

Student Guide for Semester in Practice

I. Introduction

The Semester in Practice (SiP) Program gives students at Mitchell Hamline School of Law (MHSL) the opportunity to earn academic credit for an immersion experience of 30-40 hours per week doing legal work in private law firms, corporations, government agencies, and other settings. Its educational integrity relies on careful supervision and role modeling of site supervisors, who help students design a set of practice-based experiences that will further the students' learning goals; provide them with appropriate supervision and constructive feedback on their legal work; and provide opportunities for observation and de-briefing of the work that lawyers do.

II. Goals and Objectives of the MHSL SiP Program

The SiP Program shares the objectives for the MHSL externship program, which include:

- Developing students' ability to be self-directed and reflective practitioners;
- Promoting a sense of professional responsibility in students;
- Giving students greater insight into the workings of the legal system;
- Supporting students in their exploration of career choice through practice in a specific substantive area or broad category of lawyering;
- Training students in lawyering skills, which may include research and writing, client interviewing and counseling, advocating in court or other settings, marshalling and analyzing facts and documentary evidence, critical reflection, effective oral communication, collaboration/team work, negotiation and problem solving, and other lawyering tasks; and
- Assisting students in networking for future job searches and professional development.

III. Fieldwork Component

The fieldwork component of the SiP Program is designed to give you an immersion experience in a legal practice setting. The educational model is based on self-directed learning under the direct supervision of an Site Supervisor. It is up to you and your Site Supervisor to structure assignments and experiences that will expose you to this area of practice and help you grow professionally. Goal-setting, reflective writing, and mid-semester evaluation components are designed to help you get the most you possibly can out of this experience by articulating specific learning goals for yourself and finding ways to structure your experiences to meet those goals.

We encourage you to think of this experience broadly by looking for opportunities to shadow attorneys as they attend court hearings, meetings with clients or other lawyers, etc., and to ask attorneys to debrief/discuss these events with you.

Students in the SiP Program receive 10-12 academic credits. The number of credits you receive depends on the number of hours you spend at your placement site over a fifteen week semester:

12 credits: 540 hours (36 hours/week)

11 credits: 495 hours (33 hours/week)

10 credits: 450 hours (30 hours/week)

You will be keeping track of these hours on a weekly timesheet that will be submitted in the same way you would submit your hours for an externship. For questions on this process, please contact Jean Backes (jean.backes@mitchellhamline.edu).

We also encourage you to think of this semester as an opportunity to develop your skills of how to ask for and receive good feedback and supervision. We are asking your Site Supervisors to focus on giving you detailed and constructive feedback on your work, but there are also things that you can do to receive effective feedback.

- Give permission to receive feedback by telling your Site Supervisor that you want and value feedback. When you finish an assignment, reinforce the message that you welcome specific feedback on what you did well and how you could improve.
- When you get an assignment, make sure you understand the expectations as to format and the timing of the assignment. Clarify expectations by telling your Site Supervisor what you understand the expectations to be and inviting further direction.
- Learn your Site Supervisor's work style and communication preferences. Does he/she prefer to discuss things in person? Get a memo? Communicate by email?

If you are having problem at your placement site with communication or work assignments, feel free to talk it over with your Faculty Supervisor, who can help you trouble-shoot how you want to handle it. They are there as a resource for you. If there are major ethical or misconduct issues at your placement site, we will want to intervene. For more minor workplace issues, we will want to help you figure out how to approach them.

IV. Academic Component

In addition to the fieldwork component, students complete an academic component under the supervision of a Mitchell Hamline faculty supervisor. In the academic component, you will complete reflective writing assignments, a mid-semester evaluation involving your site supervisor and faculty supervisor, and a final semester evaluation. You will also work with your Faculty Supervisor to explore an additional topic of law or policy relating to your SiP experience.

Reflective Writing Assignments

These assignments will be submitted directly to your faculty supervisor; in some cases, information from these assignments may be shared with your site supervisor.

Student Learning Goals (weeks 1-2 of semester)

Students are required to develop personal goals and planned activities for their externships and discuss them with their site supervisors during the first week of the semester (see Appendix A).

While you should discuss this assignment with your site supervisor, you only need to submit this assignment to your faculty supervisor.

Ethics Assignment (weeks 1-2 of semester)

Also during the first two weeks of the semester, students are required to discuss with their site supervisors any policies on confidentiality and conflicts of interests at their workplaces and to write a 1-3 page memorandum about their understanding of these ethical requirements (see Appendix B).

