

ST. MARY'S UNIVERSITY
SCHOOL OF LAW

MASTER OF LAWS STUDENT HANDBOOK

Academic Year 2021 – 2022

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

Colin P. Marks
Associate Dean of
Strategic Partnerships & Innovations and
Ernest W. Clemens Professor of Law

THIS HANDBOOK IS NOT A CONTRACT.

THE PROVISIONS OF THE HANDBOOK ARE SUBJECT TO CHANGE
AT ANY TIME, INCLUDING DURING THE ACADEMIC YEAR.

THE J.D. AND LL.M. STUDENT HANDBOOKS
AND IMPORTANT CHANGES TO THE TEXT OF THE HANDBOOKS
ARE AVAILABLE ON GATEWAY.

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I. INTRODUCTION

By publishing the *Master of Laws Student Handbook*, St. Mary's University School of Law attempts to bring together from various sources rules, policies, and procedures of interest to enrolled Master of Laws (LL.M.) 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 Gateway 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 in charge of Graduate Programs.

All LL.M. students are subject to the rules, policies, and procedures contained herein and by the rules of the J.D. student handbook on any issue for which the LL.M. handbook is silent or includes external references. 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. MASTER OF LAWS DEGREE GRADUATION REQUIREMENTS

A. Twenty-Four Credit Hours Requirement

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

1. LL.M. in International and Comparative Law;
2. LL.M. in American Legal Studies;
3. LL.M. in International Criminal Law;
4. A General LL.M. with the ability to obtain a concentration.

A candidate for the degree of Master of Laws must earn a minimum of twenty-four (24) credit hours in order to graduate. Foreign-law-educated LL.M. candidates whose first language is not English must have a 2.0

cumulative grade-point average for graduation. American-law-educated candidates must have a cumulative grade point average of 2.30 in order to graduate.

The LL.M. in International and Comparative Law is designed for lawyers (primarily American-trained lawyers) who have already obtained a law degree and who will benefit from specialized training in international and/or comparative law. This degree offers students two options. The first is public sector training, which will position them for a **possible** government career in the diplomacy, the military, or the intelligence communities. The second option offers exposure to private sector training in international commercial and trade matters. The LL.M. in American Legal Studies is designed for graduates of foreign law schools who want to enhance their understanding of the American legal system and the English Common Law from which our legal institutions and laws have evolved. **This program is not open to American law-educated students.** For qualifying candidates, completion of this degree will allow them to sit for an American state bar exam. **However, it is highly recommended that those students contemplating taking an American state bar take additional courses and a bar review course in order to adequately become fully prepared to take such exam.**

The LL.M. in International Criminal Law is designed for law graduates and lawyers who intend to pursue a specialized government career as a federal or state prosecutor or as a private sector criminal defense lawyer. This degree is also appropriate for those who choose to enter the federal law enforcement, diplomatic, military, or intelligence services.

The General L.L.M. is designed to accommodate students who wish to pursue an advanced law degree other than those described above in a prescribed concentration of study. Currently there is one concentration in Cyber Security Law. This concentration will benefit lawyers interested in both public and private cyber security, be it within the context of a government position or contractor, or working for or with businesses with cyber and data security needs.

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

B. Two-Year Limitation

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

C. Graduation/Commencement Application

LL.M. candidates who qualify for graduation must apply on Gateway by the following dates to ensure timely certification by the School of Law:

October 1 for December completion
March 1 for May completion
June 1 for August completion

An LL.M. candidate may petition to walk early at the December or May ceremony if they will lack no more than four (4) credit hours to fulfill their twenty-four (24) credit requirement. Petition forms can be obtained from GATEWAY and submitted for approval by the Associate Dean in charge of Graduate Programs by the graduation application deadline listed above.

D. Pass/Fail Hours Limitation

A student may not count toward graduation more than **three (3)** ungraded elective credit hours (that is, pass/fail hours). 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 **three (3)** hour maximum limit of pass/fail credit hours. **All graded credit hours (see Section III.F.) accepted for students who transfer to the LL.M. Program will not be counted in determining the three (3) hour maximum limit of pass/fail credit hours.** Ungraded transient hours (see Section III.G.) are subject to the same limitations that apply to hours taken on the home campus.

