

ST. MARY'S UNIVERSITY

SCHOOL OF LAW

# STUDENT HANDBOOK

Academic Year 2011 - 2012

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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](http://STMARYTX.EDU/LAW)>.

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## 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-Credit-Hours Requirement

A candidate for the degree of Juris Doctor must earn a minimum of ninety (90) 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.

### B. Five-Year/Seven-Year Limitation

The ninety (90) 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, and the running of the period, which includes periods in which the law school may not be in session, or in which a candidate may not be enrolled, is not tolled for any reason.

### 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 and Internships 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) 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 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 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.

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](http://law.stmarytx.edu)), take it to the sponsoring faculty member for his or her signature, and return the form during the registration process.

**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.
- 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 Status

### 1. Minimum and Maximum Credit Hours Per Semester

Full-time enrollment requires at least ten (10) hours in a semester (eight (8) hours for LL.M. students) or three (3) hours in a summer session. 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) credit hours during a summer session or ten (10) credit hours during the summer term (which includes both summer sessions). 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.

Enrollment for less than the minimum number of credit hours may cause a reduction in the amount of financial aid available to a student. Please contact the Law School's Director of Financial Assistance for further information.

### 2. Twenty-Hour Per Week Limitation on Employment

In accordance with accreditation standards promulgated by the American Bar

Association and the Association of American Law Schools, 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 during the fall semester or spring semester or five (5) credit hours 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)

### 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

#### 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
  - Sales (precludes taking Sales & Secured Transactions)
  - Sales & Secured Transactions (precludes taking Sales or Secured Transactions) (This combined course counts as one course.)
  - Secured Transactions (precludes taking Sales & Secured Transactions)
3. *Public & International Law (1 course)*
- Administrative Law
  - Civil Rights
  - Estate & Gift Tax (prerequisite: Federal Income Tax)
  - Federal Income Tax
  - International Business Transactions
  - International Human Rights
  - Public International Law
4. *Civil & Criminal Litigation (3 courses)*
- 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. *Practice Skills (1 course)*
- Arbitration
  - Clinic
  - Mediation
  - Negotiation
  - Trial Advocacy (prerequisite: Evidence)
6. *Philosophy of Law and Lawyers (2 courses)*
- American Legal History
  - Comparative Law
  - Jurisprudence
  - Law & Economics

- Law & Philosophy
- **Professional Responsibility** (required for all students)

*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 (1) 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 (1) 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.

### **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)
- 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 register with 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) 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) 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 comprised 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.

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 comprised 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 comprised 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 comprised 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 "AU" 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.

### **III. MASTER OF LAWS DEGREE GRADUATION REQUIREMENTS**

The Law School offers two Master of Laws (LL.M.) degrees. 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. 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. An admissions process exists for these degree programs separate from that for the J.D. program. Questions can be answered to the 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. In unusual circumstances, students may be given up to twenty-four (24) months to complete the degree, but in no case shall a candidate be permitted more than twenty-four (24) months from the date of initial enrollment, including summers and holidays, to complete the LL.M. degree.

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. Subject to the permission of the LL.M. program Director, students may take up to three (3) of the twenty-four hours required in another university's program. Sixteen (16) of the required twenty-four credits must be in the area of international and comparative law. Of the remaining eight (8) credits, at least one "perspective" course is highly recommended. With permission from the program Director, students may take a maximum of three (3) graduate credits outside the Law School (within St. Mary's University).

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 required for the 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* (a 3-credit paper of publishable quality). The Thesis shall be approved by the Director of the LL.M. program, but may be written under the supervision of any faculty members of the School of Law as defined in § II.D.3;

d. *International Research* (unless the student can demonstrate extensive research experience in international and comparative law)

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 Director of the LL.M. program determines whether a course previously taken satisfies one or more of these requirements.

Candidates for the LL.M. may enroll for any elective 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 ordinarily are not available for LL.M. students, except for the Immigration and Human Rights Clinic, which is available if places remain open following enrollment of J.D. 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, the 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-trained lawyers whose first language is not English must have a 2.0 cumulative grade-point average for graduation. Other candidates must have a cumulative grade point average of 3.00 in order to graduate.

#### **1. International Criminal Law Specialty for the LL.M. in International Comparative Law**

The candidate must successfully complete the following courses within the LL.M. course of study:

- a. *Public International Law* (the survey course);
- b. *Public International Law II* (the basic introduction to international human rights and human rights treaty analysis);
- c. *International Criminal Law* (seminar regarding human rights crimes, criminal courts and procedure; crimes that include genocide, war crimes, crimes against humanity and crimes against peace/"aggression");
- d. *Globalization of Crime* (in the graduate international relations school, or as a law school seminar dealing with the illicit trafficking of drugs, weapons, and persons.);
- e. *Comparative Criminal Law* (seminar);
- f. *Terrorism Law* (seminar);

g. *U. S. Intelligence and National Security Law* (seminar) or *National Security Law*.

The candidate is also required to write the LL.M. thesis addressing an important issue regarding developing law related to the specialty. This thesis must be approved by the LL.M. program director and the faculty person whose expertise most closely relates to the proposed topic.

### **B. LL.M. in American Legal Studies**

To obtain the Master's degree in American Legal Studies, students must successfully complete twenty-four (24) credit hours. These hours are usually completed in nine months of full-time academic work. In unusual circumstances, students may be given up to twenty-four (24) months to complete the degree, 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 the LL.M. degree. The following courses are required:

a. *Introduction to the American Legal System*;

b. *Constitutional Law*;

c. One of the following first-year J.D. courses:

- (1) *Civil Procedure*
- (2) *Contracts* (fall semester only)
- (3) *Criminal Law*
- (4) *Property* (fall semester only)
- (5) *Torts* (fall semester only)

d. *Thesis* (a 3-credit paper of publishable quality). The Thesis shall be approved by the Director of the LL.M. program, but may be written under the supervision of any faculty members of the School of Law as defined in § II.D.3;

e. *Legal Research*;

f. One of the following:

- (1) *American Legal History*
- (2) *Comparative Law*
- (3) *Critical Jurisprudence*
- (4) *Feminist Legal Practices*
- (5) *Jurisprudence*
- (6) *Legal Philosophy*
- (7) *Law in Radically Different Societies*
- (8) *Law and Economics*

Candidates for the LL.M. may enroll for any elective J.D. course unless the course is specifically designated as unavailable for LL.M. students. Clinical programs are not

available for LL.M.-A.L.S. candidates. Candidates may take up to a maximum of six (6) of the twenty-four required hours in St. Mary's Institute on World Legal Problems in Innsbruck, Austria. Subject to the permission of the program director, students may take up to three (3) of the twenty-four required hours in another university's program. 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, the Director of the LL.M. program.

LL.M. candidates in American Legal Studies receive letter grades in accordance with the Law School's regular grading system, and are required to obtain a grade point average of at least 2.00 in any twenty-four (24) credits of LL.M. work (which must include all required courses) in order to graduate. 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 one month after the final exam of the semester. For example, if final exams are scheduled for a two-week period that ends on December 16, grades in all courses must be submitted no later than January 16.

##### 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.<sup>1</sup> For spring semester exams, a student should not indicate he or 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.

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<sup>1</sup> The anonymous-grading policy broadly applies to written evaluation instruments, including papers, 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.

### 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) Day Students: In the first semester 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 less than 10% and no more than 20% of the grades must be A's, A-'s, or B+'s. In the second semester of all first year courses, 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 less than 10% and no more than 20% of the grades must be A's, A-'s, or B+'s.

Evening Students: 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 less 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 less than 10% and no more than 20% of the grades must be A's, A-'s, or B+'s.

### 3. Upper-Level Courses

(a) If *more than twenty students* are to be evaluated in a letter-graded course, the median grade must be B, and no more than 15% of the grades may be A-'s or A's, and no more than 15% of the grades may be C-'s, D's, and F's.

