

ST. MARY'S UNIVERSITY

SCHOOL OF LAW

STUDENT HANDBOOK

Academic Year 2016 - 2017

St. Mary's University, as a Catholic Marianist University, fosters the formation of people in faith and educates leaders for the common good through community, integrated liberal arts and professional education, and academic excellence.

Amy Hardberger
Associate Dean for Academic and Student Affairs
and Professor of Law

THIS HANDBOOK IS NOT A CONTRACT.

THE PROVISIONS OF THE HANDBOOK ARE SUBJECT TO CHANGE.

THE STUDENT HANDBOOK
AND IMPORTANT CHANGES TO THE TEXT OF THE HANDBOOK
ARE AVAILABLE
ON THE LAW SCHOOL WEBSITE
AT STMARYTX.EDU/LAW.

TABLE OF CONTENTS

I.	INTRODUCTION.....	6
II.	JURIS DOCTORATE DEGREE GRADUATION REQUIREMENTS	6
	A. Ninety-one Credit-Hours Requirement.....	6
	B. Five-Year/Seven-Year Limitation	7
	C. Pass/Fail Hours Limitation.....	7
	D. Independent Study.....	7
	1. Maximum Independent-Study Hours.....	7
	2. Significant Writing Requirement	7
	3. Faculty Sponsorship	8
	4. Independent Study Internship.....	9
	E. Full-Time and Part-Time Status for Financial Assistance and Tuition Charges.....	10
	1. Enrollment Status for Financial Aid	10
	2. Tuition and Fee Structure	10
	3. Twenty-Hour Per Week Limitation on Employment.....	10
	F. Required Courses.....	11
	1. First-Year.....	11
	2. Upper Level Requirements	11
	a. Core Curriculum	11
	b. Writing Requirement.....	13
	G. Joint-Degree Programs.....	13
	H. Certificate of Concentration in Criminal Law.....	14
	I. Certificate of Concentration in Advocacy	16
	J. Certificate of Concentration in Conflict Resolution Studies	19
	K. Graduate Courses Taken at St. Mary’s University	21
	L. Auditing and Withdrawing from Courses.....	21
	M. Law Success Program	22
III.	MASTER OF LAWS DEGREE GRADUATION REQUIREMENTS	23
	A. LL.M. in International and Comparative Law.....	23
	B. LL.M. in American Legal Studies.....	25
	C. LL.M. in International Criminal Law	25
IV.	GRADES AND GRADING.....	27
	A. Pass/Fail Credit.....	28
	B. The Letter Grading Scale	28
	C. Anonymous Grading Policy.....	28
	D. Median Grades and Percentage Limitations	29
	1. Multiple Sections of the Same Course.....	29
	2. First-Year Courses	29
	3. Upper-Level Courses.....	30
	4. LL.M. and M.Jur. Grades	30
	E. Points for Class Participation.....	30

F. Class Attendance.....	31
1. Grade Reduction for Excessive Absences (The Three/Five Rule)	31
2. Penalties for Being Tardy	32
3. Withdrawal for Excessive Absences.....	32
4. LL.M. and M.Jur. Requirement	32
G. Grade-Point Averaging.....	33
H. Distinguished Academic Achievement.....	33
1. Graduation with Honors	33
2. Dean's List.....	33
3. Class Rankings	33
I. Appeal of Grades.....	33
J. Transient Grades	35
K. Retaking Courses	35
L. Grades of "Incomplete"	35
V. EXAMINATIONS.....	36
A. Examinations, Papers, and Evaluations of Skills.....	36
B. Practice Examinations.....	36
C. Exam Administration	37
D. Exam Rescheduling	39
1. Rescheduling for the Entire Class.....	39
2. Rescheduling for Individual Students	39
3. Medical and Other Emergencies	39
4. Conflicting Exam Times	40
5. Students with Disabilities.....	40
6. Non-Native English Speakers	40
7. Miscellaneous	40
E. Examination Review	40
VI. ACADEMIC ISSUES	41
A. Academic Support Resources	41
B. Academic Exclusion of First-Year Students	41
1. After the First (or Second) Semester.....	41
2. After the First Year.....	42
3. Re-Admission After Academic Exclusion	42
4. Appeal of Academic Exclusion at the End of the First Year	42
C. Academic Exclusion of Second- and Third-Year Students.....	43
D. Academic Probation	43
E. Law Success	43
VII. TUITION AND FEES.....	43
A. Payment Policies	43
B. Tuition Refunds.....	45
C. Non-Degree Candidates.....	45
VIII. TRANSFER AND TRANSIENT STATUS	45
A. Transfer.....	45
B. Transient Status.....	45

1. Limitation on Summer Transient Hours	45
2. Austin Internships	47
3. Special Transient Status	47
IX. MISCELLANEOUS	48
A. Law School Administration and Governance	48
B. Veterans.....	49
C. Nondiscrimination.....	49
D. Privacy of Student Information	50
E. Persons with Disabilities (Americans with Disabilities Act)	50
F. Academic and Disciplinary Misconduct	51
G. Abuse of Computer Hardware and Software.....	51
H. Disclosure of Character and Fitness Issues After Law School Application	52
I. E-mail Accounts	52
J. Law Success Program.....	52
K. Portfolio Regarding a Student's Character and Fitness.....	52
L. Student Complaints Concerning ABA Standards and the Program of Legal Ed	53
X. HARASSMENT	54
A. University Sexual Harassment Policy.....	54
B. Law School Conflicts-of-Interest Policy	54
C. Other Forms of Harassment	55
XI. CODE OF STUDENT CONDUCT	55
Chapter 1: Preamble.....	55
Chapter 2: Prohibited Conduct.....	56
Chapter 3: Filing and Referral of Complaints	58
Chapter 4: The Court of Student Conduct.....	59
Chapter 5: Hearing by Court of Student Conduct	60
Chapter 6: Review by Dean.....	60
Chapter 7: Sanctions	61
Chapter 8: Appeal from Dean's Decision.....	61
Chapter 9: Records	62
Chapter 10: Time Extension and Summer Session	63
Chapter 11: Amendments	63
XII. TEXAS BAR EXAMINATION INFORMATION.....	63
A. Multistate Professional Responsibility Examination.....	64
B. Summary of Texas Bar Exam.....	64
1. Day One	64
2. Day Two.....	65
3. Day Three	65
XIII. CORE CURRICULUM FOR SECOND- AND THIRD-YEAR STUDENTS	66

I. INTRODUCTION

By publishing the *Student Handbook*, St. Mary's University School of Law attempts to bring together from various sources rules, policies, and procedures of interest to enrolled law students. Some of the statements included in the *Handbook* may change during the academic year. Other rules, policies, or procedures may be added in the future as required. Important changes will be posted on the law school website (law.stmarytx.edu) and published in the *Witan*, the law school's internal newsletter.

To the extent that the *Student Handbook* addresses rules, policies, and procedures within the law school, it is authoritative. It is not, however, the exclusive source of guidance. Students wishing additional information regarding a particular matter not addressed within the *Handbook* should inquire at the Office of the Associate Dean for Academic and Student Affairs.

All students are subject to the rules, policies, and procedures contained herein. Faculty members must comply with the stated academic standards for evaluation of students. It is the responsibility of students and faculty members affected by these rules, policies, and procedures to become familiar with them and to adhere to them closely.

Because certain rights, privileges, and remedies, and the ways in which these may be exercised or forfeited, are included in the *Handbook*, students are directed to read carefully the materials contained herein. With regard to any provision of the *Handbook*, fair notice to the student is conclusively presumed from its publication and, except where expressly noted to the contrary, no further notice is required.

II. JURIS DOCTORATE DEGREE GRADUATION REQUIREMENTS

A. Ninety-One Credit-Hours Requirement

A candidate for the degree of Juris Doctor who matriculated prior to fall 2016 must earn a minimum of ninety (90) credit hours in order to graduate. All candidates for the degree of Juris Doctor who matriculate in fall 2016 or after must earn a minimum of ninety-one (91) credit hours in order to graduate. The candidate is eligible to graduate if the candidate's cumulative grade point average is 2.0 or better. Special requirements on credit hours apply to students in joint degree programs. *See* Section II, G.

A JD candidate may petition to walk early at graduation if they are lacking no more than four (4) credit hours to fulfill their ninety (or, as applicable, ninety-one (91)) credit requirement. Petition forms should be obtained from the Director of Student Records and submitted for approval by the Associate Dean for Academic and Student Affairs no less than thirty (30) days before the date of graduation. Students who fail to obtain a passing grade in a class their final semester must submit the petition within forty-eight (48) hours from time the grade was posted.

B. Five-Year/Seven-Year Limitation

The ninety (90) (or, as applicable, ninety-one (91)) credit hours must be earned within a five-year period (seven-years for evening students) that begins on the date on which the semester began in which the candidate enrolled as a law student. The five-year/seven-year limitation is strictly enforced.

C. Pass/Fail Hours Limitation

A student may not count toward graduation more than eight (8) ungraded elective credit hours earned at any law school. Any graded course in which a student receives a "pass" (e.g., in the case of a successful grade appeal) will not be counted in determining the eight (8) hour maximum limit of pass/fail credit hours. All credit hours accepted for students who transfer to St. Mary's University School of Law will not be counted in determining the eight (8) hour maximum limit of pass/fail credit hours. Ungraded transient hours (*see* Section VIII) are subject to the same limitations that apply to hours taken on the home campus.

A student may not elect to take a course "pass/fail" unless the faculty as a whole has expressly approved such an election. (Only independent study credits and credits earned for Law Journal, The Scholar, Regional and National Advocacy Competition, Internships, the Bar Skills Course, and the Practice Credit Program are currently approved for election. Independent study credits may be earned on a pass/fail basis only with the approval of the supervising faculty member.) Conversely, a course designated "pass/fail" may not be taken for a grade.

In extraordinary situations, the law school administration may authorize pass/fail grades, rather than letter grades.

See the discussion of "Pass/Fail Credit" in Section IV, A.

D. Independent Study

At any time after the first year of law school, a student may arrange a one-, two-, or three-credit independent study.

1. Maximum Independent-Study Hours. A J.D. student may count no more than three (3) hours of independent study toward the ninety (90) (or, as applicable, ninety-one (91)) hours required for graduation by completing a research paper and/or such other work as the supervising faculty member may require. An LL.M. student may count no more than ten (10) hours of independent study toward the twenty-four (24) credit hours required for graduation.

2. Significant Writing Requirement. Not all independent study projects require completion of a substantial research paper, but *significant written work is required*.

In the event that a student seeks to satisfy the graduation Research Writing Requirement (*see* Section II, F,2,b) through an independent study, the student may do so without regard to the number of credits assigned to the independent study. That is, satisfaction of the writing requirement does not depend upon whether the student earns one, two, or three credits for the work, as long as the research satisfies all other requirements. A faculty member supervising an independent study project may decide not to require a research paper. In such cases, completion of the independent study course will not satisfy the Research Writing Requirement for graduation. Faculty members supervising a writing project designed to satisfy the writing requirement must certify to the Office of the Associate Dean for Academic and Student Affairs that the project meets the minimum standards. Faculty members must meet with students at least twice during the term of the project and review at least one draft of the project in order to meet the writing requirement.

3. Faculty Sponsorship. Faculty eligible to supervise an independent study include professors of law, associate professors of law, assistant professors of law, clinical professors of law, and visiting professors. Instructors of law and adjunct faculty members may not supervise independent studies. (The facebook for the most recent entering class lists the professional titles of members of the full-time faculty; adjunct faculty members are not listed in the facebook. In addition, faculty titles are listed on the faculty pages of the website.) The sponsoring professor and the student must agree about the length of the research paper, whether the paper will be graded or evaluated only on a pass/fail basis, whether any work in addition to the paper is required, and what semester the student will enroll for the independent study.

No faculty member is obliged to supervise an independent study and no faculty member may supervise more than three (3) hours of independent study during the fall or spring semester or during a single summer session. The Associate Dean for Academic and Student Affairs may, in his or her discretion, allow supervision of more than three (3) hours.

A student and sponsoring faculty member must agree at the time of enrollment whether the independent study will be graded or pass/fail. The designation of the course as graded or ungraded may be changed at any time during the semester, but not after the final paper or project has been submitted to the faculty member for evaluation.

A student wishing to arrange an independent study should obtain the appropriate form from the law school website (law.stmarytx.edu), take it to the sponsoring faculty member for his or her signature, and return the form during the registration process.

Independent studies for three (3) credit hours require prior request and approval from the Associate Dean for Academic and Student Affairs.

4. Independent Study Internship. A student who is offered an **unpaid internship**, with a **non-profit or government agency**, not on the "approved" list of judicial internships may receive credit through the Independent Study structure.

- A student may receive one, two, or three credit hours on a pass/fail basis through Independent Study Internship.
- A student must work at least 60 hours per credit hour received.
- A student may not receive payment for the internship.
- Students may seek approval for reimbursement of reasonable out-of-pocket expenses from an employing entity or third party so long as student provides an accurate accounting and demonstrates expenses were incurred as result of employment.
- Independent Study Internship hours will not count against the student's 3-hour Independent Study limit.
- Independent Study Internship hours will not count against the faculty 3-hour Independent Study Limit.
- Any full time faculty member may supervise an Independent Study Internship. Normally a student should find a faculty member with some expertise in the area to supervise the internship.

At the time of enrollment, the student should provide the faculty member with a **job description** of the internship for their review. The job description will include the name and contact information for the attorney who is the primary supervisor of the student at the internship.

The **student must inform the supervising attorney** that the student has enrolled in the internship course for credit at St. Mary's University School of Law.

The faculty member supervising the Independent Study Internship should **review the job description** to ensure that the student will perform legal duties such as research and analysis and that the student will have shadowing or other observation opportunities.

During the internship, the student will write **journal entries weekly** and submit those to the supervising faculty member.

At the end of the Independent Study Internship, the student will provide the supervising faculty member with an **evaluation from the supervising attorney(s)** at the internship.

At the end of the Independent Study Internship, the student will provide a written **evaluation of the experience from the student perspective**. Details of the weekly journals and the final evaluations, including timing and manner of submission, may be left to the discretion of the faculty member.

E. Full-Time and Part-Time Status for Financial Assistance and Tuition Charges

1. Enrollment Status for Financial Aid

- A. For financial aid purposes, including Veteran's Affairs education benefits, full-time enrollment requires at least ten (10) hours in a semester (8 hours for LL.M. students) or three (3) hours in a summer session.
- B. A student must obtain the written approval of the Associate Dean for Academic and Student Affairs to enroll for more than seventeen (17) credit hours during a semester or for more than six (6) hours during a summer session or (10) credit hours during the summer term (which includes both summer sessions).
- C. Except during a student's last semester or term he or she must obtain the Associate Dean's approval to enroll for fewer than the minimum number of hours in the full-time program.
- D. The student's Cost of Attendance (COA) will be based upon the number of enrolled hours and the tuition and fees structure.
- E. Please contact the Office of Financial Assistance for further information.

2. Tuition and Fee Structure

- A. Students taking 8-11 hours in a semester will be charged under the part-time fee structure, and students taking between 12-17 hours will be charged a full-time fee structure. Hours outside these two ranges will be charged at the posted hourly rate (*see* Section VII, A).
- B. This tuition and fee determination is only in regards to charges related to tuition and fees. It does not describe the academic enrollment status for financial aid.
- C. This tuition and fee structure will be used in determining a student's COA.

3. Twenty-Hour per Week Limitation on Employment

No **full-time** student may hold employment outside the Law School for more than twenty (20) hours per week. (For purposes of this rule, "full-time" status is defined as twelve (12) credit hours or more during the fall semester or spring semester or five (5) credit hours or more during the first summer session or the second summer session.) Any student found in violation of this prohibition may be involuntarily disenrolled from classes as deemed appropriate by the Associate Dean for Academic and Student Affairs. *Full-time first-year students are strongly discouraged from engaging in any employment.*

F. Required Courses

Each student must take and pass the courses required by the faculty for graduation.

