



# Windsor Law

University of Windsor



## Externship Program Student Manual

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July 2022

Dear Windsor Law Student,

Welcome to Windsor Law’s Externship Program! This program was launched in 2018 as one way to enhance experiential learning for law students. It is distinct from a clinical program because individual students are placed at different law-related organisations across Ontario. Students therefore have different placement experiences in various legal contexts, and they share a different set of reflections in a seminar. Colleagues working at these placement sites will support insight into the various contexts in which lawyering takes place.

In most placements, students spend almost all their time at their organization. During COVID, placements occurred remotely. Pre-COVID, and currently, students will spend some or all of their time in-person at their respective placements. Due to the ongoing pandemic, it is unclear if students will have to return to remote work at some point; however, we anticipate that in-person attendance will be the norm.

Externships provide students the opportunity to apply what they learn in the classroom to a real-life context. Indeed, the heart of an Externship is “learning from experience”. An externship is sometimes the first time a student has acted in the role of a lawyer. Other students have had one or more lawyering experiences. In either case, externship placements generate learning for students at all levels of experience. Students will gain some of the knowledge and skills to engage in workplace learning in an introductory seminar and weekly meetings with the Externship Program Director. However, most student learning occurs in the workplace under the support and supervision of a Placement Supervisor.

Because externship placements impact real clients and communities, students are required to complete readings and an orientation before they begin. This manual is required reading before the placement begins. The manual sets out the basic contours of Windsor Law’s Externship program, including the policies and supports for students in their day-to-day work. Students will receive a separate syllabus and coursebook for the Externship course, “Learning in Place”.

We are also here to help with any questions or concerns that come up throughout the term. Please contact the Externship Program Director, Gemma Smyth, [gemma.smyth@uwindsor.ca](mailto:gemma.smyth@uwindsor.ca), or the Clinical and Experiential Learning Coordinator, Stacey Marion, [smarion@uwindsor.ca](mailto:smarion@uwindsor.ca), at any time throughout the term.

We look forward to supporting your experience!



Gemma Smyth  
Associate Professor  
Externship Program Director

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## Background

### What is Experiential Education?

Experiential education has increasingly become an important part of higher education. Experiential education is a program of learning in which students practice a skill and reflect on their performance through feedback, readings, and self-critique. Ideally, students have the chance to practice skills repeatedly to increase their competence over time. In fact, people in professional practice – and in life more generally – ideally learn from practice and become experts in their field. As Roy Stuckey wrote in his 2007 text, *Best Practices for Legal Education*,

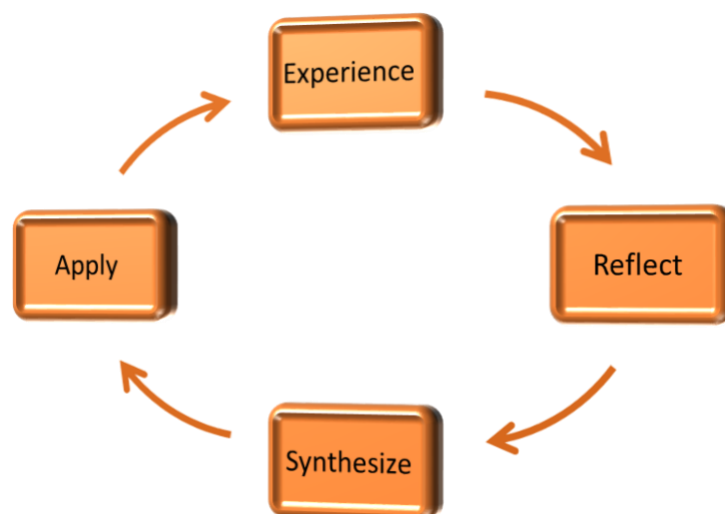
All of these pedagogies are based in an understanding that students must perform complex skills in order to gain expertise. They also recognize that students do not get better through practice alone. If their performance is to improve, they need practice accompanied by informative feedback and reflection on their own performance. And their learning will be strengthened further if they develop a habit of ongoing self-assessment.<sup>1</sup>

Students learn in many “experiential” settings during law school. They might engage in a moot or in an in-class negotiation simulation. They might work at a legal clinic or volunteer with Pro Bono Students Canada. The Externship Program is another way to enhance practical skills alongside reflection.

