

FREQUENTLY ASKED QUESTIONS VERMONT LAW AND GRADUATE SCHOOL'S

JD EXTERNSHIP PROGRAM

Supervisor Requirements

Work Commitment

Placement Process

Compensation

Supervisor Requirements

What is a supervising professional's role in an externship?

Externship students are typically compensated with learning experiences, rather than with salaries or wages. This means that, rather than simply assigning research and writing projects, we expect supervisors to involve students in all aspects of their work and the work of their organizations more broadly, to the extent possible. For example, the supervisor is expected to take time to explain the context of assigned projects and be available for the student's questions. The supervisor is also expected to involve the student in events such as meetings, conference calls, client meetings (assuming the client will consent), trainings, court appearances, and pre-trial discovery, if and when such opportunities arise. If a student has done work on a matter, the student should ideally see as many aspects of that matter as possible in order to maximize the educational value of the experience.

What other requirements are expected of a supervisor during the semester?

In addition to mentoring an externship student and involving him or her in all aspects of practice, a supervisor must assist the student with a few academic course requirements during the semester. The supervisor works with her student at the beginning of the semester to craft realistic educational goals for the semester in light of the anticipated work of the semester. The supervisor meets with the student during the 5th and 10th weeks to review the student's narrative self-evaluation and discuss progress toward meeting the student's goals. The supervisor will be expected to communicate with faculty about the externship during the semester, and meet with faculty for an in-person site visit during the first half of the semester. During the final (15th) week of the semester, the supervisor prepares a final evaluation and meets with the student to review it before finalizing the evaluation and sending it to the Vermont Law and Graduate School (VLGS) JD Externship office. This final evaluation is the only document the supervisor must draft. All other course assignments are the responsibility of the student to draft and circulate to the supervisor for input on a schedule established by VLGS.

May a student work with others professionals in the office?

Yes. We encourage our students to work not only on assignments they receive from their supervisor, but also to seek out assignments and work with others in the office. We prefer students get a well-rounded exposure to the work of the organization during their externships. To achieve this goal, students must be open to working on a variety of projects with various legal professionals. We ask that the designated supervisor help the student secure high quality feedback from the other professionals from whom they receive assignments.

Are there other qualifications a supervisor must meet?

If a student is working in a traditional legal practice setting, the supervisor must hold an active law license in the jurisdiction in which the practice operates. In policy focused and lobbying organizations, we require that the designated supervisor have received a JD degree from an ABA accredited law school, or a non-US equivalent for work in international organizations.

We can only approve supervisors who have a minimum of 5 years of professional work experience in the substantive focus area.

The work assigned to students must be legal or policy matters, and administrative tasks must be kept to a minimum.

Work Commitment

What are students' work requirements for the externship course?

Students work "on-site" with their supervising attorney's organization, or with their supervising judge's chambers, for an entire semester (15 weeks). The number of hours per week each student spends doing "on-site" work varies. Full-time students must work the full-time weekly work schedule (not less than 40 hours per week) of the office in which they are placed. Part-time students must work a certain number of hours in the office, depending on how many academic credits they have selected. Generally, part-time students spend two or more days in the office.

Can students telecommute and meet the work requirement?

No. Telecommuting (although emerging in the profession) does not offer the quality of experience we require to approve an externship for JD credit at VLGS. Engaging professionals and issues they address within the office setting, as matters arise and then inevitably change, is the essence of the exposure we seek for our students earning credit toward their law degrees. Limited exceptions apply when weather

conditions or other unforeseen circumstances make travel to the work site impossible or unsafe. A faculty supervisor may also approve off-site work due to other circumstances, on a case by case basis.

When do students begin their on-site work?

All students have a fixed start date for the semester. For fall semester externs, work usually begins around the end of August or beginning of September and runs through the early part of December. For spring semester externs, work usually begins toward the middle of January and runs through the end of April or early May. Students may begin work prior to the start date set by VLGS; however, the 15 weeks that count toward course requirements do not begin until the fixed start date. Some flexibility exists to adjust the start date, if circumstances require.

[Top of Page](#)

Placement Process

What is the purpose of the placement process utilized by the JD Externship Program office?

Vermont Law and Graduate School's externship program offers students extraordinary flexibility in where they may work for JD credit in order to best meet their goals and professional aspirations. We have designed our placement process to maintain that flexibility, but also to ensure fairness to all interested students, and to ascertain and confirm that all externship placements can and will meet VLGS and ABA requirements. To ensure the process meets those various goals and requirements, students are not authorized to establish an externship on their own unless and until our process on campus has begun and faculty has become involved with the student. That process never begins before the semester prior to the semester in which the student seeks to complete an externship through one of our courses.

Why must JD Externship Program faculty approve an externship placement, and what is involved in the "approval process?"

Externship faculty must confirm that an externship for JD credit meets VLGS and ABA requirements, and that the expected quality of the experience is sufficient to award credit. The approval process is conducted by externship faculty. It may involve a request for written information, and it always involves a phone conversation with the attorney, judge, or JD professional with whom the student wishes to work for credit.

Can students establish their own externship placement?

In general, externship faculty navigate the placement process for and with students on an individualized basis, and they engage with potential placement sites in a variety of ways. Many placement sites prefer or require that only VLGS faculty make contact with the potential supervisors, but many others permit contact directly by students. New externships sites may become available through student connections, while others become available exclusively through the work of externship faculty or

contact initiated by a legal professional. Students may be authorized to establish their own externship placement, but not until they meet with externship faculty and are given permission to engage on their own. Students authorized to establish their own externship must keep externship faculty updated on what ideas they are pursuing, and no application to an externship site may be made without externship faculty approval.

Can I interview the externship candidate or candidates?

We require that candidates be interviewed, and there is no obligation on the part of the potential supervisor to accept the candidate before or after interview. We want the match to be a good match, and an interview is invaluable to both student and prospective supervisor in making the decision to work together for the semester.

Compensation

Can a placement organization pay students for their externship work?

Until August 2016, the ABA prohibited students earning JD credit from receiving any form of “compensation” for the work done in an externship. That prohibition has now been lifted. Vermont Law and Graduate School is currently considering on a case by case basis whether students may receive “compensation” for their externships. Students wishing to be considered for an externship in which they may receive “compensation” must consult with and receive the approval of the Director of JD Externships.

Can a sponsoring organization provide “stipends” or can it reimburse students for some living and travel expenses while on an externship?

Stipends, if appropriately paid by an organization other than Vermont Law and Graduate School, are permissible if approved by the Director of JD Externships. Out of pocket expenses, and other non-taxable reimbursements such as moving expenses, have always been permitted and do not require prior approval.

[Top of Page](#)

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