

Tips for Engaging with Remote Externs

Est. Summer 2020

Due to COVID-19, we know that many Denver Law externs are working remotely, which means many supervisors are also teleworking and still responsible for overseeing extern engagement. While it is becoming more common for lawyers to telework, it remains uncommon for newer lawyers (let alone student learners) to have this option. This will be great practice for externs' future careers, but for many externs and perhaps some supervisors, this is a major adjustment. To help externs be as successful as possible and to help support you as their supervisor during this challenging time, we share the following tips and best practices for working with remote externs.

Please note: even with unique working arrangements, students will still be required to log hours, set learning goals, complete reflective work, and meet with externship faculty. We will also continue to ask you as the supervisor to confirm your extern's learning goals and complete an online evaluation about their work at the end of the semester.

More broadly, if you have questions, concerns, or need help in navigating this new dynamic, do not hesitate to reach out to the Denver Law externship team via email or phone (our office phones forward to our cells during remote engagement):

- Prof. Alexi Freeman (Director), afreeman@law.du.edu / 303.871.6788
- Prof. Kristen Hulse, khulse@law.du.edu / 303.871.6177
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Acknowledge the Challenging Situation We Are All Facing as Individuals, as Workers, and as a Profession

- Externs often think supervisors are invincible. While they know, technically, this situation is new for everyone, they tend to think experienced lawyers have it together. Acknowledging and admitting that this is an unprecedented situation that causes challenges and stress, and requires creativity and flexibility, will go a long way towards setting the extern at ease and building a more trusted, authentic relationship.
- When possible, engage externs in thoughtful dialogue about the pandemic's effect on the work, your office and practice area more generally, and our profession.

Engage in Pre-Planning, including Hosting a Robust Orientation Meeting

- You can set the stage for a successful summer through pre-planning that accounts for student and organizational needs and your own professional preferences.
- For example, we suggest that you take time to understand the student's preferred schedule and availability to be online this summer, home office set-up (technology and workspace), and learning goals/practice interests, as this may dictate the types of assignments you give your student. You should engage in this dialogue over the phone or by video, as this is an opportunity to make a personal connection and to build excitement for the work ahead.
- You should likewise consider your own preferences, including how a student should contact you with questions (e-mail, phone, or text).

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- Think about what a student should do during “down time” and consider pre-selecting at least one larger research project, plus on-demand trainings, so the student can be self-directed during any time lags.
- Consider the types of resources your organization can provide (research databases, training materials, communication systems, professional email account), how the student will access and store files, etc.
- Identify some colleagues to whom you would like to (virtually) introduce the student this summer – consider setting at least one such meeting each week; you may also like to assign a junior virtual mentor to serve as an additional resource and touch-point for the student.
- The day-one orientation meeting is an opportunity to take the guesswork out of navigating the remote experience. This can cover technical and more personal aspects of the summer experience. For example, you can share your pre-planning decisions, explain ethical considerations for the remote scenario, describe the assignment process, and convey the broader context for your student’s work this summer. We suggest that you follow up with a memorandum that can serve as a reference guide for the student when working remotely this summer.

Set Up Regular Check-Ins

- As you know, we always recommend that supervisors have weekly meetings with externs to help answer questions, ensure externs are on track, deliver feedback and give new assignments, and to connect more generally. This practice has never been more important.
- We recommend that you at the onset of the externship, you organize a set day/time each week to meet with your extern(s) via a video chat ideally or at least via phone for 30 minutes or more. To help make these meetings most efficient for you, consider setting an agenda or asking the extern to do so. We recommend giving it a few weeks before the extern sets the agenda. Either way, an agenda ensures the meeting is as focused as possible and everyone can prepare in advance.
- Consider that your meeting should have two clear parts: a check-in on the personal and a check-in on the professional (the work and the engagement). Things to discuss include: personal well-being check-in (for both you and the student!), workload, status of projects, status of communication with other lawyers/supervisors, feedback (giving and getting), assessment of student’s hours/commitment, checking in on the student’s goals, online engagement, events/trainings to calendar, and more.
- You might also consider asking the student to send you an update at the end of the week on the status of projects.