1. First Year

The entire first-year curriculum is required:

- Civil Procedure (4 credits)
- Constitutional Law (4 credits)
- Contracts I and II (5 credits)
- Criminal Law (3 credits)
- Legal Research and Writing I and II (4 credits)
- Property I and II (5 credits)
- Torts I and II (5 credits)
- Introduction to Legal Methods (1 credit)

2. Upper Level Requirements

a. Core Curriculum. A student must take and pass at least the number of courses indicated in each of the following subject areas. Courses in bold type are mandatory selections, that is, they are required for all students.

1. *Persons and Property (2 courses)*

- Community Property
- Family Law
- Mortgages & Real Estate Financing
- Oil & Gas
- Texas Land Titles
- Trusts
- Wills & Estates
- Wills, Estates & Trusts (counts as 2 courses)

2. *Business & Commercial Transactions (2 courses)*

- Bankruptcy (prerequisite: Secured Transactions or Mortgages and Real Estate)
- Business Associations
- Commercial Paper
- Consumer Protection Law (precludes taking Deceptive Trade Practices)
- Deceptive Trade Practices (precludes taking Consumer Protection Law)
- Insurance Law
- Sales (precludes taking Sales & Secured Transactions)
- Sales & Secured Transactions (precludes taking Sales or Secured Transactions) (This combined course counts as two)

courses)

- Secured Transactions (precludes taking Sales & Secured Transactions)

3. *Public & International Law (1 course or satisfaction of the alternative)*

- Administrative Law
- Civil Rights
- Estate & Gift Tax (prerequisite: Federal Income Tax)
- European Union Law
- Federal Income Tax
- International Business Transactions
- International Human Rights
- Public International Law

As an alternative to taking one of these courses, a student can satisfy the requirement for the one Required Course for the Upper Level Requirement of Public & International Law, by taking and passing at least four credit hours of course work in either the St. Mary's University School of Law's Institute on World Legal Problems in Innsbruck, Austria or the St. Mary's University School of Law's Institute on Chinese Law and Business in Beijing China.

4. *Civil & Criminal Litigation (3 courses)*

- Civil Restitution in Texas
- Conflict of Laws
- Constitutional Criminal Procedure
- **Evidence (required for all students)**
- Federal Courts
- Federal Criminal Procedure
- Remedies
- Texas Civil Procedure I (required for students taking the Texas bar)
- Texas Civil Procedure II (prerequisite: Texas Civil Procedure I)
- Texas Criminal Procedure

5. *Experiential Learning* Six credit hours required

- Arbitration
- Clinic
- Contract Drafting
- Mediation
- Negotiation
- Practice Credit Program
- Trial Advocacy (prerequisite: Evidence)

6. *Philosophy of Law and Lawyers (2 courses)*

- American Legal History
- Comparative Law

- Jurisprudence (any of the variations)
- Law & Economics
- Law & Philosophy
- Race & Racism
- **Professional Responsibility (required for all students)**

7. *Law Success (2 courses)*

- **Experiential Legal Analysis (including MPT) (required for all students)**
- **Bar Prep for Credit¹**

b. Writing Requirement. The student must complete one of the following:

A writing or writings consisting of:

- (1) a research paper of at least 6,000 words (approximately 25 double-spaced pages) plus footnotes or endnotes, which may be completed in a writing seminar, course or independent study, or
- (2) one or more memoranda or other writings focused on transactional or litigation documents which may be completed in a writing seminar, course or independent study. These writings may include, for example, drafting articles of incorporation or bylaws, creating an ERISA plan or memorandum in support of a pleading or motion. The student must write a total of at least 6,000 words of her or his original work.

At least one preliminary draft of any writing made in partial or full satisfaction of this requirement must be given to the full-time faculty member who is supervising the writing. A faculty member may require a student to submit more than one draft of a writing before submitting a final version for approval. The faculty member must certify to the Office of the Dean for Academic and Student Affairs that the student has satisfied the writing requirement; or

- (3) a law journal comment that is successfully completed. Students may not serve simultaneously on the *St. Mary's Law Journal* and *The Scholar: St. Mary's Law Review on Race and Social Justice*.

G. Joint-Degree Programs

The Law School offers the opportunity to earn several joint degrees, including:

- Doctor of Jurisprudence/Master of Arts in Theology (JD/MTh)
- Doctor of Jurisprudence/Master of Business Administration (JD/MBA)

¹ Bar Prep for Credit is required for students who have ranked below the 50th percentile of their class at any time before their third year of law school.

- Doctor of Jurisprudence/Master of International Relations (JD/MIR)
- Doctor of Jurisprudence/Master of Science in Public Administration (JD/MPA)
- Master of Laws/Master of International Relations (LLM/MIR)

These programs are offered in coordination with the Graduate School of St. Mary's University.

A student wishing to enroll in a JD/Masters joint degree program must notify the Office of the Associate Dean for Academic and Student Affairs prior to enrolling in any course outside the Law School. The Associate Dean must approve in advance the student's pursuit of a joint-degree. The law student must also separately apply and obtain admission to the Graduate School of St. Mary's University. The first year of academic work normally will consist entirely of law courses.

Once accepted into a joint-degree program, a student may earn both degrees by completing one-hundred and eight (108) credit hours of law and graduate credits—eighteen fewer than the usual number. To satisfy the ninety (90) (or, as applicable, ninety-one (91)) hours of law courses required for the J.D. degree and the thirty-six (36) hours required for the graduate degree, twelve (12) hours of law courses are credited against those required for the Master of Arts or Master of Science degree, and six (6) hours earned in graduate school are credited against those required for a J.D. degree. *Students enrolled in a joint-degree program are not awarded the J.D. degree until they have satisfactorily completed either ninety (90) (or, as applicable, ninety-one (91)) hours of law school course work or all of the work necessary for both degrees.* A student who has not completed all of the graduation requirements in law ordinarily may not participate in the Law School's graduation ceremony, and such students also may be ineligible to take a bar examination.

A student who wishes to enroll in the LLM/MIR program must meet with the director of the LLM program to enroll.

H. Certificate of Concentration in Criminal Law

In order to recognize those students who have demonstrated both a deep interest and scholastic achievement in the area of criminal law, the faculty of St. Mary's School of Law has approved a Certificate program in Criminal Law. The Certificate in Criminal Law is awarded only to those graduating students who pursue and successfully complete a balanced course of study which includes learning in the procedural, substantive, and practical aspects of criminal law.

To receive the Certificate in Criminal Law, a student must complete a significant course of study in criminal law prior to graduation, earning not less than a 2.00 grade point average across the required courses and seminars and a grade of "B" or higher for his or her thesis.

1. Requirements

a. Academic Requirements

1. *Constitutional Criminal Procedure* (3 credits).
2. Elective Requirement: One or more of the following for not less than 4 credits:
 - a. *Texas Criminal Procedure*
 - b. *Federal Criminal Procedure*
 - c. *Criminal Justice Administration*
3. Seven (7) hours of elective courses or seminars in criminal law or criminal procedure other than those required or applied to the requirements listed above. Any credit hours earned in excess of those necessary to meet another requirement of the certificate program may be applied to the elective requirement (e.g., if a candidate takes eight (8) credit hours in the Criminal Justice Clinic, four (4) credit hours will be applied to the practice requirement and the remaining four credits may be applied to the elective requirement). Written approval of elective courses must be obtained from the thesis advisor.
4. *Thesis*. The thesis must be at least 6,000 words in length, exclusive of footnotes, on a topic relevant to the study and/or practice of criminal law. See next section for additional information on the thesis requirement.

b. Practice

Practice Requirement: Four (4) credits in any combination of clinic, *Trial Advocacy*, and/or faculty approved externships.

2. Procedures for Applying for Certificate

No later than the beginning of two semesters immediately prior to his or her graduation, a student seeking the Certificate in Criminal Law must file a written statement of intent to seek such a certificate with the Associate Dean for Academic and Student Affairs. Failure to timely file the required statement of intent shall preclude the student from earning the Certificate unless the Associate Dean grants an extension of time for good cause. Ignorance of the requirement shall not constitute "good cause." This statement of intent must include the proposed topic of the thesis as well as the name and signed consent of the thesis advisor chosen by the student. The thesis advisor must be a full-time faculty member of St. Mary's University School of Law, and may not be a visiting professor.

During the penultimate semester prior to graduation, a student seeking the certificate shall enroll in a two-credit-hour Thesis Study with his or her thesis

advisor. During this course of study, the candidate must make significant and satisfactory progress toward the completion of his or her thesis. Significant and satisfactory progress includes, *at a minimum*, the completion of an outline, all necessary research, necessary drafts and a significant final draft of the thesis. Such progress will be judged by the thesis advisor, although no grade for the first two (2) hours of thesis preparation will be recorded. In the event that a student fails to complete satisfactorily the final hour of thesis credit (Thesis Presentation), the student shall receive no credit for the Thesis Study segment and shall be withdrawn from Thesis Study. The student will not receive a refund of tuition paid for Thesis Study if the student fails satisfactorily to complete the final hour of thesis credit.

During the final semester prior to graduation, a student seeking the certificate shall enroll in a one-credit-hour Thesis Presentation in which the candidate must complete the final version of his or her thesis. Not later than two months prior to the commencement of the examination period, the final version of the thesis must be submitted to the thesis advisor. At the time of such submission, the thesis advisor shall convene a thesis review panel which shall be composed of the thesis advisor and two additional full-time faculty members of the School of Law. This review panel shall meet with the student seeking the certificate no later than one month prior to graduation. At this meeting, the candidate will be required to defend his or her thesis.

In the event that the initial defense is insufficient, the thesis review panel may meet one additional time prior to graduation with the student seeking the certificate. No thesis or its defense will be considered worthy of the issuance of the certificate unless it is the consensus of the thesis review panel that the thesis and its defense warrant at least a grade of "B." A superior performance on the written thesis *and* its defense (equivalent to a grade of "A") will result in the award of a certificate with the designation: "With Honors for the Certificate Thesis." Completion of the thesis will not satisfy any writing requirement necessary for graduation. For the purpose of this certificate program, the two summer sessions may be counted as one regular semester.

I. Certificate of Concentration in Advocacy

In order to recognize those students who have demonstrated both a deep interest and scholastic achievement in the area of advocacy, the faculty of St. Mary's University School of Law has approved the creation and implementation of a Certificate program in Advocacy. The Certificate in Advocacy Law is awarded only to those graduating students who pursue and successfully complete a balanced course of study, which combines learning in the procedural, substantive, and practical aspects of advocacy.

1. Requirements

a. Academic Requirements. To receive the Certificate in Advocacy, a student must complete a significant course of study in advocacy law prior to graduation, earning not less than a 2.00 average across the required courses and seminars, listed below, and a grade of "B" or higher for his or her thesis. The following courses and credits are required:

1. Trial Advocacy (3 credits).
2. Twelve (12) hours of elective courses or seminars in any of the following courses:

- Alternative Dispute Resolution (2 or 3 credits)
- Arbitration (2 or 3 credits)
- Advanced Trial Advocacy; Civil or Criminal (2 credits)
- Appellate Practice (2 credits)
- Civil Justice Clinic (3 or 8 credits)
- Criminal Justice Clinic (3 or 8 credits)
- Immigration Clinic (3 or 8 credits)
- Jessup Seminar (2 credits)
- Negotiation (3 credits)
- Mediation (3 credits)
- Texas Civil Procedure II (3 credits)
- State Pretrial Practice (2 credits)

3. *Thesis.* The student must complete a thesis of at least 6,000 words in length, exclusive of footnotes, on a topic relevant to the study of trial or appellate advocacy. See next page for additional information on the thesis requirement.

b. Participation in Advocacy Competitions. The student must compete in at least two of the following second- or third-year internal (BOA) advocacy competitions:

- Fall Mock Trial Competition
- Fall Moot Court Competition
- Spring Mock Trial Competition
- Spring Moot Court Competition
- Negotiation Competition

OR compete in one of the following external competitions:

- A National or Regional Mock Trial Competition
- A National or Regional Moot Court Competition (including Admiralty Competition and Jessup Moot Court Competition)

A National or Regional Negotiation Competition

OR satisfactorily complete a clinic course and obtain a certification from a professor that the student has appeared in a court proceeding and has demonstrated proficiency in trial or appellate advocacy.

2. Procedures for Applying for Certificate

No later than the beginning of two semesters immediately prior to his or her graduation, any student seeking the Certificate in Advocacy must file a written intent to seek such a certificate with the Associate Dean for Academic and Student Affairs and the Director of Advocacy Programs. Failure to timely file the required statement of intent shall preclude the student from earning the Certificate unless the Associate Dean grants an extension of time for good cause. Ignorance of the requirement shall not constitute "good cause." This statement of intent must include the proposed topic of the thesis as well as the name and signed consent of the thesis advisor chosen by the student. The thesis advisor must be a full-time faculty member of St. Mary's University School of Law, and may not be a visiting professor.

During the penultimate semester prior to graduation, the student seeking the certificate shall enroll in a two-credit-hour Thesis Study with his or her thesis advisor. During this course of study, the candidate must make significant and satisfactory progress toward the completion of his or her thesis. Significant and satisfactory progress includes, *at a minimum*, the completion of an outline, all necessary research, necessary drafts and a significant final draft of the thesis. The thesis advisor will judge such progress, although no grade for the first two (2) hours of thesis preparation will be recorded. In the event that a student fails satisfactorily to complete the final hour of thesis credit (Thesis Presentation), the student shall receive no credit for the Thesis Study segment, and shall be withdrawn from Thesis Study. The student will not receive a refund of tuition paid for Thesis Study if the student fails satisfactorily to complete the final hour of thesis credit.

During the final semester prior to graduation, the student seeking the certificate shall enroll in a one-credit-hour Thesis Presentation in which the candidate must complete the final version of his or her thesis. Not later than two months prior to the commencement of the examination period, the final version of the thesis must be submitted to the thesis advisor. At the time of such submission, the thesis advisor shall request the convention of a thesis review panel, which shall be composed of the thesis advisor and two additional full-time faculty members of the School of Law. This review panel shall meet with the student seeking the certificate no later than one month prior to graduation. At this meeting, the candidate will be required to defend his or her thesis.

In the event that the initial defense is insufficient, the thesis review panel may meet with the student seeking the certificate one additional time prior to graduation. No thesis or its defense will be considered worthy of the issuance of the certificate unless it is the consensus of the thesis review panel that the thesis and its defense warrant at least a grade of "B." A superior performance on the written thesis *and* its defense (equivalent to a grade of "A") will result in the award of a certificate with the designation: "With Honors for the Certificate Thesis." Completion of the thesis will not satisfy any writing requirement necessary for graduation. For the purpose of this certificate program, the two summer sessions may be counted as one regular semester.

J. Certificate of Concentration in Conflict Resolution Studies

In order to recognize those students who have demonstrated both a deep interest and scholastic achievement in the area of conflict resolution, the faculty of St. Mary's University School of Law has approved the creation and implementation of a Certificate program in Conflict Resolution Studies. The Certificate in Conflict Resolution Studies is awarded only to those graduating students who pursue and successfully complete a balanced course of study, which combines learning in the procedural, substantive, and practical aspects of conflict resolution.

1. Requirements

a. Academic Requirements. To receive the Certificate in Conflict Resolution Studies, a student must complete a significant course of study in conflict studies prior to graduation, earning not less than a 2.00 average across the required courses and seminars, listed below, and a grade of "B" or higher for his or her thesis. The following courses and credits are required:

1. Negotiations (3 credits)
Mediation (3 credits)
Arbitration or Texas Civil Procedure II (3 credits)
2. Six (6) hours of elective courses or seminars in any of the following courses:
 - Advanced Trial Advocacy (2 credits)
 - Alternative Dispute Resolution (2 or 3 credits)
 - Appellate Practice (2 credits)
 - Civil Justice Clinic (3 or 8 credits)
 - Criminal Justice Clinic (3 or 8 credits)
 - Immigration Clinic (3 or 8 credits)
 - State Pretrial Practice (2 credits)
 - Trial Advocacy (3 credits)

3. Thesis. The student must complete a thesis of at least 6,000 words in length, exclusive of footnotes, on a topic relevant to the study of conflict resolution. See next page for additional information on the thesis requirement.

b. Participation in Conflict Resolution Competitions. The student must participate in one Negotiation competition conducted by the Board of Advocates (BOA) or receive certification by a clinical faculty member that the student engaged in substantial negotiations with live clients.