While you should discuss this assignment with your site supervisor, you only need to submit this assignment to your faculty supervisor.

Mid-Semester Evaluation

PLEASE NOTE: The mid-semester evaluation process requires you to schedule a meeting with your site supervisor and faculty supervisor, either separately or jointly.

Students are required to complete mid-semester evaluations of your own work prior to scheduling mid-semester meetings with their site supervisors and faculty supervisors. These meetings, for which the you must prepare, are designed to allow for a review of the original externship goals and a general “check-in” for students, site supervisors, and faculty supervisors relative to any constructive changes that should occur in the second half of the externship. (See Appendix C). **Submit this evaluation to your faculty supervisor and site supervisor.**

Final Evaluation

Students are required to submit a final placement evaluation form reflecting on their experience and assessing the learning goals they were able to complete (See Appendix C). **Submit this evaluation to your faculty supervisor only.**

Site supervisors also complete a final evaluation of the students’ work to enable the externship professors to assess students’ performance overall in the externship. Additionally, specific feedback provided by mentors and shared with students by way of this form will be helpful in the future if mentors are asked to provide job recommendations for their student externs (see Appendix D).

Additional academic work

During the course of the semester, you may be required to complete other short written reflective writing assignments at the discretion of your faculty supervisor, such as weekly journal entries. In addition to the reflective writing, you will work with your faculty supervisors to explore larger issues in the law and public policy that arise from the work at their site. This additional academic work might come in the form of a research paper, a paper exploring comparative approaches to issues of public policy, or a series of readings and discussion.

Faculty and Staff Contact Information for MHSL SiP Program

Denise Roy

Externship Director and Assistant Teaching Professor

denise.roy@mitchellhamline.edu

651.695.6385

Sue McBrayer

Administrative Coordinator

sue.mcbrayer@mitchellhamline.edu

651-695-7672

APPENDICES

APPENDIX A – Learning Goals Exercise

APPENDIX B – Ethics Memorandum

APPENDIX C – Student Mid-Semester and Final Evaluation

APPENDIX D – Site Supervisor Mid-Semester and Final Evaluation (FYI only)

APPENDIX E – The Fair Labor Standards Act and Law Student Externs

Learning Goals Exercise

Articulating goals is an important step in a Semester in Practice (SiP), because you take such an active role in shaping the educational experience. The process of goal-setting has been divided into three steps to help you set goals and hone them to your particular legal practice setting. Your learning goals are not carved in stone; we expect them to change over time. The process of setting goals at the beginning of your experience, revisiting them later, and examining how and why they have changed over time can help you get the most out of your experience.

Step One

Create a document in which you list three learning goals you have for your SiP and the specific activities or experiences that will help you achieve each goal. Be as specific as possible in listing the activities you plan to use to meet each goal.

For Example:

Goal 1: Improve my legal research skills

Step 1: Ask my supervisor for a specifically research-oriented assignment also involving writing.

Step 2: Make a research plan—which secondary sources to start with, brainstorm search terms, think about when to stop researching and start writing.

Step 3: Don't procrastinate—start two weeks ahead of assignment due date and make a task list for each day of what I plan to accomplish.

Goal 2: Decide if direct client service is what I want to do for my career

Step 1: Ask to sit in on client interviews and debrief the interviews with the attorney.

Step 2: Ask 2-3 attorneys in the office how they got their jobs and how they like them. Ask them out for lunch.

Step 3: Ask an attorney for a file from a particularly memorable case, see what steps were involved in the representation, and discuss the case with the attorney.

Step Two

Discuss your learning goals with your site supervisor. Find out whether he or she thinks your goals are realistic, whether your proposed activities and experiences are possible at this work site or within the timeframe of your SiP, and whether she would suggest any additional activities or experiences to help you meet your goals. This meeting should be completed during weeks 1 or 2 of the semester.

Step Three

Submit a 1-2 page Goal-Setting Memorandum to your faculty supervisor. In this memorandum, describe how and why you chose your goals, how the initial meeting with your mentor went, and any changes you have made to your goals as a result of that meeting. Submit this memorandum by the end of the second week of your SiP.

Ethics Memorandum Assignment

When introducing an outsider into a legal workplace, ethical issues are always a concern. Attorneys have a professional responsibility to ensure that all employees comply with the professional obligations and fiduciary duties. This assignment is designed to help you re-familiarize yourself with the professional rules and ethical requirements that might apply to your conduct in your Semester in Practice (SiP) placement and to ensure your understanding of and compliance with those obligations.

