

# Health Law Externship and Health Law Residency

Spring 2017

Professor Thaddeus Mason Pope

Mitchell Hamline School of Law

<b>Residency Time:</b>	Most Tuesdays from 4:00 to 5:55 Plus, two other individually-scheduled meetings
<b>Externship Time:</b>	Four Tuesdays from 4:00 to 5:55 Plus, two other individually-scheduled meetings
<b>Place:</b>	MHSL 331
<b>Contact:</b>	Thaddeus.Pope@mitchellhamline.edu MHSL 320

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## I. Course Description

Externships and Residencies give law students the opportunity to engage in meaningful legal work under the close supervision of practicing attorneys (as well as compliance officers, risk managers, regulatory affairs managers, ethics consultants, and other legal professionals) in the community. This course focuses on Externships and Residencies in health law and healthcare compliance.

In the past academic year, Mitchell Hamline Externship and Residency students have worked for a wide range of companies.

- **Government** placements include: the U.S. Attorney for the District of Minnesota (Healthcare Fraud Unit), the Minnesota Department of Human Services (multiple departments), the U.S. DHHS Office of the Inspector General, and Connect for Health Colorado.
- **Law Firm** placements include: Halunen Law, Fredrikson & Byron, Friedmann Foarde, JurisHealth, and Scheller Legal Solutions.
- **Hospital & Provider** placements include: Children’s Hospitals & Clinics of Minnesota, HealthPartners, Mayo Clinic, Minnesota Hospital Association, M-Health Physicians, and Christus Santa Rosa.
- **Device & Equipment Manufacturer** placements include: Medtronic, CryoLife, EcoLab, and Vital Images.
- **Insurance** placements include: Medica, UnitedHealth, and HealthPartners
- **Other** placements include: Novu and the Public Health Law Center.

Your Field Placement should have been finalized before the start of the semester. You will spend most of your time and effort working for your Field Placement. This syllabus addresses only the (far smaller) classroom component of the Externship or Residency. Each student is supervised both by Mitchell Hamline faculty and by attorneys in the field.

## II. Course Objectives

Given the wide range of Field Placements, students have widely varying experiences in the health law Externship or Residency. But the core course objectives include:

- Apply your classroom learning, especially that pertaining to health law, to the real world of practice.
- Improve your problem-solving skills and become more self-confident in the work setting.
- Explore your career interests by gaining real-world exposure to different types of legal work and different work environments.

- Improve your prospects for employment by networking, by getting references, and by gaining a recognized credential.

More specifically, core course objectives include developing and/or honing some or all of ten fundamental lawyering skills:

1. **Problem Solving:** A lawyer must be able to develop and evaluate strategies for solving a problem or accomplishing an objective.
2. **Legal Analysis:** A lawyer must be able to analyze and apply legal rules and principles.
3. **Legal Research:** A lawyer must be able to identify legal issues and research them thoroughly and efficiently.
4. **Factual Research:** A lawyer must be able to plan, direct, and (where applicable) participate in factual investigation.
5. **Communication:** A lawyer must be able to communicate effectively, whether orally or in writing.
6. **Client Counseling:** A lawyer must be able to counsel clients about decisions or courses of action.
7. **Negotiation:** A lawyer must be able to negotiate in either a dispute-resolution or transactional context.
8. **Strategic Planning:** A lawyer must understand the potential functions and consequences of litigation and alternative dispute resolution.
9. **Organization and Management of Work:** A lawyer must be familiar with the skills and concepts required for efficient management.
10. **Ethical Analysis and Conduct:** A lawyer must follow ethical standards when representing clients.

### III. Prerequisites for Residency

1. Currently, there are no specific prerequisites for the Legal Residency Program. Due to the intensity of the workload, applicants should be in their final year of law school and should have demonstrated interest and prior course work in the substantive area of the Legal Residency. Residents will be engaged in substantive legal work during the semester, and a basis of doctrinal knowledge and legal skills will be necessary to be a successful Resident.
2. If a student needs 11 or fewer credits to graduate, the Legal Residency can be the student's only course for the semester. Alternatively, if a student has an additional class necessary for graduation, or a pre-existing commitment such as law review or moot court, the student may take those credits in addition to the Residency. Students selected for the Residency, however, should expect that the Residency will constitute a significant amount of work during the semester.

