

UHLC EXTERNSHIP PROGRAM
(For All Government/Nonprofit and Judicial Externs)
Fall 2023
Bill Powers, Adjunct Professor/Externship Program Director

STUDENT MANUAL & SYLLABUS

I. Program Goal and Educational Objectives

The externship program at the University of Houston Law Center (UHLC) allows students to experience and reflect upon the law in practice through field placements with the judiciary, nonprofit institutions, and government agencies. The goal of the externship program is to expose students to the “real world” practice of law while working under the supervision of an attorney. To achieve this goal, students are engaged in substantive legal activities, which may include courtroom and other observations, various legal research and writing projects, supervised client interviewing, and legal policy development. The type of activities in which students may be involved varies based on the placement and the work available at the time of the externship.

During the externship, field-placement supervisors and their staff attorneys provide students with day-to-day guidance on their projects, offering advice on the mechanics or substance of an assignment and answering questions the student may have about an assignment or observation. Supervisors are encouraged to view their role as one of mentor, exposing the student to various aspects of the supervisor’s job and offering the student constructive feedback on his or her work product. During the course of the externship, students have the opportunity to reflect upon their experiences. These written reflections often include observations on the law and the legal profession itself, lawyering skills, legal ethics and professionalism, interaction between lawyers and clients, opposing counsel, and the court, as well as students’ externship and career goals.

II. Externship Program Requirements

A. Mandatory Meetings

1. Students enrolled in any externship for Fall 2023 must participate in a mandatory **orientation meeting**. If a student is not able to attend the meeting, the student must make other arrangements with Prof. Powers to complete the orientation **no later than Monday, August 28**.
2. Students must also participate in a **mid-semester conference** to discuss work progress and any concerns about their field placement. Prof. Powers will send an email for students to select a date and time. Students may choose to conference by phone or videoconference. (**NOTE:** If you are having a problem in your placement, please do not wait for the mid-semester conference. Contact Prof. Powers immediately).

B. Credit Hours

1. Each academic credit hour requires 60 working hours.
 - a. J.D. students may choose to earn 2-6 credits.
 - b. J.D. students who seek to earn 5 or 6 credits at a single placement are to contact the Externship Program Director before applying to the program about their particular placement and its capability to provide enough substantive legal work for that number of hours.

2. Increasing/Decreasing Credit Hours

Once enrolled in an externship course, students may not increase or decrease their number of externship credits without first obtaining approval from Prof. Powers. If, after approval, you decide to change your number of credit hours, you must contact both Prof. Powers and Student Services via email *before* the last day to add a course. The last day to add a course for the fall semester is **Monday, August 28**.

C. Tracking Time

Each academic credit is 60 working hours with your placement. So, for example, if you are seeking 3 academic credits, you must complete 180 working hours (as well as any other course requirements) to be eligible for credit. Externs must keep track of their work time in Tick (www.tickspot.com). You should have received an email with login information for Tick; if you have not, contact Prof. Powers immediately.

When you login to Tick, the default page should be your time card. Make sure the project listed is “Fall Externships 2023” and the task is “Externship Placement Work.” You can then enter your time and notes for each project you work on at your placement. Tick allows you to enter time in either decimal or clock format. For example, if you spent two and a half hours on a project, you could enter the time as either 2.50 (i.e., two and a half hours) or as 2:30 (i.e., two hours and thirty minutes).

You need to provide enough information in each note to show that you are working on substantive projects without any identifying information that would jeopardize confidentiality. For example:

Time to enter: 2.25	Notes: Observed oral argument in civil case
Time to enter: 3.50	Notes: Researched criminal law issue #1
Time to enter: 0.75	Notes: Drafted interrogatories #1 in civil case

Please add #1, #2, etc., as listed above so that Prof. Powers knows whether you are working on one long project or several shorter projects.

