

**UNIVERSITY OF DAYTON SCHOOL OF LAW
EXTERNSHIP GUIDELINES
Revised Edition April 2018**

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EXTERNSHIP GUIDELINES
Revised Edition March 2018

These guidelines apply to all externships conducted through the University of Dayton School of Law (“UDSL”).

I. Purpose and Educational Goals of Externships

A. Purpose. The purpose of UDSL’s externship course is to provide students with the opportunity to obtain significant practical experience in a law office and other lawyering settings that are reasonably similar to the experience of a lawyer, to develop professional lawyering skills, and to analyze and reflect critically on that experience from a variety of perspectives.

B. Educational Goals. The educational goals of the externship course include the following:

1. Exposing students to the practice of law and providing students with an opportunity to learn and use legal skills through a substantial lawyering experience under the supervision of a licensed attorney or judge;
2. When possible, providing students with the opportunity to gain experience in a substantive area of the law related to the student’s professional interests;
3. Providing students with the opportunity for reflective analysis and critical thinking about values, ethics and professionalism, including: the ethics of law practice, social justice and the legal profession, and other tenets and principles central to the Catholic-Marianist tradition; and,
4. Providing opportunities for students to compare, evaluate, and reflect critically on topics related to their own career path and professional development, such as: settings, assignments, and daily activities in different types of law offices, the “fit” between the student and various legal careers, and the roles lawyers play in society.

II. Written Understanding Between the Participants

A. Participants. There are three principal participants in each externship experience. These are: the law student extern; the Externship Professor; and the Field Supervisor, who will serve as the student’s direct supervisor at the field office. Before law students can extern at a sponsoring organization, the participants shall enter into a written understanding on a form provided by the Externship Professor that describes: 1) the

substantial lawyering experience the student will receive, 2) the opportunities for performance, feedback and self-evaluation that will be available, and 3) the respective roles of the participants, including a clearly articulated method of evaluating the student's academic performance.

- B. Student Learning Objectives.** At the outset of the externship, the student shall develop written learning objectives for their externship experience in consultation with their Externship Professor and Field Supervisor. The learning objectives shall serve as a guide for the fieldwork of the student. The student shall record their learning objectives, along with the beginning and end dates of the fieldwork, the anticipated schedule for the student, and the names and contact information for all participants, on a form provided by the Externship Professor. The form shall be signed by all three participants.

III. Student Requirements

Students can receive academic credit for only one externship experience. (Law Clinic is not an externship.) Students may not receive compensation for their externship fieldwork.

- A. Prerequisites.** Ordinarily, students will be eligible to take the course in their last two semesters or the summer immediately preceding their last two semesters. In rare circumstances, a student may be permitted to take the course earlier than their last two semesters, but only after completing at least one academic year of study.
- B. Academic Requirements.** To receive credit for the Externship course, students will be required to meet the minimum academic requirements set forth below and any individual course requirements developed and communicated by the Externship Professor.
1. Complete a minimum of 192 hours in the externship field office and complete contemporaneous coursework that includes a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection. If the coursework is offered as a classroom instructional component, students shall attend 12 classroom hours, and the minimum number of hours in the externship field office shall be reduced to 180. Students are expected to engage in their fieldwork primarily at their field offices and other sites essential to their lawyering work, such as legal proceedings, meetings or investigations in the field.

2. Engage in self-evaluation and demonstrate thoughtful reflection on the externship experience as guided by the Externship Professor.
3. Produce original written work product from the externship field office that demonstrates the student's legal skills. Before submitting any work product to the Externship Professor, the student and the Field Supervisor will determine if redaction is necessary to protect confidentiality. If the nature of the field office is not conducive to the submission of work to the Externship Professor, the Externship Professor will develop alternative means for evaluating the student's written work in the externship.
4. Receive a satisfactory evaluation from the Field Supervisor of the student's performance of legal and professional skills. (*See Sec. V(E).*)
5. Attend a pre-placement orientation class.

C. Administrative Requirements. To receive credit for the course, students must also fulfill the administrative requirements of the externship.

1. Complete preliminary administrative tasks, including: register for the Externship course, work with the Externship Professor to secure an externship position, arrange a weekly work schedule at the field office, and complete any other administrative tasks required by the Externship Professor or the Externship Office.
2. Provide the Externship Professor with a detailed evaluation of the externship field experience on a form provided by the Externship Office. All forms must be submitted to the Externship Professor before the last day of classes for the semester or earlier if required. No grade for an externship will be released until the Externship Professor reviews the evaluation and determines that it is satisfactory and complete.

D. Grades. Externships will be graded under UDSL grading option B (S/U/Ex).

E. Professional Conduct. All students are responsible for complying with the rules of professional conduct relevant to their externship.

- F. **Online Research.** Students must abide by the policies of Westlaw or LEXIS regarding the use of student passwords for work in externship field offices.

IV. **Externship Professor Requirements**

In most cases, the Externship Professor will teach the Externship course, although other faculty members may teach the course subject to curricular needs and administrative approval.

