



Policy for Experiential Courses

A. Requirement:

A requirement for the J.D. degree is that a student successfully complete at least six hours of experiential course credit, in accordance with ABA Standards 303 and 304. An experiential course must be a simulation course, a law clinic, or a field placement. Students are permitted to earn more than six experiential credits, consistent with the Minimum Number of Classroom Credits Required for Graduation Policy. Courses designated as experiential courses are identified as such in the Course Catalog,¹ the Graduation Requirement Checklist, Individual Course descriptions, and on specific webpages for the College of Law.

B. Definitions and Course Descriptions:

The following terms carry specific meaning under ABA guidelines and Stetson policies:

1. **Law clinic**² is a term reserved for a course where “a significant part of the learning involves students assuming the role of a lawyer representing actual clients, or performing other lawyering roles, under the supervision of an attorney who is a law school faculty member (full-time, part-time, or adjunct), fellow, or staff attorney...”³ A law clinic course is structured with a low student-to-faculty ratio “in order to allow faculty to rigorously supervise legal work, provide on-going and cumulative opportunities for student self-evaluation and provide on-going, individualized feedback to students on their performance, both distinguishing features of law school clinics.”⁴ Absent extraordinary circumstances, full semester law clinics are structured to include at least a three-credit-hour experience.⁵ Field hours and classroom time should be commensurate with credit awarded for the experience in compliance with ABA guidelines. The required classroom component should address “substantive or procedural areas of law, ethical rules, lawyering skills and theory, and case rounds” [and] “employ signature pedagogies such as simulations, role plays, case rounds and opportunities for students to reflect on the larger social and political context” of their experience.⁶ A signature part of the clinical course includes multiple opportunities for students to engage in regular self-evaluation and reflection.
2. **Externship course**⁷ is a term reserved for courses in which a significant part of the learning occurs in the field, where students are placed in an approved legal placement

¹ Currently available through the links on the College of Law Registrar web page.

² ABA Standard 304(c).

³ <https://www.aals.org/wp-content/uploads/2017/05/AALS-policy-Vocabulary-list-FINAL.pdf>

⁴ *Id.*

⁵ The Advanced Veterans Clinic is the only *current* exception which allows students to enroll in either a 2 or 3 credit clinic. It is anticipated that other Clinics in the future may be 1, 2 or 3 credits subject to approval by the Curriculum Committee.

⁶ *Id.*

⁷ ABA Standard 304(d). The standard refers to field placements. The College of Law has chosen to use the term Externship for this type of credit offering.

office under the supervision of a practicing lawyer or judge and perform lawyering roles. The supervising attorney or judge must provide direct feedback and assessment of the student performance to the full-time faculty member who oversees the course. A memorandum of understanding is signed at the beginning of the semester by the supervisor, faculty member, and student. The terms of the memorandum of understanding must include an agreement that the practicing attorney maintains ultimate responsibility for the client or legal matter and focus for the student experience is academic. The faculty member responsible for the course provides regular oversight to ensure educational achievement and sufficient control of the student experience to meet academic requirements. Students are expected to engage in guided reflection and evaluation.

3. **Simulation course**⁸ is a term reserved for courses designed where the main purpose of the course is to provide an experiential opportunity to the student. The course integrates doctrine, theory, and skills “using simulated fact patterns rather than real time, real world problems.”⁹ The course does not involve an actual client but does offer an experience reasonably similar to the role of a lawyer in practice. Students are offered multiple opportunities to perform wherein direct supervision and feedback is provided from the faculty member. Students are expected to engage in regular self-evaluation and reflection. Stetson has a longstanding history of offering courses labeled as “skills courses” that integrate a practice design into the course structure. These courses may fall within the ABA guidelines of “simulation courses” and qualify as an experiential course upon approval and review of the Curriculum Committee.

C. Uniform Standards for All Experiential Courses:

In accordance with ABA Standards, all experiential courses shall be designed with the main organizing principle as a course primarily experiential in nature. An experiential course must integrate doctrine, theory, skills, and legal ethics and must engage students in performance of one or more professional skills. The course must also develop concepts underlying the professional skills and provide multiple opportunities for student performance that allow for feedback from faculty members or supervisors. Experiential courses must provide opportunities for self-evaluation and regular reflection. Such individualized practical experience gives the student a sense of professional responsibility that is indispensable to successful law practice.

D. Credits for Experiential Courses:

All experiential courses must comply with the College of Law Credit Hour policy. Under the Credit Hour policy, for externships and clinics, field hours are counted as part of academic experience and students are required to track and verify their hours. The number of hours both in and out of the classroom required per credit and such hours must be commensurate with the time and effort required to ensure the quality of the academic experience.

Externs may pursue an externship for variable credit provided that the host site and professor are agreeable to the terms of the credit and required field hours. Students must decide upon their credit enrollment by the add/drop period and provide a weekly schedule for the semester to the

⁸ ABA Standard 304(b).

⁹ *Id.*

following contacts: 1) field office supervisor; 2) overseeing professor 3) The Office of Clinical and Experiential Education.

Clinic students may pursue a clinic for variable credit provided that the clinical professor agrees to the terms of the credit and required field hours. Students must decide upon their credit enrollment by the add/drop period and provide a weekly schedule for the semester to the clinic instructor and also submit the Office of Clinical and Experiential Education. Students may earn a range of credits in clinic courses, a minimum of 3 credits and a maximum of 5 credits.

E. Internal policies specific for each type of experiential course:

The creation and oversight of internal policies for each type of experiential course is the responsibility of the Academic Dean, the curriculum committee and the Director of Clinical and Experiential Education. Internal policies are necessary to ensure compliance with ABA standards and Stetson's dedication toward excellence in advocacy. Professors seeking approval for experiential courses shall submit a proposal to the Curriculum Committee for review.

F. Approval for Experiential Course:

A faculty member may petition the Curriculum Committee to approve a course as an experiential course. No further faculty action is required after Curriculum Committee approval.

A faculty member's petition should explain thoroughly why the course meets the requirements for an experiential course under ABA Standard 304, including the requirements of Standard 304(a).

Approved by faculty on December 17, 2019. Amended April 21, 2021.