TO: All Students Interested in Independent Externship Credit
FROM: Professor Lewis A. Silverman
        Director of Externship Programs
RE: Instructions for Arranging Independent Externship Credit
NOTE: You MUST read this packet before your initial discussion with Professor Silverman regarding an externship.

This packet contains the rules and procedures for arranging a program for independent externship credit and describes exactly what an independent externship should entail.

INDEPENDENT EXTERNSHIP REQUIREMENTS

An externship can only be approved if it meets the following requirements:

1. The individual externship must be connected to an upper level substantive course;
2. The field work undertaken during the externship must take place during the same semester as you are enrolled in the matching substantive course;
3. The work must be legal in nature and performed under the supervision of an attorney;
4. The externship must be supervised by a full-time member of the faculty teaching the allied substantive course; and,
5. The work must be unpaid and should be in a new legal setting.

What is an externship?

An externship is the supervised placement of a law student in various legal settings (field placement) where he or she assumes some of the responsibilities and work of a practicing attorney, providing an opportunity for students to observe and participate in “real lawyering”. Experiential learning such as this helps students to gain perspective on entering the profession by getting a sense of the kind of lawyer they wish (or wish not) to become. One of the benefits of the externship is the cultivation of a mentor/mentee relationship between a student and an admitted attorney or judge, which helps foster the student’s legal development and understanding of legal issues. Your participation as a supervising attorney and mentor will provide a quality model for the externship student.

How many credits can I receive for an independent externship, and how many hours must I work to earn those credits?

A student may enroll in an externship for one or two credits. Credit is granted based on the number of hours devoted to the field placement. For one credit, a student must work a minimum
of 70 hours (or an average of 5 hours each week in a 14-week semester). For two credits, 140 hours (an average of 10 hours each week in a 14-week semester) are required. It is not compulsory that you work the same number of hours each week, but it is advisable so that you make steady progress and are involved in sufficient work throughout the term. If you are enrolled in a summer course that extends for 7 weeks, then you must work an average of 10 hours each week for a 1 credit externship and 20 hours each week for a 2-credit externship.

What if I want to do a 2-credit externship, but the office I’m working for wants me to work 12 hours a week instead of 10?

In the event the office in which you are working requires you work a greater number of hours than is required, you may work those extra hours but you will not receive any additional credit. It is important that you and your externship are clear on the number of hours per week you will be working from the beginning.

Can I receive 3 or more credits for an independent externship?

No.

What does it mean for the work in the externship to be “connected” to the substantive course?

The work you perform in the field placement must bear a close relationship to the content of the course. Your work for the agency, organization, or law office must bring you into contact with the legal doctrines and theories, procedural concerns, and dynamics of practice in the area of law covered in the course. While some amount of leeway may be allowed due to the normal, expected variation of assignments in a law office over a 14-week period, the field work must be significantly related to the subjects covered in the course. It is not enough for there to be a mere general or an incidental connection.

Why must the externship take place during the same semester as the matching substantive course?

This is a requirement of the Court of Appeals (our accrediting agency). The requirement that both the field work and the course be completed in the same semester is designed to facilitate faculty supervision and assure the integration of both experiences. The primary purpose of an externship is to afford you a “real world” experience in which you can evaluate and gain new perspective and a more robust understanding of what you learn in the classroom. The experience in the field should make you better able to both grasp and challenge what you learn in class and vice versa. There are also additional requirements which can only be completed during the same term that the substantive course is taken.
On occasion, a student may be able to receive participate in an externship in a semester subsequent to the one in which the substantive course was taken. This will occur when the placement presents an outstanding opportunity and the student is approaching graduation and not likely to have another comparable opportunity, and will generally be limited to government and non-profit legal placements. The student will be required to sign a document acknowledging that the externship credit(s) will not qualify the student to sit for the New York bar exam.

