

Health Law Externship

Fall 2020

Professor Thaddeus Mason Pope

Mitchell Hamline School of Law

When: Three group Zoom meetings with all externship students
Two one-on-one Zoom meetings with instructor

Contact: Professor Thaddeus Mason Pope
Thaddeus.Pope@mitchellhamline.edu

Table of Contents

- I. Course Description
- II. Course Objectives
- III. Prerequisites
- IV. Field Supervisor Meetings
- V. Class Meeting Schedule
- VI. Readings & Written Assignments
- VII. Assessments & Grades
- VIII. Mandatory Timesheets
- IX. Oral Presentations
- X. Other Rules
- XI. Calendar of Due Dates
- XII. Appendices

I. Course Description

Externships give law students the opportunity to engage in meaningful legal work under the close supervision of practicing attorneys (as well as compliance officers, risk managers, regulatory affairs managers, ethics consultants, and other legal professionals) in the community. This course focuses on Externships in health law and healthcare compliance.

Over the past few years, Mitchell Hamline Externship students have worked for a wide range of organizations.

- **Government** placements have included: the U.S. Attorney for the District of Minnesota (Healthcare Fraud Unit), the Minnesota Department of Human Services (multiple departments, including compliance, OIG, privacy, appeals), the USDHHS Office of the Inspector General, Hennepin County Attorney (which represents Hennepin Health), Ramsey County Attorney (which represents county human services), and Connect for Health Colorado.
- **Law Firm** placements have included a litigation focus: Halunen Law (qui tam relator), Hallberg Law (medical malpractice), Fredrikson & Byron (licensing), and Scheller Legal Solutions (nursing home abuse). They have also included a s transactional focus: Friedmann Foarde, Juris-Health, Pathmaker FDA Law.
- **Hospital & Provider** placements have included: Children's Hospitals & Clinics of Minnesota, Planned Parenthood, Gillette Children's Hospital, Hennepin County Medical Center (HCMC) via Hennepin County Attorney, HealthPartners, Mayo Clinic, M-Health Physicians, University of New Mexico Health, and Christus Santa Rosa.
- **Professional Association** placements have included the Minnesota Hospital Association and Minnesota Nurses Association.
- **Device & Equipment Manufacturer** placements have included: Medtronic, CryoLife, EcoLab, and Vital Images.
- **Insurance** placements have included: Medica, UnitedHealth, and HealthPartners.
- **Other** placements have included: Novu and the Public Health Law Center.

Your Field Placement should have been finalized before the start of the semester. You will spend most of your time and effort working for your Field Placement. This syllabus addresses only the (far smaller) classroom component of the Externship. Each student is supervised both by Mitchell Hamline faculty and by attorneys in the field.

II. Course Objectives

Given the wide range of Field Placements, students have widely varying experiences in the health law Externship. But the core course objectives include:

- Apply your doctrinal and skills-focused classroom learning, especially that pertaining to health law, to the real world of practice.
- Improve your problem-solving skills and become more self-confident in the work setting.
- Explore your career interests by gaining real-world exposure to different types of legal work and to different work environments.
- Improve your prospects for employment by networking and getting references.
- Improve your prospects for employment by gaining a recognized credential.

More specifically, core course objectives include developing and/or honing some or all of ten fundamental lawyering skills:

1. **Problem Solving:** Develop and evaluate strategies for solving a problem or accomplishing an objective.
2. **Legal Analysis:** Analyze and apply legal rules and principles.
3. **Legal Research:** Identify legal issues and research them thoroughly and efficiently.
4. **Factual Research:** Plan, direct, and (where applicable) participate in factual investigation.
5. **Communication:** Communicate effectively, whether orally or in writing.
6. **Client Counseling:** Counsel clients about decisions or courses of action.
7. **Negotiation:** Negotiate in either a dispute-resolution or transactional context.
8. **Strategic Planning:** Understand the potential functions and consequences of litigation and alternative dispute resolution.
9. **Organization and Management of Work:** Be familiar with the skills and concepts required for efficient management.
10. **Ethical Analysis and Conduct:** Follow ethical standards when representing clients.

III. Prerequisites

1. Academic good standing (2.0 GPA or higher)
2. Completion of the 1L curriculum and, ideally, *Professional Responsibility*
3. No more than 19 credits under the 83-credit requirement can be applied toward graduation from non-classroom courses like an externship (and journals, competitions, clinics).

