



**REGENT  
UNIVERSITY**

**School of Law**

**Externship & Apprenticeship  
Field Supervisor Manual**

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## **Introduction**

Thank you for serving as a field supervisor through Regent University School of Law's Externship & Apprenticeship program. Regent Law offers students the opportunity to gain practical legal experience through its program of apprenticeships and externships. Students are able to learn about how lawyers work, how to practice law, the organization of a law practice, how to learn from supervision, how to work with others, how to identify their career goals, how to pursue the career they want, and how to achieve a healthy life balance as a lawyer. Many law students enroll in at least one externship or apprenticeship during their law school career. Regent Law externs<sup>1</sup> and apprentices work with government agencies, judges, nonprofit organizations, law firms, and Legal Aid Society. By working under the direct supervision of an on-site supervisor and a Regent Law faculty supervisor, students are able to learn how to intentionally and effectively direct their careers while thinking through and learning from their experiences.

The success of the student externs depends in large part on the time and effort put forth by their on-site supervisors. We thank you for the opportunities you will provide your extern in shaping their learning and legal careers. We hope this manual will provide assistance in helping you to effectively mentor your extern and to develop a mutually beneficial working relationship.

## **Educational Objectives**

Externships and apprenticeships allow students to learn from their legal experience outside of the classroom. Externs work alongside attorneys or judicial officers who work on real cases and issues, with the opportunity to observe lawyering in action. The primary educational objectives of the Externship & Apprenticeship program are as follows:

1. Externships and apprenticeships expose students to, and acquaint them with, the reality of law practice. Students who learn the law only in a classroom setting have limited exposure to the actual practice of law. Another vital element of learning the law is exposure to what real lawyers do on a day-to-day basis in the office, in the courtroom, and elsewhere. Learning criminal law and criminal procedure within the protected classroom environment, for example, does not yield the same benefit as a student conducting client interviews or observing how a prosecutor manages her caseload, how defense counsel prepares for court, and how an attorney tries his cases. Apprenticeships and externships provide student externs with this useful practice perspective.
2. Externships and apprenticeships provide opportunities for students to engage in proper legal research and writing in the context of real-life legal problems. All law students can benefit from additional practice in proper legal research and writing. Externships and apprenticeships provide that opportunity in a setting where the student can receive close supervision and constructive feedback in a timely fashion. Actual legal research and writing is based on real people's problems, with real deadlines, and in contexts where the

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<sup>1</sup> Unless otherwise stated, the reference to externs in this manual refers to both externs and apprentices.

results make a significant difference in the lives of clients, attorneys, and externs. Thus, students have ample opportunity not only to hone their legal research and writing skills but also to improve their time management skills.

3. Through the Externship and Apprenticeship program, students pursue in-depth substantive learning in specific areas of the law. By necessity, professors must treat some subjects in the law school curriculum briefly. An externship or apprenticeship gives students an opportunity to engage in deeper study of a particular legal field or topic. For example, a student interested in criminal law can gain a significant amount of substantive knowledge on that subject by working with a prosecutor or public defender

### **Externship Descriptions and Credit Requirements**

Regent Law offers externships at the following sites: (1) The American Center for Law and Justice; (2) Judicial and Governmental sites; (3) Legal Aid Programs; (4) Non-profit organizations; and (5) Law firms.

Regent Law offers *externships* to students who have completed one academic year and have successfully completed two semesters of legal research and writing. Students may enroll in one (1) to three (3) credits of an externship, with a cap of five (5) externship credit hours during their law school careers.

Regent Law offers *apprenticeships* to students who are in their final two semester of law school and have successfully completed two semesters of legal research and writing. Students may enroll in four (4) to ten (10) credits of apprenticeship.

Students must devote fifty (50) hours of legal work to your organization per academic credit. Students must submit a bi-weekly time log that sufficiently details each hour of work completed so that the extern's faculty supervisor can assess that legal work was completed. Field supervisors may, but are not required to, review student time logs. Travel time to and from the externship or apprenticeship site does not count towards the fifty (50) hours per credit. Time devoted to classes, faculty supervisor meetings, or course assignments does not count towards the fifty (50) hours per credit.

Students will be required to keep a reflective journal, complete discussion posts, and/or submit reflection papers. Students are required to maintain client confidentiality and as students are expected to reflect on and learn from their experiences, field supervisors cannot review student journals, posts, or papers.