Help the Extern(s) Set Up a Work Schedule

- With remote work, it is harder to know when people are working and what else they may have going on. We strongly recommend you discuss a set schedule with your extern in advance. This could be centered on the total number of hours the extern will work per week, the number of days the extern will work per week, and/or which days (and which hours) the extern will work per week. While some flexibility is needed during these challenging times, externs tend to work better, even when situated in an office, when they have a clearly defined schedule. This will also ensure they are available for meetings and calls as they arise and can help you with scheduling these in advance, per the comment below on meeting engagement.

Check In On Any Additional Responsibilities and Real-Life Constraints the Extern May Have

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- While they will be working remotely, of course externs are expected to adhere to their schedule and work responsibilities. With that said, given this ever-changing situation, ask about what other responsibilities externs may have during this crisis – parental responsibilities, caring for an older aged parent, and the like. Offer some flexibility to show support and display empathy, even if you also are experiencing challenges. Understanding their situation and recognizing additional challenges that they face can help you get to know them better and to adapt expectations if appropriate and needed.

Don't Forget to Include the Extern in Virtual Meetings/Calls As Much As Feasibly Possible

- Remote work generally eliminates your ability to pop by an extern's office area and invite them to a meeting at the last minute. When you can, plan ahead and notify the extern of such meetings so they can be available or shift something around if needed. Externs will really miss the camaraderie of an office and the ability to "tag along" with supervisors. To the best of your ability, try to virtually include them in anything and everything appropriate.

Help the Extern Prioritize by Setting Deadlines and Supporting their Daily/Weekly Goals

- We have advised students to think about what they tangibly hope to accomplish on specific days and during an entire work week while in a remote placement. You can help them do this effectively by offering prioritization among projects and by setting up clear deadlines. Sometimes supervisors don't want to have firm deadlines to avoid pressuring the extern. With remote work, deadlines (even if there is some flexibility) are critical to help keep externs focused, on task, and motivated. If externs are juggling multiple assignments from multiple supervisors, this is even more important.
- You could consider asking externs whether it is worth sharing their daily or weekly goals with you in advance so you know they are on track and so that you can help them prioritize if needed.

Ensure Externs Have Access to Appropriate Files and Relevant Contact Information

- If externs need access to a shared drive or email account, try to set this up in advance so that they are ready to work. If they have issues with any of these technologies, be sure to let them know who to contact (whether you or another professional at the office).
- Relatedly, if you will be unavailable, who is the extern supposed to engage with if something arises? Be sure externs have names/contacts of individuals they may need to work with regularly or reach out to on occasion.

Establish a Plan for Saving Documents, etc.

- Develop a system for how you would like the extern to save and share their work. Are there certain naming formats? Should they email or upload their work product?

Help Externs Understand Ethical Rules, Especially Confidentiality

- In the externship program we always discuss relevant ethical rules, but we ask that you ensure externs understand any specific rules you may have – particularly if the student will be working remotely, because this may raise additional concerns regarding confidentiality and avoiding the unauthorized practice of law (UPL).

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- For example, with regard to maintaining confidentiality, you could ask that externs identify a private location where they cannot be overheard when they are on calls, use headphones (not speaker phone) when on calls or listening to web-based meetings, keep a “clean desk” policy (e.g., not leaving documents left open on a computer or physically on a surface), and are mindful of the presence of any listening devices (e.g. Alexa).
- You can also consider assigning work that does not include confidential information.
- As in typical semesters, you can help prevent UPL by being careful about the tasks you assign students to work on alone. In the remote context, since there may be time lags while the student is waiting to hear back from you, identifying what they are permitted to do without your involvement, and who the student may consult with questions, should help mitigate UPL concerns.