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

(c) In a letter-graded course or seminar of *eight 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. Grades

Grades of LL.M. 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" includes the routine recitation on appellate court opinions contained in the required coursebook 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."<sup>2</sup>

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,<sup>3</sup> the professor must note on the class roster the 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.

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<sup>2</sup> 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 the faculty rule concerning anonymous grading is complied with.

<sup>3</sup> 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 where part of a student's grade is based on "special oral or written presentations."

## 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.)

### 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.

### 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. 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.

## 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. If the Dean's decision is not acceptable to the complaining student, the student may appeal that decision to the Academic Vice President in writing (with a copy to the Dean) within thirty days of the date of the written notice of the Dean's

decision. Thereafter, no appeal will be considered.

e. 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-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

Except in unusual circumstances, with prior notice to the Associate Dean for Academic and Student Affairs, examinations are to be distributed and collected by course professors (examinations taken with the proctor in the designated laptop room are an exception to this rule). The person administering the exam must endeavor to preserve the anonymity of student responses.

## 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. To preserve anonymity

during the grading process, students with emergencies should *not* contact the professor giving the examination.

#### **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](http://www.stmarytx.edu)) or the university (not the law school) *Student Handbook*.

#### **6. 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.

#### **7. No Cell Phones or Listening Devices During Examinations**

During any examination other than a take home examination, a student is prohibited from using a cell phone, i-pod, MP3 player, tape or CD player or any other listening, recording, copying or photographing device for any reason without the express consent of the professor of the course or the Associate Dean for Academic and Student Affairs. Permission to such devices for any purpose during an examination cannot be granted by any proctor of the examination other than the professor of the course.

### **E. Examination Review**

A law student has the right to review his or her examination during a thirty-day 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 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 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 effected 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 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 Office of Academic Support will also work closely with students experiencing academic difficulties. First-year students with poor grades after the fall semester may be required to participate in the Academic Support program.

### B. Academic Exclusion of First-Year Students

Entering students have two semesters in which to satisfy the minimum academic requirements; no one is excluded at the end of the first semester. A first-year student must attain a cumulative grade point average (gpa) of 2.0 or better after the completion of the first year of law school to remain in good standing.

#### 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 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.

A student who is excluded or who withdraws with an average below 2.0 ordinarily cannot be admitted to another ABA-approved law school until two years have passed since the date of exclusion.<sup>4</sup>

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<sup>4</sup> American Bar Association Standard 505 provides:

A law school may admit or readmit a student who has been disqualified previously for academic reasons upon an affirmative showing that the student possesses the requisite ability and that the prior disqualification does not indicate a lack of capacity to complete the course of study at the admitting school. In the case of admission to a law school other than the disqualifying school, this showing shall be made either by a letter from the disqualifying school or, if two or more years have elapsed since that disqualification, by the nature of interim work, activity, or studies indicating a stronger potential for law study....

St. Mary's University School of Law can provide a letter to an excluded student who is seeking admission to another school indicating that the student "does not lack the capacity to complete the course of study" at the other school only in the rare case where (a) the student was excluded for reasons having nothing to do with academic ability or (b) the Associate Dean for Academic and Student Affairs, at that time, would recommend readmission of the student to St. Mary's. Thus, a student academically excluded from St. Mary's ordinarily cannot begin studies at another ABA approved law school until at least two years since the date of the exclusion have passed.

#### 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 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 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 nonappealable.

#### 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. Probation

Any student who is on 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 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. Academic Support and Advising

At all times during enrollment at St. Mary's, students in the lower half (or other percentage determined by the law school administration) of the class shall be required to participate in academic advising and other programs or services offered by the Office of Academic Support as determined by the Associate Dean for Academic and Student Affairs.

## 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.*

Tuition, per credit hour .....	\$960
Student-Services Fee, per semester .....	125
Matriculation Fee for new students only.....	15
Parking Fee per semester:	
Day Program.....	30
Evening Program .....	20
Summer Only .....	17

[continued on next page]

Identification Card.....	\$5
Replacement ID Card .....	10
University Center Fee (per semester).....	140
Drop/Add Course-Change (may be assessed).....	10
Late Registration Fee .....	150
Late Payment Fee.....	150
Returned Check Fee.....	25
Transcripts:	
Unofficial.....	1
Official .....	3
Emergency Official .....	5
Health Insurance (Fall/Spring)	
Mandatory for resident students (Domestic Student).....	355
Optional for non-resident students (International Student).....	475
Click here to apply for an <a href="https://www.academichealthplans.com/stmarytx/index.php">insurance waiver</a> or go to <a href="https://www.academichealthplans.com/stmarytx/index.php">https://www.academichealthplans.com/stmarytx/index.php</a>	

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](http://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-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. 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 transient hours (eleven in addition to the four-credit internship) toward fulfillment of the ninety-hour 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 summer transient hours can, by being accepted in an Austin internship program, earn only nine 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-hour 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.

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 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.

## IX. MISCELLANEOUS

### A. Law School Administration and Governance

The chief administrative officer of the Law School is the Dean. The Dean is assisted by four associate deans (the Associate Dean for Academic and Student Affairs, the Associate Dean for Administration, the Associate Dean for Evening Legal Studies, and the Associate Dean for Clinical Programs) and three assistant deans (the Assistant Dean for Enrollment Management, the Assistant Dean and Director, Alumni Relations and Development, and the Assistant Dean for Career Services). Other persons assisting the Dean include: the Director of the Law Library; the Director of Student Records; the Director of Student Enrollment; the Director of Academic Support; the Coordinator for the Dean; the Law Communications Coordinator and the Campus Minister. The individuals holding these positions are identified on the law school website ([law.stmarytx.edu](http://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.

The Tenure Committee of the law faculty consists of only tenured law professors, and it participates in the determination of applications for tenure. 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*. A copy of the *St. Mary's University Student Handbook* is provided to each incoming law student at the first-year orientation. Additional copies are available at the Office of the University's Dean of Students on the second floor of the University Center. 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's 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. Office of Academic Support**

The Office of Academic Support helps students do their best in law school. The Office provides three types of programs: skills training for first-year students, led by upper division students selected to be Academic Scholars; one-on-one academic counseling, for students in all years who want to improve their skills; and introductory preparation for the bar examination.

#### **K. 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](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](http://www.stmarytx.edu)) in the section dealing with the university Student Handbook. *See also* 29 C.F.R. § 1604.11.

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.

**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.

**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.

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.

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. 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 the February Bar, an application is timely if received (not postmarked) between June 30 and August 30 of the preceding year. For the July Bar, an application is timely if received (not postmarked) between November 30 of the preceding year and January 30 of the current year. An application received before the first filing date will be returned to the sender; an application received after the last filing date will incur a late filing fee.

The bar examination consists of four parts: Multistate Performance Test (MPT) (10%); Texas Procedure and Evidence (10%); Multistate Bar Examination (MBE) (40%); 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 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 six subjects, Constitutional Law, Contracts, Criminal Law, Evidence, Property, and Torts, 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 four 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 ([www.ble.state.tx.us/](http://www.ble.state.tx.us/)). 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](http://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. Subjects tested are:

- Contracts (34 questions)
- Torts (34 questions)
- Constitutional Law (33 questions)
- Real Property (33 questions)
- Criminal Law (33 questions)
- Evidence (33 questions)

## 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.

### C. The Relation of Courses to the Texas Bar Examination

The following is a list of courses and corresponding percentages of the Texas bar examination, based on a review of the past examinations online, and are approximations (10% of the exam is the MPT, which is skilled-based):

Evidence	8.5%
Property	8.33%
Contracts	6.66%
Torts	6.66%
Family Law	6.66%
Wills and Estates	6.66%
Business Associations	6.66%

Constitutional Law	6.33%
Criminal Law	6.33%
Texas Civil Procedure I & II	3.75%
Texas Criminal Procedure	3.75%
Sales and Secured Transactions	3.33%
Commercial Paper	3.33%
Community Property	3.33%
Deceptive Trade Practices	3.33%
Trusts	3.33%
Constitutional Criminal Procedure	1 - 2%
Mortgages and Real Estate	1 - 2%
Oil and Gas	1% or less
Tax	1% or less
Bankruptcy	less than .5%
Remedies	less than .5%
Insurance Law	undetermined %; issues are part of Day Three

### XIII. FIRST-YEAR COURSES

The required first-year curriculum consists of:

#### **Constitutional Law** (4 credits)

This course introduces students to the United States Constitution. Topics include: the power of courts to interpret and apply the Constitution; the distribution of powers in the federal system, including the division of power among the three federal branches (separation of powers), and the division of power between the federal and state governments (federalism); and the protection of an individual's liberties from governmental interference. The individual liberty topic includes a discussion of the concept of state action and congressional enforcement of civil rights; substantive rights emanating from specific provisions of the Constitution, including the freedom of speech, religion and association; the right to equal protection of the laws; and those rights that are protected by, though not expressly mentioned in, the Constitution.