**How closely will I be working with and supervised by an attorney?**

The purpose of the externship is to permit an enhanced understanding of how legal theories, rules, and issues operate in fact, and how lawyers and legal systems function. For these reasons it is important that each student have a close involvement with a lawyer who is actively engaged in grappling with the legal issues that are the subject of the externship. While you may work with non-lawyers to some extent, you must have a lawyer supervising your work. You should be able to speak with your supervisor about professional norms, ethical issues, litigation strategy, trends in the law, etc.

**How does the program define “legal work”?**

Legal work includes legal research and writing, client and witness interviewing, other factual investigation, client counseling, analysis of existing or proposed legislation or regulations, preparing testimony or materials for lobbying, conducting negotiation, mediation, or conciliation conferences, attending administrative or judicial proceedings or similar duties. Tasks necessarily associated with legal work, such as service of process, filing, tracking down judgment debtors, or setting up meetings are allowable but should only serve as an incidental part of your responsibilities.

**Can I work in any legal setting?**

Generally, there are no restrictions working in a government or non-profit legal setting.

**As an extern, won’t I be exposed to some non-legal work by nature of being low on the proverbial totem pole?**

Although your major and continuing work responsibilities must be legal work, most placements will entail some small amount of work which is, strictly speaking, non-legal. General office duties, such as photocopying, message delivery, or filing pocket parts are not legal work and should be only occasionally performed, and only if they are incidental chores ordinarily performed by the professional staff in the office.
Can I use my student LexisNexis or Westlaw accounts to work on externship projects?

Yes. Students may use their Westlaw and LexisNexis accounts when completing externship work assignments if the student is receiving academic credit for the placement. As with other work performed by the extern, clients cannot be billed for the research.

What role does the supervising professor play in the externship process?

Before the externship begins, you will meet with the professor to discuss what work outside of your placement will be required, a schedule for meetings to track your progress and development, and the issue of how your grade will be determined.

Why must the professor be a full-time member of the faculty?

The faculty believes that the task of assisting the student in understanding and evaluating the placement experience is best performed by a regular faculty member. Adjunct professors, who are not full-time members of the faculty, have a contract to teach a course which includes preparing and grading assignments and issuing grades. It is not the responsibility of an adjunct professor to supervise student externships.

Can I get paid for work during my externship?

No. You cannot receive credit for any work for which you are paid, even if the pay is pitifully low. Also, you cannot obtain externship credit for unpaid additional work for an office in which you are being paid for other work. For example, if you are working 15 hours weekly for pay at a law firm, you cannot earn an externship credit for working an additional 5 hours without pay.

Can I choose a placement where I have already worked?

Credit will generally not be approved if the proposed externship is a legal setting for which you have already performed legal work or have a personal or professional relationship. Even if the work was completed before your matriculation into law school, the externship generally will not be approved. Some exceptions may be approved where the previous legal work was for a pro bono, non-profit or public agency and you did not receive compensation or credit, but generally the externship will require that you be assigned to a different office or project.

In addition, externships in private law offices are not automatically approved. If the supervising attorney has previously supervised without problem then the externship will usually be approved. If the supervising attorney has not supervised before, or is in practice for less than five years, we may require additional information and even a pre-externship site visit. The Director of
Externship Programs reserves the right to decline to approve a placement if there are any concerns about the educational value of the potential placement.

**How should I schedule the hours at my placement?**

Scheduling the hours you will work in your externship is a matter between you and your attorney supervisor. It is recommended that you plan a schedule that includes work in full-day or one-half day blocks. Most offices prefer this and we have found that it is the best way for externs to accomplish work productively.

**GETTING AN EXTERNSHIP**

All right, I understand the requirements of an appropriate externship. How do I get one?

