

UNIVERSITY OF MINNESOTA LAW SCHOOL GUIDE FOR INDEPENDENT FIELD PLACEMENTS

1. INTRODUCTION

University of Minnesota Law School students may earn up to three credits in a single semester for unpaid work in a legal practice setting performed under the supervision of a faculty supervisor from the Law School and a qualified field supervisor at the placement site. At least 50 hours of law-related activities are required per credit, including time spent at the placement, performing assigned work (on or off site), and documenting and reflecting on the placement experience.

The student is responsible for identifying a field placement setting and supervisor, finding a faculty supervisor, and completing the Independent Field Placement (IFP) Enrollment Form. The form asks the student to identify specific learning goals, describe the planned field placement activities and how they will help the student achieve those goals, and describe the arrangements for feedback and instruction in the field placement. The faculty supervisor must review and sign the form, and the field supervisor and student must complete the Acknowledgment of Responsibilities (see Appendix A), which includes a confirmation that the field supervisor has reviewed both this Guide and the student's IFP Enrollment Form. Both the IFP Form and the Acknowledgment must be submitted to the Associate Dean for Academic Affairs for approval of the IFP.

Grading is the responsibility of the faculty supervisor. The grade basis may be A/F, Honors/Pass/Low-Pass/Fail, or S/NC, depending upon the level of oversight and evaluation by the supervising faculty member. S/NC is the usual grade basis; if the grade basis is to be A/F or H/P/LP/F, the faculty supervisor must certify on the form that there will be sufficient oversight for grading the student's performance.

2. FIELD PLACEMENT PROGRAM EDUCATIONAL OBJECTIVES

The Independent Field Placement program is designed to help students accomplish the following objectives:

- Apply knowledge and skills gained from academic studies to the practice environment.
- Learn new aspects of substantive law related to the practice area.
- Learn or improve legal skills, especially those specific to the practice area.
- Learn to be a reflective professional—to self-assess performance, to learn from experience and observation, and to comprehend and integrate new knowledge for future actions.
- Develop understanding of professional responsibility demands and challenges, especially those specific to the practice area.
- Develop legal problem-solving skills and learn to exercise professional judgment.

- Define career goals and create professional networks.
- Gain skills and knowledge necessary to work with individuals with life experiences different than the student's own.
- Identify and pursue individual learning goals.

The student should keep the program objectives and the student's individual learning goals in mind when identifying an appropriate field placement and should work with the faculty and field supervisors to ensure that the placement provides the opportunity to accomplish those objectives and goals. The placement activities should be selected to help the student acquire knowledge of the law in the relevant practice area, to become more closely acquainted with the range and nature of work done by lawyers and other professionals at the placement site, and to learn and have an opportunity to perform a variety of professional skills. The student should receive regular feedback on work performed and have regular opportunities to meet with the field supervisor and other attorneys and professionals to learn about the broad array of legal work accomplished at the placement.

3. STUDENT'S RESPONSIBILITIES

A. Set goals and identify field activities to achieve those goals. Before seeking a particular field placement, or when evaluating a field placement opportunity, the student should prepare a written statement of preliminary goals to help guide discussions with both the field and faculty supervisors. The students should communicate those goals to the supervisors and work with them to identify appropriate activities and learning opportunities to be available at the placement.

B. Complete the Independent Field Placement (IFP) Enrollment Form. The IFP form asks for (1) a statement of the student's specific learning goals for the placement, (2) a description of the student's expected activities that will help accomplish those goals (including opportunities for observation and discussion as well as performing law-related tasks), and (3) identification of the arrangements for providing feedback and instruction from the field supervisor and others. The information on the form should be as specific as possible.

The student should explain on the IFP form, and discuss in detail with the field supervisor, the arrangements to provide educational value to the student, including but extending beyond feedback on written or other performance. Examples of such arrangements, to be identified on the IFP form, may include opportunities to observe hearings, to shadow lawyers in practice, to attend seminars or continuing education programming, to get individualized feedback on written or oral performance, and to meet regularly with attorneys in the office to learn about the broad array of responsibilities undertaken by them in their practice. It is likely that the field placement activities will vary over the term, and that additional opportunities for engagement may emerge, but it is important that the student and field supervisor identify at the outset a suitable range of activities they expect will be included.