#### **Contracts I and II** (5 credits)

Contracts is the foundation commercial law course that examines the law of voluntary exchange. Major themes include enforceable and unenforceable promises, remedies for broken promises, and interpretation of agreements. Topics include: consideration; contract formation; capacity; duress; unconscionability and illegality; damages; conditions; mistake; impracticability and frustration; third party beneficiaries; assignment and delegation; the Parole Evidence Rule; and the Statute of Frauds. Attention is devoted to Article II of the Uniform Commercial Code.

#### **Criminal Law** (3 credits)

Criminal Law is the basic course on public offenses. Students study the requisites of criminal responsibility, defenses to liability, and inchoate and group crimes.

### **Legal Research and Writing (4 credits)**

In these courses, students are introduced to the processes of case analysis, legal research, and legal writing. Written exercises are required, including the drafting of legal memoranda and an appellate brief. Students participate in oral argument on the subject of the appellate brief.

### **Civil Procedure (4 credits)**

This course introduces students to constitutional limits on judicial power and to the theory and practice of civil procedure under the Federal Rules of Civil Procedure. Topics include: jurisdiction to adjudicate the liabilities of nonresident defendants; the structure and limited power of federal courts; and the stages of litigation (including pleadings; motion practice, and the pretrial disposition of cases; formal discovery; and the trial process).

### **Property I and II (5 credits)**

Property I and II introduce students to the legal concept of property. Basic concepts of entitlement and transfer of rights are explored in detail. Topics include: possession; estates and future interests; landlord and tenant; public regulation of land use and ownership (as in zoning and eminent domain); non-possessory interests in and regulation of land (including easements, real covenants and servitudes); and transfer of property by gift or sale.

### **Torts I and II (5 credits)**

Torts I and II focus on the legal principles and public policies governing compensation for personal injuries, property damage, emotional distress, and other forms of serious harm. Topics include: the concepts of intent, negligence, and strict liability; defenses based on the plaintiff's conduct; causation and damages; vicarious liability; privileges; immunities; and statutes of limitations.

## **XIV. SECOND-AND THIRD-YEAR COURSES**

First year courses are prerequisites for all of the following courses that have been recently offered to second- and third-year students. Additional prerequisites and recommendations are included for some of the courses. The courses are listed here in alphabetical order. Please note that not all courses and seminars are offered every year. Also, many courses can be offered for 2 or 3 credits, even if not explicitly indicated here.

### **Administrative Law (3 credits)**

This course explores problems raised by the functioning of administrative tribunals in

governmental rule-making, adjudication, investigation, and enforcement. There is a special emphasis upon procedure and the relationship between administrative agencies and the judicial system.

### **Admiralty Law (3 credits)**

This course deals with both jurisdictional issues (in contract and tort, as well as state v. federal questions) and substantive maritime law. Topics covered include maritime liens, carriage of goods, salvage, collisions at sea, and the law of maritime accidents.

### **Advanced Constitutional Law: Speech, Press, and Association (3 credits)**

The focus of this course is the history and doctrine of the First Amendment, excluding the religion clauses. Topics include the history and philosophy of the free speech clause; regulations of political speech; overbreadth, vagueness, and prior restraint doctrines; content-based restrictions on such speech as false statements of fact, group defamation, commercial speech, offensive speech, fighting words, and obscene speech; time, place, and manner restrictions on speech; symbolic speech; the right not to speak; the right of association; and freedom of the press.

### **Advanced Criminal Law (2 credits)**

Prerequisites: first-year Criminal Law and Constitutional Criminal Procedure. This course addresses the defense of complex criminal law cases in federal courts. Topics covered include: grand jury practice, bail and preventive detention, discovery, suppression motions and trial techniques such as cross-examination and closing arguments.

### **Advanced Legal Research (2 credits)**

This course includes a basic bibliographic review of fundamental primary and secondary federal, state and local sources, with an emphasis on Texas state and local legal materials. Also included is an introduction to international law as integrated into US domestic law under well accepted constitutional principles. Students are also expected to complete a "pathfinder," a detailed research strategy for general and specialized sources in a subject area of law.

### **Alternative Dispute Resolution (2 credits)**

This course seeks to identify, explore, and appreciate the various processes society has developed to resolve and manage conflicts; to understand the role of lawyers in these processes; and to acquire skills useful for those taking part in dispute resolution. The processes covered include the traditional extra-judicial devices of negotiation, mediation, and arbitration, as well as more recent innovations utilized by or with the cooperation of the courts themselves, such as moderated settlement conferences, summary jury trials, and mini-trials.

**American Indian Law** (2 or 3 credits)

This course provides an overview of the establishment, development and current status of the unique laws which apply to Indian peoples. These laws include those imposed by the Federal government, tribal governments, and in rare cases state governments.

**American Legal History** (3 credits)

This course traces the changes in American law from the colonial era to the 1970's, and includes an examination of the historical development of the Supreme Court, the law of slavery, and the rise of the administrative state. Also explored are the history and evolution of contract, tort, and property doctrine; the history of the legal profession and legal education in America; and the transformation of American legal thought, including explanation and critique of formalism, realism, reasoned elaboration, law and economics, critical legal studies, and feminist legal thought.

**American Legal System, Introduction to the** (2, 3, or 4 credits)

This course introduces foreign LL.M. students to the key features of the American Legal System.

**Arbitration** (3 credits)

This course examines the theory and application of arbitration in the resolution of public and private disputes, in both the international and domestic settings. Role plays will be utilized, and issues of ethics, policy and law will be explored.

**Bankruptcy I: Creditors' Rights and Consumer Bankruptcy** (3 credits)  
(Prerequisite: Secured Transactions or Mortgages and Real Estate Financing)

This course provides an overview of rights, remedies, and procedures available to debtors and creditors under common-law and Texas statutes. The course engages students in an introductory study of the Bankruptcy Code, including consideration of the liquidation and distribution of a debtor's estate under Chapter 7 and Chapter 13. It is desirable but not required for the student to have taken Secured Transactions: UCC Article 9.

**Bar Preparation Class** (2 credits)

The Bar Skills Preparation Class familiarizes students with the components of the Texas Bar Exam, instructs them in study and test-taking techniques, and introduces them to ways that they can start preparing early for the Exam. The course is offered for two hours of pass/fail credit.

The Fall component of the course is targeted towards students taking the February Bar Exam and serves roughly 20 students who register on a first-come, first-served basis.

The Spring course is targeted toward students who are taking the July Exam but who have been identified by virtue of their standing in the class as being most at risk of failing that Exam. As a result, for the Spring course, the administration will automatically enroll a bottom percentage of students who have earned at least 60 hours; a student may only withdraw from the class with the permission of the Associate Dean for Academic and Student Affairs or that person's delegate. A student who does not complete the class or obtain permission to withdraw from the class will not graduate until this omission is resolved.

