

CIVIL EXTERNSHIP SEMINAR

SPRING 2016

PROFESSOR MARJORIE A. SILVER

CIVIL PRACTICE EXTERNSHIP

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Professor Marjorie A. Silver

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Course Information & Requirements

Mondays, 4:35-6:15 PM

Classroom: 307

This seminar will enhance your externship experience this semester, by giving you the opportunity to reflect on and learn from your experiences.

GENERAL COURSE GOALS

- To understand what the day-to-day work of a lawyer involves and to develop an appreciation for the challenges that lawyers face.
- To increase understanding of the attributes of professionalism, and what it means to become a professional.
- To develop the habits of being a *reflective practitioner*.
- To enable thoughtful choices about what kind of lawyer you want to be, and what kind of work you want to do.
- To facilitate your transition from student to practitioner.

COURSE REQUIREMENTS

1. Required Texts:

LEARNING FROM PRACTICE (Wortham, et al. eds., 3rd ed. *forthcoming* Feb. 2016) [hereinafter "LFP"]

2. Recommended Readings:

- AMIRAM ELWORK, PH.D., *STRESS MANAGEMENT FOR LAWYERS: HOW TO INCREASE PERSONAL & PROFESSIONAL SATISFACTION IN THE LAW* (3rd ed. 2007).
- STEVEN KEEVA, *TRANSFORMING PRACTICES: FINDING JOY AND SATISFACTION IN THE LEGAL LIFE* (paperback 1999; hardcover, 10th anniversary ed. 2011).
- NANCY LEVIT & DOUGLAS O. LINDER, *THE HAPPY LAWYER: MAKING A GOOD LIFE IN THE LAW* (Oxford 2010).
- JULIE MACFARLANE, *THE NEW LAWYER* (2008).
- J. KIM WRIGHT, *LAWYERS AS PEACEMAKERS: PRACTICING HOLISTIC, PROBLEM-SOLVING LAW* (2010).

- Also, please see bibliography & website links on TWEN page for many additional materials and readings of interest.
3. Journaling: One of the best methods for enhancing your educational experience is through reflective journaling. You will be required to write and submit biweekly reflective journals. Although you may write about any aspect of your externship experience that you wish, you will also be assigned specified questions and topics to address in your journal each week. *Please see Journal instructions, p. 8.*
 4. Time sheets: Lawyers in private practice are often required to keep detailed time sheets. In addition to providing necessary information for client billing, these time sheets can provide valuable feedback to the individual attorney on how (s)he is spending his or her time. Independent of any time sheets that your field supervisor may require for your externship, you will be required to submit time sheets to me biweekly, before each class session. These should contain specific, but not confidential, information on how you spent the hours each day at your placement. (Ex: 9:30-10 A.M.: Read over assignments for the day; 10-12:30: Researched whether client had basis for motion to dismiss malpractice complaint; 12:30-1: Lunch, etc.) *Please see sample Time Sheet form, p. 9.* You may use this form or any other format of your choosing, as long as it contains the required information. (This requirement is in addition to the form Margaret Williams sent you requiring your placement supervisor to sign off on the total number of hours worked each week.)
 5. Participation: You are expected to participate in seminar discussions.
 6. Professionalism: This responsibility includes attendance, honesty, integrity, promptness, preparation, checking email for TWEN communications regularly, complying with class rules, meeting deadlines, and advance consultation on problems with same.
 7. Class Presentations: You will be called upon during the course of the seminar to make short presentations about your externship experience and other assigned topics.

TWEN

I will post assignments, announcements, and other information and materials on this course's TWEN page on The West Educational Network (TWEN). TWEN also gives me the ability to easily communicate with any or all of you by e-mail. Among other things, it also affords all of you a discussion forum to continue the classroom conversation, as well as inform one another of relevant items of interest you may come across in the news or elsewhere. You are required to register for this TWEN course no later than Wednesday, January 20th. *Be sure that the email address in your TWEN registration is the one you currently check regularly.* If you are unfamiliar with TWEN, or need assistance, please ask one of the professional staff in the library for assistance.

COMPUTER & OTHER ELECTRONICS POLICY

You may only use your computer for accessing documents located on the class TWEN page or when I instruct you to do so for in-class assignments. At other times

your computer must be closed. All other electronic devices are prohibited unless pursuant to an approved accommodation granted either by the Assistant Dean for Student Services or by me.

DISTRACTIONS

Please be respectful of each other and the classroom:

- ✓ Be sure cell phones are turned off or placed on “airplane mode,” unless prior to class you have informed me of a reason why, on a particular day, you need to be immediately reachable.
- ✓ Please don’t talk to your neighbors during class unless instructed to do so.
- ✓ Please take care of your personal needs before or after class and leave the room during class only when absolutely necessary.
- ✓ Please do not pack up your belongings until class is over.
- ✓ Please deposit any trash or recyclables in the appropriate containers.

SPEAKERS

I will be inviting speakers selected from the bench, bar and elsewhere to share with you their experiences with the opportunities and challenges of practicing law and being a professional. If you have thoughts about the kinds of speakers you would like to hear from, or know individuals who you believe would make valuable contributions to the seminar, please let me know.

GRADES

This class will be graded Pass/Fail/Pass with Honors. Your grade will be based on consideration of the Course Requirements discussed above (items ## 3-7).

