



Windsor Law

University of Windsor

A photograph of two women sitting at a desk in an office. The woman on the left has curly brown hair and is wearing a dark blue blazer over a white lace-trimmed top. She is smiling and resting her chin on her hand. The woman on the right is wearing a purple and blue patterned hijab and a purple top. She is also smiling and looking at a laptop. The background shows office chairs and a window.

**EXTERNSHIP PROGRAM
SUPERVISOR MANUAL**



Windsor Law

University of Windsor

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Windsor Law
University of Windsor

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Dear Placement Supervisor,

Thank you for your time and expertise as an on-site Placement Supervisor with the Windsor Law Externship Program. Externships provide students the chance to apply what they learn in the classroom to real-life contexts. We understand that working with a student takes time and effort. We hope the connections you make with students, the opportunity to share your knowledge, and your contribution to the future of the legal profession will be meaningful.

The heart of an Externship is “learning from experience”. Students do this primarily with the support of their Placement Supervisor. This Manual will set out the basic contours of Windsor Law’s Externship program, including our policies and best practices for student supervision.

Our program is in its earliest stages, so we always appreciate feedback on what is working and what needs improvement. We also appreciate feedback as the term progresses with each student. Please connect with me to share any questions or concerns.

All the best for a successful term,

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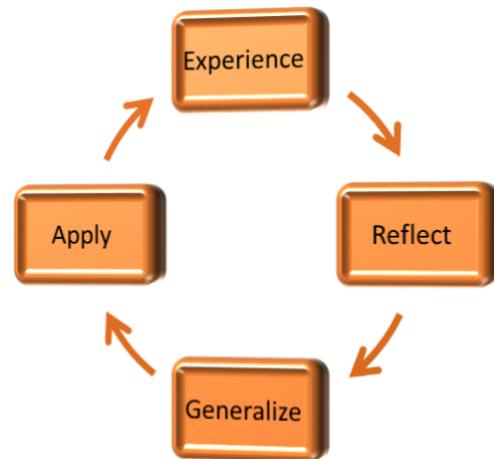
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Background

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.¹



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 their practical skills.

What is an “Externship”?

In an Externship placement, students learn in a workplace setting alongside an integration seminar. 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.

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

The Externship Program at Windsor Law

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

Externship Placement

Students work in either the Fall or Winter terms. Students are expected to spend 12 hours per week doing work related to the placement for a total of 4 credits. They should be in the placement site for a portion of their credit hours but are permitted to work off-site as the need arises and with the consent of their Placement Supervisor. 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, biweekly meetings, and a final presentation. Placement Supervisors are welcome to attend the final presentation at the end of the term.

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



What Should 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.*

Work-Related Assessments

- 1) Learning Agreement

This document requires the student to set out their competency goals at the beginning of the term. This document will form the basis of their 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) Mid-term 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. This document will be assessed on a Pass/Fail basis. A grading rubric will be provided to students.
- 3) End of Term Self-Assessment

This document will be reviewed by both the on-site Supervisor and Externship Director. This assessment requires the student to determine the degree to which they have met their learning goals. 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.

[These documents are available online under Materials for Students.](#)

Program Timeline

Event	Fall Term Timeline	Winter Term Timeline
Externship Applications open	May	October
Externship Applications due	End of May	End of October
Students are selected for placement positions in consultation with placement organisations; Experiential Learning Coordinator works with student and employer to ensure WSIB, licensing, police clearances, and other administrative issues are addressed	June - August	November - December
Students complete intensive education class, write Learning Agreement, and begin work at placement	First week of September	First week of January
Students complete Learning Agreement with Placement Supervisors	Second week of September	Second week of January
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.	Every other week in Small Group	Every other week in Small Group
Mid-Term Self-Evaluation is due, Externship Director meets with all students and placement organisations individually to check on learning goals, any issues in the workplace, and the plan for rest of term	Last two weeks of October	Last week of February, first week of March
Students end work placement, meet as a large group to showcase their work, End-of-Term Self-Assessment is due from students, and Pass/Fail grade is due from Placement Supervisors	First week of December	First week of April
Students and Placement supervisors provide feedback in a Program Evaluation	Second week of December	Second week of April

Choosing a Student

Windsor Law will issue a call for applications for the Externship Program and collect all application materials. The Externship Program Director reviews the applications and matches possible students with each placement, in consultation with the placement organisation. The Placement Supervisor will have an opportunity to interview the student(s) as they wish.

