



RESIDENCY AND SEMESTER IN PRACTICE SYLLABUS: WINTER 2017

Professor: Eric Fink
Office Room: 213A
Office Phone: 336-278-9334
Email: efink@elon.edu

Faculty Assistant: Janet Wright
Office Phone: 336-278-9289
Email: jwright29@elon.edu

OVERVIEW OF COURSE GOALS

Elon Law's Residency and Semester in Practice Programs are designed to facilitate the transfer of knowledge from the classroom study of law, skills, and values to the "real world" practice of law. They promote "learning from practice" by strategically placing students with supervising judges and attorneys in practice, giving students valuable hands-on experience and providing students with the opportunity to interact and think critically in different functional areas of the legal profession. These field experiences are part of the student's iterative immersion into practice settings and culminates with full integration in the practice of law after graduation.

These programs have been designed by faculty with specific learning objectives. Faculty expect students to gain experience and improve in the following lawyering, leadership and professional competencies:

- Lawyering Tasks – Complete basic lawyering tasks in a timely fashion and in the context of a professional environment
- Problem Solving – Handle basic legal problems arising from novel facts in a structured environment
- Communication – Expand and refine written and oral communication skills in the context of a professional environment
- Judgment – Think strategically to respond to a legal problem in a structured environment, and prospectively build and manage your professional reputation
- Ethics – Demonstrate understanding of ethical obligation in the representation of clients
- Professionalism – Develop professional and ethical relationship with colleagues, clients and supervisors

As a participating student in these programs, you will identify and pursue personal learning objectives for your placement within the above general objectives, in consultation with your Site Supervisor and your Faculty Supervisor. Your learning objectives will be

shaped by your self-assessment of strengths and challenges, and by the opportunities at your workplace.

ROLES AND ASSIGNMENTS:

The Residency and Semester in Practice Programs give students the benefit of two differently-situated teachers: your Site Supervisor and your Faculty Supervisor. Your Site Supervisor is a practicing attorney or judge who is directly responsible on-site for ensuring a quality educational experience. She or he will work with you to set goals, provide opportunities for substantial lawyering experiences, and provide feedback.

As your Faculty Supervisor, I will interact with you and your Site Supervisor to ensure a quality educational experience. Throughout the term, as reflected in the schedule, you and I will meet individually (in person or virtually) and with similarly-situated students in a Practice Affinity Group, to wrestle with issues and problems that arise in the practice of law. I will maintain a weekly presence with you, as I read your learning journals.

Central to a successful placement experience is reflective self-directed learning, characterized by intentional, rather than incidental (or accidental) learning. The experiential learning process is cyclical. You plan for the experience, have the experience, reflect on what happened, and integrate or synthesize what you learned with existing knowledge. The before-mentioned meetings will help you in this process. In addition, you have writing assignments: a *Learning Goals and Plan*, weekly learning journals, and self-assessment evaluations.

✧**Learning Goals and Plan.** A *Learning Goals and Plan* serves as a blue print for your goals, work schedule and meetings with your Site Supervisor. During the first week of your placement, in consultation with your Site Supervisor, you will begin the process of identifying specific learning objectives for the term. As set forth in more detail in a separate document on how to create your *Learning Goals and Plan*, and as you developed in your Leadership Individual Development Plan (IDP), your learning goals should be “SMART” - specific, measurable, achievable, reliable over the time allocated this term. Once drafted, you will provide your goals to me, and we will discuss at our Initial Advising Conference.

Your *Learning Goals and Plan* serves several purposes. First, because the learning plan process is self-directive, it pushes you to think proactively about what you want to accomplish. Second, the learning plan serves as a communication tool between you and your Site Supervisor, keeping the educational nature of your work experience in the forefront and serving as a basis for assessing your progress. Third, the plan can serve as a checklist of “things to do,” a useful tool throughout the term to keep you on track for getting the most out of your placement. Fourth, it serves as a guide in your conferences with me to assess how well the placement is going.

✧**Learning Journals.** You are required to keep a weekly learning journal as a tool for reflecting on the work you are doing, the justice system, social justice, ethics, legal skills you

are mastering, technical knowledge, how you are learning, mistakes you do not want to repeat, ways you can improve, how your identity as a professional is evolving and other matters related to your professional development. Your submissions will be useful to me in keeping up with what you are doing and with your growth. I will provide you writing prompts on TWEN each week to guide your reflection. Materials on what makes for a good journal entry are posted on TWEN.