### What is an “Externship”?

In an Externship placement, students learn in a workplace setting alongside a seminar class. Worksites collaborate with the law school to facilitate a high-quality placement in which students integrate theory and practice.

Generally, the law school has no governance relationship with that workplace. At Windsor Law, we use the term “Externships”. Other schools use the term “Practicum” or “Internship”. Essential to all of these is the importance of *practice, learning from supervision, and classroom integration*. It is for this reason that Windsor Law’s Externship Program relies heavily on supervisor feedback and student self-assessment.



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<sup>1</sup> Roy Stuckey et al, *Best Practices for Legal Education: A Vision and a Roadmap* (Clinical Legal Education Association: USA, 2007) at 122.

## How is an Externship Different from a Class?

Both classroom (doctrinal) learning and experiential learning have unique benefits. Place-based learning can often make classroom lessons “real” for students, hence encouraging students to theorize experience and experience theory. Some students report that working on real cases helps them understand content in their classes.

Externships are closer to the actual work performed by lawyers. As such, the most obvious difference between most law school classes is that there is a real client or community impacted by your work. Practically, this has several impacts. First, real life situations often do not conform to the directives of a precise schedule. While you will have specific hours set for your work, many students find they adjust their hours or spend extra time on projects or files that are meaningful to them. For example, some students work with a client and want to see their hearing or trial to the end. Students are expected to complete hours within the confines of the academic term, but arrangements can be made with your supervisor if these situations arise.

The other important impact relates to ethics and professionalism. Students in Externships fall under the purview of the Law Society of Ontario. They act under the license of a lawyer with a call to the bar in Ontario. This means that students have responsibilities to their Placement Supervisor, the courts, clients, and the community. We will investigate the role of students and supervisors throughout the course.

There are many other differences, such as how the seminar operates, the type of grading employed, and so on. All these topics will be covered throughout the class.

## The Externship Program at Windsor Law

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The Externship Program is comprised of two parts: the Externship Placement and the Externship Seminar (called “Learning in Place”).

