

UNIVERSITY OF MARYLAND SCHOOL OF LAW ***Policy Statement on Externships***

Any student interested in enrolling for academic credit in an externship should read this statement of policy in its entirety prior to application.

Summary of ABA Standard 305

The ABA permits law schools to grant credits toward the J.D. degree for courses or a program that requires student participation in studies or other activities outside the school. Credits are to be commensurate with the time and effort required of the student and the anticipated quality of the educational experience. “Faculty members,” defined to include full or part-time teachers at the sponsoring school or another accredited law school, must supervise each student’s experience. All such offerings must be approved in advance and reviewed periodically.

All field placements must include (1) a clear statement of goals and objectives; (2) adequate instructional resources; (3) a method of evaluating each student’s performance that involves both the faculty member and the field placement supervisor; (4) a method for selecting, training, evaluating, and communicating with field placement supervisors; (5) periodic faculty site visits or their equivalent if the placement awards four credits or more; and (6) opportunities for student reflection on the experience, defined to include a seminar, workshop, regularly scheduled tutorials, or other means of guided reflection.

The ABA standard limits participation in externships to students who have completed at least one year of academic study (day or evening at least 20 credits). It prohibits credits for placements that also involve compensation. Students may be reimbursed from the field placement for reasonable out-of-pocket expenses related to the externship such as travel expenses. Students cannot be paid for the work performed at an externship placement. Distance learning (where a student is in one place and the supervisor in another) are not allowed under the standard.

End of Summary

Educational Objectives of Externships

Externships provide students with exceptional opportunities to learn about law practice. They should not duplicate opportunities already provided by the school in other areas of the curriculum. In general, students should not apply for an externship with an organization where the student has previously worked, either as a volunteer or for compensation. In exceptional cases, students may receive approval to extern at an institution where they have worked if the externship involves legal work and their other work for the institution was in a different professional capacity (e.g., a nurse who will take an externship placement in the hospital general counsel’s office). In similarly rare

instances, students may also receive approval to sign up for a second externship at the same organization if the work involves assignments that are substantially different from the ones that the student undertook during the first externship. Students applying for a placement with an institution where they have already worked or a second placement with the same institution should provide an explanation of how the new externship will enhance their education.

The externship experience should engage the student in more than library research and memo drafting and instead should involve a wide range of legal work in a high-quality and well-supervised professional setting. Educationally valuable activities include: accompanying and assisting an attorney supervisor as they meet with clients; memo drafting; evaluating claims; taking depositions; conducting negotiations; participating in administrative hearings, and arbitration or mediation proceedings; attending court proceedings; and drafting legislation, regulations or contracts. An externship should enable a student to enhance his or her writing skills.

Externship Opportunities

The law school offers a wide variety of externships in governmental and not-for-profit organizations. Most are created and implemented by the programs and centers affiliated with the school, including business law, environmental law, health law, intellectual property law, and international law, as well as the Center for Health and Homeland Security and the Center for Dispute Resolution. The law school also has created opportunities for students to obtain externships in federal and Maryland state legislative bodies. For a full listing of potential externship opportunities, students should consult the law school website (<http://www.law.umaryland.edu/academics/practice/externships/>).

For externship placements outside of the program and centers, students must apply to the Curriculum Committee for approval of “free-standing” externships. Such applications will only be considered if the student has a faculty sponsor and a placement that will be supervised by a practicing attorney. In those circumstances, the student and faculty member share responsibility for explaining how the field placement will satisfy the criteria set forth in this policy.

Prerequisites, Credits, and Evaluation

1. Externships are open to students who have completed their “first year” of law school, defined as earning at least 20 credits for day and evening students.
2. Students cannot earn more than 20 credits in “co-curricular activities,” defined as including externships, Aspers, practicums, student publications, elective Moot Court, and graduate non-law courses.
3. Such placements are graded on a credit/no credit basis.

4. The number of credits available varies from four to eleven, depending upon the nature of the work and the number of hours devoted to it.
5. The maximum number of credits is for an educationally rich full semester externship with a workload of at least forty hours per week. As a rule of thumb, students should expect to work four hours/week for each credit earned in an externship. For example, a four-credit externship should involve 16 hours of weekly work.
6. Academic credit will not be awarded for any externship until all required reports have been submitted, including reports from the student, the faculty supervisor, and the supervising attorney at the organization sponsoring the externship.

