

# Chapter 4 – Academic Regulations

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## 4.1 Degree Requirements, Course of Study and Course Load

### 4.1.01 Degree Requirements

Capital University Law School confers the degree of Juris Doctor (J.D.) after a student has passed a sufficient number of courses to have earned 89 credit hours. In order to graduate, a student must maintain a 2.0 Cumulative grade point average. Credit hours are earned only for courses in which a student is awarded a grade of D or better, the grade S (satisfactory), or the transcript designation of K (transfer credit).

### 4.1.02 Required Courses

Certain subjects are deemed so fundamental for a complete understanding of American jurisprudence that they are required for graduation. Students must pass each of these courses to satisfy the graduation requirement. In addition, selected students must complete mandatory student support courses in order to graduate. See section 4.1.04. First and second year courses specifically required for graduation are listed below and must be taken in the year and the semester prescribed below or at the earliest possible time.

#### FULL-TIME DAY DIVISION

##### *First Year*

<b>Fall Semester</b>		<b>Spring Semester</b>	
<u>Course</u>	<u>Credits</u>	<u>Course</u>	<u>Credits</u>
Contracts I	3	Contracts II	3
Torts I	3	Torts II	2
Property I	3	Property II	3
Legal Analysis Research and Writing I	2	Legal Analysis Research and Writing II	2
Criminal Law	3	Civil Procedure: Rules	3
Integrated Core Competencies	1	Integrated Core Competencies	1
<b>TOTAL CREDITS</b>	<b>15</b>	<b>TOTAL CREDITS</b>	<b>14 29</b>

##### *Second Year*

<b>Fall Semester</b>		<b>Spring Semester</b>	
Constitutional Law I	3	Constitutional Law II	3
Civil Procedure: Jurisdiction	3	Evidence	4
Criminal Procedure	3		
<b>TOTAL CREDITS</b>	<b>9</b>	<b>TOTAL</b>	<b>16</b>
<b>CREDITS</b>	<b>7</b>		

##### *Third Year*

Professional Responsibility	2	
Legal Drafting	2	<b>4</b>

**PART TIME EVENING DIVISION**

*First Year*

<b>Fall Semester</b>		<b>Spring Semester</b>		<b>Summer Semester</b>		
<u>Course</u>	<u>Credits</u>	<u>Course</u>	<u>Credits</u>	<u>Course</u>	<u>Credits</u>	
Contracts I	3	Contracts II	3	Criminal Law	3	
Torts I	3	Torts II	2	Legal Analysis Research and Writing III	1	
Property I	3	Property II	3			
Legal Analysis Research and Writing I	1	Legal Analysis Research and Writing II	2			
Integrated Core Competencies	1	Integrated Core Competencies	1			
<b>TOTAL CREDITS</b>	<b>11</b>	<b>TOTAL CREDITS</b>	<b>11</b>	<b>TOTAL CREDITS</b>	<b>4</b>	<b>26</b>

*Second Year*

<b>Fall Semester</b>		<b>Spring Semester</b>		
Constitutional Law I	3	Constitutional Law II	3	
Civil Procedure: Jurisdiction	3	Civil Procedure: Rules	3	
Evidence	4	Criminal Procedure	3	
<b>TOTAL CREDITS</b>	<b>10</b>	<b>TOTAL CREDITS</b>	<b>9</b>	<b>19</b>

*Third or Fourth Year*

Professional Responsibility 2	2	Legal Drafting	2	4
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**PART-TIME DAY DIVISION**

*First Year*

<b>Fall Semester</b>		<b>Spring Semester</b>		
<u>Course</u>	<u>Credits</u>	<u>Course</u>	<u>Credits</u>	
Contracts I	3	Contracts II	3	
Torts I	3	Torts II	2	
Legal Analysis Research and Writing I	2	Legal Analysis Research and Writing II	2	
Criminal Law	3 <sup>1</sup>	Civil Procedure: Rules <sup>2</sup>	3	
Integrated Core Competencies	1	Integrated Core Competencies	1	
<b>TOTAL CREDITS</b>	<b>12</b>	<b>TOTAL CREDITS</b>	<b>11</b>	<b>23</b>

*Second Year*

<b>Fall Semester</b>		<b>Spring Semester</b>		
Property I	3	Property II	3	
Constitutional Law I	3	Constitutional Law I	3	
Civil Procedure: Jurisdiction	3	Civil Procedure: Rules	3	
<b>TOTAL CREDITS</b>	<b>9</b>	<b>TOTAL CREDITS</b>	<b>9</b>	<b>18</b>

<sup>1</sup> Part-time day students may take this course in their third year.

<sup>2</sup> Part-time day students may take this course in their second year.

		<i>Third Year</i>			
<b>Fall Semester</b>				<b>Spring Semester</b>	
Criminal Law	3			Professional Responsibility	2
Criminal Procedure	3			Evidence	4
<b>TOTAL CREDITS</b>	<b>6</b>			<b>TOTAL CREDITS</b>	<b>6 12</b>
 <i>Fourth Year</i>					
		Legal Drafting	2		<b>2</b>

### 4.1.03 Curricular Requirements for Graduation

- A. Students must complete a perspective course or seminar (minimum 2 credit hour course). [A “perspective” course is devoted to placing the study of law in a context other than what is routinely provided in required doctrinal, skills, or practice courses. A “perspective” course must provide one or more of the following four contexts: (1) Thematic: These course are devoted to placing the legal system or a particular legal subject in the context of a different academic theme. Course descriptions can be reducible to the following form: [thematic subject] of the law or particular substantive law. (2) Interdisciplinary: These courses are devoted to placing the legal system or a particular legal subject in the context of other academic disciplines. Course descriptions can be reducible to the following form: Law and [other academic discipline. (3) Comparative: These courses are devoted to placing the legal system or a particular legal subject in the context of other legal or foreign doctrines. Course descriptions can be reducible to the following form: Comparative [doctrinal subject matter]. (4) Foreign Law: These courses are devoted to placing the legal system or particular legal subject in the context of foreign legal doctrine. Course descriptions can be reducible to the following form: [Foreign] legal system or particular legal subject matter. Courses satisfying this requirement are listed in registration materials each semester. A list of courses that have met this requirement in the past is contained in Section 4.9A.
- B. Students must fulfill an upper-class writing requirement. Section 4.10 of this Chapter sets forth the standards of, and the procedure for, meeting this requirement.
- C. For students entering in or after fall 2016, they must fulfill the “Experiential Courses” Requirement. Section 4.11 of this Chapter sets forth the standards of, and the procedure for, meeting this requirement.
- D. The requirements for graduation, the availability of courses, course content, and credit hour allocations are subject to change as the law school faculty shall determine.
- E. In accordance to ABA Accreditation Rule 304(c), students may not graduate in fewer than 24 and no more than 84 months.

### 4.1.04 Academic Performance Requirements for Selected Students

In an attempt to enhance the academic performance of students, Capital University Law School has adopted several programs and requirements to provide academic support to its students. While participation in some of these programs is voluntary, some are mandatory for students demonstrating a greater need for academic support. Students required to participate in these programs are coordinated by the Director of Academic Success.

**Disclaimer:** The law school retains the right to adjust or eliminate these programs at any time without advance notice to current or future students. This description of currently available programs is not intended to create a contractual or other legal obligation to provide these or other voluntary or mandatory academic success programs.

A. Summer Academic Success Program – Mandatory (non-credit)

This program is mandatory for students identified in the admission process by the members of the Admission/Readmission Committee, Director of Admissions and Director of Academic Success as needing assistance in developing skills necessary to successfully complete law school. Once identified, these students are required to fully participate in a pre-matriculation summer program.

B. Fall Academic Success Program – Mandatory (non-credit)

1. The Fall Academic Success Program is a mandatory non-credit program that provides academic assistance to first-year students who are at the most risk of being unable to successfully complete law school without academic assistance beyond what is provided in the general J.D. curriculum. The Fall Academic Success Program is mandatory for:

- a. Students required to attend the Academic Success Summer Program, unless exempted by demonstrating exceptional mastery of legal study skills to the Director of Academic Success during the Academic Success Program;
- b. Students referred to the Director of Academic Success by faculty members teaching first-year substantive law courses following a midterm and determined by the Director of Academic Success as being at most risk of being unable to successfully complete law school without additional academic assistance beyond what is provided in the general J.D. curriculum; and
- c. Students referred to the Director of Academic Success by a legal writing instructor based upon performance in the legal writing course and determined by the Director of Academic Success as being at most risk of being unable to successfully complete law school without additional academic assistance beyond what is provided in the general J.D. curriculum.

2. Students participating in the Fall Academic Success Program must receive a certificate of completion from the Director Academic Success indicating that the student has, in the judgment of the Director of Academic Success, participated appropriately in the program, in order to enroll in classes for any subsequent semester.

C. The Spring Academic Success Program – Mandatory (non-credit)

1. The Spring Academic Success program is a mandatory non-credit program for first-year students who, after completing one semester of law school, are at most risk of being unable to successfully complete law school without assistance beyond what is provided in the general J.D. curriculum.

2. The Spring Academic Success Program is mandatory for first-year students who, in the judgment of the Associate Dean and the Director of Academic Success, based on their first-semester grades, are at the most risk of being unable to complete law school without academic assistance beyond what is provided in the

general J.D. curriculum.<sup>1</sup>

3. Students required to participate in the Spring Academic Success Program must receive a certificate of completion from the Director of Academic Success indicating that the student has participated in the program in order to enroll in classes for any subsequent semester.

D. General Skills Assistance Program (non-credit)

The Law School provides a general voluntary skills assistance program for students who want to develop their legal skills, but who do not qualify for participation in one of the mandatory academic success programs described in Section 4.1.04(A)-(C). This program consists primarily of lectures, panel discussions, and group exercises for students seeking guidance in enhancing their study skills and legal analysis skills.

E. Writing Skills Program

The Law School provides a writing skills program for students who need assistance in improving their writing. This program includes a Supplemental Writing Course, which is mandatory for selected students, and group and individual workshop/consultation services for all students.

1. The **Supplemental Writing Course** is designed to assist students who need to develop their writing skills. Attendance in this course is mandatory for all students who have been identified as demonstrating deficiencies in writing.
2. Students required to attend the Supplemental Writing Course during the Fall term shall be identified as follows:
  - a. All first-year students will be given one or more writing diagnostic exercises shortly after their matriculation in law school. Following the evaluation of these writing diagnostics by the Legal Writing professors and Supplemental Writing Course Instructors, any student who has demonstrated a writing deficiency on the diagnostic exercises is required to attend the Supplemental Writing Course during the Fall semester, as determined by the Director of Legal Research and Writing.
  - b. Legal Research and Writing Professors shall evaluate the work and performance of students in Legal Research and Writing I during the Fall term. Students who demonstrate writing deficiencies on that course work are required to attend the Supplemental Writing Course during the Spring term.
  - c. Other faculty members may refer students with demonstrated writing deficiencies to the Director of Legal Research and Writing. Upon referral by another member of the faculty, the Director of Legal Research and Writing may require the referred student to attend the Supplemental Writing Course in the Fall semester if the student has demonstrated writing deficiencies.
3. Students are required to attend the Supplemental Writing Course in the Fall must receive a certificate of attendance from the course instructor. To receive a certificate of attendance, the student must attend seventy-five percent of the sessions for that course. Failure to attend the minimum number of Supplemental Writing Course sessions and, thereby, failure to receive a certificate of attendance from the

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<sup>1</sup> Generally, the Director of Academic Success will determine which students, among those whose first-year fall semester law school G.P.A. is 2.3 or lower, are most at risk of being unable to complete law school without additional academic support.

instructor shall result in a one-letter (e.g. from A to B; B+ to C+, etc.) grade reduction in the student's Legal Research and Writing grade.