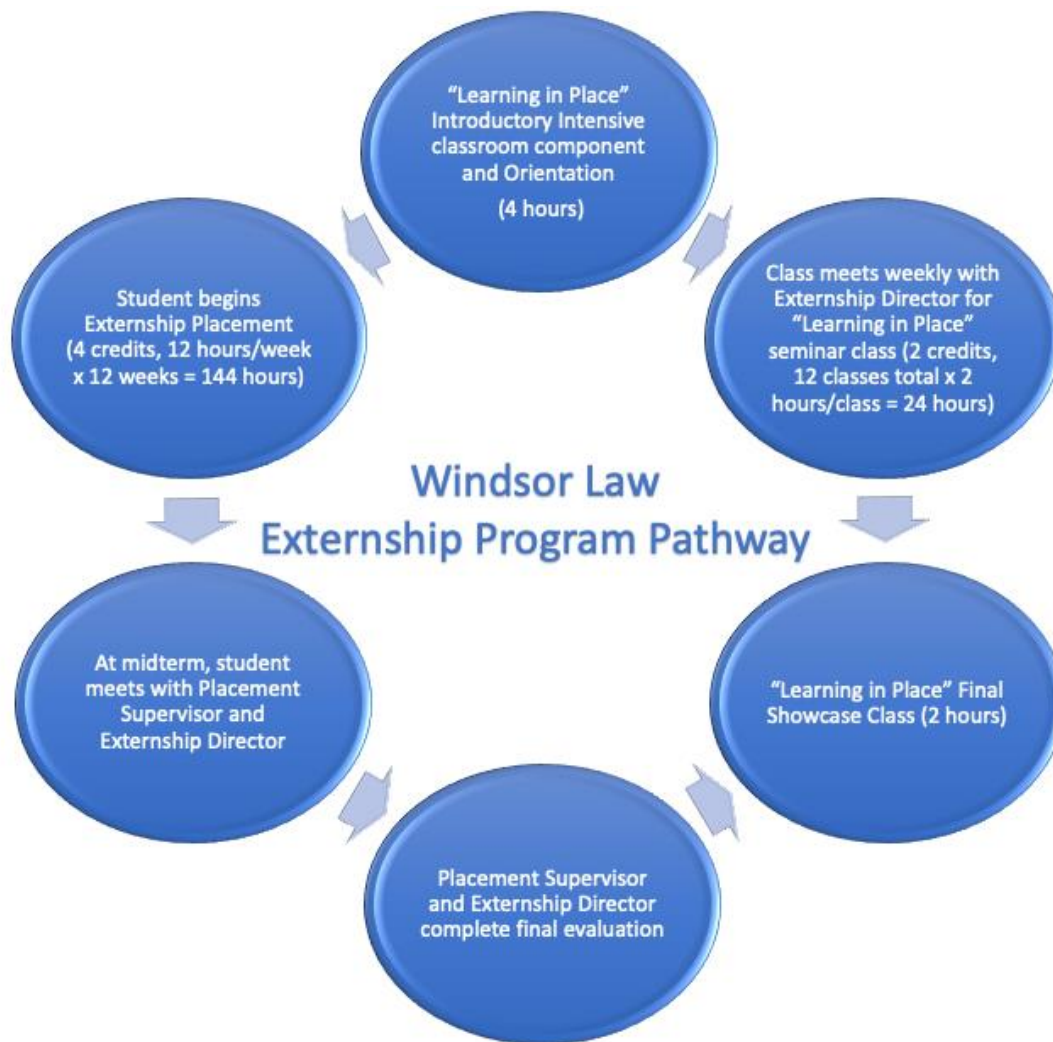
### Externship Placement

Students enroll in the placement in either the Fall or Winter term. Students are expected to spend 12 hours per week doing work related to the placement for a total of 4 credits. Students should be on the placement site for a portion of the credit hours but are permitted to work off-site as the need arises and with the consent of the Placement Supervisor. During the Covid-19 pandemic, students worked almost exclusively from home (with a few exceptions). Students must [report their hours online](#) on a weekly basis.

### Externship Seminar: Learning in Place

While students work for 12 hours/week in the placement earning 4 credits, they also take a 2-credit integration seminar called “Learning in Place”. This seminar requires Externs to engage in a reflective component of the program and learn from one another. The Externship Program Director teaches this class, drawing on students’ learning throughout the term. This class consists of pre-placement training, weekly meetings, and a final presentation.

Below is a graphic depiction of how a student will progress through the program.



### What Will Students Learn?

By the end of the Externship Program, students should be able to:

1. Practice within the structure and purpose of each workplace setting and adapt to the various roles of a lawyer in these settings,
2. Hone oral and written communication skills in a law-related practice setting, as appropriate to diverse populations,
3. Identify and apply ethical and professional norms per the Law Society of Ontario's *Rules of Professional Conduct*, University, and workplace policies, including critical perspectives on dominant ethical and professional norms,
4. Observe and engage in access to justice-related work, and reflect critically on the availability and quality of justice in a law-related setting, and
5. Develop wellness and resilience strategies in a law-related setting.

## The Externship Placement in Detail

Externship students work in a wide variety of placement settings. No placement is identical, but all worksites must share overarching learning outcomes, set out below. Examples of competencies are listed below each learning outcome. For each placement, competencies relevant to each outcome will be established by the student, Placement Supervisor, and Externship Director.