Step One

Locate the rules of professional conduct that govern in the jurisdiction where of your SiP placement. If you are in Minnesota, these are the [Minnesota Rules of Professional Conduct](#). If your SiP is out of state, find the rules of your jurisdiction. Look through the rules and note any state-specific confidentiality rules, exceptions, rules governing conflicts of interest, or other rules that you think might apply to the work at your placement site. For example, if the placement represents organizations, look carefully at the rule regarding organizational clients. If you will be working in a prosecutor's office, look at the rules governing communications with represented and unrepresented persons. Make a note of any questions you want to bring up with your site supervisor.

Step Two

Within the first two weeks of the semester, discuss with your site supervisor any workplace policies that pertain to your ethical conduct at the placement. Be sure to find out:

- if there are any special disclosures you need to make about prior employment before beginning legal work in your setting;
- if there are any matters in your SiP site from which you will need to be screened based on your personal affiliations or other past or current employment;
- what the limits are on sharing information you learn in your SiP with others, including friends, relatives, other students, on social media, and with your SiP professor(s);
- what kind of record you are required or permitted to keep about your work at the SiP site to facilitate conflict-checking in future employment.

This discussion should be completed before the end of the second week of the semester and ordinarily will be a part of the same first week meeting in which you discuss your learning goals.

Step Three

Submit a 1-3 page Ethics Memorandum to your faculty supervisor by the end of week 2 of your SiP in which you explain your understanding of the ethical requirements and workplace policies. Address at least the following questions:

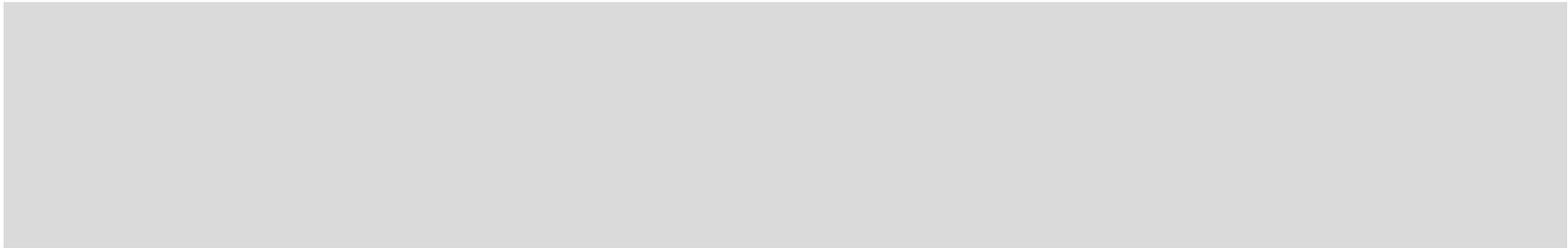
1. **Confidentiality:** What kinds of information are covered by confidentiality requirements in your SiP workplace? What precautions must you take in discussing your work with friends, relatives, other students, on social media, and with your classroom instructor and SiP professor in class or in reflective writing assignments?
2. **Conflicts of Interest:** What kinds of other work might cause conflicts of interest in this workplace setting? What kinds of work might you do in this SiP that might cause conflicts of interest to arise in future employment? What steps must or can you take to identify current and future conflicts of interest?
3. **Other Ethical Issues:** Are there any other professional ethical issues that you can foresee arising in your SiP placement? If so, what will you do to address them if and when they arise?

SiP Student Self-Evaluation

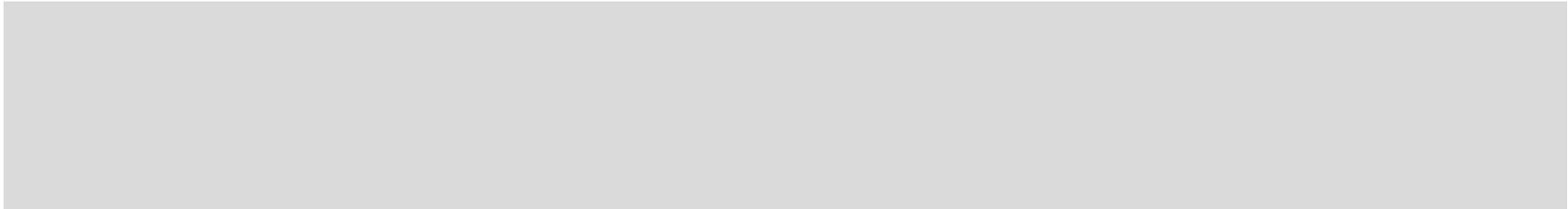
Each student should complete this self-evaluation at the midpoint and the end of the Semester in Practice and submit it as follows: (1) For the mid-semester self-evaluation, submit to your faculty supervisor and site supervisor; and (2) for the final evaluation, submit to your faculty supervisor only.

