

**EXTERNSHIP PROGRAM
Student-Agency Agreement (Spring 2017)**

This Agreement (“Agreement”) constitutes a mutual understanding between _____ (“Student”), _____ (“Agency”) and the University of Miami School of Law (“UM Law”) in connection to the UM Law Externship Program (“Externship Program”), established for the purpose of providing educational work experience to UM Law students.

It is understood by all of the parties that:

1. The term of this Agreement shall be for the period commencing upon execution of this Agreement by the parties and shall remain in effect through April 25, 2017 (“Term”).
2. Student is officially enrolled at UM Law and is in good academic standing.
3. Student is providing volunteer services and cannot be compensated for work.
4. Agency shall provide Student an Agency Supervisor (“Agency Supervisor”) who supervises Student’s work and performance throughout the Term. Agency Supervisor **must be** an attorney.
5. Each party shall perform the duties and responsibilities specified in this Agreement without compensation. Student shall be treated by Agency as a volunteer and shall have no expectation of receiving compensation or future employment from Agency.
6. Student and Agency hereby agree and acknowledge that Student may elect to receive three (3) academic credits through the Externship Program. For three (3) academic credits, Student hereby agrees to complete at least 120 work hours by April 25, 2017. UM Law hereby agrees and acknowledges that said academic credit may be applied toward Student’s graduation requirements in accordance with UM Law Registrar Office’s JD Degree Requirements Self-Audit Form.
7. Student and Agency hereby agree and acknowledge that Student will complete at least 120 hours for three (3) academic credits by April 25, 2017.
8. Student and Agency hereby agree and acknowledge that, in order to comply with requirements of the American Bar Association Section of Legal Education and Bar Accreditation (the accrediting body for law schools), Students must have opportunities to learn about the substantive area of law practiced at the Agency and Student must have multiple opportunities to perform legal skills and receive direct feedback from the Agency Supervisor.
9. Agency hereby agrees and acknowledges that Agency Supervisor will adhere to the Best Practices for Agency Supervisors attached hereto as Exhibit A and incorporated herein.
10. Student will be assigned to Law896 if completing his/her first externship. Student will be assigned to Law897 if completing his/her second externship. Student will be assigned to Law898 if completing his/her third externship. Student hereby agrees and acknowledges that

Student must complete an academic course in addition to the work hours specified in Paragraph 7.

Student hereby agrees to attend:

- a. a live mandatory orientation on Wednesday, February 1, 2017 on the Miami Law campus at 12:30 pm EST (this orientation must be completed by all externs).
 - b. five (5) lectures throughout the course of the semester that will be held on Thursdays from 6:00 pm – 7:50 pm on the Miami Law campus unless otherwise stated. The lecture dates will be provided on the syllabus that will be distributed at the mandatory orientation. Student agrees and acknowledges that he/she will have to make all necessary arrangements to attend lectures including adjusting externship work hours to attend the required lectures.
11. Student also hereby agrees and understands that Student must also complete documents including the Learning Plans & Goals, Mid-Term Evaluation, Final Evaluation and Time Certification Form as part of his/her academic responsibilities for this program.
 12. It is further understood that Student will maintain attendance records noting Student's dates and hours worked in connection to the Externship Program. At the end of the Term, Agency Supervisor and Student shall complete a Time Certification Form and submit same to UM Law.
 13. Agency shall assist UM Law in the formal evaluation of Student's performance through mid-term and exit evaluations.
 14. Agency Supervisor agrees to be accessible for a site visit and/or telephone call to informally discuss Student's activities and progress.
 15. Agency shall maintain copies of all assignments, any written critiques, and all written work. Student shall maintain copies of time records.
 16. Student hereby agrees and acknowledges that Student has not received academic credit as a result of a prior externship with Agency.
 17. Student hereby agrees and acknowledges that there is a 9-credit cap ("Cap") on the amount of academic credits that Student may earn through externship placements that may be applied towards Student's graduation requirements in accordance with UM Law Registrar Office's JD Degree Requirements Self-Audit Form, and Student has not exceeded said Cap.
 18. Student has completed _____ prior externships for _____ total academic credits and is in compliance for the aforementioned Cap.
 19. UM Law reserves the right to terminate Student's externship with or without cause. In the event of termination, UM Law shall make a reasonable effort to notify Student of said termination. UM Law shall have no liability to the Student or Agency in connection with the Externship Program or such termination.
 20. Agency reserves the right to terminate Student's externship with or without cause. In the event of termination, Agency shall make a reasonable effort to notify Student and UM Law of said termination. Agency shall have no liability to Student or UM Law in connection with the Externship Program or such termination.
 21. In performing its duties, responsibilities, and obligations pursuant to this Agreement, each party shall comply with all applicable federal, state and local laws, codes, rules and regulations

including, without limitation, applicable Agency and/or UM Law policies, the Civil Rights Act of 1964, the Florida Civil Rights Act of 1992, Title IX of the Education Amendments of 1974, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act.

