

New England Externship Consortium (NExt)

SUPERVISING IN A NEW LEGAL ENVIRONMENT: Guide To Effective Law Student Supervision



Agenda

1. Overview and ABA Policies for Externships/Field Placements
2. Inclusiveness
3. Onboarding and Orientation
4. Communication: The Key Ingredient
5. Setting Goals and Learning Agendas
6. Assignments
7. Providing Feedback
8. Reflection
9. Wrap Up



Who Are Your Students?

- Unpaid Interns
- Pro Bono Volunteers
- Paid Summer Employees
- Externs for Academic Credit




ABA Externship Standards

ABA Standard 304:

Substantial Lawyering Experience That is Reasonably Similar to the Experience of a Lawyer Advising or Representing a Client or Engaging in Other Lawyering Tasks

AND Must Provide:

- Direct Supervision of the Student's Performance by a Site Supervisor
 - Multiple Opportunities for Performance, Feedback From a Site Supervisor; and Self-Evaluation.
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Inclusiveness

Inclusiveness in Externships

Diversity and Inclusion of Historically Marginalized Students

Why is it Important to Consider?

Steps to Take Before Accepting an Extern

Tips for Engaging in Anti-Racist Supervision

Resources

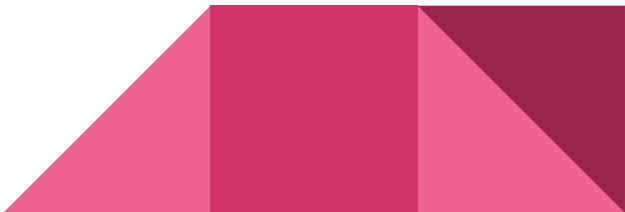


Inclusiveness in Externships

Prior to the externship:

- ✓ Engage in an “audit” of your organization.
- ✓ Acknowledge racism’s impact.
- ✓ Review your application process for transparency and accessibility.
- ✓ Look over your physical space for the images that students will see.

During the externship:

- ✓ Establish a mentor or “buddy” program.
 - ✓ Provide access to organizational leaders.
 - ✓ Acknowledge and “re-write” the “unwritten rules.”
 - ✓ Don’t “flaunt” the diverse intern.
 - ✓ Ensure a baseline level of knowledge.
 - ✓ Provide opportunities for “plum” or “meaty” assignments.
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Onboarding & Orientation

Definitions

- **Onboarding**: the tasks to think about before the extern starts work.
- **Orientation**: the plan for the first few days.



Onboarding - What to Think About Prior to Start

- Work Schedule & Expectations
- Technology and Administrative Paperwork
- Ethics and Professionalism



Orientation: Creating Community

- Connecting to the Office (or “Office”)
- Connecting to Other Externs
- Connecting to Mentorship and the Field



Communication

Communication: Critical from the Beginning

Supervisor-Faculty Communication

- Delineate roles/responsibilities of each party to field placement

- Share expectations for student experience and best practices for supervision

- Prevent and resolve problems as they arise

Supervisor-Student Communication

- Devise work plan that optimizes learning experience

- Review and monitor progress on Learning Plan



Communication Touchpoints

Structured with You:

- ☐ Standing Meetings
- ☐ Quick Daily Check-ins
- ☐ Weekly Status Updates


Structured with Office:

- ☐ Staff Meetings, Strategy Sessions, etc.

Impromptu with You and Office

Include Students





Setting Goals/Learning Plans

Learning Plan: A Blueprint for Student Experience

Purposes of the Learning Plan

Establishing Learning Goals

Identifying Experiences/Activities Designed to Achieve Goals

Vehicle for Ongoing Communication with Supervisor

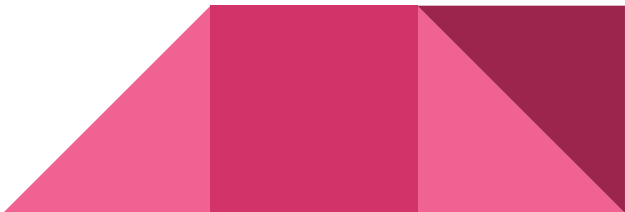


Learning Plan: Goals and Activities

Examples of Learning Goals

- ☐ Deepen knowledge of substantive and procedural law
- ☐ Hone fundamental lawyering skills
- ☐ Develop professional identity
- ☐ Career development and planning

Activities: Planning, observation, participation, performance, receiving feedback, debriefing and engaging in professional interactions



Assignments

Assignments

Plan

Provide Context

Communicate Expectations

Provide Resources

Questions/Communication

Feedback

Have a longer-term project available for down times



Types of Assignments

Research & Writing

Observations

Presentations



Observation Opportunities

Review Your Calendar and Include Student Whenever Possible

- Staff Meetings, Board Meetings, Negotiations, Mediations, Trials etc.