2. Procedures for Applying for Certificate

No later than the beginning of two semesters immediately prior to his or her graduation, any student seeking the Certificate in Conflict Resolution Studies must file a written intent to seek such a certificate with the Associate Dean for Academic and Student Affairs and the Director of Conflict Resolution Studies. Failure to timely file the required statement of intent shall preclude the student from earning the Certificate unless the Associate Dean grants an extension of time for good cause. Ignorance of the requirement shall not constitute "good cause." This statement of intent must include the proposed topic of the thesis as well as the name and signed consent of the thesis advisor chosen by the student. The thesis advisor must be a full-time faculty member of St. Mary's University School of Law, and may not be a visiting professor.

During the penultimate semester prior to graduation, the student seeking the certificate shall enroll in a two-credit-hour Thesis Study with his or her thesis advisor. During this course of study, the candidate must make significant and satisfactory progress toward the completion of his or her thesis. Significant and satisfactory progress includes, at a minimum, the completion of an outline, all necessary research, necessary drafts and a significant final draft of the thesis. The thesis advisor will judge such progress, although no grade for the first two (2) hours of thesis preparation will be recorded. In the event that a student fails satisfactorily to complete the final hour of thesis credit (Thesis Presentation), the student shall receive no credit for the Thesis Study segment, and shall be withdrawn from Thesis Study. The student will not receive a refund of tuition paid for Thesis Study if the student fails satisfactorily to complete the final hour of thesis credit.

During the final semester prior to graduation, the student seeking the certificate shall enroll in a one-credit-hour Thesis Presentation in which the candidate must complete the final version of his or her thesis. Not later than two months prior to the commencement of the examination period, the final version of the thesis must be submitted to the thesis advisor. At the time of such submission, the thesis advisor shall request the convention of a thesis review panel, which shall be composed of the thesis advisor and two additional full-time faculty members of the School of Law. This review panel

shall meet with the student seeking the certificate no later than one month prior to graduation. At this meeting, the candidate will be required to defend his or her thesis.

In the event that the initial defense is insufficient, the thesis review panel may meet with the student seeking the certificate one additional time prior to graduation. No thesis or its defense will be considered worthy of the issuance of the certificate unless it is the consensus of the thesis review panel that the thesis and its defense warrant at least a grade of "B." A superior performance on the written thesis and its defense (equivalent to a grade of "A") will result in the award of a certificate with the designation: "With Honors for the Certificate Thesis." Completion of the thesis will not satisfy any writing requirement necessary for graduation. For the purpose of this certificate program, the two summer sessions may be counted as one regular semester.

K. Graduate Courses Taken at St. Mary's University

In rare cases, course credit may be given for graduate level classes taken in the St. Mary's University School of Business Administration. Two such courses have been approved for credit: International Tax and Partnership Tax. Any student wishing to enroll in either of these courses must obtain written permission from the Associate Dean for Academic and Student Affairs prior to registering for the course.

L. Auditing and Withdrawing from Courses

An upper-level student in good standing may withdraw from all courses by filing a written request with the Director of Student Enrollment. The request must be filed before the beginning of the examination period. If an early final examination has been held before the request is filed, no withdrawal will be allowed from that course. A student does not obtain a tuition refund or credit by withdrawing from all courses after the refund period. An upper-level student who withdraws from all courses while in good standing may return to the Law School, but must satisfy the requirements for graduation within five (full-time) or seven (part-time) years after enrollment (*see* Section II, B).

By written request filed with the Director of Student Enrollment, a student may change any upper-level course taken for credit to an audited course or may withdraw from the course. The request must be filed before the beginning of the examination period, or, if the final examination is held earlier in the semester, before the examination. A student may not change a course to audit or withdraw from it if, before the request is filed, he or she has missed 1/3 or more of scheduled class meetings for a course, since that necessitates automatic withdrawal (*see* Section IV, F, 3).

A student who audits a course has the right to attend, but will not be required to take the final examination. The hours assigned to an audited course will not be earned toward graduation, but an audited course will be included on the student's transcript with an "U" designation in lieu of a grade. If a student withdraws from a course, the course will appear

on the student's transcript with a "W" in lieu of a grade. A student does not obtain a tuition refund or credit by changing a course to audit or by withdrawing from the course after the end of the refund period.

M. Law Success Program

The Law Success Program is designed to ensure that students have the skills, professionalism, work habits and competencies necessary to succeed in law school, on the bar examination and in practice. J.D. students may be required to participate in and satisfactorily complete various programs sponsored by the Law Success Program. The Law Success Program includes various required or recommended curricular offerings, as well as various courses of required and recommended assessments (including formative assessments, skills assessments and comprehensive and institutional assessments), instruction, remediation, counseling, academic advising and additional work held prior to matriculation, during the academic year and during breaks in the academic year. These courses may include sessions during the day, in the evenings, on Saturdays and via synchronous or asynchronous distance learning.

Students will be routinely advised of their progress in the Law Success Program. Students will be advised if their performance is at risk of being determined unsatisfactory. Standards of satisfactory and unsatisfactory performance will be recurrently reviewed and refined according to data that may include student performance in the Law Success Program and in the regular law school academic curriculum, as well as to historical bar passage data. Each student's performance will be measured by the then operative standard, and students whose performance is unsatisfactory or at risk of becoming unsatisfactory will be provided additional assessment, remediation when appropriate and counseling.

In order to improve a student's likelihood of succeeding, a student may be subject to certain conditions on continued enrollment, such as:

1. A requirement that the student complete specific courses, even if the practical effect of this requirement requires the extension of studies and the delay of graduation;
2. A requirement that the student complete specific instruction and assessment in the Law Success Program to a specified level of performance;
3. A requirement that the student reduce his or her course-load, reduce participation in extra-curricular activities or abstain from study for one or more semesters; and
4. Other prudential limitations that could improve a student's likelihood of succeeding.

In addition, conditions such as the following may be required of individual students whose academic records, conduct, or assessments indicate a significant risk that a given student may not succeed in law school, may not pass the bar examination or may not be prepared for the practice of law. Any such conditions are to be recommended by the Law Success Program staff, under the supervision of the Associate Dean for Academic Affairs, and with the written authorization of the Dean. A student who is then required to complete any such condition must do so satisfactorily prior to graduation.

1. A requirement to complete certain assessments, instruction, remediation and additional work;
2. A requirement to enroll in and complete with a passing grade one or more specific courses, including courses substantively preparatory to a subject examined by the bar examination; and
3. A requirement to complete academic assessment, advising and counseling.

III. MASTER OF LAWS DEGREE GRADUATION REQUIREMENTS

The Law School offers three Master of Laws (LL.M.) degrees:

- A. LL.M. in International and Comparative Law;
- B. LL.M. in American Legal Studies;
- C. LL.M. in International Criminal Law

The LL.M. in International and Comparative Law is designed for lawyers (primarily American-trained lawyers) who have already obtained a law degree and who will benefit from specialized training in international and/or comparative law. This degree offers students two options. The first is public sector training which will position them for a government career in the diplomacy, the military or the intelligence communities. The second option offers exposure to private sector training in international commercial and trade matters. The LL.M. in American Legal Studies is designed for graduates of foreign law schools who want to enhance their understanding of the American legal system and the English Common Law from which our legal institutions and laws have evolved. For qualifying candidates, completion of this degree will allow them to sit for an American state bar exam. The LL.M. in International Criminal Law is designed for law graduates and lawyers who intend to pursue a specialized government career as a federal or state prosecutor or as a private sector criminal defense lawyer. This degree is also appropriate for those who choose to enter the federal law enforcement, diplomatic, military or intelligence services.

An admissions process exists for these degree programs separate from that for the J.D. program. Questions can be answered by a Director of LL.M. Programs.

A. LL.M. in International and Comparative Law

LL.M. students generally are expected to obtain the required twenty-four (24) credit hours in nine months of full-time academic work. If students enroll in part-time study, they may have up to twenty-four (24) months to complete the degree. In exceptional circumstances, a student may be granted additional time by the Program Directors, with the approval of the Associate Dean for Academic and Student Affairs.

Students may take up to a maximum of six (6) of the twenty-four required hours in St. Mary's University Institute on World Legal Problems in Innsbruck, Austria, or in the St. Mary's University Institute on Chinese Law and Business at Beihang University, Beijing, PRC Subject to the permission of an LL.M. program Director, students may take up to three (3) relevant graduate hours of the twenty-four hours required for the LL.M. degree in another university's graduate program. But twenty (20) of the required twenty-four

credits must be in the area of international and comparative law. Also with the permission of an LL.M. director, LL.M. candidates may take a maximum of three (3) relevant graduate credit hours from another graduate program within the university such as the International Relations department or the Business School.

Recent St. Mary's J.D. graduates may apply up to six (6) hours of credit (other than for Public International Law or either of the general comparative law courses) earned while a J.D. student toward an LL.M. degree, provided those hours were in excess of the ninety-one required for their J.D. degree. Courses and grades earned remain part of the J.D. record; advanced standing credit for specific, qualifying courses will be granted for the LL.M. degree work, and the course(s) will be entered on the transcript, but grades for those courses will not be included in the computation of the LL.M. grade point average.

LL.M. students are required to take the following courses:

- a. *Public International Law*;
- b. *Comparative Law*;
- c. *Thesis* (3-credit research paper of publishable quality). The LL.M. Thesis is required of all American-law-educated students but is optional for all foreign-law-educated students. The foreign-law-educated students must inform both directors of the LL.M. program as well as the director of law student records in writing regarding the decision to write or not to write an LL.M. thesis not later than the commencement of the second semester of study in the LL.M. program. For more specific guidance and requirements, see below: C. "LL.M. in International Criminal Law."
- d. *International Research* (unless the student can demonstrate extensive research experience in international and comparative law), not required for foreign-trained lawyers who are not writing a thesis.

Candidates who have successfully completed *Public International Law* or *Comparative Law* in their J.D. programs need not and may not repeat those courses. The Directors of the LL.M. program determine whether a course previously taken satisfies one or more of these requirements.

Candidates for the LL.M. may enroll for any elective international or comparative J.D. course unless that course was taken by the candidate for J.D. credit, or unless the course is specifically designated as unavailable for LL.M. students. Clinical programs are not available for LL.M. students. Except for the required courses outlined above, LL.M. students are free to construct their own curriculum under the supervision of, and with approval of, at least one Director of the LL.M. program.

LL.M. candidates receive letter grades in accordance with the Law School's regular grading system. The requirements, standards, policies, and procedures in effect for J.D. students apply, except that grades for LL.M. students are exempt from the computation of any mandatory median grade in a course and percentage limitations applicable to high

and low grades in a course.

Foreign-law-educated LL.M. candidates whose first language is not English must have a 2.0 cumulative grade-point average for graduation. American-law-educated candidates must have a cumulative grade point average of 3.00 in order to graduate.

B. LL.M. in American Legal Studies

To obtain the Master's degree in American Legal Studies, LL.M. candidates must successfully complete twenty-four (24) credit hours. These hours are usually completed in nine months of full-time academic work. Students may be given up to twenty-four (24) months to complete the degree on a part-time basis, but in no case shall a candidate be permitted more than twenty-four months from the date of initial enrollment, including summers and holidays, to complete this LL.M. degree. An exception to this rule may exist for qualifying students and the validity of that exception will depend on a determination by the LL.M. program directors. The following courses are required:

- a. *Introduction to the American Legal System;*
- b. *Legal Research and Writing for LL.M. students (For students who plan to take the New York Bar exam)*
- c. *Professional Responsibility (For students who plan to take the New York Bar exam)*
- d. One of the following courses:
 - (1) *Civil Procedure*
 - (2) *Contracts*
 - (3) *Criminal Law*
 - (4) *Property*
 - (5) *Torts*
 - (6) *Constitutional Law*
 - (7) *Professional Responsibility*

e. *Optional Thesis (3-credit research paper of publishable quality).* The American Legal Studies LL.M. Thesis is optional for all foreign-law-educated students. Each student must inform both directors of the LL.M. program as well as the director of student records in writing of the decision to write or not to write an LL.M. thesis not later than the commencement of the second semester of study in the American Legal Studies LL.M. program; See LL.M. thesis requirements for foreign-law-educated LL.M. candidates below in section C. "LL.M. in International Criminal Law."

C. LL.M. in International Criminal Law

Most of the same administrative requirements which govern the LL.M. in International & Comparative Law pertain to the LL.M. in international Criminal Law.

International Criminal Law LL.M. candidates would be required to successfully complete twenty-one out of twenty-four hours from the specific criminal law courses outlined below.

- a. *International Criminal Law* (seminar regarding prosecution of elite human rights crimes [e.g. genocide]);
- b. *Transnational Criminal Law* (seminar regarding illicit trafficking of weapons, persons and controlled substances);
- c. *International White Collar Criminal Law* (seminar regarding money laundering, terrorist financing, extradition, etc.);
- d. *National Security Law* (course regarding terrorism, national security crimes, etc.);
- e. *Terrorism Law* (seminar regarding terrorism);
- f. *U.S. Intelligence & National Security Law* (seminar regarding law governing U.S. intelligence operations as they pertain to national and international security issues);
- g. *Comparative Criminal Procedure* (seminar regarding comparison of criminal procedure in U.S. and foreign nations);
- h. *Advanced Criminal Law* (course regarding selected topics in federal criminal law and procedure);
- i. *Public International Law* (required course regarding treaties, laws of war);
- j. *International Human Rights Law* (course in human rights and duties of natural persons, nations, states, international organizations and NGO's); and
- k. *LL.M. Thesis* (required and topic must be approved by co-directors of LL.M. program).

American law-educated students are required to write a thesis concerning a current and relevant topic which would be approved by the directors of the LL.M. program. The same thesis requirement in terms of currency and relevancy would be optional for foreign-law-educated students. They must inform the directors of the LL.M. program and the director of law student records of the decision to write or not to write the thesis not later than the commencement of the second semester of LL.M. study. The LL.M. thesis topic selection and faculty advisor must be approved by an LL.M. Director.

The length of the thesis is 12,000 words of text for LL.M. American law-educated students and is 6,000 words of text for foreign-law educated students LL.M. students. "Text" is defined as the main body of the thesis, exclusive of the required title page, table of contents, footnote/endnotes and classified bibliography or list of sources. The current issue of "The Bluebook: A Uniform System of Citation" dictates the footnote/endnote/bibliography/list of sources entries.

Students who have completed Public International Law or any of the other specific courses in this LL.M. curriculum as part of a previous J.D. or other LL.M. studies may, as a general rule, not repeat those courses in this LL.M. program. However, with the approval of a director of the LL.M. program, such courses may be counted as part of the twenty-four credit hour requirement in the St. Mary's LL.M. program only if such courses were successfully completed in excess of the credit-hour requirements of any previous J.D. or other LL.M. studies. Such courses would be entered on the St. Mary's transcript with a "pass" as opposed to a letter grade.

Candidates for the LL.M. may enroll for any relevant St. Mary's elective J.D. course unless the course is specifically designated as unavailable for LL.M. students. Clinical programs are not available for LL.M. candidates.

Subject to the permission of an LL.M. director, LL.M. Candidates may take up to a maximum of six (6) relevant hours of credit of the twenty-four LL.M. required hours in St. Mary's Institute on World Legal Problems in Innsbruck, Austria or in the St. Mary's Institute on Chinese Law & Business at the Beihang University in Beijing, PRC.

Subject to the permission of an LL.M. program director, LL.M. students may take up to three (3) relevant graduate hours of credit of the twenty-four LL.M. required hours in another university's graduate program LL.M. students may instead take up to three (3) relevant graduate hours of credit in a St. Mary's graduate program such International Relations or Business.

International Criminal Law LL.M. students must construct their own curriculum under the supervision of, and with approval of, either Director of the LL.M. program.

All LL.M. candidates in the International Criminal Law LL.M. program receive letter grades in accordance with the Law School's regular grading system. Those whose first language is English and are required to obtain a grade point average of at least 3.00 in any twenty-four (24) credits of LL.M. work (which must include all required courses) in order to graduate. For those whose first language is not English, the graduation GPA requirement is a 2.00 or better. In other respects, the requirements, standards, policies, and procedures in effect for J.D. students apply, except that LL.M. students are exempt from the computation of any mandatory median grade in a course and percentage limitations applicable to high and low grades in a course. See Section IV, D, for an explanation of the median grades.