IV. Field Supervisor Meetings

1. If you have not done so prior to the start of the semester, you are expected to meet with your Field Supervisor no later than August 30, 2020. Please email me after you have had this initial meeting. The objectives of this meeting are to:
 - a. Properly introduce yourself
 - b. Discuss academic expectations of the Health Law Externship
 - c. Develop a preliminary schedule for your work hours
 - d. Answer any questions that your Field Supervisor may have about the Externship
 - e. Articulate several specific experiences that you hope to have during your Externship
 - f. Complete (or at least plan to complete) and sign the Externship Education Agreement
2. At the end of the semester, you should formally thank your Field Supervisor through a personal letter of appreciation.

V. Class & Meeting Schedule

1. This course will meet five times. Classroom meetings are primarily devoted to discussing student experiences while working with the Field Placement organizations. These meetings are secondarily devoted to discussing issues relating to health law and law/compliance practice.
2. We will meet as a group three times: (a) at the beginning, (b) middle, and (c) end of the semester. The early meeting is an orientation. The middle meeting is a shared status report. The final meeting will be your prepared presentations.
3. In addition to the above requirements, all students must meet at least twice, one-on-one, with Professor Pope. One of these should be an “exit interview” near (or after) the end of the semester.
4. In between these meetings, Professor Pope will respond (usually by email) to your time sheets and journal reflections. He will also send comments on and suggested edits to your resume, LinkedIn pages, and other career-related documents.

VI. Readings & Written Assignments

1. This syllabus is for only the classroom component of your Externship. You must complete all assignments for your Field Supervisor. That is the primary focus of the Externship and will consume most of the time that correlates to the number of credits for which you are taking this Externship (you must bill 45 hours per credit).
2. This is not a heavy reading course; however, every student will be responsible for a general appreciation of the *ABA Model Rules of Professional Conduct* concerning confidentiality and conflicts of interest.
3. In addition to work for your Field Supervisor, you must make several written submissions to the Externship law faculty supervisor (Professor Pope):
 - a. Complete and sign the Externship Agreement (Appendix A to this syllabus).
 - b. Complete the mid-semester survey (SurveyMonkey link will be sent).
 - c. Complete the end-of-semester survey (SurveyMonkey link will be sent).
 - d. Make one formal 20-minute PowerPoint presentation (in November).
 - e. Submit three 1000-word journal essays on assigned topics.
4. The journal essays should be in three parts:
 - a. Part I should briefly describe what the Extern has been working on and participating in during the externship (or since the last reflective essay). This Part should be about one-third of the essay.
 - b. Part II will be the bulk of the essay. Address any question from the list of topics (see Appendix B).
 - c. Part III should identify any potential problem(s) with the placement (if any).

VII. Assessments & Grades

1. For externships, no letter grade is given for the classroom component. But attendance and submission of written assignments is required to earn JD credits. The Field Placement is evaluated on a pass/fail basis.
2. I will provide feedback on your written submissions and on your contributions in the classroom discussions.
3. I will ask your Field Placement supervisors to complete two comprehensive written assessments: one at the middle and one at the end of the semester.

VIII. Mandatory Timesheets

1. You must keep track of all the hours that you spend on work at and/or for your Field Placement. This may include at least four types of activities: (a) preparing work product, (b) professional networking with Field Placement staff, (c) professional development like CLE programs, and (d) purely observational activities like attending a hearing.
2. Externships can be taken for 2 to 4 credits. You must complete 45 hours at your Field Placement for each credit: 90, 135, or 180 hours. How you break that down is a mutual decision between you and your supervisor. For example, you might do 14 hours per week for 10 weeks. Or you might do 10 hours per week for 14 weeks. Work must be completed within the semester in which the student is enrolled.
3. The law school will provide a link for you to log these hours with descriptions. Registered students will see an Externship Hours Tab on their student record webpage. Click on that tab to fill out timesheet. Please be as descriptive as possible being mindful of the need to protect confidential, private, privileged, and other protected information.
4. For questions about submitting and recording you hours, please contact jean.backes@mitchellhamline.edu

IX. Oral Presentations

1. **Requirement.** Each student must make a formal presentation to the class.
2. **Content**
 - a. Please describe the mission of your company and the workplace setting.
 - b. Please also describe the nature of the work that you performed. You may summarize the experience as a whole or describe just one particularly interesting project.
3. **Duration.** Please design your presentations to be completed within twenty (20) minutes.
4. **Preparation**
 - a. Practice aloud.
 - i. Read at least practice the first paragraph aloud several times, so you can start strong. Know precisely what you are going to say for the first minute of your presentation. Almost as important: know exactly how you will end.
 - ii. Practice on your feet to coordinate body, brain, and voice
 - iii. Time yourself, so you know that you will stick to the 10 minutes.