A student may not elect to take a **graded** course as pass/fail unless the faculty as a whole has expressly approved such an election or the Associate Dean in charge of Graduate Programs **and the course's teaching faculty member** have approved such an election. Such an election should be made prior to the first meeting of class. Independent study credits may be earned on a pass/fail basis only with the approval of the supervising faculty member. A course designated as pass/fail may not be taken for a grade.

In extraordinary situations, the Office for Academic and Student Affairs may authorize pass/fail grades, rather than letter grades.

E. **Independent Study**

A student may arrange a one-, two-, or three-credit independent study.

1. **Maximum Independent-Study Hours**

A LL.M. student may count no more than three (3) hours of independent study toward the twenty-four (24) hours required for graduation by completing a research paper and/or such other work as the supervising faculty member may require. **A LL.M. student may not take an Independent Study Internship as detailed in Section II.D. 4 of the Law Student Handbook.**

2. **Significant Writing Requirement**

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

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 or of the other written work, whether the paper will be graded or evaluated only on a pass/fail basis, whether any work in addition to the paper is required, and what semester the student will enroll for the independent study.

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

A student and the supervising 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 other written project has been submitted to the faculty member for evaluation.

A student wishing to arrange an independent study should obtain the appropriate form from the law school website (law.stmarytx.edu), take it to the supervising faculty member for his or her signature, and return the form during the registration process. An Independent study for three (3) credit hours require prior request and approval from the Associate Dean in charge of Graduate Programs.

F. Full-Time Status and Part-Time Status

1. Minimum and Maximum Credit Hours per Semester - Full-Time Status

Full-time enrollment requires at least ten (10) hours in a semester or three (3) hours in a summer session. A student must obtain the written approval of the Associate Dean in charge of Graduate Programs 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 approval of the Associate Dean in charge of Graduate Programs 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. Part-Time Status

A student who wishes to take a part-time course of study will have up to 2 years to complete the degree.

G. Required Courses

1. LL.M. in International and Comparative Law

a. Required courses

Students enrolled in this program are required to take the following courses:

- Public International Law;
- Comparative Law;
- Introduction to American Legal Systems (waivable)
- Legal Research and Writing (waivable)

Foreign trained lawyers must take Introduction to American Legal Systems and Legal Research and Writing. These courses are not required of domestically trained lawyers and may be waived for foreign trained lawyers at the discretion of the Associate Dean in charge of Graduate Programs.

b. Required electives

In addition to the required courses, students must take 8 credit hours from the following list of courses:

- Doing Business with Mexico
- European Union Law
- International ADR and Tribunals
- International Commercial Arbitration
- International Criminal Law
- International Business Transactions
- International Cybercrime
- International Law of Cyber Warfare & Just War Theory
- International Human Rights
- International Law of Stolen Art
- International White Collar Crime
- Legal Spanish and the Mexican Legal System
- National Security
- Other course approved by the Associate Dean in charge of Graduate Programs

c. Thesis (optional)

American law-educated students may write a thesis concerning a current and relevant topic, which would be approved by the Associate Dean in charge of Graduate Programs. The same thesis

requirement in terms of currency and relevancy would be optional for foreign-law-educated students. Foreign-law-educated students must inform the Associate Dean in charge of Graduate Programs and the Director of Student Records of the decision to write or not to write the thesis not later than the commencement of the second semester of LL.M. study. The LL.M. thesis topic selection and faculty advisor must be approved by the Associate Dean in charge of Graduate Programs.

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

A thesis that meets the above requirements would count as a 3-credit course. Alternatively, any LLM student may complete a writing seminar instead of completing a thesis. Writing seminars will be given credit based on the course and guidelines set by the professor.

d. International Research

Students may take up to a maximum of six (6) of the twenty-four required hours in St. Mary's University Institute on World Legal Problems in Innsbruck, Austria, or in the St. Mary's University Institute on Chinese Law and Business at Beihang University, Beijing, PRC.

e. Other credits

Subject to the permission of the Associate Dean in charge of Graduate Programs, L.L.M. candidates may take a maximum of three (3) relevant graduate credit hours from another graduate program within the University such as, but not limited to, the International Relations department or the Business School.

