

# THE UNIVERSITY OF MEMPHIS SCHOOL OF LAW EXTERNSHIP COURSE

## LEARNING GOALS, POLICIES, AND PROCEDURES

The University of Memphis Externship Course is designed to expose law students to legal practice in a wide range of contexts while providing a framework for understanding and managing the practical, ethical, and personal challenges that are an inherent part of the legal profession. Stepping outside of the traditional classroom, externs are presented with the opportunity to learn by doing and observing under the direction of a field placement supervisor. To maximize this hands-on learning experience, externs participate in a faculty-led seminar in which they reflect upon and assess the skills, relationships, issues, and mindsets that prevail in the practice setting.

While specific objectives will necessarily vary across the spectrum of field placements, the Externship Course aims to help each student extern achieve the following goals:

- To strive toward *practice readiness* through continued development of legal skills, including research and writing;
- To better understand the day-to-day work of a lawyer;
- To apply classroom learning to the world of legal practice;
- To develop the habits of a *reflective practitioner* who understands how to learn from experience;
- To identify, explore and address issues of legal ethics and professional responsibility;
- To evaluate and utilize various approaches to problem solving in the context of real-life legal work;
- To improve upon essential communication and relationship-building skills;
- To explore career interests and goals; and
- To build professional and personal networks.

Through participation in both the field placement and classroom seminar aspects of the Externship Course, it is anticipated that students will further hone their lawyering skills at both practical and theoretical levels, learning from experience, from synthesis, from critique, and from responsibility.

## Policies and Procedures of the Externship Course

### A. Student Eligibility

#### 1. *Prerequisites to Application and Enrollment*

Students who have successfully completed their required first year of coursework and at least 28 credit hours toward graduation are eligible to enroll in the Externship Course. Additional prerequisites may be set upon request by specific field placement offices and/or at the discretion of the Director of Experiential Learning. In exceptional circumstances, the prerequisites may be waived with the approval of the Director of Experiential Learning in consultation with the Associate Dean for Academic Affairs.

#### 2. *Academic Standing*

Students must be in good academic standing in the semester preceding their participation in the Externship Course. In consultation with the Associate Dean of Academic Affairs, the Director of Experiential Learning retains the discretion to base program admission on a student having compiled an academic record that exceeds the good standing requirement. A student falling below good academic standing (placed on academic probation) while participating in the Externship Course may continue participating barring extraordinary circumstances.

#### 3. *Limitations on Externship Credit and Enrollment*

Students may enroll in the Externship Course subject to the following limitations:

- a. In accordance with the Law School's Academic Regulations, not more than a total of twelve (12) credit hours may be utilized toward satisfying graduation requirements by satisfactorily completing the following courses: Any externship, Law Review, Moot Court (including credit for participation on travel teams), and independent research. This limitation will be amended as necessary to reflect any future changes to the Academic Regulations.
- b. For satisfying graduation requirements, and subject to the ungraded credit limitation set forth above, a student may take no more than (a) two Externships, or (b) two Clinics, or (c) one Externship and one Clinic for credit toward graduation. A student may not repeat the same Clinic or Externship.
- c. A student may not enroll in both a Clinic and an Externship in the same semester or summer session.
- d. Students may not take more than a total of sixteen (16) hours, including enrollment in the Externship Course, in the semester (or

its equivalent in the summer) in which they are enrolled for in the Externship Course.

- e. For enrollment purposes, students who have already taken and received credit for the participation in the Externship Course will not receive priority for enrollment in the Externship Course for a second semester or summer session.
- f. The Director of Experiential Learning, after consultation with the Associate Dean of Academic Affairs, may grant waivers, on a case-by-case basis, to permit repetition of a placement in the Externship Course or enrollment in the Externship Course that may result in the student exceeding the ungraded credit limitation or the limitation on the number of externships in which the student may enroll.