The faculty and field supervisor must each either sign the form or indicate in writing that they have read and approve the contents of the form as completed by the student. The faculty supervisor may be a member of the Law School faculty or a full-time Law School staff member with instructional responsibilities; other instructors (including adjunct faculty members) must receive approval of the Associate Dean for Academic Affairs to serve as faculty supervisor. The field supervisor should generally be a licensed attorney; in rare instances, and depending on the nature of the placement, a law-trained person with appropriate legal knowledge, expertise, and licensure may be able to provide the required guidance and evaluation of the student work performed outside the Law School. Field and faculty supervisors both have responsibility to shape, or help the student to shape, the field placement experience to ensure a focus on educational value.

D. Written Reflections. The student must keep a contemporaneous journal or otherwise regularly reflect upon and evaluate the placement experience in response papers or other written product. The written reflections are reviewed by the faculty supervisor on a schedule agreed upon by the student and faculty supervisor. The reflections/journal are intended to be a confidential communication between the student and the faculty supervisor; they may be shared with the field supervisor only by agreement of the student after consultation with the faculty supervisor. Written reflections are a crucial mechanism to ensure attainment of the program's educational objectives. It is through thinking and then writing about the experience (about observation as well as work tasks) that the student will effectively process the experience, recognizing what has been learned and incorporating that learning into the student's professional development. The faculty supervisor may suggest particular topics for the student to address in the journal to ensure consideration of relevant and important matters.

E. Time Sheets. The student is responsible for keeping a contemporaneous log of all time spent in the IFP and submitting the log to the faculty and field supervisors on a regular basis to document the hours required to earn the credits for which the student is registered. The schedule for submission may be set by the faculty and/or field supervisors. The log should identify briefly how the time was spent. Time devoted to written reflections and response papers as well as on field activities all count towards the required number of hours.

F. Complete the Field Supervisor/Student Acknowledgment of Responsibilities (Appendix A) before enrollment.

4. FIELD SUPERVISOR'S RESPONSIBILITIES

The field supervisor is responsible for working with the student to ensure that the field placement is an educational experience that warrants the awarding of credit for the time and effort spent. This guide outlines the Law School and ABA expectations and offers suggestions to help make the experience successful and rewarding for both the field supervisor and the student.

A. Review student's goals & help identify field activities to help achieve those goals. Before the placement is submitted for approval, the student and supervisor should discuss the student's learning goals for the field placement, identify opportunities for the student to meet those goals through field activities, and discuss arrangements for providing feedback and other instruction during the course of the placement. Based on this discussion, the student will complete the IFP form, which must be reviewed and approved by the field supervisor, the faculty supervisor, and the Associate Dean for Academic Affairs.

B. Orientation. To help the student have a successful start to the placement and to lay a foundation for an effective supervisory relationship and a rewarding experience, we suggest a set of orientation discussions between the student and the field supervisor, and perhaps others in the office, scheduled before or at the beginning of the student's placement, to address the following issues:

- **Confidentiality and Professional Responsibility.** Discuss professional obligations such as confidentiality, conflicts of interest, and permissible communications with those outside the office at the outset of the fieldwork. If there are particular ethical policies that govern the office, please share them as well. It is also helpful for the student to know the title to use on communications, e.g., "law student extern" or "legal intern."
- **Conflicts Check.** Review the student's previous/current employment, clinical work, and affiliations that might potentially be in conflict with your organization's conflicts policy.
- **Function of the Office.** To help orient the student to the work environment, discuss with the student the services provided by the office and who the organization's clients are (if there are clients), as well as the particular substantive areas of law that the office focuses on.
- **Introductions.** Please take the time to show the student around the office, including a brief overview of the office space, information about where resources for research are available, and introductions to attorneys and other staff with whom the student will interact.
- **Relevant Office Policies.** Please share with the student the relevant office policies, such as any dress code and the use of office equipment.
- **Schedule of Meetings with Student.** It is important to plan early for both formal and informal communications with the student. We encourage you to have regular meetings with the student, during which you can review work and discuss other matters. If appropriate, you may include (or temporarily delegate such meetings to) others in the office who supervise aspects of the student's work for part of the term.
- **Workspace.** Each student should be provided some form of workspace, whether allocated to her/him individually or shared with others.