IV. GRADES AND GRADING

Grading is among the most important responsibilities that a faculty member performs. The evaluation of students enables the faculty to certify graduates of the school as being qualified to assume the serious responsibilities of the legal profession. This chapter includes rules that bear upon grades and grading.

Because evaluation through grading has a significant effect on students, many of the rules are designed to protect students from unfairness. On the other hand, it is widely agreed that professors must have the freedom to exercise independent judgment in making difficult decisions relating to teaching and testing. The rules here reflect a balance between professorial discretion and the urge to restrict that discretion on behalf of students.

The deadline for submission of grades by faculty members is dependent on class year and semester. For the Fall semester, 1L grades are due by 5:00 pm the first working day the University reopens after the Christmas break. Upper level (2L and 3L) grades are due by 5:00 pm three (3) business days later. For the Spring semester, graduating 3L grades are

due by 5:00 pm the Tuesday before graduation, while all other 1L and 2L grades are due three (3) weeks after the last exam for that term. For summer sessions, all grades are due three (3) weeks after the last exam for that term.

A. Pass/Fail Credit

The only courses approved for evaluation solely by a pass/fail determination are Law Journal, The Scholar, Regional and National Advocacy Competition, Internships, and Externships. Independent-study hours may be earned on a pass/fail basis if the supervising professor agrees. Also, pass/fail credit hours earned at another law school or credit hours awarded by St. Mary's for service or achievement are recorded with a "pass" rather than a grade.

All courses that have not been designated by the faculty as pass/fail courses are graded courses. Students may not "elect" to take a graded course pass/fail, or to receive a grade in a course designated as only pass/fail. The number of pass/fail credits that can be counted toward graduation is limited.

In extraordinary situations, the law school administration may authorize pass/fail grades, rather than letter grades (*see* Section II, C).

B. The Letter Grading Scale

"Graded courses" are evaluated according to a ten-level system using letter grades. The letter grades are assigned numerical values on a four-point scale for the purpose of calculating grade point averages. The letter-grading system and its numerical scale is:

A = 4.00	C+ = 2.33
A- = 3.67	C = 2.00
B+ = 3.33	C- = 1.67
B = 3.00	D = 1.00
B- = 2.67	F = 0.00

If a student receives a grade of *D* or higher, the credit hours assigned to the course are earned. The only failing grade is *F*, and receipt of this grade causes a student to lose the credit hours otherwise available for the course. Even though no hours are earned, a failing grade is used in calculating the student's grade-point average and is included on the student's transcript.

C. Anonymous Grading Policy

Each student is given a four-digit number every semester, including each summer session. The four-digit examination number is available to students on GATEWAY. The examination number normally should be the only student identification placed on examination responses.² For spring semester exams, a student should not indicate he or

² The anonymous-grading policy broadly applies to written evaluation instruments, including papers,

she intends to graduate. That information is already provided to professors through their Instructor Grade Reports (IGRs).

D. Median Grades and Percentage Limitations

The law faculty has adopted the rules described below that circumscribe the grading discretion of a professor in a course. These rules do not apply to a graded independent study.

1. Multiple Sections of the Same Course

A professor who teaches two sections of a course and uses the same examination for both may combine the final grades of both sections to satisfy the applicable required median and other limitations. In other words, the two sections may constitute a single course for application of the following rules, or the professor may choose to treat the two sections as individual courses.

2. First-Year Courses

(a) The median grade in all graded first-year courses must be B-.

(b) For Day and Evening Students enrolled Fall 2016 or later, in all first year courses, other than Legal Research and Writing, no fewer than 10% and no more than 25% of the grades must be C-'s, D's, or F's. No fewer than 10% and no more than 25% of the grades must be A's, A-'s, or B+'s. In both semesters of Legal Research & Writing there may be (1) B-median and (2) no more than 20% A, A- and B+ and no more than 20% C-, D, F.

For evening students enrolled prior to Fall 2016, in the first two semesters of all first year courses, other than Legal Research and Writing, no fewer than 10% and no more than 20% of the grades must be C-'s, D's, or F's. No fewer than 10% and no more than 20% of the grades must be A's, A-'s, or B+'s. During the third semester and in the mandatory summer course that follows the second semester, other than Legal Research and Writing, no fewer than 5% and no more than 15% of the grades must be C-'s, D's, or F's. No fewer than 10% and no more than 20% of the grades must be A's, A-'s, or B+'s. In both semesters of Legal Research & Writing there may be (1) B-median and (2) no more than 20% A, A- and B+ and no more than 20% C-, D, F.

3. Upper-Level Courses

mid-terms, quizzes, finals, and other documents that count toward a student's grade. There are some exceptions to the anonymous-grading policy, such as the evaluation of skills in a trial advocacy course; a required special oral presentation in a classroom course and a research paper written under close faculty supervision as part of a registered independent study. Professors should resolve doubts about the applicability of the anonymous-grading policy in favor of anonymity.

(a) If *more than twenty students* are to be evaluated in a letter-graded course, the median grade must be B, and no fewer than 10% of the grades may be A-'s or A's, and no more than 25% of the grades may be C-'s, D's, and F's.

(b) In a letter-graded course or seminar of *thirteen to twenty students*, the median grade must be B and no other limit applies.

(c) In a letter-graded course or seminar of *twelve or fewer students*, the median grade must be B+ or B, and no other limit applies.

(d) In a letter-graded course or seminar of *eight or fewer students*, the Associate Dean for Academic and Student Affairs may, in *extraordinary cases* and at the request of the faculty member teaching the course, grant an exception to the median limitation.

4. LL.M. and M.Jur. Grades

Grades of LL.M. and M.Jur. students enrolled in a course or seminar are not included in computing the median grade or compliance with percentage limitations.

E. Points for Class Participation

"Class participation and recitation" include the routine recitation on appellate court opinions contained in the required course book and the routine participation of students in class discussion. This phrase does not include special oral or written presentations required by the professor.

A professor may not raise or lower a student's final grade by more than one level because of "class participation and recitation." For example, a student's final examination grade of B may not be altered beyond B+ or B- because of "class participation and recitation."³

If a professor chooses to value "class participation and recitation," he or she must notify the class of this intention during the first week that a course meets. Once the final examination grades are determined,⁴ the professor must note on the class roster the

³ Any effort to increase or decrease a student's grade based on class participation must be undertaken in such a way as to preserve anonymity. Accordingly, if a faculty member increases or decreases a student's grade less than one grade level, that faculty member must preserve anonymity in the grading process. The faculty member must work with the Director of Student Records in doing so, and provide assurances to the Associate Dean for Academic and Student Affairs that she or he complied with the faculty rule concerning anonymous grading.

⁴ The same process for recording credit for class participation applies to courses where grades are based upon multiple exams, papers, or other evaluation instruments, as well as to situations

values to be added or subtracted and forward this roster to the Director of Student Records. The professor's examination grades will be included on a separate list of student examination numbers that does not identify students by name. The Director of Student Records, not the professor, will correlate the information contained on the two lists and calculate each student's final grade in the course. Once all grades have been delivered to the Director of Student Records, the Director will provide professors with a list containing the names of students and their final grades. Professors who choose to value "class participation and recitation" must ensure that the required median grade for the course is achieved *after* all points have been added or subtracted. That is, the median for the course is the median of the final grades in a course rather than the unadjusted grades.

F. Class Attendance

St. Mary's requires regular class attendance. Students with problems that will cause numerous absences should see the Associate Dean for Academic and Student Affairs. In addition to the rules described below, a professor may impose alternate policies that do not affect a student's grade or course registration. (For example, a student may be required to meet with the professor after a set number of absences.)

Class attendance at the School of Law includes active listening and participation in class. The use of electronic devices, for purposes other than those directly related to and authorized for the class, is prohibited during class time. As examples, students may not access social media, entertainment, shopping or other internet sources not directly related to the class content. Students may not text or use other electronic forms of communication during class. In addition, a professor has the inherent right to prohibit all classroom use of laptops computers, notebooks and any similar electronic devices.

1. Grade Reduction for Excessive Absences (The Three/Five Rule)

On the ten-level grading scale (*see* Section IV, B), a professor may deduct no more than one grade level from a student's final grade for three absences, and may deduct another grade level if the total reaches five absences, irrespective of the reason for such absences. (For example, if a student has three absences, a final grade of C+ may be reduced to C; if a student has five absences, a grade of C+ may be reduced to C-.) A professor who intends to apply this rule must notify students of this intention sufficiently in advance of the imposition of the sanction to permit the student to avoid the grade reduction.

A professor may treat any instance of a student found to be engaged in the use of electronic devices for other than class purposes as an absence and may withdraw the privilege of using any electronic device from such student. In addition, a professor has the right to impose any other sanctions to a student found to be engaged in the use of electronic devices for other than class purposes, if the nature of the sanctions is communicated to the students in advance so that the students

where part of a student's grade is based on "special oral or written presentations."

fully understand the possible ramifications of using electronic devices improperly. In determining that a student has engaged in unauthorized use of an electronic device, a professor may consider any evidence reasonably bearing on that question, including, but not limited to, the observations of classmates and law school personnel.

2. Penalties for Being Tardy

A faculty member may treat a tardy as equivalent to an absence or a fractional part thereof, provided that notice of the practice is provided to students during the first week of class. A student who leaves before the conclusion of class may, at the professor's discretion, with notice, be treated as tardy. (This includes students who leave class and return.)

3. Withdrawal for Excessive Absences

A student will be administratively excluded if he or she misses one-third or more of the scheduled classes. A student withdrawn for excessive absences will be required to meet with the Assistant Dean for Law Student Affairs or the Associate Dean for Academic and Student Affairs. However, a faculty member teaching a practice skills course of Clinic, Negotiations, Mediation, Arbitration, or Trial Advocacy may still adhere to the one-fifth rule.

4. LL.M. or M.Jur. Requirement

An LL.M. candidate who misses more than twenty percent (20%) of the number of scheduled classes in any course in which the LL.M. candidate is enrolled will result in administrative withdrawal from the class. However, if the person teaching the course believes the LL.M. candidate has good cause for some or all of those absences, the teacher of the course may request an exception from this rule from the applicable director (or co-director) of the LL.M. program, who shall have the sole discretion to determine if good cause exists. The decision of the director or co-director of the LL.M. program shall be communicated to the Associate Dean for Academic and Student Affairs.

An M.Jur. candidate who misses one-third (1/3) or more of the number of scheduled classes in any course in which the M.Jur. candidate is enrolled will result in administrative withdrawal from the class. However, if the person teaching the course believes the M.Jur. candidate has good cause for some or all of those absences, the teacher of the course may request an exception from this rule from the applicable director (or co-director) of the M.Jur. program, who shall have the sole discretion to determine if good cause exists. The decision of the director or co-director of the M.Jur. program shall be communicated to the Associate Dean for Academic and Student Affairs.

G. Grade-Point Averaging

In determining grade point average, each course is weighted according to the credit hours assigned to it. To calculate the number of grade points earned in a course, multiply the number of credit hours assigned to the course by the numerical equivalent of the letter grade received in that course (*see* Section IV, B). To arrive at one's cumulative grade-point average, divide the sum of grade points for all courses by the total number of credit hours. A failing grade is used in the calculation of a grade-point average even though the student will not receive credit for a failed course.

H. Distinguished Academic Achievement

1. Graduation with Honors. Upon graduation, students who rank in the top two percent of their class are graduated *summa cum laude*, those who rank in the top five percent of their class are graduated *magna cum laude*, and those who rank in the top ten percent of their class are graduated *cum laude*. This determination is made in the Spring semester for the entire class (including students who graduate earlier in the academic year). The appropriate designation is included on a student's diploma and is announced during the graduation ceremony.

2. Dean's List. After each Fall and Spring semester, the names of those students whose semester grade-point averages rank in the top ten percent of the third-year class, in the top ten percent of the second-year class, or in the top ten percent of each first-year section will be listed on the Dean's List, which is posted on official law school bulletin boards. To be eligible, second- and third-year students must have completed at least twelve (nine for evening students) graded law school hours during the semester, and first-year students must have been enrolled in all courses required during the initial year of law study. A student may request that his or her name not be listed on the Dean's List that is published after each semester. The Law School cannot guarantee removal of a name from the list unless the request is filed in the Registrar's Office before the end of the appropriate examination period, but such requests will be accepted after that time. In such cases, the honor will be noted in the student's file even though his or her name is not on the list, and the student may include the honor on his or her resumé.

3. Class Rankings. After each semester, individual class rankings are available to students through the Director of Student Records. The Law School also discloses, through the website and otherwise, the median and certain percentile rankings for each class, for the use of potential employers and others.

I. Appeal of Grades

In accordance with University policy, the Law School has established a procedure to be used in appealing a final grade. That procedure is summarized below:

a. A student wishing to complain about a final grade received in a course must first discuss the examination, either orally or in writing, with the professor during

the exam review period (*see* Section V, E).

b. If this discussion does not satisfy the student, the student may appeal the grade to the Associate Dean for Academic and Student Affairs. Following the procedure set forth below, the Associate Dean will recommend appropriate action to the Dean.

c. The Dean will decide the appeal and the student and professor involved in the appeal will be notified of the result in writing.

d. The *sole remedy* available in a grade appeal is the conversion of the disputed grade to a grade of "pass."

The Associate Dean *will not* consider an appeal unless the aggrieved student has brought the complaint to his or her attention or to the attention of the professor during the period within which students have a right to review examinations (*see* Section V, E). If a dispute is not resolved in the discussion with the professor, the student may file an appeal by delivering to the Associate Dean a written statement explaining the specific grounds for the appeal and providing current contact information for the student (mailing address, phone number(s), and e-mail address(es)). The written statement must be filed within thirty days after the end of the applicable exam review period, unless the Associate Dean grants an extension of time.

Before making a recommendation to the Dean, the Associate Dean will send a copy of the student's written statement to the professor and allow the professor a reasonable time within which to respond. The Associate Dean's findings and recommendations will be forwarded thereafter to the Dean, with a copy to be delivered to the complaining student and to the professor. Both the student and the professor must be given a reasonable time within which to respond to the Associate Dean's findings and recommendations.

To be successful on appeal, a student must demonstrate, *by clear and convincing evidence*, that a professor has determined the student's grade *in a wholly arbitrary and capricious manner*. This is an exceedingly demanding standard and therefore *grade appeals rarely succeed*.

The Associate Dean for Academic and Student Affairs has determined that a grade might be found to be "wholly arbitrary and capricious":

- if it is not based on standards that constrain the exercise of professorial
- discretion;
- if the standards are unrelated to the educational goals of the law school;
- if the professor failed to follow academic rules; or
- if the grade was awarded in bad faith.

However, there is an important difference between conduct that is "erroneous" or "clearly erroneous" and conduct that is "wholly arbitrary and capricious"; the latter standard is

considerably more demanding than the former. Evidence that a professor may have erred in following or applying academic standards does not make a grade “wholly arbitrary and capricious.”

If a dispute centers on a conflict between the judgment of the professor and the judgment of the student, the professor's judgment will be accepted. Complaints about the harshness or inadequacy of a professor's examination will not sustain a grade appeal.

In the interest of preserving academic freedom, an appeal of a grade will fail unless the standard described above is clearly met. The Associate Dean or Dean may request information that may be helpful. No student is entitled to any particular process, investigation, or inquiry other than that set forth in this subsection.

J. Transient Grades

Grades earned at other law schools while a student is in transient status are not used in calculating the student's cumulative grade-point average. A transient-status course is listed on the student's transcript with a grade of “CR” (credit). To receive credit in transient status, a student must receive a grade of “C” or better in the transient status course. Credit hours earned in transient-status courses count toward the 90-credit (or, as applicable, ninety-one (91)) hour requirement for graduation, but do not count against the limit on “ungraded elective credit hours” (that is, the pass/fail hours limitation), if the student received a letter grade or a numerical grade (rather than a generic “pass”) in the transient-status course.

K. Retaking Courses

A student who fails a required course must retake and pass the course. The student need not retake the required course from the same professor. The failing grade remains on the student's transcript and will be averaged with the grade received after retaking the required course.

