

Mississippi College School of Law Legal Extern Program

Supervision Manual for Field Placement Supervisors

For over two decades, MC Law has promoted active learning through its Legal Extern Program. In the past ten years, the program has grown from a small number of externships in Jackson, Mississippi to a national externship program with a participation rate in excess of 50% of each graduating class. Our legal externs routinely report that the experience they gain through externships is the most valuable part of their law school experience.

The success of MC Law's Legal Extern Program would not be possible without the excellent supervision you provide. These materials are intended to be of value to you in your supervision efforts. Thank you for your willingness to nurture our next generation of attorneys. Your participation in MC Law's Legal Extern Program as a supervising attorney or judge and educator is our most valued asset.

I. Program Goals

We use program goals to shape the educational structure of our Legal Extern Program. Below are the educational goals for the MC Law Legal Extern Program, both with regard to placements and law students.

Goals of the Mississippi College School of Law Extern Program

With respect to placement venues:

- To provide supervised field experiences where students can closely observe the work of lawyers who practice in the areas of governmental, judicial, public interest, or private nonprofit legal work.
- To select placements by criteria that maximize the opportunities for students to gain practical experience in both substantive and procedural law in the areas of governmental, judicial, public interest, and private non-profit legal work. Because of the wide variety of the placement venues, each will present different opportunities, but each should allow the student to be more than an observer. The student should be integrated into professional life of the venue in such a way that he/she produces work that is worthy of professional feedback and critique.
- To help the lawyer field supervisor understand his/her role as teacher/mentor in this important part of the law school's program of legal education.

With respect to the student extern:

- To match the student with the appropriate placement, recognizing the student's long-term career goals, his or her priorities and values as individuals and as future lawyers, and the experiences that will be most valuable for him/her.
- To encourage students to develop and/or improve important lawyering skills, such as research, legal analysis, problem solving, client and witness interviewing, and written and oral advocacy.
- To model for students the highest level of ethical standards in the practice of law, and to encourage ethical conduct by introducing students to issues of professional responsibility.
- To inspire self-assessment of the student's professional strengths and weaknesses.
- To raise student awareness of work issues such as time management, multicultural skills, teamwork, and achieving balance between personal and professional demands.

- To develop a classroom component that will complement the field work by enlarging the student’s understanding of the judiciary, criminal law, government and/or administrative law, and pro bono services.
- To encourage students to become reflective about their “real world” experiences so that they can continue to learn from experience throughout their careers.

II. Structuring an Educational Externship

During the time you supervise our law students, you are providing a critical part of the students’ legal education. This section provides an overview of the various requirements of an externship program, from choosing to become a field supervisor to completing the final evaluation of your extern, with an emphasis on tools for effective supervision.

A. An Overview of the Externship Supervisor’s Role

Hands-on fieldwork, under the supervision of an experienced attorney or judicial officer, provides an excellent learning opportunity for law students. We regard our externship field supervisors as teachers, in partnership with and with guidance from the school.

B. ABA Requirements

Because students receive law school credit for the externship, the expectation is that the externship fieldwork will provide a rigorous educational experience for the student. Accordingly, the American Bar Association Standards governing law school curricula spell out detailed requirements for the structure and nature of externships (see ABA Standard 304(c)). Key among them is the requirement of a 3-way agreement among the three parties: the student, the school, and the supervisor.

At the beginning of the semester, your law student extern will present you with a “Memorandum of Agreement” for you to review and sign. That agreement outlines the expectations for the field placement and student extern over the course of the semester. It is reproduced at the end of this manual. If you have questions about any of the requirements in this agreement, please contact Professor Linda Anderson before committing to host a legal extern.

C. Creating an Appropriate Environment and Orienting Your Externs

The physical workplace environment is extremely important to the successful externship experience. Students who feel comfortable and welcome are more productive. While it may not always be possible to assign each extern with his or her own workspace, we hope you will be able to provide your extern with the following work space:

- A desk or other secure area in which to work
- A phone or easy access to a phone
- A computer, sufficient access to a computer, or permission for the extern to use his or her personal laptop in order to allow prompt completion of assignments
- Access to online research tools and relevant hard copy legal research materials
- Sufficient office supplies
- Copier, scanner and fax access, if necessary

Equally important to getting the extern started on the right foot is orienting them to the office or chambers and the staff. On the first day, provide our student with an orientation so he or she will feel welcome and understand how things work. This should include:

- A brief orientation to the office or chambers, including a tour of the office and introduction to all staff they are likely to encounter during the workday
- Letting them know if they can ask for assistance from any of the support staff to accomplish a task

- Written office procedures and policies, if available
- Office keys or restroom keys, if necessary
- Clear instructions regarding parking or suggestions on where to find parking
- Instructions as to any workplace limitations, such as areas that may be off-limits or files or materials that may be sensitive or confidential

Along with the physical setup of the office and a first-day orientation, it is important to include the student in the office culture throughout the externship. The more the student is treated as part of the team, the better the learning experience will be for the student. To help integrate the extern to the greatest extent possible, please consider doing some or all of the following:

- Invite externs to meetings, hearings, conference calls, and any other activity that may be relevant to the student's work or may enhance understanding of the project or task
- Circulate general office memoranda to externs, if appropriate
- Include externs in the informal matters of the workplace, such as celebrations or group luncheons

D. Throughout the Semester-Assignments, Feedback, and Continuous Communication

The following are some suggestions for maximizing the externship's educational value to the student as well as the value of the student's contribution to the legal work of your office, chambers, or organization.

E. Give Meaningful Assignments

As described in the Memorandum of Agreement, the assignments you give to an extern should be similar to that of a law clerk or entry-level staff attorney, including exposure to a broad range of lawyering skills. Assignments may include, but are not limited to, drafting documents and pleadings, researching and writing memoranda, interviewing clients and witnesses, attending conferences, negotiations or mediations, and observing or participating in meetings, depositions, or court proceedings. Administrative work should be similar to the administrative expectations of attorneys at your organization.

F. Have Back-up Assignments Ready

Consider a few low-priority assignments that you could give to the extern to work on during slow periods. With a few of these long-term or non-pressing assignments in your pocket, you can keep an extern busy when otherwise they might be waiting for their next assignment.

G. Make Assignments Clear

To ensure that you communicate the assignment clearly and completely, you might use the following checklist of information to share with the extern:

- Objectives of the assignment
- How the project fits into the overall case, deal, or project
- How much time you expect to be spent on the assignment
- How often and at which junctures they should check-in during their assignment
- Where they might begin researching (such as in a specialty treatise)
- What the finished product should look like (consider sharing a sample memo, for example)
- Who they may contact for assistance if you are not available
- When it is due

H. Continuous Communication

Frequent communication with the externs, both about specific assignments and in general, is critical to the student's educational experience. Open communication can prevent

misunderstandings, clarify expectations, and ensure that your extern becomes an integrated member of your team. To ensure clear and open communication, consider doing some or all of the following:

- Set a weekly meeting time to check in with your externs about their work and solicit questions they may have;
- Send a quick email or stop by the extern's desk at least once a week to check their progress on any pending assignments and see if they have any questions;
- Tell externs if you have an "open door" policy, and if you do not, what is the best way for them to approach you with questions or concerns;
- Let externs know whom they can approach with questions if you are not available.

I. Effective Feedback

Providing timely and constructive feedback for all assignments is critical to the extern's academic experience. It is important to begin providing feedback early in the semester so the student can use the feedback to continuously improve her performance.

Note that providing feedback is not merely pointing out strengths and weaknesses; truly productive feedback is a collaboration between the supervisor and student where both are responsible for thoughtful evaluation.

Legal externs are trained to expect, and, if necessary, to request your feedback. Please do not shy away from providing honest, constructive feedback on a student's work. You might expect to hear questions from your legal extern soliciting your feedback, including:

- *One of my goals for the semester is to improve _____. Would you help me look for ways to work on that goal?*
- *I am nervous about _____. Can you watch me to see how I do and give me feedback afterward?*
- *I feel that I was weak on _____. How did I do?*
- *Was my work helpful to you? Did I give you the answer that you needed?*
- *What's one thing you see me doing, or failing to do, that is getting in my way of learning?*

J. Professional Conference Requirement

In addition to the legal skills your extern will develop by virtue of the work done at your organization, the student will have the opportunity to focus on the professional skills of organization, management, speaking and listening. Each extern is required to organize, plan, and run a professional conference during the semester in which the student, supervisor, and Professor Anderson discuss the extern's goals and/or progress. The meeting may be held in person or via video conference, and your extern will be responsible for all aspects of the meeting. You can attend, or you can designate another attorney who has worked with the student.