St. Mary's J.D. graduates who completed their J.D. studies within three years of commencing their L.L.M degree may apply up to six (6) hours of credit earned while a J.D. student toward an LL.M. degree, provided those hours were in excess of the hours required for their J.D. degree. Courses and grades earned remain part of the

J.D. record; **advanced standing credit for specific, qualifying courses will be granted for the LL.M. degree work, and the course(s) will be entered on the transcript, but grades for those courses will not be included in the computation of the LL.M. grade point average.**

2. LL.M. in American Legal Studies

Students enrolled in this program are required to take the following courses:

- a. Introduction to the American Legal System;
- b. Legal Research and Writing for LL.M. students;
- c. Professional Responsibility
- d. **Two** of the following courses:

- (1) Federal Civil Procedure
- (2) Contracts
- (3) Criminal Law
- (4) Property
- (5) Torts
- (6) Constitutional Law

Except for the required courses outlined above, students in this program are free to construct their own curriculum under the supervision of, and with approval of, the Associate Dean in charge of Graduate Programs.

3. LL.M. in International Criminal Law

- a. Required courses

Students enrolled in this program are required to take the following courses:

- Public International Law
- Federal Criminal Procedure
- Federal Criminal Law
- International Criminal Law
- International White Collar Crime
- Constitutional Law (waivable)
- Criminal Law (waivable)
- Introduction to American Legal Systems (waivable)

- Legal Research and Writing (waivable)

Foreign trained lawyers must take Introduction to American Legal Systems, Legal Research and Writing, Constitutional Law and Criminal Law. These courses are not required of domestically trained lawyers and may be waived for foreign trained lawyers at the discretion of the Associate Dean in charge of Graduate Programs.

b. Required Electives

In addition, students must take six credit hours of elective course work from the following list of courses:

- Capital Punishment Seminar
- Constitutional Criminal Procedure
- International Human Rights
- International Law of Stolen Art
- International Cybercrime
- International Law of Cyber Warfare & Just War Theory
- National Security Law
- Texas Criminal Procedure
- Wrongful Convictions
- Other course approved by the Associate Dean in charge of Graduate Programs

c. Thesis (optional)

American law-educated students may write a thesis concerning a current and relevant topic, which would be approved by the Associate Dean in charge of Graduate Programs. The same thesis requirement in terms of currency and relevancy would be optional for foreign-law-educated students. Foreign-law-educated students must inform the Associate Dean in charge of Graduate Programs and the Director of Student Records of the decision to write or not to write the thesis not later than the commencement of the second semester of LL.M. study. The LL.M. thesis topic selection and faculty advisor must be approved by the Associate Dean in charge of Graduate Programs.

The length of the thesis is 12,000 words of text for American law-educated students and is 6,000 words of text for foreign-law educated students. "Text" is defined as the main body of the thesis,

exclusive of the required title page, table of contents, footnote/endnotes and classified bibliography or list of sources. The current issue of “The Bluebook: A Uniform System of Citation” dictates the footnote/endnote/bibliography/list of sources entries

A thesis that meets the above requirements would count as a 3-credit course. Alternatively, any LLM student may complete a writing seminar instead of completing a thesis. Writing seminars will be given credit based on the course and guidelines set by the professor.

d. International Research

Students may take up to a maximum of six (6) of the twenty-four required hours in St. Mary's University Institute on World Legal Problems in Innsbruck, Austria, or in the St. Mary's University Institute on Chinese Law and Business at Beihang University, Beijing, PRC.

e. Other credits

Subject to the permission of the Associate Dean in charge of Graduate Programs, L.L.M. candidates may take a maximum of three (3) relevant graduate credit hours from another graduate program within the University such as, but not limited to, the International Relations department or the Business School.

St. Mary's J.D. graduates who completed their J.D. studies within three years of commencing their L.L.M. degree may apply up to six (6) hours of credit earned while a J.D. student toward an LL.M. degree, provided those hours were in excess of the hours required for their J.D. degree. Courses and grades earned remain part of the J.D. record; **advanced standing credit for specific, qualifying courses will be granted for the LL.M. degree work, and the course(s) will be entered on the transcript, but grades for those courses will not be included in the computation of the LL.M. grade point average.**

4. General L.L.M. with a concentration in Cyber Security Law

Students enrolled in this program are required to take the following courses:

a. Required courses

All students in this concentration must take:

- Fundamentals of Information Systems and Cyber Security (4 credit hours)
- Cyber Law (3 credit hours)
- **Mandatory Capstone Exam/Exercise: 1 credit hour**
- Introduction to American Legal Systems (waivable)
- Legal Research and Writing (waivable)