3. Only students identified as provided in Section 4.1.04(2) may participate in the Supplemental Writing Course. Students who have not been required to attend the Supplemental Writing Course but who want assistance with writing should participate in any Writing Skills Workshops that are offered or arrange individual sessions with the Writing Specialist.
4. **Writing Skills Workshops and Consultations.** The Law School occasionally offers workshops to those students who want to improve writing skills. Students may also meet with the Supplemental Writing Course instructor for evaluation and work on writing skills. Students wishing more information should contact one of the Legal Research and Writing professors, the Director of Legal Research and Writing Program, the Dean, the Associate Dean, or the Director of Academic Success.

#### 4.1.05 Course Selection and Registration

- A. The responsibility for the selection of an academic program rests primarily with the student.
- B. Students are responsible to see that they meet all requirements for graduation and are encouraged to seek counseling if they have any questions concerning their program of study.
- C. Courses required for graduation must be taken in the semester prescribed in Section 4.1.02 or at the earliest possible time.
- D. Certain courses cannot be taken until pre-requisite courses have been completed, or unless co-requisite courses have been completed or are being taken at the same time, unless the student obtains the prior written approval of the Dean or Dean's delegate. Pre-requisites and Co-requisites are specified in the course description of each course. **Students are responsible for ensuring that pre-requisite and co-requisite requirements are met. Students who enroll in a course for which the pre- or co-requisites are not met will be administratively withdrawn no matter how late in the term the matter is discovered.**
- E. Students are eligible to register for the upcoming semester on the dates assigned by the Office of Records & Registration. JD students will receive priority registration dates by cohort in descending order of expected graduation date. The Office of Records & Registration will, however, register all incoming 1L full-time students (for fall and spring semesters), and all incoming 1L part-time students (for fall, spring, summer, and fall of 2L year semesters). The Office of Records & Registration will schedule registration dates for all graduate law students after the JD registration dates. If maximum enrollment is met in any JD course, a graduate law student will only be permitted to register in that course (1) at the discretion of the course faculty member and director of the graduate legal studies programs, and (2) after all JD students on the waiting list are registered to enroll in the course.

#### 4.1.06 Registration Within and Transfers Between Divisions

- A. A student must take required courses in the division (i.e. day or evening division) for which they are registered. Additionally, a student must register for elective courses within their division, unless the course is not offered in their division during that semester. If an elective course is offered in both

divisions, a student may register for the elective course outside their division only with the prior written approval of the Dean or Dean's delegate before open registration begins. Space permitting, a student may register in a course outside their division once open registration begins.

- B. A student who enters law school in the day or evening division is expected to remain in that division for at least one year. Transfers from one division to another after the first-year require the prior written approval of the Dean or Dean's delegate.

#### **4.1.07 Change of Registration After Beginning of Semester or Summer Term**

- A. Withdrawal from a course (See Section 4.4 – Policy on Maximum Tenure, Leave of Absence, and Withdrawals).
- B. During the Fall and Spring semesters, a course cannot be added to a student's schedule after the first week of classes without the express written permission of the Dean or Dean's delegate. A course may not be dropped from a student's schedule after the second week of classes without the express written permission of the Dean or Dean's delegate. During the first summer session, a course must be added or dropped during the first week of classes. For intensive classes, the course may be added up until the Wednesday before the start date of the course. An intensive may be dropped no later than the end of the first day of the class. Any deviation from this schedule would require the express written permission of the dean or the dean's delegate.

#### **4.1.08 Course Load**

- A. Full-time Students
  - 1. Every full-time student is required to take between 13 and 15 credit hours each semester during their first-year unless they first obtain the written permission of the Dean or Dean's delegate, to take fewer credit hours, which is given only for extraordinary reasons. For full-time students the course of study for the fall and spring semesters of their first year is set, and additional credit may not be taken.
  - 2. In subsequent years, full-time students are required to carry no fewer than 12 (except in the student's last semester) and no more than 16 credit hours per semester unless authorized in writing by the Dean or Dean's delegate. However, in accordance with ABA accreditation standards, the Dean or Dean's delegate may not authorize a student to enroll in more than 17 credit hours in any one semester.
  - 3. If a full-time student in their final semester of law school should need to complete fewer than 12 hours to complete their studies and, thus, is registered for fewer than 12 credit hours, that course load shall be considered full-time. Full-time students must be enrolled in at least 6 credit hours in order to be eligible for Federal financial aid. The Federal financial aid will be calculated on an anticipated course load basis. This includes a student's final semester.
  - 4. In order to graduate in three (3) years, full-time students need to average 15 credit hours in each of the four (4) semesters after the first year.
- B. Part-time Students

1. A part-time **evening** student is required to take between 10 and 11 credit hours each Fall and Spring semester during the first two years, and 4 credit hours in the summer after the first year, unless they first obtain the written permission of the Dean or Dean's delegate, which is given only for extraordinary reasons. For part-time students the course of study for the first two years is set, and additional hours of credit may not be taken. A part-time **day** student is required to take between 8 and 12 credit hours each Fall and Spring semester during their first two years, unless they first obtain the written permission of the Dean or Dean's delegate, which is given only for extraordinary reasons.
2. In subsequent years, part-time students are required to carry no fewer than 8 (except in student's last semester) or no more than 11 credit hours per semester unless authorized in writing by the Dean or Dean's delegate. Part-time students must be enrolled in at least 6 credit hours in order to be eligible for Federal financial aid. The Federal financial aid will be calculated on an anticipated course load basis
3. In order to graduate in four (4) years, part-time students who entered Fall 2006 or after must take 9 credit hours in each of the four regular semesters after the first two years, and must take 15 credit hours over the course of three summers.

C. Summer Session Course Load

1. No full-time student may take no more than 8 credit hours during a regular summer and no more than 8 credit hours in the intensive session. No full-time student may take more than 16 credit hours during a summer. Full-time students must be enrolled in at least 4 credit hours in the summer in order to be eligible for Federal financial aid. The Federal financial aid will be calculated on actual course load basis.
2. A part-time summer student who works more than 20 hours a week may not enroll in more than 6 credit hours in the regular summer session or intensive session for a total of 12 credit hours. Part-time students must be enrolled in at least 4 credit hours in the summer in order to be eligible for Federal financial aid. The Federal financial aid will be calculated on actual course load basis.
3. A summer student enrolled in a one week intensive course is prohibited from working during that one week.

D. Acceleration of Studies and Matriculation Time

1. In accordance with ABA accreditation standards, students may not graduate in fewer than 24 months after their initial enrollment. Acceleration of graduation is permitted only through attendance at summer sessions.
2. A student must complete the requirements for graduation no later than 84 months after the student has first enrolled as a J.D. student at Capital University Law School or at another law school from which Capital University Law School has accepted transfer credit.

NOTICE: In order to accelerate graduation, full-time and part-time students will find it necessary to enroll in summer courses every summer prior to their graduation. To discuss accelerated graduation, please discuss with Assistant Dean of Students.



#### 4.1.09 Early Participation in Law School Commencement

Eligibility to participate in commencement ceremonies for third-year day and fourth-year evening students who have not yet completed the degree requirements of law school at the time of the Spring commencement shall be governed by the following rules.

- A. The student must have eight or fewer credit hours to complete the degree requirements.
- B. The student must not be on academic or disciplinary probation by the end of the Spring semester immediately preceding graduation.
- C. The student must have completed all required coursework (including upper class writing and perspective) and the remaining hours must only be elective hours.
- D. Any student with an outstanding 'incomplete' must get written approval from the Dean or Dean's delegate in order to apply for early participation in commencement ceremonies. This approval will be given only if the 'incomplete' grade results from factors beyond the control of the student, and not because of lack of diligence or unsatisfactory academic performance.
- E. Prior to commencement ceremonies, the student must be registered to complete the remaining hours in a Summer semester.
- F. It must be understood that commencement ceremonies will be ceremonial only. No degree will be conferred upon the student. The degree will be conferred at the time of actual complete of the total number of credit hours required for graduation if all other requirements for graduation have been satisfied.

Such understanding will be shown by signing a statement on the application by the student stating: "I understand that the granting of this application in no way is an indication by the Law School that I have completed or am guaranteed successful completion of the J.D. requirements. Until actual conferral of my degree, I may in no way indicate that I have earned such a degree. This policy is to allow students to participate in a ceremony more timely to their actual completion of law school, and is nothing more than ceremonial. Also, I understand that I probably will not be permitted to sit for a July Bar examination."

- G. This policy shall be construed as final and in the best interest of the students, Faculty, and Law School itself. Its only purpose is to serve as an accommodation to students by providing for a more timely commencement ceremony. It in no way intends to abridge any policy exercised by the Administration in granting special exceptions to students in unique circumstances, with such circumstances being defined by the Administration.

#### **4.1.10 Concentrations**

Upon graduation, students who have the respective requisites in a particular concentration will receive a “Certificate of Concentration” as an entry on their official transcript. Concentrations are offered in focused areas of law where the law school offers enough courses so that students may acquire at least 13 credit hours worth of depth. Concentrations must be approved by the Law School Council, after consideration by the Curriculum Committee. A student must earn a minimum of a 2.8 cumulative grade point average in the courses taken to satisfy the concentration. For students entering in or after Fall 2016, below are currently-approved concentrations and their specific requirements:

## Children and Family Law Concentration Worksheet

This form is provided to assist you in planning and selecting courses if you are interested in pursuing a concentration in **Children and Family Law**. Questions should be directed to the Associate Dean.

