

May 9, 2000

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UNIVERSITY OF MARYLAND SCHOOL OF LAW

Policy Statement on Externship Program

Role of Externships within the Curriculum

The School of Law offers a limited number of externships in governmental and not-for-profit organizations dealing with legal issues. Externships offer students an opportunity to learn, in a supervised setting, about significant aspects of law and its practice. They are open to students who have completed their first year of law school (day or evening, at least 20 credits) and are graded on a credit/no credit basis. The number of credits available varies from four to thirteen, depending upon the nature of the work and the number of hours devoted to it. Student externs taking an accompanying Workshop receive one credit for the Workshop, but the total number of credits earned by the extern may not exceed thirteen. The maximum number of credits is for an educationally rich full semester externship with a workload of at least forty hours per week. 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 School's in-house clinical courses; student practice rules do not apply to externships.

Coverage of Externship Policy

The great majority of the School of Law's externships are associated with its programs listed on the Externship Summary Statement. This Policy Statement covers "free-standing" externships -- *i.e.*, externships not associated with program-based externships. Directors of those programs may approve and supervise all associated externships, with the understanding that they will follow standards that are equivalent to those stated in this Policy.

Requirements for Approval of Free-standing Externships

For free-standing externships, *i.e.*, externships not associated with programs listed on the Externship Summary Statement, the faculty supervisor must agree to provide the student with the tutorial component described in this Policy Statement. Free-standing externships, as described below, should be closely related to the student's academic program at the School of Law.

All externships must be approved by the Subcommittee on Externships, to be appointed by the Curriculum Committee, in accordance with the standards and procedures in this Policy

Statement. The Associate Dean for Academic Affairs may sit on the Subcommittee in an *ex officio* capacity, and the Curriculum Committee shall select the other members of the Subcommittee, including its chair.

Any student wishing to enroll for academic credit in an externship should read this statement of policy in its entirety and timely submit all information that supports the application. It is up to the student seeking approval for an externship to make the case that the externship satisfies the educational goals of the School of Law. A copy of an application form approved by the Curriculum Committee is available in the Office of Registration and Enrollment.

These requirements apply to ALL externships, regardless of whether they will occur at sponsoring organizations that have sponsored student externships in the past. The Externship Subcommittee will publish and distribute lists of previously successful externships and the supervising faculty member at the beginning of each academic year.

Students who wish to arrange an externship must submit *all* necessary paperwork to the Externship Subcommittee by the deadlines stated in the Externship Summary Statement. Applications that are not *complete* by the deadline will not be considered, though students are free to resubmit the application for a subsequent semester. The 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 Subcommittee are available to review draft applications and counsel students on completing them.

Sponsoring organizations shall designate a supervising attorney for each student extern. Each student must also obtain a full-time member of the faculty willing to serve as faculty supervisor and must submit all material required by this policy.

Educational Objectives of Externships

An externship should provide a student with an exceptional opportunity to learn about some aspect of law and its practice otherwise unavailable at the School of Law. Externships that duplicate opportunities already provided by the School of Law do not meet this criterion. For the same reason, an application for an externship with an organization with which the student has been employed or associated is unlikely to be approved.

The externship experience should include more than library research and memo drafting. Examples of educationally valuable activity that might justify an externship include participating in meetings with clients, depositions, staff conferences, negotiations, administrative hearings, arbitration, drafting legislation, regulations or contracts, evaluating claims, participating in rulemaking proceedings, and answering inquiries on legal issues. In sum, the externship should afford the student an opportunity to participate in a wide range of lawyering activity in a high-quality and well-supervised professional setting.

An externship should also expose a student to excellence in governmental or public interest lawyering. Through this exposure, the student should develop insights into the skills required for such lawyering, insights unobtainable in a conventional classroom setting. To help the student develop those insights, every externship is linked to a tutorial or Workshop with a faculty member designed to encourage reflection upon the student's experience in the field placement.

An externship should also enable a student to enhance his or her writing skills. An externship should include several major writing projects and, when possible, projects involving a range of writing formats.

Responsibility of Supervising Attorneys

Before the start of an externship, the supervising attorney shall submit to the student and the student's faculty supervisor a written program specifying what the student will do for the sponsoring organization and addressing how the sponsoring organization will assure that the placement provides an exceptional opportunity to learn for the student. The supervising attorney should consult with the student and the faculty supervisor in preparing this program. The written program prepared by the supervising attorney should be approved by the student and the faculty supervisor no later than the first week 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 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 half-way through the externship and at the end of the externship. Those written evaluations should be communicated to the student and the faculty supervisor.