- b. Use as few notes as possible.
 - i. Use bullet points to trigger thoughts.
 - ii. Write big and keep notes where they are easy to see. If you are using a script, print it in at least a 16-point font
 - 1. Anticipate likely questions and have clear, concise answers ready.
e.g. “I’m glad you asked that...”

5. Delivery

- a. Mark your script/notes for pacing and pauses. Pauses are okay. They give you time to think and the audience time to absorb.
- b. Speak in phrases, not whole sentences. Use the rhythm of the Pledge of Allegiance: e.g. “I pledge allegiance . . . to the flag . . . of the United.....” Vary the pace. Speak in phrases on important points. Speak more briskly for preliminary information.
- c. Emphasize. Put emphatic stress on all the key words in every sentence. Lower the vocal pitch (not volume) when ending sentences. This makes you sound confident and conclusive.

6. Visual counts the most.

- a. A speaker’s believability is affected by three components. Verbal (the content of our message) counts for 7%. Vocal (sound, pitch, tone, pacing of our voice) counts for 38%. Visual (gestures, facial expression, eye contact) counts for 55%.
- b. Stand when speaking. It increases your energy level and keeps the audience more alert.
- c. A listener’s ability to comprehend and retain information increases substantially with the use of visual aids.

7. Physical performance

- a. Take a deep breath before you begin.
- b. Maintain eye contact with each listener for 3-5 seconds.
- c. Smile.
- d. Lean forward. It says: “I’m interested” “Tell me more.”

8. Clarity

- a. Lay out the structure of your presentation for the listeners. Let listeners know why the topic is important. Why should they listen to you?
- b. Repetition is good. Tell them what you are going to tell them. Tell them. Then tell them what you’ve told them.
- c. Shrink and simplify. Boil the presentation down to 3 main points. State the 3 points at the beginning and repeat them at the end.
- d. Use vibrant images, metaphors, analogies, examples. A long narrative with no examples becomes boring and confusing. Try to include at least one example to illustrate each main point.

- e. Use focus phrases. e.g. “The bottom line is...” “The threshold question is...”
These phrases focus the mind of the listener.
- f. Use transition phrases (e.g. “Now that we have analyzed the problem, let’s look at possible solutions...”)

X. Other Rules

1. Please contact me immediately if you have any questions or concerns about your Field Placement.
2. Please contact me immediately if you are not getting sufficient hours from your Field Supervisor.
3. Please contact me immediately if you are not getting sufficient feedback from your Field Supervisor.

XI. Calendar of Fall 2020 Due Dates

August	Work at placement site and log hours.
September	Work at placement site and log hours.
Early September	We will schedule the first group meeting for a mutually convenient time.
September 12	Submit journal essay 1.
	Submit a completed Externship Agreement.
October	Work at placement site and log hours.
October 10	Submit journal essay 2.
	Submit the mid-semester survey.
Mid-October	We will schedule the second group meeting.
	You should be near 50% of your total required hours.
	You should have had at least one individual meeting with Prof. Pope by now. Schedule at your convenience.
November	Work at placement site and log hours.
November 7	Submit journal essay 3.

Mid-November	We will schedule the third group meeting in which everyone will make their 20-minute presentation.
November 23	Submit the end-of-semester survey.
	You should be near 100% of your required hours.
	Plan your “exit interview” second individual meeting with Prof. Pope. Schedule at your convenience.

XII. Appendices

- A. Education Agreement
- B. List of Journal Topics
- C. Site Supervisor Guide

6/7/19

**MITCHELL HAMLINE SCHOOL OF LAW (MHSL)
EXTERNSHIP EDUCATION AGREEMENT**

THIS AGREEMENT MUST BE TYPED.

