POLICY ON FIELD PLACEMENT PROGRAMS

The faculty of the College of Law recognizes the critical importance of experiential learning in creating opportunities for students to exercise and develop judgment, practical knowledge, professional skills and professional identity. An intensive, high-quality educational experience that involves the performance of legal tasks in a professional setting provides a valuable supplement to regular classroom work, simulation courses, co-curricular and extra-curricular activities, and legal volunteer placements.

This policy sets forth the conditions under which academic credit may be given for such experiences.

I. General

Under certain circumstances, a student may earn academic credit for work done in a field placement program. A field placement program (which may be variously described as an externship, internship, judicial clerkship, etc.) is any activity in which a significant component of the student’s educational experience includes the actual rendition of legal services or performance of other actual legal activity in a setting outside the College of Law. However, this definition does not include the College’s clinical programs, in which the students are engaged in the rendition of legal services under the direct supervision of a faculty member.

Any academic credit awarded for a field placement is subject to the following limitations:

a) no student is eligible to receive academic credit for a field placement until the student has completed two semesters, or its equivalent, of law school work;

b) no student may receive more than a total of 14 hours of credit for a field placement (including the credit for any associated seminar or tutorial);

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c) pursuant to ABA rules, no student may receive more than a combined total of 30 hours of credit for field placement work, co-curricular coursework (e.g. work on a law journal, moot court, or other student-organized activity), and courses taken outside the law school.

II. Educational Objectives Field Placement Programs

Field placement programs are intended to provide students with in-depth exposure to the practice of law in a real-world setting. In any field placement, the student should be directly involved in activities characteristically performed by attorneys; merely shadowing attorneys or engaging in passive observation, while an appropriate component of an field placement’s educational experience, should never be the exclusive, nor even the predominant, activity for a student. The specific activities that would fulfill this purpose are manifold, for instance,

- research and writing,
- drafting, including legal documents, legislation and regulations, and policy proposals,
- client interviewing and counseling,
- fact investigation, negotiations, and
- court appearances or other comparable advocacy activities.

Some placements will by their nature limit the student’s actual performance of lawyering activities to perhaps one or two of this non-exclusive list. For instance, judicial externships will always emphasize almost exclusively the legal research and writing skills practiced by attorneys. In those circumstances, the faculty and site supervisors should make every effort to ensure the students are at least offered the opportunity to observe and/or discuss a broader range of activities.

Externships are also intended to expose students to legal practitioners. Thus, any placement must guarantee that the student will have frequent and close interaction with attorneys. Finally, the placements are intended to expose students to the ethical issues raised in the actual practice of law. Every placement should offer an opportunity to confront and discuss ethical issues.

III. Requirements for Field Placement Credit
Two components are required of any field placement for which credit will be given. The *experiential component* requires a certain number of on-site hours consisting of qualifying work under close supervision. The *academic and reflective component* consists of faculty-led instruction in seminars or tutorials that include assignments that guide students in a disciplined evaluation of context, intention and action that allow the student to build on the experience. The goals of the academic and reflective component will be determined by the faculty member and should include one or more of the following: developing a student’s knowledge of substantive law or procedure related to the placement; enhancing the student’s perspective on the legal system; developing the student’s skills in matters related to the placement or to the practice of law generally; and/or considering ethical issues associated with the experience or with the practice of law generally.

a) **Crediting**

In establishing credits for each field placement, the total number of credits shall include credits for the pass/fail-graded, on-site work performed by the student, as well as for the numerical-graded, tutorial or seminar making up the academic and reflective component (*see* section III.c below on grading). Placements for up to five credits of on-site work shall have a one-credit seminar or tutorial, and placements for six or more credits of on-site work shall have a two-credit seminar or tutorial.

b) **Requirements for the experiential component**

i) **On-site hour requirement**

In order to receive academic credit for field placement, a student must work a minimum of 50 on-site hours for each hour of academic credit awarded for the experiential portion of the field placement. Additional hours may be required for certain placements, at the discretion of the director of the College’s field placement program or the Curriculum Committee.\(^2\) The work

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\(^2\) This policy anticipates that the Dean will appoint a field placement director. If, at any time, there is no field placement director, the Dean may appoint an associate dean or a faculty member to perform the director’s duties. If there is no director, and no other person is appointed to perform the director’s duties, those duties pertaining to approving field placements and reporting to the faculty on the field placement program will be performed by the Curriculum Committee or its chair. In addition, faculty field placement supervisors have an ongoing obligation in
that the student performs in the field placement must be consistent with the College’s educational objectives for externships, as stated above.

ii) **Nature of the field placement**

Credited field placements must be for work that is otherwise uncompensated and that is for any of the following: a governmental body (including a court); a non-profit organization; a for-profit law firm; or a corporate counsel office in a for-profit firm.

iii) **On-site supervision**

**Host agency duties:** Any organization hosting a field placement student must be committed to the educational possibilities of the placement and to providing the student with on-going feedback on the student’s work. The organization must identify an on-site supervisor for the student who is committed to these objectives, verified through completion of a Field Placement Supervisor and Placement Agreement Form, which will be provided along with other materials in a manual for Field Placement Supervisors. The on-site supervisor will also be required to complete written Midterm and Final Evaluations of the law student extern, and to consult with the faculty supervisor as required.