1. Demonstrate skills, values, and knowledge appropriate to an entry-level lawyer in the relevant environment  
*Possible Competencies*
  - i. Ability to present community legal education seminar using understandable language and materials appropriate to audience,
  - ii. Ability to interview claimant to establish timelines, all relevant actors and review available documentary evidence.
2. Learn and improve through direct supervision  
*Possible Competencies*
  - i. Receive instructions from Placement Supervisor and ensure comprehension,
  - ii. Receive constructive feedback from Supervisors,
  - iii. Develop plan to respond to feedback, and
  - iv. Seek further resources as necessary.
3. Employ ethical and professional behaviour in interactions with judges, lawyers, clients, and community members per the Law Society of Ontario and applicable University of Windsor Policies  
*Possible Competencies*
  - i. Follow onsite codes of conduct and policies,
  - ii. Note and report ethical concerns to the attention of the Placement Supervisor as relevant,
  - iii. Recognize limits of student's own competence, and
  - iv. Maintain confidentiality of all information.
4. Identify access to justice challenges and opportunities in client and community work  
*Possible Competencies*
  - i. Notice barriers to accessing services at placement site,
  - ii. Adapt practices to ensure maximum potential for client inclusion and understanding, and,
  - iii. Notice barriers to accessing the justice system or client's preferred remedy.
5. Describe the structure, mission, policies, communication channels, and roles of all relevant justice system actors  
*Possible Competencies*
  - i. Review all actors relevant to the placement site,
  - ii. Understand roles of all actors relevant to the placement site,
  - iii. Follow appropriate communication and reporting channels,
  - iv. Review the mission, vision, and other relevant materials, and
  - v. Docket and otherwise record information appropriately, attending to confidentiality.
6. Cultivate wellness and resilience practices at the placement site  
*Possible Competencies*
  - i. Develop and follow maintenance and emergency wellness plans, and
  - ii. Report to Externship Director and/or Supervisor with any wellness-related challenges.



## Placement-Related Assessments

1. [Learning Agreement](#)  
This document requires the student to set out goals at the beginning of the term. This document will form the basis of learning during the placement and will be reviewed mid-way through the placement and again at the end. Students will be provided with a sample Learning Agreement document and competencies from which to choose in addition to their own.
2. [Midterm Self-Assessment](#)  
This document will be reviewed by both the on-site Supervisor and Externship Director. The on-site Supervisor is required to give feedback to the student about their performance as well as on the goals they wish to achieve. This is the time that any major concerns about the student and/or the placement should be raised, and a plan developed for improvement.
3. [End-of-Term Self-Assessment](#)  
This document will be reviewed by both the Placement Supervisor and Externship Director. This assessment requires the student to determine the degree to which they have met the learning goals.

These documents are available online under Resources for Students on the [Externship webpage](#) and should be submitted via email to the [Externship Program Director](#), and the [Clinical and Experiential Learning Coordinator](#).

The Supervisor is required to evaluate the student on a Pass/Fail basis. Students who fail the placement portion of the course have no recourse to “redo” the placement; thus, the mid-term assessment functions as an “early warning sign” should failure be a possibility.

## Matching Students with Placements

Windsor Law issues a call for applications for the Externship Program and collects all application materials. The Externship Program Director reviews the applications, preliminarily interviews, and matches students with each placement, considering the students’ placement rankings and qualifications. The Externship Director recommends students for positions and offers are made after consultation with the placement organization. The Placement Supervisor will have an opportunity to interview the student(s) if they wish.

Competencies, characteristics, and/or experiences required by an organization will be discussed with the Externship Program Director and included in the Placement Profile. Placement Profiles can be found on the [Externship webpage](#).



Some placements require that students get a recent **police clearance**. Please note that there are different types of clearances:

- Criminal Record Check – Checks local police databases in the places student has lived for unpardoned criminal offences and outstanding charges.

- Criminal Record and Judicial Matters Check - Intended for those seeking volunteer and/or employment with agencies who require a Criminal Record Check along with local police involvement.
- Vulnerable Sector clearance – Performs a criminal record check (as described above) and checks the RCMP’s federal sex offender database for any sexual offences and convictions, even if a pardon was granted.
  - The vulnerable sector is defined as “...minors (less than 18 years of age) and persons who, because of their age, a disability or other circumstances...are in a position of dependence on others; or are otherwise at a greater risk than the general population of being harmed by persons in a position of authority or trust relative to them.”

Keep in mind that depending on the volume of requests for clearances, vulnerable sector clearances can sometimes take 4-6 weeks. Students can [apply for a police clearance online](#).

If concerning information is noted in a Police Check, the Externship Director and Placement Supervisor will follow up to clarify whether the student meets the eligibility criteria of the placement.