3. Applications for the spring will be available during fall semester and will be due prior to spring registration. Final decisions will be made prior to registration for spring classes.
4. Note that the ABA places a limit of 19 credit hours of non-classroom instruction that can be awarded toward your J.D. Non-classroom instruction includes competitions, law review, independent research projects, field placements, credits earned at another institution, and some study abroad experiences. The 2-credit Residency Program Seminar will count as classroom credits. The 8-11 credits for the Residency Placement will count as non-classroom instruction.

#### **IV. Prerequisites for Externship**

1. Academic good standing (2.0 GPA or higher)
2. Completed or concurrent taking *Professional Responsibility*
3. Earned a minimum of 21 JD credits

#### **V. Field Supervisor Meetings**

1. If you have not done so prior to the start of the semester, you are expected to meet with your Field Supervisor no later than January 31, 2017. Please email me after you have had this initial meeting. The objectives of this meeting are to:
  - a. Properly introduce yourself
  - b. Discuss academic expectations of the Health Law Externship or Residency
  - c. Develop a preliminary schedule for your work hours
  - d. Answer any questions that your Field Supervisor may have about the Externship or Residency
  - e. Articulate several specific experiences that you hope to have during your Externship or Residency
2. Prior to the end of the semester you are expected to formally thank your Field Supervisor through a personal letter of appreciation.

## VI. Class & Meeting Schedule

1. For Residency students, this course will meet on eleven Tuesdays, that is **every** Tuesday in the semester **except**:
  - a. January 31, 2017
  - b. February 14, 2017
  - c. March 21, 2017
2. For Externship students, this course will meet on **only** four Tuesdays:
  - a. January 24, 2017
  - b. February 28, 2017
  - c. March 28, 2017
  - d. April 18, 2017
3. For “independent” externship students, this course has no formal classroom component. But students are encouraged to attend the four Tuesday sessions. They are especially encouraged to attend the two final sessions in which the students will make presentations. If they cannot attend to make their own presentation, they must submit a video presentation.
4. In addition to the above requirements, all students (Externship, Residency, Independent Externship) must also meet **at least twice**, one-on-one, with Professor Pope. One meeting should be in the first four weeks of the semester. The other one should be in the last four weeks of the semester.
5. In between these six meetings, Professor Pope will respond (usually by email) to your time sheets and journal reflections. He will also send comments on and suggested edits to your resume, LinkedIn pages, and other career-related documents.
6. Classroom meetings are devoted to discussing student experiences while working with the Field Placement organizations, and the discussion of issues relating to health law in general. Each meeting, students will be expected to reflect on an issue addressed in the Residency setting. Additionally, each student will be expected to make a brief presentation on a health-related issue identified in the field.

## **VII. Readings & Written Assignments**

1. This syllabus is for **ONLY** the classroom component of your Externship or Residency. You must complete all assignments for your Field Supervisor. That is the primary focus of the Externship or Residency and will consume most of the time that correlates to the number of credits for which you are taking this Externship.
2. This is not a heavy reading course; however, every student will be responsible for a general appreciation of the *ABA Model Rules of Professional Conduct* concerning confidentiality and conflicts of interest.
3. In addition to work for your Field Supervisor, you must also complete written assignments from the Externship/Residency law faculty supervisor (Professor Pope). For externship students, this will include:
  - a. Completing the mid-semester survey
  - b. Completing the end-of-semester survey
  - c. Making one formal 15-minute presentation
  - d. Submitting two 1200-word journal essays on assigned topics
  - e. Submitting other assignments as announced
4. The journal essays should be in three parts:
  - a. Part I should briefly describe what the Extern/Resident has been working on and participating in during the externship (or since the last reflective essay). This Part should be about one-third of the essay.
  - b. Part II will be the bulk of the essay. A list of topics will be provided. Each student should choose one topic from the list.
  - c. Part III should identify any potential problem(s) with the placement (if any).