Responsibilities of Faculty Supervisors

The faculty supervisor shall ensure that the student's externship experience satisfies the educational objectives of the School of Law's Externship Program. Before the start of the externship, the faculty supervisor should consult both with the student and with the student's supervising attorney. The faculty supervisor should make sure that both the student and the supervising attorney are aware of and undertake to achieve the educational objectives of the School of Law's Externship Program and should not agree to serve as faculty supervisor unless he or she is confident that those educational objectives are attainable. In addition, the faculty supervisor shall do the following:

- a. The faculty supervisor shall approve the written program prepared with the student by the supervising attorney. (See Responsibilities of Supervising Attorney.)
- b. The faculty supervisor shall monitor the experience of the student throughout the semester by regular contacts with the student and with the supervising attorney. 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.
- c. For all externships for more than six credits, the faculty supervisor shall make a site visit to the sponsoring organization. For all other externships, the faculty supervisor should make a site visit if possible.
- d. The faculty supervisor shall design and ensure that the student receives the required tutorials.
- e. At the end of the externship, the faculty supervisor shall transmit to the Externship Subcommittee and the Associate Dean the student's final report on his or her externship experience. (See Responsibilities of Student Externs.) In an accompanying memorandum the faculty supervisor should address whether the student's externship experience satisfied the Program's educational objectives and how the placement might be strengthened for subsequent students.

Responsibilities of Student Externs

Student externs must fulfill all the sponsoring organization's reasonable expectations. In addition, they shall satisfy the following requirements:

- a. 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.

- b. Throughout the course of the externship the student shall communicate at least twice a month with his or her faculty supervisor. If more frequent communication is appropriate, they may agree to communicate more frequently.
- c. Each month, the student shall meet with the faculty supervisor. The student shall prepare a memo setting forth what type of activities the student has been involved in and any problems or difficulties the student is experiencing with the externship. If a personal meeting proves impracticable, the student must make equivalent substitute arrangements.
- d. 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. Additional information may also be required by the faculty supervisor if agreed upon at the outset of the externship.
- e. The student shall also fulfill whatever additional requirements the faculty supervisor or the Externship Subcommittee 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.

ACADEMIC CREDIT WILL NOT BE AWARDED FOR ANY EXTERNSHIP UNTIL THE STUDENT HAS SUBMITTED ALL REQUIRED REPORTS.

Responsibilities of Curriculum Committee's Externship Subcommittee

Requests for the approval of free-standing externships should be directed to the Curriculum Committee's Externship Subcommittee. The Subcommittee shall grant such a request only if it is confident that the externship will satisfy the educational objectives specified above. Student requests will not be considered unless supported by a full-time faculty member willing to serve as the student's faculty supervisor. The Subcommittee expects the requester to supply the necessary information about the organization and about the attorneys who would supervise student externs.

In considering applications for externships, the Subcommittee's primary concern is with the educational value the experience will provide for the student extern. Thus, an externship at a sponsoring organization with an established and successful externship program is more likely to be approved by the Committee. In any event, it is critical to Committee approval that there be some demonstration that the sponsoring organization appreciates the educational responsibility it owes to the student extern. The Committee will not approve externships in which the student extern functions merely as a clerk. Additional criteria that favor granting approval in particular cases are the experiences of other schools with the externship, the experiences of earlier externs from the School of Law (as evidenced by their final reports and, where practicable, references from earlier interns), the relevance of the externship to the student's academic program at the School of Law, the unavailability of further offerings at the School of Law in the student's special area of interest, and the ambitiousness of the tutorial prepared by the faculty supervisor.

Tutorial Component

All externships not accompanied by a Workshop will include a tutorial component, *i.e.*, a program of guided reading undertaken by the student under the direction of the faculty supervisor. The readings should allow the student to integrate legal theory with the practical experience obtained at the sponsoring organization.

The format of the tutorial must vary from one externship to another, but should become more demanding as the number of credits increases. In all cases, the student and the faculty supervisor should agree, before the externship commences, on a written protocol indicating the readings to be done. The protocol 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. The student shall file a copy of the protocol with the Externship Subcommittee along with the written program prepared by the student and the supervising attorney and approved by the supervising faculty member.

Expense Reimbursement (implemented 10/5/07)

Students participating in approved externships or practicums 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.

However, students may request reimbursement from the externship organization or the School of Law for costs arising out of required travel from the externship or regular course meeting site to another location (and return) to provide service to a client or to fulfill other externship obligations. Such reimbursement shall be consistent with rates of reimbursement for travel expenses for other members of the School of Law or the externship organization. Requests for reimbursement from the School of Law should be submitted to the Controller's Office, Deans

Suite 260H, together with original receipts.

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