Note: At mid-semester, schedule a meeting with your site supervisor and faculty supervisor to discuss your self-evaluation.

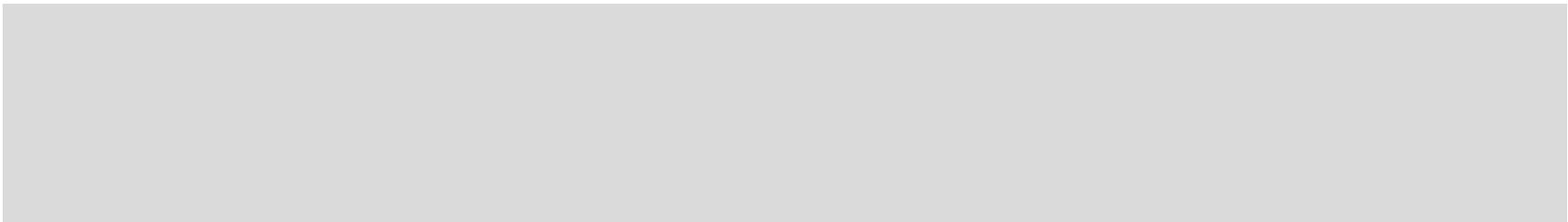
1. What work assignments have allowed you to develop Fundamental Lawyering Skills? What Fundamental Lawyering Skills have been developed and in what ways?



2. What Fundamental Lawyering Skills are the most challenging for you?



3. What is needed in order for you to have the opportunity to work on developing those Fundamental Lawyering Skills?



4. Review the Learning Goals that you developed at the start of your SiP and evaluate your progress in achieving those goals; include any changes or refinements to your Learning Goals and any additional steps you plan to take to achieve your Goals.

[Redacted area for response to question 4]

5. How can your Site Supervisor and Faculty Supervisor support you in achieving your Learning Goals or developing your Fundamental Lawyering Skills?

[Redacted area for response to question 5]

Fundamental Lawyering Skills

Skill 1 – Problem Solving

A lawyer must be able to develop and evaluate strategies for solving a problem or accomplishing an objective.

Skill 2 – Legal Analysis

A lawyer must be able to analyze and apply legal rules and principles.

Skill 3 – Legal Research

A lawyer must be able to identify legal issues and research them thoroughly and efficiently.

Skill 4 – Factual Research

A lawyer must be able to plan, direct, and (where applicable) participate in factual investigation.

Skill 5 – Communication

A lawyer must be able to communicate effectively, whether orally or in writing.

Skill 6 – Client Counseling

A lawyer must be able to counsel clients about decisions or courses of action.

Skill 7 – Negotiation

A lawyer must be able to negotiate in either a dispute-resolution or transactional context.

Skill 8 – Strategic Planning

A lawyer must understand the potential functions and consequences of litigation and alternative dispute resolution.

Skill 9 – Organization and Management of Work

A lawyer must be familiar with the skills and concepts required for efficient management.

Skill 10 – Ethical Analysis and Conduct

A lawyer must follow ethical standards when representing clients.

Semester in Practice Mitchell Hamline School of Law

SiP Student Extern: _____

Site Supervisor: _____

DATE: _____

Fundamental Lawyering Skills Rubric¹

- To be completed by the Site Supervisor at the mid-point and again at the completion of the Semester in Practice.

MacCrate Skill 1 - Problem Solving				
A lawyer must be able to develop and evaluate strategies for solving a problem or accomplishing an objective.				
Resident displays ability to:				
Identify and diagnose problems.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Generate alternative solutions and strategies.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Develop a plan of action.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Implement the plan.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Keep the planning process open to new information.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Comments: 				
MacCrate Skill 2 - Legal Analysis				

¹ Based on the Report of the ABA Task Force on Law Schools and the Profession: Narrowing the Gap (The MacCrate Report) 1992. Do not use without permission.

A lawyer must be able to analyze and apply legal rules and principles.

Resident displays ability to:

Identify and formulate legal issues.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Formulate relevant legal theories.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Elaborate legal theories.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Evaluate legal theories.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Criticize and synthesize legal argumentation.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 3 - Legal Research

A lawyer must be able to identify legal issues and research them thoroughly and efficiently.