1. You can begin by discussing possible externships with your supervising professor.
2. Arrange a Placement (you may obtain help from the Career Planning Office, the Externship Director, the Pro Bono Director, or the professor teaching the substantive course.)
3. Give the attached “Externship Field Placement Supervisor Memorandum” (pages 8-14 and the “Externship Field Placement Confirmation and Agreement” (pages 20-23) to the office in which you plan on working. It is best to give it directly to the supervising attorney.
4. Arrange to sign the attached Externship Field Placement Confirmation and Agreement. It should be signed by you and your placement supervisor or another authorized person in the office/organization. This agreement should be sent or delivered directly to Professor Silverman at the Law Center.
5. Complete attached forms: (1) Independent Externship Approval Form (page 15 ), (2) Student-Faculty Externship Agreements (pages 16-19) with your professor, and (3) Externship Field Placement Confirmation and Agreement pages 20–23) with your placement supervisor and return them to Professor Silverman for his approval. Once approved, Professor Silverman will submit the original to the Registrar’s Office to allow you to enroll for externship credit.
6. This paperwork must be submitted to Professor Silverman by the end of the drop/add period for the semester. If the student has made diligent efforts to complete the paperwork but is unable to timely do so because of circumstances beyond the student’s control, and extension may be granted.
7. If you have any difficulties securing a placement, feel free to contact Professor Silverman.

**THE EXTERNSHIP ITSELF**
Okay, now I have an appropriate externship placement. What work will I be doing in order to receive credit for this externship?

In general, in addition to working in the field placement, each student may be required to:

(a) maintain a journal of activities undertaken in the field placement, including comparison of the field experience with the rules, theories, and approaches learned in class;
(b) submit the journal on a periodic basis to the professor;
(c) meet periodically with the professor during the term to discuss the field experience;
(d) make a presentation to the class incorporating information and insights gained from the placement; and,
(e) submit some examples of written work produced in the placement to the professor.
(f) Complete the time sheet distributed by the Office of Externship Programs and return the completed form at the end of the semester.

These requirements may be altered by the professor, depending on the nature of the work you are doing, the responsibilities assigned to you and the regular requirements of the course.

**What exactly is a “journal”?**

The contents and format of the journal component will vary depending on your supervisor. It is important that you discuss these issues with your professor before the externship begins so that it is clear to you what your supervisor is looking for in a journal. Generally, journals should record the tasks and responsibilities you are given, the nature of the cases or projects on which you are working, your observations and reflections on the demands and problem of law practice generally and in the particular field of law, a discussion of the substantive issues you must resolve and your assessment of any ethical problems that arise in your work. Many professors will require that your journal include your thoughts on the law and rules you’ve learned in class and how your feelings with regard to those rules and law change or develop while working in your placement. We expect that keeping your journal will force you to think more critically about the ideas discussed in class and your coursework will make you look more critically at the realm of law practice and legal institutions.

**How often, if at all, will I be meeting with my professor during the semester?**

The professor and student are required to meet periodically to discuss the externship experience and examine the lessons that the externship experience can bring to illuminate the course work and vice versa. The frequency and length of these meetings are matters for you to discuss with the professor, but you must make arrangements with your professor for these meetings and keep to the schedule you both design.
What about the class presentation requirement?

Like the journal component, the class presentation component will vary depending on your supervisor. Again, it is very important that you develop a clear understanding of what your supervisor will be looking for before the externship begins. The nature of this presentation should be recorded as part of the agreement with the professor at the beginning of the term. Your professor may want you to make a presentation on legal issues that are involved in your work, present a summary of the New York law on a particular point, or engage in a staged debate with the professor or others on an important policy, legal, or ethical issue that is implicated in your work. There are various forms your presentation may take and you should discuss with your professor which approach will be most effective and beneficial to the class.

How will I be graded on my externship?

This must be discussed with the professor beforehand. It is extremely important that you have a clear understanding with your professor regarding the basis on which you will receive a grade. Some professors will consider the evaluation of the attorney with whom you work in assigning a grade, others will grade your performance in the externship based on your journals, class presentations, and samples of written work. It is important you speak about this with your professor beforehand so that there is no misunderstanding of the level of performance expected.

Can I have my externship graded on a pass-fail basis?

Yes. Again, be sure to speak with your professor. Under this grading system, a student must earn a “C+” or better to earn a grade of “pass”. A student who earns less than a “C+” will not be given a lower grade; he/she will simply not be given any credit for the work undertaken. The professor will submit your grade separately at the end of the term when you complete your externship.