The following is the grading policy, as approved by the faculty on August 14, 2014:

In the new 3-credit externship program, students will receive a grade of Pass, Fail, or Pass with Honors for all three credits. Instructors shall award a grade of Pass with Honors only when students have demonstrated exceptional professionalism and have significantly exceeded minimum standards of performance with respect to the criteria for grading below. Students who fail to complete the requirements of the field placement may receive a grade of “Incomplete” with the approval of both the field supervisor and the faculty instructor.

Grading will be based upon the following criteria:

- ✓ *Certification from the field supervisor that hours have been completed and that the extern has satisfied performance expectations as per the Supervision and Student Agreement Forms;*

- ✓ *Submission of a Goals Memo or Learning Agenda;*¹
- ✓ *Submission of a weekly timesheet;*²
- ✓ *Submission of weekly reflective journals;*³
- ✓ *A Final reflection paper containing a student's self-assessment;*
- ✓ *A Final Presentation (at the discretion of the faculty instructor)*

CLASS MEETINGS

As Margaret Williams has informed you, this class will meet on the following dates: Jan. 19 (follows a Monday schedule), Jan. 25, Feb. 8, Feb. 29, March 14, March 28, April 18 and May 2. As you know, you are also required to attend four “Professional Development” sessions for which you should already have registered. The first of these workshops will be on February 1st. If you have any questions about this requirement, please contact Margaret Williams, Director of the Externship Program.

INDIVIDUAL MEETINGS

If you wish to meet with me—for any reason—just let me know. My regularly scheduled office hours are Mondays (3:30-4:20) & Fridays, (1:30-2:30 P.M.), but I am available at many other times as well. It generally works best to make a specific appointment. Please see me before or after class to make mutually convenient arrangements. Or feel free to call or email me. My office is 311E, ext. 7144; email: msilver@tourolaw.edu. My preferred method of communication is email, which I check many times a day, but don't hesitate to call or drop by if it's important. In addition, I will be scheduling individual meetings with each of you at least once during the semester, more often if advisable.

ASSIGNMENTS

I will post your assignments (readings, journal questions, etc.) on TWEN after each class for the following class. You are required to submit (in the dedicated Drop Box) your journals and time sheets by Friday midnight preceding each class.⁴ Please see below for Instructions for Submitting Weekly Journals.

TENTATIVE LIST OF TOPICS and READING ASSIGNMENTS

Below is a tentative list of readings for the seminar. I anticipate that both additions and deletions to this list will be made as the semester progresses, as appropriate. Later on in the semester, I will solicit suggestions from the group as to what we might cover in class. All readings are in LFP, unless otherwise indicated.

¹ Note that although the first two editions of LFP used these terms, the Third Edition, Chapter 2, instead leads you through the development of what is now called a “Professional Development Plan.”

² The externship faculty agreed last semester that it is within the discretion of the seminar teacher as to whether to make this requirement biweekly instead.

³ See comment #2.

⁴ In consideration of the special time constraints evening students usually face, they may have until noon on the Saturday preceding class. Any day student who needs a similar accommodation, for religious or other reasons, should speak with me *in advance*.

1. Introduction to Externships & Professional Development Planning: chapters 1 & 2
2. Learning from Supervision: ch. 3; handouts.
3. Ethical Issues in Externships: LFP chapters 10 & 11; Patrick J. Schiltz, *On Being a Happy, Healthy, and Ethical Member of an Unhappy, Unhealthy, and Unethical Profession*, 52 VAND. L. REV. 871 (1999).
4. Effective Communication & Professional Relationships: ch. 5
5. Professional Identity and Formation: ch. 24.
6. Work and Well-being: ch. 25.
7. Externships & Career Planning: ch. 26.
8. Looking Backward, Looking Forward: ch.28.

INSTRUCTIONS FOR SUBMITTING WEEKLY JOURNALS

- 1. You must submit your journals by placing it in the appropriate drop box on TWEN.**
- 2. Your first submission should be no later than Friday, January 22nd.** Journals must be submitted by 11:59 PM.⁵ Earlier submissions will be much appreciated!
- 3. The journal submission should be an attachment in Microsoft Word.** If you do not have Microsoft Word, then make sure it is in a format that can be opened by Word.
- 4. The name for the Microsoft Word document should be your name and the number of the submission.** For example: “**Riaz Journal 1**” would be the name for Juan Riaz’s first journal submission. The submission due the following week would be: “Riaz Journal 2,” and so on.
- 5. As a heading for your journal each week, please use the following format:**

YOUR NAME **JOURNAL # X**
JOURNAL FOR WEEK OF XXXXXX
SUBMITTED XXXXX
PLACEMENT: XXXXX

For example, Juan Riaz’s journal for the first week would have this heading:

JUAN RIAZ JOURNAL #1
JOURNAL FOR WEEK OF January 18-22, 2016
SUBMITTED: January 22, 2016
PLACEMENT: Cohen, Hong & Jones

⁵ See footnote 4, *supra* (regarding adjustments to due date for evening students and others).



Time Sheet

CIVIL PRACTICE EXTERNSHIP

Student Name: _____

Week of: _____

Placement: _____

Date	Hours	Activity	Next Step (if any)