Provide Context and Debrief

- Assign Student to Prepare for Meeting
- Assign Student to Draft Summary of Meeting



Presentations

Skill Development

Mooting

Leading a Brown Bag

Project Management

New Issue/ Subject

Networking





Feedback

Why Feedback Matters in the Externship Setting

Shared role between externship faculty and site supervisors in teaching, training and mentoring students in a field placement for academic credit.

ABA Standard 304 (a)(4): provide opportunities for student performance, self-evaluation, and feedback from a faculty member, or, for a field placement, a site supervisor



Styles/Methods of Feedback

- Appreciation
 - ✓ Creating community; fully integrating students
- Coaching
 - ✓ Aimed at helping the student learn
- Evaluation
 - ✓ Rating/ranking of externship performance

<https://globalleadership.org/videos/leading-others/appreciation-coaching-evaluation>



Providing Coaching Feedback

- ✓ Frequent
- ✓ Recent
- ✓ Specific
 - Positive Feedback
 - Constructive Feedback



Barriers to Providing Feedback & Possible Solutions

- Time
 - ✓ Student initiated review
 - ✓ Final draft of documents
- Providing constructive feedback/navigating difficult conversations
 - ✓ Students are eager for this learning opportunity
 - ✓ Context matters - coaching style assists students in transition from student to lawyer
- Remote or hybrid work environments
 - ✓ Regular meetings
 - ✓ Additional opportunities to involve students, even outside regularly scheduled externship days



Reflection

Reflection is Integral Part of Externship Experience

ABA Standard 304 requires some means of “ongoing, contemporaneous, faculty-guided **reflection**.”

What is reflection?


How do students reflect?

On what topics do students reflect?

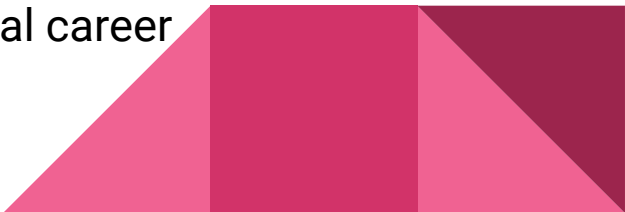
How can supervisors help with reflection?



Examples of Topics for Student Reflection


- ✓ Lawyer-client communications and allocation of authority
 - ✓ Role of in-house and government lawyers
 - ✓ Judicial decisionmaking and constraints
 - ✓ Implicit and structural biases in the civil and criminal justice system
 - ✓ Receiving and responding to feedback
 - ✓ Defining and enforcing legal professionalism
 - ✓ Managing stress and maintaining mental health in legal practice
 - ✓ Creating a healthy work environment
 - ✓ Perceptions/reputations of certain practice areas
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Helping Students to Reflect

- ✓ Debrief activities in which student has participated or observed
 - ✓ Encourage students to ask questions and share their perceptions
 - ✓ Share your insights and perceptions
 - ✓ Point out factors impacting events/conduct that students may not be aware of
 - ✓ Talk to students about the system(s) in which your practice operates
 - ✓ Talk about your own career path, preferences and choices
 - ✓ Talk about the rewards and challenges of your legal career
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An example of a reflective memorandum prompt

What is the mission statement of your placement? Is the mission of the agency (your placement) furthered by the public policies of the agency? Drawing on the readings for class and your first impressions at your placement, consider the role that your agency's mission statement and policies have on the criminal justice system. Specifically, consider the impact that the policies have on other criminal justice organizations in your community. Have you seen or read about the impact of the policies on judges, attorneys, police, or federal agencies such as ICE? Have you seen the impact of these policies on the general community (immigrants, public spaces, low-income neighborhoods, schools etc)? What do you think is the institutional role of your agency in the community?



Questions or Ideas?



We Are Here For You

Matthew Bernstein, Vermont Law School, mbernstein@vermontlaw.edu

Suzanne Harrington-Steppen, Roger Williams Univ. School of Law, sharrington-steppen@rwu.edu

Crisanne Hazen, Harvard Law School, chazen@law.harvard.edu

Kate Devlin Joyce, Boston University School of Law, kdevlin@bu.edu

Jennifer Mailly, UConn School of Law, jennifer.mailly@uconn.edu

Rachel Reeves, University of Maine School of Law, rachel.l.reeves@maine.edu

Stay tuned for law school-specific gatherings in the future!