## **VIII. Assessments & Grades**

1. For externships, no letter grade is given for the classroom component. But attendance and submission of written assignments is required to earn JD credits. The Field Placement is evaluated on a pass/fail basis.
2. For Residencies, a letter grade is given for the classroom component, since it has separately allocated credits.
3. I will provide feedback on your written submissions and on your contributions in the classroom discussions.
4. I will ask your Field Placement supervisors to complete two comprehensive written assessments: one at the middle and one at the end of the semester.

## IX. Mandatory Timesheets

1. You must keep track of all the hours that you spend on work at and/or for your Field Placement. This may include: (a) preparing work product, (b) professional networking with Field Placement staff, (c) professional development like CLE programs, and (d) purely observational activities like attending a hearing.
2. Externships can be taken for 3 or 4 credits. You must complete 45 hours at your Field Placement for each credit: 135 or 180 hours. How you break that down is a mutual decision between you and your supervisor. For example, you might do 14 hours per week for 10 weeks. Or you might do 10 hours per week for 14 weeks. Work must be completed within the semester in which the student is enrolled.
3. Residencies can be taken for 8 to 12 credits. The same formula applies: 45 hours per credit.
4. The law school will provide a link for you to log these hours with descriptions. Please be as descriptive as possible being mindful of the need to protect confidential, private, privileged, and other protected information.
5. For questions about submitting and recording you hours, please contact [jean.backes@mitchellhamline.edu](mailto:jean.backes@mitchellhamline.edu)

## X. Oral Presentations

1. **Requirement.** Each student must make a formal presentation to the class on either the March or April meeting date.
2. **Content**
  - a. Please describe the mission of your company and the workplace setting.
  - b. Please also describe the nature of the work that you performed. You may summarize the experience as a whole or describe just one particularly interesting project.
3. **Duration.** Please design your presentations to be completed within fifteen (15) minutes.

#### 4. Format

- a. This is hardly a comprehensive guide to preparing and making an oral presentation. It is merely an outline of some of the key tips offered in some of the standard literature.
- b. I will also post some useful materials on the Blackboard site.
- c. Preparation
  - i. Practice aloud.
    1. Read at least practice the first paragraph aloud several times, so you can start strong. Know precisely what you are going to say for the first minute of your presentation. Almost as important: know exactly how you will end.
    2. Practice on your feet to coordinate body, brain, and voice
    3. Time yourself, so you know that you will stick to the 10 minutes.
  - ii. Use as few notes as possible.
    1. Use bullet points to trigger thoughts.
    2. Write big and keep notes where they are easy to see. If you are using a script, print it in at least a 14-point font
    3. Anticipate likely questions and have clear, concise answers ready. e.g. "I'm glad you asked that..."
  - iii. Delivery
    1. Mark your script/notes for pacing and pauses. Pauses are okay. They give you time to think and the audience time to absorb.
      - a. Speak in phrases, not whole sentences. Use the rhythm of the Pledge of Allegiance: e.g. "I pledge allegiance . . . to the flag . . . of the United....." Vary the pace. Speak in phrases on important points. Speak more briskly for preliminary information.
      - b. Emphasize. Put emphatic stress on all the key words in every sentence. Lower the vocal pitch (not volume) when ending sentences. This makes you sound confident and conclusive.
  - iv. Visual counts the most.
    1. A speaker's believability is affected by three components. Verbal (the content of our message) counts for 7%. Vocal (sound, pitch, tone, pacing of our voice) counts for 38%. Visual (gestures, facial expression, eye contact) counts for 55%.
    2. Stand when speaking. It increases your energy level and keeps the audience more alert.
    3. A listener's ability to comprehend and retain information increases substantially with the use of visual aids.



- v. Physical performance
  1. Take a deep breath before you begin.
  2. Maintain eye contact with each listener for 3-5 seconds.
  3. Smile.
  4. Lean forward. It says “I’m interested” “Tell me more.”
  
