regular contact with all of the Host Organisation's sites at which placement is being undertaken;
- be accessible by appropriate means of communication and during office hours to resolve with students and/or Host Organisations any issues arising relating to the placement; and
- assist to resolve any issues of concern arising between Host Organisations and students undertaking a placement.
- seek feedback from and consult with the Host Organisation and students to evaluate the overall operation of the Faculty's placement programs; and
- utilise information provided by students and Host Organisations as part of its responsibilities in reviewing subjects, courses and curricula of which student professional experience is a part.

Extract from:

University of Wollongong Code of Practice – Student Professional Experience

<http://www.uow.edu.au/about/policy/UOW058662.html>

Last revised: April 2015

Internship Arrangements

Students undertaking an internship will usually complete the experience during a four week block period over the Summer or Winter recess. Occasionally internships may be completed in two blocks of two weeks, part-time or in other approved attendance patterns depending on the preferences of the internship provider and/or the needs of the student.

There are a number of ways in which arrangements for the 20 day internship may be made.

Students can:

- lodge an application for a Law School-arranged internship experience; or
- use their current employment (paid or unpaid); or
- use an upcoming clerkship or internship experience with an external provider (eg: ALRC, ABC etc); or
- organise their own voluntary or paid practical experience.



Law School-arranged internships will be organised and registered by the Internship Coordinator.

Participating students indicate their areas of interest and preferences of locality. Each potential internship is assessed in terms of the:

- nature of the legal work environment and the work undertaken
- time commitments and available staff resources of each organisation/firm
- viability of working to agreed objectives based on the fundamental aims of the program

An appropriate firm or organisation is contacted to discuss the suitability of the proposed student, the preferred internship dates/times and any other relevant issues. All students are asked to contact their internship supervisor one week prior to commencing to confirm that it is proceeding and to make arrangements for reporting on the first day.

Students who wish to organise their own internship must seek approval from the Law School and liaise with the Internship Coordinator to properly register the details of their proposed internship before commencing the experience.

A student's current employment (paid or voluntary), internship experience with a recognised external provider or a Summer Clerkship may be approved for use as a UOW School of Law internship providing the requirements of the internship program can be met by both the student and the supervisor. Again, these options are subject to the final approval of the Subject Coordinator and the formal registration of the details with the School of Law prior to the commencement of the proposed internship period.

Confirmation from the Law School of all internship arrangements and requirements is always made in writing prior to the commencement of the internship.

Please note that internship commitment is not an acceptable reason for non-compliance by a student with any compulsory attendance requirements of subjects in which they are enrolled, nor will it be considered grounds for Academic Consideration in relation to any assessment tasks, including class participation.

Confidentiality

Students on internship will be bound by the same requirements of confidentiality in relation to client and office matters as all other employees of the host firm/organisation. Students are required to sign a University of Wollongong School of Law confidentiality agreement. The signed confidentiality agreement must be lodged with the internship supervisor at the commencement of the internship experience. A copy of the agreement is provided in the appendices.

Students must also comply with any additional pre-internship arrangements required by host firms/organisations regarding such issues as confidentiality or security as required.



Insurance

The University of Wollongong maintains the following insurance protections which may be applicable to students undertaking internships (student professional experience):

- a. General and Product Liability Protection
- b. Professional Liability Protection
- c. Malpractice Protection
- d. Student Personal Accident Insurance

Students undertaking internships (student professional experience) will fall within the scope of this cover subject to the conditions and exclusions set out in that cover and provided they are not employed by the host organisation and/or do not receive remuneration in respect of their participation in the internship (student professional experience).

More information about the University's insurance policies can be provided upon request.

School of Law Contacts

Please contact the following if any insurance, attendance or other issues arise:

Legal Internship Program Administrative Coordinator
Casey Delaney: P: 4221 4681 E: law-internships@uow.edu.au

Legal Internship Program Academic Co-ordinator
John Littrich: P: 4221 3730 E: john_littrich@uow.edu.au



Internship Requirements & Assessment for Students

Students must successfully complete the internship experience and achieve a satisfactory grade for the internship report in order to pass this subject.

The internship report has the following compulsory components:

1. A copy of the signed Statement of Objectives.
2. A reflective journal.
3. An internship evaluation.
4. A Record of Attendance form.

Record of Attendance

Students are required to maintain a record of attendance for their internship experience. We ask that you sign the attendance form at the end of the internship, indicating that the student has satisfactorily completed a total of 20 days professional experience (full working days, not half days) under your supervision.

Students will receive a Record of Attendance form with their internship confirmation letter on which to enter this information. For your reference a copy of this form is also included in the appendices. The Record of Attendance form is also used to report all variations from the agreed internship attendance schedule for insurance purposes. The student must notify the Law School if an attendance pattern is negotiated between student and supervisor that is different to what was initially approved.

Absences from the Internship

Students are required to report any absences from the internship to the School of Law. Additional time must generally be arranged in consultation with you in order for them to successfully complete the required 20 days. We ask that you confirm that such arrangements were made by signing the Record of Absence form.