#### **Business Associations (3, 4, or 5 credits)**

This survey course studies issues relating to the selection of an appropriate business form (partnership, limited partnership, or corporation), as well as to the formation, financing, operation, and control of business associations. The course examines issues that can arise in associations of any size and character, and the topics considered include duties and potential liabilities of owners and managers, problems in the issuance of shares of stock and other securities, proxy regulation, insider trading, derivative litigation, and the role of corporations in society. Students may choose the standard four-credit hour Business Associations course, the five-credit hour Business Associations I and II courses, or the three-credit hour Business Associations I course. The five-credit hour Business Associations I and II courses will cover in depth material covered in the standard four-hour Business Associations course.

#### **Church and State (3 credits)**

This course will assess the history of religious liberty in the United States, from the colonial era to the present, discuss the general development of the interpretation of the Free Exercise and Establishment Clauses of the First Amendment, and evaluate religious liberty in a number of specific contexts, including the classroom, the employment context, and in the courtroom. The course will also look at issues of the law of church property, the possible conflict between claims made by the state and conflicting views of religious morality, autonomy from the state for religious reasons, and the difficulty of defining religion.

#### **Civil Justice Clinic (fall/spring, 8 credits; summer, 3 credits) (generally limited to third-year students)**

The Civil Justice Clinic is designed to introduce students to the actual practice of law, and to the skills and responsibilities of lawyering, through the supervised representation of low-income clients in civil cases. Students interview and counsel clients, interact with opposing counsel and administrative agencies, draft legal documents, investigate facts to obtain and organize evidence, and try actual cases. The Clinic's caseload consists of cases in the following subject areas: simple and complex divorce; domestic violence, protective orders; child custody, visitation, and foster care; social security administrative hearings and federal court appeals; housing; probate; wills; real estate transfers, consumer protection, and landlord-tenant disputes. The Clinic handles trial and

appellate litigation in state and federal courts.

### **Civil Rights** (3 credits)

The Civil Rights course offers students an in-depth exposure to the constitutional and statutory issues that arise as a result of state and private interference with the rights of persons. Topics covered may include discrimination in education, voting, employment and housing; emphasis will be placed on how the rules have evolved, societal factors influencing that evolution, and the effects of the law on our society.

### **Commercial Paper** (3 credits) (online course approved)

One of the Uniform Commercial Code (UCC) courses, Commercial Paper is the study of written instruments which represent money, such as promissory notes (representing promises to pay) and drafts (e.g., checks, representing orders to pay). Topics covered include requirements for negotiability and the manner of negotiation; holder in due course, the bona fide purchaser of commercial paper; liability that may arise with commercial paper, based on contract, warranty, and conversion; checking accounts; the bank collection process; and rights and liabilities of various parties when commercial paper contains forgeries or alterations.

### **Community Property** (3 credits)

Community Property deals with the effect of marriage on property rights in states, such as Texas, with a "marital community" regime of marital property rights. Explored in the course are the nature of title to marital property; the effect of marriage on the management of marital property; the liability of spouses and their property for contractual undertakings and tortious acts; the disposition of marital property in the event of death, divorce, or annulment; and issues relating to "homesteads" under Texas law.

### **Comparative Law** (3 credits)

This course dissects the dominant features of the civil and common law systems. It focuses on the history, legal structures, legal actors, procedure, sources of law, and legal reasoning of the West European and Latin American countries and contrasts them with the legal culture of the United Kingdom and the United States. In addition, the course provides an overview of the European Community and the European Human Rights System. It also addresses the legal changes in Central Europe and the newly independent states.

### **Complex Litigation** (3 credits)

This is an advanced course in federal civil procedure in complex cases involving multiple parties (class actions, mass disasters), multiple claims, duplicative or multi-forum litigation and complex tort cases. Topics to be covered may include the roles of judges

(judicial control of the litigation process), magistrates and counsel (ethical considerations), personal jurisdiction and due process concerns (notice), joinder, discovery, settlement, finality, and recovery of attorney's fees.

### **Conflict of Laws (3 credits)**

The Conflict of Laws course addresses the special problems that arise when disputes have a connection with more than one jurisdiction -- problems usually classified under the headings "choice of law," "jurisdiction," and "enforcement of judgments." These issues are encountered in almost every area of practice and have constitutional, as well as legislative and judicial, dimensions. The course thus raises provocative questions regarding the nature of "law" and its role in society.

### **Constitutional Criminal Procedure *see* Criminal Procedure**

### **Consumer Protection Law (3 credits)**

This survey course touches upon consumer-protection topics that are covered more deeply in other specialized courses. The topics include: strict products liability in tort; the Texas Deceptive Trade Practices Act; and unfair collection practices. There are no pre-requisites. A student cannot take both this course and the Deceptive Trade Practices Act course. Enrollment in this course does not preclude a student from taking the courses on Products Liability and Consumer Credit.

### **Copyright Law (2 credits)**

This course provides a detailed study of federal copyright law and the legal protection it affords for literary, musical, and artistic works.

### **Criminal Justice Administration (2 or 3 credits)**

This course examines the post-conviction aspects of the criminal justice system in both the federal and Texas systems. Topics include sentencing (including the impact of plea bargaining on dispositions in criminal cases, probation, parole, and the federal sentencing guideline system. Another major component of the course is an examination of the unique law of capital punishment.

### **Criminal Justice Clinic (8 credits in fall and spring; 3 credits in summer)**

The Criminal Justice Clinic provides legal services to indigents of all ages who are charged with crimes ranging from misdemeanors to capital offenses. A student enrolled in the Clinic may expect to handle five cases during a semester. In order to enroll, a student must be eligible to obtain a State Bar practice card.

### **Criminal Procedure (3 credits)**

Criminal Procedure is a constitutional law course, with an emphasis on the 4th, 5th, 6th and 14th amendments of the United States Constitution. Topics include arrest; search and seizure; investigative detentions; warrant requirements; confessions and other incriminating statements; and the right to counsel.

#### **Death Penalty in America (2 credits)**

This course will review the historic development of the death penalty in America since 1970, as well as the practical, philosophical, and Biblical arguments for and against the death penalty, and carefully examine what the Supreme Court of the United States has done to insure that the innocent are protected in capital murder cases. This course will focus not only on the law, but also the most troublesome policy issues that are at the center of the death penalty debate in America today.

#### **Deceptive Trade Practices (2 credits)**

This course provides an overview of federal and state legislation and case law designed to protect consumers and others from deceptive practices in trade and commerce. The Texas Deceptive Trade Practices Act is emphasized.

#### **Doing Business with Mexico (3 credits) (in Spanish)**

The purpose of this course is to acquaint the student with the legal framework business transactions in Mexico and Latin America. The course will include an analysis of historical, cultural, political, social and economic aspects of Mexico, as they relate to the legal system.

#### **Elder Law (2 credits)**

One of the fastest growing areas of law, this course assesses the myriad of legal concerns of the elderly, including health care decision-making; living wills and surrogate decision-making for the incapacitated person; issues regarding Medicare and Medicaid; long-term care insurance; social security benefits and supplemental security income eligibility; veterans' benefits; tax issues; pension plans; the Age Discrimination in Employment Act (ADEA); and elder abuse and neglect.

#### **Electronic Discovery (2 credits)**

This course is designed to address discovery and evidentiary issues pertaining to electronically stored information (ESI). The course will address "meet and confer" conferences and what electronic discovery issues must be addressed between opposing counsel. Other topics include: production, mediating electronic discovery disputes, spoliation, sanctions, and privilege issues. Ethical considerations will be addressed throughout the course. Visiting attorneys will provide practical considerations, tips and recommended practices.

