

VERMONT LAW SCHOOL



DESCRIPTION OF SEMESTER IN PRACTICE PROGRAM

Full-time Externships at Vermont Law School

I. Basic Information about the *Semester in Practice (SiP)* Program

The *Semester in Practice (SiP)* is a full-time externship program in which second- and third-year law students earn academic credit as they apprentice (without pay) full-time for fifteen weeks, in either the fall (August to December) or spring (January to April) semester. The course design allows students to enjoy many of the advantages of a traditional legal apprenticeship while still participating in a structured law school educational experience.

Vermont Law School has been a leader in experiential education for quite some time. While increasing scholarly attention is now being focused on the structure of legal education,¹ for the past two decades, students from Vermont Law School have enrolled in this mentor taught, law school supervised experience that balances experientially based learning with high quality classroom instruction.

The *SiP* Program is exceptional in several ways.

First, very few law schools allow students to spend a full semester in a practicum. While VLS also offers part-term externships for credit, we find that students who are able to fully immerse themselves in an externship have an extraordinary opportunity to learn.

Second, students may apprentice with mentors in all types of practice settings, not only with mentors in government, non-profits, and NGO's, but also with mentors in corporate practice and in the private practice of law. The structure of a *SiP* encourages a one-to-one relationship between student and mentor, a relationship that gives students an unmatched opportunity to participate in and learn from the working life of experienced attorneys.

Third, VLS sends students not to places, but to people. The semester is best when students are matched with mentors who have an interest in teaching, together with the time and the support at work, to mentor students. We send students not to agencies or offices, but rather to individuals within offices, courts and agencies.

¹ "Best Practices for Legal Education: A Vision and a Roadmap" (Stuckey and others, CLEA, 2007), and Educating Lawyers: Preparation for the Profession of Law (The Carnegie Foundation for the Advancement Of Teaching, Jossey-Bass 2007)

Students who enroll in a *SiP* are full-time (40 hours per week) legal apprentices, learning under the direction of an experienced mentor attorney. *SiP* mentors work at sites as diverse as a small private practice, in-house counsel with a multi-national corporation, federal or state government, or the legal staff of an NGO. Students also work with mentors in state legislatures and in Congress. The geographic regions that students choose are also diverse and include both domestic and international placements.

We have found that while maturity, a strong work ethic, and solid writing and research skills are essential for success in a practicum (or in practice); grades are less helpful as predictors of success. VLS carefully screens students who want to enroll in the *SiP*, but any student with a GPA of 2.4 or above may apply. It is our goal to find a match for each student that will result in a successful and productive experience for both student and mentor.

II. The Role of the Pre-Enrollment Counselor, Attorney Supervisor (Mentor), Faculty Supervisor and Student

There are four actors in the *SiP* program: the pre-enrollment counselor; the attorney supervisor (mentor); the faculty supervisor; and the student.

A. Pre-Enrollment Counselor And The Matching Process

When a student expresses initial interest in the *SiP* Program the faculty member who serves as director provides and/or oversees pre-enrollment counseling. This counseling is ordinarily supplemented by conversations with other members of the faculty and staff, and legal professionals in the larger legal community. The counseling process allows the student to explore the role a semester-long practicum might play in the student's legal education, and how it could influence the student's choices and decisions following graduation. It is the pre-enrollment counselor's responsibility to get a snapshot of each student's academic and career goals at the time of the match; to explore the student's prior experience and current ability to contribute to the work of a mentor as the student learns; to work with the student to identify potential mentors with whom the student might apprentice; and to work with the student until an appropriate match between student and mentor is made.

After the counseling process is concluded for all students, the externship faculty meet to assess the students' interests both geographically and substantively. The actual match between student and mentor usually begins with a phone call or letter from the pre-enrollment counselor to the mentor. The counselor describes the particular student, or students, interested in the placement and asks if the mentor might be interested in hosting a *SiP* student. If a match appears possible, we send a copy of the student's resume, list of references and one or more writing samples. After reviewing the student's supporting paperwork, if the student/mentor match still appears to be a good one, we strongly encourage a personal meeting between mentor and student. If that is impossible due to conditions of distance and timing, we recommend a telephone interview. After the mentor and student meet, the pre-enrollment counselor talks with them both. If they are both pleased with the proposed match, VLS sends a letter of confirmation.

Our student pool is very strong. The fact that "US News and World Report" has ranked VLS #1 or #2 in environmental law for almost 2 decades is one indicator of the high qualifications of the members of our student body.

B. Attorney Supervisors (Mentors)

We use the word mentor to suggest a relationship that is more than that of supervisor/supervisee. The mentors we seek are attorneys:

- Experienced in their chosen specialty (we don't have a strict rule, but prefer lawyers who have 10 or more years of experience);
- Respected by the legal community; and
- Interested in the never-ending process of improving the profession.

In much the same way the best firms in earlier times taught young lawyers, we expect mentors to involve students in all aspects of the mentor's work. The student is not being paid a salary and is instead compensated with teaching. That means that rather than simply completing research and writing assignments, students are included in all aspects of practice. When a research or writing project is assigned, the supervising attorney explains the context within which the project is being completed. If meetings are held which concern on-going projects, such as staff meetings or conference calls, the student is involved. If meetings with clients are scheduled, the student is, with client permission, invited to attend. If the mentor's work place offers a training event to attorneys, students are invited. If attorneys from the mentor's work place are offered an opportunity to attend a training event off site, the student should be invited. Whenever possible, students are included in court appearances and pre-trial discovery. If a student has done work on a case, then the student should see as many aspects of that case as possible.