### Program Timeline (Approximate)

Event	Fall Term Timeline	Winter Term Timeline
Collect Externship Applications	Spring	Summer
Students are selected for placement positions in consultation with placement organizations; Experiential Learning Coordinator works with student and employer to ensure WSIB, licensing, police clearances, and other administrative issues are addressed	Summer	Fall
Students complete intensive education class, draft Learning Agreement	First week of September	First week of January
Students begin work at placement	Second week of September	Second week of January
Students complete Learning Agreement with Placement Supervisors	Second week of Placement	Second week of Placement
Students meet with Externship Director to discuss placements, goals, challenges in the worksite, access to justice issues as they arise, ethical and professional issues, etc.	Weekly	Weekly
Mid-Term Self-Evaluation is due, Externship Director meets with all students and placement organizations individually to check on learning goals, any issues in the workplace, and the plan for rest of term	Mid-October	Mid-February
Students end work placements, meet as a large group to showcase their work, End-of-Term Self-Assessments are due from students, and Pass/Fail grades are due from Placement Supervisors	End of November	Beginning of April
Students and Placement supervisors provide feedback in a Program Evaluation	December	April

### Registration and Orientation

Students will be given permission and instructions to register in the Externship Seminar “Learning in Place” (LAWG 5932-01) and the Externship Placement (LAWG 5933-01) by the Academic Coordinator’s Office at Windsor Law. Orientation information will be provided during the first “Learning in Place” classroom intensive.

## Responsibilities of Placement Supervisors

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Placement Supervisors in an Externship program are more than supervisors in a typical employment setting. They are mentors, role models, and teachers. Placement Supervisors are an essential part of the students' education and professional development. Because students receive academic credit for their fieldwork, it is important they have opportunities to observe and participate in the work of the placement organization, receive clear and challenging assignments, and are provided with ongoing feedback. Placement Supervisors should meet with students to give direct feedback for 15-30 minutes per week, aside from the day-to-day instructions they are given as part of their work. Placement Supervisors should be experienced and expert enough in their work to guide and counsel students.

## Responsibilities of the Students

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Students will learn much more about their responsibilities during the first classroom intensive, which is part of the "Learning in Place" seminar course. The following is an outline of the students' responsibilities.

First, and perhaps most obviously, students are expected to behave as lawyers. The same professional obligations fall on a student as on a supervisor, *except that* students are not able to provide legal advice or act without instructions from the Placement Supervisor. Students might form opinions (particularly after spending some time in one area of law) but should always consult with their Placement Supervisor first. The impact of work in an Externship is *real*. Students are therefore expected to:

- Demonstrate the highest level of professionalism, which includes arriving on time for designated work, notifying the Placement Supervisor of any changes to the established schedule, and dressing to the standards of the organization and the work being performed. Respect the organization's reporting structure and follow the policies and procedures of the organization.
- Communicate effectively with the Placement Supervisor and other staff within the organization. Accept and apply feedback and suggestions to the work.
- Complete 12 hours of service for the placement organization per week for the duration of the term. Students continue their placement during reading week, unless otherwise specified. [Submit hours via the online form](#) on a weekly basis.
- Complete the [Learning Agreement](#) in consultation with the Placement Supervisor.
- Submit the completed [Midterm Self-Assessment](#) and the [End-of-Term Self-Assessment](#) in a timely manner. See program timeline above for a general sense of timing. The course syllabus will have further details about due dates.
- Communicate with the site supervisor and/or faculty supervisor about any issues that may affect the performance of assigned responsibilities or the overall success of the experience.
- Uphold the *University of Windsor Student Code of Conduct* and act in an ethical manner when on and off-campus and while representing the placement organization.

## Policies and Procedures

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### Payment

The student shall not be financially compensated for their work. Exceptions might include funding for travel or extra expenses incurred by the student.

### Previous Employment; Working for Relatives

Students will not be permitted placement at an organization if they have worked there in the past in the same position. Students who wish to complete a placement where they have previously worked *in another role* must be approved by the Externship Director. Students will not be permitted to complete placements with family members in positions of authority (e.g., a parent's law firm, an NGO where an aunt is the Executive Director, working for their spouse, etc.).