A student who fails an elective course does not have to retake it. As a general rule, the administration neither requires nor permits the retaking of courses that are not required by the faculty for graduation. A student or professor seeking an exception to this rule must obtain permission from the Associate Dean for Academic and Student Affairs. A student who enrolls for (“retakes”) a course without prior written approval earns no credit in the subsequently taken course and the grade received in that course is not used for any purpose.

L. Grades of “Incomplete”

At the request of a professor, a grade of “I” or “Incomplete” may be entered temporarily for a student who for some *legitimate and compelling reason* has not completed the course requirements (e.g., an exam postponed due to illness or other good excuse). *The work not finished on time must be completed within 60 days of the last day of the examination period in which the course was offered.* In the event that a student does not complete all course

requirements within the time required, the "I" or "Incomplete" automatically will be converted to a withdrawal and the student will receive no credit for the course. In such a case, the withdrawal will be treated as if the student had voluntarily withdrawn, and no tuition payment for the course will be refunded. The *faculty member* who requested the "Incomplete" may petition the Associate Dean for Academic and Student Affairs for an additional, specific period in which the student may complete the course requirements, but such an extension will not be granted except in *compelling circumstances*.

V. EXAMINATIONS

A. Examinations, Papers, and Evaluations of Skills

In many courses, student performance is evaluated through the use of a single final examination scheduled during a period set aside for this purpose at the end of each semester or summer session. In some courses, however, a professor may provide students with the option of writing a paper in lieu of taking a final examination, or may require a paper or other projects in addition to the final examination. The professor may choose to evaluate students through tests but give both a mid-term and a final examination, or several tests, in lieu of or in addition to a final examination.

As a general practice, individual final examinations last the same number of hours as are assigned as credit hours to the course. In a two-credit course, for example, the professor ordinarily will allow two hours in which to complete the final examination. However, some professors give three-hour exams in two-credit courses, and others may give two-hour exams in three-credit courses. The faculty has not established a rule to control the time required by a professor for the taking of his or her examination. A student should contact the professor to determine the duration of the examination in a course.

Seminars, live-client clinics, and trial advocacy courses are among the exceptions to the general practice. In a seminar, the professor assigns grades by evaluating a research paper prepared during the semester. In clinics, the supervising attorney evaluates the student's work with and on behalf of clients, and in Trial Advocacy the professor evaluates performance in exercises.

B. Practice Examinations

Each professor who teaches a first-year course in the fall must give students a practice examination prior to the fall semester final examination period. A professor who teaches a first-year course that is offered only in the spring semester must make available some examination instrument to students.

The practice examination requirement is intended to acquaint first-year students with the examination style of each of their professors and to give them some feedback before final examinations. Therefore, the problems posed by the practice examination should be similar in both form and substance to those that will appear on the final examination. The professor should supply model answers or an explanation of the proper response to each problem.

C. Exam Administration

General:

Students are bound by the Honor Code and should report irregularities to the law school administration or to the exam proctor.

In general, law school exams and grades are awarded on an anonymous basis. This is to protect the integrity of the grading process for both professors and students. Professors should make an effort to avoid identifying students by name on exams in courses where grading is anonymous. Anonymity should be attempted in good faith by faculty members, but is not guaranteed to the student.

Faculty members should generally be available by phone or in person during their graded exam administration. If a faculty member will not be available, he or she needs to notify the law school administration and to make the students and the law school administration aware of the exam instructions in advance of the exam.

Timing and Preparation:

Faculty members may not administer final exams other than during the finals period. This does not apply to classes that finish during the semester.

Faculty members may give a take home exam for the final, but it may not be due to the professor before the final is scheduled.

Midterms or other graded and timed assessments (quizzes, etc.) must be administered during class time. The exam may not be longer than the class time minus five (5) minutes. For example, if the class is seventy-five (75) minutes, the exam may not exceed seventy (70) minutes in length. A professor may contact the administration to schedule an out of class exam, but students with conflicts must be accommodated by the professor (the professor may work with the law school administration to arrange alternate exam times for the students with conflicts).

Faculty members must complete and submit their final exams to the administration (Director of Student Records and the Assistant to the Deans for accommodations) forty-eight (48) hours prior to the administration of the exam. A faculty member may request a waiver of the forty-eight (48)-hour requirement. Faculty members may submit midterms or other graded and timed assessments to the administration twenty-four (24) hours prior to the administration of the exam.

Final exams must be offered at the scheduled exam time (8:00 a.m., 1:00 p.m. or 6:00 p.m.), may not exceed four (4) hours in length and may not extend past 9:00 p.m. for evening exams.

Professors must notify the students of the basic structure and type of final exam (e.g. multiple choice, essay, short answer, etc.), as well as timed exam length prior to the end of the semester.

All students with direct conflicts (or emergencies that can be accommodated) will take their exam during the scheduled alternate day and time.

If a student has more than two exams to be completed during a 24-hour period (or three consecutively scheduled exams), he or she may work with the law administration to reschedule one of the exams as a conflicting exam. As an example, if a student has exams scheduled at 8 a.m., 1 p.m., and 6 p.m.; or 1 p.m., 6 p.m., and 8 a.m.; or 6 p.m., 8 a.m. and 1 p.m., one of the exams may be rescheduled since the student has three consecutive exams.

If a student is up to twenty (20) minutes late for an exam, they should report to their assigned testing room to take their exam. They are required to complete the exam within the scheduled exam time and will not receive any additional time. Students who are more than twenty (20) minutes late for an exam should report directly to either the Assistant Dean for Law Student Affairs or the Associate Dean for Academic and Student Affairs. In both circumstances, faculty will be notified that the student was late and may adjust the student's grade as a consequence of any delinquency at her or his discretion.

Exam Protocols and Procedures:

Students are obligated to comply with all exam protocols. An up to date list of Proctoring Guidelines and Procedures for all examinations can be found at <https://11903-presscdn-0-75-pagely.netdna-ssl.com/wp-content/uploads/2014/12/2016ExamPoliciesForStudents.pdf>.

ExamSoft and Laptops:

Students must download ExamSoft (for exams where needed) prior to the day and time of the exam. The exam start will not be delayed for students to download the software. Students who are not ready to begin with ExamSoft on exam day may handwrite their exam.

ExamSoft will not have spell check capability during any law school exam.

If a laptop fails to operate during an exam, the student will be permitted to handwrite the exam. The law school IT department will assist the student, but no extra time will be allowed for the exam.

Students must upload a completed exam at the end of the exam period when using ExamSoft. If a student fails to do so, the professor will be notified of the fact of the delay and the extent of the delay by the law school administration. The professor may lower the student's grade based on the reported delay.

D. Exam Rescheduling

Students are urged to consider the examination schedule in registering for courses and are advised to *assume that examinations will not be rescheduled for any reason other than direct conflict or bona fide medical or other emergency.*

1. Rescheduling for the Entire Class

A professor may not change the scheduled date of a final examination unless every student in the course consents. With the exception of courses designed to end early in the semester, a professor may not reschedule an exam to occur before or during the "dead days" immediately preceding the exam period without the approval of the faculty. Thus, final examinations may not be held the final week of the semester.

2. Rescheduling for Individual Students

Any student wishing to take a final examination on a date or at a time different from the scheduled date and time must submit a written request to the Associate Dean for Academic and Student Affairs at least three (3) days prior to the beginning of the exam period, other than in cases of bona fide medical or other emergency.

A bona fide emergency does not include the following circumstances:

- a. conflict with weddings, receptions, or similar special events;
- b. conflict with travel plans or reservations;
- c. conflict with employment plans, opportunities, or obligations;
- d. examinations scheduled on sequential days or two examinations scheduled on the same day, or exams that are spread out over the exam period;
- e. permission of the instructor alone; and
- f. minimization of commuting time.

The Associate Dean shall not grant any request in a case not involving a direct conflict or bona fide medical or other emergency without offering the alternate time to all students enrolled in the course. Because multiple administrations of an exam pose a risk to the security of the contents of the exam, the Associate Dean will ordinarily decline to offer an alternate time to all students enrolled in the course and will deny the individual student's request to take the exam on a different date or at a different time.

3. Medical and Other Emergencies

Any student who is unable because of a medical or other emergency to take an examination at the regularly scheduled time for such examination should contact the Associate Dean for Academic and Student Affairs no later than close of business on the date of the exam. To preserve anonymity during the grading

process, students with emergencies should *not* contact the professor giving the examination. Rescheduling of an exam due to a medical condition may require a doctor's note or other documentation.

4. Conflicting Exam Times

Whenever a student is scheduled for exams that are to occur during the same time period or during overlapping time periods, one of the exams will be rescheduled. The Associate Dean for Academic and Student Affairs shall have sole discretion to determine which exam will be rescheduled and the alternate time for the exam.

5. Students with Disabilities

Exams for students with documented disabilities are administered through the Office of the Associate Dean for Student and Academic Affairs as required by the Americans with Disabilities Act. For more information about disabilities and related accommodations, contact the university Student Psychological and Testing Center, or check the university website (www.stmarytx.edu) or the university (not the law school) *Student Handbook*.

6. Non-Native English Speakers

JD students who are not native English speakers can be granted additional time - up to time and a half - for exams with prior request and approval from the Associate Dean for Academic and Student Affairs.

7. Miscellaneous

In all other cases, the Associate Dean for Academic and Student Affairs shall have sole discretion with respect to issues relating to the scheduling of exams. If the Associate Dean grants a request for an early or late examination, the faculty member may prepare a different examination and grade it separately.

E. Examination Review

A law student has the right to review his or her examination during a thirty-day (30) period which begins on the first working day after the Director of Student Records posts a notice indicating that all law school grades have been received for the semester or summer session. If the thirty-day (30) period ends on a weekend or holiday, it will be extended until 5:00 p.m. on the next working day. In addition, a student has the right to review spring semester or summer session examinations during the first two (2) weeks of the following fall semester.

Review of individual examinations is postponed until all grades are received in order to prevent premature disclosure of student examination numbers. However, a professor may choose to return graded examinations to students before all grades are received if the return is affected in a manner that does not require disclosure of student numbers.

A student must be given sufficient time for the review of an examination and must be provided a copy of the examination questions, his or her answers, and information sufficient to indicate what were correct or valued responses. The professor may provide this information by supplying model answers, a grading sheet or chart, a copy of the responses of another student (whose identity should not be disclosed), or other materials or information that enables the student to discover his or her errors or deficiencies. If a final grade has been determined in part because of class participation and recitation or absences, the professor must inform the student of the extent to which his or her exam grade was altered. All materials which have not been returned to students and which are necessary for review of an examination must be made available on the law school campus during the review period.

A professor is not required to allow review of an examination other than during the review period. However, a professor may permit review of examinations in any manner after the expiration of the review period.

VI. ACADEMIC ISSUES

A. Academic Support Resources

A student who is experiencing academic difficulties in law school should seek assistance before troubles become overwhelming. Students may contact faculty members, the Assistant Dean for Law Student Affairs or the Associate Dean for Academic and Student Affairs for advice or for referral to someone who can provide assistance. The University's Learning Assistance and Counseling Centers have aided law students in overcoming test-taking deficiencies and anxieties. The Law School's Law Success Program also will work closely with students experiencing academic or emotional difficulties. In addition, the Law School employs a counselor who can advise students and assist in identifying potential resources to assist students.

B. Academic Exclusion of First-Year Students

1. After the First Semester (or Second) Semester prior to the end of the First Year

If a student's grade-point average for the first semester (or second semester for evening students who have not finished the first year) in law school is below 1.8, the student will be academically excluded from law school and will be given a full refund of all tuition and fees paid for the current semester in which he or she may have enrolled before notice of exclusion. This exclusion is non-appealable.

If a student's grade-point average is at or above 1.8 and below 2.0 after the first semester (or second semester for evening students who have not finished the first year) in law school, he or she may withdraw and receive a full refund of tuition and fees paid for the current semester. In order to receive the full refund, the affected student must notify the Associate Dean for Academic and Student Affairs within fourteen (14) calendar days after the date of the first letter sent by the law school to notify the student of his or her grade point average.

2. After the First Year

A student whose grade-point average is below 2.0 after the first year in law school will be academically excluded. A student excluded after the first year in law school will be given a full refund of all tuition and fees paid for a session in which he or she may have enrolled before notice of exclusion.

3. Re-Admission After Academic Exclusion

A student who is excluded or who withdraws with an average below 2.0 can reenter the Law School only by obtaining admission as a beginning law student after at least one complete academic year has elapsed since either exclusion or withdrawal. Re-admission is not automatic. The student must apply as would any new applicant and will be considered according to the admissions criteria in effect at the time of application, including any requirements established by ABA Standard 505.

4. Appeal of Academic Exclusion at the End of the First Year

Although an appeal of academic exclusion is allowed in the case of a first-year student, a *strong presumption* exists against altering the effect of the faculty's grading decisions.

A student wishing to appeal exclusion must file a written statement with the Associate Dean for Academic and Student Affairs within fourteen (14) days after the date of the exclusion letter sent to that student. The Associate Dean may, for good cause, grant an extension of time. The appeal of academic exclusion shall be determined by the Dean of the Law School. The Dean, at the Dean's discretion, may consult with the Assistant Dean for Law Student Affairs and the Associate Dean for Academic and Student Affairs in making these decisions.

Upon a showing of *compelling circumstances*, a student who is academically excluded may be given one additional probationary semester in order to bring his or her cumulative grade-point average up to the minimum level for continued enrollment.

The Dean may allow a student an additional semester, but must make a written report of such a decision to the law faculty.

The Dean may decide to begin the additional semester immediately after the academic exclusion of a student or after a period not to exceed one year from the date of exclusion. All decisions of the Dean on these matters are final and non-appealable.

C. Academic Exclusion of Second- and Third-Year Students

If an upper-level student who has not been on probation earns a cumulative grade-point average below 2.0 at the end of the third or any subsequent semester, he or she will be on academic probation for the following semester.

D. Academic Probation

Any student who is on academic probation (including any student excluded at the end of the first year of law school who was granted an additional probationary semester) who fails to raise his or her cumulative grade-point average to 2.0 or better with the grades earned during the semester on academic probation will be academically excluded with no right to appeal. Grades earned during the summer will not place a student on academic probation or remove a student from that status, but those grades will be used in the calculation of the student's cumulative grade-point average.

A student may be on academic probation only once. Therefore, a student who has been on probation during one semester will be academically excluded if, after any subsequent semester, he or she fails to maintain a cumulative grade-point average of at least 2.0. An excluded upper-level student has no right to appeal academic exclusion, although the student may pursue the grade-appeal process (*see* Section IV, I)

E. Law Success

At any time, the faculty and administration of the law school may establish criteria by which students, during any portion of their enrollment at St. Mary's, shall be required to participate in academic advising and other programs or services offered by the Law Success Program (*see* Section II, M).

VII. TUITION AND FEES

A. Payment Policies

Payment of all tuition, room and board charges, and fees (listed below, with the most current information available at time of publication of the handbook, check the University website if questions arise), or arrangements for payment, must be made at or prior to registration for each academic term. In determining the balance due at the time of registration, financial aid from the University or external sources is taken into consideration if the student's eligibility for financial aid has been properly certified.

In some cases, the Business Office approves extending the payment period beyond

registration; ordinarily, interest is assessed on deferred payments. During the fall and spring semesters of the second and third years of study, the University offers several monthly payment plans that extend payments over two or three months. Consult the Business Office for further details. Monthly payment plans are not available to beginning students for the fall semester.

Students should notify the Law School, the Registrar's Office and Business Office of any address change or of withdrawal from the University.