Will the grade I receive for the externship have any bearing on the grade I receive in the related substantive course (or vice versa)?

No. The grade you receive for the substantive course (based on the exam, papers, class participation, etc.) does not bear a relationship to the externship grade.

Will I have to submit any of my written work from my externship to the professor?

It will generally be required that the professor see the type of written work that you are producing in your externship placement. Some professors may want to review all of your written work, others may wish to see only a few samples and still others may only want to see one major piece of legal writing on a substantive topic. Whatever your agreement with the professor, you should expect to remove names and identifying information in all cases in which confidentially
must be maintained. At the start of the semester you should understand the amount and type of written work that your professor ill expect to review. This should be communicated to your supervisor so your supervisor understands that the written work you produce in the office will be read by the professor. In some placements, a separate confidentiality agreement may have to be signed.
EXTERNSHIP FIELD PLACEMENT SUPERVISOR INFORMATION

TO: Prospective Field Placement Supervisor

FROM: Professor Lewis A. Silverman, Director of Externship Programs

Thank you for your offer of a field placement experience for one of our students. The opportunity to gain insight into and experience in the legal profession through work with judges, lawyers, government agencies and in other settings adds immeasurably to our students’ education.

The primary purpose of our externship program is to afford the student a “real world” engagement from which he or she can gain a fuller understanding of what is learned in the classroom through observation and the development of the lawyering skills required for competent, ethical, and successful law practice, and to begin the passage from student to professional.

We hope that you will be able to involve the student in as many aspects of your office’s work as possible. Observing client interviews, court appearances, conferences, negotiations, witness preparation, investigations, strategy sessions etc. are of enormous value for law students as they move from studying law in books to studying “law in action”.

Our strong Externship Program depends upon the dedication and expertise of our supervising attorneys and the high quality of legal work accomplished by our approved externship placements. This packet contains a series of frequently asked questions and answers related to the role of the supervising attorney and all the “ins and outs” of the externship process. Should you have any additional unanswered questions, please do not hesitate to contact us.

We applaud your contribution to our students’ education and are appreciative of the time and effort spent with our students and the valuable learning they will achieve under your tutelage. We look forward to working closely with you in the years to come.

Thank you for your role in helping us to achieve these goals.

Most sincerely,

Professor Lewis A. Silverman

Director of Externship Program
QUESTIONS AND ANSWERS

What is an externship?

An externship is the supervised placement of a law student in various legal settings (field placement) where he or she assumes some of the responsibilities and work of a practicing attorney, providing an opportunity for students to observe and participate in “real lawyering”. Experiential learning such as this helps students to gain perspective on entering the profession by getting a sense of the kind of lawyer they wish (or wish not) to become. One of the benefits of the externship is the cultivation of a mentor/mentee relationship between a student and an admitted attorney or judge, fostering the student’s legal development and understanding of legal issues. Your participation as a supervising attorney and mentor will provide a quality model for the externship student.

Touro Law Center currently offers the following externship programs:

- Business and Technology Law
- Civil Practice
- Criminal Law
- Judicial Clerkship
- Independent Externship
- Advanced Criminal Prosecution (Suffolk DA)
- United States Attorney (Eastern District – Central Islip)

What are the goals of a properly tailored externship?

The goals of a properly tailored externship are as follows:

- An externship should permit an enhanced understanding of how legal theories and rules operate in fact, and how lawyers and legal systems function.
- Each student must have a close involvement with a lawyer or judge who is actively engaged in grappling with the legal issues in the law office or courtroom.
- The student should be able to speak with the supervisor about professional norms, ethical issues, skills, strategy, the demands and stresses of law practice, and ways in which laws and legal institutions can be improved and directions or trends in the law.
- The student should be engaged in varied tasks in multiple settings that challenge a wide range of skills.
• It offers the opportunity to compare the operation of the law and fulfillment of justice as learned in law school against the often pressured, uncertain, imperfect reality of the settings in which the drama of law and rights is enacted.