**Faculty supervisor duties:** The faculty supervisor is responsible for guiding the student in a statement of goals for the externship, for conducting a midterm conference among the faculty member, the field supervisor, and the student, at which the Midterm Evaluation is reviewed, and for grading the field placement experience on a pass/fail basis.

**Student duties:** Among other requirements set by the faculty and on-site supervisors, all students are required to submit weekly time sheets (redacted of confidential information) reporting on the tasks they completed, to complete a mid-term assessment, and to complete a field experience final evaluation form.

In all circumstances (whether there is a field placement director or not) to monitor the quality of the field placements they supervise, to ensure that those placements comply with the requirements of this policy, and to report any problems to the field placement director or relevant administrator or, if there is none, to the Curriculum Committee.
Director (if any) duties: The director of the College’s field placement program (if any) is responsible for ensuring that these commitments are met and to provide guidance as necessary regarding the requirements.

b) Requirements for the academic and reflective component.

Each field placement must be accompanied by a simultaneous academic and reflective component taught by a faculty supervisor, who may be an adjunct faculty member. This academic and reflective component shall ordinarily consist of a one- or two-credit field placement seminar. In cases where it is not possible to arrange a seminar, the reflective and academic components may be provided through a field placement tutorial, so long as the tutorial satisfies the requirements for a seminar.

All field placement seminars or tutorials must include opportunities for guided reflection. For example, faculty members might require that all students produce, and share for discussion with the faculty member (or a group that includes the faculty member and other students), a series of writings related to various aspects of the student’s placement experience.

While an individual faculty member assigned to teach a section of this seminar or tutorial may set individual goals for the course, the goals must generally fit within these three categories: 1) enhancing students’ learning from the field placement; 2) giving students models for learning from experience and motivating them to learn from practice experience after law school; 3) helping students use the experience a) to gain knowledge about legal ethics, substantive law, and procedure; b) to improve their perspective on, and understanding of, the legal system and how it operates; or c) to develop skills related to the field placement or to the practice of law generally. In addition, the seminar or tutorial should always include efforts to encourage students to reflect upon their future careers and how their experience might influence their career choices or professional decisions.3

Sample syllabi, class exercises, ethics problems, textbooks, and other state-of-the-art field

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3 This paragraph is based loosely on suggestions and ideas contained in the Teacher’s Manual to Ogilvy, Wortham, and Lerman’s Learning from Practice: A Professional Development Text for Legal Externs (2nd Ed. 2007). Excerpts from that Teacher’s Manual are attached to this draft as Appendix A.
placement pedagogy materials will be available to faculty supervisors to assist them in developing the content of their field placement seminars or tutorials.

In most cases, the field placement seminar or tutorial will be conducted by the supervising faculty member on a weekly or bi-weekly basis. Enrollment in such seminars or tutorials should ordinarily be capped at 12 (as in other College of Law seminars).

Individual instructors may choose varying approaches to satisfying the requirements for the academic and reflective component. Options include, but are not limited to, requiring students to complete a research paper or papers on a subject related to the field placement; participation in skills exercises or simulations; guided reading and in-class discussion; or lectures by the faculty member and/or guest practitioners.

The academic and reflective component of a field placement shall be graded. Methods of evaluation and grading shall be determined within the discretion of the supervising faculty member, consistent with course goals, and may include journaling, short papers, class presentations, class participation, and research papers.

c) Grading

The academic and reflective component of a field placement experience shall be graded under the law school’s regular grading policy. The experiential component of the field placement will be graded pass/fail by the faculty supervisor. The faculty supervisor will obtain from the on-site supervisor a mid-term and final evaluation of the student’s work.

IV. Administration and Approval of Field Placements

Consistent with her responsibilities and authority, the Dean of the College of Law shall determine the administrative structure for the College’s Field Placement Program. The Dean

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4 For students whose field placements are at a significant distance from Iowa City, there are a number of alternatives for satisfying the reflective and academic requirements for field placement credit. The student may participate in a field placement seminar via video-conferencing or on-line education technology. If a number of Iowa students are involved in field placements in a nearby city, the College might arrange for the field placement seminar to be offered in that city by a regular faculty member, a member of the adjunct faculty, or through a contractual arrangement with another law school or field placement organization.
may appoint a director or administrator of the program, who shall be a tenure-track, clinical or adjunct faculty member.

a) Duties of any appointed field placement program director or administrator

A director or administrator of the field placement program shall have the duties assigned to the position by the Dean. Those duties may include, but are not limited to:

- Accepting and approving applications for field placements, including granting pre-approval for placements at organizations with which the College has had positive experience in the past, subject to the requirements set out in the policy and the approval process described below.
- Identifying opportunities for field placements and cultivating positive relationships with organizations that currently offering field placement opportunities to Iowa students or that may do so in the future.
- In consultation with the Dean and Associate Deans, identifying faculty members to lead field placement seminars and assigning field placement students to those seminars.
- Teaching field placement seminars or tutorials.
- Informing faculty about research and knowledge concerning best practices in field placement instruction, and assisting faculty in developing materials, syllabi, and instructional plans for field placement seminars or tutorials.

b) Approval of field placements

Approval of field placements is the joint responsibility of the field placement program administrator, if any, and the Curriculum Committee. If there is no program administrator, the duties assigned to that person shall devolve upon the Curriculum Committee or its chair.

i) Field placements at locations that have not hosted an Iowa student within the previous three years.
Applications for a field placement at a location that has not recently (within the prior three-year period) hosted an Iowa field placement student must be made on a form prepared by the program administrator. All information requested on that form must be provided prior to approval of the field placement, unless the administrator determines that an informed decision about the field placement can be made without the missing information.

Applications for approval of an individual field placement, or a course involving multiple field placements, may be made by a student (in the case of an individual field placement opportunity), by a faculty member, or by the program administrator.

The field placement administrator shall have the authority to approve any student-initiated or administrator-initiated individual placements that clearly and directly meet the standards in this policy. The administrator may consult with the Curriculum Committee or its chair in close cases.

All first-time international field placements must be approved by the Curriculum Committee. All first-time placements in private, for-profit settings must also be approved by the Curriculum Committee. Previously-approved international or private placements must be resubmitted to the Curriculum Committee for approval if no Iowa student has participated in a placement at that location within the prior three years.

The administrator may set deadlines for field placement applications and may strictly enforce such deadlines.

Prior to final approval of a placement, the administrator must determine the means by which the reflective and academic components of the placement will be satisfied, and the administrator must verify that the on-site supervisor has adequate professional credentials, and training or experience, to effectively supervise the student’s work and is willing to comply

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5 It is anticipated that an administrator will be appointed, and that this administrator will have primary responsibility, in consultation with the Dean and Associate Dean, for ensuring that the reflective and academic requirements are met through field placement seminars, field placement tutorials or other option. If no field placement administrator is appointed, the Dean and Associate Dean will make appropriate arrangements for the performance of these and other responsibilities that would be carried out by the administrator.
with the terms of this policy concerning supervision and evaluation of the student. Where warranted, the administrator shall have the discretion to impose such additional conditions or requirements as are deemed appropriate.

ii) Field placements with organizations that have successfully hosted Iowa students within the past three years.

The administrator of the field placement program may accept and approve applications for credit for field placements at organizations that have recently hosted Iowa students by any process deemed satisfactory by the administrator. However, the administrator may approve subsequent placements at a previously-approved organization only if the administrator believes that previous placements at the organization have provided students with a high-quality educational experience and that the proposed placement will be consistent with the goals and requirements of this policy.

If the administrator has reason to doubt the quality of any placement, the administrator should follow the approval process for new placements and take any other steps necessary to ensure the quality of the placement opportunity before approving it for credit.

iii) Reports

Each year the administrator of the program, or the Curriculum Committee, should prepare a brief report for the faculty on the field placement program. That report should identify, at a minimum, the location and sponsoring organization for each credited field placement and the number of credits earned by each student enrolled in a field placement.

If there is an administrator of the program, the administrator should develop an evaluation form for use by students in evaluating the quality of their field placement experience. The administrator should report to the faculty on the general results of that evaluation. The

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6 It is expected that a student’s on-site supervisor will be an attorney with appropriate professional credentials. In some cases, however (e.g. a placement in an agency or organization provides specialized services to a particular population), the supervisor may not be an attorney. Non-attorney supervision is acceptable only when the supervisor is highly-qualified in a field related to the subject matter of the field placement experience and when the student will have the opportunity to interact with attorneys in a professional setting during the field placement.
administrator should also identify for the faculty any significant problem areas requiring faculty attention or any areas in which significant improvements could be made in this policy or in the field placement program.

V. Transfer of Credit for Externships Earned at another School

Except in the case of students who bring externship credits with them when they transfer into the College of Law, a student seeking to receive academic credit at this college for a field placement program taken or arranged through another law school must secure the approval of the administrator and the Curriculum Committee prior to beginning the field placement program. The administrator may set and enforce appropriate deadlines for applications for approval of such field placements. If a field placement program arranged by another law school has been previously-approved, the administrator may approve subsequent requests for credit through that program by the approval process described in Part IV (b) (ii), supra. This approval process is not meant to discourage students from registering for externship programs at other schools, nor should the approval requirement be taken to suggest that the other school’s program must conform in all respects to our own.

This policy shall become effective on July 1, 2013, except that its provisions shall not apply to placements currently established under Clinical Law Program – Externship (91:407) and Judicial Externship (91:399) until Fall Semester 2014.