- **Work Schedule.** Together with the student, develop a schedule of the specific days and times for the student to be on site and understandings about time the student may spend working off site on placement-related tasks. A set schedule provides the student with the opportunity to develop a sense of commitment and responsibility and also allows you to better plan for the student's involvement and to gather and set appropriate deadlines for work assignments.
- **Concerns.** Make sure that the student knows to whom to speak about any problems encountered during the course of the placement.

C. Ensure the student is involved, assigned meaningful projects and provided critical feedback.

- **Involvement & Assignments.** Please include the student as much as possible in the full range of activities of the office. As appropriate, invite the student to attend (as observer or active participant) client meetings, conferences, administrative or court hearings and trials, negotiations, settlement conferences, and other opportunities to engage with the legal work in your practice area. Substantive tasks may include appropriately-supervised involvement in activities such as drafting of documents and policies; conducting legal research; interviewing and counseling clients; participating in negotiations; responding to government agencies, writing letters to constituents, and providing advocacy in court proceedings. Students should not be asked to perform more than a minimal amount of clerical duties such as photocopying, filing, and phone coverage.
- **Inform the student the chain of command for assignments,** i.e., from whom the student should accept work. It is always best if assignments go through the field supervisor, even if a student will work with others in performing some tasks. Inform the student about the review process for the student's work, as well as whether there are any tasks the student may carry out without a supervisor's review or approval.
- **Oversight of Assignments.** It is always helpful to explain assignments thoroughly and make certain the student understands what is expected. Especially at the outset, the student may be unfamiliar with the protocols and expectations surrounding work product in your office. Provide context for each assignment, i.e., how the work product will fit into the larger picture. Inform the student of available resources that might be helpful, particularly those resources with which the student might not be familiar. Set a deadline for each assignment to help the student plan ahead.
- **Encourage the student to ask questions,** both at the outset and while performing assigned task. Letting the student know that questions are welcome will ensure the work fulfills expectations and the task becomes a learning experience. For relatively

complex assignments, please ask the student to check in early and regularly to report on progress on the assignment and identify any questions that have arisen.

- **Feedback.** Field supervisors are expected to meet with each student on a regular basis to provide critique of the student's work and feedback on overall performance. It is important to identify those aspects of the student's work that are effective, as well as those aspects that require improvement. At the end of the term, the field supervisor will be asked to complete and submit a written evaluation to the faculty supervisor.

D. Complete the Field Supervisor/Student Acknowledgment of Responsibilities (Appendix A).

E. Submit written evaluation(s) of the student's performance and experience as requested by the faculty supervisor.

5. FACULTY SUPERVISOR'S RESPONSIBILITIES

The faculty supervisor may be a Law School faculty member, a full-time Law School staff member with teaching responsibilities at the Law School, or another instructor (including an adjunct faculty member) with approval of the Associate Dean for Academic Affairs. The faculty supervisor is responsible for ensuring the student makes appropriate arrangements for an educational experience in the field placement, receives adequate field supervision, and makes good progress toward achieving the stated learning goals. The faculty supervisor is also responsible for evaluating student performance and submitting a grade at the end of the term. The faculty supervisor will use time logs, journals, reflective papers, and field supervisor evaluations to make sure the educational objectives of the program are met and to evaluate and grade the student's work. This guide offers suggestions to help make faculty supervision most effective.

The faculty supervisor should be alert to and take steps to prevent any conflict of interest between the faculty member's employment, consulting work, and affiliations and the work supervised through the field placement, especially if the faculty supervisor will be reviewing written work or otherwise be privy to non-public information incorporated in the student's work.