## B. Student Application Requirements

### 1. *Pre-Application Processes*

- a. The Director of Experiential Learning will be responsible for planning, publicizing, and convening an Externship Course Information Session in advance of registration each semester. The Information Session will detail the externships that will be available for enrollment during the following semester. In addition, the Information Session will review the Objectives and Goals of the Externship Course as well as the Course's Policies and Procedures.
- b. Prior to applying for enrollment in the Externship Course, students must thoroughly familiarize themselves with the Objectives and Goals of the Externship Course as well as the Course's Policies and Procedures. In their application materials, students will be asked to certify that they have done so.
- c. Although not required, interested students should make every effort to attend the Externship Information Session that will be held in advance of registration each semester. Students should also be encouraged to meet with the Director of Experiential Learning to discuss any questions or concerns in advance of moving forward with applications for enrollment.

### 2. *Application Process*

Students must apply for an Externship Course placement by completing the Externship Course Application. It is anticipated that the application will be distributed to students via electronic means (e-mail, law school website, Simplicity, etc.) and made available in the Office of the Director of Experiential

Learning. In addition to submitting the completed application, students may be asked to submit a cover letter, a current professional resume, a writing sample, and/or a current law school transcript.

### 3. *Application Submission Deadlines*

Externship application deadlines will be widely communicated throughout the law school. In general, the Director of Experiential Learning will seek to proceed according to the following deadline for application submission: **October 15** for Spring semester placements, **February 1** for Summer semester placements, and **March 1** for Fall semester placements.

### 4. *Security Clearance*

Many externship field placements require a security clearance (primarily judicial and government), a process that may take several months. If a student seeks an externship field placement that requires security clearance, it is expected that the student will work with the Director of Experiential Learning to provide the field placement with all information necessary to secure that clearance.

## C. Standards for Selection of Students for Externships

Offers for enrollment in the Externship Course will be made by and at the discretion of the Director of Experiential Learning. In making enrollment decisions, the following factors will be considered:

### 1. *Compatibility*

The Director of Experiential Learning will assess whether the placement a good fit for the student and whether the student has the legal, professional, interpersonal and intellectual skills for a productive externship experience in the particular placement. In making this determination, the Director may examine the student's law school transcript, though academic performance will not necessarily be conclusive. In addition, an interview with the student, input from faculty, consultation with the prospective field placement, and performance in other experiential learning settings may be considered.

### 2. *Reason for Wanting to Participate in the Placement*

The Director of Experiential Learning will consider whether the placement fits into the educational goals and career interests of the student.

### 3. *Compliance with Requirements and Prerequisites*

The Director of Experiential Learning will consider whether the student has complied with all placement and Externship Course requirements and prerequisites.

## D. Requirements after Acceptance of an Externship Placement

### 1. *Acceptance and Registration*

Once a student accepts an offer to enroll in the Externship Course, that student will be formally enrolled by the Registrar's office. Once enrollment is complete, a student will not be permitted to drop the Externship Course without petitioning for and receiving approval of the Director of Experiential Learning to withdraw from the course.

### 2. *Withdrawal*

If a student accepts an offer for enrollment in the Externship Course, he or she will not be able to withdraw the commitment except for compelling reasons. To obtain permission for withdrawal, the student must immediately, upon the knowledge of such compelling reasons, petition in writing to the Director of Experiential Learning. The petition must specify the compelling reasons for withdrawal. Failure to petition and receive approval may result in a grade of "Unsatisfactory" for the course and jeopardize the student's chances of being considered for future enrollment in the law school's Experiential Learning courses, including Clinics and Externships.

### 3. *Compensation*

Students may not accept compensation of any kind for externship work. Where it is the practice of a particular field placement to reimburse reasonable out-of-pocket expenses related to the placement, the extern may receive such reimbursement.

### 4. *Fulfillment of Externship Placement Requirements*

Subject to the Policies and Procedures of the Externship Course, externs must comply with all working hours requirements and conditions implemented by the field placement. Field placement will generally run from the first day of instruction through the last day of instruction of the academic semester or session. It is expected that the extern will be at the placement each week of the semester or summer session. Students must complete their externship in the semester or term they begin it. A student who fails to complete an externship or who receives a grade of "Unsatisfactory" may be barred from future enrollment in any of the law school's Experiential Learning courses, including Clinics and externships.