**Employment Discrimination Law** (3 credits)

Employment discrimination law is an important body of civil rights law and is also the fastest growing area of labor law. This course will address methods of proving a case of discrimination under Title VII of the 1964 Civil Rights Act, which forbids employment discrimination based on race, color, religion, sex or national origin. Issues covered may include sexual harassment, affirmative action, pay equity, and retaliation against employees who file charges of discrimination. The course will also cover procedural issues concerning enforcement, as well as the types of relief available. Other statutes, such as the Age Discrimination in Employment Act, Family and Medical Leave Act, and the employment discrimination provision of the Americans with Disabilities Act, may be covered.

**Entertainment Law** (2 credits)

This is a survey course which focuses on the legal issues and practices common to all areas of the entertainment industry. Practice issues are emphasized, as well as new developments in relevant intellectual property law, and significant business law issues.

**Environmental Law** (2 or 3 credits)

These courses address environmental problems and legal efforts to respond to those problems, including legislation and environmental litigation. In addition to surveys of state and federal controls concerning air, water, and solid waste, selected problem areas will be explored in detail, with emphasis on trial preparation, gathering of evidence, and strategy in the prosecution and defense of pollution cases.

**Environmental Litigation** (2 credits)

In this companion course to Environmental Law, students will learn in more detail the skills of representing clients in environmental litigation. The tactics and realities of prosecuting and defending litigation concerning the environment is the theme of the course.

**ERISA: Employee Benefits Law** (3 credits)

This course provides a background on the purposes and basic principles of the Employee Retirement Income Security Act of 1974 (ERISA) and other employee benefit laws. Coverage includes pension taxation, benefit plan reporting, regulation of benefit plans, ERISA fiduciary law, and termination of benefit plans.

**Estate and Gift Tax** *see* **Federal Estate and Gift Tax**

**Estate Planning** (2 or 3 credits) (Prerequisite: Wills & Estates or Wills, Estates, and Trusts. Trusts is also highly recommended.)

Estate Planning focuses on the process by which individuals make comprehensive arrangements for their property and personal needs which remain in effect during disability and after death. Topics covered in this course include disability planning for property and health care needs; planning for the physical aspects of death; the use of non-probate techniques; the preparation and execution of wills, trusts, and other documents; and the fundamentals of federal gift and estate taxation.

#### **Evidence (3 or 4 credits) (Required)**

The Evidence course explores the process of preparing and presenting evidence in trials. Topics covered may include examination of witnesses; competency of witnesses; privileges; relevancy; demonstrative evidence; the burden of producing evidence; presumptions and the burden of persuasion; judicial notice; the hearsay rule; and proof of documents, recordings, and writings.

Evidence I and II cover the same topics as the four-hour Evidence course, but permit students to enroll in two 2-hour segments each semester. The Evidence requirement is satisfied through successful completion of the four-hour Evidence course, *or* of both Evidence I and Evidence II.

#### **Externship Program (2 credits)**

Student interns are placed with non-profit organizations and government agencies in San Antonio, or other Texas cities. Students enroll for 2 credits. The course is graded on a pass/fail basis. Students must complete a minimum of 120 hours in the legal placement for the credit to be earned. Students must submit, on a weekly basis, timesheets which are signed by a supervising attorney, and a reflective journal on the student's experience in the placement. Students may have additional submissions and class meetings, as required by the Director of Externship Programs.

#### **Family Law (2 or 3 credits)**

This course is a survey of a wide variety of legal issues concerning the family unit, with an emphasis on the policies and changing nature of family law. Topics explored may include marriage requirements and consequences, divorce grounds, property division at divorce, child support, custody, non-marital children, domestic violence, parental rights, adoption, and non-traditional families.

#### **Family Law Mediation (2 credits)**

Family Law Mediation is an expansion of the Mediation Course. Students will enhance their Mediation Skills by continuing development using the three different types of mediation: Transformative Mediation, Evaluative Mediation, and Cooperative Mediation. The class will address issues of particular concern in Family Law Mediation cases, including the maintenance of continued relationships, property division settlements, an introduction to family dynamics, basic child development, and finally advanced topics, such as domestic abuse and protective orders. Students will be asked to focus on these issues while further developing their mediation abilities, such as

questioning techniques, venting and listening skills, and option generating. Students will also learn to recognize tactics used by parties and attorneys to forestall the mediation process, and work on developing ways to approach these "stonewalling" tactics. Mediation is a prerequisite for Family Law Mediation. This course is intended to provide the additional training for appointment as a family law mediator under §154.052(b) Texas CPRC.

#### **Federal Criminal Procedure (2 credits)**

This is a survey course of the procedure used in the federal criminal justice system from arrest and indictment (or information) through trial and sentencing. Topics covered include: grand jury practice, bail and pretrial release, pretrial motions, discovery, joinder and severance, guilty plea procedures, and trial.

#### **Federal Courts (3 credits)**

This course builds on the first-year Procedure course and provides a more detailed exposure to the limited judicial power of the federal courts. Topics may include the distribution of judicial power among federal and state courts, the original jurisdiction of the federal district courts (including cases arising under the United States Constitution and statutes, and jurisdiction based on "diversity of citizenship"), federal litigation, and emerging legislative proposals concerning jurisdiction of the federal courts.

#### **Federal Estate and Gift Taxation (2 or 3 credits) (Prerequisite: Federal Income Taxation)**

This course is closely related to Estate Planning and is essential for those who will help clients plan the transmission of wealth from one generation to another through wills and related legal arrangements. Topics studied include the concepts of gross estate and valuation of property; exemptions, deductions and credits allowed under federal law; and problems of payment, collection, and apportionment of taxes.

#### **Federal Income Taxation (3 credits)**

The Federal Income Taxation course, a prerequisite for all other tax courses, provides an introduction to the basic policies and principles of federal income taxation, which are encountered in many areas of practice, including real estate, bankruptcy, family law, and personal injury. It provides a vehicle for learning to work with statutes and regulations, and does not require a business or accounting background.

#### **Federal Pretrial Practice (2 credits)**

This practice skills course focuses on pretrial motions and proceedings in the federal courts.

#### **Food and Drug Law (2 credits)**

The purpose of this course is to prepare students to navigate the various regulations that are levied on healthcare providers and organizations. More specifically, this course will introduce the student to federal, state, and professional regulations that govern the administration of healthcare in the United States. Special attention will be given to the relationship between the legal and public health themes of quality, cost, and access.

### **Gender Discrimination** (2 or 3 credits)

This course examines the role gender plays in society as a whole, as well as the various legal theories advanced over the past forty years to address such issues as equal protection pay equity; employment discrimination/sexual harassment, and educational opportunities.

### **Global and National Security Law** (3 credits)

This survey course addresses the definition of domestic and international conflict; its modalities (e.g., armed conflict, terrorism, economic coercion, and environmental degradation); types of threats (e.g., nuclear, biological, and chemical); the public law of conflict management; and the U.S. response to external conflict within the confines of domestic and international legal principles recognized by the United States (including constitutional issues). The course has an interdisciplinary character but is ultimately guided by the international and domestic rule of law.

### **Health Law** (3 credits)

This survey course covers the major legal issues involved in health care in the United States. The course gives students an introduction to the various state and national administrative rules and regulations regarding quality controls, licensing of health care professionals, and ethical /legal concerns involving physician/patient relationships. With the advent of new HIPAA privacy regulations and tort reform impacting medical liability issues, students will have the opportunity to obtain a working knowledge of the law. The course will survey contemporary policy issues in health law.

### **Human Rights Clinic** *see* **Immigration and Human Rights Clinic**

### **Immigration and Human Rights Clinic** (8 credits fall and spring, 3 credits in the summer)

The Immigration and Human Rights Clinic engages students in the representation of indigent foreign nationals in a variety of immigration cases, and in the advocacy of human rights. Students file political asylum applications and advocate on behalf of clients before administrative tribunals; seek suspension of deportation for undocumented individuals who have lived in the United States for at least seven years and who have relatives who are U.S. citizens or are legally residing in the United States; and seek Section 212<sup>©</sup> waivers and adjustments of status for immigrants who are longtime U.S. residents. Students also work on cases involving INS abuses, detention center problems, and human rights issues, especially as they affect residents along the

U.S.-Mexico border. Students enrolled in this Clinic in the fall and spring semesters must have completed, or be concurrently enrolled in, the Immigration Law course. Students in the summer session need not comply with this requirement. Second- and third-year students can enroll in this course.