Registration for an academic term is not complete until full payment for the current and prior terms has been made, or satisfactory arrangements have been made with the Business Office. *Students who have not met their total financial obligations to the University may not be permitted to enroll for a subsequent academic term. Credits, honors and credentials (including transcripts) are withheld until all accounts with the University are paid in full.*

Rates valid August 1, 2016 - July 31, 2017

J.D. and M.JUR. LAW TUITION RATES	
J.D. and M.JUR. Law Tuition (1-7 hrs, >17 hrs)	\$1,200 per hour
J.D. and M.JUR. Law Tuition (8-11 hrs)	\$11,500 per semester
J.D. and M.JUR. Law Tuition (12-17 hrs)	\$17,290 per semester

LL.M. LAW TUITION RATES	
LL.M. Law Tuition (1-7 hrs, >17 hrs)	\$1,250 per hour
LL.M. Law Tuition (8-11 hrs)	\$12,075 per semester
LL.M. Law Tuition (12-17 hrs)	\$18,155 per semester

OTHER FEES:

Student Activity Fee *(full time)	310
Student Activity Fee *(part time)	155
Student Activity Fee *(Summer-full time)	155
Student Activity Fee *(Summer-part time)	77.50
Parking Fee	
Fall Semester (effective Aug 2016 - Aug 2017)	120
Spring Semester (effective Jan 2017 - Aug 2017)	80
Summer Term (effective May 2017 - Aug 2017)	40
Identification (New and replacement ID)	5
Late Registration Fee	150
Late Payment Fee	200
Returned Check Fee	50
Official Transcript	10
Health Insurance (Fall/Spring)	
Mandatory for resident students (Domestic Student)	974
Optional for non-resident students (International Student)	974

Click here to apply for an [insurance waiver](#)

A complete listing of tuition fees may be found on the St. Mary's website at <https://www.stmarytx.edu/about/offices/business-office/tuition-fees/tuition/>

*Student Activity Fee partially supports a wide variety of professional services and organizations available to all St. Mary's students. These include: Student Health Center, Student Psychological and Testing Services, Civic Engagement and Career Development, the Dean of Students and Student Life, Campus Recreation and the following student organizations: Student Government Association, Student Bar Association, the Rattler student newspaper, and the University Programming Council. Students receive free admission to athletic events (other than conference playoffs) and most concerts, lectures, and drama productions.

Individuals may obtain an official transcript of their work completed at St. Mary's University provided they have satisfactorily met all University obligations.

B. Tuition Refunds

At the beginning of each semester, the Director of Student Enrollment or the Associate Dean for Academic and Student Affairs posts a schedule for tuition refunds. This information is ordinarily also available on the Law School Calendar on the law school website (law.stmarytx.edu). Although the official dates must be obtained from the Director of Student Enrollment or the Associate Dean for Academic and Student Affairs, a 100% refund for dropped courses normally is allowed during the first week of classes, a 75% refund normally is allowed during the second week, and so forth until no refund is allowed. The refund schedule applies to courses dropped after registration and add/drop days.

C. Non-Degree Candidates

A member of the bar or graduate of another approved law school may enroll in a particular course or limited number of courses as an auditor or as a non-degree candidate. An auditor is not required to take a final examination in a course, and does not receive credit or a grade for the audited course. A non-degree candidate may enroll and receive course credit and a grade upon successful completion of all requirements imposed on degree candidates in the course. Admission of such persons as auditors or non-degree candidates must be approved by the Associate Dean for Academic and Student Affairs.

VIII. TRANSFER AND TRANSIENT STATUS

There is a difference between "transfer" and "transient" status. A student who transfers to another law school will be certified as a graduate of that law school. A student who seeks transient (or visiting) status at another law school remains a St. Mary's student. The question presented by a request for transient credit is whether the hours earned at another

law school will be accepted by St. Mary's in partial fulfillment of the ninety-one hour graduation requirement.

A. Transfer

The credit hours earned by a student at St. Mary's University School of Law may be transferred to another law school so long as and to the extent the transferee law school will accept them. St. Mary's asserts no control over transfer and is involved only because it must provide a letter of good standing and an official transcript. Whether a law student can transfer to another law school depends solely on the rules of that school. Because a transfer student will become the potential graduate of the transferee law school, that school will apply its own admission requirements.

A notice of intent to transfer must be signed by the student seeking transfer and delivered to the Director of Student Records before July 15 of each year. This must be received by July 15 or the request cannot be processed. The student seeking to transfer must meet with the Associate Dean for Academic and Student Affairs, in person, by telephone, or by e-mail for an exit interview. The Director will prepare the letter of good standing which is required for transfer applications. This letter will be signed by the Associate Dean for Academic and Student Affairs and forwarded to the transferee law school. The transferring student also will be required to obtain an official transcript from the University's Registrar. A student whose cumulative grade point average is below 2.0 is not in good standing and therefore cannot obtain a letter of good standing.

B. Transient Status

A St. Mary's student may take courses at any other law school, but the credit hours earned will be accepted by St. Mary's in fulfillment of its graduation requirements only under certain circumstances. The American Bar Association (ABA) prohibits the granting of academic credit for courses taken at a law school that is not accredited by the ABA. Also, transient hours are accepted by St. Mary's only when the student earns a passing grade in the course, according to the grading scale of the other law school. St. Mary's will not accept transient hours earned in a course which the student has already taken at St. Mary's. A transient student may not take a course required by St. Mary's at another school without the permission of the Associate Dean for Academic and Student Affairs.

Regarding grades earned while in transient status, *see* Section IV, J.

Students must obtain approval for transient status prior to presenting courses taken elsewhere for credit at St. Mary's. The requisite form is available from the Director of Student Records. In addition, the following rules restrict the acceptance by St. Mary's of transient hours.

1. Limitation on Summer Transient Hours

A St. Mary's law student may receive credit toward graduation for a maximum of six (6) credit hours earned at another law school during the summer(s). If a student

participates in an Austin internship (*see below*), the number of summer transient hours already earned will reduce the number of transient hours otherwise available in the internship program.

2. Austin Internships

St. Mary's students may participate in three internship programs with courts in Austin conducted under the auspices of the University of Texas. These programs—at the Texas Supreme Court, the Texas Court of Criminal Appeals, and the Third Court of Appeals—require a student to spend one semester in Austin. A student may earn credit for only one Austin internship during the student's law school career. The Austin internships have different prerequisites and procedures for application. Contact the Internship for further information.

Each Austin internship requires the intern to spend approximately twenty hours per week at the particular court, and each intern is graded on a pass/fail basis according to how well he or she completes certain writing assignments. Overall supervision is provided by a court official or judge, and St. Mary's will accept four (4) credit hours for successful completion of the internship. These internship credits are awarded by the University of Texas School of Law and are, therefore, transient hours.

A student accepted in an Austin internship program is allowed to count a maximum of fifteen (15) transient hours (eleven in addition to the four (4) credit internship) toward fulfillment of the ninety (90) (or, as applicable, ninety-one (91)) graduation requirement. If an intern has previously earned summer transient hours, the number of earned summer transient hours reduces the number of hours that can be earned while attending the University of Texas School of Law during the semester of the internship. For example, a student who has earned six (6) summer transient hours can, by being accepted in an Austin internship program, earn only nine (9) more transient hours (15 minus 6 equals 9).

Attendance at the University of Texas School of Law during the semester of an internship counts toward fulfillment of the ninety-week residence requirement.

3. Special Transient Status

Special transient status must be approved by the Associate Dean for Academic and Student Affairs of the Law School before transient hours, other than those described above, will be accepted by St. Mary's toward fulfillment of the ninety (90) (or, as applicable, ninety-one (91)) graduation requirement. Special transient status will not be approved except for *compelling* reasons.

Compelling reasons are those that, at a minimum, could not have been foreseen at the time of initial enrollment and which have to do with unique personal or family difficulties. Financial or job-related reasons are not considered compelling. Special transient status will

not be granted in all cases in which applicants present compelling reasons. Students wishing to take classes at another law school for a semester or longer should first attempt to transfer to that school (*see* Section VIII for more information). If the applicant is not accepted as a transfer student, he or she may apply for special transient status, but the presumption is heavily against approval of such status because St. Mary's graduates should complete virtually all of their legal education at St. Mary's (with a minimum of sixty (60) hours).

To apply for special transient status, a law student must make a written request to the Associate Dean for Academic and Student Affairs. The request should include a statement of: the number of transient hours sought; the number of transient hours already earned; the number of hours completed at St. Mary's; the required courses which will be completed at St. Mary's; and the reason for seeking transient status. The request also should address in detail why the applicant must take transient status rather than a leave of absence or transfer. The decision of the Associate Dean is non-appealable and final.

Requests for special transient status in a spring semester must be filed with the Associate Dean before November 1 of the preceding fall semester. Requests for special transient status to begin with or to include a summer session or fall semester must be filed before April 1 of the preceding spring semester. Only requests for special transient status because of medical emergencies will be considered if filed after these dates. *These dates are considered jurisdictional and cannot be waived in other circumstances.*

Attendance at another law school pursuant to a grant of special transient status by the Associate Dean will count toward satisfaction of the ninety-week, resident-study requirement. Regarding grades earned while in transient status, *see* Section IV, J. Students granted special transient status who have not completed all required courses must seek and obtain approval of the Associate Dean for Academic and Student Affairs prior to enrolling in a required course at the law school the student is visiting.

Transient students are bound by the St. Mary's calendar for administrative purposes including graduation certification. Students must provide an official, hardcopy transcript from the transient university to the St. Mary's Director of Student Records no later than close of business on the date of the St. Mary's deadline. Final grade verifications by the transient university received after this deadline can result in a delay of graduation date and an inability to certify the student's eligibility to take the state bar exam.

IX. MISCELLANEOUS

A. Law School Administration and Governance

The chief administrative officer of the Law School is the Dean. The Dean is assisted by the Associate Dean for Academic and Student Affairs and various Assistant Deans. The individuals holding these positions are identified on the law school website (law.stmarytx.edu) and in the entering class facebook published at the beginning of each academic year.

The legislative body for the Law School is the Faculty Council, which consists of all tenured and tenure-track members of the law faculty and clinical professors of law.

Various faculty committees consider proposals to revise the rules or administrative procedures of the Law School or carry out other tasks. Most committees have one or more student representatives appointed by the Student Bar Association. New committee appointments are made each year. A copy of the committee assignments for the current academic year may be obtained from the Associate Dean for Academic and Student Affairs.

B. Veterans

The Veteran's Administration requires St. Mary's to notify that agency of any upper-level student who is receiving veteran's benefits and who earns a cumulative grade-point average below 2.0.

C. Nondiscrimination

It is the policy of St. Mary's University School of Law not to discriminate or segregate on the grounds of race, color, religion, disability, national origin, sex, age, handicap or sexual orientation in its educational programs, admissions policies, financial aid or other school-administered programs.

This policy is enforced in large part by federal law under Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973.

Inquiries regarding compliance with these statutes may be directed to the Director of Human Resources for St. Mary's University at (210) 436-3725 or to the Director of the Office of Civil Rights, Department of Health and Human Services, Washington, D.C.

As a matter of conviction as well as of law, St. Mary's University School of Law seeks to be an equal opportunity educational institution. To this end, the Law School maintains a policy of nondiscrimination in employment.

Conformity with federal law is assured by the Equal Employment Opportunity Officer, the Vice President for Administration and Finance of the University.

D. Privacy of Student Information

The right of students to obtain information or to prevent disclosure of information from their educational record as maintained by St. Mary's University is prescribed by the Family Educational Rights and Privacy Act of 1974 ("The Buckley Amendment"), 20 U.S.C. § 1232g. In addition, the Department of Education has promulgated regulations, contained in 34 CFR Part 99, to implement the Act. In conformity with the Act and its implementing regulations, the University's policy is stated in its Catalog.

The Law School maintains unofficial records for its students and, therefore, discloses student information as allowed or required by the Family Educational Rights and Privacy Act, its implementing regulations, and the University's policy. The Law School does make public certain directory information, which includes the following:

- a. a student's name, local address, and telephone number;
- b. a student's major field of study, year in law school, and academic and public service honors and awards;
- c. the dates of a student's attendance and graduation; and
- d. the most recent previous educational institution attended by the student and the degrees and awards received.

This information may be included in student directories; in lists of names posted on official bulletin boards; or in honors, awards, or graduation ceremony programs. The Law School also discloses by telephone the telephone number of a student *if* that number is included in a published student directory.

Each student has the right to restrict or to prevent the release of the above-listed directory information. A student may prevent the release of all directory information by filing such a request with the University's Office of the Registrar during the period running from the first day of classes in the fall semester through the twelfth day of classes in the fall semester. Forms for this purpose are available at the Law School during fall semester registration. Early notice to the University is necessary to prevent use of student information in directories, which are prepared in the fall semester. This notice also will prevent disclosure by the Law School. A request to prevent disclosure of directory information will remain in effect as long as the student is registered unless withdrawn by the student.

A student who fails to file a request with the Office of the Registrar during the prescribed period may thereafter restrict or prevent further publication by the Law School of directory information by filing a written request, describing the restrictions desired, with the Office of the Dean. This written request should be filed as soon as possible in order to avoid publication of the information in a Law School directory.

E. Persons with Disabilities (Americans with Disabilities Act)

A law student who has a disability and who wishes to secure accommodations under the Americans with Disabilities Act must notify the Student Psychological and Testing Center

of the nature of his or her disability. The Student Psychological and Testing Center determines what accommodations will be made to assist a student with a documented disability. The School of Law will not provide any accommodations until a letter has been issued by the Student Psychological and Testing Center stating that the student is entitled to accommodation. The process of documenting learning disabilities is often time consuming. A student must apply to the Student Psychological and Testing Center for accommodation of a disability sufficiently far in advance to allow the processing of the student's case. It is the responsibility of the student, not the School of Law, to arrange for documentation of disabilities and to secure a determination of the entitlement to accommodation from the University. Special testing accommodations granted by the University are normally administered by the law school's Office of the Associate Dean for Academic and Student Affairs. A student who fails to appear at the scheduled time for a specially administered examination will normally be deemed to have waived the right to accommodations.

F. Academic and Disciplinary Misconduct

Law students must comply with the Code of Student Conduct of the School of Law. The Code of Student Conduct is reproduced in Section XI of this *Student Handbook*.

Complaints of academic or disciplinary misconduct by law students may be made to the Dean or to the Associate Dean for Academic and Student Affairs. Following any necessary investigation, the Associate Dean may dispose of the matter informally, recommend to the Dean that no action be taken, or recommend formal action. Formal action is initiated by the Associate Dean's written complaint to the Dean requesting referral to the Court of Student Conduct. The Court consists of five members, including two students in good standing at the Law School and three full-time members of the law faculty. The Court determines whether the accused violated the Code of Student Conduct and recommends an appropriate punishment for imposition by the Dean. The Dean's decision can be appealed by the accused to the Faculty Committee for Appeal of Student Violations.

Law students must also comply with the rules and regulations set forth in the *St. Mary's University Student Handbook*. Fair notice to law students of the rules and regulations contained in the *St. Mary's University Student Handbook* is conclusively presumed. Formal action on a complaint will be carried out by the University's Dean of Students in accordance with the *St. Mary's University Student Handbook*.

G. Abuse of Computer Hardware and Software

The Law School provides students with access to computer hardware and software to assist students with their academic studies. Students must comply with all posted rules regarding the use of computer hardware and software, and with the rules and regulations set forth in *Computing at St. Mary's University School of Law*, copies of which are available from the Director of Computer Administration.

Students are prohibited from installing any software on any law school computer. Students are also prohibited from modifying any software settings other than those

modifying the format of documents to be printed (*e.g.*, fonts) or those modifying the display of the software on the computer monitor (*e.g.*, changing the size of a program window).

Students abusing computer hardware or software may have complaints of disciplinary and academic misconduct brought against them under the Code of Student Conduct of the School of Law (*see* Section XI) and the *St. Mary's University Student Handbook*.

H. Disclosure of Character and Fitness Issues After Law School Application

Students are required to disclose, in writing, any new or additional information, or changes to any matters affecting the character and fitness portion of their original law school application, after its initial submission. This disclosure is made to the Assistant Dean and Director of Admissions, except in instances where the event occurs after the student has begun his legal studies. In that event, the disclosure is made to the Associate Dean for Academic and Student Affairs.

I. E-mail Accounts

Each student is assigned a Law School e-mail account and is required to check this account daily. Faculty and the Administration use e-mail to communicate with students and to send official notices. Students are deemed to have knowledge of all communications from the Faculty and Administration which are sent to their Law School e-mail address. Additionally, various professors may have more specific requirements with respect to e-mail, TWEN and Blackboard classrooms.