Foreign trained lawyers must take Introduction to American Legal Systems and Legal Research and Writing. These courses are not required of domestically trained lawyers and may be waived for foreign trained lawyers at the discretion of the Associate Dean in charge of Graduate Programs.

b. Required electives

In addition, students must take ten credit hours of elective courses from the Public/Private Sector Concentration lists below. Should a student wish to further choose a concentration in Public Sector or Private Sector Cyber Security, all ten electives must come from that specific concentration's list below:

Elective Courses-Public Sector Concentration:

- Public International Law (2 or 3 credit hours)
- HIPAA Privacy & Security (2 credit hours)
- International Law of Cyber Warfare & Just War Theory
- International Cybercrime (2 credit hours)
- Global & National Security Law (3 credit hours)
- International White Collar Crime (2 credit hours)
- Advanced Torts or Business Torts (2 or 3 credit hours)
- Other course approved by the Associate Dean in charge of Graduate Programs

Elective Courses-Private Sector Concentration:

- Advanced Torts or Business Torts (2 or 3 credit hours)
- HIPAA Privacy & Security (2 credit hours)
- Intellectual Property Law Survey (2 credit hours)
- Patents (2 credit hours)
- Trademarks (2 credit hours)
- Copyright (2 credit hours)

- Insurance Law (3 credit hours) Law Practice Technology: Small and Solo Practice (3 credit hours)
- Legal Practice Technology (3 credit hours)
- E-Discovery (2 credit hours)
- Blockchain, Cryptocurrencies, Technology and the Law (2 credit hours)
- Other course approved by the Associate Dean in charge of Graduate Programs

c. International Research

Students may take up to a maximum of six (6) of the twenty-four required hours in St. Mary's University Institute on World Legal Problems in Innsbruck, Austria, or in the St. Mary's University Institute on Chinese Law and Business at Beihang University, Beijing, PRC.

d. Transfer credits

Subject to the permission of the Associate Dean in charge of Graduate Programs, L.L.M. candidates may take a maximum of three (3) relevant graduate credit hours from another graduate program within the University such as, but not limited to, the International Relations department or the Business School.

St. Mary's J.D. graduates who completed their J.D. studies within three years of commencing their L.L.M degree may apply up to six (6) hours of credit earned while a J.D. student toward an LL.M. degree, provided those hours were in excess of the hours required for their J.D. degree. Courses and grades earned remain part of the J.D. record; **advanced standing credit for specific, qualifying courses will be granted for the LL.M. degree work, and the course(s) will be entered on the transcript, but grades for those courses will not be included in the computation of the LL.M. grade point average.**

5. **General L.L.M. with a concentration in Territorial Law**

Students enrolled in this program are required to take the following courses:

a. Required courses

All students in this concentration must take:

- Advanced Constitutional Law: United States Territories (3 credit hours)
- State & Territorial Legal Institutions (3 credit hours)

Foreign trained lawyers must take Introduction to American Legal Systems and Legal Research and Writing. These courses are not required of domestically trained lawyers and may be waived for foreign trained lawyers at the discretion of the Associate Dean in charge of Graduate Programs.

b. Required electives

In addition, students must take twelve credit hours of elective courses from the list below:

- Administrative Law (3 credit hours)
- Advanced Constitutional Law: Free Speech, Press, and Association (3 credit hours)
- Advanced Constitutional Law: 1st Amendment Religion, and the Law (2 credit hours)
- Asset Protection Planning (2 credit hours)
- Commercial Law/Secured Transaction: Drafting (1 credit hour)
- Commercial Paper (3 credit hours)
- Comparative Law (3 credit hours)
- Doing Business with Mexico (3 credit hours) (in Spanish)
- Federal Courts (3 credit hours)
- International ADR and Tribunals (2 credit hours)
- International ADR (3 credit hours)
- International Human Rights (2 credit hours)
- Legal Spanish and Mexican Legal Systems (3 credit hours) (in Spanish)
- Race and Racism in American Law (3 credit hours)
- Sales: UCC Article 2 (2 credit hours)
- Sales and Secured Transactions (4 credit hours)
- Secured Transactions: UCC Article 9 (3 credit hours)
- Externship (1-6 credit hours) (may be extended to up to 12 credit hours with approval from Associate Dean)

c. International Research

Students may take up to a maximum of six (6) of the twenty-four required hours in St. Mary's University Institute on World Legal Problems in Innsbruck, Austria, or in the St. Mary's University Institute on Chinese Law and Business at Beihang University, Beijing, PRC.

d. Transfer credits

Subject to the permission of the Associate Dean in charge of Graduate Programs, L.L.M. candidates may take a maximum of three (3) relevant graduate credit hours from another graduate program within the University such as, but not limited to, the International Relations department or the Business School.

