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THE VENABLE-NYLS

Summer Associate Simulation Program

May 2020

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The Venable-NYLS Summer Associate Simulation Program is a 3-credit, specialized, eight-week summer law and leadership training program exclusively for New York Law School students entering their second, third, or fourth years of law school.

Venable LLP is the program sponsor, and alumnus Michael Volpe '90, Co-Chair of Venable's Labor and Employment Practice Group, is a key advisor and supporter. Through the program, Venable LLP partners and senior associates from a broad and diverse array of backgrounds will work under the supervision of NYLS faculty.

The program will teach students legal practice and leadership skills—including the skills needed to join lawyers on the frontlines of COVID-19 assistance in fall externships and jobs. It is a simulated Big Law summer associate experience at a virtual law firm that NYLS, in consultation with Venable, will build and implement online. Summer Associates will be placed in one of three practice-based tracks (called "Practice Groups") at the virtual firm and will attend weekly lectures, leadership workshops, and staff meetings with their supervisors. Each of the three Practice Groups will be led by faculty members, who will directly oversee all aspects of the course and provide students with significant and ongoing opportunities for performance, feedback, and self-reflection.

The 2020 program will run from May 27 to July 15 and will enroll 120 students, approximately 40 in each practice group. Acceptance into the competitive program is by a formal job application—specifically a standard cover letter and resume in which students explain why they want to be a Summer Associate in a specific practice group. Students accepted into the program will receive a merit scholarship for the entire 3-credit course. Course expenses will be paid through private philanthropy. Professor Howard Meyers will serve as the course convener, as well as the Corporate Practice Group Chair.

Students will come away from their program experience with 1) a formal work entry on their resume in their area of specialization for Summer 2020, 2) 3 experiential learning credits to count towards graduation, 3) at least two substantive writing samples, 4) a letter of recommendation from their supervisor based on high performance, 5) a certificate of completion for the leadership training workshop program, and 6) an expanded professional network.

THE PRACTICE GROUPS

Three Practice Groups will form a virtual legal ecosystem, offering opportunities for students to gain applied experience in their chosen area of specialization, as well as engage in a cross-cutting capstone project in collaboration with students in other areas of specialization. Led by faculty members responsible for providing substantive coordination and class facilitation, and direct and ongoing supervision and feedback, the three Practice Groups are:

- 1. Corporate Law:** Focuses on representing the private/corporate client and the development of skills for transactional, real estate, IP, and regulatory practice.
- 2. Government Affairs and Policy:** Focuses on representing the government client as outside counsel and the development of skills for counseling, regulatory, and legislative practice.
- 3. Litigation:** Focuses on pro bono representation in impact litigation, representation of individual clients in private matters, and the development of litigation advocacy skills.

The intensive course will employ elements of both traditional seminar and simulation courses. The course will use the COVID-19 pandemic as a backdrop, and the Summer Associates will, in this context, develop skills and solve legal, policy, management, and political problems related to the areas of law described above. Students will engage in extensive research and writing under the supervision of faculty, as well as the practicing lawyers who will assign work, mentor students, and review student work product. For the purpose of simulated assignments, clients will include private institutions (banks and companies), individuals, and state and municipal governments. Clients may also include general counsels and/or individuals in their personal capacities.

Students will also maintain a weekly reflection journal of their experience both in undertaking their supervised legal assignments and attending the leadership workshops.

CLASS STRUCTURE

Each Practice Group will be managed as a separate section of the overall program. Each small section will be led by a member of the full-time or adjunct faculty at NYLS who will be responsible for providing ongoing and direct supervision and feedback, as well as opportunities for student self-reflection. These faculty members will oversee and direct all of the activities of the Practice Group and will be known as "Group Chairs." Each practice area will have five practicing lawyers (known as "Partners" or "Senior Associates") coordinated by the Group Chair. Each of these five Partners/Senior Associates, a number of whom will be actual partners or senior associates from Venable, assisting NYLS pro bono, will be responsible for delivering one lecture-based class on a specific area of substantive law to all Summer Associates; designing one short written exercise related to their lecture for Summer Associates to complete; and facilitating one research and planning-based class related to the exercise they designed. These written exercises, depending on the Practice Group, could entail memo writing, contract analysis, drafting regulatory comments, motion drafting, drafting legislation, drafting executive orders, drafting agency directives, drafting client letters, developing client presentations (PowerPoint), drafting public statements (including talking points), and press releases.