- vi. Clarity
  1. Lay out the structure of your presentation for the listeners. Let listeners know why the topic is important. Why should they listen to you?
  2. Repetition is good. Tell them what you are going to tell them. Tell them. Then tell them what you’ve told them.
  3. Shrink and simplify. Boil the presentation down to 3 main points. State the 3 points at the beginning and repeat them at the end.
  4. Use vibrant images, metaphors, analogies, examples. A long narrative with no examples becomes boring and confusing. Try to include at least one example to illustrate each main point.
  5. Use focus phrases. e.g. “The bottom line is…” “The threshold question is…” These phrases focus the mind of the listener.
  6. Use transition phrases (e.g. “Now that we have analyzed the problem, let’s look at possible solutions…)

## **XI. Other Rules**

1. ABA 305-02 provides: “A law school may not grant credit to a student for participation in a field placement program for which the student receives compensation. This Interpretation does not preclude reimbursement of reasonable out-of-pocket expenses related to the field placement.”
2. Please contact me immediately if you have any questions or concerns about your Field Placement.
3. Please contact me immediately if you are not getting sufficient hours or sufficient feedback from your Field Supervisor.

## XII. Calendar of Due Dates

Date	Residents	Externs	Independent Externs
January 24	Class in 331		-----
January 31	-----	-----	-----
February 7	Class in 331	-----	-----
February 14	-----	-----	-----
	Submit journal essay 1		
February 21	Class in 331	-----	-----
February 28	Class in 331		
March 7	Class in 331	-----	-----
	Submit mid-semester survey		
	You should be near 50% of your required hours		
March 14	Class in 331	-----	-----
March 21	Submit journal essay 2		
March 28	Presentations in 331		Attend or submit video here or April 18
April 4	Class in 331	-----	-----
April 11	Class in 331	-----	-----
April 18	Presentations in 331		Attend or submit video here or March 28
April 25	Class in 331	-----	-----
May 2	Submit end-of-semester survey		
	You should be near 100% of your required hours		

## Recent MHS� Health Law Externships & Residencies

Placement	Nature of the work	Students
Children’s Hospitals & Clinics of Minnesota	Work with 3 attorneys in the general counsel office on a wide variety of legal issues. The work also overlaps with privacy, compliance and other departments.	Karissa Plachecki S17 Jeffrey Wisdo S17 Tracy Jacobs S16 Ma Xiong S16 Valeria Chazin F15 Leah Fitzgerald Amanda Pittman
CryoLife	Corporate governance	Heather Bughman S16
Department of Justice: US Attorney for the District of Minnesota	<p>Work on False Claims Act litigation with the healthcare fraud unit</p> <p>For every dollar spent on healthcare-related fraud and abuse investigations in the last three years, the government recovered &gt;\$12.00. The government’s health care fraud prevention and enforcement efforts recovered a record over \$4 billion in taxpayer dollars last year. The healthcare fraud unit in the Minnesota office of the Department of Justice combats healthcare fraud by pursuing investigations and civil enforcement actions in federal court. Matters include unlawful pricing by pharmaceutical manufacturers, illegal marketing of medical devices and pharmaceutical products for uses not approved by the Food and Drug Administration, Medicare fraud by hospitals and other institutional providers, and violations of laws against self-referrals and kickbacks.</p>	Kyle Payne S17 Kristin Kemmerling F16 Ava Cavaco S16 Ken Champion F15 Tyler Cowart S15 Erik Peterson F14
Minnesota Department of Human Services (appeals)	<ul style="list-style-type: none"> <li>• Provide legal assistance to, and conduct legal research for, the Chief human services judges and human services judges on several aspects of the appeals process including scheduling, prehearing conferences, subpoenas and memoranda</li> <li>• Observe hearings and assist human services judges in legal research and drafting decisions</li> <li>• Assist Chief human services judges in review, legal research and determination of decisions on reconsideration, provide oral and written support for analysis to chief human services judges</li> <li>• Redact decisions for publication</li> <li>• Additional assignments may include analyzing and drafting decisions settling county financial disputes over payment responsibilities for public assistance clients</li> </ul>	