Students will receive a Record of Absence form with their internship confirmation letter on which to enter the relevant information. For your reference a copy of this form is also included in the appendices.

The School of Law requests that students provide a copy of a medical certificate or other relevant documentation for absences of two or more days.



Learning Objectives

At the start of the internship the student must identify learning objectives and work activities for the entire period of the internship experience. This requires consultation with you either before the internship begins or on the first day. The statement incorporates both the learning objectives of the Legal Internship Program and any other objectives you or the student wish to incorporate in the internship experience. The idea of developing the objectives is to give the student some specific goals to achieve during their work placement along with setting the direction and scope of the roles they will be undertaking, having regard to the nature of the environment in which they are working. This statement must be signed by you and the student. It is to be lodged with the School of Law for approval within the first three days of the internship experience.

For your reference a proforma for the statement of objectives and an example of some internship objectives are included in the appendices.

Reflective Journal

All students are required to maintain a reflective journal during their internship. The journal must contain:

- at least four (4) journal entries relating to activities and observations occurring in the internship (this should take approx. 1500-2000 words); and
- a final piece in which the student reflects on how the internship has influenced their view and/or understanding of the law in action (this should be around 1000 words). For example, they may wish to make an assessment of the operation of formal rules of law, or of the legal system, or of the roles and behaviours of the legal profession, or on ethical issues.

The journal is not merely a record of the student's daily activities; they are encouraged to make it a 'reflective process diary' so that they can record and analyse their observations and impressions as they occur during the internship, and while they are fresh. Students may record information about actual cases, to put their impressions in context, although we have advised them to take care to ensure that clients are not identified and their confidentiality is preserved. The notes taken by students of particular incidents or observations will then assist them in assessing their experience and the application of the law in action.

The process of maintaining a journal sharpens the student's powers of observation and awareness of the ways in which the legal system operates, clarifies aspects of theoretical knowledge, and encourages critical thinking.¹ This process also enables each student to reflect on and review their own responses to situations where they have to make value choices in professional situations.

The approach to maintaining the journal may be discussed with the Subject Coordinator before or during the internship.

The journal will be treated confidentially, in that comments and observations will not be revealed to any third party without permission. Academic staff will be assumed to have permission to use comments from a journal without identification of the author for legitimate academic purposes such as academic articles or papers on legal education, unless a specific request is made that they not be used.

¹

R. Ballantyne and J. Packer, *Making Connections*, HERDSA Gold Guide No. 2, HERDSA 1995



The journal will be marked according to the following criteria:

- the amount of effort which is reflected in the journal;
- the extent to which the student has been prepared to explore and discuss issues;
- quality of writing – clarity of expression, creativity and diversity of concepts;
- demonstration of learning from the experience, quality of insight, and conceptual depth;
- the journal moves from the descriptive to the critical analysis of the experience;
- making connections between theoretical principles learned at University and the student's own experience and observations of the real and practical application of the law and lawyers in action.

Internship Evaluation - Student

At the conclusion of the internship each student must give an evaluation of their experience. This report need not be long, but should give an indication of the success or otherwise of the internship, particularly in relation to whether the initial objectives were met. For your reference a copy of the evaluation form is included in the appendices.

Internship Evaluation - Supervisor

Internship Supervisors have the option of completing an evaluation. If provided, the evaluation does NOT form part of the student's assessment for this subject. For your reference a copy of the evaluation form is included in the appendices.

Internship Report Deadline

The student must submit their internship report to the School of Law within 14 days of the completion of the internship experience.



Appendices

1. Confidentiality Agreement
2. Statement of Internship Objectives - Proforma
3. Statement of Internship Objectives - Example
4. Record of Attendance Form
5. Record of Absence Form
6. Evaluation - Student (Compulsory)
7. Evaluation - Supervisor (Optional)



University of Wollongong School of Law

LLB 397/ 3397 Legal Internship Program CONFIDENTIALITY AGREEMENT

I..... (Full Name) of (Address)

Acknowledge the following principles:

- Legal professionals must keep their clients' affairs confidential.
• Clients' confidential information belongs to them and not to their legal professionals.
• I should immediately tell my internship supervisor if I personally know any of the legal professional's clients...
• I am only to look at papers relating to client matters when it is necessary...
• I should not discuss any client matters with anyone not associated with this firm/organisation.
• Generally, I may discuss a client matter in broad terms without identifying the client...
• Possible consequences of wrongly disclosing client information:
- A person or company may suffer financial loss or have their feelings and/or family hurt.
- A client could take legal action against the solicitor/person who revealed the information.
- Obvious embarrassment.
- Others may then misuse the information for their gains.
• I understand that if I attend court there is nothing to stop me discussing what I have observed in a public courtroom unless the court is closed to the public for any reason.

Signature of Student Signature of Internship Supervisor

Please give this signed document to your Internship Supervisor for their records



Statement of Objectives Template

University of Wollongong School of Law

LLB 397/ 3397 Legal Internship Program

OBJECTIVES

To be completed by student and approved by supervisor. Refer to Student Handbook for information and examples.

Name of Student:

Firm/Organisation:

Internship Supervisor:

Dates of Internship:

No. of Working Days:

Proposed Internship Objectives:

Proposed Work Activities:

.....
Signature of Student

.../.../....