Your journal entries, with your name and date at the top of page one, must be submitted on TWEN each week by Friday at 11 pm. You are encouraged to read the journal prompts early in the week. As things occur during the week, especially if something significant happens, write down your reflections. Integrate your reflections with the questions provided and when you feel your reflection is complete, post it. You need not wait until the end of the week to journal.

Note: Submit all journals and forms completed by you in the TWEN assignment drop boxes. If you have trouble with TWEN, please email the document to me to meet the deadline and then work to resolve the issue with IT. When the problem is resolved, upload the document onto TWEN. As in law practice, it is best not to wait until the last moment to submit documents.

✿**Self-Assessments.** “Knowing thyself” is key to success and happiness in your personal and professional life. In seeking professional growth, critical self-knowledge serves as a baseline from which to improve. Your work in the leadership courses began this process of self-assessment. As the next step in measuring your progress this term, you will be given the opportunity to examine formally the experience, the critiques you have been given, and your own understanding of your legal skills. More information on these self-assessments will be provided at mid-term and end-of-term evaluation.

✿**Time logs.** You will arrange a regular work schedule with your Site Supervisor. You may revise the work schedule or seek a temporary adjustment to accommodate some competing obligation only with the consent of your Site Supervisor. You are required to record your hours worked each week by 11:59 pm that Friday. An online portal will be provided for you to use to log your hours. The time-keeping function is akin to the process you utilized in the Public Law & Leadership course.

When describing your activity in your time log, you need only describe the work done generally, keeping confidentiality considerations in mind. Time should be recorded in quarter hours. For example:

January 1:	9:30 – noon -- Read cases for tax evasion case
	1:00 – 5:00 – Prepared draft of memo on tax evasion issue
January 2:	9:30 – 10:30 – Meet with new client
	10:30 – noon – Research legal issues for new client

You may include meals only if working through the meal or discussing work with colleagues over the meal. Do not include client names in your time log.

EVALUATIONS AND ASSESSMENT

⚙ **Evaluations of Student by Site Supervisor.** Your Site Supervisor is required to provide feedback on work assignments. In addition, she or he must complete a written mid-term and end-of-term evaluation, in a format provided directly to the attorney or judge by the law school. You will be given the opportunity to reflect upon these evaluations.

⚙ **Site Evaluation by Student.** You are required to complete an end-of-term evaluation of your placement. The form will be provided to you through TWEN.

⚙ **Final Grade.** I will grade your coursework on a pass/fail basis. Minimum requirements to Pass are:

1. Completion of required number of hours.
2. Timely submission of all assignments, including weekly journal entries and time logs.
3. Professionalism in dealing with Site Supervisor, Faculty Supervisor, and clients.

Exemplary performance on- site and in written assignments may result in a High Pass. Failure to meet standards will result in either a Low Pass or a Fail, depending on the degree of the gap.

ETHICAL OBLIGATIONS

⚙ **Rules of Professional Conduct:** You are bound by the N.C. State Bar Rules of Professional Conduct (<http://www.ncbar.gov/rules/rpcsearch.asp>) and any other rules of conduct which will apply in your workplace, such as the N.C. Code of Judicial Conduct (<http://www.nccourts.org/Courts/CRS/Councils/JudicialStandards/Default.asp>), federal employee rules of conduct, etc. You should, therefore, read these rules as you begin your work. Two rules to which you should pay close attention are:

- ***Client Confidentiality.*** When discussing your work outside your office, you must remember your obligation to keep client information in confidence, as well as any sensitive information about your office. While general information about what you are doing can be shared, confidential matters should not be discussed with anyone outside your office. This includes other students, faculty members, spouses, and friends. Also, your obligation of confidentiality extends beyond the semester in which you are working.
- ***Conflicts of Interest.*** You must be sensitive to any conflict of interest that may arise in connection with any outside employment or volunteer work. You must discuss any employment and other organizational connections with your Site Supervisor to insure there is no prohibited conflict of interest.