### Law Firm Placements

Generally, students will not be permitted to work at private firms, except if the student is working solely on *pro bono* files or in an area approved by the Externship Director. Exceptions will be made for placements with a significant public interest component. The Externship Program cannot duplicate articling, nor be seen to be taking placements that would otherwise be held by articling students. Similarly, we do not want firms billing for hours completed by students who are working for credit.

### Scheduling and Timeline

Students will begin their placements during the second week of the term of enrolment in the Externship Program and complete their hours by the last week of the term. Please see the Program Timeline above for further details. Externs are expected to work at their placement for 12 hours per week for 12 weeks of the term (for a minimum of 144 hours). Students may need time off for various reasons. This should be discussed with the Placement Supervisor. Students can arrange to make up hours as per an agreement with the Placement Supervisor.

When arranging students' schedule with the Placement Supervisors, breaks from work hours should be considered. Please note that placements should adhere at least to the minimum requirements of the Employment Standards Act (<https://www.ontario.ca/document/your-guide-employment-standards-act-0/hours-work>).

### Live-Client Legal Cases

In placements where students are dealing with live-client legal cases, they must have access to an L1 licensed lawyer with LawPro insurance who must be on site. Regardless of where they are placed, students must have access to an L1 licensed lawyer with LawPro insurance. The lawyer must be accessible, although not necessarily on site.

Particularly if students are giving legal advice, the on-site Supervisor must hold a valid L1 license to practice law and include the student(s) under their license.

### Insurance

Each site will have its own insurance requirements.

Activities by student externs participating in academic activities are included in the University of Windsor's General Liability Insurance. Coverage includes all losses that the University of Windsor may become legally obligated to pay as damages due to the following:

- Bodily injury (injury, sickness, disease, disability, shock, mental suffering, etc.)
- Personal injury (false arrest, invasion of privacy, libel, slander, defamation of character, etc.)
- Third party property damage
- Professional and malpractice liability

This coverage applies on a worldwide basis to any officer, director, governor, employee, or volunteer while acting on behalf of the University of Windsor and the coverage extends to students while participating in academic activities.

The Ministry of Colleges and Universities (MCU) provides insurance coverage for workplace injuries incurred by students participating in an unpaid work placement as part of their academic program. Should an organization not be eligible for MCU coverage, it may be eligible for private insurance. The Externship Program will provide the necessary paperwork to ensure all organizations have coverage, either WSIB or private. Students must submit a signed [Student Declaration of Understanding](#) to the Clinical and Experiential Learning Coordinator, Stacey Marion, [smarion@uwindsor.ca](mailto:smarion@uwindsor.ca).

## Space

When students are participating in on-site learning, they should have a space to work made available to them. At home, students should have access to a confidential workspace and a computer with reliable internet access. Students should pay particular attention to the ethical issues that arise from storage of client information on their computer.

## Confidentiality

Although students will be asked to reflect on their learning, they will be asked never to reveal confidential information about their clients or workplace in the seminar. Workplaces might choose to have students sign their own confidentiality agreement or adapt a confidentiality agreement from the [sample provided on the Externship webpage](#). When in doubt, always ask what you can and cannot share. Confidentiality also encompasses storage of data on your personal computer. If you are using personal devices to communicate with clients, privacy becomes a significant concern. The LSO has general guidelines regarding use of technology (<https://lso.ca/about-lso/legislation-rules/rules-of-professional-conduct/complete-rules-of-professional-conduct>).

## Law Society of Ontario Rules

All students are expected to have read the LSO Rules (<https://lso.ca/about-lso/legislation-rules/rules-of-professional-conduct/complete-rules-of-professional-conduct>) in advance of the placement.

## Keeping Track of Hours

Students will report their hours weekly using an [online form](#). The Placement Supervisor will sign off on the submitted hours at midterm and again at the end of the term.

## Attendance and Missed Shifts

Externship students should contact their Placement Supervisor as far in advance as possible if for some reason they will not be able to be present during a previously scheduled time. Arrangements to make up missed hours should be made.