We prefer to place students with mentors with whom we have had a positive history. However we are always looking for opportunities to develop new mentors. Developing new mentors can begin with an inquiry from the mentor him/herself or from VLS faculty approaching a potential mentor. After identification of potential mentors we contact the mentor directly to discuss the various components of the *SiP* Program and the commitment we seek. There are many wonderful lawyers who cannot take on a full time student and we attempt to identify the ability (especially in terms of conflicting commitments) and willingness of all potential mentors in this first conversation. If the potential mentor is enthusiastic, we send a Site Description Form and further information about the *SiP* and VLS. When the new mentor completes the Site Description Form and returns it to VLS, we compare the mentor's interests and requirements with the qualifications of student applicants.

We ask mentors, both in our personal conversation and again in the Site Description Form, about the qualities they seek in a student. This can include course prerequisites, language ability (including second or third language ability), experience in a field other than law, and interest in a particular substantive area. Some mentors are very interested in a student's GPA while many others have not found the GPA to be a particularly reliable predictor of success.

The mentor is generally not the only lawyer who gives assignments and projects to the student. The mentor is, however, the person responsible for making certain the student is given a broad variety of assignments; that those assignments are tailored to help the student achieve the student's goals, that the student receives descriptive, prescriptive and timely feedback on work performed; and that the student has an opportunity to reflect on the entire experience.

We are often asked why mentors agree to take on responsibility for a student for a full semester. In our experience, the best mentors take a student under their wing, not because they are short-handed at work, but for other reasons. Many do it because they have a strong commitment to bringing students along in their broader legal education. Others say they find their own practice improves when they have a fresh and inquiring mind working with them. Many mentors mention

that they are only trying to do what someone did for them when they were in law school or just entering practice. A few say they are participating because of what they wished someone had done for them, and never did.

C. Faculty Supervisor

The faculty supervisor works with the student to draft the student's legal learning plan, a curricular planning document in which students identify their goals for the semester and concrete tasks designed to help them meet their goals. The faculty supervisor also meets with and talks with the mentor to make certain the student is on track to accomplish her or his goals, and intervenes in the rare situation in which faculty intervention is necessary. It is NOT the faculty supervisor's responsibility to oversee the substance of the legal work assigned by the attorney supervisor (mentor). The faculty supervisor stays informed and involved through review of and response to the student's journals (that do not disclose confidential information) and other "classroom" sessions.

The faculty supervisor is sometimes, but now always, also the pre-enrollment counselor. If the faculty supervisor does not already know the mentor, she begins the process of getting to know the mentor at the very beginning of the semester.

In addition to meetings with students, the faculty supervisor reviews student journals at weekly intervals, talks to the student about the journals and work generally, and helps the student refine his/her legal learning plan. In the event there are difficulties, she helps the student learn how to address the difficulties. We like to think that we are most successful as faculty supervisors when we are least visible. It is important to remember, however, that we do not simply match the student with the mentor and depart the field. We teach each student some of the basics of learning in a supervisory situation. We help each student develop an individualized legal learning plan. We review the students' journals, we have "class" with the students, talk with the students and, in the unlikely event that a match is not working out, and that an intervention from the law school is not effective, we move students into a match with another mentor.

At semester's end the faculty supervisor solicits and reviews the students final evaluations, recommends whether or not to work with the mentor again, and if the recommendation is positive, makes suggestions regarding refining future matches with the mentor.

D. Student

A 4th, 5th and sometimes 6th semester law student, with a GPA of 2.4 or higher can participate in the *SiP* Program. Students dedicate 15 weeks, full-time. Because the student is available full-time, it is easier for the student to assume the role of a young lawyer working with the mentor.

We designed the *SiP* to combine the best of the traditional apprenticeship model with rigorous classroom work. Experiential education recognizes a continuum of planning, performance, feedback, reflection and evaluation of progress toward performance goals. The *SiP* course design reflects this approach through the development and application of an individual legal learning plan. Before a semester begins, each student drafts an individual legal learning plan following a format designed for the *SiP*. This plan provides the basis for planning, feedback on, and evaluation of the semester's work. Each student reviews his/her Plan with both the mentor and the faculty supervisor. In addition to other communication between mentor and student, student and mentor formally review the plan two times during the semester at weeks 5 and 10. The student also keeps time sheets and a daily

journal submitted weekly. The faculty supervisor communicates often with the students throughout the semester.

In addition to learning with the mentor, students participate in a two-day orientation prior to the start of the *SiP* as well as reflective seminar classes during the semester. Mentors are asked to consider student "classes," as analogous to professional development for lawyers - something that is part of the student's or lawyer's work life, not something separate and additional.

Even though we are developing a good deal of experience with practicum based learning, it is important to remember that most law students, whether in the U.S., or elsewhere in the world, do not have an opportunity to enroll in a full time practicum. Whether you are a student, a mentor, or a faculty sponsor, you are participating in an experiment, which many hope will help change the face of legal education. Please ask any questions you have, give us feedback, and receive our sincere thanks.

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