

# RULE IX: LEGAL RESIDENCY PROGRAM

## A. DEFINITIONS

1. Legal Residency means a UNH Franklin Pierce School of Law (UNH Law) curricular offering through which students earn academic credit while developing legal and professional skills under the close supervision of a practicing lawyer or other professional.
2. Faculty Supervisor means the full-time or part-time faculty member who has responsibility for assuring that the legal residency is created and conducted so as to achieve the purposes of the legal residency program, as specified in subdivision B below.
3. Legal Residency Director or Director means the full-time faculty member directing UNH Law's legal residency program.
4. Student means, for the purposes of a legal residency, a student in UNH Law's or another law school's Juris Doctor program who is enrolled in a legal residency.
5. Field Supervisor means a qualified professional practitioner who has immediate responsibility for supervising the student in his or her legal residency.

## B. PURPOSES OF THE LEGAL RESIDENCY PROGRAM

1. The purpose of the legal residency program is to, among other things:
  - a. give students opportunities to apply classroom knowledge in real-world legal settings;
  - b. help students develop legal skills, professional competencies, and characteristics necessary for practice and begin the transition from a student to a legal practitioner;
  - c. teach students to be thoughtful and self-directed about personal development; and
  - d. educate students about different types of legal practices and careers.
2. A legal residency should provide the student with opportunities to, for example:
  - a. learn legal doctrine and theory, and about practice and procedure;
  - b. develop or hone fundamental lawyering skills and professional values such as those described in the "MacCrate Report"—the Report of the ABA Task Force on Law Schools and the Profession: Narrowing the Gap and the "Foundations for Practice" Report of the Educating Tomorrow's Lawyers Initiative at the Institute for the Advancement of the American Legal System;
  - c. observe experienced attorneys, judges, and other professional practitioners;
  - d. begin forming a professional identity;
  - e. cultivate independent professional judgment and practice exercising such judgment;
  - f. reflect about his or her field placement experience; and
  - g. recognize and take steps to address ethical problems.

## C. ENROLLMENT IN A LEGAL RESIDENCY

### 1. Eligibility.

- a. **During the fall and spring semesters.** To be eligible to enroll in a legal residency during the fall or spring semesters a student must have:
  - i. completed a minimum of 28 credit hours toward the J.D. degree program;
  - ii. satisfactorily completed the Professional Responsibility course requirement for earning the UNH Law Juris Doctor degree, unless the student will be in an approved judicial residency and concurrently enrolled in Professional Responsibility and the judicial residency; and
  - iii. a cumulative GPA of 2.5 or better for an 11 credit legal residency.
- b. **CASS Approval.** Any student who is within the jurisdiction of CASS, as set forth in Rule VI, must seek CASS approval in the semester prior to registering for the legal residency program.
- c. **Legal Residency After Visiting At Another Law School.** A student shall not enroll in a full-time legal residency in the semester before or after that student has been, or plans to be, a visitor at an approved law school other than UNH Law. This provision may be waived by a joint decision of the Assistant Dean of Students and the Associate Dean of Academic Affairs only for a compelling reason.

2. **Academic Credits.** Students may apply up to fifteen (15) credit hours earned through legal residencies toward the eighty-five (85) credits required for the Juris Doctor degree.
  - a. **Credits earned for work at the field placement.** During the fall and spring semesters, as defined in Rule I, D(2), students are awarded the following clinical credits for the time spent at the legal residency: 16 hours/week earns **4 credits**; 24 hours/week earns **6 credits**; 40 hours/week earns **11 credits**.
  - b. **Legal Residency Class.** Students enrolled in a legal residency must concurrently take a one (1) credit legal residency class. The one (1) credit does not fall within the fifteen (15) credit cap for legal residencies or the eighteen (18) credit cap for clinical work. See Rules I, (B)(4) and VIII, (D).
  - c. As set forth in Rule X, legal residency or externship credit earned while visiting at an approved law school other than UNH Law is governed by the host school's academic rules and requirements, subject to UNH Law's requirements for transfer of credits.
3. **Approval.** All legal residencies must be approved by the Legal Residency Director or her/his designee. Approval is within the Director's sole discretion. The Director will provide the student written notice of basis for denial, and the student may appeal the Director's decision in accordance with Rule XII within 10 days of receiving the written denial. Students should consult the Legal Residency Policies for further information on the approval process.
4. **Registration.** After the Director approves a legal residency, the student must enroll in the appropriate legal residency and in the 1 credit legal residency class. Students may only enroll in one legal residency per semester.
5. **Grading.**

- a. The professor teaching the legal residency class determines the clinical and class component grades.
  - b. In accordance with Academic Rule IV, B(6), grading for the clinical and class component is Satisfactory (S) or Unsatisfactory (U), or Outstanding (O).
6. **Disenrollment.** Participation in the legal residency program is a privilege, not a right. The Legal Residency Director may disenroll a student from the Legal Residency and/or the Legal Residency Class for any of the reasons set forth in Rule II, (C)(6), or if the student has engaged in conduct that is A) in violation of the school's Conduct Code; B) criminal; C) unethical, or; D) unprofessional as defined in the Legal Residency Policies and Procedures.
7. **Compensation.** Effective January 2017, students in legal residencies approved by the Director may receive both academic credit and compensation for work performed in the legal residency so long as (a) the Field Supervisor agrees to sign and abide by a Legal Residency Agreement and (b) the Director concludes that the Field Supervisor (i) is committed to the legal residency program's educational purposes, (ii) is willing to ensure that the program's purposes are fulfilled and to abide by the field supervisor's handbook, (iii) is ready and able to provide regular supervision and feedback to the legal resident, and (iv) understands that effectively supervising a student in an educational program is different from supervising an employee.

(Rule IX revised by faculty 12/15/2016)