

FIRST-GEN IN THE FIELD

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First-generation law students are often at a disadvantage in law school, having no family experience in higher education and few connections with attorneys or other professionals. These difficulties are only compounded when first-gen students leave the classroom and venture into the real world of legal externships, where professional identity formation may begin to take place, but where the landscape is even more foreign. The expectation that first-gen students should be able to navigate courtrooms and legal offices can be a heavy burden on these students, often leading to added stress and imposter syndrome.

This article examines the specific challenges first-gen students face in their externship placements, and what law schools, externship supervisors, and students themselves can do to overcome them. This inquiry draws on existing literature and survey data about first-gen students in higher education and is further aided by in-depth interviews with ten first-gen law students from around the country. In these interviews, first-gen law students reveal what aspects of their externship experience were positive, what could have been improved, and what assistance would have helped them to thrive.

I. INTRODUCTION

I did learn a lot [at my externship], a lot of terms, a lot of how to understand what wording should be in contracts. But then there were days where I definitely felt like I was walking through a room with no light, and I was, like, “I don’t know where to go.”¹

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¹ Farnaz interview on file with the author, one of ten interviews conducted with 2023 law school graduates who were also first-generation college students. Quotations taken from the interviews have been edited or otherwise cleaned up for clarity, and names have been changed to protect anonymity. Brief descriptions of each of the interviewees can be found in Appendix A.

I was like, “oh, wow! These other externs actually know what they’re doing!” And there’s some students that have . . . grown up in this world . . . I didn’t have that. So, I think it’s just crazy, comparing things that I’m seeing for the first time versus the person next to me, they’re like, “yeah, this has been my life, like, I already knew I was going to do this.” So, I think that’s when imposter syndrome kind of hits.²

The preceding reflections about externship experiences were shared by two recent law school graduates. These graduates have little in common with one another – they went to different law schools in different parts of the country, come from different ethnic backgrounds, and externed in different practice areas. What they have in common is this: they were both the first person in their immediate families to graduate college, let alone law school.

First-generation college students – those who do not have a parent with a college degree³ – have been the focus of much study,⁴ with various organizations dedicated to their success.⁵ But much less has been examined about first-gen students when they enroll in professional school such as law school.⁶ Still less is known about their experiences in externships, which provide hands-on experience in real-world legal settings, and can be pivotal for students’ professional development and eventual

² Lakshmi interview on file with the author.

³ See, e.g., the Higher Education Act of 1965, 20 U.S.C. 1070(f)(1), defining “First-Generation College Student” as “[a]n individual both of whose parents did not complete a baccalaureate degree” or “[i]n the case of any individual who regularly resided with and received support from only one parent, an individual whose only such parent did not complete a baccalaureate degree.”

⁴ See, e.g., Rob Longwell-Grice, Nicole Zervas Adsitt, Kathleen Mullins & William Serrata, *The First Ones: Three Studies on First-Generation College Students*, 36 NACADA J. (2016); Jennifer Engle & Vincent Tinto, *Moving Beyond Access: College Success For Low-Income, First-Generation Students*, THE PELL INSTITUTE (2008) <https://files.eric.ed.gov/fulltext/ED504448.pdf>; Carmen Tym, Robin McMillion, Sandra Barone & Jeff Webster, *First-Generation College Students: A Literature Review* (2004) <https://files.eric.ed.gov/fulltext/ED542505.pdf>; Jillian Ives & Milagros Castillo-Montoya, *First-Generation College Students as Academic Learners: A Systematic Review*, 90 REV. EDUC. RES. 139 (2020); Gary R. Pike & George D. Kuh, *First- and Second-Generation College Students: A Comparison of Their Engagement and Intellectual Development*, 76 J. HIGHER EDUC. 276 (2005); Khanh Van T. Bui, *First-Generation College Students At A Four-Year University: Background Characteristics, Reasons For Pursuing Higher Education, And First-Year Experiences*, 36 COLLEGE STUDENT J. 1 (2002).

⁵ See <https://risefirst.org/> (last visited March 4, 2024); <https://firstgen.naspa.org/> (last visited March 4, 2024).

⁶ Jacqueline M. O’Bryant & Katharine Traylor Schaffzin, *First-Generation Students in Law School: A Proven Success Model*, 70 ARK. L. REV. 913 (2018); LSSSE, *Focus on First-Generation Students 7*, <https://lssse.indiana.edu/wp-content/uploads/2023/10/Focus-on-First-Generation-Students-Final.pdf>; Melissa L. Jones, *First-generation Law Students: Barriers to Success* (2021) (Doctor of Education Dissertation, University of Mississippi), available at <https://egrove.olemiss.edu/cgi/viewcontent.cgi?article=3109&context=etd>.

success in practice.⁷ This article delves into the particular issues faced by first-gen students during externships and explores how law schools and site supervisors can better support them in these valuable learning opportunities.

Section II of this article provides an overview of who exactly “first-gen” students are and their prevalence in law school. It also outlines the common characteristics shared by first-gen students and the challenges they often encounter in higher education, such as a feeling of imposter syndrome and lack of professional networks. It draws on research studies and other statistical data, as well as examples from the first-gen student interviews the author conducted.

Section III highlights the importance of externships for law students, especially for first-gen students. Externships serve as an ideal bridge between theoretical legal knowledge and practical application, allowing students to gain valuable exposure to the legal profession under guided supervision. For first-gen students, externships can play a pivotal role in building their professional identities and ultimately lead to post-graduation employment.

Section IV explores in depth the externship experiences of ten recent law school graduates who shared their insights and perspectives. These interviews were with recent graduates of six different law schools and covered a range of topics concerning the first-gen law school and externship experience. The results of these interviews serve as a valuable resource for understanding the needs and challenges of first-gen students in externships.

The next sections offer concrete advice on how to support first-gen externs. Section V focuses on what law schools can do to better assist their first-gen students during externships. It suggests various strategies, such as more directed recruiting of first-gen students for externship opportunities, allowing paid externships, fostering open discussions about first-gen issues, and addressing imposter syndrome. Section VI shifts the focus to site supervisors, emphasizing their vital role in supporting first-gen externs. It includes recommendations for mentoring and providing constructive feedback, facilitating networking opportunities, establishing first-gen affinity groups, and being empathetic and understanding of the unique challenges first-gen students may face. Finally, Section VII

⁷ See Alexi Freeman, *Don't Hire Me as a Token: Best Practices for Recruiting and Supporting Externs From Historically Marginalized Backgrounds*, 73 S. C. L. REV. 357, 360-61 (2021) (“there does not appear to be scholarship, research, or best practices externally published that discuss how to best support the historically marginalized law student during a diversity-based clerkship program or during any other fieldwork, internship, or externship.”) While Freeman’s article focuses on the historically marginalized student of color, LGBTQ+ and disabled student, there is the same lack of scholarship about first-generation college students in legal externships.

considers the advice that the first-gen interviewees had for future first-gen externs on how to succeed in their fieldwork.

In conclusion, this article aims to shed light on the specific challenges that first-gen law students encounter during externships and advocates for a more inclusive and supportive environment within the legal profession. By providing guidance for law schools and site supervisors, it aims to support the creation of an environment that allows all students, including first-gen students, to thrive during their externships and throughout their legal careers.

II. WHO IS “FIRST-GEN”?

A. *Definitions And Enrollment Statistics*

The generally accepted definition of a first-generation (“first-gen”) college student is one whose parents did not graduate with a 4-year college degree.⁸ This is in contrast to “continuing-gen” students who have at least one college graduate parent.⁹ And there are also “first-gen professionals,” whose parents never worked in an office environment.¹⁰ This article will focus on first-gen college students who have enrolled in law school,¹¹ many of whom are also first-gen professionals.¹²

According to the Law School Survey of Student Engagement (LSSSE), 26% of law students nationally identify as first-gen.¹³ Thus, the needs of first-gen students, who make up more than one quarter of the law student population overall, is an important topic to be addressed.

⁸ See *supra* note 3.

⁹ <https://firstgen.naspa.org/files/dmfile/FactSheet-02.pdf> (last visited March 4, 2024); See also Melissa A. Hale, *The Importance of Supporting First-Generation Law Students*, LSSSE BLOG (Nov. 9, 2022), <https://lssse.indiana.edu/blog/guest-post-the-importance-of-supporting-first-generation-law-students/>.

¹⁰ Martha Burwell & Bernice Maldonado, *How Does Your Company Support “First-Generation Professionals”?* HARV. BUS. REV. (Jan. 7, 2022), <https://hbr.org/2022/01/how-does-your-company-support-first-generation-professionals>.

¹¹ The focus of this article is not students who are the first in their family to go to law school but who nonetheless have college-educated parents, though many of the things that can help true first-gen students succeed in externships could also be of benefit to these students.

¹² Indeed, only four of the ten first-gen externs interviewed had parents with white collar jobs. See Merritt, Claire, Lakshmi and Emma interviews on file with the author.

¹³ Chad Christensen, Jacquelyn Petzold, and Meera E. Deo, LSSSE 2023 ANNUAL REPORT: FOCUS ON FIRST-GENERATION STUDENTS 7 (2023), <https://lssse.indiana.edu/wp-content/uploads/2023/10/Focus-on-First-Generation-Students-Final.pdf>.

B. First-Gen Characteristics

There is no one way to describe a first-gen student, as they come from a variety of backgrounds and experiences, with a range of intersectionalities.¹⁴ But when considered in general, and in comparison to their continuing-gen peers, a picture can start to emerge.