The mentoring of the extern by the supervising attorney forms the heart of this program. An externship is often a student’s first introduction to the world of law practice and the courts or other government agencies, so the lessons learned can be of pivotal significance. By integrating a student into the work of his or her law office, legal organization, or judicial chambers, the supervising attorney provides invaluable guidance to the student’s personal development as an attorney. We anticipate that supervising attorneys will agree to:

• be responsible for the supervision and activities of the student placed under your guidance,
• give the extern a variety of meaningful and interesting work assignments which will develop and enhance lawyering skills and aid the student in reaching his or her stated externship learning goals;
• review the externship student’s goals to develop a plan for experiences, observations, and activities which will also meet Touro Law Center’s Externship Program’s goals, individual student goals, and law office, legal organization, or judicial chambers needs;
• interact with the student on a regular basis and give quality feedback to the extern on all work assignments while being available for consultation on a regular basis;
• maintain copies of all assignments, any written comments, copies of written work and copies of time records, if any; and
• meet more formally with the student at the midpoint and end of the externship to evaluate the student’s performance.

Are there any restrictions on who can serve as a supervising attorney?

Generally we believe that to be an effective supervisor an attorney should be established in practice, whether private practice or a government or non-profit legal organization. Especially in private practice, we discourage attorneys from serving as mentors until they have approximately five years experience. This is not a hard and fast rule but rather a guideline, but our experience shows that an attorney who is busy establishing a practice has neither the time nor the experience to mentor a law student.

What contact will I have with Touro Law Center throughout the course of the externship?

Throughout the semester, you can expect to be in contact two to four times with the extern’s classroom instructor either by telephone or through e-mail. Additionally, a visit to the placement site by Dean Emeritus Howard A. Glickstein may be in order.
Also, at the beginning of the semester in which the student is placed, we will ask you to sign and complete an Externship Field Placement Confirmation and Agreement. At the end of the semester, you will be asked to fill out a written evaluation of the extern’s performance.

**Will I be able to receive an extern from Touro Law Center every semester?**

Touro Law Center cannot guarantee that you will receive an externship placement during any given semester.

**May the extern work with non-lawyers?**

While work may be undertaken with non-lawyers to some extent, there must be a lawyer or judge supervising the student’s activities.

**May the extern do non-legal work?**

While any placement will entail some small amount of work that is strictly speaking non-legal, the majority of work responsibilities must be legal work.

General office duties, such as photocopying, message delivery, or filing pocket parts are not legal work and should be only occasionally performed, and only if they are an ordinary part of the responsibilities of other professional employees in the office.

**For the purposes of this externship, what does “legal work” entail?**

Legal work includes legal research and writing, client and witness interviewing, other factual investigation, client counseling, analysis of existing or proposed legislation or regulations, preparing testimony or materials for lobbying, conducting negotiation, mediation, or conciliation conferences, attending administrative or judicial proceedings or similar duties. Tasks necessarily associated with legal work, such as service of process, filing, tracking down judgment debtors, or setting up meetings are allowable but should only serve as an incidental part of the student’s responsibilities.

**Can I ask the extern to perform paralegal duties?**

It depends. A goal of the externship program is for the extern to experience, to some degree, the role of a lawyer in that legal setting. Answering general phone calls and filing papers or copying materials are generally not acceptable. However, tasks such as trial preparation, document review, or client contact that allow students to engage in law-related activities are acceptable.

**Can I give the extern assignments over the phone or through e-mail?**
Sometimes it may be necessary to give work assignments over the phone or through e-mail but it is not preferable. Assignments received over the phone or through e-mail do not allow for the same degree of discussion and questioning that often occurs when working face-to-face.

**Can I request the student perform certain assignments in the school library?**

Work should be performed in the placement setting because the critical aspect of an externship is the observation of the workings of legal institutions and participation with lawyers or judges in the examination and resolution of conflict and uncertainty in the law. This observation provides a tremendous benefit to the students. Externs should never be completing their externship work in the law school library, except in unusual cases where the library may have materials that are impossible to access from the placement.

