

Residency-in-Practice

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Course Overview

The Residency-in-Practice course includes both a field experience and a class component. The class component is an integral part of the work for which you earn academic credit.

As your faculty supervisor, I will review your weekly journals and meet with you periodically as a group and individually to discuss your field experience and issues related to legal practice. I will also communicate with your field supervisor about your progress in the field placement.

As a Resident, you are stepping into the role of a lawyer-in-training and a professional in the workplace. To earn academic credit for work in a law or judicial office, in accordance with ABA Standards, you must participate in substantial lawyering experiences, receive feedback from your field and faculty supervisors, reflect on your experiences throughout the placement, and engage in self-assessment. The Residency-in-Practice course is designed to meet these requirements.

As a legal professional, you are bound by the Rules of Professional Conduct for lawyers in your jurisdiction, as well as other rules, guidelines, or policies applicable to your particular field placement. You are expected to resolve any workplace issues and problems with the attorney or others involved. If you cannot resolve the issue at the workplace, you should discuss it with me. If necessary, we will involve the Director of Residencies, Professor Cindy Adcock.

The Student Handbook (available on TWEN) has further information about the Residency-in-Practice. You should review this before the start of the course.

Learning Goals

The Residency-in-Practice course is intended to advance these learning goals:

- Transferring knowledge from study to practice, applying legal doctrines learned in class to a practice setting, and bringing knowledge and skills developed in practice back to the classroom;

- Deepening knowledge of the legal profession and lawyers' professional responsibilities, and enhancing professional development; and
- Increasing the ability to learn from experience, through regular feedback from attorneys, self-evaluation, and reflection on the lessons of practice under faculty guidance.

Each student will also identify individual goals and develop a plan for attaining these goals in the residency.

Course Materials

The required reading includes three chapters from Leah Wortham, et al, *Learning from Practice: A Text for Experiential Legal Education* (3d ed.) (West Academic 2016).¹

The first two chapters are the same for everyone:

- Chapter 3: Learning from Supervision (<http://bit.ly/2Tuo0nr>)
- Chapter 6: Navigating Cultural Difference (<http://bit.ly/2ISqtz8>)

The third chapter is based on the practice setting of your residency:

- Criminal Law (prosecution, public defender, or private firm)
 - Chapter 20: Criminal Justice Law Placements (<http://bit.ly/2Tnf2np>)
- Government Agency (other than criminal prosecution)
 - Chapter 22: Public Service Lawyering (<http://bit.ly/2IQm5AF>)
- Private Law Firm (other than criminal defense)
 - Chapter 14: Learning About Lawyering (<http://bit.ly/2TpvaUz>)

Other materials (Student Handbook, required forms, time log, journal prompts, etc.) are available on TWEN.

Policies

Grading

This course will be graded on a pass/fail basis. The minimum requirements for a passing grade are as follows:

- Completion of required number of hours.
- Timely submission of all assignments, including weekly journals and time logs.
- Professionalism in dealing with your field supervisor, faculty supervisor, clients, and others with whom you interact during the residency.

Exemplary performance in your field placement and the class component may earn results in an Honors grade. Failure to meet standards will result in a Low Pass or a Failing grade, depending on the extent of deficiency.

¹You can purchase the individual chapters from the publisher, using the links provided. It is not necessary to purchase the complete book.

Assignments & Deadlines

Your work for this course includes weekly journal entries and time logs. Journal prompts and a time log form will be available on TWEN. The Student Handbook has further instructions for completing your journal entries and time logs.

Additional assignments include readings from the *Learning from Practice* text, preparation of a Learning Goals & Plan memo, mid-term and final self-assessments, and submission of required forms.

You will also participate in two group meetings and two individual conferences with me. Students working away from Greensboro may participate in the group meetings and individual conferences remotely (by phone or other means to be arranged).

The Schedule & Deadlines section below indicates due dates for journal entries, time logs, and other assignments, and dates for the two group meetings. Individual conferences will be scheduled during the term. You should enter all assignment deadlines and meeting dates in your calendar, just as you would for appointments and deadlines in legal practice.

You must submit all journal entries, time logs, and other assignments by uploading them to TWEN *no later than 11:59 pm on the applicable due date*. You should also send copies to me by email. If you encounter difficulties with TWEN, your submission will still be timely as long as you send the email copy before the deadline. Be sure to upload the submission to TWEN once you have resolved the problem.

If you are unable to meet a deadline *because of your field supervisor's schedule*, you should notify me to receive an extension. Extensions will generally not be granted for other reasons absent extraordinary circumstances.