A. Review student's goals and help ensure the field placement will achieve those goals.

Before the placement is submitted for approval, the student and faculty supervisor should discuss the student's learning goals for the field placement and discuss arrangements already made, or to be made, with the field supervisor to identify appropriate field placement activities and arrangements for providing feedback and other instruction in the field placement. The faculty supervisor should help the student plan for conversations with the field supervisor and/or communicate directly with the field supervisor to ensure the field placement is designed to fulfill the educational objectives of the program and the specific learning goals of the student.

B. Review and approve the IFP Form completed by the student, ensuring that appropriate arrangements have been made for an educational experience for the student with adequate oversight and mentoring in the field placement.

C. Oversight of the placement. The faculty supervisor should set a regular schedule for review of the student's time logs and written reflections and to communicate with the student about the student's experience, performance, and progress towards achieving the student's goals. The student should be encouraged to reflect on his/her goals and how well they are being achieved, and to identify any concerns about the placement, assignments, or feedback given, or about relationships with the field supervisor or other personnel at the site. If concerns develop, the faculty supervisor may work with the student to brainstorm appropriate responses, and may intervene directly with the field supervisor to help resolve any difficulties.

Reflections and logs should be submitted at least monthly; weekly or bi-weekly submission may be appropriate and will keep the faculty supervisor better informed about the student's experience. Logs and reflections should include information about the range of assignments received, opportunities for learning through observation or other activities, and the nature and adequacy of feedback received on written or other work.

The faculty supervisor should also establish a schedule for regular contact with the field supervisor to ensure the quality of the student's educational experience, including the appropriateness of the supervision provided and the assignments given to the student. A mid-term check-in about the student's progress is advisable so that any concerns can be addressed in the remaining weeks of the term.

Regular contact with the field supervisor and guided contemporaneous reflections by the student are both required by the American Bar Association for any 3-credit field placement; as best practices, such regular contact and student reflection are expected for any approved Independent Field Placement.

D. Grading. The faculty member is responsible for submitting a grade for the student at the end of the term. The faculty member will evaluate the student's performance in the field placement and whether the student achieved his/her learning goals through (1) review of the student's time logs and written reflections, (2) regular contact with the field supervisor, (3) review of a written final evaluation from the field supervisor, and (4) as appropriate, review of the student's written work product. A sample evaluation form is attached to guide both the faculty supervisor and field supervisor in identifying the scope of the written evaluation to be submitted (Appendix B).

The grading basis for the IFP can be Satisfactory/No Credit, Honors/Pass/Low Pass/Fail, or A/F. If the grading basis is either H/P/LP/F or A/F, the faculty supervisor must have sufficient basis for making the required evaluation, including review of the student's work product (appropriately redacted as necessary) and heightened oversight of the field placement supervision. A grade of S (Satisfactory) indicates acceptable performance through completion

of the assigned work. Grades on the scales of H/P/LP/F or A/F evaluate the quality of the work done, not simply the effort expended, as described in the Law School Academic Rules:

A- to A+:	Excellent to outstanding performance
B- to B+:	Substantially better than adequate through very good performance
C- to C+:	Minimally acceptable through adequate and somewhat above adequate performance
D:	Inadequate performance
F:	Failing performance
Honors:	Excellent performance
Pass:	Adequate performance or better
Low Pass:	Minimally acceptable performance
Fail:	Failing performance

6. RESOURCES AND POLICY REQUIREMENTS

A. Non-Discrimination Policy. The University of Minnesota maintains the following non-discrimination policy and requires Independent Field Placements to be in compliance.

Equal Opportunity. The University of Minnesota shall provide equal access to and opportunity in its programs, facilities, and employment without regard to race, color, creed, religion, national origin, gender, age, marital status, disability, public assistance status, veteran status, sexual orientation, gender identity, or gender expression.

