

## PROCESS TO SEEK A WAIVER TO PARTICIPATE IN THE SEMESTER-IN-PRACTICE PROGRAM (SIP)

Background: The Law Student Handbook provides that “[f]ourth quartile students are not eligible to participate in Semester in Practice. There is a waiver process to request an exception to the fourth quartile rule; however, that exception is rarely granted.” University of Idaho College of Law Catalog /Law Student Handbook 2022–2023, p. 40; *see also id.* at p. 25. Additionally, *all* externships “are subject to the approval of the field supervisor.” *Id.* at p. 41 (emphasis added). Accordingly, even students in the top 75% of the class may participate in externship courses only at the Externship Director’s discretion, based on criteria similar to that described below, which is gathered through the externship application process.<sup>1</sup>

Students in the bottom quartile are not eligible for SIP. However, they may seek a “waiver” from the Associate Dean of Students by filing a petition to be accepted into the program, following the procedure described below. Students in this category should be aware that they must demonstrate compelling reasons to overcome their ineligibility and should carefully construct their petition to that end. Petitions/waivers are rarely granted.<sup>2</sup>

How & Where to File a Petition: The petition consists of:

- (1) A *statement* explaining, among other things, (a) why the student wants to participate in the SIP program, (b) any challenges that may have led to the student’s academic performance, (c) any improvements in that performance, and (d) a summary of the student’s plan for successfully completing law school and passing the bar exam. This statement must confirm that the student will be participating in an externship near enough to one of our two locations to attend all other courses in person, including the required Applied Legal Reasoning course. **The ALR requirement will not be waived**, so students should confirm in their statement their understanding that they must participate in an in-person ALR course as a condition of graduation.

This statement should touch on the “factors considered” by the petition committee, which are set forth in more detail below. Considering that the petition will be granted only for compelling reasons, this statement is a critical piece of the student’s petition process.

- (2) A copy of the student’s most recent *transcript*. An unofficial transcript from Vandalweb is acceptable.
- (3) A *resume*, along with a list of three references.
- (4) A *writing sample*, along with a *cover sheet* describing any editing or guidance that may have been contributed to the writing sample by others. If you have any questions about your resume or writing sample, please contact our [Career Development professionals](#).

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<sup>1</sup> In other words, students in the top 75% of the class are required to provide course and graduation requirement planning and transcripts to assist the Externship Director in determining whether to grant permission to the student to participate in the program.

<sup>2</sup> Students in the fourth quartile **may participate in clinics without obtaining a waiver** and are encouraged to apply for those experiential learning experiences or to register for other experiential learning courses to gain practical experiences. **Students in the fourth quartile may not participate in both a clinic and an externship**. If you have accepted a placement in a clinic, do not submit a waiver/petition for the externship program.

- (5) A *course and experience planning worksheet*, in whatever form works best for the student. Contact an [Academic Success Professor](#) to discuss course planning. This document should consider the UDWR and pro bono requirements, as well as a general course plan. **Students must have completed or be currently enrolled in the course or other program/experience to complete their UDWR and pro bono requirements before submitting a petition or request for waiver** of the fourth quartile externship exclusion.
- (6) An SIP *application* form that lists the student's top choices for externship placements. This application and the list of placement options is available by emailing [law-externships@uidaho.edu](mailto:law-externships@uidaho.edu). If a student has found their own proposed placement with a government or non-profit entity, please state that in your SIP application and also ask the [law-externships@uidaho.edu](mailto:law-externships@uidaho.edu) team for the link to the form for a new supervisor application, so that we have the information from your proposed supervisor too. After the Law Externships team receives this information, we will provide it to the committee considering your petition. If you have any questions or concerns about this part of the application, please contact Katie Ball at [ktball@uidaho.edu](mailto:ktball@uidaho.edu). You also may schedule an appointment with Professor Ball by sending an email to her to discuss this process.

All materials required by items (1) through (5) above shall be submitted to the Associate Deans of Students using the [approval form](#) on the Academic Administration webpage at one time, and not in separate submissions. The Associate Deans will communicate with the Externship Director and Academic Success Professors to consider the request. The form must be completed before *April 1* of the student's 2L year, if a student is seeking a 3L fall SIP, and before September 1 of the student's fall 3L year, if the student is seeking a 3Lspring externship.

Timing and Decisions: The Associate Deans, working with the review committee members, will try to provide decisions to students within three weeks of submission.

Committee Members and Number of Approvals Needed: The committee voting on a petition for SIP eligibility is comprised of the Associate Deans of Students, an Academic Success Professor, and the Externship Director and Externship Coordinator. Students will be declared eligible to participate in the SIP program only if a majority of the committee members vote in favor of their petition.

Factors considered:

The committee will consider a variety of factors in determining whether a student has demonstrated compelling reasons to participate in the SIP program, including the following:

- (1) Does the student have a well-thought-out educational reason for participating in the SIP Program? Has the student applied for and/or been accepted into a clinic?
- (2) Has the student shown steady academic improvement?
- (3) Have personal circumstances beyond the student's control (e.g., illness, injury, family concerns) affected academic performance?
- (4) What bar courses has the student taken or registered for and what other bar preparation efforts are planned?

- (5) Has the student submitted an academic plan that, at a minimum, includes taking (or having taken) Business Associations, at least one UCC course, evidence, criminal procedure, and any other required courses?
- (6) Has the student completed the UDWR requirement or will they do so by the end of the semester when applying for an SIP? If not, where in the process is the student and can this be verified with the student's UDWR faculty supervisor?
- (7) Has the student completed their pro bono hours by the application deadline or submitted a statement from their pro bono project supervisor estimating when those will be completed?

Students may address other factors they believe are relevant to the petition process.

Possible Limitations/Conditions on a Proposed SIP:

The committee may require that a student participate just part time in an externship or designate certain classes the student must take. Students may be required to agree to monthly meetings with their academic success advisor and agree to allow the advisor or externship director to communicate with the professors in the student's substantive law courses to check in on student progress. The committee will not approve an out-of-state SIP experience for a fourth quartile student. And, students must commit to be in their other law school courses and attend those exams in person.