Competencies, characteristics, and/or experiences required by an organisation will be discussed with the Externship Program Director and included in the Placement Profile.

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.”

Should a police clearance be required, please be clear about which type of clearance as well as whether or not the student can commence their placement while the clearance is in progress. Keep in mind that depending on the volume of requests for clearances, vulnerable sector clearances can sometimes take 4-6 weeks and should only be required if the position will entail working with or around vulnerable sector clients of the organization.

Students can [apply for a police clearance online](#).

Responsibilities of Placement Supervisors

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, 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.

Policies and Procedures

1. Payment

The student should not be financially compensated for their work. Exceptions might include funding for travel or extra expenses incurred by the student. Students should not be offered nor accept honoraria.

2. Previous Employment; Working for Relatives

Students will not be permitted placement at an organisation 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.).

3. 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.

4. Scheduling and Timeline

Students will begin their placements during the first 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 on page 7 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.

5. 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. Regardless where they are placed, students must have access to an L1 licensed lawyer with LawPro insurance. In the former case, the lawyer must be on site. In the latter cases, 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 to include the student(s) under their license.

6. 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 Advanced Education and Skills Development (MAESD) provides insurance coverage for workplace injuries incurred by students participating in an unpaid work placement as part of their academic program. Should an organisation not be eligible for MAESD coverage, it may be eligible for private insurance. The Externship Program will provide the necessary paperwork to ensure all organisations have coverage, either WSIB or private. [Forms are available online under Materials for Supervisors](#). It is the placement organisation's responsibility to submit this documentation that includes an on-site safety evaluation.

7. Space

Students should have a space to work made available to them. They do not have to work on-site for the full 12 hours per week, but they should spend significant time at the work site. If students are required to work on a secure network at all times, please advise them in advance. Students may be asked to bring their own computer, as needed.



8. 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. Workplaces might choose to have students sign their own confidentiality agreement or adapt the draft on the Materials for Supervisors site. A sample Confidentiality Agreement is available [online under Materials for Supervisors](#).

9. Law Society of Ontario Rules

All students are expected to have read the LSO Rules in advance of the placement; understandably, they often experience challenges in applying these Rules. If there are Rules specific to your context that bear emphasis, please go over these with the student in advance of the placement, and throughout.

10. 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.

11. Attendance and Missed Shifts

Externship students will be instructed to contact their Supervisor as far in advance as possible if for some reason they will not be able to be present during a previously agreed upon scheduled time. In the unlikely event that the extern student misses a shift without warning or has poor attendance, please contact the Externship staff so that appropriate measures to correct the situation can be taken. Contact information can be found on page 15.

12. Dispute Resolution

If Placement Supervisors encounter any difficulties with externs, please first approach the student to talk about it. This will allow students to learn how they need to improve directly from you. If the problem reoccurs or is not something you feel comfortable addressing, please contact the Externship Director to discuss. Where appropriate, Windsor Law staff will intervene and address the issues with the student.

If a student isn't attending their scheduled shifts, please contact the Externship Director to discuss so that appropriate measures can be taken.

If the student has demonstrated unprofessional conduct or is not completing assigned tasks, please contact the Externship staff to discuss next steps and what appropriate measures can be taken.

Contact information can be found on page 15.

13. Human Rights

Placement organisations must be compliant with the Ontario Human Rights Code and student externs fall under the jurisdiction of this Code. If a duty to accommodate involves incurring a cost, this will be considered on a case by case basis with Student Disability Services and Windsor Law.