**To receive this certificate, a student must:**

- **Complete a total of 13 credit hours in the courses list below.**
- **Earn a minimum of a 2.8 grade point average in the courses taken to satisfy the concentration.**
- **Complete and submit this form to the Office of Records & Registration for verification prior to graduation.**

<b>Foundation Courses (1)</b>	<b>Credit Hours</b>
_____ 755 Family Law	3
_____ 756 Child, Family & the State	2 or 3
_____ Other	—
<b>Upper-Level Writing (1)</b>	
_____ 826 Sexual Minorities and the Law	2
_____ 951 Women and the Law	3
_____ Other	—
<b>Experiential/Practice Skills (1)</b>	
_____ 902 Dispute Resolution	2
_____ 904 Negotiation	2 or 3
_____ 908 Interviewing & Counseling	2
_____ 910 Mediation	2
_____ 911 Divorce Mediation	3
_____ 922 Trial Advocacy	3
_____ 940 General Litigation Clinic	2 or 3
_____ 941 Mediation Clinic	3
_____ 942 FYLAW Clinic	2
_____ Other	—
<b>Electives (4-7 credit hours)</b>	
_____ 752 Estates and Trusts	4
_____ 795 Juvenile Law	2
_____ 800 Administrative Law	3
_____ 802 Legislation	3
_____ 820 Bioethics and Law	3
_____ 822 Health Law	3
_____ 823 Interdisciplinary Child Welfare	2
_____ 825 Adoption Law	2
_____ 911 Divorce Mediation	3
_____ Other	—
<b>Externship (2 credit hours)</b>	
_____ 944 Externship	2 or 3

\_\_\_\_\_  
**Student Name**

\_\_\_\_\_  
**Grad Date**

\_\_\_\_\_  
**Date Submitted**

\_\_\_\_\_  
**Associate Dean**

\_\_\_\_\_  
**Associate Dean's Signature**

## General Practice Concentration Worksheet

This form is provided to assist you in planning and selecting courses if you are interested in pursuing a concentration in **General Practice**. Questions should be directed to the Associate Dean.

**To receive this certificate, a student must:**

- **Complete a total of 13 credit hours in the courses list below.**
- **Earn a minimum of a 2.8 grade point average in the courses taken to satisfy the concentration.**
- **Complete and submit this form to the Office of Records and Registration for verification prior to graduation.**

<b>Foundation Courses (1)</b>	<b>Credit Hours</b>
_____ 925 Managing Your Law Practice	2
_____ 926 General Practice Practicum	2
_____ 927 Business & Finance Concepts for Lawyers	2
_____ Other	_____
<b>Upper-Level Writing (1)</b>	
_____ 924 Appellate Advocacy Practicum	2
_____ Other	_____
<b>Experiential/Practice Skills (1)</b>	
_____ 813 Labor & Employment Arbitration	2
_____ 902 Dispute Resolution	2
_____ 903 Business Negotiations	2
_____ 904 Negotiation	2 or 3
_____ 905 General Arbitration	2
_____ 908 Interviewing and Counseling	2
_____ 910 Mediation	2
_____ 911 Divorce Mediation	3
_____ 919 Civil Pretrial Proceedings	3
_____ 922 Trial Advocacy Practicum	3
_____ 930 Business Planning Practicum	2
_____ 940 General Litigation Clinic	2 or 3
_____ 941 Mediation Clinic	3
_____ Other	_____
<b>Electives (4-7 credit hours)</b>	
_____ 700 Business Associations I	3
_____ 701 Business Associations II	3
_____ 720 Insurance Law	2 or 3
_____ 734 Workers' and Unemployment Compensation	2
_____ 752 Estates and Trusts	4
_____ 755 Family Law	3
_____ 795 Juvenile Law	2
_____ 800 Administrative Law	3
_____ 810 Labor Law	3
_____ 811 Employment Law	3
_____ 825 Adoption Law	2
_____ 850 Estates and Gift Taxation	3
_____ 854 Taxation of Business Entities	3
_____ 900 Electronic Legal Research	1
_____ Other	_____

<b>Externship (2 credit hours)</b>	
_____ Externship	2-3

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**Student Name**

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**Grad Date**

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**Date Submitted**

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**Associate Dean's Name**

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**Associate Dean's Signature**

## Litigation Concentration Worksheet

This form is provided to assist you in planning and selecting courses if you are interested in pursuing a concentration in **Litigation**. Questions should be directed to the Associate Dean.

### To receive the certificate, a student must:

- Complete a total of 13 credit hours in the courses list below.
- Earn a minimum of a 2.8 grade point average in the courses taken to satisfy the concentration.
- Complete and submit this form to the Office of Records & Registration for verification prior to graduation.

<b>Foundation Courses (1)</b>	<b>Credit Hours</b>
_____ 902 Dispute Resolution	2
_____ 922 Trial Advocacy	3
_____ 940 General Litigation Clinic	2 or 3
_____ Other	—
<b>Upper Level Writing (1)</b>	
_____ 924 Appellate Advocacy Practicum	2
_____ 981 SEM: Criminal Responsibility	2
_____ 981 SEM: International Criminal Law	2
_____ 982 Independent Research	1 to 3
_____ Other	—
<b>Experiential/Practice Skills (1)</b>	
_____ 902 Dispute Resolution	2
_____ 904 Negotiation (Dispute Resolution)	2 or 3
_____ 908 Interviewing and Counseling	2
_____ 910 Mediation (Dispute Resolution)	2
_____ 914 Depositions	2
_____ 922 Trial Advocacy Practicum	3
_____ 940 General Litigation Clinic	2 or 3
_____ 941 Mediation Clinic	3
_____ 990 Moot Court	2
_____ 996 Mock Trial	1
_____ Other	—
<b>Electives (4-7 credit hours)</b>	
_____ 714 Consumer Bankruptcy	3
_____ 641 Criminal Procedure	3
_____ 841 Forensic Evidence	3
_____ 844 Remedies (Civil)	3
_____ 847 Ohio Civil Rules Practice	1
_____ 900 Electronic Legal Research	1
_____ 905 General Arbitration	2
_____ 914 Depositions	2
_____ 919 Civil Pretrial Proceedings	3
_____ 921 Jury Instructions	1
_____ 926 General Practice Practicum	2
_____ 940 General Litigation Clinic	2 or 3
_____ 996 Mock Trial	1
_____ Other	—
<b>Externship (2 credit hours)</b>	
_____ 944 Externship	2 or 3 credits

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**Student Name**

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**Grad Date**

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**Date Submitted**

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**Associate Dean's Name**

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**Associate Dean's Signature**

## Regulatory Law Concentration Worksheet

This form is provided to assist you in planning and selecting courses if you are interested in pursuing a concentration in **Regulatory Law**. Questions should be directed to the Associate Dean.

**To receive the certificate, a student must:**

- Complete a total of 13 credit hours in the courses list below.
- Earn a minimum of a 2.8 grade point average in the courses taken to satisfy the concentration.
- Complete and submit this form to the Office of Records & Registration for verification prior to graduation.

<b>Foundation Courses (1)</b>	<b>Credit Hours</b>
_____ 800 Administrative Law	3
_____ 802 Legislation	3
_____ Other	___
<b>Upper-Level Writing (1)</b>	
_____ 817 Employment Discrimination	3
_____ 820 Bioethics and Law	3
_____ 822 Health Law	3
_____ 826 Sexual Minorities and the Law	2
_____ 938 Environmental Law Practicum	2
_____ 951 Women and the Law	3
_____ Other	___
<b>Experiential/Practice Skills (1)</b>	
_____ 813 Labor Arbitration	2
_____ 902 Dispute Resolution	2
_____ 904 Negotiation	2 or 3
_____ 908 Interviewing & Counseling	2
_____ 910 Mediation	2
_____ 912 Mediation of Workplace Disputes	2
_____ 938 Environmental Law Practicum	2
_____ Other	___
<b>Electives (4-7 credit hours)</b>	
_____ 734 Workers' and Unemployment Compensation	2
_____ 752 Estates and Trust	4
_____ 780 Environmental Law	3
_____ 783 Energy Law	2
_____ 784 Oil and Gas Law	2
_____ 810 Labor Law	3
_____ 811 Employment Law	3
_____ 813 Labor Arbitration	2
_____ 817 Employment Discrimination	3
_____ 843 Judging and the Nature of Justice	2
_____ 981 SEM: Election Law	2
_____ Other	___
<b>Externship (2 credit hours)</b>	
_____ 944 Externships	2-3

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Grad Date

\_\_\_\_\_  
Date Submitted

\_\_\_\_\_  
Associate Dean's Name

\_\_\_\_\_  
Associate Dean's Signature



## Transactional Law Concentration Worksheet

This form is provided to assist you in planning and selecting courses if you are interested in pursuing a concentration in **Transactional Law**. Questions should be directed to the Associate Dean.

**To receive the certificate, a student must:**

- Complete a total of 13 credit hours in the courses list below.
- Earn a minimum of a 2.8 grade point average in the courses taken to satisfy the concentration.
- Complete and submit this form to the Office of Records & Registration for verification prior to graduation.

<b>Foundation Courses (1)</b>	<b>Credit Hours</b>
_____ 705 Corporate Finance	3
_____ 854 Taxation of Business Entities	3
_____ 930 Business Planning Practicum	2
_____ Other	—
<b>Upper-Level Writing (1)</b>	
_____ Other (Must be approved by the Associate Dean)	—
<b>Experiential/Practice Skills (1)</b>	
_____ 903 Business Negotiations	2
_____ 930 Business Planning Practicum	2
_____ Other	—
<b>Electives (4-7 credit hours)</b>	
_____ 703 Corporate Counsel	3
_____ 704 Securities Regulation	3
_____ 762 Real Estate Finance	3
_____ 770 Intellectual Property	3
_____ 772 Patent Law	3
_____ 774 Copyright Law	3
_____ 810 Labor Law	3
_____ 811 Employment Law	3
_____ 855 Corporate Taxation	3
_____ 856 Partnership Tax	3
_____ 927 Business & Finance Concepts for Lawyers	2
_____ Other	—
<b>Externship (2 credit hours)</b>	
_____ 944 Externships	2-3

\_\_\_\_\_  
Student Name

\_\_\_\_\_  
Grad Date

\_\_\_\_\_  
Date Submitted

\_\_\_\_\_  
Associate Dean's Name

\_\_\_\_\_  
Associate Dean's Signature

## **4.2 Policy Concerning the Teaching of Spouses, Relatives, and Those with Similarly Close Relationships**

### **4.2.01 Rationale**

The faculty recognizes that the enrollment in a course of any student having a close personal relationship with the instructor creates a potential conflict of interest or appearance of favoritism. Therefore, it is the policy of the faculty that such enrollment should be avoided.

### **4.2.02 Types of Relationships**

The relationships that are within the scope of this policy are spousal or similarly close personal relationships that would create an appearance of favoritism, as well as close familial relationships such as those with siblings, parents, or children.

### **4.2.03 Protocol**

In the event that a student seeks to enroll in a course taught by a faculty member with whom the student has a close personal relationship, the following steps shall be taken:

- A. When it is possible for the student to enroll in a section of the same class taught by another faculty member, the student shall be strongly encouraged to do so. In order to effectuate this policy, affected students will be permitted to register in another section or in the other division. When situations covered by this policy are brought to the attention of the administration, all reasonable efforts will be made to avoid such conflicts.
- B. If the student is unable or unwilling to enroll in a course other than the one taught by the faculty member with whom the student has a close personal relationship, then the grading shall be on a “satisfactory-unsatisfactory” basis.