After you type in the time and notes, click “Enter Time” to submit the time for that project. Be sure to enter your time regularly. It is recommended to either enter the time as you complete each project, or to keep track of each project you work on throughout the day and the time spent on each and enter the time and notes at the end of each day. Prof. Powers will check your time log regularly.

Once you have completed all of your required hours, go to “Reporting” and run a report covering all of your dates for the session. View the report in “print view” and print out a final, cumulative time sheet. This final time sheet must be signed by your supervisor. Email the signed time sheet to Prof. Powers by the deadline to complete your externship (see “Completion of Externship” below).

Hours that Count Toward Required Minimum

- Time actually working* (writing, observing, etc.)
- Time while at placement, but awaiting assignment (*within reason*)*
- Orientations provided by your placement
- Any outside research assigned by supervisor/judge
- Luncheons and other events (*if attended with on-site supervisor and/or a judge*)
This is also within reason. If you are going to lunch with a law clerk every day, you may not be able to get credit. If you have questions, please ask.

(*Note: Supervisors must give students **substantive** legal work for the student to receive credit. While there may be times when a student is asked to do administrative or secretarial work or a student is awaiting an assignment, this time should be minimal. If you are spending significant time awaiting an assignment or are asked to do more than a minimal amount of secretarial or administrative work, please contact Prof. Powers immediately to work together to find a solution.)

Hours That Do Not Count

- Time spent completing your time log and other course assignments
- Lunch or other breaks on your own or with other interns (without a supervising attorney or judge)
- Drive time/parking time
- Days off due to government shutdowns, weather, holidays (government holidays included), or illness
- Excessive time awaiting an assignment or other significant “down” time. (What is “excessive/significant”? If you spend more than 10 percent of your total time awaiting an assignment or doing something other than substantive legal work/outside research assigned by your supervisor or judge/luncheons or events with your supervisor or judge. Again, if you have questions, please ask.)

(*Note: Some placements may offer additional experiences which may not count towards your externship hours. For example, participation in a law enforcement raid, or participation in a “wet lab” (where volunteers become intoxicated to train law enforcement officers on DWI cases), cannot count towards your externship hours and is not sanctioned by the Law Center. If you have questions about an activity counting towards your hours, please ask before the activity occurs.)

D. Mandatory Assignments

The mandatory assignments must be completed and emailed to Prof. Powers as described below:

(1) **Assignment #1: Due Date: September 5**

- **A signed Learning Agenda**, signed by the student and the placement supervisor. A blank Learning Agenda form is included in this packet.
- **A signed UHLC Student Externship & Confidentiality Agreement**, signed by the student only. A blank UHLC Student Externship & Confidentiality Agreement is also included.

(2) **Assignment #2: Due Date: September 18**

- **Learning from Supervision Assignment.** Please read the provided excerpt from “Learning from Supervision” from J.P. Ogilvy, et al., *Learning From Practice: A Professional Development Text for Legal Externs* (included in this packet) and reflect on the assignments you have received thus far from your supervisors. How have you addressed questions regarding your work with your supervisor and/or other attorneys at your placement? How do you plan to address concerns that might arise in the future? What concerns, if any, have you had about your assignments thus far? How can you best secure effective feedback from your supervisors? **Responses should be no shorter than one typed page and no longer than two typed pages.**

*****For students who previously took the course, please reflect on this reading from your current placement perspective as it will differ, perhaps greatly, from your first experience.**

(3) **Assignment #3: Due Date: October 9**

- **Grit and Deliberate Practice Assignment.** Please read Denitsa R. Mavrova Heinrich’s *Cultivating Grit in Law Students: Grit, Deliberate Practice, and the First-Year Law School Curriculum*, 47 *Cap. U. L. Rev.* 341 (2019) and reflect on the importance of “grit” in your legal career so far. What do you think of the author’s assertion that grit is a predictor of satisfaction and success? What are some of the ways you’ve been able to cultivate grit so far in your externship? How can you engage in “deliberate practice” at your placement and beyond to learn new skills and better develop your current skills? **Responses should be no shorter than one typed page and no longer than two typed pages.**