Taken as a whole, first-gen students tend to be older than their continuing-gen counterparts. Fifty-four percent of first-gen students are over twenty-five years old during law school, as compared to 44% of continuing-gen students.¹⁵ Of the first-gen externs interviewed for this article, ages at the start of law school ranged from twenty-one to thirty years old.¹⁶

First-gen students may also be immigrants or come from immigrant families. Approximately 10% of first-gen students in college are first-generation immigrants, and nearly 25% are the children of immigrants.¹⁷ In contrast, 8% of continuing-gen students are immigrants, and 18% have foreign-born parents.¹⁸ Of the ten first-gen students interviewed for this article, six mentioned being the children of immigrants, and one was an immigrant herself.¹⁹

Moreover, “[s]tudents of color from every racial group are more likely than White students to be first-gen.”²⁰ Specifically, 53% of Latinx law students and 36% of Black law students are first-gen.²¹ The same is true for undergrads: whereas only 26% of continuing-gen students identify as being from minority communities, 35% of first-gen students

¹⁴ First-gen students’ membership in other groups described herein leads to an intersectionality of identities “that adds additional dimensions to both how a student navigates the postsecondary environment as well as how institutions provide support for these students.” *First-Generation Students: Approaching Enrollment, Intersectional Identities, & Asset-Based Success* (Oct. 1, 2017), <https://firstgen.naspa.org/blog/first-generation-students-approaching-enrollment-intersectional-identities-and-asset-based-success#:~:text=Identity%20%26%20Intersectionality&text=Often%2C%20first%2Dgeneration%20students%20are,worldview%20and%20college%2Dgoing%20experiences>. See also *What is Intersectionality?* CENTER FOR INTERSECTIONAL JUSTICE, <https://www.intersectionaljustice.org/what-is-intersectionality> (last visited March 4, 2024) (“The concept of intersectionality describes the ways in which systems of inequality based on gender, race, ethnicity, sexual orientation, gender identity, disability, class and other forms of discrimination ‘intersect’ to create unique dynamics and effects.”)

¹⁵ Christensen, et. al, *supra* note 13, at 7 (this statistic is based on the age of the students at the time they responded to the LSSSE survey during their law school enrollment, not when they matriculated or graduated).

¹⁶ See *infra* Section IV.

¹⁷ Ilana Hamilton, *56% Of All Undergraduates Are First-Generation College Students*, FORBES ADVISOR (June 13, 2023) <https://www.forbes.com/advisor/education/first-generation-college-students-by-state/>.

¹⁸ *Id.*

¹⁹ See *infra* Section IV.

²⁰ Christensen, et. al, *supra* note 13, at 7.

²¹ *Id.*

are from those groups.²² The first-gen students interviewed for this article self-identified as White, Latina, South Asian, Chinese and Iranian.²³

Family commitments are also more of an issue for first-gen students: 44% of first-gen law students “spend time caring for dependents, compared to 33%” of continuing-gen students.²⁴ Only one of the first-gen students interviewed had a child,²⁵ but others revealed responsibilities for parents or grandparents.²⁶

First-gen students tend to take out student loans at a greater rate than continuing-gen students, with “24% of [continuing]-gen students anticipat[ing] graduating with no law school debt compared to only 12% of first-gen students.”²⁷ They are also more likely to be from low-income backgrounds and need to work for pay during school.²⁸ In fact, not only are first-gen students more likely to be employed during law school, they “also tend to work more hours” than continuing-gen students.²⁹ Nearly half of the first-gen students interviewed explained that they needed to work for pay throughout their law school careers.³⁰

Because of care responsibilities and the need to work, many first-gen students pursued their college degrees part-time, and 10% more of the first-gen students in law school are enrolled part-time as compared to their continuing-gen peers, though none of the students I interviewed had pursued a degree part-time.³¹

Finally, the need to work and family obligations may lead to first-gen law students earning lower grades and taking on fewer co- and extra-curricular activities like law review, moot court, and student organization membership while in law school.³² The same study reveals “first-gen 1Ls study one hour more every week” than continuing-gen students, “and a full three more hours per week by the time they are 3Ls.”³³ Though I did not inquire into my interviewees’ co- and extra-curricular activities

²² Engle & Tinto, *supra* note 4, at 8.

²³ *See infra* Section IV.

²⁴ Christensen, et. al, *supra* note 13, at 11. *See also* O’Bryant & Schaffzin, *supra* note 6, at 917.

²⁵ Merritt interview on file with the author.

²⁶ Nidhi and Lakshmi interviews on file with the author.

²⁷ Christensen, et. al, *supra* note 13, at 10.

²⁸ *Id.* at 10, 12. *See also* O’Bryant & Schaffzin, *supra* note 6, at 917-18; Engle & Tinto, *supra* note 4, at 8.

²⁹ Christensen, et. al, *supra* note 13, at 12 (finding that “[a] full 54% of first-gen students report working, compared to 49% of non-first-gen students” and that “[t]hroughout law school, first-gen students average working about two hours more per week than non-first-gen students.”)

³⁰ Interviews with Ana, Emma, Sarah and Merritt on file with the author.

³¹ *See infra* Section IV. *See also* Christensen, et. al, *supra* note 13, at 7; Hale, *supra* note 9; Engle & Tinto, *supra* note 4, at 10.

³² Christensen, et. al, *supra* note 13, at 9, 14. *See also* O’Bryant & Schaffzin, *supra* note 6, at 934.

³³ Christensen, et. al, *supra* note 13, at 12.

or the hours they studied, my interviews did elicit that the first-gen students earned grades in a range from graduating tenth in their class to being in the bottom twenty-fifth percentile.³⁴

In addition to the picture the above statistics paint of first-gen students, studies have shown they have other important characteristics in common. First-gen students often lack networks and lack social and cultural capital and family support.³⁵ Nearly all those I interviewed commented that this was true for them as well.³⁶ First-gen students generally report a feeling of imposter syndrome, something all but one of the ten interviewees admitted to feeling.³⁷ And first-gen students and professionals are often unaware of the unwritten rules of the office,³⁸ as were at least a few of the students I interviewed.³⁹

On the other hand, first-gen students should not be viewed through a lens that only sees their deficits. Studies have shown that first-gen students can be more proactive, resourceful, self-reliant, goal directed, and realistic than their continuing-gen peers.⁴⁰ They also exhibit grit and strategic thinking, are flexible, persistent, insightful, compassionate, grateful, and optimistic.⁴¹ Each of these is a useful trait for a law student or extern to possess.⁴²

³⁴ See *infra* Section IV.

³⁵ O'Bryant & Schaffzin, *supra* note 6, at 920-21.

³⁶ See generally interviews on file with the author.

³⁷ Jones, *supra* note 6, at 15. See also David A. Grenardo, *The Phantom Menace to Professional Identity Formation and Law Success: Imposter Syndrome*, 47 U. DAYTON L. REV. 369, 371 (2022) (defining imposter syndrome as “creat[ing] a fear in an individual that they don’t belong, and others that do belong will soon discover they are a fraud.”). See also O.J. Salinas, *Secondary Courses Taught by Secondary Faculty: A (Personal) Call to Fully Integrate Skills Faculty and Skills Courses into the Law School Curriculum Ahead of the NextGen Bar Exam*, 107 MINN. L. REV. 2663, 2679 (2023) (writing that, as a first-generation student and person of color, the author “did not think I belonged in the law school classroom or in the legal profession.”). See also *infra* Section IV.

³⁸ Tinisha L. Agramonte, *First-generation Professionals (FGP) Initiative, Designed to Unlock and Unleash FGPs’ Full Potential* U.S. DEPT. OF COMMERCE (2018), <https://www.hud.gov/sites/dfiles/ED/images/6.718-FirstGenerationProfessionalInitiativeGeneral20Oct20171700hrs.pdf> (last visited March 4, 2024).

³⁹ See, e.g., interview with Lakshmi on file with the author.

⁴⁰ Nancy J. Garrison & Douglas S. Gardner, *Assets First-Generation College Students Bring to the Higher Education Setting* (2012) at 26-47, <https://files.eric.ed.gov/fulltext/ED539775.pdf>; see also Africa S. Hands, *Tapping Into the Assets of First-Generation Students During Times of Transition* 121 INFO. & LEARNING SCI. 611 (2020).

⁴¹ Garrison & Gardner, *supra* note 40, at 26-47. Interestingly, one of these characteristics – optimism – might be a detriment to law student success. See, e.g., Emily Zimmerman & Casey LaDuke, *Every Silver Lining Has a Cloud: Defensive Pessimism in Legal Education*, 66 CATH. U. L. REV. 823, 825 (2017) (exploring law student success and defensive pessimism, the strategy by which “anxious individuals set unrealistically low expectations” (relative to their past performance) and reflect extensively on potential pitfalls to prepare for upcoming events”) (internal quotation, citation omitted).

⁴² See, e.g., Megan Bess, *Grit, Growth Mindset, and the Path to Successful Lawyering*, 89 UMKC L. REV. 493, 522 (2021) (noting that grit is part of “the skill set necessary for success” in law school).

C. General Law School Support For First-Gen Students

Law schools have begun to put in place supports for first-gen students, whether they be administrative support programs or student-run organizations;⁴³ a quick internet search of “first-gen law school support” retrieves page after page of law schools with student groups and official administrative programs dedicated to helping first-gen students thrive.⁴⁴

For example, Chapman University Fowler School of Law adopted a program for first-gen students in 2016 focused on their first year of law school.⁴⁵ The program concentrates on three pillars: social acclimation, academic achievement, and professional development, and contains seven to eight events each year, including “Law School 101,” which focuses on introducing first-gen students to core aspects of law school life, and “Meet the Professors,” which consists of a panel of law professors whose aim is to demystify interacting with them during office hours and beyond.⁴⁶ There is also one-on-one counseling through the Career Services Office and a “Network or Not Work” event during which first-gen lawyers talk to students about how they built their own networks, and first-gen students get a chance to practice networking skills.⁴⁷

First-gen students can also find assistance beyond their campuses through at least one book. Melissa A. Hale, Director of Academic Success and Bar Programs at Loyola University Chicago School of Law, has published a 137-page guidebook for first-gen law students on such topics as preparing for and taking exams, health and wellbeing, and extracurricular opportunities.⁴⁸

Finally, several organizations offer guidance to first-gen law students and lawyers. The ABA’s Young Lawyer’s Division has launched a first-gen initiative, the goals of which include “bridg[ing] the gap within the legal profession by fostering relationships, providing a community for our members to network comfortably, and creating outreach programs

⁴³ See Gabriel Kuris, *Advice for First-Generation Law Applicants*, U.S. NEWS & WORLD REP. (Dec. 6, 2021), <https://www.usnews.com/education/blogs/law-admissions-lowdown/articles/what-first-generation-law-applicants-should-know#:~:text=Other%20law%20schools%20offer%20programs%20that%20provide%20peer,Program%20of%20New%20England%20Law%20Boston%20law%20school>.