J. Law Success Program

The Law Success Program is designed to ensure that students have the skills, professionalism, work habits and competencies necessary to succeed in law school, on the bar examination and in practice. The Law Success Program includes various required or recommended curricular offerings, as well as various courses of required and recommended assessments (including formative assessments, skills assessments and comprehensive and institutional assessments), instruction, remediation, counseling, academic advising, and additional work held prior to matriculation, during the academic year, and during breaks in the academic year (*see* Section II, M). Staffed by Law Success Instructors, and supported by upper-division students selected to be Academic Scholars, the Law Success Program works closely with faculty and administration to assist each student in achieving their potential in law school.

K. Portfolio regarding a Student's Character and Fitness

The Dean of the Law School is required to certify that students applying to be members of the Bar possess the character and fitness required for the legal profession before a student can sit for a state bar exam. During a student's tenure at St. Mary's Law School, a student should be aware of this duty, and should consistently demonstrate the professionalism inherent to the profession as well as the behaviors and competencies

necessary to succeed in the profession. Behavior and actions inconsistent with St. Mary's Code of Conduct or the applicable Rules of Professional Conduct may prohibit the issuance of a character and fitness letter from the Dean of the Law School.

L. Student Complaints Concerning ABA Standards and the Program of Legal Education

As an ABA-accredited law school, St. Mary's University School of Law is subject to the ABA Standards for Approval of Law Schools. The ABA Standards may be found at http://www.americanbar.org/groups/legal_education/resources/standards.html. Any student at the law school who wishes to bring a formal complaint to the administration of the law school of a significant problem that directly implicates the school's program of legal education and its compliance with the ABA Standards should do the following:

1. Submit the complaint in writing to the Associate Dean for Academic Affairs or the Director of the Office of Academic and Student Affairs. The writing may consist of e-mail, U.S. mail, or fax. Hand delivery is not considered official delivery unless acknowledged in writing by the Associate Dean or the Director.
2. The writing should describe in detail the behavior, program, process, or other matter that is the subject of the complaint, and should explain how the matter implicates the law school's program of legal education and its compliance with a specific, identified ABA Standard(s).
3. The writing must provide the name, official law school e-mail address, a street address and the telephone number of the complaining student, for further communication about the complaint.
4. The administrator to whom the complaint is submitted will acknowledge the complaint within three business days of receipt of the written complaint. Acknowledgment may be made by e-mail, U.S. mail, or by personal delivery, at the option of the administrator.
5. Within two weeks of acknowledgment of the complaint, the administrator, or the administrator's designee, shall either meet with the complaining student, or respond to the substance of the complaint in writing. In this meeting or in this writing, the student should either receive a substantive response to the complaint, or information about what steps are being taken by the law school to address the complaint or further investigate the complaint. If further investigation is needed, when the investigation is completed, the student shall be provided either a substantive response to the complaint or information about what steps are being taken by the law school to address the complaint within two weeks after completion of the investigation.
6. Appeals regarding decisions on, or outcomes of, complaints may be taken to the Dean of the Law School. An appeal must be in writing and must be made within

two weeks of the decision, outcome or resolution of the complaint. The Dean's decision should be communicated to the student within two weeks of receipt of the appeal. Any decision made on appeal by the Dean shall be final.

7. A copy of the complaint and a summary of the process and resolution of the complaint shall be kept in the office of the Dean for a period of eight years from the date of final resolution of the complaint.

8. The Law School will not in any way retaliate against an individual who makes a complaint under this section, nor permit any employee or student to do so.

X. HARASSMENT

A. University Sexual Harassment Policy

St. Mary's University prohibits sexual harassment. The Sexual Harassment Policy is stated on university website (www.stmarytx.edu) in the section dealing with the university Student Handbook. *See also* 29 C.F.R. § 1604.11. St. Mary's Policy on Equal Opportunity, Nondiscrimination, Sexual and Other Forms of Harassment can be found here: <https://www.stmarytx.edu/wp-content/uploads/2013/09/equal-opportunity-policy.pdf>

The Law School interprets the university Sexual Harassment Policy as prohibiting sexual harassment by students who have been given authority over other law students and by recruiters who interview law students through the auspices of Career Services, and by lawyers, judges and other supervisory personnel from organizations and entities who work with law students in externships and clinical programs which provide course credit.

B. Law School Conflicts-of-Interest Policy

The law faculty has adopted the following rule to prevent conflicts of interest:

No faculty member shall:

1. instruct for law credit a person related to the faculty member within the second degree of consanguinity or affinity, except when such faculty member is the only person teaching the subject during an academic year and makes arrangements for another faculty member to grade such work;
2. participate in a decision to employ, promote, or grant tenure to a person related to the faculty member within the second degree of consanguinity or affinity, vote on such decision, or attend that portion of any meeting at which such decision is discussed; or
3. date any law student who is registered in any class taught by such faculty member or who is to be evaluated, supervised, or advised as part of a law program by such faculty member.

C. Other Forms of Harassment

Article II of the *St. Mary's University Student Handbook* prohibits as personal misconduct the following conduct by any student:

Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, assault (including sexual), stalking, hate speech and/or any other conduct that threatens or endangers the health or safety of any person or is based on race, creed, color, sex, national origin, religion, disability or illness.

Violations of Article II of the *Student Handbook* can be brought to the attention of any of the associate deans of the School of Law, but a formal complaint must be filed with the University's Dean of Students in order to initiate a proceeding.

Verbal conduct that denigrates any person or group on the grounds of race, creed, color, national origin, sex, religion, or handicap is prohibited because it interferes with a student's ability to participate equally in the educational opportunities offered by the Law School and enjoy fully the academic environment.

If you have been the victim of sexual harassment/misconduct/assault we encourage you to report this. If you report this to a faculty or staff member, she or he must notify the University's Title IX coordinator about the basic facts of the incident (you may choose whether you or anyone involved is identified by name). The Title IX coordinator will assist you in connecting with all possible resources both on and off campus. For more information please go to <https://www.stmarytx.edu/about/title-ix/>.

XI. CODE OF STUDENT CONDUCT (adopted March 26, 1986, amended April 26, 1990)

Chapter 1: Preamble

- 1.01: A law student's conduct on and off campus legitimately bears upon fitness for the study and practice of law. To aid students in governing their conduct and to channel the faculty's exercise of its inherent power to supervise and control the educational process, this Code of Student Conduct (hereinafter "Code") defines forms of behavior which St. Mary's University School of Law considers impermissible. In addition, this Code describes the procedures, tribunals, and individuals involved in adjudicating allegations of misconduct. Law students are also subject to the regulations of St. Mary's University.
- 1.02: A copy of this Code will be distributed to entering students and maintained on file in the Law Library. A student is deemed to have notice of the Code's provisions by virtue of enrollment in the Law School, and the failure of any student to receive a copy of the Code is not a defense.
- 1.03: In extraordinary or emergency situations, the Dean may act to suspend a student, place restrictions on a student, or otherwise act to protect the safety and security of the campus community.

Chapter 2: Prohibited Conduct

- 2.01: Prohibited conduct is divided into two categories: academic and disciplinary.
- 2.02: (a) An academic matter is any activity which may offer or in any way contribute to the satisfaction of requirements for graduation. Academic matters include, but are not limited to, examinations, research, or other class assignments.
- (b) It is a violation of the Code for any student to engage in conduct which tends to gain that student or another an unfair advantage in an academic matter. The following applications of this rule, offered to assist students in understanding the obligations imposed, are illustrative, not exhaustive.
1. In an examination, a student shall follow all instructions concerning its administration, shall not use any materials other than those specifically authorized by the professor, and shall not converse or communicate with any person(s) other than the person(s) administering the exam.
 2. In research or other writing assignments, a student shall not use materials specifically forbidden by the instructor and must fairly identify passages or ideas from the work of others. The student shall make attribution by proper use of quotation marks, citations, or other forms of reference.
 3. A student shall not submit or have submitted as his or her own, the work of another. Nor, except by permission of the instructor after full disclosure, shall a student submit in fulfillment of an assignment any work prepared, used, or submitted in another course or for a law journal, clinic, law firm, government agency, or any other organization.
 4. A student shall not hide, mutilate, deface, or remove, without permission, library materials or the materials of another student. A student shall not violate the library's policies or procedures including consumption of food, noise reduction and licenses on digital information or database.
 5. A student shall not breach the security maintained for the preparation and storage of exam materials. If a student learns, even inadvertently, of information concerning an examination, other than that released or authorized by the professor, the student must notify the professor and shall not take the examination without the professor's permission.
 6. A student shall not discuss an examination he or she has already taken with a student scheduled to take a deferred examination in the same course or with any other person under circumstances likely to endanger the security of examination questions.
 7. During the course of and prior to the completion of any examination, research,

or other assignment, a student shall not provide to, compare with, or obtain from another student any answer or part of an answer, unless authorized by the professor.

8. A student shall not copy, photograph, or reproduce any examination without express permission from the class professor. Nor shall a student distribute or accept an unauthorized copy, photograph, or reproduction of an examination.

9. Any student who receives an unauthorized copy of an examination through whatever means, shall turn over the unauthorized copy to the Dean or the Associate Dean for Academic and Student Affairs of the Law School immediately and shall disclose the source of the unauthorized copy.

10. A student suspected of academic dishonesty, depending on the severity of the incident, may be suspended immediately by the Dean to preserve the academic integrity of the law school.

11. A student, at the request of the Dean or the Associate Dean for Academic and Student Affairs, shall turn over all information and materials in his or her possession to assist in an investigation of academic dishonesty, including but not limited to notes, text messages, email, other electronic communications, computers, hard drives, electronic storage devices, PDA's and phone records.

12. A student shall not destroy or attempt to destroy any information or materials that are the subject of an Honor Code investigation.

2.03: (a) A disciplinary matter is any activity bearing upon a student's fitness for the study and practice of law, other than an academic matter.

(b) It is a violation of the Code for any student to engage in disciplinary misconduct. Disciplinary misconduct is behavior which clearly indicates an inability or unwillingness to conform to minimum ethical standards for the practice of law. The following applications of this rule, offered to assist students in understanding the obligations imposed, are illustrative, not exhaustive.

1. A student shall not commit an act prohibited by the Model Rules of Professional Conduct promulgated by the American Bar Association or by the Texas Disciplinary Rules of Professional Conduct.

2. A student shall not commit an act amounting to a felony or a misdemeanor involving moral turpitude under the laws of the United States or of the State of Texas against the University, any employee or student of the University, or any immediate family member of any employee or student of the University.

3. A violation occurs if one is found guilty of a felony or of a misdemeanor involving moral turpitude under the laws of the United States or of any state. The

J.D. degree of a student will be automatically withheld if charges brought by federal or state authorities are pending against that student for any felony or misdemeanor involving moral turpitude, until such charges are disposed of by a finding of not guilty or by dismissal.

4. A student shall not cause serious disruption of the Law School or of the University within the meaning of Tex. Educ. Code Ann. § 4.30 (Vernon 1972) [now § 37.123] or otherwise.

5. A student shall not fail to comply with the terms of any sanction imposed in accordance with this Code.

6. A student shall not cause false, material information to be furnished to a University professor, administrator, staff member, organization, tribunal, or duly appointed investigator with intent to deceive.

7. A student shall not refuse to cooperate with the Court of Student Conduct, with the Dean, or with the Faculty Committee for Student Appeals in the investigation or hearing of charges.

8. A student shall not submit false or misleading information on resumes, in job applications, or in employment interviews.

(c) It is the moral and professional obligation of all students and faculty members to report promptly a probable violation of this Code, and, if the facts warrant, the failure to report a probable violation may be considered a violation of § 2.03 (b) (1), § 2.03 (b) (7), and/or § 2.03 (d).

(d) It is a violation of the Code for a student, with intent to promote or assist violation of the Code, to solicit, encourage, direct, aid, or attempt to aid another student to violate the Code.

Chapter 3: Filing and Referral of Complaints

3.01: A complaint concerning a violation of this Code of Student Conduct may be made by any person with knowledge of such violation, including, but not limited to, any student, member of the full-time or part-time faculty, member of the staff, or administrator. A complaint must be presented within fifteen (15) days of the time the complainant discovers or should have discovered the violation; if not, the complaint is waived, except as to any complainant who has acquired personal knowledge of the violation from another person and presents a complaint to the Dean within fifteen (15) days of having acquired such personal knowledge.

3.02: Complaints shall be presented to the office of the Dean of the Law School. The Dean shall give written notice of the complaint to the accused student, the same to be mailed or personally delivered within two (2) days of the time the complaint is filed with the Dean's office. Upon request of the accused student, the Dean shall advise the accused student of

the name or names of the persons making the complaint.

- 3.03: In appropriate cases, the Dean may invite the accused student to discuss the allegations informally with a view to summary disposition of the matter. Summary measures may include requiring a student to complete an informal or formal probation process (e.g. preparation of a research project, attendance at recovery meetings, adherence to certain behavioral standards, etc.) If the Dean determines that summary disposition is not appropriate or if the accused student declines the Dean's offer of summary disposition, the Dean shall refer the case as outlined in § 3.04.
- 3.04: If the complaint involves a violation of the *St. Mary's University Personal and Group Code of Conduct (Non-Academic)*, the Dean, or a delegate appointed by the Dean, may refer the complaint to the University Dean of Students. The Dean or the Dean's delegate shall refer all other complaints to the Court of Student Conduct.

Chapter 4: The Court of Student Conduct

- 4.01: The Court of Student Conduct (hereinafter "Court") shall consist of five members.
- (a) Two members of the Court shall be students in good standing in the Law School. Each class shall elect one of its own as a member of the Court, according to rules promulgated by the Student Bar Association. The students elected shall continue in office for a one-year term, unless removed for cause, including dereliction of duty. The students sitting on the Court to hear a particular complaint shall be the two who are not on the same class level as the accused student. For example, if the accused is a third-year student, the students on the Court shall be those from the first year and the second year.
- (b) If a complaint or complaints against students from two different grade levels are to be heard simultaneously, the Court by majority vote shall immediately appoint an additional student from a class level other than that of any accused student; or if students from all three grade levels are accused and are to be heard simultaneously, the Court by majority vote shall immediately appoint two disinterested students to serve as members of the Court at the hearing.
- (c) Three members of the Court shall be selected from the full-time faculty by appointment of the Dean on an *ad hoc* basis for the particular violation or violations being heard. No faculty member who is currently a member of the Faculty Committee for Appeal of Student Violations (*see* Chapter 8) or who is an administrator for the Law School shall be eligible to serve on the Court. In appointing the faculty members of a Court, the Dean shall make every effort to appoint faculty members who are neutral and impartial in the matter. In furtherance of this objective, the Dean should attempt to avoid appointing any faculty member in whose class the student is currently enrolled or who employs the student as a research assistant. No faculty member may be reappointed to serve on more than one panel during an academic year unless all members of the full-time faculty have served at least once.

- (d) The members of the Court shall elect one of the faculty members as Chairperson for the hearing on the complaint.
 - (e) All three faculty members of the Court must be present to constitute a quorum.
- 4.02: The Court is not bound by federal or Texas rules of evidence or procedure but should conduct its proceedings in an orderly manner.
- 4.03: A student prosecutor shall be elected, according to rules promulgated by the Student Bar Association, to serve during an academic year.

Chapter 5: Hearing by Court of Student Conduct

- 5.01: The Court shall proceed to hear the complaint within fifteen (15) days of the appointment of the faculty members, or sooner if required by the Dean.
- 5.02: The accused student may be represented by another law student or by a lawyer licensed to practice law in the State of Texas, but must give the Court notice of the intention to be represented at least seven (7) days before the scheduled hearing.
- 5.03: If the accused student advises the Court of an intent to be represented at the hearing, the Court shall immediately notify the student prosecutor who shall prepare and present the complaint. If the accused student does not elect to be represented, the student prosecutor shall not be used at the hearing.
- 5.04: If the student prosecutor is disqualified by bias or prejudice or is unavailable to prosecute the particular complaint, the Court shall immediately appoint a disinterested substitute from the student body.
- 5.05: The Court, the prosecutor, and the accused student may call and question any witness who has relevant testimony, including the complainant.
- 5.06: The entire hearing shall be videotaped.
- 5.07: By majority vote the Court, having heard the evidence, shall make findings on the relevant facts and shall determine whether the accused student is guilty of the violation or violations charged. If the Court finds the accused student to be guilty of the charged offense, it shall, by majority vote, recommend a sanction in accordance with § 7.01.