*****For students who wrote about Mavrova’s article in a previous externship course, please re-read the section on deliberate practice (starts on page 362) and reflect on how you have been using deliberate practice to build skills and “grit” since your last externship and in your current one.**

(4) **Assignment #4: Due Date: November 6**

- **Happiness/Well-Being Assignment.** Please read Krieger & Shelton’s article *What Makes Lawyers Happy?: A Data-Driven Prescription to Redefine Professional Success*, 83 *Geo. Wash. L. Rev.* 554 (2015) (available on Westlaw or Lexis), and reflect upon the concerns it raises for you in your career and life planning. What is “happiness” for you? What expectations do you have from your

future employment? How are you going to achieve happiness and well-being in your work and professional lives? Do you consider these to be attainable, desirable goals? How do lawyers at your placement achieve (or not achieve) happiness? **Responses should be no shorter than one typed page and no longer than two typed pages.**

*****For students who wrote about Krieger & Shelton's article in a previous externship course,** please read Ted David's *The Happiness Generators*, 62 No. 3 Prac. Law. 46 (2016) (available on Westlaw) and reflect on what the author proposes to be the Happiness Generators. Are they realistic? Do you feel you can use these strategies in your own legal pursuits to attain happiness? From what you have observed, do your supervising attorneys use any of these Happiness Generators to achieve a level of contentment in their work and lives?

(5) Assignment #5: Due Date: November 27

- **Reflective Writing Assignment.** Please re-read your Learning Agenda from the beginning of the semester and reflect on how your externship has met your learning goals. Discuss any notable experiences during your time as an extern and how you think your externship experience will influence your future legal career. Discuss your overall impression of the experience. **Responses should be no shorter than one typed page and no longer than two typed pages.**

E. Late Assignments

As is the case in the “real world” of law practice, turning in late assignments for the externship course comes at a price. Students who turn in assignments after the due date will be required to complete additional, specially selected writing assignments for each late assignment.

F. Completion of Externship/Grading

Students can expect to receive a passing grade and credit for their externships **only** if they: (1) attend orientation, (2) satisfactorily complete the required number of hours, (3) submit all assignments and time sheets (including additional assignments required due to late assignments), and (4) fulfill all other requirements listed in this syllabus. ***All students in the Externship Program are on notice that those who do not complete all requirements will not pass or receive credit for their externship.***

Externs **must** complete **all hours, assignments, and any other course requirements** by **Thursday, December 14.**

G. Conflicts of Interest & Confidentiality

All students must comply with the *Texas Disciplinary Rules of Professional Responsibility*. Part-time employment of a student enrolled in an externship may create a *conflict of interest*, as may a student's prior employment. Notify your supervisor of any potential conflicts ***immediately***.

Students are on notice that if a student’s employment or volunteer work during the semester results in a conflict of interest or the appearance of impropriety, the student may be asked to terminate the employment or volunteer work, or leave the externship.

Additionally, conduct with regard to confidentiality should also be guided by the *Texas Disciplinary Rules of Professional Responsibility* and the *Rules of Judicial Conduct*.

The *Texas Disciplinary Rules of Professional Responsibility* and other Texas ethics resources can be found at:

https://www.texasbar.com/AM/Template.cfm?Section=Ethics_Resources

III. Evaluations

- A. **Placement Evaluation of Student.** Prof. Powers will email your supervisors at the end of the semester, asking them to complete a brief online evaluation of your work performance. While generally the evaluations are not shared with the students, the supervisors will be encouraged to share the contents of their evaluations with you.
- B. **Student Evaluation of Placement.** Prof. Powers will email you a placement evaluation at the end of the semester. Students are to complete and return the evaluation as instructed on the form. The evaluation will not be shared with the placement supervisor; rather, it is intended to assist future student externs when deciding where they might wish to apply. (You may choose to remain anonymous on the form.)