⁴⁴ See, e.g., www.law.uci.edu/campus-life/student-organizations/orgs/fgpp.html (last visited March 4, 2024); <https://gould.usc.edu/students/first-generation/> (last visited March 4, 2024); <https://law.ucla.edu/life-ucla-law/student-organizations/first-gen-law-students-association> (last visited March 4, 2024); <https://law.ucdavis.edu/students/first-generation-advocates> (last visited March 4, 2024).

⁴⁵ Interview with Sarira Sadeghi, Sam & Ash Assistant Dean for Academic Achievement at Chapman University Fowler School of Law (July 5, 2023); Interview with Susie Park, Assistant Dean for Career Services, Chapman University Fowler School of Law (July 7, 2023).

⁴⁶ Sadeghi Interview, *supra* note 45.

⁴⁷ Park Interview, *supra* note 45.

⁴⁸ MELISSA A. HALE, A FIRST-GENERATION’S GUIDE TO LAW SCHOOL 120 (2022).

that create a sense of belonging.”⁴⁹ Its website includes interview videos, articles, CLEs, and links to other resources.⁵⁰

III. WHY EXTERNSHIPS?

Externships are the perfect place for first-gen students to learn about the practice of law because they straddle the line between classroom and courtroom or law office. Before going any further in prescribing how these experiences can better serve first-gen students, it would be helpful to take a look at what an externship is and what it usually entails.

A. Overview of a “Typical” Externship Program

Externship programs can vary widely from law school to law school, with different program structures tailored to each school and the needs of its student body. However, in the pedagogy of externship teaching that has developed, there are six broad characteristics “that all externship courses should share.”⁵¹ These are that an externship program include: (a) an externship placement site outside the law school, (b) teaching by both a faculty member and a site supervisor, (c) the transfer of learning from law school to law office or courtroom, (d) an opportunity for the student to participate in guided reflection on the experience, (e) inclusion of concepts relating to professional responsibility and professionalism, and (f) a focus on student self-determination and self-reliance, which leads to “professional identity formation.”⁵²

How this pedagogy must be put into practice as part of a law school curriculum is governed by the American Bar Association’s Standards and Rules of Procedure for Approval of Law Schools.⁵³ In the Standards, the ABA defines an externship as a course that “provides substantial lawyering experience that . . . is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise.”⁵⁴ There must also be “a classroom instructional component, regularly scheduled

⁴⁹ https://www.americanbar.org/groups/young_lawyers/about/initiatives/first-gen/about/ (last visited March 4, 2024).

⁵⁰ *Id.*

⁵¹ *Id.*

⁵² GILLIAN DUTTON, KENDALL KEREW, KELLY TERRY, AND CYNTHIS WILSON, EXTERNSHIP PEDAGOGY & PRACTICE 10, 14-15 (2023).

⁵³ STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS, AM. BAR ASS’N (2022-23) (hereinafter ABA STANDARDS).

⁵⁴ ABA STANDARDS Std. 304(d).

tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection.”⁵⁵

Thus, a typical externship involves field work, where the student is guided by a practicing attorney or judge, and a classroom or similar component where faculty can support students in their learning experience. It is, to put it simply, the “modern iteration of the apprenticeship.”⁵⁶

As noted above, what this looks like at a particular law school can vary, as externship programs thrive on “creativity and flexibility in course design.”⁵⁷ This diversity in program design is captured by the latest data from the Center for the Study of Applied Legal Education (CSALE).⁵⁸

The 2022-23 CSALE survey revealed that nearly all schools offer externships in public interest law offices, judges’ chambers, and government offices, while about two-thirds allow externships with in-house legal departments, and only half allow them in private law firms.⁵⁹ In addition, half of all law schools allow “full-time” externships of ten or more credits, with the rest offering only part-time externship positions.⁶⁰ Forty-six percent of law schools have adopted a paid externship program wherein students may earn compensation from their placement alongside academic credit from the school.⁶¹

Schools require anywhere from 42.5 to 60 hours of fieldwork per credit, and most schools—89%—grade externships on a pass/fail basis.⁶² Students are allowed to complete two or more externships at 63% of law schools, and of those schools, 86% allow students to complete the second externship in the same placement as the first, though some impose various conditions on the repeat experience.⁶³

With regard to the ABA requirement that there be an “ongoing, contemporaneous, faculty-guided reflection,” 73% of externship programs have a classroom seminar, 9% of programs offer regularly scheduled tutorials, and 17% meet the requirement through “other means of faculty-guided reflection.”⁶⁴

⁵⁵ ABA STANDARDS Std. 304(a)(5).

⁵⁶ Freeman, *supra* note 7, at 363.

⁵⁷ DUTTON ET AL., *supra* note 52, at 10.

⁵⁸ Robert R. Kuehn, David Santacroce, Margaret Reuter, June Tai, & G.S. Hans, 2022–23 SURVEY OF APPLIED LEGAL EDUCATION, CENTER FOR THE STUDY OF APPLIED LEGAL EDUCATION (CSALE) (2023), https://uploads-ssl.webflow.com/5d8cde48c96867b8ea8c6720/64fb7bd82f-dee48e57e8ef04_Report%20on%202022-23%20CSALE%20Survey.rev.9.8.23.pdf.

⁵⁹ *Id.* at 10.

⁶⁰ *Id.*

⁶¹ *Id.* at 11.

⁶² *Id.* at 41, 42.

⁶³ *Id.* at 45.

⁶⁴ *Id.* at 43.

All this data comes together at each law school in any number of different configurations. For example, at Chapman, law students can work for state or federal judges, various government agencies, nonprofit law offices, in-house legal departments, or law firms.⁶⁵ Students may enroll in a single full-time judicial externship for ten credits, or they may complete a part-time externship for between one and five credits, for a total of three part-time externships for up to eight credits.⁶⁶ Students secure their own placements (i.e., they are not “matched” by the externship office) and repeat placements at the same office are allowed.⁶⁷ For most externships, one credit is awarded for every 50 hours of fieldwork, and the externship is graded on a “pass/no pass” basis.⁶⁸ There is no accompanying seminar, but students attend an orientation “bootcamp” in the first week of the semester, followed by setting learning goals for the semester, completing four-to-seven reflective journals (depending on number of credits) on which they receive faculty feedback, making daily time entries with detailed descriptions, submitting two samples of work product, and filling out a midterm and semester-end evaluation together with their supervisors.⁶⁹ Finally, Chapman allows students to be compensated by their placements while also earning course credit.⁷⁰

B. Why Externships Are The Prefect Training Ground For Law Students, Especially First-Gen Students

So why are externships so important, especially to those with less familiarity with the professional and legal world? Externships are designed to introduce students to the practice of law in the ‘real world’ while providing them with the assistance and guidance of law school faculty.⁷¹ In a well-designed externship, “[s]tudents’ introduction to real life practice ... [is] closely supervised by their externship supervisor and subject to evaluation and feedback from their law school instructor.”⁷²

Thus, “[f]ield placements offer an excellent platform from which to teach the skills law students need to be ‘practice-ready’—not only knowledge and substance, and skills and practice, but also understanding

⁶⁵ Chapman University Fowler School of Law Externship Handbook, 3 (Mar. 2021), https://www.chapman.edu/law/_files/externships/secure/externship-handbook.pdf (last visited March 4, 2024).

⁶⁶ *Id.* at 6–7.

⁶⁷ *Id.* at 4–6, 11. Although most externships require 50 hours of work per credit awarded, lower credit externships require a higher hourly commitment: a 1-credit externship requires 90 hours of fieldwork, and a 2-credit externship requires 125 hours.

⁶⁸ *Id.* at 6–7.

⁶⁹ *Id.* at 7–9.

⁷⁰ *Id.* at 4.

⁷¹ Charlotte S. Alexander, *Learning to Be Lawyers: Professional Identity and the Law School Curriculum*, 70 MD. L. REV. 465, 480 (2011).

⁷² *Id.*

of professional identity, purpose, and legal ethics.”⁷³ As one author put it, “[t]he hope is to facilitate acclimation into and participation in the real world of legal practice so that the student gains a solid comfort level in functioning effectively as an entry-level attorney.”⁷⁴ This acclimation can involve putting “students in unfamiliar territory” where their “motivation to be an active participant in their learning enhances their externship experience.”⁷⁵

Externships are particularly important for first-gen students and professionals “who lack[] the benefit of professional parents and/or immediate family members, ‘prep’ programs, or other exposure that may have helped them successfully access and navigate the workplace.”⁷⁶ This makes externships the perfect forum for first-gen law students to try on the professional identity of “lawyer.” As one observer put it, “[t]here is no way for students to study up on these rules [of the profession], no matter how diligent or well-prepared they are, because they are acquired only through experience.”⁷⁷

Externships can be a particularly good fit for first-gen students who may not feel as comfortable in the classroom. As one interviewee explained when asked why she decided to do an externship:

I’ve always been a big hands-on learner, and I know myself well enough to know that I’ve never been the top student. That’s just not me. I feel like I have to work a little bit harder to do well. So, I figured, I always did okay in law school, but I knew the best thing to put me ahead was to get some experience and to make some connections. I just like doing that more than sitting there and studying. I guess it just sounded more fun.⁷⁸

Indeed, when asked to rate whether the externship was a good experience on a scale of one to ten, most of the first-gen externs I interviewed rated the externship experience highly, giving it an eight or better.⁷⁹ As one extern explained, “[w]orking with the client and being able to advocate for the client, it felt so cool to, like, go into a room and be, like, ‘these

⁷³ Nancy M. Maurer & Liz Ryan Cole, *Design, Teach and Manage: Ensuring Educational Integrity in Field Placement Courses*, 19 CLIN. L. REV. 115, 128 (2012). See also Kelly S. Terry, *Externships: A Signature Pedagogy for the Apprenticeship of Professional Identity and Purpose*, 59 J. LEGAL EDUC. 240, 243 (2009).