### **Arranging an Externship**

Students arrange their own externship opportunities. Students may contact an organization from the Law School's pre-approved externship list or from the student's own network. The organization that the student has selected determines the application and selection process. After the student extern has been selected, the student must complete a *Regent*

*University Individual Study Form — Graduate Students and an Apprenticeship or Externship Proposal Form.*

The student must submit the application to the faculty supervisor of record, who will determine whether the student is approved for the externship or apprenticeship course. The Academic Dean must approve the application, which will then be forwarded to the Regent Law Records Office for course enrollment.

Additionally, as required by the American Bar Association (ABA) under ABA Standard 304(d), students must submit a written three-way agreement that describes the lawyering experience, opportunities for feedback, and roles of the student, the faculty supervisor, and the on-site supervisor. The agreement must be read and signed by all three parties.

If an externship or apprenticeship site has not been pre-approved, the student and/or field supervisor must submit a petition to the faculty supervisor of record to be considered for approval. Each petition for a proposed program must supply the following information obtained from the potential site supervisor:

1. The specific educational objectives of the program, consistent with the objectives set forth above. The educational objectives shall be stated in sufficient detail to provide direction in the activities of the program.
2. A statement describing the time and effort expected from the student in pursuing the educational objectives during the program. A statement of the educational benefit expected to be acquired by the student.
3. A statement of specific tasks expected to be involved in pursuit of the program, which should be substantially legal in nature.
4. A description of work products expected to be produced by the student.
5. The designation of a practicing attorney or current judicial officer who will supervise the activities of the student during the program.
6. A statement that the content of the externship comports with all other requirements set forth in Regent Law's three-way authorization form.
7. A statement about whether any monetary compensation will be paid to the student for any work in the program for which he or she receives academic credit.

**Field Supervisor Responsibilities**

Field supervisors are a vital part of an extern's learning and career development. Experienced attorneys can provide excellent opportunities for students to learn about the law and lawyering. Field supervisors should have sufficient experience, knowledge, and authority to teach and mentor externs, to provide meaningful opportunities for students to learn about specific areas of law, and to teach or demonstrate practical legal skills. Field supervisors should assist externs in setting meaningful goals, should provide substantive legal assignments, and provide effective feedback for students to learn from their experiences.

### *1. Initial Meeting/Goal setting*

Field supervisors should meet with externs as early on as possible during the externship or apprenticeship experience. An initial meeting should allow for students to discuss the education goals they are required to create as part of their externship and apprenticeship experience. Field supervisors can inform students as to whether their goals are obtainable and meaningful. Setting appropriate goals at the beginning of an externship or apprenticeship allows both the supervisors and externs to set appropriate expectations, which can (and should) be assessed and revised throughout the extern's experience as necessary. Setting up a schedule of meetings can be helpful in ensuring that the expectations of both the field supervisor and the extern are being met.

It is also helpful to discuss the organization's mission, setting, organizational structure, and hierarchy during the initial meeting. Additional important topics to cover include:

- The organization's mission, services, clients, and organizational structure
- If the organization is a nonprofit organization or a governmental agency, its funding sources
- How the field supervisor and extern will both ensure that the objectives in the three-way agreement and the goals set by the extern are achieved
- Expectations of confidentiality and professional responsibility
- Any code section, regulations, practice guides, or secondary sources the extern should familiarize him/herself with
- A brief orientation to the office or chambers
- Office procedures and policies the extern should be aware of
- Any other tips that will help the student succeed!

### *2. Assignments*

Externs are excited to assist with assignments at your organization. To receive credit for the externship course, students can only log work that entails substantive legal work. Legal work includes, but is not limited to:

- Conducting research
- Interviewing or observing client and witness interviews
- Drafting memos and other legal documents
- Assisting with discovery
- Analyzing legislation
- Observing trials
- Strategy meetings with co-counsel
- Negotiations with opposing counsel
- Observing hearing and/or trial

Any administrative assignments should be kept to a minimum and should be incidental to the externship experience. Students should also be included in staff meetings or in-chamber discussions to gain an understanding of the hierarchy and structure of your organization.

When you assign projects, it is helpful to remember that though the externs are intelligent, have been trained in legal research and writing, and are enthusiastic to jump into their externship experience, they will likely need to be provided with an adequate description of the work assignments and to be informed about your organization's resources, the required format for assignments, and due dates. It is helpful to provide externs with context and samples for the assignment. Providing a broader context for the assignment will help the externs understand the practical significance of the assignment and how the assignment plays a role in the legal process.

It is also helpful to supervise the number of assignments and individuals that the students are assisting. The extern may work for more than one attorney, but the assignments should be managed so that the field supervisor can ensure the assignments fit into the extern's workload.

Be sure to safeguard against the unauthorized practice of law. The student should work under the direct supervisor of a lawyer licensed in the jurisdiction that the student and attorney are working in.

