

# UNIVERSITY OF WYOMING COLLEGE OF LAW

Field Supervisor Training  
Externship Program  
April 5, 2016

## Externship Policy & Program Requirements

- ▶ Who: ascending, or current 2Ls or 3Ls
- ▶ What: credit for work
  - ▶ At least 2, no more than 3 credits during the fall and spring semesters (100 or 150 hours + class);
  - ▶ In the summer, students can take up to 6 credits (300 hours)
- ▶ When: fall, spring, summer
- ▶ Where: pre-approved sites or by application
- ▶ Why?

## Rule 9

- ▶ *Duties of Supervising Attorney.* Any attorney who supervises a student shall:
- ▶ (1) assume personal professional responsibility for and supervision of the student's work;
- ▶ (2) assist the student to the extent necessary to ensure that the student's participation is effective on behalf of any client represented;
- ▶ (3) sign all pleadings, briefs, and other documents prepared for a case and delivered to any tribunal for which representation is provided pursuant to these rules;
- ▶ (4) appear with the student in all trials and administrative hearings, but the designated supervising attorney need not be personally present in court in other matters, civil or criminal, when the client consents thereto in writing and with approval of the court in which the matter is pending;

## Rule 9, cont.

- ▶ (5) appear with the student at all other proceedings unless the attorney deems his or her personal appearance unnecessary to assure proper supervision. This authorization shall be made in writing and shall be available to the judge or other official conducting the proceedings upon request; and
- ▶ (6) be present in court in any criminal matter in which the client has the right to the assignment of counsel under any constitutional provision, statute, or rule of this court.
- ▶ (7) A supervising attorney other than a law school clinic supervising attorney shall not supervise more than three (3) students at any time.

## Course Goals and Methods

- ▶ Opportunities to develop substantive legal experience;
- ▶ Awareness and promotion of ethical legal practice and an ongoing dialogue related to professional responsibility;
- ▶ Further a student's skills set in research, writing, legal analysis, advocacy, communication, client interactions, and advocacy;
- ▶ Meaningful reflection by the student of their developing strengths and a productive awareness of their weaknesses;
- ▶ Mentorship with supervising attorneys and staff, and a growing understanding of workplace issues such as office culture, giving and receiving feedback, work/life balance and meeting team goals.

## Student's Obligations to their Supervisor

- ▶ Email Externship hours every week by the deadline established in the syllabus
- ▶ Establish a mutually acceptable schedule with your office
- ▶ Prompt arrival, professional manner/dress and diligent work



## Student's obligations to the class component



- ▶ Externship Program requirements
  - ▶ Email Externship hours every week by the deadline established in the syllabus
  - ▶ Weekly assignments
  - ▶ Writing sample
- ▶ Open communication with program director
- ▶ Comply with Honor Code and Student Handbook

## Selecting an Extern

- ▶ Law School does not assign
- ▶ Student's review pre-approved list, fill out application identifying top three choices
- ▶ I begin placement with their first choice
- ▶ Supervisor selects who they want and inform Director
- ▶ I continue to place remaining students
- ▶ Student is responsible to contact your office for scheduling



## Field Placement Supervisors

- ▶ Summary in "Supervisor Guidelines"
- ▶ More detail in Externship Handbook
  - ▶ Orientation to office
  - ▶ Discussion of learning goals
  - ▶ Work Space - 50% of time in office



## Supervising, cont.



- ▶ Appropriate, well-defined projects
  - ▶ When are drafts due, when the final copy due
  - ▶ How much time per project
  - ▶ Format required; provide sample
  - ▶ Who should student ask questions of
  - ▶ Starting legal points
- ▶ Periodic extern meetings

## Supervising, cont.

- ▶ Constructive feedback
  - ▶ Create an open dialogue with the extern
  - ▶ Ask good questions to help guide their analysis
    - ▶ Was the project challenging
    - ▶ Did they understand the assignment
    - ▶ Did they get appropriate help when they hit road blocks
    - ▶ Is the student happy with the final product, why or why not
- ▶ Student's will take responsibility for their work when led by effective questions
- ▶ Integration into office environment

## Effective Supervision

- ▶ Evaluations of student performance
  - ▶ Supervisors shy away from 'critiquing' however, students report that is the best part of the program.
- ▶ FAST Model
  - ▶ Frequent
  - ▶ Accurate
  - ▶ Specific
  - ▶ Timely
- ▶ Feedback is a critical piece of supervising an extern, and their development as a more effective attorney.



## Experience and Mentorship

- ▶ Objective of the program is exposure to the law and your practice, it is also to allow the student to learn by doing.
- ▶ Allow them to argue a motion in court, give them a substantial writing assignment, allow them to take lead on a client interview
  - ▶ Observation first, followed by doing is the best model for reinforcement and learning; grant them the opportunity to fail and to grow
- ▶ Give meaningful feedback after they present, write, interview
- ▶ Everyone has a mentor they recall from early in their career, provide that guidance to a young lawyer.

## Requirements: Time & Desire



- ▶ Barriers to Effective Supervision:
  - ▶ Divergent goals - practice vs. pedagogy
  - ▶ Supervisor lacks time/motivation
  - ▶ Lack of Flexibility in Approach
  - ▶ Students' Inability to Communicate

## One student's experience:

- ▶ "I can remember pacing in front of my supervisor's door in the first few weeks of my externship, afraid to disturb my supervisor, who always seemed too busy to discuss issues. When I would finally get a hold of him, I was often too nervous to formulate effective questions, to listen clearly and to respond appropriately to his explanations. . . . Much of my nervousness could be attributed to the fact that I felt under-qualified to perform the assignments I was given."
  - ▶ -- Excerpt from the Blanco article on Supervision

## Other ethical obligations of the Supervisor

- ▶ Be cognizant that a student may not perceive ethical issues as clearly as an experienced attorney. Explain possible ethical issues, ie: confidentiality, conflict of interest, etc.
- ▶ A discussion of your mission and structure, and of the professional, confidentiality and ethical issues which are important to your organization, will help the student understand the "big picture" and how they fit into the office and its professional work output, as well as informing the student about their responsibilities and how they can help advance your objectives
- ▶ At each placement site, an extern can and should be given tasks which further their skills in being an ethical attorney and in areas such as factual development, identification and articulation of legal issues, legal research and analysis, formulation of action alternatives, written and oral communication, and successful collaboration with others.

## Supervisor's responsibility to the program

- ▶ Provide mentorship, guidance and experience to the extern
  - ▶ Weekly meetings and feedback to the extern on their overall performance, professionalism, and work.
- ▶ Open communication with the extern and the Director to correct issues and address ongoing problems
- ▶ Provide Mid-Term and Final evaluations
- ▶ Writing sample
  - ▶ May be redacted for confidentially purposes



## Externship Program's responsibilities to you

- ▶ Training
- ▶ Clear Goals and Objectives
- ▶ Accessibility to these documents
- ▶ Open communication with the program director and the College
- ▶ Handbook and guidelines for later review



## Questions or Concerns?

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