⁷⁴ Anahid Gharakhanian, *ABA Standard 305’s “Guided Reflections”: A Perfect Fit for Guided Fieldwork*, 14 CLIN. L. REV. 61, 66 (2007).

⁷⁵ DUTTON ET AL., *supra* note 45, at 15.

⁷⁶ Agramonte, *supra* note 38, at 6.

⁷⁷ Hale, *supra* note 9, at 120.

⁷⁸ Claire interview on file with the author.

⁷⁹ Interview results on file with the author.

are my client's rights . . . and you can't violate those.' It was empowering, really empowering."⁸⁰

Finally, the importance of externships as a pipeline to possible post-graduation employment cannot be overlooked when it comes to first-gen students. A National Association for Law Placement study revealed that only 73% of first-gen law students from the class of 2020 obtained post-grad legal jobs, compared to 84% of continuing-gen students.⁸¹ Though all ten of my interviewees disclosed post-grad legal employment,⁸² this stark national statistic helps to demonstrate why externships are so important: the experience that comes with an externship can help a student land a post-grad job, and succeed in it.⁸³ As others have noted, externship students "regularly report that they have gained valuable exposure to law practice and to specific legal issues that are useful topics for discussion in future employment interviews."⁸⁴ Moreover, a study I conducted regarding students in repeat externship situations revealed that, of students who were motivated to stay more than one semester at an externship by the hope of receiving a job offer at the placement, 62% did receive an offer of post-graduation employment.⁸⁵ In sum, if first-gen students are in need of help obtaining post-graduation law jobs, externships are a clear path to success.

IV. THE FIRST-GEN EXTERN INTERVIEWS

To better understand what first-gen externs go through and what can be done to aid them, I interviewed ten recent law school graduates about their experiences. These graduates from the class of 2023 responded to an email solicitation asking those who identified as first-gen to contact me if they were willing to be interviewed. I sent the email to my own former students and also asked Externship Directors at several other law schools to send the same email so that I might get a greater variety of respondents. Ultimately, I was able to interview ten first-gen student externs who had recently graduated from Chapman, Southwestern Law School, Loyola Law School Los Angeles, University of Baltimore

⁸⁰ Sarah interview on file with the author.

⁸¹ Debra Cassens Weiss, *First-Generation College Grads Find Fewer Jobs After Law School Than Their Peers*, *New NALP Data Says*, ABA J. (Oct. 20, 2021), <https://www.abajournal.com/news/article/first-generation-college-grads-find-fewer-jobs-after-law-school-than-their-peers-nalp-says>.

⁸² See *infra* Section IV.

⁸³ See *infra* Sections V and VI.

⁸⁴ James H. Backman & Jana B. Eliason, *The Student-Friendly Model: Creating Cost-Effective Externship Programs*, 28 *TOURO L. REV.* 1339, 1347 (2012).

⁸⁵ Carolyn Young Larmore, *Second Time's The Charm: An Empirical Examination of the Benefits and Potential Drawbacks of Repeat Legal Externships*, 70 *WASH. UNIV. J. L. & POL'Y* 161, 179 (2023).

School of Law, University of Missouri-Kansas City School of Law, and the University of California College of the Law, San Francisco (formerly UC Hastings).

I conducted the interviews over Zoom in August 2023, with a set list of questions approved by the Chapman University Institutional Review Board.⁸⁶ The questions included inquiries about basic biographical data (age, work experience, ethnicity, etc.) as well as topics such as the challenges they faced as first-gen student externs and what their school and placement could have done to improve the experience.

With the small sample size, the information obtained in these interviews is not offered as quantitative empirical evidence about first-gen law students, but rather is intended to paint a qualitative picture of the first-gen experience. These interviews bring the first-gen student experience out of the statistical realm, shedding light on what it was like for a handful of students to be a first-gen law student and extern.⁸⁷

From the ten interviews, a number of themes emerged. They are: (a) almost all first-gen students felt imposter syndrome at law school or in their externships; (b) first-gen students feel they must work harder than their continuing-gen peers to “bridge the knowledge gap”; (c) first-gen students appreciate first-gen affinity groups and programs, even if the students were often too busy to make full use of them; (d) several first-gen students were under serious financial stress as law students; (e) the quality of training their placements offered varied widely; (f) the level of mentorship and feedback their field supervisors offered also varied widely; (g) first-gen students lamented their lack of networks in the legal field; and (h) there was a desire expressed by a few first-gen students for supervisors to be more understanding of the challenges they face.

A. *Imposter Syndrome Is Nearly Universal*

All but one of the first-gen externs interviewed reported feeling imposter syndrome⁸⁸ in law school in general and in their externships specifically. When asked about her experience as a first-gen student in law school, Claire said that she could “sum it up best” with her experience during orientation week:

⁸⁶ IRB approval documentation on file with the author.

⁸⁷ Interviewees' names have been changed, and other details omitted, to maintain the promised anonymity. Some quotations taken from the interviews have been edited or otherwise cleaned up for clarity. Brief descriptions of each of the interviewees can be found in Appendix A.

⁸⁸ This article will use the term “imposter syndrome,” as it is well known and commonly used, although other terms may be more accurate, such as “imposter phenomenon” or “imposter feelings.” See Leslie Jamison, *Why Everyone Feels Like They're Faking It*, THE NEW YORKER (Feb. 6, 2023).

There are no lawyers in my family, and I don't really know lawyers and so I didn't realize that you had to read ahead and prep cases and stuff . . . Anyway, at the end of the day I cried because I was like, 'what am I doing? I have no idea what's going on!' We have good professors at [my law school], and we have good people there, but I always felt like I just didn't quite understand the next step every time and what it looks like, and how it was supposed to work.⁸⁹

When asked if she felt she "fit in" at her externship placement doing criminal conviction expungements, Ana told the following story:

There was a moment where it was like, "I'm obviously much closer to the clientele than my supervisor was." I had gotten my first assignment . . . and when I opened the file. I actually *knew* the person.... And then [my supervisor] said, "Oh, what are the odds that, out of all the people ... you would know them?" ... So that was just a really reflective moment.⁹⁰

B. They Must Work Extra Hard To Bridge The Knowledge Gap

A couple of the first-gen students interviewed shared that they put in extra hours during law school and their externships in order to understand the legal landscape. For example, Lakshmi described watching YouTube videos at night to understand how law school worked and setting up "thirty-four informational interviews with attorneys" during her first semester in school to understand the practice areas she might want to pursue.⁹¹ As she explained:

I think it was a lot of self-learning as a first-gen student. I had to stay up late after my classes were done, not because I was doing homework, but because I had to figure out who I was going to talk to tomorrow [in an informational interview] and what questions I was going to ask them, and where I wanted my career to take me. I couldn't just go with the flow because I had to figure out what the flow was as opposed to having someone in my family to tell me . . . I had to pave the way for myself as opposed to someone telling me what the way was.⁹²

⁸⁹ Claire interview on file with the author.

⁹⁰ Ana interview on file with the author.

⁹¹ Lakshmi interview on file with the author.

⁹² *Id.*

C. Appreciation For Affinity Groups And Programs Even If They Couldn't Always Participate

All the interviewees attended law schools with programs or student groups focused on first-gen students, established during all or part of their tenure there.⁹³ Those who participated found these groups useful.⁹⁴ Nidhi, for example, shared that “it’s helpful having that comfort of being able to talk to people [and ask] ‘are you feeling this?’ ‘Did you perceive this the same way I did?’ Or ‘how is your experience?’”⁹⁵

But there were varying levels of involvement in these groups and programs, in part due to constraints on the students’ time or competing organizations, often related to the intersectionality of their other identities, or family responsibilities. For example, Lakshmi “was part of the woman of color collective, I was [] a research assistant and TA for every class possible. . . . I had so much on my plate on top of the externship that I didn’t really utilize the first-gen program in the way I should have.”⁹⁶ Similarly, Emma complained that while the first-gen program at her law school was “a great resource to have, and I did meet plenty of first-gen students that way,” she faced the “challenge with all law school activities or groups of [having] the time to actually go to a lot of events and fully participate.”⁹⁷ And Merritt, a married step-mother to a young boy, said that she would have liked to participate in her school’s program because “I had no idea what I was doing,” but she just “didn’t participate in extracurriculars that much” due to time constraints.⁹⁸

Other non-first-gen focused support groups could have benefited from a first-gen perspective as well, at least according to one interviewee. Claire related the story of her school’s general peer mentorship program, in which she

specifically requested [that the school] please give me someone else who’s a first-gen because I just don’t think I’d relate well to someone whose parents are lawyers and they’re going to go work at their parent’s law firm afterwards. And that’s exactly who I ended up getting. We never really connected much, so I do think making that [program] a little bit more useful in school. . . would have been nice.⁹⁹

⁹³ See interviews generally, on file with the author.

⁹⁴ *Id.*

⁹⁵ Nidhi interview on file with the author.

⁹⁶ Lakshmi interview on file with the author.

⁹⁷ Emma interview on file with the author.

⁹⁸ Merritt interview on file with the author.

⁹⁹ Claire interview on file with the author.

D. *Serious Financial Pressure Affected Several Interviewees*

As previously explained, first-gen students are more likely to be from lower-income backgrounds and need to work during law school and/or take out student loans.¹⁰⁰ That translates to feeling a lot of financial pressure during law school. One interviewee, Sarah, became teary during her interview when describing the stress of her financial situation.¹⁰¹ She explained her issue with her “economic status” this way:

The finances of law school were, I mean, so much stress. Constantly having to figure that out, especially cause my mom’s not making any money cause she’s disabled, my father probably made a maximum of \$40,000 a year, so it was really on me.... So, even though there’s opportunities like On Campus Interviewing, I was having to work during OCI and so that was really difficult as well.¹⁰²

Financial considerations affected externship choice as well. When asked why she chose to extern, Sofia responded that “to be honest . . . I was trying to work so I could pay my bills because I live on my own . . . At the same time [I wanted] to work, get paid, and use that for school credit, so that I could balance . . . school life with all of that.”¹⁰³ I asked her if finding a paying job that could also be an externship made a big difference, and she responded “Yes, it did.”¹⁰⁴

E. *Placement Training is Inconsistent*

Most externs received at least some orientation or training, but it varied by placement, and most externs said they could have used more. For example, Nidhi said that the Department of Justice orientation and training for her mostly-remote externship

was great. I had some training in early August as far as the system, who I would be reporting to. I had two orientation calls, one with the main chief of the division I was in, and then one with my [externship] coordinators. . . . And then I think there was a third individual who had us onboard with specifically the system, and how to utilize our phones and laptops and IT and tech.¹⁰⁵

¹⁰⁰ See *supra* Section II.B.