Third year law students may obtain a third-year practice certificate to appear in court or in front of an administrative agency. The requirements for third-year practice certificates vary by state, so be sure to check your state rules and have a conversation with the extern about whether s/he has fulfilled the requirements to practice under direct supervision in court. For Virginia, the Third Year Student Practice Rule is found in the Rules of the Supreme Court of Virginia, Part 6, Section IV, Paragraph 15. Many Regent Law students complete the required courses of Criminal Law, Professional Responsibility, Evidence, and Civil Procedure I and II prior to the summer after their second year of law school and can obtain their Third Year Practice Certificate.

### *3. Effective Feedback*

Providing timely and constructive feedback for externs is crucial to their success as an extern. One model for timely feedback uses the acronym **FAST**:

- Frequent – weekly meetings work to ensure goals and expectations are being met
- Accurate – accurately describe the action that can be addressed, not the person
- Specific – identify precise areas that can be improved upon or repeated
- Timely – externs are less likely to repeat mistakes when supervisors avoid allowing too much time to pass between assignment submission and feedback

Externs benefit from constructive feedback and most externs desire an honest critique of their work. Externs may assume lack of feedback means good work is being produced. Here are helpful tips for effective feedback:

- Lead with the positive – what did the extern do well? Highlight an area the extern can replicate.
- Provide a limited number of suggestions for each assignment so students can internalize the most important areas that need improvement.
- Plan the content to be communicated and the best manner in which to communicate.
- Check for understanding by posing a question that elicits a response from the extern that shows how s/he will move forward.

- Remain open to student improvement – externs are working for your organization, but they are also learning. Allow the extern to demonstrate growth and understanding.

#### *4. Continuous communication*

Continuous communication is vital to student growth. Field supervisors should set weekly meetings with externs so that externs can address issues, questions, or areas of concern, as well as positive feedback. Many externs are reluctant to ask for help or ask questions due to the fear of appearing incompetent; encouraging questions and communication can ensure that the extern maximizes his/her contribution to your organization.

#### *5. Evaluations*

Students are aware that they will be evaluated by their field supervisors. If field supervisors practice timely, effective, and consistent communication with their externs, the evaluations should come as no surprise to the externs or faculty supervisors. The field supervisor evaluation is attached as an appendix to this manual and should be completed during the midterm and at the end of the student's externship or apprenticeship. The evaluations will be submitted to the faculty supervisors for review and will be used by faculty supervisors to assess student performance.

Students are also encouraged to conduct their own evaluations. Field supervisors can encourage these self-evaluations by asking externs where they see their own areas for improvement and whether they are working towards their goals during regular supervisory meetings.

### **Site Visits**

ABA Standard 304(d) requires that law schools select a “method for selecting, training, evaluating and communicating with site supervisors including regular contact between the faculty and site supervisors through in-person visits or other methods of communication that will assure the quality of the student educational experience.” The faculty supervisors look forward to periodically visiting your site to meet with you and the students to ensure that the externships are running smoothly. We look forward to meeting with you!

### **Potential Issues**

Faculty supervisors encourage field supervisors to first address their issues or concerns with their externs. Similarly, externs are encouraged to first address any issues or concerns with their field supervisors. However, if an issue arises that cannot be addressed in the aforementioned manner, you should contact the assigned faculty supervisor as soon as possible in order to appropriately address any problems. If there are any issues regarding Legal Aid externships, please contact Professor Kathleen McKee. Her e-mail address is [kathmck@regent.edu](mailto:kathmck@regent.edu). For issues regarding any other externships or apprenticeships, please contact Professor Sandra Alcaide. Her e-mail address is [sandalc@regent.edu](mailto:sandalc@regent.edu).



### **Sharing Your Suggestions**

We welcome your ideas to improve Regent Law's Externship & Apprenticeship program. Please share your thoughts by emailing Professor Sandra Alcaide at [sandalc@regent.edu](mailto:sandalc@regent.edu) or calling 757-352-4964. Thank you for your time and effort in teaching and mentoring our students. We appreciate you!

### **Appendices**

- 1) ABA Standards
- 2) Externship and Apprenticeship Agreement
- 3) Field Supervisor Evaluation

## **ABA Standard 304(a), (d), (e), and (f). EXPERIENTIAL COURSES: FIELD PLACEMENTS**

(a) Experiential courses satisfying Standard 303(a) are simulation courses, law clinics, and field placements that must be primarily experiential in nature and must:

- (1) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills identified in Standard 302;
- (2) develop the concepts underlying the professional skills being taught;
- (3) provide multiple opportunities for performance;
- (4) provide opportunities for student performance, self-evaluation, and feedback from a faculty member, or, for a field placement, a site supervisor;
- (5) provide a classroom instructional component; or, for a field placement, a classroom instructional component, regularly scheduled tutorials, or other means of ongoing, contemporaneous, faculty-guided reflection; and
- (6) provide direct supervision of the student's performance by the faculty member; or, for a field placement, provide direct supervision of the student's performance by a faculty member or a site supervisor.