## 4.3 Policy on Outside Study and Transient Status

### 4.3.01 Policy on Outside Study and Transient Status during the Final 24 Credit Hours

A student who is a candidate for the degree of Juris Doctor is not permitted to take work in any other school, college, or course of instruction while attending Capital University Law School unless they first obtain the permission of the Dean or Dean's delegate. Students must complete their final 24 hours of credit at Capital University Law School except as noted below.

- A. Students enrolled in Capital University Law School can petition the Dean or Dean's delegate for permission to take up to six (6) semester hours of credit at another law school. Criteria used in deciding whether or not to grant permission include:
  - 1. The uniqueness of the educational experience desired by the student; e.g., study abroad.
  - 2. The availability at Capital University Law School of course that the student desires to take elsewhere.
  - 3. The overall educational value of study at another law school.
  - 4. Whether the student has transferred to Capital University Law School from another law school and completed courses at a different institution.
- B. Students enrolled in Capital University Law School will be permitted to earn more than six (6) semester hours of credit at another law school only in exceptional circumstances, such as:
  - 1. Where a job transfer is mandated by the student's employer (this applies only to part-time students who work full-time)
  - 2. Where a job transfer is mandated by the employer of the student's spouse.
  - 3. Where the student must live elsewhere because of the serious long-range illness of a close family member.
  - 4. Participation in a study abroad program

Permission to earn more than six (6) semester hours of credit at another institution will **not** be granted for the reason that the student desires to complete their law studies closer to home or in the geographic area where they intend to practice following graduation.

- C. In all cases, the Dean or Dean's delegate must approve the school at which the student desires to earn credit.
- D. The Dean or Dean's delegate must approve the individual course schedule to avoid course duplication.
- E. No courses required for graduation from Capital University Law School may be taken while in transient status at another law school unless in exceptional circumstances and with the Dean or Dean's delegate approval. Specifically, this includes the upper-class writing requirement and the perspective requirement.

- F. A transient fee may be charged to all Capital University Law School students who are permitted to enroll as transient students in other law schools and transfer the academic credit back to Capital University Law School. The fee will be the difference between the other school's tuition and Capital University Law School's tuition if the other schools tuition is lower. If the other schools tuition is higher, the fee will be a fixed dollar amount per credit hour.

#### **4.3.02 Bar Exam Courses Prior to Degree Completion**

A student is prohibited from attending any course designed as a review for the Bar examination unless they has completed all course requirements for the degree of Juris Doctor.

#### **4.3.03 Request for Transcript and/or Letter of Good Standing by a Capital University Law School Student**

If a student requests a transcript and/or letter of good standing from Capital University Law School for any reason, such transcript and/or letter of good standing will be provided to the student upon the following conditions.

A In the case of a request for transcript:

1. The student has met the conditions set forth in Section 5.1.01 regarding transcript fee, and
2. The student does not have any outstanding obligation to the Law School.

B. In the case of a request for letter of good standing,

1. The student has a cumulative grade point average of 2.0 or better at the time of request, and
2. The student is unconditionally eligible to return and enroll in courses at the Law School.

If a student has a cumulative grade point average of 2.0 or better, but has conditions or limitations upon their eligibility to return to or enroll in courses at Capital University Law School, the letter will contain statements and information reflecting those conditions or limitations (e.g., Honor Code violations, administrative probation, and other disciplinary matters). The student will be informed of such disclosures.

When a student requests a letter of good standing that request constitutes the authorization of the student for the disclosure of information consistent with the provisions of paragraph B(2).

## **4.4 Maximum Tenure, Leave of Absence and Withdrawals**

### **4.4.01 Maximum Tenure**

All students must complete their degree requirements within seven (7) years of matriculation. Likewise, all transfer students must complete degree requirements within seven (7) years of commencing their legal studies.

### **4.4.02 Leave of Absence**

- A. Leaves of absence are granted at the discretion of the Dean or Dean's delegate for military service, poor health, or other hardships. Leaves may be granted for a maximum of one (1) year and are renewable only for extraordinary reasons, but may not total more than two (2) years.
- B. Leaves of absence will be granted for first-year students only after they have completed at least one (1) semester of study and only for extraordinary reasons. First semester students who need to postpone studies may apply for deferred admission, which is only granted for extraordinary reasons.
- C. Poor grades are not deemed to be a reason to request a leave of absence.
- D. Students who leave the Law School or stop attending class without an approved leave or deferred admission are administratively withdrawn from the Law School and receive a grade of "E" in all courses in which they are currently registered. The date of determination, for refund purposes will be the last date of attendance. If the student has not attended class(es) all semester, the date of determination will be the first day of the semester.

### **4.4.03 Withdrawal**

- A. Official withdrawal from the Law School or from a course requires the permission of the Dean or Dean's delegate. No official withdrawal from the Law School will be approved for a student who is not current in their financial obligations to the University.
- B. The grade of "W" is entered on the student's transcript for an official withdrawal. Students who discontinue attendance without an official withdrawal from the Law School or from a course will receive the grade of "E" in all courses in which they are currently registered and in which they discontinue attendance.
- C. Withdrawal from the Law School can be accomplished at any time prior to the last day of classes in any semester. No withdrawals will be approved after the last day of classes.
- D. Withdrawal from a course, other than complete withdrawal from the Law School, may be approved by the Dean or Dean's delegate until two (2) weeks before the end of classes in the fall or spring semesters or one (1) week before the end of classes in the first summer session.

Students may drop a course up to the second week of fall and spring semester classes, after the first week of the first summer session classes and after the first class of a second summer session course. After the drop periods end, withdrawal from a course will be permitted only upon a showing of good cause. In courses such as Legal Writing, in which course work is normally complete before examination week, withdrawal will not be permitted after 60% of the course work has been completed.

- E. Withdrawal by a student who is carrying only one course will be treated as withdrawal from that individual course, not withdrawal from the Law School.
- F. First-year evening students register for Legal Writing in the fall, spring, and summer semesters of their first year. A grade is not given until the end of the summer semester. For this reason, first-year evening students may not withdraw from Legal Writing without retaking it in its entirety in the following year.
- G. Because grades for the fall term are not available to students prior to the start of the spring term, it is the policy of the law school, administered through the Dean or Dean's delegate, to permit first-year full-time or part-time students to withdraw from law school after receiving grades from the fall term for academic reasons and receive a full tuition refund from the Spring Semester. The reason for the withdrawal must relate to the academic performance of the student during the fall term and in most cases come after counseling with the Dean or Dean's delegate. The withdrawal must come within a reasonable period of time as determined by the Dean or Dean's delegate following distribution of grades for the fall term. This policy is also applicable to first-year part-time students who elect to withdraw from school for academic reasons after receiving grades for the spring term, which typically are not available prior to the beginning of summer term. In this case, the student will be granted a full refund of their summer tuition. The date of withdrawal will be listed as the last day of attendance. However, regardless of where it falls in the refund schedule, it will be treated as a 100% refund. A withdrawal from law school pursuant to this provision is different than a withdrawal from law school due to academic dismissal as provided for in Section 4.8.01, although the results are the same.

The tuition refund will be processed consistent with university policy.

## **4.5 Course Syllabi**

### **4.5.01 Rationale**

ABA regulations, University and Law School policies, require that there be a syllabus for each course, seminar, practicum, and clinic.

### **4.5.02 Required Information**

- A. All syllabi must contain a brief topical outline of the subject matter or projects to be covered.
- B. All syllabi must contain basis for final grade, including, but not limited to, examination, paper, simulations, and class attendance. (See Section 4.6 and 4.7).

### **4.5.03 Copy to Office of Records and Registration**

One (1) copy of the syllabus is given to the Office of Records and Registration, and to each student in the course.

## 4.6 Class Meetings

### 4.6.01 Length of Classes

- A. Generally, three-hour courses meet for 160 minutes per week, either for one three-hour period (including 20 minutes of "break" time, given in two 10-minute breaks or one 20-minute break), or for two 80-minute periods with no break.

For the fall and spring semesters, first-year required courses and courses tested on the Ohio Bar Exam in the day division meet for three 55-minute sessions each week. First and second-year required courses in the evening division meet for two 80-minute sessions each week. Two hour required courses in the first-year day and evening division either meet in two 55 minute sessions each week or one 110-minute session each week. For the first summer session, first and second-year required courses and courses tested on the Ohio Bar Exam usually meet for two-160 minute sessions each week.

- B. Two-hour courses ordinarily meet once a week for two hours, including a 10-minute break.
- C. Instructors must reasonably adhere to the length of classes described above.
- D. The above does not apply to seminars, practicums, and clinics where the quality of individualized instruction is more important than the length of class meetings.

### 4.6.02 Class Cancellation

- A. Regularly scheduled classes are cancelled or postponed only for extraordinary or compelling reasons.
- B. If it is necessary for an instructor to cancel a class, they notify the Office of Records and Registration. That office will notify the students in the course and post cancellations.
- C. Credit hours for courses depend on the number of hours a course meets. Cancelled classes are rescheduled. Best efforts will be made to reschedule a course at a time when other classes are not meeting or at a time when no student in the cancelled class has another class.
- D. Cancelled evening classes may be made up on a Saturday.
- E. If an instructor will miss more than one (1) week of classes, the instructor should notify the Associate Dean so that a substitute can be considered.



### 4.6.03 Class Attendance

- A. The American Bar Association standards for accreditation require law schools to ensure that students regularly attend class. Regular and punctual attendance is expected of all Capital University Law students.
- B. Soon after the commencement of a semester or summer term, the Office of Records and Registration will provide the instructor with a class roll, containing an alphabetized list of enrolled students and "boxes" for each class meeting. The instructor circulates this class roster during every class or uses some other method of recording class attendance.
- C. The taking of attendance at every class is required. United States Department of Education regulations pertaining to financial aid require that the law school maintain accurate attendance records of all students receiving federally subsidized or guaranteed financial aid.
- D. If an individual student is not regularly attending class, the instructor is to notify the Office of Records and Registration, who will communicate with the student. If the attendance problem continues, the Dean or Dean's delegate will talk with the student. If an individual student is regularly attending class but not on the class roster the instructor shall notify the Records Office who will communicate with the student.
- E. Faculty members have the authority to lower grades for failure to attend class or prepare course assignments (See Section 4.7.04(A)).
- F. Faculty members are required to submit class attendance records to the Office of Records and Registration at the end of the semester.

## 4.7 Credit Hours for Coursework

The American Bar Association standards require law schools to adopt, publish, and adhere to written policies and procedures for determining the credit hours that it awards for coursework.