**Can the extern perform assignments that require him/her to leave the office?**

Yes. Students should engage as much as possible in the everyday workings of the law office, organization, or judicial chambers wherein they are placed. We encourage students to make field trips, escorting attorneys to conferences, depositions, jails, courthouses, and/or bar associations that will provide an opportunity to observe lawyering skills and meet other legal practitioners in a professional context. However, externs should not be sent unaccompanied to potentially dangerous places. Externs may only go on investigations or to meet with potential witnesses when they consent to the assignment and when accompanied by a professional.

**How many hours will the student extern work during the course of the externship?**

Students enrolled in the Civil Practice Externship, Criminal Law and most other externships will be required to work 168 hours during the semester in the field placement, which averages 12 hours per week. Students enrolled in the Independent Externship program will be required to work either 70 hours (for one credit externships) or 140 hours (for two credit externships) in the field placement during the semester.

**How will the extern’s time be scheduled?**

Scheduling the hours the student will work is a matter between the student and the field placement supervisor. This schedule should allow the student to observe and participate in as many aspects of the office’s work as possible. It is not compulsory that the student work the same number of hours each week, but it is advisable, so that there is steady progress and involvement in sufficient work throughout the term. The supervising attorney should establish a system to keep track of the hours worked as we require a report at the conclusion of the system. Additionally, the student extern will be required to fill out a timesheet provided by us.

**Do you recommend any specific schedule?**
We recommend to students that they work in full-day or one-half day blocks, whichever is most conducive to their schedule. Most offices prefer this and we have found it is often the best way for externs to accomplish work productively.

**Can I ask an extern to stay after his or her set hours to complete a project?**

Please be mindful that the extern is primarily a student who is required to spend a great deal of time on campus, in class, or otherwise engaged in student affairs. We counsel students to build some flexibility into their schedules so that they can take advantage of unplanned or impromptu opportunities which may arise at their externship. However, the supervising attorney should understand that a student’s academic responsibilities trump placement time-crunches. That being said, the extern is expected to develop time management skills and professionalism.

**What should I do if a student is having trouble with a deadline?**

If a student has not completed a project on time and has not discussed his or her progress or lack of progress on the project with you, you should have a conversation about time management skills and professionalism with the extern. If a student wishes to stay past his or her scheduled hours to complete work or to attend an event, that is the student’s decision and the student will have to accept the consequences of that decision.

**Can externs use their student Lexis/Nexis or Westlaw accounts to work on externship projects?**

Yes. Students may use their Westlaw and LexisNexis accounts when completing externship work assignments if the student is receiving academic credit for the placement. As with other work performed by the extern, clients cannot be billed for the research.

**Can an extern receive financial compensation for any work done during the course of the externship?**

Credit cannot be given for any work for which the student receives financial or any other compensation, and these are credit-bearing externships. However, reimbursement may be given for out-of-pocket expenses, including transportation. You should be careful not to treat the student so as to risk characterization of the student as an “employee” for purposes of tax or regulatory programs. Billing for the student’s time or effort may be considered to create or contribute to that risk.

**What work will the student be completing for the classroom instructor?**

The student will be required to keep a journal in which the student will record and reflect upon the tasks and responsibilities given, the nature of the cases or projects, the demands and
problems of law practice in that particular field of law, a general discussion of the substantive issues to be resolved, and an assessment of any ethical problems that may arise. The student may also be asked to submit examples of written work performed for the placement supervisor, with all client-identifying information redacted. The student is expected to bring experience from the fieldwork into the classroom, and share knowledge and insights with fellow classmates. In addition to contributing to general discussion to class, the student may be required to make a more formal planned presentation.

**Should I be concerned that students will be encouraged to talk about confidential information during the externship seminar?**

No. There are a number of safeguards put in place to assure that client and office confidentiality are maintained. Students are required to discuss with their supervising attorney the boundaries of confidentiality within your office.