At the outset of each semester, each student enrolled in the Externship Course will meet with their field placement supervisor to coordinate and set a weekly schedule of hours. Students will be required to submit their schedule of weekly hours to the Director of Experiential Learning by the end of the second week of the semester. Thereafter, students are expected to abide by their schedule. Gross, unauthorized deviations from the schedule will be cause for termination of the externship or for assignment of a failing grade or both. Authorization for

deviations from approved schedules requires the consent of the field placement supervisor and the Director of Experiential Learning.

5. *Completion of Externship Seminar Requirements*

Student externs will be required to attend and fulfill the requirements of a regularly convened, faculty-led classroom seminar designed to focus on and enhance the learning that the externs will be doing in their field placements. Requirements for the classroom seminar, as well as for submission of Externship-related work product and time sheets, will be specified in the course syllabus for the Externship Course.

In general, it is anticipated that students will be expected to reflect on their field placement experiences through a series of written assignments, including a Final Self-Assessment and Reflection Memorandum. Written assignments may focus on the effective development of legal skills; confidentiality, ethics, and professional responsibility; expectations, conduct, and realities of externship work; learning from experience and reflection; workplace communication and feedback; workplace teams and leadership; community and social responsibility of lawyers; the legal system; developing lawyer skills; and job stress and job satisfaction.

6. *Confidentiality*

The extern is expected to hold in strictest confidence all communications received in the course of the externship placement that are not matters of public record, and to adhere fully to the standards of professional conduct set forth in the Code of Professional Responsibility of the American Bar Association, the Tennessee Rules of Professional Conduct, and any other applicable rules of professional ethics (e.g., codes of judicial conduct)

7. *Unlawful Practice of Law*

Within their placements, externs may have the opportunity for contact with clients or potential clients, the court, other attorneys, etc. Externs should be extremely cautious in their communications so that they are limited to and do not overstep the scope of work that they are authorized to perform. Where possible, all communications should be prefaced by disclosing the student's extern status.

8. *Professionalism*

Externs are required to exhibit professional conduct at all times during their externships. Students will be appropriately attired as determined by the field placement supervisor. Students will attend all called meetings of the field placement supervisor and/or the faculty supervisor, unless excused by the appropriate party. Students will be familiar with the appropriate Rules of Procedure and other assigned materials.

In the sole judgment of the Director of Experiential Learning, any extern failing to achieve an acceptable level of professionalism may have the academic credit for his/her placement reduced or eliminated.

9. *Removal from Externship Program*

At the discretion of the Director of Experiential Learning, students may be removed from the Externship Course for unsatisfactory or untimely work, unethical conduct, violation of any agreements with the field placement supervisor or law school, breaches of confidence, inappropriate behavior or attire, violation of any rules of court, or at the request of the field placement supervisor.

**Credit and Grading**

A. Assignment of Credits

Externship students will receive course credit based upon their satisfactory participation in the externship classroom seminar and their satisfactory completion of field placement hours according to the following schedule:

Fall/Spring semester:

**2 credits** – 8 hours/week (112 hours)

**3 credits** – 12 hours/week (168 hours)

**4 credit** – 16 hours/week (212 hours)

Summer session:

**2 credits** – 16 hours/week (112 hours)

**3 credits** – 24 hours/week (168 hours)

**4 credits** – 32 hours/week (212 hours)

In advance of application and registration process each semester, the Director of Experiential Learning will consult with each field placement to be offered during the following semester for the purpose of determining the number of credit hours the externship placement will offer based on the above hours/week schedule. While it is anticipated that externship field placements will normally be offered for two credits, the Director of Experiential Learning may, in his/her discretion, coordinate field placements that will be offered for three or four credits to account for the demands of placements and the heightened student learning curves associated with those demands.

At the outset of each semester, each student enrolled in the Externship Program will meet with their field placement supervisor to coordinate and set a weekly

schedule of hours. Students will be required to submit their schedule of weekly hours to the Director of Experiential Learning by the end of the second week of the semester. Thereafter, students are expected to abide by their schedule. Gross, unauthorized deviations from the schedule will be cause for termination of the externship or for assignment of a failing grade or both. Authorization for deviations from approved schedules requires the consent of the field placement supervisor and the Director of Experiential Learning.