### **Immigration Law (3 credits)**

This survey course covers the source of immigration power and constitutional protections for aliens. It addresses the admission of aliens as immigrants and non-immigrants; grounds of removal and waivers as well as removal procedure; refugees; and asylum. To complete the overview, it also addresses issues pertaining to citizenship, its loss and its acquisition. The course must be taken either prior to or concurrent with the Immigration Clinic.

### **Import/Export Law *see* United States Customs Law**

### **Independent Study (1, 2 or 3 credits)**

Students are permitted, with the approval and under the supervision of a member of the faculty, to engage in a course of independent study on a subject determined by the student and supervising faculty member. No student may receive credit toward graduation for more than three (3) hours of independent study, and the course may be taken on either a graded or pass/fail basis, subject to the approval of the supervising faculty member.

### **Insurance Law (3 credits)**

The Insurance Law course focuses on the special nature of insurance contracts and the insurance industry. Included is coverage of governmental supervision and control of the industry; organization and agents; making of the contract, including insurable interest and binders; construction of insurance contracts, including coverage provisions, exclusions, and other conditions; parties with interests in the contract; the company's rights and duties upon the happening of the insured event; and rights at variance with the contract.

### **International ADR and Tribunals (2 credits)**

First addresses the theory (with examples) of negotiation, mediation, conciliation, inquiry and good offices as the methods of peaceful non-binding dispute resolution. Thereafter, it addresses the theory (with examples) of arbitration and standing courts as methods of peaceful binding dispute resolution.

### **International Business Transactions: Investment and Finance (2 or 3 credits)**

This course focuses on international investment and financing issues. The topics covered include (1) the use of letters of credit in international business transactions; (2) the use of

foreign distributors and agents; (3) investment vehicles and investment in Europe; (4) foreign investment in NAFTA; (5) United States regulation of foreign investment; (6) economic boycotts; (7) issues confronting established investments; (8) taking an investment; (9) project financing; and (10) Third World debt, the IMF and the international monetary system. It is recommended, but not necessary that *International Business Transactions–Sales and Trade* and *International Business Transactions–Investment and Finance* (the companion course) be taken sequentially. Each course is designed to stand on its own.

### **International Business Transactions: Sales and Trade (2 or 3 credits)**

This course focuses on the international sale of goods, including the Convention on the International Sale of Goods, regulation of international trade, and the resolution of international trade disputes. The topics covered include: (1) international documentary sales, bills of lading and other commercial forms; (2) tariff and nontariff barriers to trade; (3) the World Trade Organization, GATT, and TRIPS; (4) free trade areas and customs unions; (5) international transfers of technology; (6) protection and licensing of intellectual property; (7) resolution of international disputes; and (8) contractual choice of law and forum selection clauses. This course satisfies the IBT course requirement in the “Public & International Law” category of the core curriculum. It is recommended, but not necessary that *International Business Transactions–Sales and Trade* and *International Business Transactions–Investment and Finance* (the companion course) be taken sequentially.

### **International Energy Transactions (2 credits)**

The purpose of this course is to study, analyze, and discuss outstanding contemporary topics regarding international petroleum transactions, including a review of the experience of energy policies in Latin America on international energy transactions. The law and culture of multiple jurisdictions will be covered, as will such issues as what is the governing law for such transactions, international petroleum development agreements, dispute resolution mechanisms, the nature and types of petroleum markets and other downstream activities.

### **International Labor Law (2 or 3 credits)**

This course will review the U.S. federal and state labor laws with a view to extraterritorial effect. The problems faced by foreign employers in the U.S. and those faced by U.S. employers in other countries will be examined. Sources of international labor law other than the laws of nation states will be covered, as well as the NAFTA labor agreement. Prerequisite: Labor Law

### **International Law: Human Rights (2 or 3 credits)**

This course provides an overview of the unique nature, history, and philosophies of international human rights law. It compares United Nations, European, Inter-American,

and African systems of human rights, and also the roles of governmental and non-governmental organizations.

### **International Law: Public Law** (2 or 3 credits)

This basic International Law course is a survey of the law of nations and includes the nature, history, and philosophies of public international law; sources of public international law, including treaties, custom, general principles of law, adjudication, and doctrinal writings; international legal personality and recognition; territory; jurisdiction and jurisdictional immunities; state responsibility and state succession; peaceful dispute resolution; use of force; and international organizations.

### **Internships/Externships** (credits vary/maximum of 5 credits, 2 internships or externships allowed)

Credits for Internships may be available. See faculty supervisors of the internship programs for more information. See Section II, D, 4, for Independent Study Internships.

### **Jessup Seminar** (2 credits)

This seminar addresses the annual Phillip C. Jessup Moot Court problem concerning public international law issues. The seminar requires the completion of a hypothetical memorial for submission to the International Court of Justice in the Hague plus the advocacy of issues contained in the Jessup problem. This writing project satisfied the Law School's writing requirement for graduation.

### **Jurisprudence** (3 credits)

The term "jurisprudence" is defined in a broad and all-inclusive manner as "the science or philosophy of law." Jurisprudence has sometimes been used as a label for several course offerings that vary somewhat from one semester to another, depending on the instructor. In general, the Jurisprudence course introduces students to important schools of thought about the origins, purposes, and workings of law through the reading and discussion of edited works of legal philosophers. It focuses on the development of ideas about the nature of law and the judicial process, and the relationship between those ideas and the working of law; in other words, students will see how philosophies of law inform the practice of law, or Jurisprudence: Law & Literature.

Sections of the Jurisprudence course may focus on particular aspects of jurisprudence. Examples include Jurisprudence: Critical Lawyering Theory and Jurisprudence: Gender and the Law.

### **Juvenile Law** (2 credits)

In Juvenile Law, students study the encounters of children with our legal system, including delinquency adjudication; proceedings to determine whether children are in

need of supervision; rights of juveniles; and the role of attorneys in representing juveniles.

### **Labor Law (2 or 3 credits)**

Labor Law is the basic course focusing on the relationship between employers and an organized labor force and on the federal law governing that relationship. Topics explored include union organization and recognition; collective bargaining; arbitration of grievances; unfair labor practice; the National Labor Relations Board; strikes, pickets, and boycotts; and lockouts, black listing, and "yellowdog" contracts.

### **Law and Economics (3 credits)**

This course offers a study and critique of the use of economics analysis for clarifying legal policy and for the appraisal of court decisions. The course will focus on the extent to which virtually all areas of the law can be understood as the institutional embodiment of the principle of economic efficiency. Prior knowledge of economics is not essential, and the course will include a brief overview of basic economic theory.

### **Law of Healthcare Organization (2 credits)**

The purpose of this course is to prepare students to navigate the various regulations that are levied on healthcare providers and organizations. More specifically, this course will introduce the students to federal, state, and professional regulations that govern the administration of healthcare in the United States. Special attention will be given to the relationship between the legal and public health themes of quality, cost, and access.

### **Law Practice Management (2 or 3 credits)**

This course will cover the basics of the business of law practice. Areas of coverage will include management of: the legal organization itself, human resources, physical plant, information technology, finances, and legal work product. It will also discuss ethics, client services, marketing, and the demands of the professional life of an attorney. The course is designed for the student who is likely to be a solo or small firm practitioner, but is of value for many students.

### **Legal Malpractice (2 credits)**

This course will examine the basis for legal malpractice and will explore the basic elements of the tort of legal malpractice, the creation of the attorney-client relationship, and applicable defenses. A major emphasis of the course will be on the prevention of malpractice, and will examine common mistakes made by practicing attorneys which give rise to malpractice claims. Overall, the course will seek to instill a commitment to achieve the highest ideals of the legal profession.