.....
Signature of Internship Supervisor

.../.../....



Example of a Statement of Objectives

University of Wollongong School of Law

LLB 397/ 3397 Legal Internship Program

OBJECTIVES

To be completed by student and approved by supervisor. Refer to Student Handbook for information and examples.

Name of Student:

Firm/Organisation:

Internship Supervisor:

Dates of Internship:

No. of Working Days:

Proposed Internship Objectives:

- to obtain an appreciation of the workings of a medium sized legal office spread between two (2) branches of similar size;
- to understand the inter-relationship between branch offices of the one legal practice;
- to obtain some understanding of the practical application of the law to everyday factual circumstances;
- to experience management and administrative systems employed by a medium sized legal practice.

Proposed Work Activities:

- introduction to the office and those persons working at the office with a view to understanding the roles of various persons within the legal practice;
- review completed files of relevant work;
- observe and assist solicitors at sittings at Local Courts and the Family Court;
- observe solicitor/client interviews;
- undertake research to assist in the preparation of hearings or advices;
- observe general and staff management meetings;
- observe and assist in community activities eg mock trial presentations;
- observe at both offices and appreciate the differences in workings of various offices;
- review internship at regular intervals and at conclusion.

.....
Signature of Student
.../.../....

.....
Signature of Internship Supervisor
.../.../....



Record of Absence Form

University of Wollongong School of Law

LLB 397/ 3397 Legal Internship Program

RECORD OF ABSENCE

You are required to report all unplanned absences from the internship to the School of Law. The absence may be due to injury, illness, misadventure or for personal reasons. Additional time must be arranged in order for you to successfully complete the required 20 days (full time hours).

It is your responsibility to make these arrangements in consultation with the internship coordinator.

If you experience more than one period of absence please use a separate form for each occasion.

Instructions:

1. Advise the School’s Internship Coordinator about your situation as soon as possible via email.
2. Confirm the arrangements for the additional time required to make up the day/s with your internship supervisor.
3. Please note that the School requests that you provide a medical certificate or other relevant documentation for absences of two or more days. Please lodge a copy of the document/s with your internship supervisor and attach the original/s to this form.
4. Complete all sections of this form.
5. After the additional days/hours have been completed ask your supervisor to sign the form.
6. Lodge the form with the School of Law.

Details of Absence:

Student Name:

Student Number:

Firm/Organisation:

Number of Days Absent:

Period of Absence:/...../..... To/...../.....

Reason for Absence:.....
.....
.....
.....

Medical Certificate is Attached: Yes/ No

A Medical Certificate is required for absences due to illness/injury of two or more days

Arrangements were made with me for the student to undertake additional days: Yes / No

Additional days were completed on:

.....

Signature of Student

...../...../.....

.....

Signature of Internship Supervisor

...../...../.....



Student Evaluation Form

University of Wollongong School of Law

LLB 397/ 3397 Legal Internship Program

STUDENT EVALUATION (Compulsory)

Name of Student:

Firm/Organisation:

Internship Supervisor:

Dates of Internship:

PART A: Please attach a copy of the *objectives* developed at the start of the internship, and comment specifically on whether your experience achieved the aims identified, and say why/why not.

PART B: *Do you have any other general comments about the internship experience?*

.....

Signature of Student

...../...../.....



Supervisor's Evaluation Form

University of Wollongong School of Law

LLB 397/ 3397 Legal Internship Program SUPERVISORS EVALUATION

Student's Name:

Firm/Organisation:

Supervisor's Name:

STUDENT PERFORMANCE

Overall attitude toward tasks:

Enthusiastic; eager to learn; receptive; diligent; highly engaged; conscientious; indifferent; disinterested

Effectiveness in executing tasks:

Well developed critical thinking & analytical skills; shows initiative; learns quickly; productive; meets deadlines; needs to ask more questions; often fails to understand or follow directions; requires close supervision

Dependability:

Conscientious; exercises good judgement; follows through consistently on tasks; persistent with difficult tasks; hesitant to make decisions; careless in meeting obligations

Character:

Positive attitude; suitable dress & grooming; prompt; accepts praise and criticism appropriately; accountable; makes excuses; overly casual in approach

Relationships with others:

Respectful; cooperative; receives suggestions well; open; mature; tactful; friendly; shy; impolitic; argumentative

Areas in student's performance that need improvement:



Aspects of the student’s performance that you feel to be strong points:

Overall evaluation of the student’s current level of work experience and education:

- Outstanding (performed beyond expectations)
- Very good (high quality performance)
- Good (performed all tasks as expected)
- Poor (marginal performance)
- Unsatisfactory (performance mostly inadequate)

Has the general content of this evaluation been discussed with the student: Yes/ No

LEGAL INTERNSHIP PROGRAM

What was the most beneficial aspect of this experience for your firm/organisation?

Would you support another UOW student intern?

Do you have any additional comments or suggestions concerning the UOW Legal Internship Program?

.....

Signature:

...../...../.....

Thank you for taking the time to complete this evaluation.