SUPERVISION AND ASSESSMENT

In addition to lecturing and problem design, the Partners/Senior Associates, under the direct supervision of the faculty Group Chair, will be responsible for supervising and mentoring one small cohort of eight Summer Associates in the Practice Group throughout the program. This includes grading the students' written work (using a template provided by the exercise's author) each week. The cohort will meet at the beginning of each week in a breakout session that will be fashioned as a staff meeting. The breakout sessions will discuss in detail the graded written assignments of the previous week and related professional issues. The Partner/Senior Associate will be available for individualized attention by appointment. They will also assist their cohort in completing a cross-cutting capstone project that requires them to work with two other cohorts, one from each of the two other Practice Groups at the virtual law firm.

Substantial written and oral feedback will be provided by the program faculty and participating practitioners on all assignments on an ongoing basis. Students will have opportunities to incorporate this feedback in future work as well as in revised versions (rewrites) of certain assignments.

Grading in the course will be as follows:

- **The course will be graded Pass/Fail. However, to earn 3 credits towards the 6-credit experiential learning requirement, a student's work must be of sufficient quality to merit a letter grade of no less than a B-.**
- **Class participation, including preparation for substantive course meetings and meaningful participation in course sessions, staff meetings, breakout sessions, and leadership development workshops: 20 percent.**

The class participation grade is based on preparation, professionalism, and performance during class meetings.

- **Required weekly journal entries: 10 percent.**

The journal grade will be based on the thoroughness and thoughtfulness of students' journal entries, including the extent to which students engage in meaningful self-reflection on the development of professional legal skills and subject matter expertise.

- **Weekly assignments: 50 percent (10 percent per assignment).**

The expectations and grading criteria for the assigned projects will be provided as each project is assigned.

- **Capstone project: 20 percent.**

The expectations and grading criteria for the capstone project will be provided when it is assigned.

This course is designed to be intensive, and students are expected to dedicate the amount of time and level of engagement commensurate with that of a summer associate working between 20 and 30 hours per week.

LEADERSHIP DEVELOPMENT WORKSHOPS

Associate Dean Jeff Becherer will coordinate the Leadership Development Workshops. Each week, the course will explore the importance of lawyers being strong personal and professional leaders, and the different ways in which leadership is demonstrated throughout the practice of law, in business, in government and nonprofit organizations, and in the courtroom. Through “Leadership Keynotes” and “Leadership Conversations,” independent reading, and personal reflection, students will examine various leadership competencies and related skills, including cultural competency, diversity and inclusion, emotional intelligence, teamwork and collaboration, and grit and resilience—and understand how these concepts have been (and can be) put into action in various leadership roles. Students will also engage in self-assessment through specific exercises and write reflections on leadership development as part of their weekly journal entries. Leadership Development Workshops will be delivered collectively to all Practice Groups, with relevant lessons and themes discussed in smaller staff meetings and in students’ journals.

STUDENT LEARNING OBJECTIVES

Students will read essential materials on a variety of specialized topics. They are expected to prepare a weekly project assigned to their practice group. The goal of the classes and assignments will be to help students learn how to:

- a. Identify the sources of law and understand the weight of legal authority.
- b. Develop foundational knowledge of subjects core to their practice area.
- c. Critically read, comprehend, analyze, and apply legal authority.
- d. Identify specific legal issues presented by factual scenarios.
- e. Use tools of law and policy to engage in problem-solving.
- f. Design and carry out legal research projects.
- g. Write with clarity, precision, and effectiveness.
- h. Speak cogently about legal concepts.
- i. Work as part of a team, which may include engaging in collaboration, being a team leader, and making effective use of supervision.
- j. Enhance basic lawyering skills, including fact development and analysis, advocacy, and document-drafting; cross-cultural competency; organization and management of legal work; and the use of technology to aid practice.
- k. Understand how to develop professional expertise and appreciate the importance of maintaining competence in client representation.
- l. Exhibit professionalism and honor the ethical obligations of lawyers.
- m. Understand the special responsibilities of lawyers to promote justice and improve the legal profession.

PROGRAM SCHEDULE

Each Practice Group of 40 Summer Associates will meet twice each week for formal class: on Monday and Wednesday from 4:00 p.m. to 5:40 p.m. The weekly Leadership Workshop will be Tuesday at lunch from 12:30 p.m. to 2:00 p.m.

The first week and a half of the program will be a firm-wide Summer Associate “boot camp.” During these three boot camp sessions, all three Practice Groups will meet together to receive trainings and briefings on the following: (1) firm/organization policies and procedures (including EEO policies); ethical and professional responsibility issues, client relations, and organizational expectations; (2) legal writing skills (with ongoing legal writing instruction provided throughout the program); (3) the use of legal technology to aid legal practice; and (3) an expanded session in which each Practice Group will meet separately with NYLS librarians to discuss research strategies related to their specific area of practice.

After boot camp is complete, **Mondays** will be for staff meetings and lecture classes, and **Wednesdays** will be for research and planning.