Check the appropriate course:

- Independent Externship (Course Number 4355)**
 Independent Judicial Externship (Course Number 4900)
 Externship Course

Course Name: [Click here to enter text.](#)

Course Number:

Student Name:

ID #:

Address:

Phone:

Email address (default is MHSL address):

Semester: Fall Spring Summer Year 20

Professional Responsibility course completed? Yes Taking it concurrently No

Credits: One Two Three Four Other (requires advance permission):

I understand that for *each* credit received, the Student must log 45 hours, including time working at the placement site and time spent working with the Faculty Supervisor. Forty-five hours requires an average of 3 hours per week for 15 weeks.

Will you be paid for any work counting toward the required hours? Yes No

Field Placement Site (Organization or Court):

Address:

Name & Title of Site Supervisor:

If licensed attorney, state(s) of licensure and Attorney ID(s):

Phone:

Email address:

Name & Title of Faculty Supervisor:¹

Check here if placement organization is a 501(c)(3) organization or government agency. Any UNPAID hours worked over your credit hours qualify for MJF volunteer public service hours. Please log in your MJF hours.

This box is for Jean Backes's use only

Faculty:

¹ In the context of an externship course, including Residency, the term "Faculty Supervisor" refers to the course instructor throughout this agreement.

EXTERNSHIP EDUCATION AGREEMENT

PAGE 2

REQUIREMENTS FOR ALL EXTERNSHIPS

All externships consist of two components: (a) a work experience under the supervision of the Site Supervisor (“fieldwork”); and (b) an academic component under the supervision of the Faculty Supervisor. This section of the Agreement sets out the minimum requirements expected of the Site Supervisor, Faculty Supervisor, and Student in order for MHSL to grant academic credit for an externship. Each must complete the section that relates to his or her role.

Site Supervisor’s Agreement: Thank you for your support, supervision, and mentoring of a law student extern. Please **initial** each requirement to indicate your agreement (typed is fine).

As Site Supervisor, I agree to the following:

_____ **Supervision:** I have the authority, ability, and resources to ensure that the Student is supervised by a licensed attorney or other qualified individual who will (1) help the Student develop and meet learning goals for the externship, and (2) actively direct, monitor, and mentor him/her throughout the semester.

_____ **Field Activities:** The Student will be engaged in (1) a substantial lawyering experience that (2) exposes the Student to a variety of lawyering skills and tasks (3) in furtherance of the Student’s learning goals and (4) includes multiple opportunities for performance, feedback, and self-evaluation. *Assignments may include (without limitation) drafting contracts, briefs, pleadings or other legal documents; researching and writing legal memoranda; interviewing clients, witnesses, or other persons with relevant information; attending negotiations or mediations; and observing or participating in meetings, depositions, or court proceedings.* **Administrative work will be kept to a minimum.**

_____ **Communication & Feedback:** I will keep the Student informed about office practices and assignment requirements and deadlines. I will be available to meet with the Student to provide instruction, support, and feedback on assignments. The Student will be provided specific, individualized, and timely feedback on his/her work.

_____ **Participation in Evaluation:** I will cooperate with MHSL in evaluating the quality of the Student’s externship experience and the Student’s performance, including meeting regularly with the Faculty Supervisor or Externship Director by phone or in person, reviewing any student self-assessments, and completing evaluations. If the Student is being compensated for fieldwork, I will attend a mid-semester meeting among the Student, Faculty Supervisor and myself to review progress toward, re-assess, and adjust the Student’s learning goals. I understand that meeting will be organized by the Faculty Supervisor at a mutually convenient time and that the meeting must be in-person unless one or more parties is in a remote location, in which case the meeting may be held using video conferencing technology.

_____ **Legal Compliance:** My organization is responsible for ensuring that our labor and employment practices are in compliance with applicable state, local, and federal laws, including any student practice requirements. **[Site supervisor items continue on the next page.]**

EXTERNSHIP EDUCATION AGREEMENT
PAGE 3

_____ **Assistance and Support:** I will contact the Faculty Supervisor or Externship Director with any questions, concerns, or requests for additional support.

Student's Agreement: Please **initial** each requirement to indicate your agreement (typed is fine).