Role of the Faculty Supervisor and Tutorials

Through this experience and exposure, the student should develop insights into the applied knowledge, skills, and ethical standards that are required for successful practice, as well as the overall strengths and weaknesses of the legal system. To help the student develop those insights, externships must be linked to a tutorial, workshop, or other interaction with a faculty member designed to encourage reflection upon the student's experience in the field placement. A workshop may satisfy the student reflection requirement but only if the externship and workshop are in the same semester.

The format of the tutorial or workshop necessarily varies from one externship to another. However, faculty/student interaction should become more intensive as the number of credits awarded for the externship increases. In all cases, the student and the faculty supervisor should agree, before the externship commences, on a written tutorial plan indicating the tutorial components and readings to be included. The tutorial plan should also specify how the student and the faculty supervisor will conduct the tutorial. Face-to-face sessions are preferable, but communication by letter, e-mail, or telephone may also suffice in some instances. At a minimum, the faculty supervisor shall meet personally with the student once each month. If a personal meeting proves impracticable, the faculty supervisor must make equivalent substitute arrangements. In accordance with the ABA standard, faculty supervisors should conduct periodic site visits or their equivalent.

The faculty supervisor may also assign, as part of the externship, additional requirements such as the submission of a journal, a reflective memo on the practice of law or some of the ethical issues involved in the experience, reading and commenting on articles related to the externship experience, or submitting a paper that would qualify as independent written work.

The faculty supervisor is also responsible for coordinating with the student and supervising attorney to develop the goals and objectives for the field placement. Faculty members use their best judgment and, if applicable, prior experience with the field placement in determining whether appropriate educational objectives are attainable in the field placement.

Responsibilities of Supervising Attorneys

Before the start of an externship, the supervising attorney, student, and faculty supervisor shall develop the goals and objectives of the field placement in order to ensure that the placement provides an exceptional learning opportunity for the student. The goals and objectives shall be agreed to by the supervising attorney, student, and faculty supervisor no later than the first two weeks of the placement. During the externship the supervising attorney remains responsible for ensuring that the externship provides a substantial learning experience for the student.

The supervising attorney should be reasonably accessible to the student and the faculty supervisor and should ensure that the student receives both adequate supervision and appropriate performance evaluations. At a minimum, the supervising attorney should prepare a written evaluation of the student's performance or meet with the faculty supervisor during a site visit approximately half-way through the externship and prepare a written evaluation at the end of the externship. Those written evaluations should be communicated to the student and the faculty supervisor. The sponsoring organization must also report the total number of hours worked by the student during the externship.

Responsibilities of Student Externs

Student externs must fulfill all the sponsoring organization's reasonable expectations. The supervising attorney will have committed to engage the student in feedback, and in mid-course and end-of-term evaluation. In addition, students shall satisfy the following requirements:

- 1. Goals and Objectives.** Within the first two weeks of the externship, the student shall draft a set of goals and objectives for the externship and review these goals and objectives with the supervising attorney. Once the student and supervising attorney have agreed on the goals and objectives, the student shall submit a copy of them to the faculty supervisor for the externship.
- 2. Communication with Faculty Supervisor.** Throughout the course of the externship the student shall communicate at least twice a month with his or her faculty supervisor, including at least one meeting per month. If a personal meeting proves impracticable, the student must make equivalent substitute arrangements. Scheduled externship workshops, practicum, and classes satisfy this requirement, but students shall schedule a contemporaneous meeting with the faculty supervisor addressing the site visit.
- 3. Final Report.** At the end of the externship, the student shall prepare a substantial final report of his or her experience. The report should include a description of the type of activities the student was involved in during the externship, the extent to which the student's goals and objectives were satisfied, and the student's recommendations regarding the value of the externship for other students. The student's report should also address how the student's work as a lawyer contributed

to the mission of the sponsoring organization and whether that work involved the effective and appropriate use of lawyerly skills.

4. **Time.** The student must complete the number of hours committed to the placement in the Application, in order to receive the credits approved.
5. **Additional Tutorial or Academic Requirements.** The student shall also fulfill whatever additional requirements the faculty supervisor or the Externship Subcommittee of the Curriculum Committee may impose before the beginning of the externship. Examples of such requirements, appropriate in particular cases, might include the submission of a journal, a reflective memo on the practice of law or some of the ethical issues involved in the experience, reading and commenting on articles related to the externship experience, or submitting a paper that would qualify as independent written work.

