

# Washington State Judicial Branch

## 2023-25 Biennial Budget

### Offer Externship Stipends

**Agency:** Court of Appeals

**Decision Package Code/Title:** C2 – Offer Externship Stipends

#### Agency Recommendation Summary Text:

The Court of Appeals requests \$806,400 to provide stipends to its externs. Externships are mutually beneficial to the extern and employer. Externs at the Court of Appeals help to ease the administrative burden of court staff and increase court efficiency. Currently, courts cannot afford to compensate their externs, which severely limits the size, diversity, and quality of their applicant pool. Both the executive and legislative branches have funding to compensate their externs, leaving the judicial branch as the only outlier. (General Fund-State)

#### Fiscal Summary:

	FY 2024	FY 2025	Biennial	FY 2026	FY 2027	Biennial
<b>Staffing</b>						
FTEs	0.00	0.00	0.00	0.00	0.00	0.00
<b>Operating Expenditures</b>						
Fund 001-1	\$403,200	\$403,200	\$806,400	\$403,200	\$403,200	\$806,400
<b>Total Expenditures</b>						
	\$403,200	\$403,200	\$806,400	\$403,200	\$403,200	\$806,400

#### Package Description:

An externship is the best way for a student to gain first-hand experience in their chosen industry. Externs at Washington courts have the opportunity to research legal questions before the court; make written and oral recommendations; participate in chambers debate; and draft bench memoranda. This experience allows students to gain valuable insight into the inner workings of the court while simultaneously easing the administrative burden on law clerks and judicial assistants. Externs also contribute to a court's diversity of thought by bringing fresh perspectives and ideas.

Currently, the Court of Appeals' inability to offer extern stipends severely limits their pool of applicants. Most law students cannot afford to work unpaid for a prolonged period of time, and those students should not be restricted from applying for an externship at the Court of Appeals.

Data has proven that employers receive more applications for paid opportunities, resulting in an increase in the quality and fit of the students who apply for their programs and a stronger, more equitable application process. A 2019 report by the American Council on Education (ACE) showed that students of color are statistically more likely to be low income and are less likely to be able to participate in an unpaid employment opportunity. This means that white students are more likely to be able to partake in an unpaid externship than other racial and ethnic groups. Another study published by the National Association of Colleges and Employers (NACE) found that first-generation students are also less likely to have completed an internship or externship by graduation due to financial constraints. An employer offering unpaid externship or internship opportunities only exacerbates inequities.

Court of Appeals  
Policy Level – C2 – Offer Externship Stipends

For these reasons, this request will provide ongoing funding to be distributed to Court of Appeals externs in the form of a \$3,600 monthly stipend.

**Fully describe and quantify expected impacts on state residents and specific populations served:**

Funding this package will directly benefit the Court of Appeals (staff and judicial officers) by increasing the quality and diversity of their applicant pool for externs, and tangentially benefit individuals coming before those courts by increasing court efficiency. There are currently 22 judges the in Court of Appeals.

This package will also benefit low-income students who would otherwise be prohibited from completing a legal externship. Low-income students tend to be from marginalized communities, and by funding this package, the legislature will aid the court in procuring a diverse pool of candidates.

**Explain what alternatives were explored by the agency and why they were rejected as solutions:**

The Court of Appeals does not have funding available in the current budget to subsidize stipends for court externs. There is no alternative to requesting funding from the Legislature.

**What are the consequences of not funding this request?**

Without funding, the courts will be unable to compensate their externs, which will limit their applicant pool. Low-income students will be prohibited from applying an externship or be forced to experience substantial financial hardship during their externship.

**Is this an expansion or alteration of a current program or service?**

No, this proposal will not expand or alter a current program or service.

**Decision Package expenditure, FTE and revenue assumptions:**

Court of Appeals externs are hired for one semester (~4 months), and work an average of 35 hours per week. Their work consists of researching legal questions before the court, making written and oral recommendations, participating in chambers debate, and drafting bench memoranda.

**Assumptions**

Expect 28 externs per fiscal year X \$3,600 per month X 4 months

	<u>FY 2024</u>	<u>FY 2025</u>	<u>FY 2026</u>	<u>FY 2027</u>	<u>FY 2028</u>	<u>FY 2029</u>
<b>Expenditures by Object</b>						
A Salaries and Wages	403,200	403,200	403,200	403,200	403,200	403,200
<b>Total Objects</b>	<b>403,200</b>	<b>403,200</b>	<b>403,200</b>	<b>403,200</b>	<b>403,200</b>	<b>403,200</b>

**How does the package relate to the Judicial Branch principal policy objectives?**

Providing stipends to court externs correlates with three of the Judicial Branch's principal policy objectives: accessibility, sufficient staffing and support, and fair and effective administration of justice.

Accessibility

Data has proven that employers receive more applications for paid opportunities, resulting in an increase in the quality and fit of the students who apply for their programs and a stronger, more equitable application process. Students of

color and first-generation students are less likely to apply for an unpaid externship due to financial insecurity. A monthly stipend will ensure that the Court of Appeals has an inclusive hiring process.

Sufficient Staffing and Support & Fair and Effective Administration of Justice

Externs provide support to court clerks and judicial assistants, which alleviates their workload and allows them to prioritize other administrative duties, thereby helping the courts to operate more efficiently.

**Are there impacts to other governmental entities?**

None

**Stakeholder response:**

The stakeholders impacted are law students interested in a future externship with Washington's Appellate Court System. It's anticipated that they would support a paid externship versus an unpaid one.

**Are there legal or administrative mandates that require this package to be funded?**

No, this package is not related to a legal or administrative mandate.

**Does current law need to be changed to successfully implement this package?**

No, this package will not require changes to existing statutes, court rules, or contracts.

**Are there impacts to state facilities?**

No, state facilities will not be impacted by this package.

**Are there other supporting materials that strengthen the case for this request?**

There is precedent for paying students temporarily employed by a government entity in the legislative and executive branches. The legislature provides student interns a monthly stipend of \$2,400 per month, and the Governor's Leadership Academy pays their interns minimum wage while offering valuable hands-on experience to graduate students.

More information on the legislature's internship program can be found [here](#).

More information about the Governor's Leadership Academy can be found [here](#).

**Are there information technology impacts?**

There are no information technology impacts related to this request.

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