(d) A field placement course provides substantial lawyering experience that

- (1) is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a setting outside a law clinic under the supervision of a licensed attorney or an individual otherwise qualified to supervise, and
- (2) includes the following:
  - (i) a written understanding among the student, faculty member, and a person in authority at the field placement that describes both (A) the substantial lawyering experience and opportunities for performance, feedback and self-evaluation; and (B) the respective roles of faculty and any site supervisor in supervising the student and in assuring the educational quality of the experience for the student, including a clearly articulated method of evaluating the student's academic performance;
  - (ii) a method for selecting, training, evaluating and communicating with site supervisors, including regular contact between the faculty and site supervisors through in-person visits or other methods of communication that will assure the quality of the student educational experience. When appropriate, a school may use faculty members from other law schools to supervise or assist in the supervision or review of a field placement program;
  - (iii) evaluation of each student's educational achievement by a faculty member; and
  - (iv) sufficient control of the student experience to ensure that the requirements of the Standard are met. The law school must maintain records to document the steps

taken to ensure compliance with the Standard, which shall include, but is not necessarily limited to, the written understandings described in Standard 304(d)(i).

(e) Credit granted for such a simulation, law clinic, or field placement course shall be commensurate with the time and effort required and the anticipated quality of the educational experience of the student.

(f) Each student in such a simulation, law clinic, or field placement course shall have successfully completed sufficient prerequisites or shall receive sufficient contemporaneous training to assure the quality of the student educational experience.

**EXTERNSHIP/APPRENTICESHIP AGREEMENT**

<b>Student:</b>
<b>Site Supervisor:</b>
<b>Faculty Supervisor:</b>
<b>Term:</b>

The following is a written understanding between each party to the externship experience – the Site Supervisor, the Regent Law Student Extern/Apprentice (“student”), and the Regent Law Faculty Supervisor (Faculty Supervisor) – setting forth each party’s expected contribution to the student’s educational experience.

**Site Supervisor Agreement:**

The success of field placement programs depends on the willingness and ability of the on-site supervising attorneys to serve as available role models and mentors. The Site Supervisor agrees to meet the following standards:

1. **Experience:** Externship/Apprenticeship Site Supervisors must be a licensed attorney.
2. **Orientation:** In the student’s first week on site, the Site Supervisor should provide a basic orientation covering workspace, office protocols, resources, and policies of the agency or organization (the “Site”).
3. **Assignments:** The site supervisor is responsible for ensuring that:
  - a) The student’s assignments are part of the Site’s regular workload and give the student some in-depth exposure to issues pertinent to the Site’s activities and are substantially legal in nature.
  - b) The student’s assignments are as varied as the Site’s workload and the student’s abilities reasonably allow.
  - c) The student is included in discussions of strategy and implementation that arise out of research, writing or other work in which the student has played a significant part, whenever reasonably feasible.
  - d) The student is permitted to observe a sampling of matters that are routinely handled by the organization, but which are beyond the scope of the student’s capabilities.
  - e) The student’s assignments are reasonable in terms of the student’s credit hour commitment to work for the agency or organization.
  - f) Menial tasks (filing, library updating, photocopying, running errands, etc.) will occupy a minimal percentage of the student’s workload.

4. **Regular Contact and Supervision:** The Site Supervisor should have regular contact with the student throughout the course of the semester, including:
  - a) Developing Learning Outcomes and Work Plans;
  - b) Weekly Meetings & Feedback in person or via videoconference; and
  - c) Midterm and Final Evaluations of the student.
5. **Site Supervisors acknowledge** that this is an educational experience primarily for the benefit of the student and that the student does not displace or substitute for any employees.

