Externships 7 - Plenary 2: Classroom and Reflection Tools

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Like snow flakes, no two programs are alike
Range of Options

- Every imaginable combination.

- Classroom Component doesn’t mean “classroom”.

- Three primary areas to explore:
  - What is the pedagogical focus?
  - What is the role of faculty?
  - What are the logistics?
## Classroom Pedagogical Focus

### Student Focus
- Self-Assessment
- Career Development
- Setting and Achieving Goals
- Values Clarification
- Work/Life Balance

### Reflective Skills
- Observation
- Analysis
- Planning
- Problem-Solving

### Workplace Skills
- Professionalism
- Time-Management
- Getting Supervision and Feedback

### Legal Practice
- Exploring Types of Practice
- Bias/Power
- Attorney/Client Relationships
- Access to Justice

### Legal Skills
- Client Counseling
- Drafting Documents
- Research
- Oral Advocacy

### Substantive Law
- Case Law
- Regulations/Codes
Classroom Pedagogical Focus
Where are you?

Student Focus
- Self-Assessment
- Career Development
- Setting and Achieving Goals
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Reflective Skills
- Observation
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Workplace Skills
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**Where are the students?**

Are students in classes based on type of field placement?

- Mixed placement (students in a variety of placements)
- All students in same type of placement. For example:
  - Criminal Defense/Prosecution
  - Judicial
  - Public Interest
  - Health
  - Environmental
  - Administrative/Regulatory
  - Legislative
  - International
  - Single Organization
# Faculty’s Role

<table>
<thead>
<tr>
<th>Who teaches?</th>
<th>Does faculty interact with field placement?</th>
<th>Is the faculty member involved in the student’s legal work?</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Clinical tenured/tenure track faculty</td>
<td>• Site visits</td>
<td>• Under umbrella of confidentiality at placement</td>
</tr>
<tr>
<td>• Non-clinical tenured/tenure track faculty</td>
<td>• Participates in student evaluation</td>
<td>• Supervises student work product</td>
</tr>
<tr>
<td>• Adjunct faculty</td>
<td>• Involved in the substantive work of the field placement (hybrid clinic)</td>
<td>• Review student work product</td>
</tr>
<tr>
<td>• Administrator (Dean of Students, Director of Career Services, etc.)</td>
<td>• Very limited interaction or left to director of program</td>
<td>• Does not review or supervise any of students’ work product</td>
</tr>
<tr>
<td>• Placement supervisor given faculty status</td>
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</tbody>
</table>

- Site visits
- Participates in student evaluation
- Involved in the substantive work of the field placement (hybrid clinic)
- Very limited interaction or left to director of program
## Logistics

<table>
<thead>
<tr>
<th>Frequency of Meetings</th>
<th>Graded?</th>
<th>Credits</th>
<th>Class size</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 0</td>
<td>No Grade</td>
<td>0</td>
<td>No class</td>
</tr>
<tr>
<td>• 1-5</td>
<td>Pass/Fail</td>
<td>1</td>
<td>Seminar</td>
</tr>
<tr>
<td>• 5-10</td>
<td>Graded A-F</td>
<td>2</td>
<td>One-on one tutorial</td>
</tr>
<tr>
<td>• 10-15</td>
<td>Grading combined with placement</td>
<td>3+</td>
<td>Lecture class</td>
</tr>
<tr>
<td>• “Boot camp”</td>
<td>Grading combined with placement</td>
<td>5+</td>
<td>Mixture of above</td>
</tr>
<tr>
<td></td>
<td></td>
<td>8+</td>
<td></td>
</tr>
</tbody>
</table>

Live or on-line?

Also: full semester in which students work 30+ hours per week?
Generally means high credits, graded with more meetings.
**Reflective Tools**

- Do students submit journals?
  - Free form or in response to specific questions?
  - How often?
  - Who reads and responds?

- What are the reading assignments?
  - *Learning from Practice, 2nd Ed*
  - Law review articles?
  - Subject specific textbook?

- What are the writing assignments?

- Are students required to make presentations?
Emphasis on seminar —
- 3 credits, graded
- 2 hours plus small group “rounds”
- Generally mixed placements, some subject specific seminars

Basic premise
- We DO NOT control field placement (and do not want to); but we can control the seminar
- Focus on student/reflection/legal practice

Requirements:
- Readings, writing assignments, weekly journal, presentation
- Faculty teach to their strengths and their interests
- Classes include discussion, hypotheticals, simulations, outside speakers
Why Classroom Component Matters

- Field placement without supervision is only half the story. They need faculty guidance to:
  - learn about the broader practice of law,
  - consider different career options,
  - engage in problem solving,
  - observe the practice of law,
  - figure out how to work with supervisors,
  - learn how to get the feedback they need,
  - manage their time,
  - consider what matters to them in terms of their long term legal careers.
- The list goes on and on…
Recent critiques of legal education

- We are “failing our students” because they are not learning to:
  - clarify their own values and goals,
  - how to think critically about the practice of law,
  - how to balance their work and their lives,
  - how to deal with ethical issues that arise in the workplace,
  - how to confront their limitations,
  - how to work effectively with supervisors and colleagues,
  - how to recognize issues of bias and power differentials,
  - what it means to people when they have no access to the legal system,
  - how to take responsibility for and learn from mistakes.
Concerns about the graduating lawyers:

- Alcoholism
- Depression
- Suicide
- Career Unhappiness
- Inability to Identify Ethical Dilemmas
- Lack of professionalism
- ....
Externships can meet these critiques when:

- Students in field placements have sufficient amount of contact with faculty that they can explore those issues, reflect on their experience.

- The faculty take advantage of the externship by incorporating it into the classroom.

- Faculty read their students’ journals and provide feedback.

- Faculty supervisor is not attorney supervisor (thereby providing an opportunity for students to speak candidly about supervision and receive guidance.

- Faculty provide multiple opportunities for reflection, a vital legal skill.

- Faculty has sufficient time with students to provide effective supervision.