### 4.7.01 Classroom or Direct Faculty Instructions: At least 50 minutes per week per course credit hour

- A. Courses that require written examinations or final papers
1. Total classroom or direct faculty instruction time shall be scheduled for at least 50 minutes per week, multiplied by 14, per unit of credit, or for at least 700 minutes per credit hour, regardless of the length of the term of instruction (“term”).
    - a) In fall and spring semesters, the above total time is spread over a fourteen-week term.
    - b) In summer regular term, the above total time is spread over seven- or ten-week terms.
    - c) In summer intensive programs, the above total time is spread over a one-week term.
  2. After each term of instruction, examination periods are scheduled as follows:
    - a) In fall and spring semesters: two weeks
    - b) In summer regular term: one week
    - d) In summer intensive programs: one weekend
  3. 3) If a single comprehensive final exam is given, it shall be scheduled during the examination period for no less than at least 50 minutes per unit of credit. If multiple examinations are given, for example a midterm and final examination, they shall be scheduled during the multiple examinations for no less than 50 minutes per unit of credit. The total minutes required for these courses shall be at least 750 minutes per course credit hour. Instructors may, at their discretion, reserve additional time for completion of an examination.
  4. If a take-home examination is given:
    - a) The examination is scheduled to be completed during the examination period;  
and
    - b) The time allowed for completion of the examination totals no less than 50 minutes per unit of credit.

5. Courses that require a final paper (s) or a writing project shall require at least 50 minutes per unit of credit to complete the paper(s) or project.
- B. Courses that do not require written examinations or final papers, including clinical courses and externships:
1. Total classroom or direct faculty instruction time shall be scheduled for at least 50 minutes, multiplied by 15, per unit of credit, or for at least 750 minutes per credit hour, regardless of the length of the term of instruction (“term”).
- C. Any faculty member who must miss a regularly scheduled class session for any reason must schedule a make-up class of equal time.

#### **4.7.02 OUT-OF-CLASS STUDENT WORK:** **At least 2 hours per week per course credit hour**

- A. Course instructors shall require outside student work that reasonably approximates a minimum of 120 minutes (two hours) per course credit hour per week, multiplied by 15, or for a total of at least 1,800 minutes per course credit hour. That outside work may include, but is not limited to: reading assignments, case briefing, written assignments other than examinations, solving problem sets, participating in out-of-class simulations and role-playing exercises that help students develop lawyering competencies, pre-class or post-class questions or quizzes, attending review sessions, research assignments, observing course-related videos, posting to an online discussion board, observing court or other proceedings, conferences with the instructor, and other work that assists in comprehension of course content such as outlining and studying for examinations.
1. 1) As guidance for determining the length of time to complete reading assignments, academic literature indicates that an average law student reads ten to twenty pages per hour (60 minutes), depending on the difficulty of the material. This guidance for estimating time to complete reading assignments does not include estimated time to complete additional study and preparatory work listed in subpart 2) below.
  2. 2) As guidance for determining the length of time required to study and prepare for a course, academic literature and established Law School practice indicate that students are expected to spend at least three hours (180 minutes) per week per unit of credit. Outside study and preparatory work, exclusive of reading assignments, includes, but is not limited to, briefing cases, additional reading of treatises and course-related material, outlining, practice questions and examinations, CALI exercises, participation in study groups and review sessions.
- B. B. For summer intensive programs: The usual summer intensive program is a 2 credit hour course held during a one-week term. Although it is reasonable to expect approximately 20 hours of out-of-class student work during the week of the program, an additional 40 hours of

out-of-class student work is also required. Accordingly, there shall be a pre-read and assessment period prior to the start of any summer intensive program. Following the guidance in A 1) and 2) above, course instructors shall publish reading assignments, out-of-class student exercises, student simulations, etc., by July 1, to ensure compliance with this policy. The following are examples of pre-read periods presumptively complying with this Policy: 1) employing reading assignments only, assigning 400 pages during the pre-read period; 2) employing a combination of simulations and reading assignments, 10 hours of out-of-class simulations and 300 pages of reading assignments; or, 3) employing quizzes, observing course-related videos, and reading assignments, 10 half hour quizzes, 10 hours of video observation, and 250 pages of reading assignments would presumptively comply with this Policy. Additionally, course instructors shall have a method by which to assess out-of-class student work in compliance with this Policy.

- C. All course instructors shall submit their course syllabi to the Office of Records and Registration. In so doing, a course instructor certifies that outside student work requirements for the course complies with this Policy.
- D. The Associate Dean for Academic Affairs shall review course syllabi on a regular basis to determine whether assignments of outside student work comply with this Policy.

#### **4.7.03 ADDITIONAL ACADEMIC ACTIVITIES**

- A. Determination of hours of credit for additional academic activities undertaken in clinics, externships, distance learning programs, independent research, interscholastic competitions, and law review participation: The supervising faculty member (s) and/or supervising attorney (s), or work placement liaisons, shall require, at a minimum, that students must complete 42.5 hours for 1 unit of credit; 85 hours for 2 units of credit, and 127.5 hours for 3 units of credit.

#### **4.7.04 NEW COURSE APPROVAL**

- A. All proposals for new courses must include a paragraph justifying the number of units of credit to be awarded.
- B. The Office of Records and Registration shall keep these justifications on file.
- C. In approving new courses, the Academic Affairs Committee and Faculty will determine whether the number of units of credit to be awarded in the new course proposal complies with this Policy.

## 4.8 Examinations and Grades

### 4.8.01 Examinations, Quizzes, and Papers

- A. The instructor of a regular doctrinal class may opt to give a closed-book in-class exam, an open-book in-class exam, a closed-book take-home exam, an open-book take-home exam, a paper, or any combination of these. Timed, in-class final exams given at the end of the course traditionally are the primary basis for grades in required courses and heavy-demand electives, such as Business Associations I and II, Secured Transactions, Commercial Paper, Decedents' Estates, Estates and Trusts, and Criminal Procedure.
- B. Mid-term examinations and quizzes may be given in any course at the discretion of the instructor. Papers may be required in addition to or in lieu of examinations in upper-class electives.
- C. Instructors of seminars, practicums, and clinics typically do not give final examinations. Seminars require students to submit law-review quality papers of substantial length. Practicums require students to participate in several projects; e.g., simulations or planning papers.
- D. If faculty members are directing students in lengthy research projects, they should not indicate to students that the written product will satisfy the upper-class writing requirement until approved by the Academic Affairs Committee. Only full-time or emeriti Law School faculty may direct projects which will satisfy this requirement.

### 4.8.02 Scheduling of Examinations

- A. In-class examinations are scheduled during the examination period. Instructors are responsible for administering their own exams.
- B. Students in courses with in-class exams take the exam at the time scheduled, with two exceptions:
  - 1. An exam conflict, which is defined as two or more examinations **with beginning times** within a 24 hour period. The Dean or Dean's delegate determines if such a conflict exists. A student cannot re-schedule an exam until the Dean or Dean's delegate has provided the instructor with written notice that a conflict exists.
  - 2. A personal exam conflict, which is defined as an illness, documented physical or learning disability, or a compelling and unforeseen reason.

### C. Make-up Examinations

1. Only the Dean or Dean's delegate can give permission for a student to take an exam at a time other than at the time scheduled, and only the Dean or Dean's delegate decides when the make-up exam will be administered. Individual faculty members do not make side arrangements with students.
2. Once it is determined that a make-up exam is appropriate, the Dean or Dean's delegate will schedule the make-up exam, giving due consideration to the reasons why a make-up is necessary. The Law School is willing to make reasonable accommodations when necessary, but the time of the make-up is determined by the Law School, not by the student. To the extent possible, the make-up exam will be scheduled at a time as soon as possible after the time that the exam is regularly scheduled. Students needing to sit for a make-up exam may have to take that exam on a Saturday or Sunday, or during hours during which the student normally is employed.

### 4.8.03 Administration of Examinations

- A. Instructors cannot excuse students from taking exams at the regularly scheduled time for any reason. Only the Dean or Dean's delegate can approve student requests to reschedule examinations.
- B. If examinations are scheduled for a fixed period of time [three (3) hours are typical], the instructor should not permit some or even all students to have extra time. Students granted additional time on exams by the Office of Disability Services will be administered by the Dean or Dean's delegate. To give some or all students extra time creates at least a perception that those who carefully budget their time are put at an unfair disadvantage, while those who do not budget their time are rewarded. Once a time limit is determined and announced, changes should not be made.
- C. It is wise for faculty members, at the beginning of the exam, to orally notify students of the number of questions on the exam and the number of pages in the exam booklet. This will usually prevent situations where students later claim that they forgot to read the last question, or forgot to look at the last page. If the instructor permits students who claim to have missed a question to subsequently answer that question at another sitting, it creates an appearance of unfairness to students who read the entire exam, followed instructions, budgeted their time and finished the exam within the allotted time.

#### 4.8.04 Course Grades

- A. Regular doctrinal courses, in which final examinations are given, are typically graded by examination only; i.e., the grade on the final examination is the grade for the course.
  - 1. Any deviation from this typical practice is communicated to students by means of a written syllabus at the beginning of the course. For example, if the final grade is based 50% on a final exam, 25% on paper, and 25% on class participation, students should be notified of this in advance.
  - 2. If grades are to be lowered for absences or lack of preparation, the notice to students should specifically indicate the maximum number of permitted instances of class absence or lack of preparation, and the precise consequences of the student's failure to comply. A statement such as "the instructor reserves the right to lower grades for excessive absences" is not sufficient notice. Permissible is a statement such as "the student's grade will be lowered by one grade (e.g., C+ to C or C- to D) for each instance of unpreparedness or absence in excess of four."
- B. Seminar grades typically are determined by assigning a grade to the single paper written by the student. Any deviation from this typical practice is communicated to the student by written syllabus at the beginning of the semester or summer term. (See Section 4.7.04(A)(1)).
- C. Practicum grades typically are determined by assigning grades to each paper, project, activity, or simulation engaged in by the student, and then by "averaging" all grades thus assigned, on an equal basis. Any deviation from this typical practice is communicated to students by a written syllabus at the beginning of the semester or summer term. (See Section 4.7.04(A)(1)). In particular, if some projects or activities are to be weighted more heavily than others, the students will be notified of the weighing factors to be used.
- D. Grades are to be submitted to the Office of Records and Registration using WebAdvisor and submitting grade sheets. The Office of Records and Registration will then post grades to WebAdvisor. Instructors do not announce the grades before the Office of Records and Registration does so.
- E. Grading on final examinations, mid-term examinations, and quizzes is done anonymously. The only academic activities not utilizing anonymous grading are those demanding close one-on-one interaction between professor and student, such as research papers, clinics, externships, law review, moot courts, etc.

## 4.8.05 Value of Grades: Calculation of Grade Point Average

A. The point value of grades is as follows:

<u>Grade</u>	<u>Point Value</u>
A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D	1.00
E	0.00
S	-
U	-

B. The meaning of satisfactory and unsatisfactory

1. Some courses based primarily on performance are graded on a satisfactory/unsatisfactory basis: Moot Court Teams, Mock Trial Team, Law Review I, Law Review II, Advanced Bar Studies and Externship.
2. "Satisfactory" is defined as a level of performance that is deemed by the instructor to be minimally satisfactory or better and which, if graded, would earn the student a grade of C or above.
3. "Unsatisfactory" is defined as a level of performance that is deemed by the instructor to be below the level of being minimally satisfactory and which, if graded, would earn the student a grade of C-, D, or E.