## Dispute Resolution

If students encounter any difficulties with their placements, they should first approach the Placement Supervisor to discuss the issue. If the problem reoccurs or is not something they feel comfortable addressing, please contact the Externship Program Director, Gemma Smyth, [gemma.smyth@uwindsor.ca](mailto:gemma.smyth@uwindsor.ca), to discuss. Where appropriate, Windsor Law staff will intervene and address the issues with the placement organization.

## Human Rights

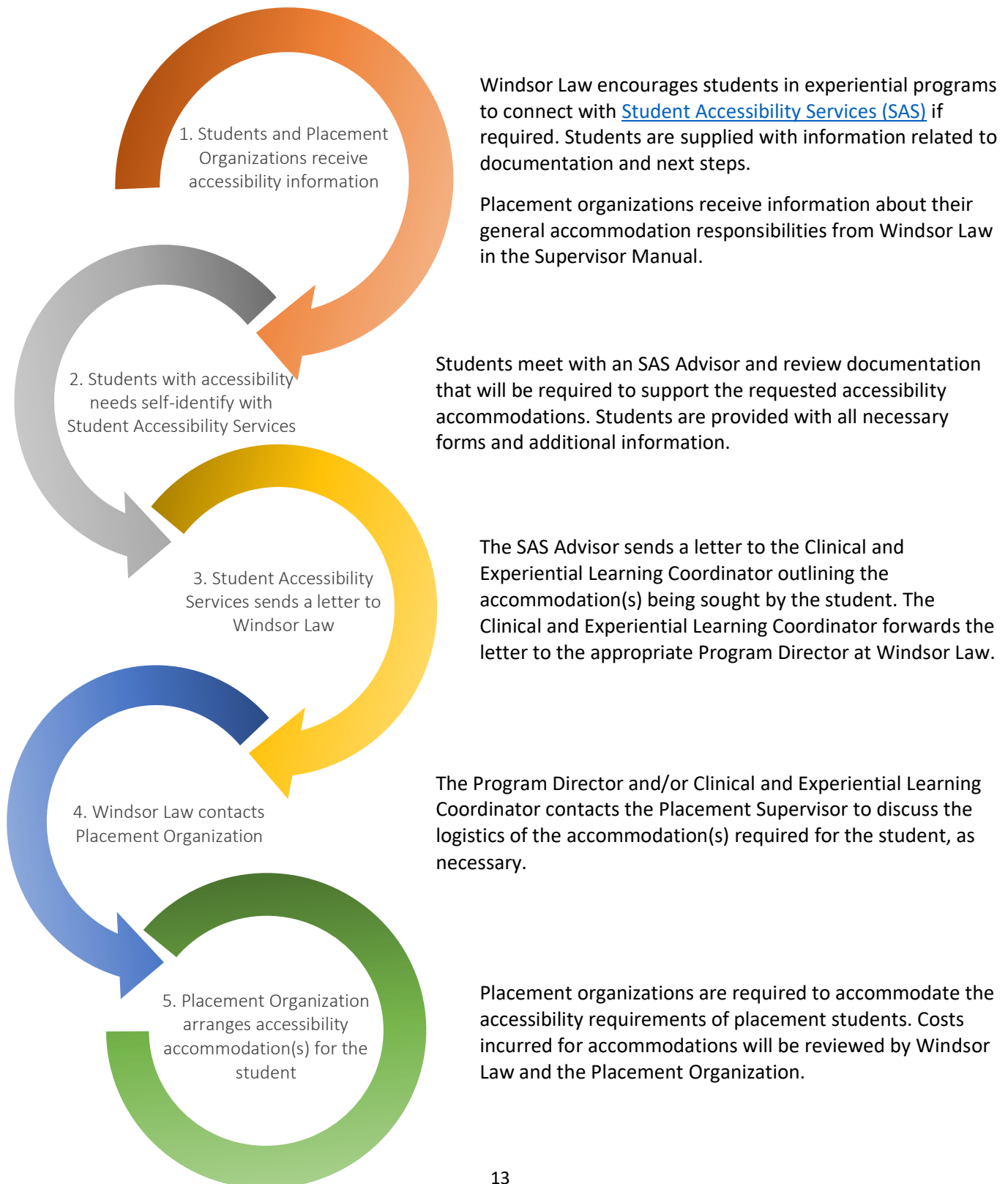
Placement organizations must be compliant with Ontario's *Human Rights Code* and student externs fall under the jurisdiction of this Code. Organizations may have their own additional Human Rights, Diversity, and other policies. Students should become familiar with any important policies.