- A. **Counsel Students on Externship Positions.** The Externship Professor will be available to meet with individual students to counsel them on the types of externships that will align with the student's academic and career goals.
- B. **Teach Externship Coursework.** The Externship Professor will teach the externship coursework. The purpose of the coursework is to provide opportunities for reflective analysis and critical thinking about the student's learning goals for their fieldwork; the values, ethics and professionalism of the legal profession; the student's own professional development; and the themes, issues, skills, and experiences of common interest to students. The Externship Professor will also work with students to help them develop written learning objectives for their externship experience.
- C. **Teach Orientation Class.** At the start of each semester, the Externship Professor will teach a two hour orientation class for all students taking the Externship course. The purpose of the orientation is to provide an overview of the Externship course requirements and discuss professionalism and professional responsibility concerns, including conflicts of interest and confidentiality.
- D. **Evaluate Students.** The Externship Professor must evaluate and grade each student's educational achievement in the course.
- E. **Communicate with the Field Supervisor.**
The Externship Professor must have regular contact with the Field Supervisor through in-person visits or other methods of communication that will assure the quality of the student educational experience and allow the Externship Professor to maintain sufficient control of the student experience to ensure that the requirements of the ABA Standards are met.

V. **Field Supervisor Requirements**

All students taking the Externship course must work under the supervision of a Field Supervisor who is an employee of the sponsoring organization or who provides legal services on behalf of the sponsoring organization; who is a licensed

attorney in good standing with a minimum of three years' legal experience or a judge or justice currently serving on the bench; and who will be available on-site to assigned externship students whenever such students are engaged in their externship activities, in order to observe, critique, review and otherwise closely supervise their legal work. This availability includes supervision at other places essential to the lawyering work of the students, such as the sites of legal proceedings, meetings, and field investigations. The Field Supervisor will assume principal responsibility for the externship student and will serve as the contact person for the Externship Professor.

- A. Design a Rigorous Educational Externship Experience.** The Field Supervisor must provide the student with an experience that is educational in nature and is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks. The experience should be based on the student's stated learning goals, which the Field Supervisor must discuss with the student and help the student refine at the outset of the externship. The experience must include opportunities for the student to: 1) integrate doctrine, theory, skills, and legal ethics; 2) engage in the performance of one or more professional skills on multiple occasions, one of which is producing original written work product; and 3) engage in self-evaluation.
- B. Provide Adequate Training for Students.** Organizations sponsoring a student for an externship must provide sufficient training so that the student can competently perform assigned work. Such training should include an initial orientation meeting to provide an overview of the sponsoring organization and its mission, the general legal issues typically before it, guidelines and resources for performing legal assignments, and office policy and procedures. Subsequent training for the student should also include regular workshops or information sharing sessions, and periodic meetings between the student and the Field Supervisor or other assigning attorneys to answer questions and provide guidance and feedback on specific projects.
- C. Monitor Assignments.** The Field Supervisor shall monitor the quality and quantity of work assigned to the student to ensure: 1) assignments are representative of legal work typically done in the organization by lawyers; 2) assignments are as varied as conditions allow; 3) the student has sufficient legal research and writing, but is also permitted to observe matters that the student may not be able to participate in directly; 4) assignments are appropriately challenging and reasonable in terms of the student's hourly commitment; and 5) clerical tasks (filing, photocopying, answering telephones, etc.) are kept to a minimum.
- D. Mentor and Meet Regularly with Students.** The Field Supervisor must meet with the student regularly to provide them with general supervision

and mentoring. This includes evaluating the student's recent performance of lawyering tasks, providing specific feedback to the student about such performance, developing the concepts underlying the professional skills being performed, discussing the activities of the sponsoring organization, and answering the student's questions about the organization, assignments or cases.

- E. Evaluate Students.** At the end of the semester, the Field Supervisor must evaluate the student on a form provided by the Externship Professor. The evaluation is due to the Externship Professor no later than two weeks after the externship has ended or earlier if requested by the Externship Professor.
- F. Communicate with the Externship Professor.** Field Supervisors must communicate regularly with the Externship Professor about the student and provide the Externship Professor with frank assessments and evaluations of the student as requested.

VI. Externship Office Administrative Responsibilities

The Externship Professor(s) has primary responsibility for teaching the externship coursework. In addition to these responsibilities, the Externship Professor(s) will perform and oversee the following administrative duties of the Externship Office:

- A. Assign Externship Positions.** The Externship Professor will assign each student to an externship field office after determining that the anticipated externship experience is appropriate for academic credit.
- B. Select and Train Field Supervisors.** The Externship Professor will assess and approve Field Supervisors at sponsoring organizations. The Externship Professor will provide training for Field Supervisors by providing written orientation materials, developing training seminars, or through individual consultation. No attorney or judge may serve as a Field Supervisor without first receiving appropriate training. Written evaluations of every Field Supervisor and sponsoring organization shall be kept by the Externship Office.
- C. Evaluate Field Supervisors.** The Externship Professor, or his or her designee, will perform in-person visits or engage in other methods of communication with the Field Supervisor of sponsoring organizations to assess the work environment and evaluate whether the field office is meeting the educational goals of the Externship course. The Externship Professor will evaluate whether the sponsoring organization: 1) provides students with sufficient opportunities to develop their legal skills and knowledge; 2) provides students with ample and appropriate feedback on their performance; 3) provides students with appropriate supervision and

guidance; and, 4) otherwise meets the academic requirements of the course.

- D. Develop Externship Office Procedures.** The Externship Professor will develop Externship Office policies and procedures, including forms to be used by students and Field Supervisors, in accordance with these Guidelines. The Externship Professor will periodically assess the Externship Office policies and these Guidelines to ensure they are consistent with best practices for externship pedagogy. Non-curricular changes to the Guidelines can be made by the Externship Professor in consultation with the Associate Dean of Academic Affairs without faculty approval.
- E. Maintain Externship Office Records.** The Externship Professor will maintain records of the Externship Office including: 1) the written understandings with field offices; and, 2) evaluations of field offices and Field Supervisors by students and the Externship Professor. These evaluations are for use only by law faculty and administrators.