**Legal Spanish and Mexican Legal Systems** (3 credits) (in Spanish)

This course provides a foundation in legal terminology and proper usage in the different areas of Mexican law. Students are exposed to the nuances associated with the Mexican legal system, fundamental legal concepts, key Latin phrases, and to the teaching techniques that characterize legal instruction at Mexican law schools.

**Marketing and Business Development for Lawyers** (2 credits)

This course teaches students how to develop a business marketing plan, including how to identify and serve markets for clients with legal needs, how to develop appropriate and ethical marketing techniques, and how to build and maintain a clientele that is served well.

**Mediation** (3 credits) (Prerequisite: Negotiation)

Mediation explores those situations in which an impartial person, the mediator, facilitates communication among parties to promote reconciliation, settlement, or understanding among them. The course will explore all forms of mediation, whether conducted by consent or court order (court annexed mediation), and will include extensive training in mediation and negotiation. Issues concerning qualifications, confidentiality, liability, and ethics will be covered.

**Medical Malpractice Litigation** (2 credits)

Medical Malpractice Litigation, a study of the law and procedure governing medical malpractice actions in Texas, will prepare students to evaluate properly and manage effectively a medical malpractice lawsuit. Practical applications of the course include deposing medical witnesses, motions for summary judgment, and effective use of medical resources.

**Mortgages and Real Estate Financing** (3 credits)

This "real property" course covers the rights and interests of the parties to mortgages and other security devices, as well as those of transferees and of innocent third parties. Topics covered include the deed of trust; the vendor's lien and superior title; mechanic's and materialman's liens, both constitutional and statutory; and remedies such as foreclosure, redemption, and marshaling of assets.

**Negotiation** (3 credits)

Negotiation is a course in conflict prevention and resolution, designed to acquaint the student with the processes, and theories, surrounding conflicting human interactions, particularly in the legal world. The theories of integrative and distributive bargaining are explored, as are the interpersonal skills, including communication skills, that will aid the student in better satisfying their interests in any negotiation setting, whether

interpersonal, legal or otherwise. Gender and cultural differences are reviewed, as are the dynamics of large group conflict resolution and the use of agents and intermediaries in negotiations. The ethics of negotiation are emphasized, along with the need for a mature approach to conflict resolution.

### **Oil and Gas (3 credits)**

This course is the study of the law governing interests in oil and gas, with an emphasis on Texas law. Topics explored include the nature of interests in oil and gas; oil and gas leases; lease covenants, express and implied; title and conveyancing problems; transfers; and pooling and unitization.

### **Patent Law (2 credits)**

This course examines the nature of patent protection. Circumstances under which this method of protecting inventions and other original works is appropriate, and the steps necessary to secure, maintain, and enforce the protection, are emphasized.

### **Products Liability (2 credits)**

This course focuses on the need for, philosophy of, and historical development of modern products liability law. Emphasis is placed on the causes of action available to a person injured by a defective product, defenses available to responsible parties, damages sustained as a result of the defect, and the various situations in which litigation of this type arises.

### **Professional Responsibility (2 credits) (Required)**

Professional Responsibility explores the legal, ethical and moral responsibilities of lawyers to clients, courts, the community and the legal profession. The current professional rules of professional conduct and the policies underlying them, are examined. However, consistent with ABA standards, students should be aware that the course in Professional Responsibility does *not* prepare students for the Multistate Professional Responsibility Examination (MPRE). As with all other bar examinations, students intending to take the MPRE should plan to take a commercial bar preparation course prior to taking the MPRE. Information on such courses will be provided to all students enrolled in the Professional Responsibility course.

### **Race and Racism in American Law (3 credits)**

This course is a policy course—it is not a Title VII or employment discrimination course. Rather, this course addresses the many and various ways in which the issue of race and the American legal system interact. As a survey course, the class will deal with various topics ranging from affirmative action, the criminal justice system, and racist/hate speech to interracial adoption, issues of minority women, and housing discrimination. There is no course book for the course. Instead, the course materials are both traditional (law review articles, cases, and statutes) and non-traditional (*Ebony*, *Hispanic*, and various videos). While not a basis for grading, the format of the class nevertheless anticipates and necessitates the full participation of each class member. The class will offer invigorating and lively (if not heated) discussion and analysis of historical and contemporary issues of race and the law.

### **Remedies (3 credits)**

In Remedies students explore the various types of judicial relief, equitable and "at law," available to people who have suffered or might suffer a substantive wrong, such as a tort or breach of contract. Students examine the maxims of equity and equitable remedies, including an in-depth study of injunctions; substitutionary money damages, including compensatory and punitive damages in contract and tort cases; and restitution-based causes of action such as "quasi-contract," subrogation, and constructive and resulting trusts. The course presumes the violation of a substantive right and attempts to answer the question, "What relief should the injured party seek from the court?"

### **Restorative Justice (2 or 3 credits)**

Restorative Justice is a new movement in American criminal justice which focuses on reparation of damage done and restoration of relationships. It includes the victim, the offender, the community, and the criminal justice system itself. This course will examine these new directions, evaluate the research, observe and practice restorative justice techniques and explore how these new practices are applied to the various components of the criminal justice system.

### **Sales: UCC Article 2 (2 or 3 credits) (online course approved)**

Sales is a Uniform Commercial Code (UCC) course. Article 2 of the UCC is explored, including the creation of sales contracts, the relationships between buyers and sellers, the rights and obligations of the parties, and the remedies available for breach of the contract. Other areas explored include risk of loss on shipment or storage, commercial impracticality, letters of credit, and documents of title. A student who takes this course may not also take the combined course on Sales and Secured Transactions.

### **Sales and Secured Transactions (4 credits)**

This course will focus on Articles 1, 2, and 9 of the Uniform Commercial Code, the provisions governing the sale of goods and security interests involving or related to

goods. Because the course combines topics covered in the Sales and the Secured Transaction courses, students who have completed either Sales or Secured Transactions are not be permitted to enroll in this course.

**Secured Transactions: UCC Article 9** (2 or 3 credits) (online course approved)

One of the UCC (Uniform Commercial Code) courses, Secured Transactions is the study of using personal property as collateral for a loan or grant of credit. Topics considered include methods of creating and perfecting security interests; issues of priority; interrelationships between federal bankruptcy law and the UCC; and creditors' rights and obligations after debtors' default. A student who takes this course may not also take the combined course on Sales and Secured Transactions.

**Securities Regulation** (3 credits) (Prerequisite: Business Associations)

This course focuses on the federal and state regulation of securities and the securities industry. Topics covered include registration, exemptions from registration, and liability under the Securities Act; reporting, proxies, tender offers, fraud, short-swing profits, market manipulation, and broker regulation under the Exchange Act; and litigation and lawyer responsibility.

**State Pretrial Practice** (2 credits)

This practice skills course focuses on motions and pretrial proceedings in Texas state courts.

**Taxation of Business Entities** (4 credits) (Prerequisite: Federal Income Taxation)

This course covers major issues relating to the taxation of corporations, partnerships, limited liability companies, and other types of business entities. Topics to be considered include entity formation, capital structure, operating distributions, sale of interests, mergers and other reorganizations, and liquidations. Subchapters C, K, and S of the Internal Revenue Code will be explored.

**Texas Civil Procedure I** (3 credits)

This course offers a detailed examination of pre-trial procedure, using the Texas Rules of Civil Procedure as a model, with comparisons to the Federal Rules of Civil Procedure. Topics covered may include preservation of error; the Texas court system; impleader; intervention; suits on a sworn account; parties; and discovery. Students who plan to practice in Texas are required to take Texas Civil Procedure I.