Minnesota Department of Human Services (civil rights)	<ul style="list-style-type: none"> <li>• Assist in evaluating and revising department civil rights policies and procedures</li> <li>• Assist in reviewing, revising and finalizing county agency civil rights plans</li> <li>• Conduct legal research on civil rights issues</li> <li>• Assist with civil rights investigations</li> <li>• Consult with Federal enforcement agencies to develop civil rights trainings</li> <li>• Develop administrative processes to execute the department's civil rights complaint investigations and update the complaint database, as needed</li> <li>• Help maintain complaints and correspondence from the public</li> </ul>	
Minnesota Department of Human Services (compliance)	<ul style="list-style-type: none"> <li>• Assist the Chief Compliance Officer, Chief General Counsel, and Senior Counsel in providing guidance to management and employees concerning compliance issues</li> <li>• Consult with management and employees as needed to resolve difficult legal compliance issues</li> <li>• Assist in evaluating and revising agency policies, as needed, to ensure compliance</li> <li>• Conduct legal research and draft memoranda responding to alleged violations of rules, regulations, policies, and procedures</li> <li>• Assist in identifying potential areas of compliance vulnerability and risk</li> <li>• Assist in developing agency's Direct Care and Treatment Compliance Plan</li> <li>• Assist in coordinating compliance activities of divisions within the agency to remain abreast of the status of all compliance activities and to identify trends</li> <li>• Assist in developing / implementing corrective action plans for resolution of problematic issues, and provide general guidance for avoiding similar situations in the future</li> </ul>	Ann McFarland F16 Stephanie Nortman
Minnesota Department of Human Services (administrative)	<ul style="list-style-type: none"> <li>• Review and analyze the record for licensing appeals</li> <li>• Prepare legal advice memoranda and present analyses to the Chief Compliance Officer along with other senior management attorneys at the Administrative Law Forums</li> <li>• Conduct legal research for and draft final agency decisions, revising as needed</li> <li>• Review and analyze the record for licensing appeals</li> </ul>	Ma Xiong F14
Minnesota Department of Human Services (legislative)	<ul style="list-style-type: none"> <li>• Assume responsibility for drafting of Legislative Director's Manual, which will require:</li> <li>• Learning intricacies of legislative process and responsibilities of Legislative Director</li> <li>• Meeting with agency-wide internal stakeholders regarding business area legislative needs</li> </ul>	

Minnesota Department of Human Services (OIG)	<ul style="list-style-type: none"> <li>• Assist with drafting legislative proposals in a variety of areas including fraud enforcement tools/authority, data access and law enforcement issues</li> <li>• Provide legal research, writing and analysis on issues concerning civil, administrative and criminal aspects of identifying, investigating and prosecuting healthcare fraud</li> <li>• Compare state, federal and administrative authority to assist in developing protocols for combating fraud, waste and abuse, such as the use of surety bonds, administrative disqualifications and the use of civil monetary penalties</li> </ul>	Kathleen Gomez S17
Minnesota Department of Human Services (privacy)	<ul style="list-style-type: none"> <li>• Research and analyze state and federal laws on data privacy</li> <li>• Draft advice memos to internal staff regarding data privacy</li> <li>• Receive and analyze data disclosure incidents</li> <li>• Review and update policies and procedures</li> <li>• Create training materials for the Privacy Official</li> <li>• Assist in the creation and research for data sharing agreements</li> </ul>	Brian Cross
DuVal & Associates	Device, FDA regulatory	Christina Becker
Ecolab	Corporate governance and regulatory affairs	Heather Bughman S16 Andy Roller
Fraser	Special needs	Janelle Schlosser F15
Fredrikson & Byron	Health licensing and other related work with partner David Bunde	Anja Siverston S16
Friedemann Foarde	Transactional	Aaron Dobosenski F15 Erik Peterson
Halunen	<p>Halunen Law attorneys represent whistleblowers across the United States in qui tam claims under the False Claims Act and other laws that provide significant financial rewards for exposing fraud against government agencies or programs.</p> <p>Halunen Law represented a relator in an FCA claim against Abbott Laboratories that resulted in a civil settlement of \$800 million (total settlement of \$1.5 billion). This is the fifth largest civil healthcare recovery ever achieved under the FCA. The firm's cases include fraud against the government in the area of pharmaceutical and medical product sales, and provision of health care and home health services, as well as other types of fraud involving, for example, government procurement and small business set asides.</p> <p>Besides its False Claims Act practice, Halunen Law also has an active litigation practice representing plaintiffs,</p>	Melanie Ewald F16