**Will I be expected to provide a grade for the extern?**

No. The grade is given by the professor teaching the externship seminar or substantive law course, so we do not ask you to determine the student’s grade. However, we do highly value your evaluation of the extern and will contact you for an evaluation of the extern’s progress both mid-semester and at the end of the term. Additionally, we expect you to provide a short written evaluation at the completion of the term. Of course, if you have any difficulties regarding a particular placement, we ask you to contact the individual classroom instructor or Professor Silverman immediately.

**What type of feedback should I provide the extern?**

While understanding that the work of your office will usually be initially unfamiliar to the student, we ask you to uphold high standards for the student and help the student achieve professional quality work through constructive criticism. We have learned that the most effective feedback includes the positive as well as the negative aspects of the extern’s performance, and that the feedback is timely and specific.

**Contact Information:**

Professor Lewis A. Silverman  
Director of Externship Programs  
Touro Law Center  
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(631) 761-7080  
LSilverman@tourolaw.edu
My thanks to Associate Dean Keri Gould, St. John’s University Law School, for format and concept.
INDEPENDENT EXTERNSHIP APPROVAL FORM

TO: Office of the Registrar

FROM: Prof. Lewis A. Silverman____________________________ (handwritten signature indicates approval)

RE: Approval for Externship Credits for the____________________Semester

DATE:

In accordance with the Student-Faculty Externship of Agreement, please enroll the following student for externship credits.

1. Student Name ________________________________Touro I.D.#_____________
   Address _________________________________________
   ___________________________________________
   Email _________________________________________
   Telephone_________________________Cell: ________________________

2. Division: Full-time__ Part-Time ___ Day ___ Evening___

3. Course______________________________
   Professor____________________________

4. Grading System: __ Pass/No Credit ___ Letter Grade

5. Placement: Office __________________________________________
   Address__________________________________________
   ____________________________
   Phone ___________________________________________
   Name of Supervisor _______________________________________
   Supervisor's Phone________________________________________
   Supervisor’s Email________________________________________

6. Number of Credits _____, which requires______ hours per semester of fieldwork.
Memorandum of Agreement

Student - Faculty Independent Externship Agreement

This memorandum between ____________________________ (student) and ____________________________ (Professor) records the agreement regarding the requirements for Externship credits for the Spring/Fall 20__ semester.

1. The student is enrolled in the ____________________________ course taught by the professor. The work to be undertaken in the field placement will be related to the topics covered in the course.

2. The student has secured a field placement for this externship with the following organization:
   
   Name:
   Address:
   Phone:
   Fax:

   The student’s work will be performed at this location or at the following alternative/additional location:
   
   Name:
   Address:
   Phone:
   Fax:

   Name of Supervisor
   Phone ______________(ext. _____)

3. The student is authorized to enroll for the following number of credits:
   
   ______ one (1) credit, requiring 70 hours of work during the semester
   ______ two (2) credits, requiring 140 hours of work during the semester

4. The externship will be graded by:
   
   ______ letter grade     _______ pass/no credit

The following items will be evaluated and considered in determining the student's grade:
5. It is understood that the externship is graded separately from the allied substantive course. The student must complete all the ordinary course requirements for that course.

6. The student will be required to complete the following to obtain externship credit (check all that apply):

   (a) Maintain a journal of activities.

   The journal will record (1) tasks and responsibilities given, (2) the nature of the cases or projects involved, (3) observations and reflections on the demands and problems of law practice in general and in the particular field of law in which the student is engaged, (4) a discussion of the substantive issues which must be resolved, (5) an assessment of the ethical issues that arise. The journal should include a reflective comparison of how the ideas, rules, and theories learned in class are played out in the legal setting of the placement. The student will also use the journal to record opinions and observations of justice, advocacy, the lawyer-client relationship, and to assess the fairness and effect of the rules of substance and procedure that are learned in class. Other items required to be recorded/reported in the journal are:
__ (b) Journals will be submitted to the professor on ____________________________
(frequency)

__ (c) Periodic meetings with the supervising professor. The professor and student will
meet on a regular basis on ______________________ (day) at ________ am/pm, for approximately ______ minutes. These meetings will take place at _________.