K. Evaluations

Your formal evaluation of the student's effort and performance is an essential part of the externship course. If you have met with your extern regularly for feedback on assignments, the formal evaluation process will simply be a summation of the earlier formative assessments. A midterm evaluation is very helpful as it provides an opportunity to address concerns and correct (if necessary) any behavioral or work product issues. The final evaluation should be comprehensive and document the extern's progress and areas of growth. Your extern will provide you with a midsemester evaluation at the appropriate time. You will receive the final evaluation by email at the end of the semester.

L. Anti-Discrimination and Harassment Policy and Disability Accommodation

MC Law is committed to providing our students with externships free of discrimination and harassment. The externship working environments should be one where all students feel

welcome to participate, where all students are safe from harassment and discrimination, and where any disabilities students may have, are reasonably accommodated.

If you have any concerns about your organization's ability to provide a work experience in accordance with the above policies, please contact Professor Anderson.

M. Helpful Resources and Links

The MC Law Legal Extern Program is run year-round by Professor Linda Anderson, who is always available to be a resource for you. Additionally, you might be interested in the following resources:

- ABA Standards Rules of Procedure for Approval of Law Schools, Chapter 3, Standard 304: www.americanbar.org/groups/legal_education/resources/standards.html. This is the Standard that governs externship programs for which students receive school credit.
- Beryl Blaustone, Teaching Law Students to Self-Critique and to Develop Critical Clinical Self-Awareness in Performance, 13 CLIN.L.REV. 601 (2006).
- Barbara A. Blanco & Sande L. Buhai, Externship Field Supervision: Effective Techniques for Training Supervisors and Students, 10 Clin. L. Rev. 611 (2004).
- Bernadette T. Feeley, Training Field Supervisors to Be Efficient and Effective Critics of Student Writing, 15 Clin. L. Rev. 211 (2009).
- Susan K. McClellan, Externships for Millennial Generation Law Students: Bridging the Generation Gap, 15 Clin. L. Rev. 255 (2009).

III. Contact Information

We sincerely appreciate your support of our Legal Extern Program, and we are available to you at any time. Should you have any questions or require assistance of any type, please contact us.

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MC Law Legal Extern Program

Memorandum of Agreement

Field Placement Office: _____

Legal Extern: _____

Semester: _____ **Year:** _____

As participants in the MC Law Legal Extern Program, the law school, field placement, and student agree to the following:

1. The purpose of the legal extern program is to allow the student to experience working as a lawyer, including exploring ethical and professional responsibility issues.
2. The student will be given assignments that are representative of the Supervising Attorney's work. Where appropriate, the student will be certified to appear in court and or personally represent a client under attorney supervision.
3. Student assignments will be as challenging as the student can reasonably handle.
4. The required working time for the student is a minimum of 135 hours over the semester for a 3-credit externship or 270 hours over the semester for a 6- credit externship.
5. Student research will be assigned in the context of real cases, issues, or other projects in which the placement is involved. When assigning research, any relevant case files will be made available to the student.
6. The student will participate in all aspects of cases or projects where possible, including, but not limited to, client interviewing, counseling, case planning, discovery, fact investigation, trial preparation and trial.
7. Law student externs will not be assigned clerical tasks (e.g., filing, photocopying, library updating, indexing) unless the clerical tasks are specifically related to an educational activity.
8. Because the externship is an educational experience, the following applies:
 - a. The externship, even though it includes actual operation of the facilities of the placement, is similar to training which would be given in an educational environment.
 - b. The externship experience is for the benefit of the extern.
 - c. The extern does not displace regular employees, but works under close supervision of existing staff – namely, experienced attorneys.
 - d. The placement derives no immediate advantage from the activities of the extern, and on occasion its operations may actually be impeded.

- e. The extern is not necessarily entitled to a job at the conclusion of the externship.
 - f. The placement and the extern understand that the extern is not entitled to wages for the time spent in the school-credit externship.
9. An attorney who supervises the extern will participate in a professional meeting with the student and Professor Anderson during the semester. The student will be responsible for all aspects of scheduling and leading the meeting.
10. The student and supervisor agree to complete, review together, and submit a mid-semester evaluation. The supervisor agrees to participate in a short, electronic final evaluation of the student's performance.

Supervising Attorney

Legal Extern

Professor Linda Anderson, Director of Experiential Learning, MC Law