Attendance

Elon Law School has adopted the following attendance policy for all courses:

The Law School administers a policy that a student maintain regular and punctual class attendance in all courses in which the student is registered, including externships, clinical courses, or simulation courses. Faculty members will give students written notice of their attendance policies before or during the first week of class. These policies may include, but are not limited to: treating late arrivals, early departures, and/or lack of preparation as absences; imposing grade or point reductions for absences, including assigning a failing grade or involuntarily withdrawing a student from the class; and any other policies that a professor deems appropriate to create a rigorous and professional classroom environment.

In case of illness or emergency, students may contact the Office of Student and Professional Life, which will then notify the student's instructors. A student may notify the faculty member directly of a planned absence and should refer to individual faculty members regarding any policy that may apply. In the case of prolonged illness or incapacity, the student should contact the Office of Student and Professional Life.

Honor Code

The Law School honor code² applies to all activities related to your law school study, including conduct during class and in residency field placements.

²<https://www.elon.edu/e/CmsFile/GetFile?FileID=922>

Disability Accommodations

Students requiring disability accommodations and services should refer to resources on the Elon University Website.³

Schedule & Assignments

Before April 1

Pre-work assignments:

- Review syllabus and Student Handbook (available on TWEN).
- Review Rules of Professional Conduct for your jurisdiction:⁴
 - North Carolina: <http://bit.ly/2TrnYcg>
 - Georgia: <http://bit.ly/2Tjv1U6>
 - New York: <http://bit.ly/2Tj9afA>
 - Virginia: <http://bit.ly/2EGzF4n>
- Read applicable chapter of *Learning from Practice* for your placement setting (see Course Materials above).
- Print copy of Residency Trimester Agreement (available on TWEN).
 - You will review and sign this form with your field supervisor during the first week of your residency. If you plan to enroll in a daytime accompanying course, you should already have obtained your field supervisor's permission using a specially-designated version of the Residency Trimester Agreement instead.

Week of April 1

First week of work.

- Meet with field supervisor:
 - Review and sign Residency Trimester Agreement;⁵
 - Discuss individual learning goals and plan.
- Sign-up online (<https://calendly.com/emfink/office-hours>) for individual conference with faculty supervisor during week of April 8. *Do not use TWEN to sign up for conferences with me.*

Due Sunday, April 7

- Journal 1: Getting Started (prompt on TWEN)
- Time Log
- Residency Trimester Agreement signed by student and field supervisor
- Draft Learning Goals and Plan memo

³http://www.elon.edu/e-web/academics/support/disabilities_services.xhtml

⁴If you plan to become certified under the NC Student Practice Rules (<http://bit.ly/2TmaUot>), you must attest that you have read and are familiar with the NC Rules of Professional Conduct. The student practice rules in other states may have similar requirements.

⁵I will sign the Agreement after you have submitted it.

Week of April 8

- First individual conference with faculty supervisor (as previously scheduled).

Due Sunday, April 14

- Journal 2: Role of Reflection (video on TWEN)
- Time Log

Week of April 15

- Revise Learning Goals and Plan memo (based on discussion with faculty supervisor) and obtain field supervisor's signature.
- Read *Learning from Practice*, Chapter 3: Learning from Supervision.

Due Sunday, April 21

- Journal 3: Learning from Supervision (prompt on TWEN)
- Time Log
- Revised Learning Goals and Plan memo (signed by field supervisor)

Week of April 22

- Meet with field supervisor to review and sign Initial Assessment of Resident.

Wednesday, April 24, 6:00–7:30 pm (location TBA)

- First group meeting

Due Sunday, April 29

- Journal 4: Initial Self-Assessment (prompt on TWEN)
- Time Log
- Initial Assessment of Resident (completed by field supervisor and signed by student)

Week of April 29

- Mid-term conference with field supervisor and faculty supervisor.

Due Sunday, May 5

- Journal 5 :Ethics (prompt on TWEN)
- Time Log

Week of May 6

- Read *Learning from Practice*, Chapter 6: Navigating Cultural Difference.

Due Sunday, May 12

- Journal 6: Cultural Differences (prompt on TWEN)
- Time Log

*Week of May 13***Due Sunday, May 19**

- Journal 7: Professional Relationships (prompt on TWEN).
- Time Log

*Week of May 20***Wednesday, May 22, 6:00–7:30 pm (location TBA)**

- Second group meeting

Due Sunday, May 27

- Journal 8: Your choice of topic
- Time Log

Week of May 28

- Sign-up online (<https://calendly.com/emfink/office-hours>) for individual conference with faculty supervisor during week of June 3. *Do not use TWEN to sign up for conferences with me.*

Due Sunday, June 2

- Journal 9: Stress In The Legal Profession (podcast on TWEN).
- Time Log

Week of June 3

- Meet with field supervisor to review Final Assessment.
- Second individual conference with faculty supervisor (as previously scheduled).

Due Sunday, June 9

- Final Journal: Self-Assessment
- Time Log
- Student Evaluation of Placement (link on TWEN)
- Signed Final Assessment (submit as soon as received from field supervisor).