St. Mary's J.D. graduates who completed their J.D. studies within three years of commencing their L.L.M degree may apply up to six (6) hours of credit earned while a J.D. student toward an LL.M. degree, provided those hours were in excess of the hours required for their J.D. degree. Courses and grades earned remain part of the J.D. record; **advanced standing credit for specific, qualifying courses will be granted for the LL.M. degree work, and the course(s) will be entered on the transcript, but grades for those courses will not be included in the computation of the LL.M. grade point average.**

H. Auditing and Withdrawing

See Section II.N. of the St. Mary's University School of Law Handbook for J.D. Students.

III. GRADES AND GRADING

Grading is among the most important responsibilities that a faculty member performs. This chapter includes rules that bear upon grades and grading.

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

The deadline for submission of grades by faculty members is dependent on the semester. For the fall semester, LL.M. grades are due by 5:00 pm three (3) business days after the University reopens after the Christmas break. For the spring semester, graduating LL.M. grades are due by 5:00 pm the Tuesday before graduation, while all other LL.M. grades are due three (3) weeks after the last exam for that term. For summer sessions, all grades are due three (3) weeks after the last exam for that term.

A. 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 are:

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.

B. 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.¹ 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).

¹ 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 or seminar. Professors should resolve doubts about the applicability of the anonymous grading policy in favor of anonymity.

C. Median Grades

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. Although LL.M. students are graded pursuant to these rules, the grades of LL.M. students enrolled in a course or seminar, *except for students pursuing an L.L.M. in American Legal Studies who opt to be graded on the J.D. curve*, are not included in computing the median grade or compliance with percentage limitations.

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.

D. Class Attendance

See Section III. F.1. – 2. of the St. Mary's University School of Law Handbook for J.D. Students.

1. Withdrawal for Excessive Absences

A student who misses more than twenty percent (20%) of the number of scheduled classes in any course in which the LL.M. candidate is enrolled will result in administrative withdrawal from the class. However, if the person teaching the course believes the LL.M. candidate has good cause for some or all of those absences, the teacher of the course may request an exception from this rule from the Associate Dean in charge of Graduate Programs, who shall have the sole discretion to determine if good cause exists.

E. Grade Point Averaging

See Section III.G. of the St. Mary's University School of Law Handbook for J.D. Students.

F. Appeal of Grades

See Section III.I. of the St. Mary's University School of Law Handbook for J.D. Students.

G. 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 higher (or a "Pass") in the transient-status course. Credit hours earned in transient-status courses count toward the 24-credit hours needed to graduate, 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 "Pass") in the transient-status course.

H. Transfer Grades

Subject to the permission of the Associate Dean in charge of Graduate Programs, students may take up to three (3) relevant graduate hours of the twenty-four hours required for the LL.M. degree in another university's graduate program. Grades while attending a LL.M. program at another law school in courses that are counted toward the LL.M. Degree at St. Mary's Law School are not used in calculating the student's cumulative grade-point average. The transfer course is listed on the student's transcript with the grade of "CR" (credit). Only courses in which a J.D. student achieved a grade of C or higher (or a "Pass") may be counted toward the LL.M. degree. Credit hours earned in transfer courses count toward the 24-credit hours needed to graduate, 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 "Pass") in the transfer course.

I. Retaking Courses

See Section III.K. of the St. Mary's University School of Law Handbook for J.D. Students.

J. Grades of “Incomplete”

See Section III.L. of the St. Mary's University School of Law Handbook for J.D. Students.

K. Distinguished Academic Achievement

Upon graduation, L.L.M. students with a cumulative grade point average of:

- 3.8 or higher are graduated Summa cum laude,
- 3.5 or higher are graduated Magna cum laude,
- 3.3 or higher are graduated Cum laude.

The appropriate designation is included on a student's diploma and is announced during the graduation ceremony.

IV. EXAMINATIONS

A. Examinations, Papers, and Evaluation 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 are among the exceptions to the general practice. In a seminar, the professor assigns grades by evaluating a research paper prepared during the semester.