¹⁰¹ Sarah interview on file with the author.

¹⁰² *Id.*

¹⁰³ Sofia interview on file with the author.

¹⁰⁴ *Id.*

¹⁰⁵ Nidhi interview on file with the author.

When asked if she needed more training, Nidhi responded that she “felt more than oriented at times, and I think it was great having it. Then again, I feel like, you know, there were so many people having to onboard you at times, that that’s where it got a little overwhelming. So, that’s the government for you.”¹⁰⁶

On the other hand, Claire described her desire for more training at a government agency this way:

I had never been in a courtroom before, so I really didn’t understand what anything was like. [I could have used] even just a basic rundown of “here’s how the courts work and what this looks like.” I don’t know if they assume that maybe our first year of law school would teach us that. I don’t really remember learning that, though. So, yeah, I think it would have been good to know, because I felt like I was playing catch up.¹⁰⁷

Similarly, when asked if he received training at the outset of his in-house counsel’s office externship, Eric answered “not much really. They threw me into the fire and thankfully, I didn’t burn.”¹⁰⁸

F. Placements Offered Varying Level Of Mentorship, Feedback

Some interviewees found wonderful mentorship and received instructive feedback at their externships, while others found both lacking. For example, Emma, who worked in an in-house legal department, said that her supervisors were

really great with spending time with me [and] giving really constructive feedback that was more widely applicable, as well as sharing with me about their career, what their law school experience was, . . . how they found themselves in their roles now, so it was really great to have that perspective.¹⁰⁹

Nidhi, who worked at the Department of Justice, had great mentors in her supervisors, but also an attorney assigned to her specifically as a mentor.¹¹⁰ She described the relationship as follows:

I met for lunch with him and a few other division attorneys a few times throughout [the semester], and we also had biweekly calls where I could, just, you know, ask questions. I’m like, “I don’t know what I’m doing on this” or “can you tell me more about this part of

¹⁰⁶ *Id.*

¹⁰⁷ Claire interview on file with the author.

¹⁰⁸ Eric interview on file with the author.

¹⁰⁹ Emma interview on file with the author.

¹¹⁰ Nidhi interview on file with the author,

the division?” or “how should I be just interacting with folks as a remote intern?” . . . So, there was mentorship, I think, from multiple avenues. But I think, having that personal mentor where I could just have their personal number or just meet for lunch during the week, it was great having that.¹¹¹

On the other hand, Farnaz worked at two externships, first with a firm that offered her great mentors and support, and then at a smaller firm where she did not find those things.¹¹² She described the difference this way:

[My first externship] was just so great. I had great mentors. I had great learning experiences. And I thought, “wow . . . I’ve always heard that attorneys can be mean. And I’ve just had such a great time, so I guess it’s not that way anymore.” And then the next [externship] I was like, “oh, no, it’s that way.”¹¹³

G. Students Lack Networks, Networking Opportunities

A majority of the interviewees lamented that, being first-gen, they had no professional network to speak of. Sarah was typical, explaining that “the networking part [of law school] was really difficult because I didn’t have connections.”¹¹⁴ That said, only a few of the externship placements seemed to make an effort to help students expand their networks of lawyers. This included taking students to bar events¹¹⁵, meeting with other legal aid organizations¹¹⁶, and meeting other attorneys and externs within the same organization whom they might not otherwise meet.¹¹⁷ Many of the externships were remote because of COVID-19, which also hindered networking opportunities.¹¹⁸

H. A Need For Kindness

The need for understanding and consideration of the students’ position from their supervisors was reflected in several of the interviews. As Ana explained, “I needed some validation sometimes because of my own personal insecurities . . . I don’t want to say I needed more

¹¹¹ *Id.*

¹¹² Farnaz interview on file with the author.

¹¹³ *Id.*

¹¹⁴ Sarah interview on file with the author.

¹¹⁵ Farnaz interview on file with the author.

¹¹⁶ Ana interview on file with the author.

¹¹⁷ Sarah interview on file with the author.

¹¹⁸ See Sofia, Ana, Nidhi, Emma interviews on file with the author.

handholding, but at times I wanted to just make sure that what I was doing [was right].”¹¹⁹

Farnaz described a similar experience:

There were days where I felt very in the weeds, and I didn’t know what I was doing, and I would ask questions, and the responses would kind of like be along the lines of, without directly saying it, like, “are you stupid?” like, “how do you not know that?” And I was like. . . “I’m sorry. I guess I’ll just go try and figure this out.”¹²⁰

V. WHAT SCHOOLS CAN DO TO SUPPORT FIRST-GEN EXTERNSHIP STUDENTS

While law schools are doing much to support first-gen students in general, there is much more that can be done to help them succeed in externships in particular. This section sets out my ideas based on my research about first-gen students in general and the interviews conducted with recent first-gen law school graduates.

A. *Recruit First-Gen Students to the Externship Program*

To start, law schools must reach out to first-gen students and encourage them to extern in the first place. At Chapman, for example, first-gen students are underrepresented in the externship program: Whereas about 74% of Chapman’s class of 2023 who were continuing-gen students participated in at least one externship while in law school, only 65% of those students who self-identified as first-gen did so.¹²¹ As explained in Section III, externships are a vital path toward successful practice, all the more important for first-gen students without strong network connections or previous experience in the field. If imposter syndrome, for example, is making first-gen students hesitate to extern, that must be addressed.

To facilitate this communication, externship directors can do several things. They can reach out to their school’s first-gen student organizations and programs to explore doing anything from forwarding an externship information flyer to its members to offering special programing about externships. The externship director could speak at a student meeting about the exciting opportunities externships offer and address any apprehensions the students may have about applying for one. Or she could create an externship information flyer specifically aimed at

¹¹⁹ Ana interview on file with the author.

¹²⁰ Farnaz interview on file with the author.

¹²¹ Data on file with the author.

first-gen students, in part using some quotes from graduates interviewed for this article, and share it with first-gen program students.

B. Allow Paid Externships

Second, schools should allow students to work in externships where they also receive compensation so that first-gen students, who are more likely to need to work for pay during law school and take out student loans, can more fully participate.

More than half of law schools still prohibit students from earning compensation for their externship work,¹²² even though the ABA lifted the ban on paid externships in 2016.¹²³ When abolishing the ban was being debated, paid externships were opposed by the Clinical Legal Education Association,¹²⁴ the Society of American Law Teachers,¹²⁵ and the Association of American Law Schools Section on Clinical Legal Education.¹²⁶ The arguments against paid externships included the concern that allowing compensation would weaken the educational value of externships and incentivize students to place their financial needs before their professional goals when deciding which externship experience to take.¹²⁷ It was also feared that paid externships would result in “placing the student’s educational goals second to what the supervising attorney is paying them to do.”¹²⁸ Educators further worried that a paid extern may lose “the richness of their externship experience, particularly in the areas of diversity of assignments, opportunities to observe others in lawyering roles, and the quality of the supervision and feedback,” in

¹²² Kuehn et al., *supra* note 58, at 11.

¹²³ ABA STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2016–2017, at 16–18.

¹²⁴ *CLEA Comments on Proposed Standard 304(c) & Retention of Interpretation 305-2*, CLINICAL LEGAL EDUC. ASS’N (Jan. 22, 2016), https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards_review/2016_jan_comments_rcvd_dec_15_notice_and_comment.authcheckdam.pdf (last visited March 25, 2024).

¹²⁵ Letter from Sara Rankin & Denise Roy, Co-President of Soc’y of Am. L. Tchrs. (Jan. 22, 2016), https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards_review/2016_jan_comments_rcvd_dec_15_notice_and_comment.authcheckdam.pdf (last visited March 25, 2024).

¹²⁶ *AALS Section on Clinical Legal Education Statement of Position on the Proposed Revisions to ABA Standards 304 and 305 Relating to Field Placements and the Elimination of ABA Interpretation 305-2 Prohibiting Paid Externships*, https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards_review/2016_jan_comments_rcvd_dec_15_notice_and_comment.authcheckdam.pdf (last visited March 25, 2024).

¹²⁷ Carolyn Young Larmore, *Just Compensation: An Empirical Examination of the Success of Legal Externships for Pay and Credit*, 70 DRAKE L. REV. 145, 151-52 (2022).

¹²⁸ *Id.*

favor of work assignments that “flow from the needs of the office, not the students’ educational goals.”¹²⁹

On the other hand, the best argument in favor of allowing paid externships, one advanced by the ABA Law Student Division¹³⁰ and the ABA Standing Committee on Professionalism,¹³¹ was one of equity. Students are often faced with making the “tough choice . . . between an unpaid legal externship and a paid non-legal one, oftentimes choosing the latter that will supplement income but at the cost of the students’ education,” especially with rising tuition costs and student loan debt.¹³² The result is that “students who can afford to take unpaid externships for credit may thereby lighten their class loads, whereas other students must take paid positions, and even paid non-law jobs, on top of a full schedule of classes.”¹³³

Thus, with first-gen students more likely to need to work for pay during law school and to have greater student loans, allowing paid externships becomes one way to level the playing field.¹³⁴ As first-gen students Sarah and Sofia revealed in their interviews, the financial pressure on first-gen law students can be intense, so allowing them to earn academic credit while also earning an income can be a lifeline to an otherwise struggling student.¹³⁵ This point is corroborated by an ongoing University of Baltimore School of Law study in which law students are

¹²⁹ *Id.* at 150-51 (internal quotations, citation, omitted). This study examined many of the predictions about the negative consequences of allowing paid externships and found them generally not to have materialized. *Id.*, generally. For example, a review of hundreds of semester-end evaluations, in which students and supervisors described the work the student had performed, revealed that paid externs were doing higher-level research and writing assignments than their unpaid peers, though they were invited to slightly fewer observation opportunities. *Id.* at 176-85. Supervisors also rated paid externs as higher performing in every area of legal skills and professionalism than unpaid externs. *Id.* at 170-76. Finally, the study found that allowing paid externships attracts new students who had not previously been a part of the externship program, rather than “steals” students from more traditional placements like courts and non-profits. Thus, allowing paid externships can be viewed as yet another way to recruit more first-gen students to the externship program in the first place.