## Legislation on Externs

According to the Ministry of Labour, the Employment Standards Act does not apply to an individual who performs work under a program approved by a College of Applied Arts and Technology or a University, or under a program approved by a private career college registered under the Private Career Colleges Act, 2005. This exception exists to encourage employers to provide students enrolled in a college or university program with practical training to complement their classroom learning.

## Accessibility

Organizations are required to accommodate the accessibility requirements of placement students. Student must self-identify with Student Accessibility Services on campus in order to have an accommodation implemented. Please see the diagram below for information on the Accessibility process for students and Placement Organizations.



## Professional Written Correspondence

Whenever sending a communication during the Externship placement or another work-related situation, it is important to ensure the message is professional. The following are guidelines regarding written messages at work:

- The subject line should concisely convey the purpose for writing.
- Include a greeting for the recipient. Unless explicitly asked to call someone by their first name, call them by their title. (e.g., “Dear Ms. Wilson,” or “Good Afternoon Dr. Miller,”)
- Keep correspondences as concise as possible. People tend to skim long emails, so only include essential information.
- Avoid ornate, playful, or colourful fonts that distract from the message. Avoid overusing bold and italics as well, which can make an email look cluttered. Do not write in all capital letters either, as this comes across as angry or overexcited. Do not include emojis in a professional email.
- Edit the email carefully before sending. The message should be distinct and concise. It should also be free of grammar and spelling errors. Avoid texting language and be sure to write in complete, proper sentences.
- Close the message with a “Thank you,” or other simple sign-off and then your name. An email signature listing name, title, and contact information is also very professional.
- Be sure the message is complete. Check that the subject line is filled in, that anyone who needs to be cc’d is included, and that any attachments are indeed attached.
- Check email regularly and acknowledge receipt of messages promptly. File messages for future reference.
- Never assume that email is private. Correspondences can be inadvertently misdirected or may be monitored by the placement organization.
- Each placement organization will have rules about use of email. For example, the organization might want students to use their email address. Some organizations have mandatory confidentiality statements included on the bottom of all their emails. Others have a notice about how to deal with emails inadvertently sent to the wrong recipient. Please review and abide by these rules.
- There will be confidential information in emails. Therefore, please avoid emailing in a public place or on a server that is not secure.
- Do not forward jokes, spam, chain letters, or advertisements. Students should use their email accounts for legal and ethical purposes only.

## By the End of the First Two Weeks: The Learning Agreement

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Within the first two weeks of class, the student extern will finalize a Learning Agreement in consultation with the Placement Supervisor. The extern will be expected to provide an initial copy of the Learning Agreement for review during the first meeting of the placement. The Placement Supervisor should review the document and provide feedback. This document should set out all the expectations for both the Placement Supervisor and student for the term. This document will be reviewed halfway through the term and at the end of the term. Due to the nature of legal work, there will always be changes to the Learning Agreement. This is to be expected. The key is good communication between the Placement Supervisor and the student extern.



### Arranging Weekly Supervisor Meetings

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Most Supervisors find it useful to schedule regular, weekly, short meetings with the student to assign tasks, review work, address any problems, and discuss future tasks. These meetings can be any length, but 15 minutes is usually adequate. Students will often take a bit more time at the beginning and decrease in required time as they become more experienced.

## What to Expect from Windsor Law

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The law school is here to support Externship students. We are happy to provide further training or information as required. We want to encourage good relationships between the supervisors and students, to give useful feedback, and otherwise assist. Please contact us should there be any concerns.

We look forward to supporting you!

## Contact Information

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With any questions or concerns, please contact the Externship staff:

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401 Sunset Avenue  
Windsor, ON N9B 3P4

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Manual Drafted	Aug 2018
Manual Updated	Jul 2022