

The Florida Department of Administration

DIVISION OF STATE PLANNING

BUREAU OF CRIMINAL JUSTICE ASSISTANCE



EVALUATION OF

THE CRIMINAL LAW INTERN PROGRAM

EXECUTIVE SUMMARY

FEBRUARY 1979

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ARTHUR YOUNG & COMPANY

Certified Public Accountants

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ACQUISITIONS

ARTHUR YOUNG & COMPANY

CERTIFIED PUBLIC ACCOUNTANTS

1000 ASHLEY DRIVE
P. O. BOX 380
TAMPA, FLORIDA 33601

February 9, 1979

Dr. John Dale
Acting Bureau Chief
Bureau of Criminal Justice
Assistance
Division of State Planning
350 Carlton Building
Tallahassee, Florida 32304

Dear Dr. Dale:

Arthur Young & Company is pleased to transmit this final report of our evaluation of the Criminal Law Intern Program undertaken for the Bureau of Criminal Justice Assistance as part of our overall evaluation capability engagement. The evaluation involved review of the three LEAA funded intern programs, surveys of State Attorneys, Public Defenders and former interns, development of conclusions and subsequent recommendations relative to the overall program.

This final report is presented in two volumes, the detailed final report and the Executive Summary. These reports have been reviewed in the draft by Bureau personnel and the comments received from these officials have been considered in the final reports.

We are appreciative of the assistance and cooperation extended throughout the project by Mr. Bruce Buckley and Mr. Tom Long of your staff. Further, we are grateful for the cooperation extended us by each of the law schools and other offices contacted.

If you have any questions concerning the information contained in these reports, please contact either John S. Smock or Edwin R. Moline in our Tampa Office at (813) 223-1381.

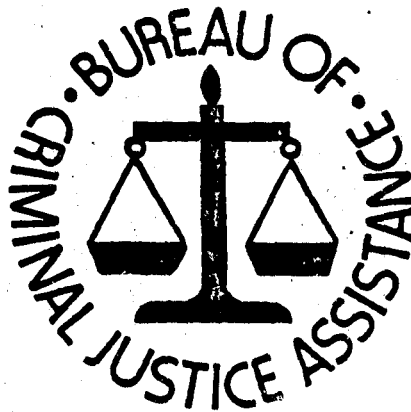
Very truly yours,

Arthur Young & Company

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EVALUATION OF THE
CRIMINAL LAW INTERN PROGRAM

EXECUTIVE SUMMARY

The Bureau of Criminal Justice Assistance has funded criminal law intern programs in Florida since 1971, supporting programs at the University of Florida, Florida State University and the University of Miami. The BCJA selected these programs for evaluation at the conclusion of their LEAA funding cycle to determine if they merited continuation and to examine continuing funding sources.

1. OBJECTIVES AND ACHIEVEMENTS

Three primary reasons expressed by law school faculty for establishing clinical criminal law programs were used as objectives for this evaluation. These are:

- . "Provide clinical/internship training in the criminal justice system for senior and junior law students"
- . "Encourage law graduates with higher academic credentials to enter public service careers in the criminal justice system"
- . "Provide assistance to State Attorneys, Public Defenders and other judicial agencies in the form of law interns".

Each of these objectives is discussed below.

(1) Provision of Training

The provision of training includes three factors, as assessed below:

. Availability

All programs were available to all interested students with basic academic qualifications.

. Value as experience

In responding to a survey, only four interns from the 432 responses rated the programs as average or detrimental, and the one detrimental response included qualifying comments indicating the problem was with that intern's particular experience and not with the program. Further, of 444 clinic participants whose survey responses could be interpreted, 432 (97.3%) indicated that they would participate again. Only 12 (2.7%) said they would not.

. Value as Education

Intern comments responding to a question on changes which would have made the internship more valuable indicated the

educational benefits of the internship program, both in terms of practical applicability to their careers after law school, and in terms of improved academic participation in subsequent terms at the law school.