¹³⁰ *Comment on Standards 304 & 305*, AM. BAR ASS’N (Jan. 22, 2016), www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards_review/2016_jan_comments_rcvd_dec_15_notice_and_comment.authcheckdam.pdf (last visited March 4, 2024)

¹³¹ E-mail from Scott Pagel, Am. Bar Ass’n Chair of Standards Rev. Comm. (Jan. 21, 2016), https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/standards_review/2016_jan_comments_rcvd_dec_15_notice_and_comment.authcheckdam.pdf (last visited March 8, 2024).

¹³² Larmore, *supra* note 127, at 150-151 (internal quotations, citation, omitted).

¹³³ *Id.*

¹³⁴ See Freeman, *supra* note 7, at 382 (“Students, regardless of diversity status, may perform better when juggling fewer priorities. When . . . credit and pay [can] be received simultaneously, students can enroll in fewer classes and devote the time necessary to their placement.”)

¹³⁵ See *supra* Section IV.D.

being surveyed about their paid and unpaid externship experiences.¹³⁶ Preliminary results demonstrate that paid externships were preferred by those with high debt loads and those self-financing their studies, and that taking a paid externship mitigated the need to take on additional paid employment.¹³⁷

C. *Make Use Of – Or Create – A First-Gen Club Or Program*

All ten of the first-gen students interviewed reported that their schools had first-gen programs or affinity groups.¹³⁸ The groups were often a vital support system, a space where students with similar backgrounds and challenges could connect, share experiences, and seek guidance. Externship faculty should encourage first-gen externs to participate in these groups during their externships, as they can be an additional source of support during the externship experience. The externship faculty should consider getting involved in the program as well, perhaps by putting on a presentation or hosting guest speakers, both to support current first-gen externs and recruit future ones.

It should be noted that some of the interviewees faced barriers to participation, such as time constraints and commitments to multiple groups related to their other identities and interests. To address this, schools should focus on creating an environment that allows students to “pop in and out” of the group’s activities, which should be offered at different times and via different modalities, allowing students the flexibility to engage based on their needs and schedules.

And law schools that do not have a first-gen program, or even a student club, should work with their administration or student leaders to start one.

D. *Discuss First-Gen Issues In Externship Seminar, Journals*

Another way to support first-gen students in their externships is to discuss first-gen issues in the companion seminar or through reflective journaling. Externship programs should not rely on the first-gen student club or program alone to address issues useful to students, as

¹³⁶ Neha Lall, *Working for Pay, or Paying to Work? Using Paid Externships to Foster Meaningful Student Choice and Advance Equity*, Presentation to AALS Section on Empirical Study of Legal Education and the Legal Profession (Jan. 4, 2024).

¹³⁷ *Id.*

¹³⁸ See interviews generally, on file with the author. It is interesting to note, however, that allowing students to receive compensation for their work would only affect students’ ability to enroll in externships with private law firms and in-house counsels that can afford to pay their externs; first-gen and other students interested in courts, non-profits and government agencies generally must still choose between paid non-externship positions and these placements.

the interviews revealed that many students are too busy to regularly attend.¹³⁹ Similarly, they should not count on other resources such as guidebooks to help first-gen students in their externships; the one book I found aimed at first-gen students in law school includes a three-sentence definition of an “externship,” but offers no tips on how to succeed in one.¹⁴⁰

Several interviewees mentioned that their externship professor raised issues related to first-gen students during their seminar, which they appreciated.¹⁴¹ A professor might set aside a specific section of the syllabus to discuss first-gen issues like the kind raised in this article. Or they may simply weave in first-gen concerns whenever talk turns to topics like imposter syndrome or marginalized communities based on other characteristics like race, gender, or disability.¹⁴² If the professor is first-gen herself and can share personal experiences that the students can relate to, even better. Finally, larger programs with multiple seminar sections for students to choose from could even designate one section for first-gen students to self-select.

Additionally, students can be given the opportunity to reflect on their first-gen status and its impact on their externship experience in writing. Most externship programs have journaling requirements in an effort to “train and prod students to be reflective and learn and internalize the skill of learning from the fieldwork experience.”¹⁴³ I created a journal prompt that externs may choose, as follows: “Have you had any difficulties in your externship because you are a first-gen student? What were they, and how did you handle them? Are any of your supervisors/colleagues first-gen that you know of? Talk to one of them about their experiences as a first-gen student-turned-lawyer. What did you learn and how can you apply it to your own experiences?”

E. Address Imposter Syndrome

As the research shows and the interviews bear out, imposter syndrome is a problem for law students in general and first-gen students in particular.¹⁴⁴ It may be a particular problem in externships, as students are asked to leave the relative security of the law school building and put their skills and knowledge to the test in the real world of law practice.¹⁴⁵

¹³⁹ See *supra* section IV.C.

¹⁴⁰ Hale, *supra* note 54, at 120.

¹⁴¹ See Emma, Lakshmi, Sarah interviews, on file with the author.

¹⁴² Doing so may even help satisfy the new ABA Standard 303(c), which requires that a law school provide “education to law students on bias, cross-cultural competency, and racism . . . at least once again before graduation.” ABA STANDARDS Std. 303(c).

¹⁴³ Gharakhanian, *supra* note 74, at 86.

¹⁴⁴ See *supra* Sections II.B and IV.A.

¹⁴⁵ Grenardo, *supra* note 37, at 374.

After all, students with imposter syndrome “often mistake being inexperienced with being unqualified.”¹⁴⁶ If first-gen students are to thrive in their externships, the very place they are meant to gain that experience, we need to help them address the fear that they don’t belong in the law office or courthouse. Left unchecked, imposter syndrome can lead to anxiety, procrastination, perfectionism, depression, indecision, and ultimately poor performance.¹⁴⁷

A law school externship program can address imposter syndrome in several ways, including making it the topic of classroom discussion and offering students reading material on the subject.¹⁴⁸ I have added reading on ways to overcome imposter syndrome¹⁴⁹, as well as added a prompt to the journal topics that externship students can choose from, so that they may reflect on any feelings of imposter syndrome they may have. The prompt reads: “Describe a time during your externship that you felt imposter syndrome. What triggered it? How did it make you feel? What did you do, or can you do in the future, to minimize the feeling? What are some of your strengths or accomplishments that demonstrate you are not an imposter?”¹⁵⁰

VI. WHAT SITE SUPERVISORS CAN DO FOR FIRST-GEN EXTERNS

While there is much that an externship director can do for her first-gen externs, many of the gains that can be achieved for this group of students can only come from the placement. Previous research has shown that externship success is achieved or lost in the field.¹⁵¹ Thus, there are a handful of things externship supervisors can do to support first-gen externs. They must offer these things to all externs, not just first-gen students, but they will be most appreciated by the latter.

¹⁴⁶ *Id.* at 372 (quoting Lacy Rakestraw, *How to Stop Feeling Like a Phony in Your Library: Recognizing the Causes of the Imposter Syndrome, and How to Put a Stop to the Cycle*, 109 L. LIBR. J. 465, 473 (2017)).

¹⁴⁷ *Id.* at 373.

¹⁴⁸ I have begun sharing with my students excerpts from Grenardo, *supra* note 37.

¹⁴⁹ See Grenardo, *supra* note 37.

¹⁵⁰ Other journal topic prompts that address issues related to imposter syndrome are (1) “Everyone makes mistakes. Describe an error you have made, or something you wish you had done better. Did you discuss the issue with your supervisor, and if so, what was his or her response? What did you learn from the experience?” and (2) “Describe a situation in which you were confronted with an issue at your externship and didn’t know how to proceed. How did you handle it? What did you do well? What could have been improved?”

¹⁵¹ Anahid Gharakhanian, Carolyn Young Larmore & Chelsea Parlett-Pelleriti, *Achieving Externship Success: An Empirical Study of the All-Important Law School Externship Experiences*, 45 S. ILL. U. L.J. 165 (2021).

A. Recruit First-Gen Students

The first thing that externship placements can do to support first-gen students in the field is recruit them to extern to begin with. Externship placements should “reach out directly to leadership associated with affinity organizations, diversity personnel at law schools,”¹⁵² or at least identify “first-gen” as one of the groups they are seeking to attract with their recruiting materials. As explained in Section II.B., first-gen students have many desirable qualities such as self-reliance, compassion, proactivity, and resourcefulness. These are some of the same attributes identified in the IAALS Hiring Criteria Report as desirable in the legal profession.¹⁵³

But they must do more than just recruit the first-gen student and then leave them to their own devices at the office: externship placements must familiarize themselves with some of the characteristics of first-gen students and professionals and prepare to support them throughout the externship.¹⁵⁴ Suggestions for how to do so are discussed next.

B. Offer More Orientation And Training

All externship placements should offer some orientation and training when their externs begin.¹⁵⁵ In a previous research study analyzing 234 student surveys and 172 supervisor surveys, my co-authors and I examined what factors lead to a successful externship.¹⁵⁶ The study found that 26% of students were not “provided an orientation at [their] placement at the start of [the] externship.”¹⁵⁷

Even where an orientation is provided, first-gen students may need more than a quick introduction to where the copy machine is located and what the Westlaw password is. For example, organizations should

¹⁵² Freeman, *supra* note 7, at 380 (writing of the efforts externship placements should make to recruit from historically marginalized groups).

¹⁵³ Alli Gerkman & Logan Cornett, *Foundations for Practice, Hiring The Whole Lawyer: Experience Matters* INST. FOR THE ADVANCEMENT OF THE AM. LEGAL. SYS. (January 2017), https://iaals.du.edu/sites/default/files/documents/publications/foundations_hiring_guide.pdf (including qualities like taking responsibility, prioritizing and managing multiple tasks, having a strong work ethic, taking initiative, and demonstrating tolerance, sensitivity, and compassion).

