Lawyering Practice Externship

Information and Guidance for Supervisors

Overview

The Lawyering Practice Externship’s success depends on the dedication and generosity of field supervisors who are willing to serve as mentors to Notre Dame law students. The Law School hopes that its students will in turn make valuable contributions to the offices in which they work, and that field supervisors will find the experience rewarding. This document describes expectations of students, expectations of supervisors, pertinent program policies, and guidance for effective supervision.

Student Obligations and Work Schedules

Students are expected to work in their field placements either 8 hours per week (3 credit option) or 12 hours per week (4 credit option) for 14 weeks. Their work schedules should follow Notre Dame’s academic calendar as set forth below. Students should, if possible, complete their fieldwork by the final class day of the semester.

Students’ work schedules will be shaped by a combination of the field placement’s needs and the students’ class requirements. Students and supervisors are encouraged to work together to identify a work schedule that meets their mutual needs. Supervisors are encouraged to keep in mind that students are enrolled in anywhere from 10-15 credit hours’ worth of classes outside of the externship. In light of those substantial academic obligations outside of the workplace, we request that supervisors not ask or expect students to work more than the agreed 8 or 12 hours per week.

For the 2014-2015 Academic Year, relevant dates are as follows:

**Fall semester:**

August 22: First day of classes
October 18-26: Mid-semester break
November 26-30: Thanksgiving break
December 9: Last class day
Spring semester:

January 12: First day of classes
March 7-15: Mid-semester break
April 3-6: Easter break
April 28: Last class day

Expectations of Supervisors

Supervisors are requested to:

1. Provide each student with substantial, challenging and varied legal work, generally of the type that would be performed by an entry level attorney in that organization. Assignments should expose the student to the organization’s practice area, allow the student to hone legal skills, and help the student develop professional judgment and problem solving abilities.

2. Provide opportunities for the student to observe a range of activities that will allow the student to develop an understanding of the practice. Such activities might include court proceedings, client/staff/strategy meetings, or other appropriate professional activities.

3. Provide each student with a suitable workspace and access to infrastructure (computer, telephone, internet) that will allow the student to work productively.

4. Identify a single supervisor to serve as the contact person and primary mentor for the student.

5. Be highly accessible to the student and provide careful supervision of the student’s work.

Such supervision should include, at a minimum:

a. Collaboration with the student to develop a learning agenda for the semester.

b. One-on-one meetings, generally on a weekly basis, to discuss the student’s assignments and progress. Such meetings need not be lengthy, but students need a regular opportunity to check-in.

c. Feedback on the student’s performance of significant work tasks. Feedback can be oral or written. The key is for students to have a sense of whether they are meeting expectations and how they might improve.

d. Completing a brief written evaluation of the student, mid-semester and end of semester.

e. Meeting with the student and the faculty instructor at mid-semester to review the student’s written self-evaluation.

f. Communicating periodically with the faculty instructor by phone or email about the student’s progress.

6. Ensure that the student is protected from professional liability exposure to the same extent as attorneys employed at the field placement.
Guidelines for Giving Assignments and Providing Feedback

Giving Assignments

A key to any successful field placement is the ability of a supervising attorney to effectively give assignments to the law student extern. It is important that the student understand exactly what is expected. It is helpful to provide assignments in writing where possible to minimize confusion and to allow the student to refer back to the specific instructions after the initial meeting. Whether written or oral, assignments should include the following information:

1. What are the objectives of the project?

2. Where does this assignment fit into the overall case, project, or mission of the office?

3. What is the expected final product? For example, with respect to a research project, does the supervisor expect a polished memo or just some simple bullet points and case citations?

4. What is the deadline? It is helpful to set a deadline for every project.

5. How long should the project take? It may be difficult for a supervisor to provide a precise estimate, but it may be helpful for a student to know whether the supervisor expects a few hours of work, a few days, or a few weeks.

6. Does the supervisor expect a draft or just a final product?

7. Are there examples of similar products that a student might review? This can save some wheel-spinning.

8. Are there secondary sources or other resources that might help the student get started?

The student should be given an opportunity to ask clarifying questions. After discussing the assignment, it can be helpful to have the student repeat back his or her understanding of the assignment, particularly if it is complex.

Status Reports

For lengthy assignments, it is helpful to have students check in with status reports periodically to ensure they have not gotten off onto unproductive tangents or gotten bogged down in wheel-spinning.
Feedback

Feedback from supervising attorneys is essential to ensure that students are progressing in their practice skills and learning self-assessment skills as well. Students want both positive feedback and constructive guidance that identifies areas for improvement.

A supervisor should provide feedback on a student’s performance with respect to each significant activity the student performs. Effective feedback can be oral or written and need not be lengthy. Students should have a sense of what they did well and why, as well as what can be improved upon. General statements such as "Good job," while welcome, are not very useful. Students benefit most from specific examples demonstrating the behavior being discussed. The following are some suggested best practices for providing feedback:

1. Offer feedback frequently and in a timely manner.

2. Invite students to assess their own performance. What do they think they did well? What came easily to them? What did they struggle with? What do they think they might have been able to do better?

3. Start with a positive comment. People tend to be more open to constructive criticism if they hear it after being reassured of their worth. In every performance, there is something that can be praised.