⚙ **Elon Law Honor Code:** You are bound by the Elon Law Honor Code while at your placement. Note that it is a violation of the Honor Code to indicate that a form has been signed when you have not had the form signed and do not have the signed form in your file available for the professor to examine. It is also a violation of the Honor Code to make any misrepresentation on your timesheets or in your written assignments.

⚙ **Electronic Research at a Field Placement:** See Law Library Statement of Use of Lexis Advance, Westlaw and Bloomberg for Continuing Students at <http://elonlawlibrary.blogspot.com/2014/05/summer-access-to-westlaw-lexis-and.html> (Elon Law Library Blog, May 14, 2014).

SCHEDULE OF CONFERENCES AND DEADLINES

An academic schedule for Elon Law's Residency and Semester in Practice Programs is provided below and as a separate document on TWEN. Please read this schedule very carefully and put all deadlines on your calendar. You will demonstrate solid, organizational skills to satisfy the course requirements.

No later than January 4 at 9 am: Pre-work Assignments – Complete and Submit on TWEN (1) *Student Information Sheet*. **Also upload** (2) *Individual Development Plan (IDP)* created during your Leadership Courses, with any appropriate revisions, and (3) your resume.

January 4, 10-1: Residency Bootcamp (Recorded for Semester in Practice Students)

January 5-6 – Begin work. Meet with Site Supervisor (1) to **discuss** *Learning Goals and Plan* and (2) to **review** and **sign** *Supervisors and Student Agreement*.

Week of January 9

By Friday, 11:59 pm – **Sign-up** on TWEN for in-person or virtual Conference with Faculty Supervisor, **Log** work hours since Jan. 5, and **Submit** (1) Draft of *Learning Goals and Plan*, based on discussion with Site Supervisor, (2) Signed *Supervisors and Student Agreement*, and (3) Journal 1.

Week of January 16

Conference (as previously scheduled) with Faculty Supervisor to review *Learning Goals and Plan*.

By Friday, 11:59 pm – (1) **Finalize** *Learning Goals and Plan*, based on meeting with Faculty Supervisor, **Obtain** signature of Site Supervisor, and **Submit** on TWEN; (2) **Log** work hours; and (3) **Submit** Journal 2.

Week of January 23¹

Practice Affinity Group Meeting to discuss placements and related issues with similarly-situated students. Place and time on TWEN calendar.

By Friday, 11:59 pm -- **Log** work hours and **Submit** Journal 3.

Week of January 30

Schedule (if not already scheduled) in-person, on-site, or virtual Conference with Faculty Supervisor AND Site Supervisor for next week. **Confirm** with Site Supervisor that Mid-Term Student Evaluation will be sent by Friday, February 4.

By Friday, 11:59 pm -- (1) Complete and Submit *Mid-Term Self-Evaluation* 2) **Log** work hours; and (3) **Submit** Journal 4.

Week of February 6

Conference (as previously scheduled) with Faculty and Site Supervisor for mid-term check-in.

By Friday, 11:59 pm -- **Log** work hours and **Submit** Journal 5.

Week of February 13

By Friday, 11:59 pm -- **Log** work hours and **Submit** Journal 6.

Week of February 20

Practice Affinity Group Meeting to discuss placements and related issues with similarly-situated students. Place and time on TWEN calendar.

By Friday, 11:59 pm -- **Log** work hours and **Submit** Journal 7.

Week of February 26²

By Friday, 11:59 pm -- **Sign-up** on TWEN for in-person or virtual Conference with Faculty Supervisor, **Log** work hours and **Submit** Journal 8.

Week of March 6

Final Conference (as previously scheduled) with Faculty Supervisor to debrief and discuss wrapping up work and planning for future.

By Friday, 11:59 pm -- **Log** work hours and **Submit** Journal 9.

March 13-15

Submissions DUE Wednesday, March 15, by 11:59 p.m. (unless you receive a written extension of the deadline): (1) Student Evaluation of Placement, (2) Final Journal and Self-Evaluation, and (3) Final log of work hours

¹ Mid-Term Student Evaluation is sent to Site Supervisor by administration, due date is Friday, February 4.

² Final Student Evaluation is sent to Site Supervisor by administration, due date is Monday, March 6.