B. Fair Labor Standards Act compliance. The Department of Labor has provided guidance to identify when an intern may work without compensation, especially in the “for-profit” private sector. The following six criteria are applied to determine that an intern is not an “employee” and therefore need not be paid:

- a. Even though it includes performance of tasks supporting the employer’s operations, the internship is similar to training which would be given in an educational environment;
- b. The internship experience is for the benefit of the intern;
- c. The intern does not displace regular employees, but works under close supervision of existing staff;
- d. The employer that provides the training derives no immediate advantage from the activities of the intern, and on occasion its operations may actually be impeded;
- e. The intern is not necessarily entitled to a job at the conclusion of the internship; and
- f. The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

The requirements of the Independent Field Placement program as described in this Guide and as documented in the IFP form and Acknowledgment form are designed to be consistent with

the Department of Labor standards by requiring that all IFPs be arranged for the benefit of the student and with a focus on educational value.

C. Information about the IFP Program and Concerns about Individual IFPs. Oversight of the IFP Program is the responsibility of the Associate Dean for Academic Affairs of the Law School. While primary responsibility for oversight of a particular field placement belongs to the faculty supervisor, the participants are encouraged to contact the Associate Dean if necessary to resolve any concerns that arise. Such concerns, as well as questions about the IFP Program may be directed to:

Carol Chomsky
Professor of Law and Associate Dean for Academic Affairs
University of Minnesota Law School
612-625-2885
choms001@umn.edu

APPENDIX A

Field Supervisor/Student Acknowledgment of Responsibilities

**UNIVERSITY OF MINNESOTA LAW SCHOOL INDEPENDENT FIELD PLACEMENT (IFP)
FIELD SUPERVISOR/STUDENT ACKNOWLEDGMENT OF RESPONSIBILITIES**

Student: _____ Semester/Year: _____

Placement Site: _____

Field Supervisor: _____

Faculty Supervisor: _____

Thank you for your support, supervision, and mentoring of a law student. To help ensure that each IFP satisfies the educational objectives of the IFP Program, is designed to accomplish the student's learning objectives, and satisfies American Bar Association requirements for field placements for academic credit, we ask the Field Supervisor and IFP student to acknowledge the responsibilities identified below.

Field Supervisor's Agreement:

I have reviewed and approve the IFP Enrollment Form submitted by the student. I have been provided a copy of the University of Minnesota Law School Guide for Independent Field Placements and understand that my responsibilities include the following:

- **Goals:** Review the student's goals and assist in identifying field activities to achieve those goals.
- **Orientation/Logistics:** Provide the student with an appropriate introduction and orientation to the office/organization.
- **Conflicts Check:** Review the student's employment, clinical work, and affiliations to protect against conflicts.
- **Assignments:** Ensure that the student is assigned professional-level work appropriate for a student law clerk and is provided substantial opportunity to observe as well as participate in law-related activities and to interact with lawyers and other professional personnel. Every effort will be made to expose the student to a broad range of substantive topics and lawyering skills appropriate to the placement.
- **Supervision and Feedback:** Ensure the student is provided with appropriate direction, monitoring, and mentoring throughout the term and receives timely and specific feedback on written assignments. Periodic written or oral evaluations will be completed, as arranged with the faculty supervisor.
- **No Compensation:** I understand that ABA Rules prohibit students from receiving compensation during a field placement for academic credit, except for reimbursement of reasonable out-of-pocket expenses related to the field placement.
- **Benefit to the student:** The focus of the placement is on educational value to the student, as outlined above, and the student will not be displacing or replacing any regular employee.

I understand that the student is expected to fulfill academic responsibilities associated with other courses in which the student is enrolled during the same term as the IFP, including attending regularly scheduled class sessions. I will assist the student in helping the student balance professional and academic responsibilities.

Student's Agreement:

I have provided my field supervisor with a copy of the University of Minnesota Law School Guide for Independent Field Placements. I agree to work with professionalism and integrity in the field placement, to follow appropriate directions, and to seek clarification and advice in a timely fashion. I understand that my work in the field placement does not take priority over my other academic obligations, including class attendance.

Student Signature: _____ **Date:** _____

Signature of Supervising Attorney: _____ **Date:** _____

Submit to: Carol Chomsky, Professor of Law and Associate Dean for Academic Affairs, University of Minnesota Law School, in hard copy (Room N216) or electronically (at choms001@umn.edu).

