

Using the Externship Structure to Promote Effective Feedback for Students and Field Placements

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The externship community has developed voluminous and excellent resources on feedback with written materials, texts, law review articles, and conference presentations. This “tip sheet” focuses on how externship faculty can employ the externship structure itself to elicit clearer expectations and communication.

ABA Written Understanding: Per ABA Standard 304(d)(i), all law schools must have a written agreement between the school, student and field placement. Although students and placements often dismiss it as mere “paperwork,” this document can be a powerful way to convey and memorialize your expectations regarding the quantity and quality of feedback for each student and referred to as needed. It can also outline expectations regarding supervisor/student communication. Do you expect a weekly meeting? Should students have different types of feedback (oral, written) and from different attorneys? Make the written agreement part of a class discussion.

Learning Agenda: Many externship faculty require students to prepare a learning agenda, or goals memorandum at the beginning of the semester that captures what they want to learn, strategies they will use, and how they will measure their progress; in effect, write their own syllabus. Incorporating a point about assignments and feedback into their learning agenda and then discussing with their supervisor helps make this a “mutual” to-do item for the semester.

Educational Assignments: The Learning from Practice textbook and the accompanying teacher’s manual have excellent suggestions for seminar assignments, etc. You can create journal assignments, reflections after watching TED talks, or have an asynchronous discussion i.e. with postings on Canvas or TWEN. Talk with other faculty, especially those who work with first-year students in lawyering process and legal writing classes. If their syllabus includes feedback as an explicit topic, build on their work in your assignments, which reinforces that lesson to students.

Mid-term meetings: A mid-semester check-in with the field placement and student (either together or separately) is a good time to “drill down” into the specifics of assignment clarification, interim feedback and guidance, and the final product. If the student has mentioned issues/concerns in class, a journal, or otherwise, I can address this in conversation with the supervisor in a more “neutral” way that is supportive of the student.

Evaluations: UC Davis requires a mid-term assessment prepared by the student and reviewed with the supervisor, and a final evaluation prepared by the supervisor. The mid-term assessment is a particularly good vehicle for describing the assignment/feedback loop; I ask students to provide one specific example in their self-assessment.

Prepared for the AALS 2021 Clinical Conference panel “Turning Down the Static: Fine-tuning Feedback, Supervision and Difficult Conversations” on Friday, April 30, with other panelists C. Benjie Louis, Michael Murphy and Paige Wilson.

Bibliography:

Learning from Practice: A Text for Experiential Legal Education, Third Edition; ed. Leah Wortham, Alexander Scherr, Nancy Maurer, Susan Brooks, West Academic Publishing, ISBN 978-1-63459-6183

Kendall Kerew, Associate Clinical Professor and Director of Externships at Georgia State University College of Law, manages a national externship database with syllabi, exercises, etc. It is password protected. See: <https://listserv.gsu.edu/cgi-bin/wa?A0=LXTERN>

Achieving Externship Success: An Empirical Study of the All-Important Law School Externship Experience, Anahid Gharakhanian, Carolyn Young Larmore and Chelsea Parlett-Pelleriti, Southern Illinois University Law Journal 2021

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