



*Office of Career Services & Professional Development*

## **MEMORANDUM OF UNDERSTANDING**

*(law student, field placement supervisor, and faculty supervisor must sign every semester)*

Externships are a three-way relationship: The law student performs legal work that is assigned, supervised, and evaluated by the field placement supervisor(s). The faculty supervisor monitors the progress of the student's professional development and teaches and grades the work assigned in the student's classroom component with input from the placement supervisor. Each party acknowledges the following:

I acknowledge the following conditions for Atlanta's John Marshall Law School's Externship Program in accordance with ABA Guidelines:

- 1) I understand that this is an externship that allows a student to earn academic credit for a "substantial" lawyering experience.
- 2) I accept direct supervision and responsibility for the extern while at the placement office this semester; specifically, I will provide opportunities for observation, performance, and face-to-face as well as written feedback.
- 3) I promise to monitor, mentor, and assess the student's progress on individual learning objectives.
- 4) I understand that only students certified to practice under the Georgia student practice rule or the Third Year Practice Act are qualified to practice law under the supervision of an attorney licensed in the State of Georgia.
- 5) I or someone with authority will ensure the student is oriented to any applicable rules, policies, procedures, methods, and operations at the Field Placement Office.
- 6) I will ensure the student has adequate/designated and safe on-site workspace which includes access to technology and resources necessary to complete assignments.
- 7) I acknowledge the extern may only use student access to Lexis Nexis, Westlaw, and Bloomberg accounts if the research being performed is in furtherance of the learning objectives for the program.
- 8) I acknowledge the student is to perform substantive legal work and will not *primarily* perform clerical tasks such as filing or photocopying.
- 9) I will make myself available for student questions and will meet with students face-to-face on a regular basis.
- 10) I agree to assign work that requires timely and specific feedback and to ensure the feedback is substantive in nature according to the learning objectives set forth at the beginning of the semester, and I agree to meet with the student extern throughout the semester to provide formative feedback.
- 11) At the beginning of this semester, I or someone with authority will meet with the student to discuss specific learning objectives and provide a plan for the student to complete said objectives.
- 12) I will assess and certify the student's overall performance including required field hours by completing a midterm and final evaluation form.
- 13) I will ensure the student's work schedule will not prevent him/her from attending scheduled classes.
- 14) I will not rely solely on text messaging or email as the primary method of communicating with the student.
- 15) The externship site will permit the student to complete the externship remotely if the site closes for health or safety reasons during the semester or if the student or family member falls ill or must self-isolate due to

COVID-19 or another infectious disease. The host placement organization will designate a supervising attorney or judge who could take over supervision of the externship in the unfortunate circumstance where a supervisor falls ill.

16) Students will be able to have access to necessary documents and systems in a way that protects confidentiality and security concerns.

17) Atlanta's John Marshall Law School Externship Program faculty will be available during regular business hours throughout the semester to provide mentoring to students and guidance to field placement supervisors.

18) Students must participate in the course component of the externship and must complete all coursework as assigned.

19) Should any student issues arise at the placement I will contact Attorney Leslie Abbott at [labbott@johnmarshall.edu](mailto:labbott@johnmarshall.edu).

The Office of Career Services and Professional Development (OCSPD) is committed to ensuring that all students participating in externships are engaged in practical learning in a safe environment at all times. As you participate in our externship program this semester, please note in addition to federal and state guidelines on sexual harassment and employer conduct, that the OCSPD staff may serve as a resource in the event that you have questions or concerns about externship site conduct. Our office encourages students to report any suspicion of misconduct by supervisors, co-workers, clients, or others in the workplace, as well as questions or concerns about any occurrences that they deem hostile, offensive, or hazardous in any way.

In accordance with the [U.S. Equal Employment Opportunity Act](#), such inappropriate and unsafe occurrences may include:

- Unwelcomed conduct that is based on race, color, religion, sex (including sexual orientation, gender identity, or pregnancy), national origin, older age (beginning at age 40), disability, or genetic information (including family medical history)
- Unwanted sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature
- Conduct that creates a work environment that would be intimidating, hostile, or offensive to reasonable people

OCSPD has taken measures to approve externship sites for participation in our program and implements an ongoing evaluation process for sites and supervisors. We anticipate that each of our students will have a highly engaging learning experience. Throughout the semester, please reach out to the following faculty/staff with any externship-related questions or concerns:

- Paul Wilson, [pwilson@johnmarshall.edu](mailto:pwilson@johnmarshall.edu)
- J.L. Wyatt-Keyton, [jwyatt@johnmarshall.edu](mailto:jwyatt@johnmarshall.edu)

By signing below, you certify that:

- You have read and understood the terms and conditions stated above;
- You have been given authority to ensure that externs receive appropriate work assignments, supervision, and feedback, consistent with the description provided above as amended by each student's learning objectives and opportunities for performance;
- You will ensure prompt completion of midterm and final evaluations, and prompt cooperation and communication with the faculty supervisor and externship program administrator as requested;
- You will comply with all rules promulgated by the Law School regarding externships, and all applicable federal and state laws, regulations, and Georgia Bar rules;
- You will not compensate the student, except for reasonable incidental expenses (e.g. parking, mileage, photocopying, etc.);

- You will not bill out or otherwise claim compensation for the student’s work to clients or other third parties;
- You will provide malpractice insurance coverage of the student’s work to the same extent that you provide for other non-lawyers working in your office on legal matters; and
- Unless you are an organization for whom individuals are permitted to volunteer under the Fair Labor Standards Act, no extern will displace an employee whom you would ordinarily have to compensate for the same work, whether on a full-time or part-time basis.

*This Memorandum of Understanding **MUST** be signed (**not typed**) and dated by the field placement supervisor and the law student and returned to the Office of Career Services & Professional Development prior to the initiation of the externship. **Please email the completed form to Mr. Paul Wilson ([pwilson@johnmarshall.edu](mailto:pwilson@johnmarshall.edu))***

Executed and Agreed to By:					
Field Placement Supervisor		Law Student		AJMLS Faculty Supervisor	
Name of Organization		Atlanta’s John Marshall Law School Law School		Atlanta’s John Marshall Law School Law School	
Printed Name		Printed Name		Printed Name	
Job Title		Extern Job Title		Job Title	
Signature		Signature		Signature	
Date		Date		Date	