	<p>including whistleblowers, in employment cases and cases alleging consumer fraud of all types.</p> <p>Depending on your interests, this Externship could provide you with a number of opportunities, including:</p> <ul style="list-style-type: none"> <li>• participation in the active development of False Claims Act cases with a focus on health law</li> <li>• researching legal issues relevant to False Claims Act cases in the area of health law</li> <li>• writing articles or blog entries on False Claims Act health law issues and cases</li> <li>• observing and participating in litigation activities of this active plaintiff-side law firm</li> </ul>	
Health Partners	General counsel – work on a wide variety of law with dozens of attorneys. This Externship includes a significant mentoring program.	Katherine Hansen S17 William McDonough F16 Billy Warren S16 Andrew Scherf F15 Paul Buchel S15
Jardine Logan	Medical malpractice litigation defense	Karin Stuart
JurisHealth (Amy J. Holzman & Shireen Gandhi)	Compliance	Denys Medrano S16
Mayo Clinic	Privacy	Morgan Vanderburg
Medtronic	Compliance – both corporate compliance in the central office and healthcare compliance in the individual business units	Janelle Schlosser S17 Anna Zagaria-Meyer F16 Carl Poulsen
Mid-MN Legal Aid	MNSURE	Charlene Sul
Minnesota Hospital Association	Lobbying, research on issues impacting hospitals	Melanie Ewald S17
NOVU	Compliance	Larissa Boswell S16
OIG (DHHS)	Health care fraud	Chad Lynch
Optum		Jason Danzl Lindsey Millard
Planned Parenthood	Compliance	Ann McFarland S17 Ann McFarland SU16
Public Health Law Center	Tobacco, healthy eating, other prevention	Jason McFarlin F15 [others for pay]
Rainbow Health Initiative		
Scheller Legal	Elder law, nursing home litigation	Kristin Kemmerling S16 Aaron Sagedahl F15 Michael Manning

Stinson Leonard Street	<ul style="list-style-type: none"> <li>• The Extern will be supervised by Pro Bono Director Theresa Murray Hughes on a weekly basis on Deinard Legal Clinic cases.</li> <li>• The law firm runs a poverty law clinic in the Phillips neighborhood in Minneapolis and Murray Hughes serves as the staff liaison between the clinic and the law firm.</li> <li>• The student will work with Murray Hughes on the initial client intake and screening meetings, as well as interface with staff at the Community University Health Care Center (CUHCC) on client matters and case support.</li> <li>• Given that the student will have had the Professional Responsibility course, s/he under the direction of Murray Hughes, will meet with prospective clients to determine what their legal issues and needs are.</li> <li>• The cases will then come back to Murray Hughes for further screening and intake and then presented on a weekly basis to a five-attorney committee that meets to screen the matters. The Extern, if s/he so desires, will also attend those meetings.</li> <li>• The Extern will also work with a variety of Stinson Leonard Street attorneys in the Minneapolis office in support of those attorneys' pro bono matters from the Deinard Legal Clinic. The range of cases, that attorneys work on from the clinic involve: Social Security Insurance (SSI) appeals, a broad range of family law matters, housing issues, immigration matters (specifically: permanent residency, citizenship and UVisas), consumer/identity theft issues and criminal expungements. In those instances, the Extern will be supervised by the attorney who is actually handling the case and will be supporting that person in a law clerk position.</li> </ul>	Ellen Anderson S17 Ellen Anderson F16 Kimberly Woodgate S16 Craig Downs
UMN CUHC	Compliance, privacy, and other	Amanda Carter Jared Knapp Cassandra Heinrich
UMN (other)	Compliance	
University of Minnesota Physicians	Variety of law, overlap with compliance	Tyler Cowart S16
Vital Images	Advanced visualization software	Aaron Sagedahl S16

11/16/16

**MITCHELL HAMLINE SCHOOL OF LAW (MHSL)  
EXTERNSHIP EDUCATION AGREEMENT**

*THIS AGREEMENT MUST BE TYPED.*

**Check the course you are registering for:**

- Independent Externship (Course Number 4355)**  
 **Independent Judicial Externship (Course Number 4900)**  
 **Externship Course**

**Course Name:** [Click here to enter text.](#)

**Course Number:**

**Student Name:**

**ID #:**

**Address:**

**Phone:**

**Email address (default is MHSL address):**

**Semester:** Fall  Spring  Summer  Year 20

**Professional Responsibility course completed?** Yes  Taking it concurrently  No

**Credits:** One  Two  Three  Four

I understand that for *each* credit received, the Student must log 45 hours, including time working at the placement site and time spent working with the Faculty Supervisor. Forty-five hours requires an average of 3 hours per week for 15 weeks.