As a student extern, I agree to the following:

_____ **Professionalism:** I agree to (1) follow directions, seek clarification and advice in a timely fashion, and comport myself with professionalism and integrity; (2) abide by the field placement site's confidentiality and privilege rules and policies, including in any writing or discussions with the Faculty Supervisor; and (3) abide by the agreed-upon schedule, including showing up on time, providing sufficient notice for any absences, and contacting the Site Supervisor immediately if I am ill or have an emergency.

_____ **Learning Goals:** I understand the purpose of the externship is to learn while performing legal work under the supervision of an attorney, judge or other qualified individual. I will create learning goals for the semester and discuss these with my Site Supervisor and Faculty Supervisor. I will ask questions, become involved in the work of the office, and devote myself to use the time at the placement to learn everything I can.

_____ **Self-Evaluation:** I will strive to assess my performance on each assignment I complete. In so doing, I will consider what I did effectively and areas for improvement. Where possible and appropriate, I will discuss my self-assessment with my Faculty and Site Supervisors. I will be open to feedback from my supervisors and will consider how it can be related and applied specifically to my future work.

_____ **Academic Component:** I will meet with the Faculty Supervisor to reflect on the observations, experiences, ethical considerations, and other issues that arise during my externship. I agree to complete all required readings, evaluations, and other assignments required by the Faculty Supervisor. In so doing, I will be mindful of my confidentiality obligations. If requested to do so, I will participate in a mid-semester meeting with the Site Supervisor and Field Supervisor to review my progress toward, re-assess, and adjust my learning goals. If I am being compensated for fieldwork, I understand that a mid-semester meeting among the Site Supervisor, Faculty Supervisor and myself is mandatory. I understand that the meeting will be organized by the Faculty Supervisor at a mutually convenient time and that the meeting must be in-person unless one or more parties is in a remote location, in which case the meeting may be held using video conferencing technology.

_____ **Timekeeping:** Using MHSL's online timekeeping system, I will keep detailed time records of *all* time spent working with or for the Site Supervisor (or designee) and with or for the Faculty Supervisor.

_____ **Assistance and Support:** If any problems arise during my externship or if I have any concerns, I will immediately contact my Faculty Supervisor.

EXTERNSHIP EDUCATION AGREEMENT
PAGE 4

Faculty Supervisor's Agreement: Please **initial** each paragraph to indicate your agreement (typed is fine).

As Faculty Supervisor, I agree to the following:

_____ **Academic Requirements:** I will establish requirements (such as meetings, readings, reflective papers or journals, or other assignments) designed to support and enrich the Student's experience in his/her placement, including through self-evaluation and reflection.

_____ **Site Evaluation:** I will remain in regular contact, including possible site visits, with the Site Supervisor and the Student to ensure the quality of the educational experience. If the Student is being compensated for fieldwork, I will organize, at a mutually convenient time, and attend a mid-semester meeting among the Student, Site Supervisor and myself to review progress toward, re-assess, and adjust the Student's learning goals. The meeting must be in-person unless one or more parties is in a remote location, in which case the meeting may be held using video conferencing technology.

_____ **Availability:** I will be available as a resource to the Student and the Site Supervisor should any concerns or issues arise.

_____ **Evaluation:** I will evaluate the extern's academic performance during the externship. The assessment will be based on the Student and Site Supervisor evaluations, timely compliance with externship requirements, the quality of self-reflection, and professionalism. Based on this evaluation, I will determine whether credit should be granted.

_____ **Assistance and Support:** I will contact the Site Supervisor or Externship Director with any questions, concerns, or requests for additional support.

[AGREEMENT CONTINUES NEXT PAGE]

EXTERNSHIP EDUCATION AGREEMENT

PAGE 5

SPECIFIC EXPECTATIONS FOR THIS EXTERNSHIP

This section of the Agreement sets out specific means by which the Student, Site Supervisor and Faculty Supervisor will meet key requirements. The Student must complete this section after consultation with the Site and Faculty Supervisors.