Alternative schedule for meetings:________________________________________
Confidentiality of information gained in the field placement will be maintained in these meetings.

__ (d) Class presentation. The student will make a presentation to the class drawn from the externship experience. The topic and format of the class presentation will be or: __________________ determined between the student and professor at a later time during the term after the externship experience has begun.

__ (e) Submission of samples of written work. The student will submit to the professor copies of written work produced in the placement. Names, addresses and other identifying information should be deleted. The student should submit:

______ all written work produced

______ a sample of each type of document drafted

______ a significant piece of work on a substantive topic

______ the item which the student believes represents the best work produced

______ other (specify)

__ (g) Other requirements:

7. A written evaluation of the student's performance will be solicited and sent to the supervising professor. It is understood that the supervising professor may request additional oral or written evaluations of the student's performance at various times during the semester or may visit the placement for an on-site evaluation of the externship activities.
EXTERNSHIP FIELD PLACEMENT

CONFIRMATION AND AGREEMENT

1) ______________________________ office/organization) will offer a field placement experience to ______________________________(student) in accordance with the description and guidelines of the Touro College, Jacob D. Fuchsberg Law Center Externship Program, as set out in the Field Placement Supervisor Information Memorandum.

2) I/We understand that the student's participation is part of the Law Center's educational program and that the student will receive credit toward the Juris Doctor degree, upon successful completion of the externship requirements. The student may not be paid or receive other remuneration for this work. Reimbursement for out-of-pocket expenses is allowed, but not required.

3) The student will perform service for ______________________________(office/organization) commencing __________(date) during the (Fall) (Spring) 20__ (semester/year) term. It is understood that the student must complete a minimum of 168, 70, 140 (circle) hours of service during the course of the academic term. [Circle # of hours] The externship will be performed in connection with the ___________________course, taught by Prof.______________.

The student will work the following schedule of hours during the (Fall) (Spring) academic term:

Monday ___________ to __________
Tuesday ___________ to __________
Wednesday ___________ to __________
Thursday ___________ to __________
Friday ___________ to __________

4) The address and telephone number of the office/organization is:

Address:

Telephone:

Fax:
If the student's work will be performed at another location, the address and telephone number of that location will be:

Address:

Telephone:

Fax:

5) The attorney/judge who will have direct supervision of the student's work will be:

Name:

Address:

Telephone:

Fax:

The supervisor will maintain time records of the student's participation and will submit a final evaluation of the student's performance at the conclusion of the semester's work.

6) I/We understand that the student is not licensed to practice law and that Touro College, Jacob D. Fuchsberg Law Center does not maintain professional liability insurance covering a student's work in an externship setting.

7) The student's work will be in the field of ______________________ law. The student's responsibilities and assignments will be:
The student will be given the opportunity to participate in or observe the following:

__________________ courtroom proceedings
__________________ judicial conferences
__________________ client/witness interviews
__________________ discovery/depositions
__________________ legal research
__________________ investigations
__________________ drafting litigation documents
__________________ drafting transaction documents
__________________ filing; record searches
__________________ negotiations
__________________ arbitrations/mediations
__________________ trial/hearing preparation
__________________ planning/strategy meetings
__________________ other (specify)

8) If a problem occurs with respect to the student or the ability of the organization to continue the student's externship placement, the office/organization will immediately contact Touro College, Jacob D. Fuchsberg Law Center, Prof. Lewis A. Silverman at (631) 761-7080.; Fax (631) 761-7089

(Signed:)
Print name:
Office/
Organization:
Date:

I have read, understand, and accept this agreement and agree to work as a volunteer for the office/organization for externship credit.

Signed:
(student)

Date:

Approved for Independent Externship Credit:

Signed: ___________________________ Date: ___________________________

Professor Lewis A. Silverman

Director of Externship Programs