**Field Placement Site (Organization or Court):**

**Address:**

**Name & Title of Site Supervisor:**

**If licensed attorney, state(s) of licensure and Attorney ID(s):**

**Phone:**

**Email address:**

**Name & Title of Faculty Supervisor:<sup>1</sup>**

**Check here if placement organization is a 501(c)(3) organization or government agency. Your hours will qualify for public service recognition. Any hours worked over your credit hours qualify for MJF volunteer public service hours. Please log in your MJF hours.**

**This box is for Jean Backes's use only**

**Faculty:**

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<sup>1</sup> In the context of an externship course, the term "Faculty Supervisor" refers to the course instructor throughout this agreement.



## EXTERNSHIP EDUCATION AGREEMENT

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## REQUIREMENTS FOR ALL EXTERNSHIPS

*All externships consist of two components: (a) a work experience under the supervision of the Site Supervisor; and (b) an academic component under the supervision of the Faculty Supervisor. This section of the Agreement sets out the minimum requirements expected of the Site Supervisor, Faculty Supervisor, and Student in order for MHSL to grant academic credit for an externship. Each must complete the section that relates to his or her role.*

**Site Supervisor's Agreement:** Thank you for your support, supervision, and mentoring of a law student extern. Please **initial** each requirement to indicate your agreement (typed is fine).

As Site Supervisor, I agree to the following:

\_\_\_\_\_ **Supervision:** I have the authority, ability, and resources to ensure that the Student is supervised by a licensed attorney or other qualified individual who will (1) help the Student develop and meet learning goals for the externship, and (2) actively direct, monitor, and mentor him/her throughout the semester.

\_\_\_\_\_ **Field Activities:** The Student will be engaged in (1) a substantial lawyering experience that (2) exposes the Student to a variety of lawyering skills and tasks (3) in furtherance of the Student's learning goals and (4) includes multiple opportunities for performance, feedback, and self-evaluation. *Assignments may include (without limitation) drafting contracts, briefs, pleadings or other legal documents; researching and writing legal memoranda; interviewing clients, witnesses, or other persons with relevant information; attending negotiations or mediations; and observing or participating in meetings, depositions, or court proceedings.* **Administrative work will be kept to a minimum.**

\_\_\_\_\_ **Communication & Feedback:** I will keep the Student informed about office practices and assignment requirements and deadlines. I will be available to meet with the Student to provide instruction, support, and feedback on assignments. The Student will be provided specific, individualized, and timely feedback on his/her work.

\_\_\_\_\_ **Participation in Evaluation:** I will cooperate with MHSL in evaluating the quality of the Student's externship experience and the Student's performance, including meeting regularly with the Faculty Supervisor or Externship Director by phone or in person, reviewing any student self-assessments, and completing evaluations.

\_\_\_\_\_ **Legal Compliance:** My organization is responsible for ensuring that our labor and employment practices are in compliance with applicable state, local, and federal laws, including any student practice requirements.

\_\_\_\_\_ **Assistance and Support:** I will contact the Faculty Supervisor or Externship Director with any questions, concerns, or requests for additional support.

## EXTERNSHIP EDUCATION AGREEMENT

### PAGE 3

**Student's Agreement:** Please **initial** each requirement to indicate your agreement (typed is fine).

As a student extern, I agree to the following:

\_\_\_\_\_ **Professionalism:** I agree to (1) follow directions, seek clarification and advice in a timely fashion, and comport myself with professionalism and integrity; (2) abide by the field placement site's confidentiality and privilege rules and policies, including in any writing or discussions with the Faculty Supervisor; and (3) abide by the agreed-upon schedule, including showing up on time, providing sufficient notice for any absences, and contacting the Site Supervisor immediately if I am ill or have an emergency.

\_\_\_\_\_ **Learning Goals:** I understand the purpose of the externship is to learn while performing legal work under the supervision of an attorney, judge or other qualified individual. I will create learning goals for the semester and discuss these with my Site Supervisor and Faculty Supervisor. I will ask questions, become involved in the work of the office, and devote myself to use the time at the placement to learn everything I can.