22. The parties acknowledge that evaluations and other records regarding Student's participation in the Externship Program may be student educational records protected by the Federal Family Educational Rights and Privacy Act (FERPA), and should FERPA apply to any data requested, such data will be produced in compliance with FERPA.

(Please type or print)

Agency:

Agency Supervisor's Name

Agency Supervisor's E-mail & Phone Number

Agency Supervisor's Signature Date

Student:

Student's Name & C-Number

Student's E-mail & Phone Number

Student's Signature Date

UM Law:

UM Law Representative's Name

UM Law Representative's E-mail & Phone Number

UM Law Representative's Signature Date

Exhibit A

Best Practices for Agency Supervisors

Please note: the term supervisor is meant to include a supervising judge, law clerk or attorney.

Orientation

Each supervisor should provide students with an orientation about the mission of the office or court, policies and procedures of the workplace, the resources available for legal research, and confidentiality. Supervisors should provide careful instruction about rules for maintaining confidentiality of information, documents, and files; the policy on whether students may take work away from the office; and any other confidentiality rules particular to that workplace.

Students should be provided with training materials or a list of suggested readings designed to orient the student to the type of work or placement.

Supervisor and student should work out a schedule designed to maximize the student's exposure to different activities in the office (weekly staff meetings, educational seminars, busy calendar days, a variety of lawyering or clerking activities, etc.).

Goals/Learning Plan

Prior to starting the field placement, students have been asked to complete a "learning plan" identifying their goals and aspirations for the semester. Each student should meet with his/her supervisor at the beginning of the semester to discuss the student's goals and the types of experiences that might help the student to achieve those goals. The student and the supervisor should together create a semester plan for the student which will include specific experiences designed to maximize the student's learning. This plan should be as concrete as possible and should consider all available learning opportunities for the student within the worksite (i.e. judge's meetings with full-time clerks, debrief after arguments, conferences with attorneys, weekly staff meetings, oral arguments, significant trials, professional development seminars, etc., to expose the student to a range of work within the setting).

Guidance, Feedback, and Critique

Supervisors should set a regular meeting with the student to provide consistent guidance and feedback. Students should be advised of the deadline for written assignments, including dates for drafts and a final product. Students should be required to redraft written work until a satisfactory product is received. Students should receive prompt feedback, preferably in writing, on all written work.

With respect to lawyering tasks (client interviews, counseling sessions, negotiations, court appearances), students should be given as much preparation time as possible. Supervisors should critique students as soon as possible after each lawyering activity. Feedback should be as constructive as possible, providing student with examples of strengths and weaknesses of student's performance or written product and techniques for improvement in the future.

Supervision Meetings

Regular supervision is an essential component of the field placement experience. The Externship Program offers a unique opportunity for students to sit down with an experienced attorney, judicial clerk or judge on a continuous basis to review written work, lawyering activities, discuss ethical issues arising in the context of work, and receive insight and critique about the lawyering role. The supervisor's role in teaching the student and serving as mentor is perhaps the most valuable part of the field placement experience. It is therefore critical that supervision take place regularly and with ample time for a thorough discussion of the student's work. Although the supervision process is indeed time-consuming, the student's progress and helpfulness to the office will inevitably be increased by a significant commitment of time and energy to that process.

Supervision meetings may include the following:

- Review of current assignments and workload;
- Deadlines for any current or upcoming projects;
- Discussion of time and resources supervisor expects project should take to complete;
- Supervisor's expectations with respect to projects;
- Description of project within the context of the office or other work;
- Guidance regarding resources for student to explore while completing projects;
- Written feedback on any written work provided by the student;
- Preparation and mooting of any upcoming lawyering activities;
- Review of any student performance; or
- Ethical issues arising in the context of assignments or within in the office.

Formal Evaluations

In addition to the weekly supervision meetings, supervisors are asked to evaluate students formally both in the middle and at the end of the semester. In the middle of the semester, supervisors are asked to hold a mid-semester meeting. The purpose of this meeting will be to address the student's learning goals and semester plan, to discuss the student's progress to date, and to plan for the second half of the student's semester. The student will also complete a self-evaluation to give his/her professor at the same time. At the end of the semester, the supervisor will be asked to complete a written evaluation of the student. The supervisor and student should then meet for an exit conference to review the evaluation and the student's progress.

Please note students are not graded on their fieldwork. Supervisors are encouraged to be as honest as possible with both positive and negative feedback so students can learn as much as possible from each experience. **Any significant performance issues – including attendance issues – should be discussed with Sajani Desai, Associate Director of Career Development, as soon as possible. Ms. Desai's contact information is as follows: sdesai@law.miami.edu or 305-284-1368.**