Resident displays:

Knowledge of the nature of legal rules and institutions.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Knowledge of and ability to use the most fundamental tools of legal research.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Understanding of the process of devising and implementing a coherent and effective research design.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 4 - Factual Research

A lawyer must be able to plan, direct, and (where applicable) participate in factual investigation.

Resident displays ability to:

Determine the need for factual investigation.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Plan a factual investigation.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Implement the investigative strategy.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Memorialize and organize information in an accessible form.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Decide whether to conclude the process of fact-finding.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Evaluate the information that has been gathered.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 5a - Communication²

A lawyer must be able to communicate effectively in writing.

Resident displays ability to:

Assess the perspective of the recipient of the communication.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Accurately describe pertinent authority and underlying policy considerations.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Synthesize authority and policy into legal rules applicable to fact situation.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Persuasively present facts.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Persuasively analogize to favorable legal authority and distinguish unfavorable legal authority.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 5b - Communication3

A lawyer must be able to communicate effectively through oral presentation.

Resident displays ability to:

Assess the perspective of the recipient of the communication.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Accurately describe pertinent authority and underlying policy considerations.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Convey credibility and conviction.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Effectively use voice, gestures, and eye contact.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Respond appropriately to questions.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 6 - Client Counseling

A lawyer must be able to counsel clients about decisions or courses of action.

Resident displays ability to:

Establish a counseling relationship that respects the nature and bounds of a lawyer's role.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Gather information relevant to the decision to be made.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Analyze the decision to be made.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Counsel the client about the decision to be made.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Ascertain the client's decision.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 7 - Negotiation

A lawyer must be able to negotiate in either a dispute-resolution or transactional context.

Resident displays ability to:				
Prepare for negotiation.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Conduct a negotiation session.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Counsel the client about the terms obtained from the other side in the negotiation and implement the client's decision.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:**MacCrate Skill 8 - Strategic Planning**

A lawyer must understand the potential functions and consequences of litigation and alternative dispute resolution.

Resident displays knowledge of the fundamentals of:				
Litigation at the trial-court level.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Litigation at the appellate level.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Advocacy in administrative and executive forums.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Proceedings in other dispute-resolution forums.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 9 - Organization and Management of Work**A lawyer must be familiar with the skills and concepts required for efficient management.**

Resident displays ability to:				
Formulate goals and principles for effective practice management.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Develop systems and procedures to ensure that time, effort, and resources are allocated efficiently.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Develop systems and procedures to ensure that work is performed and completed at the appropriate time.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Develop systems and procedures for effectively working with other people.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
Develop systems and procedures for efficiently administering a law office.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

MacCrate Skill 10 - Ethical Analysis and Conduct 4

A lawyer must follow ethical standards when representing clients.

Resident displays knowledge of:				
The nature and sources of ethical standards.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
The means by which ethical standards are enforced.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed
The processes for recognizing and resolving ethical dilemmas.	<input type="checkbox"/> Consistently	<input type="checkbox"/> Usually	<input type="checkbox"/> Sometimes	<input type="checkbox"/> Not Observed

Comments:

Semester in Practice Program

The Fair Labor Standards Act and Law Student Externs

This summary is being provided to externship placement sites on behalf of Minnesota's three law schools: Mitchell Hamline School of Law, University of Minnesota Law School, and University of St. Thomas School of Law.

Each of the three law schools' externship programs is designed to extend the students' academic study by providing the students the opportunity to apply the knowledge they learn in the classroom to real world settings. Field supervisors should recognize that because the students are receiving academic law school credits for their hours at the placement site, the field supervisors need to follow the guidelines set by the individual schools to ensure that the students are receiving supervision and critical feedback, and are engaged in field activities that further the students' learning.

Private Law Firm Placements: The three law schools require that any private law firm that serves as a placement site not bill the firm's clients for a student's time or supervision time.

Each law school will take the responsibility to ensure that its students are informed of the following:

- The externship is for the student's benefit to gain legal educational experience and training.
- The student is receiving law school credits for the externship and is responsible for following through on the academic and administrative requirements set by the student's law school in order to receive credits for the externship.
- As an extern, a student is not an employee of the placement site. The student cannot be paid, is not eligible for any benefits, and is not necessarily entitled to a job with the placement site at the end of the student's externship.

If the externship placement site has any questions regarding this information, please contact the respective administrator or faculty who worked with you on setting up the externship.

Resources:

U.S. Department of Labor, Wages and Hours Division, Fact Sheet #71, April 2010.

http://www.americanbar.org/content/dam/aba/images/news/PDF/MPS_Letter_reFLSA_091213.pdf