C. Other Transcript Entries

1. Students who transfer credit to Capital University Law School for course work taken at (1) another law school, (2) programs of Capital University academic units other than the law school, or (3) academic programs of other institutions, receive the designation of "K" on their transcript. Such credit will transfer to Capital University Law School and be counted towards graduation requirements only if the level of performance at the other program, unit, or institution earned the student a grade of C or higher.
2. Some courses, such as Legal Writing I, II, and III are year-long courses in which a student earns no credit until they successfully complete the entire course. At the end of a semester in which the course has not ended, the student will receive the designation of "Y" on the transcript to



indicate that the course is continuing and has not yet been completed by the instructor.

3. A student's work may receive the temporary designation of "I" which means incomplete.
    - d. Incompletes are given in limited circumstances when good cause is shown to the instructor in advance of the final examination or due date of other required work, or when, in emergency circumstances, the Dean or Dean's delegate approves this temporary designation.
    - e. An incomplete is not a grade and must be removed within a reasonable period of time. An incomplete shall be removed within four (4) weeks of the end of a semester or summer term during which course work is taken unless, in extraordinary circumstances, an extension is approved both by the instructor and by the Dean or Dean's delegate. Instructors must submit a change of grade form within the four (4) weeks allowed to avoid the student receiving a grade of "E".
    - f. Upper class writing papers and independent research projects normally are subject to the due dates for grades as stated in the preceding paragraph, but instructors may, if they feel that a student who is not scheduled to graduate that semester can benefit from further redrafting or has lost time because of unusual circumstances, allow the student an "incomplete" until the end of the second week of the following semester. Any further extension must have the permission of the Dean or Dean's delegate or Dean or Dean's delegate's delegate.
- D. Calculation of Grade Point Average
1. The cumulative quality point average required to graduate is a 2.0.
  2. In determining a student's cumulative grade point average, their total accumulative points shall be divided by the number of hours attempted, excluding authorized withdrawals and courses for which grades or transcript entries of S, U, or K are awarded.
  3. A student receiving a grade of "E" (failed) in any course required for the Juris Doctor degree must repeat the course at the earliest possible opportunity.

#### 4.8.06 Grade Distribution and Median

- A. A meeting will be held in each semester by all Faculty members who teach first-year students. The meetings will be called by the Associate Dean for Academic Affairs, at a date determined by him or her. Sufficient notice will be given to enable each faculty member to complete the grading process before the meeting. The purpose of the meeting is to discuss the grades tentatively determined with the goal of achieving some degree of consistency. Grades will then be promptly submitted to the Office of Records and Registration, along with a distribution of the grades.
- B. A set of grades which is, in the opinion of the Dean, dramatically divergent from the norm, may call for consultation between the Dean and the Professor submitting them, before the grades are recorded. The purpose of this consultation will be to attempt to reach a mutually agreeable resolution. This policy recognizes that, in the case of grades that are alleged to be arbitrary or discriminatory, the grade appeal process may be pursued by aggrieved students.
- C. Although the norm will vary over time, below is a guideline showing how first-year grades should be distributed:

<u>Grade</u>	<u>Range</u>	<u>Average</u>	
A	6 - 10%	8%	
A-	8 - 12%	10%	
B+	15 - 21 %	18%	The grade average for first-year classes should fall within a range of 2.6 to 2.75.
B	17 - 23%	20%	
B-	9 - 15%	12%	
C+	7 - 13%	10%	
C	4 - 10%	7%	
C-	3 --7%	5%	
D	5 -- 9%	7%	
E	0- 5%	3%	

- D. While no policy exists for classes beyond the first year, below is the typical grade average and distribution for heavy-demand upper-class courses such as Civil Procedure I and II, Evidence, Business Associations I and II, Secured Transactions, Payment Systems, Trusts and Future Interests, Decedents' Estates, and Federal Personal Income Taxation:

There are no typical grade averages and distributions for heavy demand elective courses. However, the grade average for heavy-demand upper-level classes should fall within a range of 2.7 to 2.85. The distributions should be somewhat higher than those first-year courses mentioned above.

Faculty members, both full-time and adjunct, who discover that the grades they propose to give are far from the norms described above, are encouraged to discuss the matter with the Associate Dean prior to the submission of grades to the Office of Records and Registration.

#### 4.8.07 Grade Changes by the Instructor

After an instructor has submitted final grades to the Office of Records and Registration, the instructor cannot change any grades except on the basis of mathematical or computational error. If such an error is discovered, the instructor must fill out a "change of grade" form, which is available from the Office of Records and Registration. The form includes space for the instructor to recite the precise reason for the grade change. The Associate Dean must approve the change before it becomes effective.

#### 4.8.08 Administrative and Faculty Review of Unreasonable Grades

##### A. Procedure

1. When a student believes that they have received a grade that no reasonable faculty member could justify under any reasonable standard, that student may, within 30 days of receipt of the grade, file a petition to have the allegedly unreasonable grade reviewed. Students who are academically dismissed must file the petition within ten days after the date of mailing of their formal notice of dismissal. If, through no fault of the student, the student is prevented from meeting the deadline, the deadline shall be extended for a period of ten days after the reason for the inability to meet the deadline no longer exists.
2. The petition must be submitted to the Associate Dean. If the petition concerns a grade given by the Associate Dean, the petition should be submitted to the chair of the Faculty Grade Review Committee. The person to whom the petition is properly submitted will determine, after investigation, whether the petition states sufficient grounds to believe that a grade change may be warranted and to convene the Faculty Grade Review Committee. A decision by the appropriate person that the petition does not set forth sufficient grounds to review the allegedly unreasonable grade is final and may not be appealed in any fashion. If the person to whom the petition is properly submitted determines that there are sufficient grounds to convene the Faculty Grade Review Committee, that committee will review the grade.
3. The Faculty Grade Review Committee shall be composed of three tenured full professors who shall serve on a rotating and staggered basis for three grade reviews, with one member being replaced after each review. The member hearing their third review shall chair the committee for that review.

##### B. Standards: There are two principal grounds for review of a grade:

1. **Mathematical or computational error.** This is a rare basis since the faculty member already has the authority to change a grade based on mathematical or computational error. Mathematic or computational error does not include an allegation of an error in evaluation; see (3) below.
2. **Arbitrary grade.** If in the reviewer's judgment there has been a grade assignment that a reasonable faculty member could not justify under any reasonable standard, the grade is deemed to be arbitrary. There is an extremely strong presumption of validity of the assigned grade, and a grade is not arbitrary merely because different persons might evaluate the work differently. "Arbitrary" does include

allegations that the grade bears no demonstrable relation to the quality of the work, that the grade was computed in a manner substantially different from that announced in the syllabus, or that the grade was maliciously motivated by impermissible or illegal factors such as racism or sexism. In the case of a finding of departure from the manner of computation described in the syllabus, the normal disposition is to return the matter to the professor for grading in accordance with the standard promulgated.

3. Review of grades does not mean re-grading. Grades will not be reviewed merely because a student believes that their work should have been given a higher grade than it in fact was given. No two professors ever grade exactly alike, and differences in grading styles and results are not per se arbitrary.

## **4.9 Rules and Procedures Concerning Academic Probation, Dismissal and Reinstatement.**

### **4.9.01 Probation and Dismissal**

- A. All students are required to maintain a cumulative quality point average of 2.0 on a 4.0 scale to be in good academic standing.
1. All first-year students - a first-year student, whether full-time day, part-time evening, or part-time day, who has taken 12 credit hours and has not achieved a cumulative quality point average at or above 1.5 is automatically dismissed.
  2. Full-time students - a first-year day student must obtain a cumulative quality point average of 2.00 or greater by the end of the spring semester of the first year. A student who fails to obtain a 2.00 is automatically dismissed.
  3. Part-time evening students - a first-year evening student must obtain a cumulative quality point average of 2.00 or greater by the end of the summer term of the first year. A student who fails to obtain a 2.00 is automatically dismissed.
  4. Part-time day students - a part-time day student must obtain a cumulative quality point average of 2.00 or greater by the end of the fall semester of the second year. A student who fails to obtain a 2.00 is automatically dismissed.
  5. Transfer students - a transfer student must obtain a cumulative quality point average of 2.00 or greater by the end of the second semester of work undertaken at Capital University Law School. A transfer student who fails to obtain a 2.00 for work undertaken at Capital University Law School, after their second semester, is automatically dismissed. Only grades obtained at Capital University Law School are calculated in the transfer student's cumulative quality point average. (see 3.2.01(C)).
  6. A student with a cumulative quality point average of less than 2.0, but who has not reached the dismissal point described above, is automatically placed on academic probation.
  7. Dismissals are based upon the appropriate dismissal point described above and not the number of required courses completed. Dropping or failing to complete a course does not exempt full-or part-time students as described above from dismissal.
  8. Upper division students - a student with a cumulative quality point average of less than 2.0 after the dismissal point described above is automatically dismissed.
- B. All dismissals are effective as of the conclusion of the semester or summer term in which a student failed to attain the required 2.0 cumulative quality point average even if the student does not receive official notice of the dismissal until after the beginning of the next academic term. When a student is dismissed, they are automatically withdrawn from the Law School and from all courses in which the

student is currently enrolled. For example, if a student is dismissed after fall semester grades are reported, the student will be automatically withdrawn from all spring semester courses.

1. As a courtesy to dismissed students who may and do file petitions for reinstatement, and who are enrolled in fall or spring semester classes, such petitioners are permitted to attend classes pending final resolution of their petitions. Therefore, if the petition ultimately is granted, the reinstatement is made retroactive to the beginning of such fall or spring semester and the dismissed but reinstated student has not been compelled to miss any classes.
  2. If a dismissed student is not permitted to file a petition for reinstatement, does not file a petition for reinstatement, or if a dismissed student files a petition for reinstatement that ultimately is denied, the dismissed student will not be permitted to continue to attend classes, no matter how much of the current semester has expired.
  3. Dismissed students are ineligible to attend summer school and will not be permitted to transfer academic credit to Capital University Law School for off-campus study. If a student receives a letter of dismissal while enrolled in summer school or while pursuing an approved course of study elsewhere, the letter results in immediate withdrawal from the Law School or revocation of permission to take course work elsewhere. The filing of a petition for reinstatement does not toll or waive this rule. Even if a petition for reinstatement is granted, summer course work or course work elsewhere will not be recognized.
  4. Any student who is dismissed and withdrawn from the Law School after the next semester or summer term has commenced, and is not reinstated, will be entitled to a full tuition refund as of the end of the previous semester or summer term. The date of withdrawal will be treated as the first day of the semester.
- C. Students who are dismissed, have a cumulative quality point average between 1.9 and 2.0, inclusive, and who desire to be reinstated on academic probation must file a petition with the Committee on Admission and Readmission within the period of time stated in their letter of dismissal. The student remains dismissed pending action on the petition for reinstatement. Only if the petition is finally granted is the student removed from the status as a dismissed student.

