

UNIT – V

# Internship, the diary and the viva

BCI · Diary · Chambers · Viva

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## Explanatory Lecture Slides

Moot Court Exercise and Internship · Clinical-IV · Semester X

MOOT COURT EXERCISE AND INTERNSHIP

# Topics covered in this unit

01

State the BCI internship expectation

02

Keep a diary an examiner will believe

03

Work a chambers week without being a nuisance

04

Place court, office, and NGO internships

05

Prepare the Clinical-IV viva

06

Close the five-year clinical arc

# How this unit is organised

01

BCI internship

02

The diary

03

Chambers craft

04

Kinds of internship

05

The viva

06

The arc

# BCI internship

Rules of Legal Education 2008: a minimum period of internship across the course (the current BCI/KSLU hours — quote the number your college circular uses, commonly 12 weeks across five years, with a 20th / 24th week flavour in some circulars).

Placement: a court, a lawyer, a law firm, a commission, a NGO, the legal-aid cell.

- A 10-mark of the rule plus the point: it is supervised professional exposure, not a certificate mill.
- The intern is not an advocate (s.29/33). You do not sign a pleading. You do not appear. You draft for a person who signs.

# BCI internship

## YOU MAY

- Research.
- Draft for a signer.
- Watch.
- File under instruction.

## YOU MAY NOT

- Sign.
- Appear as counsel.
- Give a paid legal opinion in your name.

# The diary

Date, place, the lawyer/court, work done (specific: 'researched s.12A CCA pre-institution mediation for a commercial suit, three cases, a one-page note'), what you learned, a query. Weekly signature of the guide. A true record.

- The examiner has read a hundred diaries. 'Did miscellaneous work' is a fail sentence. A copied-and-pasted week is obvious.
- Confidentiality: no client names the chambers would not put on a cause-list; no medical facts; no minor's identity.

# The diary

## SPECIFIC

- The section.
- The task.
- The holding you found.

## NEVER

- A client's private shame.
- A week you were not there.
- A photograph of a file.

# Chambers craft

Be on time. Dress. Carry a bare act, not only a phone. Write the task down. Return work with a source-list. Do not gossip a senior's client in the canteen. Do not open a file you were not given. Ask one intelligent question at the end of the day, not ten at the start.

- A 6-mark of professionalism that is also Clinical-I. The clerk is not a servant and often knows the board better than you.
- When you err, say so the same hour.



# Chambers craft

## RETURN WORK WITH

- The question.
- The answer.
- The citations.
- The doubt.

## DO NOT

- A silent Google-dump.
- A missing file.
- A canteen story.

## Kinds of internship

Trial chambers (boards, adjournments, a real CPC). Appellate / HC (a paper-book, a proposition, a 226). A firm (a transaction, a due-diligence, a clean email). A commission / legal services (the client who is not a company). An NGO (a PIL record, a field fact).

- Rotate if you can. A five-year student who has only photocopied an office is not interned.
- Labour, criminal, and a writ are three different crafts; name what you saw.

# Kinds of internship

## TRIAL

- Boards and witnesses.

## TRANSACTIONAL

- A closing binder.
- A condition-precedent list.

# The viva

Likely: a memorial you wrote, a trial you watched, a diary week, a Sibbia / Saxena / Bhajan Lal / O.6 R.17, a s.80 notice, a sale v GPA, a contempt question, 'what did you actually do in June'. Short honest sentences. If you did not do it, do not say you did.

- A 16-mark of preparation: re-read your own three memorials, one observation note, the diary's three best weeks, Units I–IV of this paper, Clinical-I lamps, Clinical-III O.6.
- Carry a printed diary if the rules allow. Know one case you personally found, not only one you were given.

# The viva

## THEY WILL ASK

- Your file.
- A case you cite.
- A day in court.

## THEY WILL SMELL

- A ghost-written diary.
- A memorial you have not read since the moot.

## The five-year clinical arc

I ethics (who you are on the roll), II ADR (the door before the war), III drafting (the paper that moves a court), IV this paper (the standing up). The lamps do not end at the viva. The first s.35 of your career will be a file, a rupee, or a lie to a bench — you have now been told which.

- A last-page the examiner can hear: you will return the file, you will not strike the court shut, you will not invent a fact in a memorial or in a plaint, and you will compute limitation before the client leaves the room.

# The five-year clinical arc

## CARRY OUT

- Saxena's file.
- Uppal's open court.
- O.6's facts.
- Sibbia's liberty, on a real paper.

## LEAVE BEHIND

- The last-night diary.
- The fake citation.
- The guaranteed decree.

# Kinds of internship

Trial chambers (boards, adjournments, a real CPC). Appellate / HC (a paper-book, a proposition, a 226). A firm (a transaction, a due-diligence, a clean email). A commission / legal services (the client who is not a company). An NGO (a PIL record, a field fact).

- Rotate if you can. A five-year student who has only photocopied an office is not interned.
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# Cases a KSLU answer should name

| CASE                                                                                                      | CASE                                                                                                                | CASE                                                                                                                                     |
|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Ex-Capt. Harish Uppal</b><br/><i>(2003) 2 SCC 45</i></p> <p>The court you intern in stays open.</p> | <p><b>R.D. Saxena</b><br/><i>(2000) 7 SCC 264</i></p> <p>The file you carry as an intern is still the client's.</p> | <p><b>Hussainara Khatoon</b><br/><i>(1980) 1 SCC 81</i></p> <p>The undertrial in your observation note is why the internship exists.</p> |

## Provisions & materials to quote

BCI Legal Education Ru

Internship hours and the diary.

Advocates Act ss.29, 3

You are not on the roll yet; the duties are already the standard.

BSA 132

A chambers confidence is not a canteen story.

Clinical-I to III syll

The viva is the four papers speaking at once.

Art. 21

The person in the box, at the end of five years.

## 10 / 16-mark frames from this unit

Q1

What does the BCI require of a law intern? What may an intern not do?

Q2

How should an internship diary be written?

Q3

How will you prepare for the Clinical-IV viva?

Q4

Write a note on chambers craft / kinds of internship / the clinical arc of five years.

# Unit recap

- 1 Intern: research and draft; do not sign or appear.
- 2 Diary: specific, true, same week, no private shame.
- 3 Chambers: on time, a source-list, no canteen gossip.
- 4 Viva: your memorials, your note, your week, one case you found.
- 5 Arc: return the file, keep the court open, plead facts, compute limitation, do not lie.