- A. Student's Learning Goals** (for student continuing at a previous work site, goals must specifically address how work will be different so as to promote substantial ongoing learning)

- B. Student's Field Activities** (must provide "substantial lawyering experience...that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks," including opportunities for performance, not just observation)

EXTERNSHIP EDUCATION AGREEMENT

PAGE 6

C. Plan for Site Supervision of Student (including feedback on student work)

D. Plan for Faculty Supervision of Student (including meetings, opportunities for self-evaluation, and other requirements determined by the faculty supervisor)

E. Plan for Faculty Contact with Site Supervisor

The Externship Director or designee will contact Site Supervisors at new placement sites before signing this agreement. For all placement sites, the Faculty Supervisor will contact the Site Supervisor for at least one status report midway through the semester. If the Student is being compensated for fieldwork, a mid-semester meeting among the Student, Faculty Supervisor and Site Supervisor is required. MHSL will send a follow-up survey instrument when the semester's work is completed. No credits or grade (P/F) will be awarded until these steps have been taken.

Additional Faculty Contact with Site Supervisor:

EXTERNSHIP EDUCATION AGREEMENT

PAGE 7

SIGNATURES OF APPROVAL

I have reviewed and agree to act in accordance with this Agreement.

Site Supervisor or Judge

The Student's externship is for academic credit.

The Student will also be compensated for some or all fieldwork. Yes No

I certify that the Student's fieldwork will be supervised by a licensed attorney or individual otherwise qualified to supervise the planned field activities set out in Section B, above.

Site Supervisor or Judge: _____

Date:

Student: _____

Date:

Faculty Supervisor: _____

Date:

Externship Director: _____

Date:

Reflective Writing Assignments

Suggested Topics (general):

- 1) Describe an interaction that you have had a chance to observe between a lawyer and a client, either in your office or elsewhere. What did the lawyer do (or fail to do) to treat the client respectfully? How effectively did the lawyer communicate with the client? What did the lawyer do to make the communication particularly effective (or ineffective)? What lessons can you take from this interaction about effective ways to treat clients?

- 2) Describe the office you are working in. How many people work there? How do lawyers interact with each other? How do they interact with non-lawyers with whom they work? What do you like about this office culture and/or what makes you apprehensive? Is this a kind of office in which you would like to work? Why or why not?

- 3) Describe an event that challenged assumptions you had about the justice system. What assumption did you have about the way the justice system worked? Where do you think those assumptions came from? What happened in this event that has called those assumptions into question? Do you think the event is typical or atypical of the way the justice system generally works?

- 4) Describe your aspirations about work-life balance as a lawyer. How many hours a day or week do you want or expect to work? How challenging do you expect the job of a lawyer to be? What do you observe about the quality of life of the attorneys in your work setting? In what ways do you want to emulate/avoid the lifestyles you see?

- 5) Describe a difficult situation that you had to handle in your semester in practice. What was the situation and what made it difficult? How did you choose to respond? Did you get a satisfactory result? If so, why? If not, what could you have done differently?

- 6) Describe an effective piece of advocacy (an argument in court, a negotiation, a discussion with a client, etc.) that you have had a chance to observe. What made it effective? What lessons can you take from this piece of advocacy about what it means to be a good lawyer?

- 7) Describe an event of effective problem-solving that you have had a chance to observe. What made it effective? What lessons can you take from this piece of advocacy about what it means to be a good lawyer?

Specific to Criminal Law Semester in Practice

- 1) Describe your reasons for choosing an semester in practice in criminal law. Do you come to the SiP with aspirations to work as a public defender or prosecutor? If so, which were you inclined to do prior to this SiP? Did you end up in a placement that aligns with your preferences? Has your experience strengthened your preference or weakened it? Why?

- 2) Describe your impressions of criminal court. How do you see defendants being treated by the court, by their lawyers, by others? Do you see victims of crime in court? If so, how are they being treated? Do you think their interests are being adequately represented? Why or why not?



MITCHELL | HAMLINE
School of Law

INDEPENDENT EXTERNSHIP PROGRAM Guidelines for Site Supervisors

1. INTRODUCTION

Thank you for your willingness to serve as a Site Supervisor to a Mitchell Hamline law student. You will play an important role in our mission to provide education to our students to serve, teach, study, and practice law by being critical observers and active participants. We recognize that extern supervision takes time and effort, but we hope your experience as a site supervisor will also be enjoyable and rewarding. These guidelines are intended to provide information about the Independent Externship Program and assist you in working with our students.