V. Due Dates: Chart

Fall 2023
September 5: Assignment #1
September 18: Assignment #2
October 9: Assignment #3
November 6: Assignment #4
November 27: Assignment #5
December 14: Signed Cumulative Time Sheet

VI. Mental Health & Wellness Resources

The University of Houston has a number of resources to support students’ mental health and overall wellness, including CoogsCARE and the UH Go App. UH Counseling and Psychological Services (CAPS) offers 24/7 mental health support for all students, addressing various concerns like stress, college adjustment and sadness. CAPS provides individual and couples counseling, group therapy, workshops and connections to other support services on and off-campus. For assistance visit uh.edu/caps, call 713-743-5454, or visit a Let’s Talk location in-person or virtually. Let’s Talk are daily, informal confidential consultations with CAPS therapists where no appointment or paperwork is needed.

The Student Health Center offers a Psychiatry Clinic for enrolled UH students. Call 713-743-5149 during clinic hours, Monday through Friday 8 a.m. - 4:30 p.m. to schedule an appointment.

The A.D. Bruce Religion Center offers spiritual support and a variety of programs centered on well-being.

Need Support Now? - If you or someone you know is struggling or in crisis, help is available. Call CAPS crisis support 24/7 at 713-743-5454, or the National Suicide and Crisis Lifeline: call or text 988, or chat 988lifeline.org.

The Texas Lawyers' Assistance Program (TLAP) also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

VII. Reasonable Academic Adjustments/Auxiliary Aids

The University of Houston is committed to providing an academic environment and educational programs that are accessible for its students. Any student with a disability who is experiencing barriers to learning, assessment or participation is encouraged to contact the Justin Dart, Jr. Student Accessibility Center (Dart Center) to learn more about academic accommodations and support that may be available to them. Students seeking academic accommodations will need to register with the Dart Center as soon as possible to ensure timely implementation of approved accommodations. Please contact the Dart Center by visiting the website: <https://uh.edu/accessibility/>, calling (713) 743-5400, or emailing jdcenter@central.uh.edu.

VIII. Title IX/Sexual Misconduct

Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>.

IX. Honor Code

The UHLC Honor Code applies to all aspects of this course. You are responsible for knowing all Honor Code provisions and for complying with the Honor Code. Please inquire if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to this course. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to comply with the Honor Code in relation to this course and to comply with the instructions in the course syllabus.

X. Additional Information

- A. Recording of Class:** Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the Justin Dart, Jr. Student Accessibility Center. If you have an accommodation to record class-related activities, those recordings may not

be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with anyone without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

- B. AI Generated Text:** The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as “generative” large language models (LLMs), and a specific implementation what is well known in the general public is ChatGPT. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output, the AI Generated Text, appears to have human-mimicking “intelligence” and is thus potentially usable as a substitute for written work product one might generate themselves. AI Generated Text can include computer code or programs as well as human language content. Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI Generated Text in relation to any activity or assessment in this course. This applies to AI Generated Text from yourself or others. This pledge includes that your assessment work product in the course is without any contribution from AI Generated Text. This specifically extends to the plagiarism policy and unauthorized aid/materials parts of the Honor Code: AI Generated Text will be treated as from another/other in applying the plagiarism policy to this course. The term “assessment” means any work product generated for this course that is submitted to the instructor or presented in a class session, regardless whether it is graded content or not. Assessments include mid-terms and final exams. AI Generated Text may not be used in the development or drafting of any assessments created by you in a non-proctored environment, such as a “take-home” final examination unless specified as an exception below. The parts of the Honor Code that refer to unauthorized materials or aid are specifically prohibited from any use of AI Generated Text in this course unless specified as an exception below.
- C. Syllabus Changes:** Please note that the instructor may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible through email.