#### **4.9.02 Petitions for Reinstatement**

- A. When a student is dismissed for failing to attain or to maintain a cumulative quality point average of 2.0, as described in 4.8.01(c) above, but achieves a cumulative quality point average between 1.9 and 2.0, they may file a petition for reinstatement.
  1. A petition for reinstatement is a request by a dismissed student that an exception to the academic rules of the Law School be granted and that the dismissed student be permitted to re-enter the Law School, on academic probation, on the condition that the student attain the required cumulative quality point average of 2.0 at the conclusion of the next semester.
- B. When a student is dismissed for academic deficiency, it is presumed that the reason for such

deficiency is an inability to study law and there is a heavy presumption against reinstatement. The petitioner (dismissed student who files a petition for reinstatement) must convince the members of the Law School Council and its appropriate committee that the grades received by the dismissed student are not an adequate measure of the student's learning or performance. In particular, the petitioner must prove:

1. That the academic deficiency was the result of causes other than an inability to study law;
  2. That such causes were extraordinary and sufficiently substantial to cause poor academic performance;
  3. That such causes were beyond the petitioner's control, or were justifiable (e.g., "I didn't study" or "I worked 20 hours per week as a fulltime student" may show that the causes for academic deficiency were not caused by an inability to study law, but such causes are hardly considered justifiable);
  4. That the causes for the academic deficiency have been fully or substantially resolved, and no longer exist; and
  5. That, given one more semester of legal study, the student will be able to attain the required cumulative quality point average.
- C. It should be understood that information not given by the student in the petition for reinstatement is considered inconsequential. Thus, petitioners should, even in the instance of the most private, relevant matter, provide to the committee, in writing, all information pertinent to the petition. All matters thus presented to the committee are strictly confidential.
- D. No student having been reinstated pursuant to a petition for reinstatement may be reinstated a second time should the student fail to attain the required 2.0 cumulative quality point average, or is subsequently dismissed a second time.

#### **4.9.03 Procedure for Hearing Petitions for Reinstatement**

- A. When a student is dismissed, the student is sent a letter that officially notifies the student of their dismissal. The letter of dismissal will advise the dismissed student of the privilege to file a petition for reinstatement within a certain number of calendar days.
- B. All petitions for reinstatement are forwarded by the Dean or Dean's delegate to the Committee on Admissions and Readmissions, which consists of both faculty members and students.
  1. The committee compiles a list of all dismissed students who have petitioned for reinstatement, along with pertinent information such as the petitioners' admissions indices (LSAT score and undergraduate cumulative quality point average) and Law School grades. This information is made available, in a manner designed to safeguard the confidentiality of the students, to all committee members and members of the Law School Council (full-time faculty members and two students).

Council members and committee members are also encouraged to inspect the student file of each petitioner.

2. For purposes of this policy on reinstatement, if there is no minority member of the Law School faculty, the Dean or Dean's delegate designates a minority counselor who shall have all of the rights and privileges of a council member except that they shall not attend or vote at councilor faculty meetings. Thus, with the exception of attending and voting at councilor Faculty meetings, the term "council member" as used in this policy shall include the designated minority counselor.
  3. Petitions for reinstatement will be considered by student representatives of the Admission Committee and on the Law School Council only if the petitioner so requests. Petitioners desiring student representatives to participate in the consideration of their petitions must affirmatively request this at the time that the petition is filed, and may do so by completing the appropriate waiver form that is supplied to the student by the Law School.
  4. Council members are asked to make written comments, suggestions, or recommendations to the committee relative to any or all petitioners, if council members so choose, council members need not submit such comments, suggestions, or recommendations should they choose not to do so. Such comments usually are evaluations by faculty members of the individual petitioner's ability to succeed in Law School.
- C. The committee then meets to discuss each petition for reinstatement. Petitioners do not appear nor do they have representatives appear on their behalf.
1. The committee, in its deliberation, considers whether the student has a realistic chance of achieving academic success upon reinstatement. Factors considered by the committee include, but are not limited to, the following:
    - a. The grade point average at the time the student petitions, including the level of performance a student must maintain to raise the grade average to 2.0;
    - b. The student's entering credentials and apparent aptitude for the study of law;
    - c. Reasons given by the student in the petition for poor performance and other matters presented by the student in the petition, with particular reference to the factors listed in Section 4.8.02.(B);
    - d. Comments and recommendations by members of the Law School Council;
    - e. The student's level of motivation, including class attendance, hours of study, study techniques, attempts to improve study habits, positive attitude toward legal study, personal responsibility, and any other information called to the attention of the committee;
    - f. The number of hours a student has attempted at the time of the petition;





such decisions become final.

3. Where a request for council review is made, the council will meet to conduct such review. Neither the petitioner nor a representative is present. The council may by majority vote either affirm the decision of the committee or make a new decision. See Section 4.8.03(C)(2) for possible decisions that the council may make.
  
- F. It should be noted that requests for committee reconsideration or for council review can be made only by committee members or council members who provided written comments to the committee. Individual petitioners are notified only of final decisions. They are not notified of any intermediate decisions, and cannot themselves initiate requests either for committee reconsideration or for council review. The purpose of the three-step procedure outlined above is not to provide an appellate process, but rather to allow the Law School Council to delegate its function of taking academic actions to a committee while at the same time not losing complete control over this process.

#### **4.9.04 Miscellaneous Matters**

- A. Committee members and council members, in cases involving petitions for reinstatement, have the obligation to make objective evaluations of all such petitions, considering the best interests of all concerned parties: the individual petitioners, the Law School, the legal profession, and the community. Committee members and council members therefore do not act as advocates for individual petitioners, but as individual faculty members, administrators, or fellow students they may be called upon for advice by dismissed students.
  
- B. The procedures outlined above are those currently in force. They are subject to change at any time by the Law School Council or by the Committee on Admission and Readmission.
  
- C. Students on academic probation receive a financial aid warning from Capital University Law School, and are not permitted to engage in extracurricular activities during the period of probation.

## 4.10 Course Listing and Descriptions

Following is an alphabetical listing of courses currently offered at the Law School preceded by course numbers. A brief description of the course follows in Part II.

### PART I -- Course Listing (Alpha Order)

800	Administrative Law
825	Adoption Law
946	Advanced Bar Studies
860	Advanced Individual Income Tax Problems
779	Air Pollution Law and Policy
924	Appellate Advocacy Practicum (E), (U)
709	Banking Law
820	Bioethics and the Law (U), (P)
927	Business & Finance Concepts for Lawyers
700	Business Associations I
701	Business Associations II
903	Business Negotiation (E)
930	Business Planning Practicum (E)
756	Children Family and the State (P)
919	Civil Pretrial Proceedings
661	Civil Procedure: Jurisdiction
660	Civil Procedure Rules
650	Constitutional Law I
651	Constitutional Law II
714	Consumer Bankruptcy
600	Contracts I
601	Contracts II
774	Copyright Law
945	Core Bar Studies
703	Corporate Counsel
705	Corporate Finance
855	Corporate Taxation
640	Criminal Law
641	Criminal Procedure
750	Decedent's Estates
914	Depositions (E)
902	Dispute Resolution (E)
911	Divorce Mediation (E)
849	E-Discovery
900	E-Legal Research
817	Employment Discrimination Arbitration
811	Employment Law
783	Energy Law
780	Environmental Law
938	Environmental Law Practicum (E), (U)
878	ERISA Deferred Qualified Plans
850	Estate and Gift Taxation
752	Estates and Trusts
670	Evidence

915 Expert Witness  
944 Externship (E)  
755 Family Law  
852 Federal Personal Income Tax  
858 Federal Tax Procedure  
942 Foster Youth Advocacy Center (E)  
841 Forensic Evidence  
905 General Arbitration (E)  
940 General Litigation Clinic (E)  
926 General Practice Practicum (E)  
822 Health Law (U)  
830 Immigration and Naturalization  
872 Income Taxation of Trusts and Estates  
982 Independent Research Project (U)  
720 Insurance Law  
898 Insurance Taxation  
770 Intellectual Property  
823 Interdisciplinary Child Welfare (P)  
965 International Law (U), (P)  
908 Interviewing and Counseling (E)  
843 Judging and the Nature of Justice (P)  
921 Jury Instructions (E)  
795 Juvenile Law  
813 Labor and Employment Arbitration (E)  
810 Labor Law  
956 Law and American History (P), (U)  
952 Law and Literature (P)  
829 Law and Social Science (P)  
986 Law Review I (U)  
987 Law Review II  
630 Legal Analysis Research and Writing I  
631 Legal Analysis Research and Writing II  
632 Legal Analysis Research and Writing III  
633 Legal Drafting Practicum (E)  
802 Legislation  
925 Managing Your Law Practice  
935 Marshall-Brennan Constitutional Literacy Seminar and Practicum (E), (P), (U)  
910 Mediation (E)  
941 Mediation Clinic (E)  
912 Mediation of Workplace Disputes (E)  
996 Mock Trial Team, Public Service Team and American Alliance for Justice (Reminger) Team (E)  
990 National Moot Court Team (E)  
904 Negotiation (E)  
847 Ohio Civil Rules Practice  
784 Oil and Gas Law  
958 Origins of Western Law: Greece and Rome (P)  
856 Partnership Tax  
772 Patent Law  
711 Payment Systems  
690 Professional Responsibility

620	Property I
621	Property II
821	Public Health Law (U)
762	Real Estate Finance
896	Real Estate Taxation
844	Remedies
981	Research Seminar (P), (U)
710	Secured Transactions
826	Sexual Minorities and the Law (P)
853	State and Local Taxation
865	Subchapter S Corporations and Advance Pass-Through Entities
862	Tax Research and Communication I
863	Tax Research and Communication II
854	Taxation of Business Entities
610	Torts I
611	Torts II
922	Trial Advocacy Practicum (E)
943	Volunteer Income Tax Assistance
951	Women and the Law (P)
734	Workers' and Unemployment Compensation

(P) *Perspective*

(U) *Upper-Level Writing –with professor permission, limit of 5 students*

(E) *Experiential*

## PART II - Descriptions

### A. REQUIRED COURSES

600 AND 601 **CONTRACTS I AND II** (3 credits each): The enforceability of agreements and promises under the common law and applicable statutes with an emphasis on Article 2 of the Uniform Commercial Code regarding contracts for the sale of goods. Specific topics include consideration and promissory estoppel, formation of agreements, the Statute of Frauds, policing agreements, remedies for breach, performance and conditions, excuse, rights of third parties, assignment and delegation.

610 AND 611 **TORTS I AND II** (3 credits fall, 2 credits spring): Intentional torts to persons and property, and defenses; negligence and defenses; traditional strict liability; products liability and defenses.