Chapter 6: Review by Dean

- 6.01: If the accused student is found guilty, the videotape of the hearing shall be delivered to the Dean's Office by the Chairperson of the Court within two (2) days after the Court's decision. After viewing the videotape and after considering the Court's recommended sanction, the Dean shall impose a sanction appropriate to the violation.
- 6.02: If dissatisfied with the findings of the Court, the accused student may appeal by filing a

written statement of the grounds for appeal with the Dean within two (2) days after the Court's decision. The Dean shall consider the accused's grounds of appeal and the imposition of sanctions and may find the accused student not guilty or guilty of a lesser violation as is appropriate.

- 6.03: The accused student is entitled to be represented by a fellow law student or by a lawyer licensed to practice law in the State of Texas at any time during the appeal to the Dean, and the Dean shall provide the student an opportunity to be heard on the question of sanctions or upon the propriety of the Court's findings.
- 6.04: In connection with an appeal, the Dean may request that further evidence be presented and, before rendering the final decision, may consult with any member or members of the faculty other than members of the Faculty Committee for Appeal of Student Violations. The accused student is entitled to be notified and to be present with a representative if the Dean hears further evidence.
- 6.05: The Dean shall render a final decision on an appeal within fifteen (15) days from the time the matter is first appealed and shall promptly notify the accused student in writing of the decision.

Chapter 7: Sanctions

- 7.01: The sanctions that may be recommended by the Court or considered and imposed by the Dean and the Faculty Committee for Appeal of Student Violations include expulsion, suspension for a specified period of time, loss of course credit, probation with appropriate conditions, recommendation for withdrawal of an awarded degree, withholding of the J.D. degree pending disposition of charges under this Code, public or private admonition, warning, reprimand, censure, counseling, and personal notification of affected persons.

Chapter 8: Appeal from Dean's Decision

- 8.01: A standing faculty committee, to be known as the Faculty Committee for Appeal of Student Violations (hereinafter "Committee"), shall be established to hear appeals from decisions of the Dean. The Committee shall be composed of three members of the tenured faculty who shall be elected at the beginning of each year. The three members of the tenured faculty receiving the three highest vote totals on a ballot by the full-time faculty shall be deemed elected. No faculty member currently serving as an administrator is eligible to serve on the Committee. The Committee shall meet as soon as possible after being elected and select a Chairperson.
- 8.02: If dissatisfied with Dean's disposition of the matter, the accused student may appeal to the Committee by filing written notice of appeal with the Chairperson within five (5) days after the mailing or personal delivery of the notice of the Dean's disposition of the matter. The student shall specify the grounds for dissatisfaction with the Dean's decision. If no appeal is timely taken, the Dean's decision is final.

- 8.03: The Committee shall schedule a hearing to be held within (5) days after the filing of the notice of appeal and shall immediately notify the student of the date set for the hearing. At the hearing, the Committee shall review the case to the extent deemed necessary. The Committee must grant the accused student an opportunity to appear before the Committee personally or through counsel and to present arguments in support of the appeal. Any member of the Committee who is disqualified by interest or unavailability shall be immediately replaced by election of the faculty for that hearing only.
- 8.04: The Committee shall render a decision within fifteen (15) days of the time of filing the notice of the appeal with the Chairperson. It may affirm the Dean's decision in all respects. It may conclude that the accused student is not guilty of the violations charged, and it may lessen or increase the sanctions imposed by the Dean. The Committee's decision shall be by majority vote.
- 8.05: There is no further right of appeal or review within the Law School.

Chapter 9: Records

- 9.01: All final decisions shall be made a part of the student's permanent school record.
- 9.02: Regardless of the decision on the merits, the record of the case shall be maintained on file in a location approved by the Dean for a period of three years after termination of the proceedings. The record includes any investigative reports, the videotape of the proceedings, and any written briefs and decisions. The record may be consulted by the Dean, the Court, or the Committee for any relevant purpose. Subject to § 9.03 below, the Dean shall destroy all or part of the record after three years unless good cause exists for preserving the record. In instances where an allegation of misconduct is investigated but no complaint is filed, the report of the Dean and a brief statement as to the disposition of the complaint shall be kept on file for three years and shall thereafter be destroyed.
- 9.03: If a student is finally found guilty of a violation of the Code, the finding and the sanction imposed shall be placed in the student's permanent file. If found not guilty, the student shall decide whether to place this finding in the permanent file.
- 9.04: Neither the content nor the existence of any disciplinary action may be disclosed except: when required by law or order of court; when required, consistent with law, by the Dean, by the Court, or by the Committee; or when the student has signed a waiver of confidentiality.
- 9.05: A student whose conduct has been investigated may place in his or her permanent record a statement commenting on the action of the Court, the Dean, or the Committee. If any part of the record is disclosed, the student's statement shall also be disclosed.

Chapter 10: Time Extension and Summer Session

- 10.01: The accused student may in advance secure an extension of any deadline in this Code by demonstrating good cause to the Court, to the Dean, or to the Faculty Committee for

Appeal of Student Violations, as the case may be. No extension shall exceed fifty percent of the time specified herein.

- 10.02: The failure of the of the Court, the Dean, or the Committee to comply with any time limitation set forth in this Code shall not be a ground for dismissal of a complaint provided that a reasonable effort has been made to comply or to secure an extension.
- 10.03: During the regular academic year, any period of time stated in this Code shall be computed as running only on week days when the Law School is in session.
- 10.04: If a quorum of the Court is unavailable to consider a case during the summer session, the matter shall be postponed until such quorum is available.

Chapter 11: Amendments

- 11.01: This Code may be amended by majority vote of the full-time faculty.

XII. TEXAS BAR EXAMINATION INFORMATION

The Texas Bar Examination takes place over two and one-half days, and is given twice every year, in late February and late July. For application deadlines, please see the Texas Board of Law Examiners website at <https://ble.texas.gov/home>. Deadlines are strictly enforced.

The bar examination consists of four parts: Multistate Performance Test (MPT) (10%); Texas Procedure and Evidence (10%); Multistate Bar Examination (MBE) (40%); and Texas Essays (40%). The maximum possible scaled score on the Texas bar examination is 1000. The minimum passing score is an overall scaled score of 675.

The bar examination normally begins on a Tuesday. The examinee first takes the MPT. The MPT is designed to test an applicant's ability to use fundamental lawyering skills in a realistic situation by completing a task which a beginning lawyer should be able to accomplish. This task may be to write a specific work product, such as a memorandum of law or a letter to a client. The test is 90 minutes in length, and the examinee is furnished with a file of source documents and a library of research materials to be used in accomplishing the designated task. No outside materials or sources are used to complete the task required of the MPT. The MPT requires examinees to (1) sort detailed factual materials and separate relevant from irrelevant facts; (2) analyze statutory, case, and administrative materials for principles of law; (3) apply the law to the relevant facts in a manner likely to resolve a client's problem; (4) identify and resolve ethical dilemmas, when present; (5) communicate effectively in writing; and (6) complete a lawyering task within time restraints. After completing the 90-minute MPT, examinees then take a 90-minute short answer test on Procedure and Evidence (Texas Civil and Criminal Procedure, Texas Evidence, and Federal Civil Procedure and Evidence). The Procedure and Evidence test is equally divided between: (a) Civil Procedure and Evidence and (b) Criminal Procedure and Evidence. This test includes 20 questions on each of these two parts.

On the second day of the bar examination, students take the Multistate Bar Examination (MBE).

The MBE tests seven subjects, Constitutional Law, Contracts, Criminal Law, Evidence, Property, Torts and Federal Civil Procedure and consists of 200 multiple choice questions. Half of the questions are asked during a morning session and half during an afternoon session, each of which lasts three (3) hours. Students are asked 34 questions each in Torts and Contracts, and 33 questions in each of the other five subjects.

The third and final day of the Texas bar examination is the Texas essay examination. Like the MBE, the Texas essay is divided into a three-hour morning session, and a three-hour afternoon session. During each three-hour session, the examinee must answer six (6) essay questions. The subjects tested on the Texas essay examination include: Wills and Estate Administration (2 questions), the Uniform Commercial Code (2 questions), Business Associations (2 questions), Family Law (including community property) (2 questions), Texas Property Law (including oil and gas law) (2 questions), Consumer Rights (1 question), and Trusts and Guardianship (1 question). Within those subject-based questions, noted above, issues of tax, insurance, and bankruptcy law may also be tested.

The Texas Board of Law Examiners has a website with past Texas Procedure and Evidence and Texas Essay examinations posted. The site is <https://ble.texas.gov/home>. In addition, the drafter of the MPT and the MBE, the National Conference of Bar Examiners, has a website offering information concerning the materials tested in those examinations. See (www.ncbex.org).

A. Multistate Professional Responsibility Examination

All applicants for admission to the Texas Bar must pass the MPRE. Law students often take the MPRE while still enrolled in Law School, after completing the course in Professional Responsibility. The MPRE consists of 50 multiple-choice questions, followed by 10 items that request the examinee's reactions to the testing conditions. The MPRE is two (2) hours and five minutes long. Topics tested are the ABA Model Rules of Professional Conduct, the ABA Model Code of Judicial Conduct, and controlling constitutional decisions and generally accepted principles established in leading federal and state cases and in procedural and evidentiary rules.

B. Summary of Texas Bar Exam

While most examinees take the bar examination after graduating from law school, Texas permits law students who have completed eighty-six (86) hours of law school study to sit for the Texas Bar Examination.

1. Day One

Multistate Performance Test (10% of overall score): One 90-minute question. Examinees are given a set of materials and are required to prepare a document such as a memorandum of law, a pleading, or a motion.

Procedure and Evidence Examination (10% of overall score): 90 minutes. Subjects tested are:

- Civil Procedure (Federal and Texas court jurisdiction, pleading and practice);

- Texas Criminal Procedure;
- Texas Rules of Evidence.

2. Day Two

Multistate Bar Examination (40% of overall score): 200 multiple choice questions. Examinees have three (3) hours in the morning to complete the first 100 questions, and three (3) hours in the afternoon to answer the other 100 questions. Questions are evenly distributed among the subjects. Subjects tested are:

- Contracts
- Torts
- Constitutional Law
- Real Property
- Criminal Law
- Evidence
- Federal Civil Procedure

3. Day Three

Texas Essay Questions (40% of overall score): 12 essay questions on Texas law. Examinees have three (3) hours in the morning to write the first six essays, and three (3) hours in the afternoon to write the other six essays. The questions are in the following areas:

- Wills & Estate Administration (2 questions)
- Uniform Commercial Code (2 questions)
- Business Associations (including Corporations, Agency, and Partnerships) (2 questions)
- Family Law (2 questions) (including Community Property)
- Texas Property Law (including Oil and Gas) (2 questions)
- Trusts and Guardianship (1 question)
- Consumer Rights (including Insurance Law Issues) (1 question)

In addition, issues of tax law and bankruptcy law may be tested within those subject areas listed above.

XIII. CORE CURRICULUM FOR SECOND- AND THIRD-YEAR STUDENTS

A student must take and PASS at least the number of courses in each of the following subject areas. Day & Evening students

Persons & Property (2 courses)		Credit Hrs	
LW8719	Community Property	2 or 3	
LW7331	Family Law	2 or 3	
LW8318	Mortgages & Real Estate Financing	3	
LW8328	Oil & Gas	3	
LW7314	Texas Land Titles	3	
LW8329	Trusts	2 or 3	
LW7327	Wills & Estates	3	
LW7427	Wills, Estates & Trusts	4	Counts as 2 courses

Business & Commercial Transactions (2 courses)		Credit Hrs	
LW8368	Creditor's Rights & Bankruptcy	2 or 3	Prerequisite: Secured Trans OR Mortgages & Real Estate
LW7410	Business Associations	3 or 4	
LW7394	Commercial Paper	3	
LW8735	Consumer Protection Law	3	If take Consumer Law may not take DTPA
LW8610	Deceptive Trade Practices Act (DTPA)	2	If take DTPA may not take Consumer Protection Law
LW7397	Insurance Law	3	
LW7694	Sales	2	If take Sales may not take Sales & Secured Transactions
LW7494	Sales & Secured Transactions	4	If takes Sales & Sec Trans may not take Sales OR Sec Tran; counts as 2 classes
LW7395	Secured Transactions	3	If take Sec Trans may not take Sales & Sec Transactions
LW7390	Contract Drafting	3	

Public & International Law (1 course)		Credit Hrs	
LW7374	Administrative Law	3	
LW8380	Civil Rights	3	
LW8379	Estate & Gift Tax	3	Prerequisite: Federal Income Tax
LW7376	Federal Income Tax	3	
LW8304	International Business Transactions	3	
LW7704	International Public Law I: Intro	3	
LW7705	International Public Law II: Human Rights	3	
LW8340	European Union Law	3	

Civil & Criminal Litigation (3 courses)		Credit Hrs	
LW7356	Conflict of Laws	3	
LW7375	Constitutional Criminal Procedure	3	
LW6434	Evidence	3 or 4	Required
LW7386	Federal Courts	3	
LW7650	Federal Criminal Procedure	2	Prerequisite: Constitutional Criminal Procedure
LW7764	Remedies	3	
LW6350	Texas Civil Procedure I	3	Required if taking Texas Bar
LW6354	Texas Civil Procedure II	3	Prerequisite: Texas Civil Procedure I
LW8350	Texas Criminal Procedure	3	Prerequisite: Constitutional Criminal Procedure

Experiential Learning (6 credit hours)		Credit Hrs	
LW8376	Arbitration	3	
	Clinic	3,4,8	
LW8755	Mediation	3	
LW8761	Negotiation	3	Prerequisite: Negotiation
LW7302	Practice Credit Placement	2 or 3	
LW9758	Trial Advocacy	3	Prerequisite: Evidence

Philosophy of Law & Lawyers (2 courses)		Credit Hrs	
LW6308	American Legal History	3	
LW7380	Comparative Law: Civil & Common	3	
LW6705	Jurisprudence (any variation)	3	
LW6310	Law & Economics	3	
LW6309	Law & Philosophy	3	
LW6607	Professional Responsibility	2	Required

See next page

DAY PROGRAM

Number	Title	Credit Hrs	Comments
LW6477	Federal Civil Procedure	4	first-year / fall
LW6741	Contracts I	3	first-year / fall
LW6311	Property I	3	first-year / fall
LW6375	Torts I	3	first-year / fall
LW6201	Legal Research & Writing I	2	first-year / fall
LW	Introduction to Legal Methods	1	first-year / fall
LW6440	Constitutional Law	4	first-year / spring
LW6641	Contracts II	2	first-year / spring
LW6341	Criminal Law	3	first-year / spring
LW6280	Property II	2	first-year / spring
LW6275	Torts II	2	first-year / spring
LW6601	Legal Research & Writing II	2	first-year / spring
LW	Experiential Legal Analysis/MPT	1	second year - required
LW6607	Professional Responsibility	2	after first-year - required
LW6434	Evidence	4	after first-year - required
LW6350	Texas Civil Procedure I	3	after first-year - if practice in State of Texas - Required
	Writing Requirement	1,2,3	6,000 words / 25 double spaced pages - after first year - required
LW	Bar Prep for Credit	2	third year - required for students who have ranked below the 50 th percentile of their class at any time before their third year of law school.

See next page

EVENING PROGRAM

Number	Title	Credit Hrs	Comments
LW6477	Civil Procedure	4	first year
LW6201	Legal Writing	2	first year
LW6375	Torts I	3	first year
LW6275	Torts II	2	first year
LW6855	Contracts I	3	first year
LW6855	Contracts II	2	first year
LW6601	Legal Research & Writing	2	first year
LW6276	Property I	2	first year
LW6711	Property II	3	first year
LW6341	Criminal Law	3	first year
LW6440	Constitutional Law	4	first year
LW	Introduction to Legal Methods	1	first year
LW	Experiential Legal Analysis/MPT	1	second year - required
LW6607	Professional Responsibility	2	after first-year - required
LW6434	Evidence	4	after first-year - required
LW6350	Texas Civil Procedure I	3	after first year if practice in State of Texas - required
	Writing Requirement	1,2,3	6,000 words / 25 double spaced pages - after first year - required
LW	Bar Prep for Credit	2	third year - required for students who have ranked below the 50 th percentile of their class at any time before their third year of law school.

Notes