#### **Student Extern/Apprentice Agreement**

1. The student agrees to perform a total of 50 hours of work over the course of the semester for each credit hour of externship or apprenticeship for which the student is registered. Failure to do so will result in the student not receiving credit for the externship/apprenticeship.
2. The student is required to participate in the classroom component of the externship/apprenticeship program and to attend individual conferences with the faculty supervisor.
3. The student will honor the confidentiality requirements of the placement site and those imposed by the applicable rules of professional responsibility.
4. The student shall carry out all externship/apprenticeship assignments to the best of his or her abilities.
5. The student is required to prepare and submit reflective journal entries on established due dates as outlined in the syllabus. These journal entries may ask the student to respond to specific questions posed by their Faculty Supervisor. The student is also required to keep a weekly timesheet documenting their time on site, and to submit their updated timesheet on Blackboard each week.
6. The student must complete and submit all required forms by the end of the semester.
7. No student may withdraw from an ongoing externship/apprenticeship absent extenuating circumstances and only after consultation with the Faculty Supervisor. Adequate safeguards for the handling of cases and/or client problems assigned to the student must be arranged with the Faculty Supervisor and the Site Supervisor prior to any withdrawal.
8. Failure to comply with these requirements may result in a grade of 'Fail' for the course.

### **Faculty Supervisor Agreement**

- 1. Academic Requirements:** The Faculty Supervisor will establish requirements (including readings, reflective papers or journals, and/or other assignments) designed to develop the student's experience in their placement, including reflection, self-evaluation, and professional development.
- 2. Site Evaluation:** The Faculty Supervisor will remain in regular contact with the Site and the student to ensure the quality of the educational experience.
- 3. Training and Availability:** The Faculty Supervisor will be available as a resource should any concerns or issues arise; and will provide training or guidance to Site Supervisors as needed.
- 4. Evaluation:** The Faculty Supervisor will evaluate the student's academic performance during the externship/apprenticeship and, based on that evaluation, will determine whether credit should be granted for this externship/apprenticeship. The assessment will be based on the Site Supervisor's evaluations of the student; the student's timely compliance with course requirements; the quality of the student's submissions to the Faculty Supervisor; and the professionalism demonstrated by the student on site and in the course.



We have read and agree to act in accordance with the expectations set out above.

<b>Site Supervisor:</b>
<b>Signature:</b>
<b>Phone Number:</b>
<b>Email:</b>
<b>Date:</b>

<b>Faculty Supervisor:</b>
<b>Signature:</b>
<b>Phone Number:</b>
<b>Email:</b>
<b>Date:</b>

<b>Student Extern:</b>
<b>Signature:</b>
<b>Phone Number:</b>
<b>Email:</b>
<b>Date:</b>

SUPERVISOR'S CHECKLIST AND EVALUATION FORM:

APPRENTICESHIP     EXTERNSHIP

NAME OF STUDENT: \_\_\_\_\_

SITE SUPERVISOR: \_\_\_\_\_

How did the faculty supervisor contact you?

Phone       Letter       On-site visit       E-Mail

Would you find more contact with the supervisor helpful?       Yes       No

**ASSESSMENT OF PROFESSIONAL TRAITS AND LEGAL SKILLS**

**A. Professional Traits:**

Rate the student's performance in the following categories during the apprenticeship or externship.

<b>Trait</b>	<b>Developing</b>	<b>Competent</b>	<b>Highly Competent</b>	<b>N/A</b>
Attitude/demeanor				
Initiative				
Professional appearance				
Punctuality to assigned hours				
Professionalism in interacting with legal and administrative Staff				
Protection of client confidentiality				
Identification of potential ethics issues				
Follow through on assignments				
Compliance with office policies				

**B. Legal Skills:**

1. Describe the basic skills required of the student to meet minimum performance standards for this placement:

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2. Rate the student's legal performance in the following categories during the apprenticeship or externship.

Legal Skill:	Developing	Competent	Highly Competent	N/A
Advanced legal research skills				
Drafting pleadings				
Drafting client communications				
Drafting internal memoranda				
Conducting due diligence research				
Know where to locate and use checklists and practice notes				
Demonstrated basic understanding of ADR/criminal plea negotiations				
Other				

How would you rate the student's overall readiness in the areas of traits and legal skills to enter the legal profession?  Needs Improvement       Competent       Highly competent

Administrative Issues:

When and how was the student provided feedback on his or her performance?

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Have you reviewed the student's time logs?  Yes     No

GENERAL EVALUATION:

We encourage you to provide a general evaluation of the student's skills development or skills development needs. You may do this by calling, writing a letter, or sending an e-mail to the faculty supervisor:

1. Legal Aid: Professor Kathleen A. McKee, [kathmck@regent.edu](mailto:kathmck@regent.edu)
2. Apprenticeships, ACLJ/Gov't/Judicial/Law Firm/Non-Profit Externships: Professor Sandra Alcaide, [sandalc@regent.edu](mailto:sandalc@regent.edu)

\_\_\_\_\_  
Site Supervisor

\_\_\_\_\_  
Date