(2) Public Service

The public service objective encompasses two factors:

Public Service Experience

Based on survey responses, a total of 65.9% of the interns sought jobs in the public sector and 56.3% actually located jobs.

Of the 190 surveyed interns who entered public service only 53 have left. Public service averaged slightly over two years (2.16) and 32 of the interns spent two or more years in public service before leaving.

The time in public service to date for the 137 who have not left averages 2.96 years and 76 of the 137 have been in public service for three or more years.

Academic credentials

Three data elements were reviewed relative to academic credentials.

- 73.9% of interns had undergraduate grade point averages of B or better
- 37.1% of interns had law school grade point averages of B or better
- For the intern program statewide the mean LSAT score was 62.1 The University of Florida was 618, Florida State University 630 and the University of Miami 603.

(3) Provision of Assistance

A survey of the State Attorney and Public Defender offices attempted to quantify the value of intern assistance through estimation of the number of interns required to supply the equivalent services of one newly hired full-time assistant. Answers provided by State Attorneys ranged from 1 to 3 with an average of 1.8. Responses from Public Defenders ranged from 1.5 to 3 for an average of 2.05. It is obvious that the existence of clinical programs has provided assistance to the State Attorneys and Public Defenders. A particular benefit of the LEAA funded programs has been the provision of interns to offices which could not expect to receive them otherwise, due to the office location.

2. OTHER OBSERVATIONS

Three areas where other observations could be made were identified.

(1) Demand for Interns

"The clinical criminal law intern programs at Florida's five law schools graduate approximately 250 students per year, approximately 160 of whom will seek public service positions."

Over the past three years it is estimated State Attorneys have hired 325 new assistants, 52% with intern experience, and Public Defenders have hired 344 new assistants, 57% with intern experience.

(2) Reimbursement of Interns

"When surveyed as to their willingness to participate without funding, close to 18% of the interns said they would be unable to participate without financial assistance and a majority would be unable to participate outside of the local offices."

(3) Program Improvements

Intern comments suggested program change in the following areas:

- . Intern responsibility
- . Program length
- . Preparatory course
- . Supervision of interns
- . Credit
- . Other

3. FUTURE FUNDING

The analysis of future funding was prepared for the programs at the University of Florida and Florida State University, under the assumption that the LEAA funded program at the University of Miami was supplemental to another existing program there and was already largely supported by the match provided by the Dade State Attorney and Public Defender at the present time.

The basic costs to continue the two programs at current levels are \$142,000. Areas of expenditure which might be cut without seriously disrupting the program include students stipends to interns in Tallahassee from FSU, charges related to supplies, copying, and telephone, and overhead charges from both schools. Even if it were determined that all of these costs were expendable, which is not necessarily implied by the analysis, the cost of continuing the program would still range at about \$120,000 per year.

Potential funding sources from existing budgets were analyzed. This analysis addressed the universities, the various offices of State Attorneys and Public Defenders, and the Coordinating Offices for prosecutors and public defenders. The analysis indicates that

a continued guaranteed source of funding would be unlikely to arise from any of these sources, at least partially due to the complexity of their budgeting process.

When the alternative of allocating new State general revenue funds specifically for support of the program is examined, four administering agencies can be identified. These include the three discussed above as potential funding agencies and a fourth, the Judicial Administrative Commission which would derive no direct benefits from receiving the funding for the internship program but which now functions as the comptroller for the State Attorneys' and Public Defenders' offices and so has the necessary incentive and capability to efficiently administer the funds.

4. OVERALL CONCLUSIONS AND OBSERVATIONS

The overall conclusions and observations resulting from this evaluation can be classified in five general categories. These are discussed below.