XI. Communication and Contact Information

Communication: Prof. Powers will correspond with you via the email address you have listed in your Symplicity account. Please be sure to check this email address regularly.

Externship Program Director: Bill Powers, wapowers@central.uh.edu, 713-743-0810

Office Hours: M-F: 9:00 a.m. - 4:00 p.m., or by appointment

Office Location: Career Development Office, Suite 250, John M. O’Quinn Building

If it is an emergency, please call the Career Development Office at 713-743-2090.

Learning from Supervision

In Chapter 3 of the book Learning from Practice: A Professional Development Text for Legal Externs (Second Edition),¹ Liz Ryan Cole and Leah Wortham discuss Learning from Supervision. They cover two important topics to the legal extern's daily work—(1) Assignment Clarification and (2) Effective Feedback. Now that you have all received your first assignments, it is important to check in and determine whether you were effective in seeking clarification about your assignment(s) and what strategies you may use in the future to seek clarification. If you have finished an assignment, you may be awaiting feedback or have already received it. If you have received it, consider Cole and Wortham's DESUSA acronym, described below, to assess how your supervisor provided feedback and whether you can do something to solicit effective feedback. As always, if you are not receiving assignments or are not receiving feedback, please let your assigned professor know and you can discuss your specific situation.

Assignment Clarification

Your supervisor asks to meet with you regarding your next assignment. What should you do to prepare?

- Attend the meeting with paper and pen. Even though you may think your memory is good, it is best to memorialize the information as you are receiving it.
- Write down a list of questions to ask the supervisor following his or her description of the assignment and take this list with you to the meeting. These should include:
 - When do you need this?
 - In what form do you need this? (Ex. verbal response; written email; memorandum; draft opinion, client letter, etc.)
 - If your supervisor would like the assignment in formal written form, you should consider asking: Is there a sample of similar work product that I can reference?
 - Would you like highlighted copies of the case law, statutes, etc.?
 - Are you interested in case law from outside of the jurisdiction?
 - Do you have advice on where to begin my search?
 - Can I come to you with questions? (It may be that your supervisor will be out of the office so it is good to know who to go to with follow-up questions.)
 - If the assignment is very specific, you may want to know how it fits into the bigger picture. A question like “Is there any other background information or any documents I may need to complete the assignment?”

Most importantly, ask questions. If your supervisor is in a hurry, the first two questions are the most important. You can follow up with an email and ask your remaining questions if that feels more appropriate for your particular placement and with your particular supervisor. Remember that your supervisors would rather you ask questions at the beginning of an assignment than spin your wheels and return to them with something that is late and/or not what they needed.

¹ J.P. OGILVY ET AL, LEARNING FROM PRACTICE: A PROFESSIONAL DEVELOPMENT TEXT FOR LEGAL EXTERNS, 31-51 (West 2007).

Effective Feedback

Cole and Wortham have developed the acronym DESUSA for effective feedback. This acronym is from the standpoint of the supervisor. Knowing this process will not only help you to receive better feedback, but to provide effective feedback when you are a supervisor in the future. DESUSA stands for:

Describe behavior² in a nonjudgmental manner using

Examples that are

Specific. Ask questions to

Understand what the supervisee was trying to accomplish and listen to why the choices were made. Characterize your reaction to the supervisee's choices in a

Subjective manner. For example, "I think...", "In my opinion..." If you are giving corrective rather than affirming feedback, describe the

Alternatives that you think would have been better with enough specificity to clarify your meaning. Ask the supervisee for suggestions of other alternatives now that discussion may have made the task and your thoughts clearer. Supervisor and supervisee may brainstorm together on alternative courses.

Many times, supervisors get busy and forget to provide feedback. Be patient. You can do your part by asking for feedback when the time seems right. Questions like, "Did my memo give you the information you needed?", "Did you have any questions about my research?", "Should I draft my memo in the same way I drafted the first one?" are all questions to prompt feedback.