\_\_\_\_\_ **Self-Evaluation:** I will strive to assess my performance on each assignment I complete. In so doing, I will consider what I did effectively and areas for improvement. Where possible and appropriate, I will discuss my self-assessment with my Faculty and Site Supervisors. I will be open to feedback from my supervisors and will consider how it can be related and applied specifically to my future work.

\_\_\_\_\_ **Academic Component:** I will meet with the Faculty Supervisor to reflect on the observations, experiences, ethical considerations, and other issues that arise during my externship. I agree to complete all required readings, evaluations, and other assignments required by the Faculty Supervisor. In so doing, I will be mindful of my confidentiality obligations. If requested to do so, I will participate in mid-semester evaluation discussions with the Site Supervisor and Field Supervisor.

\_\_\_\_\_ **Timekeeping:** I will keep detailed time records using MHSL's online timekeeping system.

\_\_\_\_\_ **Assistance and Support:** If any problems arise during my externship or if I have any concerns, I will immediately contact my Faculty Supervisor.

**Faculty Supervisor's Agreement:** Please **initial** each paragraph to indicate your agreement (typed is fine).

As Faculty Supervisor, I agree to the following:

\_\_\_\_\_ **Academic Requirements:** I will establish requirements (such as meetings, readings, reflective papers or journals, or other assignments) designed to support and enrich the Student's experience in his/her placement, including through self-evaluation and reflection.

## EXTERNSHIP EDUCATION AGREEMENT

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\_\_\_\_\_ **Site Evaluation:** I will remain in regular contact, including possible site visits, with the Site Supervisor and the Student to ensure the quality of the educational experience.

\_\_\_\_\_ **Availability:** I will be available as a resource to the Student and the Site Supervisor should any concerns or issues arise.

\_\_\_\_\_ **Evaluation:** I will evaluate the extern's academic performance during the externship. The assessment will be based on the Student and Site Supervisor evaluations, timely compliance with externship requirements, the quality of self-reflection, and professionalism. Based on this evaluation, I will determine whether credit should be granted.

\_\_\_\_\_ **Assistance and Support:** I will contact the Site Supervisor or Externship Director with any questions, concerns, or requests for additional support.

[AGREEMENT CONTINUES NEXT PAGE]

**EXTERNSHIP EDUCATION AGREEMENT**

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**SPECIFIC EXPECTATIONS FOR THIS EXTERNSHIP**

*This section of the Agreement sets out specific means by which the Student, Site Supervisor and Faculty Supervisor will meet key requirements. The student must complete this section after consultation with the Site and Faculty Supervisors.*

**A. Student's Learning Goals**

**B. Student's Field Activities** (must provide "substantial lawyering experience...that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks," including opportunities for performance, not just observation)

**EXTERNSHIP EDUCATION AGREEMENT**

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**C. Plan for Site Supervision of Student** (including feedback on student work)

**D. Plan for Faculty Supervision of Student** (including meetings, opportunities for self-evaluation, and other requirements determined by the faculty supervisor)

**E. Plan for Faculty Contact with Site Supervisor**

The Externship Director or designee will contact Site Supervisors at new placement sites before signing this agreement. For all placement sites, the Faculty Supervisor will contact the Site Supervisor for at least one status report midway through the semester. MHSL will send a follow-up survey instrument when the semester's work is completed. No credits or grade (P/F) will be awarded until these steps have been taken.

Additional Faculty Contact with Site Supervisor:

**EXTERNSHIP EDUCATION AGREEMENT**

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**SIGNATURES OF APPROVAL**

*I have reviewed and agree to act in accordance with this Agreement.*

**Site Supervisor or Judge**

**The Student's externship is for academic credit. The student may not be compensated monetarily for field work in this externship.**

**I certify that the Student's field work will be supervised by a licensed attorney or individual otherwise qualified to supervise the planned field activities set out in Section B, above.**

**Site Supervisor or Judge:** \_\_\_\_\_

**Date:**

**Student:** \_\_\_\_\_

**Date:**

**Faculty Supervisor:** \_\_\_\_\_

**Date:**

**Externship Director:** \_\_\_\_\_

**Date:**