Think About Diversity in Assignments

- Now, more than ever, try to think about a variety of assignments to offer the student. For example, research and writing could consist of memos, contracts, litigation documents, legislation/policy work, case summaries, article summaries, client communication, notes from trainings, and presentation prep, among other ideas. Rapid response work can also be useful. Consider also work in relevant, but non legal aspects of your office such as media, fundraising, and business development. Observation opportunities, especially coupled with a debrief, can be informative. We certainly don’t want students observing all of the time, but observing meetings, strategy sessions, virtual hearings, and webcasts can be instructive. Finally, consider whether the student can hone oral advocacy skills by doing any formal or informal presentations.
- Group projects among externs can also be instructive and are a way to foster community.
- Consider having a bank of long-term assignments that the extern can access and work on while they are waiting to receive feedback. We want students to be busy and to be able to regularly contribute.

Continue to Share Feedback in Multiple Different Ways

- Whether it is offering tangible feedback on written product or giving feedback on conduct during a meeting, externs really want to learn and want to hear your thoughts. The set meeting is a great time to discuss how the extern is doing. But in addition, acknowledging work product when it is received, sharing the final documents that are filed/submitted, and, when possible, inputting track changes/comments into their documents, can really help them learn and create an improved work product next time.
- Reviewing constructive feedback over email without any context can be difficult. We suggest when possible that you share constructive feedback via a video conference. Of course, a track changed document is useful but again, consider whether a short chat discussing the document would be helpful for understanding and for digesting the feedback, especially given the different type of relationship remote externs and supervisors may have.
- Relatedly, celebrate success – whether for great work product or simply for completing a very intense project – this will help motivate externs and let them know what do keep doing!
- In appendix I and II, we include some of our suggested strategies for delivering constructive feedback. We are happy to discuss these in more detail with you at any point.

Consider Zoom-Based Networking and Mentoring Events and Virtual Trainings

- Externs really cherish the professional development, networking, and career guidance they receive from supervisors and team members. If possible, consider hosting a small handful of zoom sessions over the lunch

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hour or via a virtual coffee chat that discuss jobs in your field, useful connections and associations, and offer other networking and mentoring advice to externs.

- Externs will be able to review training materials on their own, but if you would normally host in-person training sessions, consider whether you can adapt such trainings to video or phone to allow for real time engagement and feedback.
- You could also consider having sessions with junior lawyers at your office and other sessions with senior lawyers, given the different dynamics that often occur.
- Conversations about ethical rules, business development, pro bono, current events, and more can be really enriching for students. These are the sorts of conversations that would organically happen in an office. While we know it won't be the same, some organized sessions are helpful for trying to recreate those chats.

Organize FUN!

- Don't forget to try and organize some non-work focused opportunities for students, lawyers, and other staff to connect. This is often how relationships are developed! Book clubs, trivia nights, game nights, and virtual happy hours, among other ideas, are all good options. These websites offer some good ideas for icebreakers and games to play while connecting virtually: <https://museumhack.com/list-icebreakers-questions/> and <https://www.jackboxgames.com/>. You can use the breakout room function in Zoom to help coordinate teams. Law students are competitive!
- Celebrate little things – birthdays, milestones, and more – and allow law students to join in the fun.

Connect Whenever You Can

- It is so hard to develop new relationships virtually. We know you are under a lot of stress and that this entire remote format is new for many of us. Externs will appreciate any outreach, check-ins, and any other ways you can show that you care, that you want to get to know them, and that you are happy they are contributing.

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Appendix I: Constructive Feedback Framework

FAST

- **F**requent
- **A**ccurate
- **S**pecific
- **T**imely

BAM

- **B**ump it
- **A**lways focus on the good first, room for improvement second
- **M**ake them better

SKM

- What you should **S**top doing
- What you should **K**eep doing
- What you should do **M**ore of

AID Strategy

- **A**ctions: specific observations
- **I**mpact: result of the actions
- **D**o: mutually agree on alternative approaches for the future

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Appendix II: Feedback Outline Worksheet

1. Write out two key points that you want to address.

a. _____

b. _____

2. Write out two positive observations.

a. _____

b. _____

3. Transition to constructive feedback.

4. Two areas for improvement/development.

a. _____

b. _____

5. Agreed upon action steps and notes.