4. Be specific. Relate your critique to specific events in the student’s performance.

5. Be constructive. If you offer negative feedback, don’t just criticize but suggest alternatives of what the person could have done differently. Focus your critique on an area you think the student will be able to improve.

6. Be honest. Your job is not to be popular, but to help the student improve. Tell it like it is, but be supportive. Note what was done well, but only if it was done well.

7. Make the student a partner in the critique. Ask questions: “What were you trying to achieve?”; “What do you think went wrong?”; “What alternative approaches might you have tried?”

Mid-Semester Evaluations

Each student will write up a mid-semester self-evaluation to share and discuss with the supervising attorney. Supervisors are likewise asked to write up a brief mid-semester evaluation to share with the Law School instructors. The instructors will send supervisors a fillable electronic form as mid-semester approaches. A hard copy of that form is attached to this document so that supervisors will know what questions to expect.
Final Evaluations

Supervisors will receive a brief questionnaire to provide final comments on the student’s performance and make any general comments on the program. Instructors will send supervisors a fillable electronic form at the end of the semester. A hard copy of that form is attached to this document so that supervisors will know what questions to expect.

Time Sheets

Students are required to document their hours on a time sheet form provided by the law school. The time sheets are not as detailed as those used in law offices. The primary purpose of the time sheets is to demonstrate that students have worked the required number of hours to earn their course credits. Students will ask their supervisors to sign or initial the time sheets.

Support for Supervisors

The faculty instructor will communicate with supervisors periodically during the semester and may make a site visit to the workplace. The faculty instructor is generally available to assist supervisors in resolving any issues that may arise with respect to student supervision. Supervisors will be provided with contact information for the faculty instructor so that they may be in touch by email or telephone.

Confidentiality

Students will reflect on their externship experiences through seminar discussions and written essays. They will be carefully instructed, however, not to disclose confidential information about matters on which they are working. The faculty instructor will review the requirements of Rule of Professional Conduct 1.6 with the students and will require the students to discuss confidentiality requirements and procedures with their supervisors.

Compliance with ABA Accreditation Standards and FLSA Requirements

Law school accreditation standards promulgated by the American Bar Association prohibit compensating students who receive academic credit for their work. Notre Dame Law in Chicago students may not, consequently, be compensated. It is the Law School’s understanding that the Department of Labor does not generally treat externship students in programs like Notre Dame University’s Lawyering Practice Externship as employees for purposes of the Fair Labor Standards Act. Organizations with questions about that issue may want to consult Fact Sheet 71 (April 2010) issued by the U.S. Department of Labor’s Wage and Hour Division.

More Information - Contacts

Bob Jones, Associate Dean, rjones1@nd.edu (574) 631-4863
Cathy Kustner, Externship Coordinator, ckustner@nd.edu (574) 631-9301
NOTE: This sample form is provided for information purposes only. Supervisors will be sent fillable electronic versions to complete at the appropriate time.

Lawyering Practice Externship
Supervisor’s Mid-Semester Evaluation of Extern

_________________________________   _______________________
Supervisor’s Name    Organization

_________________________________   _______________________
Student’s Name    Date

Instructions:
The purpose of this evaluation is to provide the student with a candid assessment of his/her performance during the first half of the semester and, more importantly, to help the student understand how to further develop as an effective professional during the rest of the semester. The student will also conduct a self-assessment and request a meeting with you to discuss the issues that each of you identifies.

As you complete this evaluation, please consider a broad range of professional skills and competencies such as the following, and feel free to comment on any that you consider relevant:

Analytical Skills: knowledge of doctrine, research skills, identification of relevant legal and faculty issues, ability to parse statutes and case law.

Relational Skills: Effective interaction with staff, supervisor, others professionals and clients.

Communication Skills: Clarity and effectiveness of both oral and written communication.

Problem-Solving Skills: Ability to deal with uncertain facts, to recognize both legal and non-legal issues, to develop alternatives and to exercise sound judgment.

Ethical Skills: ability to identify, appreciate and address ethical issues.

Professionalism: initiative, punctuality, civility, attention to detail, general quality of work.
NOTE: This sample form is provided for information purposes only. Supervisors will be sent fillable electronic versions to complete at the appropriate time.

Student’s Name:________________________________

1. What have been the strong points of his/her performance during the first half of the semester? Are there particular tasks at which the student has excelled? What professional skills and competencies have been most evident?

2. What aspects of his/her performance have been most challenging? What should the student seek to improve during the second half of the semester? Please share any suggestions you have.

3. Feel free to share any additional comments about the student’s performance.

Please send this form to Cathy Kustner at ckustner@nd.edu. Thank you.
Thank you for supervising a Notre Dame law student. Now that the semester has ended, it would be helpful to have some final feedback on the student and the program.

1. Did the student complete all assignments satisfactorily before leaving your office at the end of the semester?
   
   Yes       No

2. How would you rate the student’s overall level of performance during the semester?

   Excellent  Good  Fair  Poor

3. In just a few sentences, please evaluate the student’s performance. If anything was unsatisfactory, please explain.

4. Please share any comments you may have about the Lawyering Practice Externship program. We welcome suggestions on how to improve it, including how to enhance the experience for our supervising attorneys and judges.

Please return the completed form to Cathy Kustner at ckustner@nd.edu. Thank you.