The Application Process

Each of the programs and centers offering externships at the school has adopted its own procedure for considering student applications and has been delegated authority to approve such placements by the faculty council. Information about who to see for further information is available on the law school website.

(<http://www.law.umaryland.edu/academics/practice/externships/>) In the case of “free-standing” externships, applications should be submitted to the chair of the Curriculum Committee who will then pass the materials to the Externship Subcommittee responsible for evaluating and approving such proposals. Students seeking approval must make the case that the externship satisfies the educational goals stated at the outset. An offer from a suitable legal placement is insufficient; the student is also responsible for engaging a faculty member who will help the student to prepare a tailored tutorial plan and provide the requisite tutorial, conduct one or more site visits, and ensure the student satisfies the objectives of the externship in accordance with this policy.

The application requires students to explain how the proposed externship advances their learning/career preparation objectives, what courses they have already taken to advance these objectives, and why the experience to be gained off campus cannot be gained through the Law School’s regular curriculum. Application forms can be found on the law school’s web site.

(<http://www.law.umaryland.edu/academics/practice/externships/externship-app.pdf>)

To complete the externship application, the student must provide the externship application form; a copy of the offer letter from the sponsoring organization; a description of the externship experience explaining the student’s responsibilities provided by the sponsoring organization; a copy of the supervising attorney’s resume; a copy of the student’s resume and law school grade report; a signed tutorial plan from the faculty supervisor; and other supporting documentation as requested by the School of Law

Students who wish to arrange a free standing externship must submit *all* necessary paperwork to the Externship Subcommittee by August 15 for the fall semester and

University of Maryland School of Law

Externship Policy

Revised by Faculty Council, February 3, 2011

November 15 for the spring semester. **Applications that are not complete by the deadline will not be considered.** (Students are free to resubmit the application for a subsequent semester.) The Externship Subcommittee recognizes that some organizations may not make their final selections of externs until the last minute. To assure that applications will be completed by the due date, therefore, students are encouraged to submit draft applications including as much information as may be available as early as possible in the process. Members of the Externship Subcommittee are available to review draft applications and counsel students on completing them. If a student has not yet received a formal offer from the placement where she hopes to extern, she should complete the application to the maximum extent practicable and submit it on time. In the sole discretion of the Externship Subcommittee, incomplete applications will be considered after the deadline once the applicant has obtained an offer letter from the sponsoring institution.

All free-standing externships must be approved in advance of registration. Students are not permitted to register for externships prior to formal approval. Accordingly students are advised to assemble their applications, including gaining the agreement of a faculty supervisor and making a tutorial plan, well in advance of the deadline. In circumstances where the application is not completed by the deadline, the student should consider (a) whether to defer the externship until the next semester and (b) the possibility of doing the externship without academic credit.

All free-standing externships must be approved by the Externship Subcommittee on Externships. The Externship Subcommittee shall be appointed by the Curriculum Committee. The Associate Dean for Academic Programs may sit on the Externship Subcommittee in an *ex officio* capacity. The Externship Subcommittee shall conduct its business in accordance with the standards and procedures in this Policy Statement. The Externship Subcommittee will receive and review the semester-end reports of each externship, from the student, his/her faculty supervisor and the supervising attorney.

The Free-standing Externship Subcommittee will publish on the law school's externship webpage lists of previously successful externships and the supervising faculty member at the beginning of each academic year. However, the Externship Subcommittee does not match students with placements or faculty supervisors, nor does it solicit placements or enlist faculty. Program-sponsored externships should also be publicized in this matter.

Expense Reimbursement

Students participating in approved externships will not be reimbursed by the school of law for costs associated with travel to and/or return from the site of the externship (or the regular course meeting site). Such costs may be included in a student's financial aid application to the extent permitted under the rules governing the granting of financial aid. Students may accept reimbursement from the externship organization for such travel if that is within the organization's rules for reimbursement.

Externships, Aspers, and Clinical Law Program Offerings

University of Maryland School of Law
Externship Policy
Revised by Faculty Council, February 3, 2011

Externships differ from Asper placements (normally three credits with the accompanying classroom requirement) both in the intensity of the learning experience offered and in the close connection required between the field placement and the student's academic program at the School of Law. Externships also differ from the law school's extensive clinical law program offerings. For example, student practice rules that apply to clinical offerings do not apply to externships and externs therefore may not practice law by appearing in court or signing legal papers.