2. EXTERNSHIP PROGRAM GOALS

While the essence of the independent externship is the student's specific individual learning goals, the following Program Goals specify what we hope to accomplish by having such a program at Mitchell Hamline. We aim to provide our students the opportunity to:

- Apply knowledge and skills gained from academic studies in class to the rigors of practice;
- Learn to be a reflective professional-- articulate observations, comprehend, and integrate new knowledge for future actions;
- Develop professional responsibility skills;
- Assist in defining career goals and create professional networks;
- Gain skills and knowledge necessary to work with individuals with life experiences different than the student's own life experiences.

3. ABA REQUIREMENTS FOR STUDY OUTSIDE THE CLASSROOM

Mitchell Hamline's Independent Externship Program is operated in accordance with the guidelines set forth in the American Bar Association's Standards for Approval of Law Schools, ABA Standard 304. For a copy of Standard 304, please contact the Externship Administrator (contact information in 7., below).

4. SITE SUPERVISOR'S RESPONSIBILITIES

A. Review student's goals and assist in identifying field activities to achieve those goals. Prior to the placement start date, the student and supervisor are expected to discuss the student's learning goals for the field placement and identify opportunities for the student to meet those goals. Based on this discussion, the student will write her/his Education Agreement and request that you review and sign the Education Agreement.

B. Conduct a thorough initial meeting to cover office basics. Please schedule an initial meeting with the student extern at the very start of the first week of fieldwork to orient the student to the nature of the work, the set-up of the office, and to set the tone for the supervisory relationship. We recommend that you address the following issues with the student at the start of the fieldwork:

Conflicts Check. If you have not already asked the student about his or her previous/current employment and affiliations that might potentially be in conflict with your organization's conflict policy, please discuss at the initial meeting.

Confidentiality and Professional Responsibility. Discuss professional obligations such as confidentiality, conflicts of interest and permissible communications with those outside the office at the outset of the fieldwork. If there are particular ethical policies that govern your office, please share them as well. It is also helpful for the student to know the title to use on communications, e.g., “law student extern” or “legal extern.”

Office Function. Discuss with the student the services provided by your office and who the organization’s clients are (if there are clients), as well as the particular substantive areas of law that the office focuses on. This will help to orient the student extern to her/his new work environment. Please take the time to show your student around the office, including a brief overview of the office space where resources for research are available and introductions to staff with whom they will interact.

Relevant Office Policies. Please share with the student the relevant office policies, such as any dress code and the use of office equipment.

Schedule of Meetings with Student. It is important to plan early for both formal and informal communications with your student. We encourage you to have at least weekly meetings with each student extern, during which you can review work and discuss other matters.

Workspace. Each student extern will need some form of a workspace set aside. Please advise others in the office where the student will be located.

Work Schedule. Together with the student, develop a schedule of the specific days and times for fieldwork. A set schedule provides the student extern with the opportunity to develop a sense of commitment and responsibility and also allows you to better plan for the student’s involvement and gather assignments.

C. Ensure the student is involved, assign meaningful projects, and provide critical feedback.

Involvement & Assignments. Please include your student in the activities of the office. As appropriate, invite the student to attend client meetings, conferences, administrative hearings and trials, negotiations, settlement conferences, either as observers or active participants. Students should not be asked to spend more than de minimis time on administrative duties such as photocopying and phone coverage.

Assign a variety of meaningful legal tasks. Such tasks may include, with appropriate supervision: drafting of documents and policies; conducting legal research; interviewing and counseling clients; negotiating; responding to government agencies, writing letters to constituents, and providing advocacy in court proceedings.

Inform the student the chain of command for assignments, i.e., from whom she/he should accept work. It is always best if assignments go through the Site Supervisor, even if a student will work with others in performing some tasks. Inform your student about the review process for her/his work, as well as whether there are any tasks the student may carry out without a supervisor’s review or approval.

Explanation of Assignments. It is always helpful to carefully explain assignments and make certain the student understands what is expected. Set a deadline for each assignment and keep track of whether the student is completing assignments in a timely fashion. Please inform your student of available resources that might be helpful, particularly those resources with which the student might not be familiar. In addition, provide context for each assignment, i.e., how the work product will fit

into the larger picture. For relatively complex assignments, please ask the student to check in early and often to report on his/her progress.

Feedback. Site Supervisors are expected to meet with each student extern on a regular basis to provide critical feedback. It is important to identify those aspects of the student's work that are effective, as well as those aspects that require improvement.