On **Monday mornings**, each Partner/Senior Associate will host a one-hour **staff meeting** to review any graded assignments from the prior week and discuss all relevant issues.

On **Monday afternoons**, each Practice Group will meet separately with and hear from a Partner/Senior Associate with relevant subject-matter expertise. Instruction will be provided on the week’s topic. Required readings will be assigned in advance and will be discussed in class. At the end of class, students will be assigned a new deliverable/assignment related to the subject matter and due the following Monday.

On **Tuesdays**, students will attend the weekly Leadership Workshop.

On **Wednesday afternoons**, the Practice Groups will meet for a research and planning class. Each Practice Group will meet to discuss the week’s assigned project with the Partner/Senior Associate who gave the assignment. The sessions will allow students to ask questions about the assignments, receive additional guidance, and share preliminary observations. The guest practitioner and faculty will also use the opportunity to guide students’ continuing work. Following each Wednesday session, students will work to finalize their assignments for delivery by Monday. Faculty will be available for ongoing consultation on Thursday and Fridays, as needed.

During weeks seven and eight of the program, students will engage in a major capstone project. The capstone project will require students to complete an assignment that cuts across all three sectors—navigating subject matter that implicates all three institute areas.

SAMPLE SYLLABUS FOR EACH PRACTICE GROUP

Corporate Law Practice Group	Government Affairs and Policy Practice Group	Litigation Practice Group
Group Chair: Professor Howard Meyers	Group Co-Chairs: Dean Anthony W. Crowell Associate Dean Matt Gewolb	Group Co-Chairs: Michael Volpe '90 , Co-Chair of the Labor and Employment Practice Group, Venable LLP Meryl Lieberman '83 , Partner, Traub, Lieberman, Straus & Shrewsberry
Week 1 (one class): "Boot Camp": Introduction to law office technology, law office policies and expectations, legal research resources, and attorney-client privilege/work product	The Government Affairs and Policy Group will serve as outside counsel to state and local governments.	Week 1 (one class): "Boot Camp": Introduction to law office technology, law office policies and expectations, legal research resources, and attorney-client privilege/work product
Week 2 (two classes): "Boot Camp" Continued: Additional training in library and research resources, as well as legal technology	Week 1 (one class): "Boot Camp": Introduction to law office technology, law office policies and expectations, legal research resources, and attorney-client privilege/work product	Week 2 (two classes): "Boot Camp" continued: Additional training in library and research resources, as well as legal technology
Week 3: Employment Issues in a Post-COVID World	Week 2 (two classes): "Boot Camp" continued: Additional training in library and research resources, as well as legal technology	Week 3: Emergency Powers: How Far Can Government Curtail the Civil Rights of Citizens During a Pandemic Before a Constitutional Deprivation?
Week 4: COVID-19: Effect on Commercial Contracts	Week 3: Emergency Powers: The Executive and the Legislature	Week 4: Employment Law: Assessing Rights of Essential Public Workers to Refuse to Work in Unsafe Conditions During a Public Health Emergency
Week 5: Insider Trading Risk During the COVID-19 Outbreak	Week 4: Public Health Law: The Government's Role and Shaping a Public Health Response	Week 5: Civil Rights Law: Assessing the Rights of Detainees and Prisoners During a Public Health Emergency
Week 6: Cybersecurity and Data Privacy Implications	Week 5: Labor and Employment Law: Protecting the Workforce and Public	Week 6: Making an Insurance Claim During a Pandemic: Commencing a Lawsuit Mandating Coverage
Week 7: SEC Reporting and Filing Matters Relating to COVID-19	Week 6: Declaring a Public Emergency: Activating the Emergency Command Center and Drafting Emergency Orders	Week 7: Enforcing Real Estate Sales Contracts During a Public Health Emergency: Drafting a Motion for Specific Performance.
Week 8: Capstone Assignment	Week 7: Public Communications: Drafting Advisories to Educate the Public and Media on Government Actions and Restrictions	Week 8: Capstone Assignment
Other potential subject matter areas include: Intellectual Property Issues, Real Estate Transactional Issues, and Corporate Governance Considerations	Week 8: Capstone Assignment Other potential subject matter areas include: Advocating for Experimental Drugs and Accessing Prescription Drugs to Treat Sick Residents, Drafting Advocacy Pieces and Legislation for Supplemental Federal Aid, Cybersecurity Breaches and Responding to Freedom of Information Law Requests, Preparing for a City Council Oversight Hearing on the Mayor's Crisis Response, and Oversight and Legislation: Racial Health Disparities	Other potential subject matter areas include: Blocking Mortgage Foreclosure Actions During a Public Health Emergency: Drafting a Motion for a Temporary Restraining Order or Preliminary Injunction