**Texas Civil Procedure II** (3 credits) (Prerequisite: Texas Civil Procedure I)

This course offers a detail examination of trial, post-verdict, and appellate procedure, using the Texas rules of Civil Procedure as a model, with comparisons to the Federal Rules of Civil Procedure. Topics covered include continuances; recusal; summary

judgments; jury selection; directed verdict; jury argument; jury change and verdict; post-verdict motions; findings of fact and conclusions of law; jury misconduct; res judicata and collateral estoppel; and introduction to appellate procedure.

#### **Texas Criminal Procedure** (2 or 3 credits)

This course focuses on the Texas Code of Criminal Procedure and the cases interpreting the Code. Students analyze the various provisions of the Code as it relates to the prosecution and defense of criminal defendants from arrest through conviction.

#### **Texas Land Titles** (3 credits)

Texas Land Titles builds upon the first-year property course, and explores in more detail the basic tools and steps necessary to examination of title to real property, as well as the procedural and substantive methods of clearing or eliminating title defects. Also included in the course are methods of title assurance, mineral title, and the Texas adverse possession statutes.

#### **Trademark and Unfair Competition** (2 credits)

This intellectual property and business course examines the nature of the legal protection afforded to those who use trademarks. Also included are problems relating to trade secrets, franchising, false advertising, commercial bribery, and unfair trade practices and competition.

#### **Trial Advocacy** (3 credits) (Prerequisite: Evidence)

Trial Advocacy classes are designed to give students an introduction to specific trial advocacy techniques such as *voir dire* examination of jury panels, opening statements, and direct examination of witnesses. The techniques are demonstrated by instructors and students are given opportunities to perform, and receive instruction concerning, exercises in many aspects of the trial of civil and criminal cases. (Prerequisite: Evidence)

#### **Trusts** (3 credits)

Trusts are one of the most frequently used and beneficial of the tools available to the modern estate planner. A trust is a special type of property transfer which separates the equitable interest in property from the legal interest. The holder of the legal interest, the trustee, manages the property according to the directions contained in the trust instrument and state law for the benefit of the beneficiaries who own the equitable title. The trustee is a fiduciary and must deal with the property exercising a high standard of care and with the utmost degree of loyalty. This course deals with the creation, administration, and enforcement of private and charitable trusts under the Texas Trust Code. Coverage of resulting trusts and constructive trusts is also included.

#### **United States Customs Law** (2 or 3 credits)

This course will review federal law, legal research and procedure associated with import/export issues. Various specific import and export legal issues will be presented and discussed, including enforcement of the laws.

**Water Law (2 credits)**

Water Law explores the subject of rights and interests in water, with an emphasis on the unique law of Texas. The topics covered include the two major ways of determining water rights in surface streams and lakes in the United States ("riparian rights" and "prior appropriation"), as well as issues concerning ground water.

**Wills and Estates (3 credits)**

Wills & Estates is the study of the disposition of property at death, whether by non-probate transfers, intestate succession, or will. The course examines the different types of inter vivos transfers that have testamentary effect, such as multiple-party bank accounts and life insurance; analyzes how property passes if a person does not have a will; and details various aspects of wills including validity, revocation, interpretation, and construction. The estate administration process consisting of collecting the decedent's property, paying debts, and distributing property to heirs or beneficiaries, is also studied. The course also provides brief coverage of other estate planning issues such as professional responsibility, planning for incompetency and death, and the drafting of wills.

**Wills and Trusts (4 credits)**

Covers the materials in Wills & Estates and Trusts in a more condensed format.

**Wrongful Convictions (2 or 3 credits)**

This course examines the American criminal justice system through an unusual prism: that of cases in which innocent people have been convicted. The course covers the principle causes of wrongful convictions as well as various reform efforts.

**XV. 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 &amp; Evening

<b>Persons &amp; Property (2 courses)</b>		
LW8719	Community Property	
LW7331	Family Law	
LW8318	Mortgages & Real Estate Financing	
LW8328	Oil & Gas	
LW7314	Texas Land Titles	
LW8329	Trusts	
LW7327	Wills & Estates	
LW7427	Wills, Estates & Trusts	Counts as 2 courses
<b>Business &amp; Commercial Transactions (2 courses)</b>		
LW8368	Creditor's Rights & Bankruptcy	Prerequisite: Secured Trans OR Mortgages & Real Estate
LW7410	Business Associations	
LW7394	Commercial Paper	
LW8735	Consumer Protection Law	If take Consumer Law may not take DTPA
LW8610	Deceptive Trade Practices Act (DTPA)	If take DTPA may not take Consumer Protection Law
LW7397	Insurance Law	
LW7694	Sales	If take Sales may not take Sales & Secured Transactions
LW7494	Sales & Secured Transactions	If takes Sales & Sec Trans may not take Sales OR Sec Tran
LW7494	Sales & Secured Transactions	Counts as 2 courses
LW7395	Secured Transactions	If take Sec Trans may not take Sales & Sec Transactions
<b>Public &amp; International Law (1 course)</b>		
LW7374	Administrative Law	
LW8380	Civil Rights	
LW7376	Federal Income Tax	
LW8379	Estate & Gift Tax	Prerequisite: Federal Income Tax
LW8304	International Business Transactions	
LW7704	International Public Law I: Intro	
LW7705	International Public Law II: Human Rights	
LW8340	European Union Law	
<b>Civil &amp; Criminal Litigation (3 courses)</b>		
LW7356	Conflict of Laws	
LW7375	Constitutional Criminal Procedure	
LW6434	Evidence	Required
LW7386	Federal Courts	
LW7650	Federal Criminal Procedure	Prerequisite: Constitutional Criminal Procedure
LW7764	Remedies	
LW6350	Texas Civil Procedure I	Required if taking Texas Bar
LW6354	Texas Civil Procedure II	Prerequisite: Texas Civil Procedure I
LW8350	Texas Criminal Procedure	Prerequisite: Constitutional Criminal Procedure
<b>Practice Skills (1 course)</b>		
LW8376	Arbitration	
	Clinic	
LW8761	Negotiation	
LW8755	Mediation	Prerequisite: Negotiation
LW9758	Trial Advocacy	Prerequisite: Evidence

Philosophy of Law & Lawyers (2 courses)		
LW6308	American Legal History	
LW7380	Comparative Law: Civil & Common	
LW6705	Jurisprudence	
LW6705	Jurisprudence: Gender & The Law	
LW6310	Law & Economics	
LW6309	Law & Philosophy	
LW6607	Professional Responsibility	Required

#### DAY PROGRAM

LW6477	Federal Civil Procedure	first-year / fall
LW6741	Contracts I	first-year / fall
LW6311	Property I	first-year / fall
LW6375	Torts I	first-year / fall
LW6201	Legal Research & Writing I	first-year / fall
LW6440	Constitutional Law	first-year / spring
LW6641	Contracts II	first-year / spring
LW6341	Criminal Law	first-year / spring
LW6280	Property II	first-year / spring
LW6275	Torts II	first-year / spring
LW6601	Legal Research & Writing II	first-year / spring
LW6607	Professional Responsibility	after first-year - required
LW6434	Evidence	after first-year - required
LW6350	Texas Civil Procedure I	after first-year - if practice in State of Texas
	Writing Requirement	6,000 words / 25 double spaced pages

#### EVENING PROGRAM

LW6477	Federal Civil Procedure	fall / semester 1	
LW6641	Contracts I	fall / semester 1	
LW6375	Torts I	fall / semester 1	
LW6112	Legal Writing	spring / semester 2	
LW6745	Contracts II	spring / semester 2	
LW6275	Torts II	spring / after semester 2	
LW6311	Property I	spring / semester 2	
LW6280	Property II	summer / after semester 2	
LW6335	Legal Research & Writing	fall / semester 3	
LW6341	Criminal Law	fall / semester 3	
LW6440	Constitutional Law	fall / semester 3	
LW6607	Professional Responsibility	after first-year - required	
LW6434	Evidence	after first-year - required	
LW6350	Texas Civil Procedure I	after first year if practice in State of Texas	Required
	Writing Requirement	6,000 words / 25 double spaced pages	Required

Notes