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## Dean's Desk: Students find clerkships in smaller counties rewarding

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Bloomington

## Parrish: Students find clerkships in smaller counties rewarding

November 13, 2019 | [Austen Parrish](#)

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The students at the Indiana University Maurer School of Law come to Bloomington from all over the nation. During their summers, the temptation is for them to work in the country's largest cities, often with the majority working in Indianapolis, Chicago, Washington, D.C., and New York. Many others work in our innovative Stewart Fellows global internship program, where students are placed in countries throughout the world.

Fewer students, however, choose to work in Indiana's smaller towns, and the hundreds of trial court judges working there often need help. Many trial courts have crowded dockets and limited staffing, particularly those in rural, smaller towns that have been affected most by the opioid crisis.

To address this need, the law school launched a pilot program last summer, the Rural Justice Initiative. The initiative sought to expose students who are committed to public service to different facets of rural and smaller-city practice while helping trial court judges with their heavy workloads in counties where that help is needed most. The goal was to underscore to students the benefits of clerking after graduation, to help improve access to courts and expand legal services, and to inspire some students to consider pursuing careers in rural Indiana. The program is part of the law school's broader commitment to the state as one of the largest providers of pro bono legal services to low-income individuals in south central Indiana.

The program — which we believe to be the first of its kind in the country — is the brainchild of Indiana Chief Justice Loretta H. Rush and Judge Edward W. Najam Jr. of the Indiana Court of Appeals. Our associate dean of students and long-serving professor Aviva Orenstein oversaw the program's launch last year for the law school. She developed a three-day boot camp, which included a refresher on civil and criminal procedure, an overview of various access to justice challenges, and an introduction to pressing issues that rural courts face. The pilot program was successful, garnered national publicity and was highlighted throughout Indiana's legal community. Soon after it was established, IU's McKinney School of Law followed suit and joined the effort, expanding the program's reach to other areas of the state.



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The program was highly competitive, with students applying, writing statements of interest and interviewing before being selected. Students chosen for last summer's program worked in a variety of projects, including observing courtroom proceedings, drafting orders, editing and updating local rules, and honing their research and writing skills. They quickly found that the state's trial courts are generally shorthanded, and their skills and work ethic were welcomed with enthusiasm.

Chief Justice Rush underscored the importance to Indiana of the work being done by rural attorneys and trial courts. "We are a state of rural communities, and public service in these outlying areas is extremely important. Given the tremendous potential and need in these communities, I am pleased we are playing a role in encouraging young people to consider legal careers in rural areas. I have confidence that aspiring lawyers will benefit from this initiative."

Judge Najam agreed: "We have found that both the students and the judges were enthusiastic about the program," he said. "Much of Indiana justice is administered by trial courts sitting in smaller, rural counties, where judges have limited staff and lawyers usually practice in solo and small firms. This program enables students to observe county-seat practice and may well encourage some students to consider opportunities to practice in our smaller communities upon graduation."

Feedback from the interns themselves was uniformly positive. Although each student had a unique experience, several themes emerged from their summer in the Hoosier heartland:

**Care and concern.** "I was surprised how much work it is to be a trial court judge," said Molly Madden, who clerked for Putnam Circuit Judge Matthew L. Headley. "Judge Headley had trials all day, then he had to research issues and write orders after that. Although the atmosphere in the court was less formal, there was still a huge amount of work."

Despite their demanding workload, the judges' care and concern for the parties before them showed through clearly. Brian Hudson worked for Washington Circuit Judge Larry Medlock and Washington Superior Judge Frank Newkirk Jr. "My first day on the job, Judge Medlock mentioned a new rule of judicial conduct that enables them to guide pro se litigants in the right direction," Hudson said. "He took that rule to heart, and it helped them a lot."

John Pope agreed. Working with Vigo Superior Judge Lakshmi Reddy, he cited the great care she exercised to try to do the right thing, especially when children were involved. "The judge stayed up late to draft detailed orders to make clear her decision in a case. It was clear she was giving a lot of thought to what she was doing, and that got me thinking about the cases, too."

**Making a difference.** "I'm from rural Indiana (Monticello), and I wanted to go back there and try to make a difference," said Kaitlin Willbanks. She had that opportunity, returning to her hometown and clerking for White Superior Judge Robert B. Mrzlack, Court and White

Circuit Judge Jason Thompson. “It meant a lot to other people that I had come home to work in my courthouse — the hometown kid coming back.”

“The experience gave me a renewed sense of obligation to my hometown,” Madden, a native of Shelbyville, observed. “I learned last summer that as lawyers, we can contribute to our communities in ways that no one else can.”

**Collegiality.** “In your first year of law school, you’re led to believe that you don’t know very much about the law,” Hudson observed. “It was a real shock to have the judge ask you for your opinion about a case he’s read or what went on in that day’s trial.” Samantha Feistritzer, who clerked for Orange Circuit Judge Steven L. Owen, agreed. “I not only observed courtroom proceedings, but also did research and writing. Then the judge would hand me a motion or a case and say, ‘Read this, and tell me what you think.’ It was pretty flattering to be treated as an intellectual equal after that first year.

“Judge Owen used to be a prosecutor,” Feistritzer added, “and from him I began to get some insights into what it takes to be an effective attorney in the courtroom. The experience ramped up my interest in government and legislation.”

Collegiality also came through in the relationships between all of the judges and their reporters, bailiffs and clerks. “The judges depend so heavily on their staff,” Willbanks noted, “and they’re almost like family.” Hudson and Feistritzer agreed, adding that their court staffs never missed a chance to celebrate a birthday or other special occasion, and they treated them to a surprise lunch on their last day. “There’s a lot to be said for smaller-town values,” Madden said. “And I even learned how to agree to disagree with the ones that don’t align with mine.”

**Inspiration.** As a larger community, Terre Haute experiences more complex problems. Pope described the Vigo County Veterans Treatment Court, which helps military veterans recover from challenges related to their service. “This court is starkly different from criminal court,” he said. “The atmosphere is one of encouragement and close involvement by the judges in the parties’ recovery.” He noted the sessions open with the Pledge of Allegiance and often feature inspiring stories.

“I was concerned that my internship would make me callous about the state of our rural communities,” Madden said. “But that wasn’t the case at all. I was inspired by the opportunity to help solve problems and by the local lawyers’ level of preparation and desire to be involved. As a result, being a small-town lawyer is much more in the forefront of my mind.”

Nineteen judges expressed interest in this year’s pilot program, so there’s no doubt that it will become a permanent part of Indiana Law’s summer offerings next year, with a larger number of students participating. “Being a county judge’s first clerk was a special and unique experience,” said Feistritzer. “It was an incredibly valuable internship.”

Guided by a group of generous and committed judges, students who participated in the Rural Justice Initiative came away with new insights into the power of our profession in helping individuals and building communities. The law school has been proud to partner with the Indiana Supreme Court and members of the state judiciary on this important

initiative, and we're looking forward to an even stronger second year as the program continues to grow. •

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