APPENDIX B

Template for Field Supervisor Evaluation of Student

University of Minnesota Law School Independent Field Placement Attorney-Supervisor Evaluation of Student

Thank you for taking your time to provide a concluding evaluation of the IFP student's performance in the Independent Field Placement this term. Your evaluation is critical in order for the student to receive credit for the IFP. *Unless you specify otherwise, your evaluation will be shared with the student to maximum learning from the experience.*

Student:

Faculty Supervisor:

To help confirm that the student should receive credit for the field placement and to help determine an appropriate grade, as well as to provide meaningful feedback to the student, please provide the following information.

1. A brief description of the student's work assignments.
2. A description of any significant learning experiences the student was offered and participated in beyond feedback on written or oral work product (e.g., CLE programs, observation of judicial or administrative proceedings, formal mentoring, etc.).
3. An evaluation of the student's performance. Please consider the following categories, as applicable:
 - a. **Research:** Did the student present research that was thorough, well-organized, identified key issues, and used relevant sources?
 - b. **Legal analysis:** Did the student integrate concepts and legal theory with facts in a coherent and logical progression?
 - c. **Writing skills:** Did the student's written work demonstrate the ability to develop clear, persuasive, and well-supported legal argument?
 - d. **Interaction with clients:** Did the student develop effective working relationships with clients? Was the student sensitive and responsive to client needs and communicate tactfully and effectively?
 - e. **Interaction with attorneys and other office personnel:** Did the student develop effective working relationships with you, other attorneys, and other employees in your office? Did the student treat others with respect?
 - f. **Oral advocacy:** Did the student present persuasive arguments that showed an understanding of case law and other relevant sources?
 - g. **Attendance and punctuality:** Did the student follow the agreed-upon schedule and appear on time at meetings and other events?
 - h. **Time management:** Was the student able to adequately manage how much time was appropriate for each task and prioritize assigned work?
 - i. **Response to constructive criticism:** Did the student accept criticism and constructively modify work habits and work product?

- j. **Overall professionalism:** Did the student act in a suitably professional manner throughout the term?
 - k. **Commitment to the field placement experience:** Did the student volunteer for work and other activities as appropriate? Did the student take advantage of opportunities offered and seek out additional opportunities to expand the educational value of the experience?
4. Brief comment on the development of the student's knowledge and skills over the length of the term.
5. If you were grading the student's performance, considering the quality of both the effort expended and the work produced, what grade would you give? Note the following guidance on the meaning of grades that may be used for the course:

A/F scale

- A- to A+: Excellent to outstanding performance
- B- to B+: Substantially better than adequate through very good performance
- C- to C+: Minimally acceptable through adequate and somewhat above adequate performance
- D: Inadequate performance
- F: Failing performance

H/P/LP/F scale

- Honors: Excellent performance
- Pass: Adequate performance or better
- Low Pass: Minimally acceptable performance
- Fail: Failing performance

6. Please indicate on the scale given how you would rank the student's performance as compared to other law students you have worked with. A space is given for comments as well.
- a. Substantive work (research, writing, and other assignments/projects)

- Truly Exceptional (Top 1-2%)
- Excellent (Top 5%)
- Very Good (Top 10%)
- Good (Top 25%)
- Average (Top 50%)
- Below Average (Bottom 50%)
- Inadequate Opportunity to Judge

Comment:

- b. Professionalism (observance of professional standards, dedication and commitment to the tasks assigned, attitude towards supervision and constructive criticism, respect for people and process, respect for confidentiality)

Truly Exceptional (Top 1-2%)

Excellent (Top 5%)

Very Good (Top 10%)

Good (Top 25%)

Average (Top 50%)

Below Average (Bottom 50%)

Inadequate Opportunity to Judge

Comment:

- 7. Please add any other comments you wish to share.

Thanks again both for hosting our student and for providing this candid evaluation of the student's performance. Please feel free to contact the Faculty Supervisor directly with any questions or concerns.