If you receive a general response like, "Good job," you may ask if there is anything you can improve upon for the next assignment. If a supervisor's comments are not clear, ask them for examples so you know what they need for the next time. You may also find that, while your work product is acceptable, it is different from the style of the supervisor. Learning to write in the style of the supervisor or voice of the court is a skill and takes time. That is where asking for examples of prior good work can be really beneficial.

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² While the authors use the word "behavior," I would describe this process as providing feedback on the assignment using specific examples of where things went right and where things went wrong in a nonjudgmental way.

Fall 2023

Complete the Learning Agenda below with your Field Supervisor.

LEARNING AGENDA
UNIVERSITY OF HOUSTON LAW CENTER

Student: _____

Field Placement: _____

Field Supervisor: _____

Students: You will use this plan to develop a Learning Agenda for your externship with your Field Supervisor. Please note specific areas in which you would like to improve during your externship, and the activities/assignments you will try to improve in those areas. You will be enrolled in a Satisfactory/Unsatisfactory graded course taught by the Externship Faculty. The Externship Faculty will assign you a grade; you must complete all required coursework and required hours at your placement to receive a Satisfactory grade. Your Field Supervisor will supervise your training and work at the placement.

Field Supervisors: While the questions on this form address the Student's learning objectives, in determining what assignments to give to law students, you should, of course, also consider the organization's goals and needs. This Learning Agenda will reflect the substantial lawyering experience and opportunities for performance, feedback and self-evaluation involved with the field placement. You will have primary responsibility for supervising the Student's training and work at the placement. Supervision must be provided by a licensed attorney or an individual otherwise qualified to supervise; supervision should include reviewing with the Student any potential conflicts of interest arising from prior or current legal work (including pro bono) and job and clerkship applications. Field Supervisors agree to meet with the Student on a regular basis and provide meaningful feedback on the Student's performance. During the semester, the Externship Faculty will ensure that none of the course assignments (reflective essays, time sheets, etc.) or discussions involve confidential information. At the end of the semester, the Externship Faculty will provide you with a form for a final evaluation of the Student. You are strongly encouraged to share the final evaluation with the Student.

**(NOTE: Not all questions will be applicable to all field placements;
please respond where applicable.)**

1. What areas of substantive law will you focus on during this externship?

UHLC Student Externship Agreement Fall 2023

Externship Course Requirements: I, _____, affirm that I have thoroughly read the UHLC Externship Syllabus for the Fall 2023 session, as well as all additional forms attached thereto, and understand what is expected of me in order to receive a grade of “Satisfactory,” and thus receive academic credit for my externship.

Confidentiality: I agree to maintain the confidentiality of all information related to employees, clients, firm or court records, and judicial decision-making/discussion in my externship placement with _____. I understand that if I violate this confidentiality agreement, at a minimum, I will be subject to disciplinary proceedings under the Honor Code of the University of Houston Law Center.

Conflict of Interest: I also understand a conflict of interest could arise in my externship placement from my past/present employment in the legal field or from relationships I have with certain individuals. If there is any possibility of conflict of interest with any case I may have the opportunity to work on during the course of this semester, I will notify my placement supervisor immediately. Failure to notify a supervisor in a timely manner can result in my termination from the course and/or placement and can affect my receipt of credit for this course. Further, I understand if there is a conflict of interest or an appearance of one, I may be asked to terminate either the situation creating the conflict, or my enrollment in the class.

COVID-19: I understand that COVID-19 is an ongoing health risk in the community, and that interaction at my placement may expose me to that risk. If I choose to work physically at my placement, I will observe all applicable federal, state, and local rules (e.g., social distancing, face coverings), along with any additional precautions required by my placement. I also understand that only remote work is allowed after Thanksgiving. I will discuss any concerns with my Field Placement Supervisor and Externship Faculty as soon as possible. I acknowledge that externship policies are subject to change in response to the ongoing situation.

Student Signature

Date

Student's Printed Name