#### B. Grading

1. Upon completion of the Externship semester, all externs will be assigned a grade of Excellent, Satisfactory, or Unsatisfactory.
2. The determination of grade assignment and credit allocation will be made by the Director of Experiential Learning after receiving a student evaluation prepared by the field placement supervisor at semester's end. The assigned grade and allocation of credit will be based upon satisfactory and timely completion of the requisite externship hours and work assigned during the placement, satisfactory participation in the classroom seminar component of the Externship Course (including consideration of the work product), the evaluation of the field placement supervisor, and the student's compliance with all course requirements.
3. At the discretion of the Director of Experiential Learning, any student enrolled in an externship placement who fails to comply with any requirements of the Externship Course (set forth herein or in the course materials), of the Student Honor Code, or appropriate regulations governing the profession, may be assigned a grade of "Unsatisfactory," awarded no credit and be barred from future enrollment in any of the law school's Experiential Learning courses, including clinical programs and externships.

### **Administration of the Externship Program**

#### A. Faculty Supervision and Program Administration

1. The Director of Experiential Learning is responsible for administering the Externship Course in a manner consistent with the Objectives and Goals of the Externship Course as well as the Course's Policies and Procedures.
2. The Director of Experiential Learning will serve as the faculty supervisor for the students enrolled in the Externship Course. In this capacity, the Director or the Director's designee (after consultation with the Dean) is responsible for (a) teaching the weekly seminar component of the Externship Course and (b) otherwise meeting at regular intervals with enrolled students to discuss and evaluate students' field experience in the externship and address any problems or concerns experienced by the students concerning the externship.

3. It is expected that the Director of Experiential Learning will periodically contact each field placement supervisor to ensure that students are meeting the expectations of the Externship Course and to address any problems or concerns experienced by the field placement supervisors or the student externs. At the conclusion of the semester, the Director shall request from each field placement supervisor a candid assessment of each student's performance of responsibilities within the field placement.
4. The Director of Experiential Learning may waive or grant an exemption from any requirement in the Externship Course Policies and Procedures. All requests for exemptions or waivers must be in writing and detail the basis for the requested exemption or waiver. The decision whether to grant or deny an exemption or waiver is solely within the Director's discretion.

B. Oversight and Evaluation of Approved Externship Placements

1. The Director of Experiential Learning is responsible for ensuring that all approved externship placements are providing assigned student externs with opportunities to work toward the realization of the Objectives and Goals of the Externship Course and in accordance with the Course's Policies and Procedures.
2. On a continuing basis, the Director of Experiential Learning will evaluate each of the Course's approved externship placements. Evaluation of each placement should include periodic on-site visits or their equivalent. In addition, input of externs currently or previously assigned to each placement should be considered.
3. At the beginning of each semester (Fall, Spring, Summer), the Director of Experiential Learning will provide the Registrar's Office with a report describing each field placement participating in the Externship Course during that semester.

C. New Externship Placements

1. In consultation with the Curriculum Committee, the Director of Experiential Learning will add additional externship placements only when doing so will enhance educational opportunities for students and further the curricular goals of the law school.
2. In order to be initially approved and continue to be part of the Externship Program, placements will be screened by the Director of Experiential Learning to ensure that:
  - a. The placement has sufficient staff resources to assign the student to a particular attorney or judicial officer for supervision;

- b. The supervising attorney or judicial officer is aware of his or her teaching and supervisory responsibilities, including the need to provide the student with opportunities for hands-on legal experience and observation of law practice, to expose the student to a range of legal projects, to train the student, to assist the student in assigned tasks, and to observe, critique, and assume ultimate responsibility for student's performance; and
- c. The supervising attorney or judicial officer will verify the completion of the student's weekly hour requirements and complete a detailed evaluation of the overall student performance at semester's end.

C. Termination of Externship Placements

- 1. An externship placement may be terminated as an approved placement if, after a placement evaluation, it is in the judgment of the Director of Experiential Learning that the externship is unsuitable for continued placement of students.