¹⁵⁴ This is similar to the advice Freeman gives externship placements about recruiting and then supporting historically marginalized students, as she suggests that law firms “earnestly trying to recruit students from historically marginalized groups must be informed about those students’ experiences in law school and work to create learning spaces that support them.” Freeman, *supra* note 7, at 362.

¹⁵⁵ Southern California Externships Field Placement Supervision Manual (2023) 8, https://www.chapman.edu/law/_files/externships/socalex-manual2023.pdf (last visited March 4, 2024).

¹⁵⁶ *Id.* at 187.

¹⁵⁷ Gharakhanian, *et. al*, *supra* note 151, at 207-208.

“be mindful of language that may be unfamiliar to some individuals due to their background or status as first-generation law students, [such as the] overuse of acronyms [which] might favor students who have more familiarity with the law and the legal profession.”¹⁵⁸

First-gen students may also be first-gen professionals with little experience in an office environment. For example, several first-gen students I interviewed had only ever worked in food service before attending law school. Thus, site supervisors should be attentive; if the student seems confused or overwhelmed during the office tour or other orientation, take it slow, and be sure to let the student know to whom they can speak when they have questions. And consider creating written material such as an extern manual that students can read at their own pace.

C. Provide Mentoring And Feedback

Mentorship and feedback are key indicators of a successful externship experience. In our previous study, my co-authors and I found that “the most important factor that leads to measurable extern success is the student’s relationship with [their] supervisor.”¹⁵⁹ Not only was this proved empirically through statistical models, but qualitatively “students attributed their externship success to their relationship with their supervisor, with 82% choosing that as one of their top three factors contributing to their externship success.”¹⁶⁰ Yet the study found that a significant percentage of students did not receive the kind of support from their supervisors that they needed to succeed. For example, 35% of students responded that their supervisors did not provide “detailed feedback on most [] assignments.”¹⁶¹

To support first-gen students, supervisors should do more than merely supervise work product. They should offer more in-depth mentoring.¹⁶² Mentoring can include things like coaching and advice, help with networking, as well as offering “acceptance and confirmation, counseling, friendship, and role modeling.”¹⁶³ Mentors also “provide meaningful feedback, reinforce lessons learned from experience, and

¹⁵⁸ Freeman, *supra* note 7, at 380.

¹⁵⁹ *Id.* at 166, 221.

¹⁶⁰ *Id.* at 202; *see also* Neil Hamilton and Lisa Montpetit Brabbit, *Fostering Professionalism through Mentoring*, 57 J. LEGAL EDUC. 1, 9-10 (2007) (reviewing empirical studies that found that mentored law firm associates were more likely to make partner, and that lawyers with mentors had higher job satisfaction).

¹⁶¹ *Id.*

¹⁶² *See* Neil Hamilton & Lisa Montpetit Brabbit, *supra* note 160, at 6-8 (describing the various functions of mentoring as 1) career mentoring, 2) psychosocial mentoring, 3) role model mentoring, and 4) professionalism mentoring).

¹⁶³ *Id.* at 7.

provide solace and encouragement when setbacks occur.”¹⁶⁴ A good mentor can also help a first-gen student extern “build self-confidence, a sense of self-worth, professional judgment, and intuition. Mentors offer acceptance and validation, confirm mentees’ competence as professionals, and help mentees see that they have the ability to turn their aspirations into achievements.”¹⁶⁵

Even better, the placement might be able to match the student with a supervisor mentor who was also first-gen, giving the student a real role model to emulate and some insight into those “unwritten rules.”¹⁶⁶ If the mentor is unsure whether their student is first-gen, mentors should be encouraged to reveal their own first-gen status, if they are indeed first-gen, to any extern they may seek to mentor, thus encouraging a possible first-gen extern to speak up about their own background and experiences. One interviewee revealed that her supervisors did so, to the benefit of their mentoring relationship.¹⁶⁷

With regard to feedback, all students, not just first-gen, should receive more than a red-lined document or marked-up memo for feedback. Supervisors should take the time to explain not just what needs to be changed, but why.¹⁶⁸ As Blanco and Buhai explained:

[m]eaningful feedback . . . involves careful observation of student performance or product and tactful honesty in communicating the supervisor’s views. A student learns nothing constructive from comments such as “good job” or “you’ll do better next time.” The supervisor should provide specific examples of what the student said, did, or wrote with a clear and detailed explanation as to why the work was sufficient or inadequate. Good feedback assures that the student fully understands the strengths and weaknesses of his or her performance in order to build upon them in future assignments.¹⁶⁹

¹⁶⁴ IDA O. ABBOTT, *THE LAWYERS GUIDE TO MENTORING* 83 (2nd ed. 2018).

¹⁶⁵ *Id.* at 84.

¹⁶⁶ Such matching will only work if the student has revealed themselves to be first-gen, perhaps by listing their membership in a first-gen law school organization on their resume. See Grover Cleveland & Jenny Li, *Leveling the Playing Field: Helping First-Generation Associates Thrive*, NALP BULLETIN (Feb. 2023), <https://lessonsforsharks.com/wp-content/uploads/2023/02/NALP-PDQ-February-2023-Grover-Cleveland-and-Jenny-Li-next-generation.pdf>.

¹⁶⁷ Lakshmi interview on file with the author.

¹⁶⁸ SoCalEx Field Placement Supervision Manual, *supra* note 155, at 11 (“Note that providing feedback is not merely pointing out strengths and weaknesses; truly productive feedback is a collaboration between the supervisor and student where both are responsible for thoughtful evaluation.”).

¹⁶⁹ Barbara A. Blanco & Sande L. Buhai, *Externship Field Supervision: Effective Techniques for Training Supervisors and Students*, 10 CLIN. L. REV. 611, 643 (2003).

D. Allow the Extern To Observe And Help Them To Network

Externships are a great way for students to get beyond the four walls of the law school and meet real lawyers who can begin to comprise their network, both inside the law firm and in the greater legal community. Networking and developing relationships within the legal profession are two of the twenty-six competencies of the legal profession described by Schultz and Zedeck.¹⁷⁰ Lawyers, especially new ones, need a “tent of professional relationships who both support them and trust them to do the work.”¹⁷¹

Yet a study of professional identity development revealed that 32% of externships did not include “opportunities for professional development outside regular placement assignments,” such as networking or bar events.¹⁷²

Similarly, a different study I conducted on the benefits and drawbacks of paid externships revealed that, at most, only 37% of students were given “multiple or substantial opportunities for observation” of things like depositions and court appearances.¹⁷³ This type of observation is vital for most externs not familiar with the practice of law, but even more critical for first-gen students who may not have known a single lawyer before entering law school.

Thus, supervisors should make every effort to help first-gen students build their networks by inviting them to observe court proceedings, depositions and closings, introducing them to colleagues, taking them to bar events or continuing legal education (CLE) presentations, and inviting them to socialize with other lawyers. While some creativity may be needed if the externship is remote, as many have become since COVID-19, Zoom-coffee dates, brown bags, speaker series or other similar events can be created.¹⁷⁴

E. Start A First-Gen Affinity Group

Larger externship placements may consider creating an affinity group for first-gen lawyers they employ, and to invite externs to

¹⁷⁰ Marjorie M. Shultz & Sheldon Zedeck, *Predicting Lawyer Effectiveness: Broadening the Basis for Law School Admissions Decisions*, 36 LAW & SOC. INQUIRY, 620, 661 (2011).

¹⁷¹ Neil W. Hamilton, *Student Professional Identity Formation and the Foundational Skill of Building a Tent of Professional Relationships to Support the Student*, 57 WAKE FOREST L. REV. 865 (2023).

¹⁷² *Id.*

¹⁷³ Larmore, *supra* note 127, at 204.

¹⁷⁴ In May 2020, SoCalEx and BACE (the Bay Area Consortium on Externships), presented a webinar for supervisors on best practices for remote externships. The manual created as part of that webinar can be found at <https://www.swlaw.edu/sites/default/files/2020-05/CalEx%20Remote%20Work%20Webinar%20Manual%20May%202020%5B3%5D.pdf> (last visited March 4, 2024).

join.¹⁷⁵ An affinity group, also known as an employee resource group (ERG), is a voluntary organization formed by employees who share a common background, identity, or experience.¹⁷⁶ These groups can serve as a support network, providing a space for employees with shared characteristics to connect, collaborate, and advocate for their needs within the workplace. For first-gen students in an office environment, an affinity group can offer a sense of belonging, peer support and mentorship, and networking opportunities.¹⁷⁷

F. *Temper Expectations And Be Kind*

Ultimately, the most important advice I might give to field supervisors is to go easy on their externs, especially first-gen students. It's simply hard to predict what a student knows or doesn't know about the practice of law, and externs are bound to make mistakes – that's what an externship is for, after all. As two experts on new lawyer success put it:

“Most senior lawyers have long-since forgotten what it is like to be a law student or recent graduate. And increasingly diverse classes come to firms with an array of experiences and backgrounds. ... [A]void assumptions about what incoming lawyers “should know,” and if missteps occur, ... offer specific feedback —and grace.”¹⁷⁸

This thought was echoed in some of the interviews. As Farnaz put it, “I think it's cliché, but I think they could have just remembered what it was like for themselves. You know, the first time they started working somewhere.”¹⁷⁹ She continued that, “if somebody does mess up, it's not that ... they're lazy. It's not that they're not trying. Maybe they're just confused or overwhelmed, or they're just learning.”¹⁸⁰

G. *Communicating These Needs With Field Supervisors*

The best way to communicate the needs of first-gen externs to site supervisors is through training on first-gen issues such as CLE presentations. SoCalEx, the Southern California Consortium of Externship

¹⁷⁵ Cleveland & Li, *supra* note 166.