Organisations may have their own additional Human Rights, Diversity, and other policies. Please be sure that student externs are provided with these important policies upon commencement of their placement.

14. 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.

15. Accessibility

Organisations 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 Organisations.



A Guide to Effective Extern Supervision

Before the Placement Begins

Key to a well-functioning supervisory relationship is a degree of preparation. Below are some guidelines that will contribute to a successful Externship experience.

- 1) It is helpful to send a letter or email to the student(s) **confirming details** such as the start date, expected time of arrival and other information (how should they enter the building, where to report, etc).
- 2) At the beginning of the placement (and preferably before) students should read any relevant **workplace policies**. On-site Supervisors should arrange to either send these to the Externship Program Director or to the student directly. This might include opening hours, alarm system information, file opening and closing policies, or any other important information.
- 3) Determine what **space** the student should use (desk, computer, passwords, etc.).
- 4) Gather any **resources** such as keys, copy codes, or anything else the student will need to complete their work.
- 5) Determine to whom the student is **reporting**. If the student has more than one Supervisor, choose one who will provide primary oversight, help prioritize, and serve as the point person for the law school.
- 6) If there is **support staff**, indicate the relationship between the support staff and student.
- 7) Request an **email account** for the student if needed.
- 8) Prepare the student's **first assignment** and gather any materials (precedents, samples, etc.) that will help the student get started.
- 9) Plan ahead for **events or proceedings** such as shadowing, future assignments, hearings, meetings, and so on. If there any long-term goals, provide them to the student as early as possible.
- 10) Some placements have **dress codes**, while others leave it to the student's discretion. If there are specific dress code expectations, please advise the student in advance of the placement.

First Day Orientation

- 1) Be present to **greet the student**, or if the primary Supervisor cannot be available, arrange for someone else to be present.
- 2) Provide an **office tour** and introductions to staff.
- 3) Tell the extern how to **contact Supervisors**, including cell phones if appropriate.
- 4) Explain the **office's mission**, structure, and any issues critical to working with the client population.
- 5) Explain the **role of the extern** in furthering the workplace's mission.
- 6) Expressly discuss **confidentiality**. If the Placement Organisation has a confidentiality agreement, ask the student to sign it.
- 7) Complete the **Safety Orientation Checklist** with the student ([available online under Materials for Supervisors](#)).
- 8) Brief the student on **office protocols** regarding attendance, punctuality, security, safety measures, filing systems, routing phone calls, dress code, computer usage, use of research programs, etc.
- 9) Ask the extern to **post information** such as work hours, email address and cell phone contact.
- 10) Ensure any **paperwork** provided by the law school is completed ([all forms are available online under Materials for Supervisors](#)).
- 11) Invite the extern to any staff or client **meetings** as relevant.
- 12) Schedule an **initial 'get to know you' meeting**. Generally, the better the relationship, the better one another's expectations will be understood.
- 13) Assign an **initial task** including a due date and clear expectations.

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

Within the first two weeks of class, the Placement Supervisor and student extern will finalise a Learning Agreement ([available online under Materials for Students](#)). 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.

Defining and Explaining Work Assignments

Even when there are several Supervisors assigning work, one person should act as the primary Supervisor and should be aware of all the tasks assigned to the student. Some students can manage a very high volume of work, while others require more time. Communicating about volume of work and prioritizing work will be key to a successful relationship.

When assigning work, Supervisors should:

- 1) Include an adequate description of the work required, including the preferred format of the finished product,
- 2) Provide factual and contextual background,
- 3) Clearly explain the purpose or objective of the assignment,
- 4) Provide a realistic time frame for completion (generally, triple the amount of time it would take you to complete a task),
- 5) Suggest possible reference materials and/or precedents, and
- 6) Include whether they will be available for questions or otherwise who the extern should consult. If a supervisor only wants the student to contact them at a certain time, it should be indicated. If a supervisor wants the student to contact them on an as-needed basis, let them know. Indicate how the student should contact you (ie. email or in person).