(1) Summary of Goal Achievement

It is clear that the goals under which this program has been evaluated have been substantially achieved by the LEAA-funded criminal law intern programs. The programs have provided a valuable training base to a significant portion of the law school graduates in Florida, providing both interest in, and exposure to, the criminal law system. A substantial number of the intern graduates have both sought employment and been employed by public agencies, bringing valuable resources to these agencies in the form of new employees with proven track records and exposure to the real world of trial advocacy. Significant benefits have been provided to the State Attorneys and Public Defenders offices which have received interns in the past, in terms of manpower resources to supplement their full time employees.

(2) "Cost Effectiveness" Review

The total cost of the intern programs in Florida which have received LEAA support has been approximately \$1,006,000, including both Federal grant funds and match provided by the State Attorneys and Public Defenders Offices. During this time, approximately 860 interns have provided 390,160 hours of on-site service in the State Attorneys and Public Defenders Offices where they interned. Although it is a somewhat simplistic comparison, this indicates that the cost both of producing better-qualified lawyers for introduction to the criminal justice system and in providing resources to the system while these lawyers are in training converts to a cost of \$2.58 per hour. By virtually any standard, this must be considered to be a cost effective program.

(3) Program Conclusions

Three primary conclusions can be drawn concerning the criminal law intern program as funded by the Bureau of Criminal Justice Assistance. These are:

Program quality

By any-measure which can be applied to the results and purposes of the criminal law intern program, the program must be considered outstanding. It has provided significant benefits, some measurable, some less obvious, to the students who participated in the program, to the Universities which sponsored them, to the State Attorney and Public Defender offices in which interns participated, and to the Criminal Justice System as a whole, in providing highly trained lawyers specifically oriented to criminal law as a basic resource to the system. The programs are fully tested and show no variation in acceptance by students who participated dependent on their law school, or the time at which they participated. Few programs which have been evaluated by Arthur Young & Company have shown the same measure of general success and accomplishment in all their aspects.

Ideal example of LEAA purpose

The criminal law intern program epitomizes the correct use of LEAA funds in functioning as "seed money" to introduce innovative and much needed programs in an area, to give them a chance to grow and develop acceptance by all users without committing scarce judicial system resources of the State. That this program has achieved this kind of recognition and acceptance is indicated by the many years of LEAA funding which have been received from the BCJA.

Program continuation is critical

Based on the two preceding points, the outstanding nature of this program and its demonstration of the ideal usage of LEAA funds, it is critical that the program be continued with local funding. If LEAA "seed money" does not result in an on-going program when the program results have so clearly been all that could be desired, there can be little purpose for the investment of LEAA funds in any program in the State.

(4) Opportunities for Program Modifications and Improvements

It is obviously difficult to recommend improvements in a program which has received the degree of support and praise which the criminal law intern program has. Nonetheless, some comments received suggest the need for examination of certain aspects of the program to assure that every part of the program is providing an appropriate level of training and preparation. The areas needing examination include:

- . Potential changes in the operation and scope of preparatory course
- . Procedures to guarantee sufficient intern exposure to trial experience and responsibility for cases

Provisions for the appropriate supervision of interns by the law schools and the State Attorneys and Public Defenders offices.

In each of these areas, and for other aspects of the program, provisions should be made for a regular survey of interns by the law school in the quarter after the internship quarter to compile student recommendations as to how the program could be made more meaningful. Periodic surveys should also be made of interns who have completed law school, to determine changes they feel would make the internship program more relevant to their needs in the world after law school.

(5) Administration of Program Funding

Based on the observations contained throughout this report, it is the recommendation of the program evaluators that the criminal law intern program be funded from newly appropriated State general revenue funds. The funding level should be in the range of the existing program resources, or approximately \$120,000 to \$140,000 per year. The Judicial Administrative Commission seems to be the most appropriate financial administration and an impartiality as far as differing needs of the State Attorneys and Public Defenders are identified. Programmatic control of the Criminal Law Intern Program should be left with the Universities, which would be responsible for conduct of the program, supervisory requirements, and the selection and assignment of interns. The role of the AJC would be solely in the administrative handling of the funds.

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