¹⁷⁶ See Mishell Parreno Taylor, *Today's Affinity Groups: Risks and Rewards*, SHRM (Oct. 11, 2019), <https://www.shrm.org/topics-tools/employment-law-compliance/todays-affinity-groups-risks-rewards> (last visited 3/4/24). See also Rebekah Bastian, *How to Foster Workplace Belonging Through Successful Employee Resource Groups*, FORBES (Feb. 11, 2019), <https://www.forbes.com/sites/rebekahbastian/2019/02/11/how-to-foster-workplace-belonging-through-successful-employee-resource-groups/?sh=9d1b7f0dc73d>.

¹⁷⁷ Cleveland & Li, *supra* note 166.

¹⁷⁸ *Id.*

¹⁷⁹ Farnaz interview on file with the author.

¹⁸⁰ *Id.*

Directors, did just this in spring 2023, when as part of a free CLE webinar for supervisors, the professors presented on first-gen issues such as the increased need for mentorship and networking assistance.¹⁸¹ More than 75 supervisors from around Southern California attended the webinar.¹⁸²

Because not all supervisors will be able to attend a webinar, and perhaps to be able to explore the issue more in depth, consortia or individual schools may want to include some information about first-gen students in their supervisor manuals, highlighting the various issues discussed in this article.¹⁸³

Finally, first-gen students may themselves want to communicate their needs to their supervisors, if they are comfortable doing so.¹⁸⁴ For example, every Chapman extern is required to set three learning goals for the externship semester and discuss them with their supervisor, so that the supervisor may do their part to help achieve those goals. Common goals students choose are to improve research and writing, see all stages of a litigation, or make a court appearance under supervision. But first-gen students could include among their goals things like “exploring networking opportunities,” as some students already do. By informing their supervisors that they would like to build their professional networks, first-gen students can let their supervisors know what guidance, and introductions, they need.

VII. WHAT FIRST-GEN STUDENTS CAN DO FOR THEMSELVES

The last question I asked each of the ten interviewees was if they had “any advice for future first-gen externs?” Their responses were heartfelt and, I think, helpful.

Farnaz urged future externs to believe that they “deserve to be there just as much as anybody else. Don’t question it.”¹⁸⁵ She continued to describe a scenario that a first-gen student may encounter:

Maybe a kid of one of the partners works there, and you’re like, “Oh, my gosh! This person is so much smarter, or they’ve been around this their whole life, and their work is probably better.” But that’s not always the case, you know. Hard work – it shows . . . Hard work will outwork connection any day. And just remember that you really do

¹⁸¹ <https://www.swlaw.edu/SoCalExEvents> (last visited March 4, 2024).

¹⁸² Webinar attendance list on file with the author.

¹⁸³ SoCalEx has not done so yet, but I will be proposing this addition.

¹⁸⁴ Blanco & Buhai, *supra* note 169, at 901 (noting that students may can “initiat[e] effective field supervision independently of that provided by the field supervisor....”).

¹⁸⁵ Farnaz interview on file with the author.

deserve to be there just as much as anybody else. So, take that into every room you walk into.¹⁸⁶

Ana and Emma both suggested that first-gen externs find someone to talk to, be it a lawyer at the placement, the externship professor, or just another first-gen student.¹⁸⁷ As Emma put it, “just speaking with somebody who can relate to [the experience] to give advice” helps relieve anxiety.¹⁸⁸ Emma noted that her externship professor volunteered that she herself was first-gen, and so she became someone with whom it was “comforting” to discuss her experiences.¹⁸⁹ Similarly, Sarah advised to “really lean on your professors that are there to make sure everything’s going okay, and to facilitate the program. Don’t be afraid to go to them with things that you’re struggling with”¹⁹⁰

Sofia and Nidhi both said that first-gen externs shouldn’t be afraid to speak up.¹⁹¹ Nidhi explained that, for her, “there’s hesitation at times of reaching out, but I think each time I did I learned something from that experience, so I would just say, you know, instead of thinking or ruminating about an issue or something you did wrong, just [take the] initiative to address that and communicat[e].”¹⁹² Similarly, Eric wanted to remind first-gen externs that “[t]hey don’t expect you to know anything. And you’re basically a white canvas. Your only job is to learn and try your best.”¹⁹³

Lakshmi suggested that seeking out externs who had worked at the same placement would be helpful.¹⁹⁴ She noted that:

there were times where I was like, “I don’t know what to do.” So, I feel like if someone had told me “Oh, this is my experience, and here’s what you should do,” I wouldn’t have felt so lost. So talking to students that have been in that position – and not just talking to one [but] talking to multiple students – and really understanding what they didn’t like about the program or what didn’t work for them, might help because you could probably improve that.¹⁹⁵

Merritt said that, being first-gen, she wasn’t aware of how prestigious her judicial externship was when she applied, so she “probably

¹⁸⁶ *Id.*

¹⁸⁷ Ana and Emma interviews on file with the author.

¹⁸⁸ Emma interview on file with the author.

¹⁸⁹ *Id.*

¹⁹⁰ Sarah interview on file with the author.

¹⁹¹ Sofia and Nidhi interview on file with the author.

¹⁹² *Id.*

¹⁹³ Eric interview on file with the author.

¹⁹⁴ Lakshmi interview on file with the author.

¹⁹⁵ *Id.*

wouldn't have applied to that court had I had known how much of a big deal it was."¹⁹⁶ She continued that a first-gen student should "not limit yourself. What's the worst that can happen? They can always say 'no,' that's fine, but it's also a 'no' if you don't apply."¹⁹⁷

Claire stressed the importance of networking, "because if you don't have any professional network within the legal community as a first-gen," you miss out on a "vital" resource.¹⁹⁸ She said that the attorneys she worked with at her government agency

provided me with references. They were willing to talk to people for me. They said . . . "if you're looking for a job, call me, we'll figure something out." Otherwise, other than them and the school, I don't know who I would have turned to for those types of resources. . . . The more you meet people, the more you explore, I think it really does open a lot of opportunities.¹⁹⁹

VIII. CONCLUSION

First-gen students face many obstacles during their law school externships, which this article hopefully has begun to address. Through literature review and interviews with ten recent first-gen graduates from around the county, this article has uncovered and illustrated many ways in which first-gen students are at a disadvantage in their externships, followed by ways that their law schools and externship placements can help them to thrive, as well as things that they can do themselves to succeed in their externship placements.

¹⁹⁶ Merritt interview on file with the author.

¹⁹⁷ *Id.*

¹⁹⁸ Claire interview on file with the author.

¹⁹⁹ *Id.*

APPENDIX A

The following paragraphs offer a snapshot of each of the ten class of 2023 first-gen law students interviewed. Their names have been changed, and other details omitted, to maintain anonymity as promised.

- Ana, 27, describes herself as Mexican and her parents work as a house cleaner and a handyman. She helped put herself through law school with federal work study and food and beverage service jobs on the weekends and holiday breaks; she had never worked in an office setting before her externship. Ana completed two externships, both with non-profits. The best part of her externships was when she got to work directly with clients.²⁰⁰
- Farnaz, 30, is the child of immigrants from Iran and Mexico who work as a chauffeur and a florist. She externed for two different private law firms, one litigation and one in entertainment transactions. She had a great experience at her first externship, including developing mentoring relationships, while at the second externship she felt less supported and did not receive much constructive feedback.²⁰¹
- Emma, 24, completed college in just three years and went straight to law school. She is white, and her parents are European immigrants who work as a realtor and a construction worker. She externed in an in-house corporate legal department, which she says was one of the best things she did in law school, though the remote work aspect of the position was “one of the worst.”²⁰²
- Eric, 26, is the child of Chinese-immigrants who work as janitors. He externed at a tech-startup during law school, where he “learned more in those three months than I did in the classroom.” Eric is the only interviewee who reported never feeling imposter syndrome.²⁰³
- Lakshmi, 25, is the child of Indian immigrants who have done a variety of white-collar jobs. She spent many weekends during law school traveling 400 miles home to assist her mother and grandparents. Lakshmi externed in a corporate in-house legal department where she met a lot of

²⁰⁰ Ana interview on file with the author.

²⁰¹ Farnaz interview on file with the author.

²⁰² Emma interview on file with the author.

²⁰³ Eric interview on file with the author.

first-gen attorneys but would have liked more than the half-day orientation and training she received.²⁰⁴

- Sarah, 33, is white; her father is a truck driver while her mother doesn't work due to disability. She graduated in the top third of her class despite experiencing significant financial stress during law school, having to work in retail and take out significant loans. She externed for a civil rights nonprofit, and though she didn't feel much support from her supervisor, she felt very supported by her externship professor, who was also first-gen.²⁰⁵
- Merritt, 28, is white, and helped to take care of her stepchild during law school. She is an immigrant from an English-speaking country, and her parents are a mechanical/electrical engineer and a retired fashion agent. Merritt externed for a county counsel's office and a federal court and says the court externship involved a lot of orientation and training and was the best thing she did in law school.²⁰⁶
- Nidhi, 28, is of South Asian descent and her parents owned a pizza business. She completed two externships, one at a legal aid organization and the other at the Department of Justice. One of her externships was remote, and therefore felt a bit isolating, but when there were in-office events she really appreciated getting to meet many different attorneys. Nidhi put a lot of pressure on herself to do well in school and her externship because these were opportunities her parents never had.²⁰⁷
- Sofia, 25, is the child of Mexican immigrants who had no schooling at all, and who work as a handyman and a babysitter. Sofia has worked in food service and office environments since she was 15 to help support her family. She externed at a state agency for several semesters, where the best part of her externship was making connections with the attorneys, as she felt it was "one of the first places I actually felt like I fit in."²⁰⁸
- Claire, 29, is white, and her parents are a contracting estimator and a health care administrator. Claire joined the Army in order to pay for college and continued to serve

²⁰⁴ Lakshmi interview on file with the author.

²⁰⁵ Sarah interview on file with the author.

²⁰⁶ Merritt interview on file with the author.

²⁰⁷ Nidhi interview on file with the author.

²⁰⁸ Sofia interview on file with the author.

in the National Guard during law school. She externed for a city attorney's office and the U.S. Attorney's office, and really enjoyed the latter. She most appreciated that her supervisors made sure to give her thorough feedback on her written work that they actually used in court.²⁰⁹

²⁰⁹ Claire interview on file with the author.