Arranging Weekly Student Meetings

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.

Providing Feedback

- 1) Timely feedback is preferable. The “FAST” model is a good practise:
Frequent, Accurate, Specific, and Timely
- 2) Provide effective feedback. Externs often believe that if they receive no feedback they are doing a good job. They will repeat their errors until corrected. Giving constructive feedback can be a difficult balance. Here are some tips:
 - a. The “Sandwich”: giving good feedback, constructive feedback, and end with a positive. The Good/Constructive/Good sandwich might be: “Thank you for submitting the assignment early and in the proper format. You missed X legal argument, so please add this to the next draft due next week. This will probably require an additional 5 hours of work. I am confident the assignment will be ready for submission next week.”

- b. Provide a limited number of suggested improvements in one meeting.
- c. Check that the student understands the feedback and how to improve. We ask students to always confirm that they understand feedback, so please encourage this good habit.
- d. Remain open to the possibility of improvement. Sometimes you might 'give up' on a student after a questionable first assignment. Because this is a learning experience and likely the student's first encounter with real life legal work, they often will improve quite a lot over time.
- e. Supervisors may also wish to encourage students to self-assess. Ask them what they thought could have been improved in their performance. What was challenging? What could be different next time?
- f. Keep in mind that most knowledge gained through your own experience will be new to the student. Consider questions such as:
 - What are my own professional values? How do I bring this to my practice?
 - What is most frustrating and, conversely, most rewarding about my work?
 - How did I learn in practice? What would I have liked that to be different?
 - What parts of practice do I enjoy? How do I achieve happiness and satisfaction in work? and what did I enjoy?

Creating Opportunities for Learning

People are usually motivated to do their best work when they understand the value of the work and the context of the work they are doing. Why and how is the work important? What role are they playing? Along with giving assignments, supervisors might wish to invite the student to observe them or others and see the full range of tasks that a lawyer accomplishes.

Of course, there is a wide range of tasks in any law office, clinic, or non-profit. Supervisors could consider including the extern in one or more of the following tasks:

- | | |
|--|---------------------------|
| • Client interviewing and counseling | • Hearings/trials |
| • Witness interviewing and preparation | • In-chambers discussions |
| • Fact investigation | • Staff meetings |
| • Case strategy discussions | • Community meetings |
| • Meetings with co-counsel | • Depositions |
| • Negotiations/mediations | • Webinars/CPD |



Communication and Power

The placement organisation may be an open and friendly workplace; nonetheless, students are at a significant power imbalance. They may be relying on Placement Supervisors for a good mark, positive feedback, a good reference, articling, or a future job. Students are often aware of their place in the office and can be afraid to ask questions for fear of appearing incompetent. Providing opportunities to speak openly and honestly will encourage better professional relationships.

Claiming Continuing Professional Development Credits from the Law Society of Ontario

A minimum of 30 days prior to the start of the Externship Program at the beginning of the term, supervising lawyers at Placement Organisations may claim CPD credits from the LSO by filling out the Mentoring section of an Application for Accreditation – Alternate Eligible Educational Activities, along with Appendix A of the application form, and providing a program outline. These documents should be submitted to cpdacc@lsuc.on.ca. [Further details and the necessary documents related to CPD Accreditation are on the Law Society of Ontario's website](#). Applications submitted in a timely and complete fashion will receive a response in approximately 15 business days of receipt from the LSO.

What to Expect from Windsor Law

The law school is here to support all Placement Organisations and Supervisors. We are happy to provide further training or information as required. We want to encourage good relationships between the supervisors and student(s), to give useful feedback, and otherwise assist. Please contact us should there be any attendance, behaviour, or other concerns.

The Externship Program generally interviews and selects students; however, some placement organisations choose to interview students themselves. We are open to either option, or a combination of both?. Windsor Law also conducts pre-placement training and regular check-ins with students.

We are grateful for your time and work with our students and look forward to supporting you.

Contact Information

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

Windsor Law
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