D. Engage in communication with Mitchell Hamline about the externship. Before the externship, you may be contacted by the Faculty Supervisor, Externship Director, or a member of Mitchell Hamline's Career and Professional Development staff to discuss basic information about externship requirements, the student's preliminary learning goals, and any questions you may have about externships.

Once or twice during the semester, you may be asked to discuss the student's progress with learning goals. In the event the student is paid for externship fieldwork, a mid-semester meeting is required and must be an in-person or video-conference meeting including the faculty supervisor, as well as the student and site supervisor.

At the end of the semester, the Site Supervisor may be asked to complete and submit a brief, written evaluation or the faculty supervisor may call you to ask for feedback on the student's performance.

At any time, please do not hesitate to contact the Faculty Supervisor or Externship Director with any questions, concerns, or requests for additional support. *If you have concerns:* The faculty and administrators at the law school will intervene in situations in which a site supervisor and student are unable to discuss the problem or when there have been attempts to address the issues but the problems have not been resolved. If you have any concerns about a particular student extern, please contact the Externship Director or Administrator.

5. TIMEKEEPING

Students are required to log 45 hours per credit earned, including time spent on fieldwork and coursework. The student is responsible for tracking hours using an online timekeeping tool. You will not be asked to verify the student's hours.

6. WESTLAW AND LEXISNEXIS

Students may use their Westlaw and LexisNexis educational accounts to conduct legal research and other assignments that are directly related to their learning during their externship. Any other use, including any use in connection with the student's employment or where the student receives remuneration of any kind, is prohibited.

7. RESOURCES FOR SITE SUPERVISORS & STUDENTS

A. Sexual Harassment, Non-Discrimination and Non-Harassment, and Sexual Violence Policy. Although site supervisors are not employees of Mitchell Hamline, we wanted to ensure you are aware of our policy regarding non-discrimination and non-harassment and know that this resource is available:

It is the policy of the Mitchell Hamline Law School of Law ("law school") to maintain a learning environment that is free from sexual harassment ..., sexual intimidation, sexual exploitation, harassment, discrimination or sexual violence based on actual or perceived race, color, creed, religion, national origin, sex/gender ..., gender identity, marital status,

familial status, disability, status with regard to public assistance, sexual orientation, age, family care leave status or veteran status or any other protected class defined by law. The law school prohibits any form of harassment, violence or discrimination based on actual or perceived protected class status. The law school is committed to properly investigating and addressing incidents of sexual misconduct. Retaliation against a person who reports or complains about sexual harassment, harassment, discrimination, or sexual violence or who participates in or supports the investigation of a complaint is also prohibited and will not be tolerated.

In addition, Mitchell Hamline also prohibits dating violence, domestic violence, sexual assault, and stalking.

For a complete copy of this Policy and the School's Sexual Harassment Policy, please contact the Externship Director.

B. Faculty. Mitchell Hamline students who enroll in the independent externship course are required to have a full-time faculty supervisor who will provide educational supervision. The faculty supervisor is responsible for: (1) Meeting with the student during the externship; (2) Assisting the student in guided reflection based on the student's experiences; (3) Evaluating whether the student achieved his/her learning goals; (4) and providing support to the student and site supervisors as necessary.

C. Externship Program Team. Mitchell Hamline's Externship Director is responsible for the overall management of the Independent Externship Program and in so doing relies on the expert assistance of the Externship Administrator.

Professor Denise Roy, Externship Director, Mitchell Hamline School of Law,
denise.roy@mitchellhamline.edu (651) 290-6385.

Jean Backes, Administrative Coordinator for Clinics & Externship Programs,
jean.backes@mitchellhamline.edu (651) 290-6351.

Please feel free to call Denise or Jean with any questions.

D. Independent Externship Program Website. Contains program details and resources. <https://mitchellhamline.edu/field-placements/independent-externships/>.

E. Recommended reading for Site Supervisors.

Leah Wortham & Liz Ryan Cole, *Learning from Supervision* in **LEARNING FROM PRACTICE: A TEXT FOR EXPERIENTIAL EDUCATION** 33-58 (J.P. Ogilvy, Leah Wortham & Lisa G. Lerman, eds., 3rd ed., West Academic 2016). Please contact the Externship Administrator if you would like to a copy of *Learning from Supervision*.