LL.M. students who are not native English speakers are entitled to time and a half for exams with prior request and approval from the Associate Dean in charge of Graduate Programs.

B. Practice Examinations

See Section IV.B. – E. of the St. Mary's University School of Law Handbook for J.D. Students.

V. ACADEMIC ISSUES

A. Academic Support Resources

A student who is experiencing academic difficulties should seek assistance before troubles become overwhelming. Students may contact faculty members or the Assistant Dean for Academic and Student Affairs for advice or for referral to someone who can provide assistance. The Law Success Program have aided students in overcoming test-taking deficiencies and anxieties. The Law School's Office of Academic and Student Affairs will also work closely with students experiencing academic difficulties.

B. Academic Exclusion

1. Academic Exclusion

If a student's grade-point average for the first semester, comprising at least 10-credit hours, is less than a 2.0, 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. A student whose grade-point average is less than 2.0 after the first semester, but who has taken less than 10-credit hours may be excluded at the discretion of the Associate Dean in charge of Graduate Programs.

2. Appeal of Academic Exclusion

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 in charge of Graduate Programs within fourteen (14) days after the date of the exclusion letter sent to that student. The Associate Dean may, for good cause, grant an

extension of time. The appeal of academic exclusion shall be determined by the Dean of the Law School. The Dean, at the Dean's discretion, may consult with the Assistant Dean for Law Student Affairs and the Associate Dean 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 of the Law School may allow a student an additional semester, but must make a written report of such a decision to the law faculty. The Dean of the Law School 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 of the Law School on these matters are final and non-appealable.

3. Academic Support & Advising

At all times during enrollment at St. Mary's, LL.M. students with a cumulative grade point average below a **2.5** may be required to participate in academic advising and other programs or services offered by the Office of Law Success as determined by the Associate Dean for the School of Law. LL.M. students at or above a **2.5** may also be required to participate in academic advising at the discretion of the Associate Dean in charge of Graduate Programs.

4. Graduation - Early Walk

An LL.M. candidate may petition to walk early at graduation if they are lacking no more than one class (not to exceed three (3) credit hours) to fulfill their twenty-four credit requirement. Petition forms should be obtained from the Director of Student Records and submitted for approval by the Associate Dean in charge of Graduate Programs no less than thirty (30) days before the date of graduation. Students who fail to obtain a passing grade in a class their final semester must submit the petition within forty-eight (48) hours from time the grade was posted.

VI. TUITION AND FEES

See Section VI.A. - D. of the St. Mary's University School of Law Handbook for J.D. Students.

VII. TRANSFER AND TRANSIENT STATUS

There is a difference between transfer and transient status. A student who transfers to another school will be certified as a graduate of that school. A student who seeks transient (or visiting) status at another school remains a St. Mary's student.

A. Transfer to another LL.M. Program

The credit hours earned by a student at St. Mary's University may be transferred to another school so long as and to the extent the transferee 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 student can transfer to another school depends solely on the rules of that school. Because a transfer student will become the potential graduate of the transferee school, that school will apply its own admission requirements.

A notice of intent to transfer must be signed by the student seeking transfer and delivered to the Director of Student Records before July 15 of each year. This must be received by July 15 or the request cannot be processed. The student seeking to transfer must meet with the Assistant 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 the School of Law and forwarded to the transferee 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. Transfer from another Law School's LL.M. Program

A student who has attended a LL.M. program at another law school may apply for admission to the LL.M. Program at St. Mary's Law School. As such a transfer student will become the potential graduate of St. Mary's Law School, that student must meet the same admission requirements as a student applying for admission to the LL.M. program who has not attended another law school's LL.M. program.

C. 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 in charge of Graduate Programs.

Regarding grades earned while in transient status, *see* Section III. G.

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.

D. Limitation on Transfer Students & Students on Transient Status

Only a total of three (3) credit hours received in Transient Status and/or received in a LL.M. program at another law school may count toward the 24-credit hours needed to graduate in the St. Mary's School of Law LL.M. Program.

VIII. MISCELLANEOUS

See Section IX. A. – K, and L. of the St. Mary's University School of Law Handbook for J.D. Students

IX. HARASSMENT

See Section X. A. – C. of the St. Mary's University School of Law Handbook for J.D. Students

X. CODE OF STUDENT CONDUCT

(Adopted March 26, 1986, amended April 26, 1990)

See Section XI of the St. Mary's University School of Law Handbook for J.D. Students