620 AND 621 **PROPERTY I AND II** (3 credits each): Concept of possession and remedies of a possessor, gifts, good faith purchasers, estates in land, co-ownership, basic future interests, landlord-tenant problems, conveyancing, recording acts, covenants, and easements.

630, 631, AND 632 **LEGAL ANALYSIS RESEARCH AND WRITING I, II and III** (4 credits total): Instruction in legal analysis, research tools, and writing techniques. Students are required to write predictive and persuasive documents typically encountered in the profession. Day students enroll for 2 credit hours in both the fall and spring semesters, and evening students enroll for 1 credit hour in the fall, 2 credit hours in the spring and 1 credit hour in the summer. Students must complete all 4 credits before receiving credit.

633 **LEGAL DRAFTING PRACTICUM** (2 credits): Legal Drafting is a requirement for graduation and is designed to give students practical experience drafting documents that they did not draft in the first-year Legal Analysis Research and Writing course and that they likely will encounter in the practice of law. As described below, each section of Legal Drafting has a different focus and the assignments are tailored to the focus. All sections of Legal Drafting include instruction on the Multistate Performance Test portion of the Bar exam, and in all sections students work individually and in small groups to enhance their writing skills. Enrollment is limited to 25 students in each section of this two-credit course. Limited to students in their final year of law school.

*Transactional* will focus on transactional drafting. Students will be engaged in the process of negotiating and drafting contracts.

*Criminal* will teach students legal drafting in the criminal context. Students will draft an indictment, a bill of particulars, a motion to suppress evidence, and a guilty plea.

*General* will teach legal drafting in the civil litigation context. Students will draft a complaint and answer, a discovery document, and a will, among other documents.

640 **CRIMINAL LAW** (3 credits): Nature and sources of criminal liability; mental conditions requisite to criminal responsibility; specific crimes and defenses under both the common law and modern statutes.

641 **CRIMINAL PROCEDURE** (3 credits): Criminal process and enforcement; jurisdiction and venue; limits on investigation and prosecution; rules of arrest, search, interrogation, wiretapping, and eavesdropping; prosecution and defense of criminal trials; rights of defendants; sentencing; post-conviction remedies.

650 AND 651 **CONSTITUTIONAL LAW I AND II** (3 credits each): First semester: Constitutional Law I discusses the structure of the legal system including separation of powers and federalism issues. Topics include, but are not limited to, the powers of Congress, the powers of the federal judiciary, the powers of the President, and the powers reserved to the states. Second semester: Constitutional Law II discusses various individual rights. Topics include, but are not limited to, equal protection, freedom of expression, and freedom of religion.

660 **CIVIL PROCEDURE: RULES**: (3 credits): Federal Rules of Civil Procedure, including pleading, motions to dismiss, sanctions, discovery, motions for summary judgment, joinder of claims and parties, judgment as a matter of law during and after trial, dismissals, relief from judgment, res judicata and collateral estoppel, and appeals.

661 **CIVIL PROCEDURE: JURISDICTION** (3 credits): Personal jurisdiction, subject matter jurisdiction, venue, service of process, removal to federal court and choice of law in federal courts.

670 **EVIDENCE** (4 credits): Major topics in the law of evidence, including competency of witnesses, credibility and impeachment, opinion evidence, character and reputation, evidence of other crimes, hearsay evidence, the Best Evidence Rule, and authentication of evidence. Prerequisites: 600, 601, 610, 611, 620, 621, 630, 631, 632 (evening students only), 640

690 **PROFESSIONAL RESPONSIBILITY** (2 credits): The legal profession as an institution; the development of a sense of professional responsibility; an introduction to lawyer disciplinary rules and procedures; the acquaintance of the young lawyer with the privileges and responsibilities of a member of the profession.

## **B. ELECTIVE COURSES**

All elective courses require the completion of first-year day courses for full-time students and part-time day students and first and second year evening courses for evening students. Additional prerequisites are listed with the course description.

700 and 701 **BUSINESS ASSOCIATIONS I AND II** (3 credits each): Principles relating to the formation, governance, and dissolution of unincorporated (partnerships, limited partnerships, limited liability companies, etc.) and incorporated (closely and publicly held) associations, including the allocation of risk and liability, control, fiduciary obligations, and distribution of profits. Agency relationships (employer/employee, master/servant, principal/agent, and independent contractors) and principles of vicarious liability. Issues relating to the anti-fraud provisions of the Securities Exchange Act of 1934 (insider and short-swing trading in securities). Business Associations I is a pre-requisite for Business Associations II. These are considered 2<sup>nd</sup> year day and 3<sup>rd</sup> year evening courses. Preference in registration will be given to those students respectively.

703 **CORPORATE COUNSEL** (3 credits): This course will identify the multiple roles that often comprise the position of corporate counsel, thus distinguishing it from others in the legal profession. The course focuses mostly on problem solving from within the corporate counsel's multiple roles. Students will consider the role of corporate counsel in implementing, guiding and overseeing the many issues covered in substantive law areas, including a look at ethics and professionalism. Prerequisites: 700, 701 Co-requisites; 670.

705 **CORPORATE FINANCE** (3 credits): A survey of issues and principles relating to the acquisition,

accumulation and distribution of capital resources. Examination of concepts of valuation and capital structure, legal capital, classes of securities, corporate distributions, mergers, purchases of assets or stock, recapitalizations, and applicability of Federal securities and tax laws. Considerations of economic, social and political thought as they relate to corporate finance. Prerequisites: 700, 701.

**709 BANKING LAW** (3 credits): An examination of the American Banking System, its main institutions, and the laws governing it. The course explores the Federal Reserve System, Bank Holding Company Act, Federal Deposit Insurance Corporation and the structure of regulations of banking institutions, and includes analysis of commercial banks, savings banks, and credit unions, along with branch banking and bank mergers and acquisitions. The course emphasizes the business of commercial banking and includes study of business lending, lending limits, letters of credit, bankers acceptances, real estate lending and bank ownership, asset-based lending, and nonperforming loans. The course includes a discussion of troubled banks, focusing on the Financial Institution Reform Recovery and Enforcement Act, creditors and debtors of failed institutions, and FDIC assistance to failed banks. Prerequisites: 700, 710

**710 SECURED TRANSACTIONS** (3 credits): Regulation of secured and unsecured credit transactions, with emphasis on Article 9 of the Uniform Commercial Code.

**711 PAYMENT SYSTEMS** (3 credits): The law of negotiable instruments, commercial paper and electronic fund transfers, including bank relations. Emphasis on Articles 3, 4 and 4A of the Uniform Commercial Code together with appropriate federal statutes and regulations.

**714 CONSUMER BANKRUPTCY** (3 credits): State collection law and bankruptcy law in cases involving consumer debtors. Prerequisite: 710.

**720 INSURANCE LAW** (2-3 credits): Insurance protects individuals and all types of entities against uncertainty and risk. This course will provide students with a practical legal understanding of insurance law which can be used in the course of personal or business dealings or to advise clients on insurance related issues. This course will cover insurance legal fundamentals, the insurance contract, the use of insurance to manage risk, insurance regulation and insurance related litigation.

## **TORTS**

**734 WORKERS' AND UNEMPLOYMENT COMPENSATION** (2 credits): Study of the prevention and compensation of workers' disability and unemployment.

## **PROPERTY**

**750 DECEDENTS' ESTATES** (2 credits): Issues relevant to transfers through a probate estate, both testate and intestate. Advancements, assignments of expectancies, disclaimers, protection of spouse from disinheritance, execution and revocation of wills, will contests, contracts to make wills, changes in property between execution of will and death of testator, lapse, and overview of estate administration. Not open to students who have taken 752.

**752 ESTATES AND TRUSTS** (4 credits): A survey of the law relevant to the transfer of property from one generation to another, both inside and outside the probate system. This course will integrate much of the material covered separately in 750 and 751. See those course descriptions. Not open to students who



have taken 750 or 751.

**755 FAMILY LAW** (3 credits): Marriage; divorce; annulments; related problems of jurisdiction and conflicts of law; alimony; custody; antenuptial and separation agreements; tort and contract problems of the family; adoption; paternity; divorce reform legislation.

**756 CHILDREN, FAMILIES AND THE STATE** (2 or 3 credits): This course examines the legal relationships among children, parents, and the State, primarily in the context of the issue of child abuse and neglect. The course content will include the historical background of child welfare law, the allocation of power between parents and the State, parental discipline and corporal punishment, reporting of abuse and the historical development of reporting laws, the abuse and neglect legal system and the decision-making process involved in removing a child from their parent's custody, and the foster care system. In examining these issues, this course will address various theoretical perspectives, including feminist legal theories and critical race theory.

**762 REAL ESTATE FINANCE** (3 credits): Mortgages; deeds of trust; land contracts; sale and leasebacks; joint ventures; Federal aid to housing and other topics viewed in transactional settings; financing of residences, condominiums, cooperatives, office structures, shopping centers, subdivisions, and farms; introduction to interstate land sales, zoning, and title issues. Co-requisite: 700.

**770 INTELLECTUAL PROPERTY** (3 credits): Introduction to intellectual property; background for general practice and a foundation for specialization in patents, trademarks, and copyrights; principles applicable to inventions and discoveries; secrecy as a means of protection; industrial espionage; the nature of the patent right, its acquisition, and enforcement; property and contract interests; basic requirements for trademark registration; relation of copyright to patents; trademarks. Prerequisites: first-year day courses. Not open to students who have completed more than one of the following: 772, 774 or 776.

**772 PATENT LAW** (3 credits): Conditions for a valid patent, subject matter of a patent, patent office procedures, amendment and correction of patents, patent infringement, property and contract interests in patents, and patent litigation.

**774 COPYRIGHT LAW** (3 credits): A study of intellectual property rights in literary, musical, and artistic works and other "original works of authorship" under the federal law of copyright, primarily the Copyright Act of 1976, as amended.

**779 AIR POLLUTION LAW AND POLICY** (2 credits): The Clean Air Act is one of the most significant areas of environmental law; it is also one of the most complex. This course will offer students a comprehensive introduction to the Act and to the legal and policy issues that arise under the Act. It will begin with an introduction to the National Ambient Air Quality Standards and State Implementation Plans, the building blocks of the Clean Air Act. It will then examine in some detail the Act's major regulatory programs (the Prevention of Significant Deterioration program, the Non-attainment New Source Review program, the New source Performance Standard program, and the Hazardous Air Pollutants program), as well as the Act's enforcement and judicial review provisions. In this context, issues of federalism, market-based approaches to regulation and environmental justice will be addressed. The course will conclude with an introduction to international air pollution issues, with a focus on global warming. Prerequisites: 780

**780 ENVIRONMENTAL LAW (3 credits):** Environmental issues have great importance for American society today. From climate change, to renewable energy, to air or water pollution, to "green" products or businesses, environmental issues are profoundly affecting our health, our natural environment and our economy. Environmental lawyers will play a major role in addressing these issues. They will interpret existing statutes and inform policymakers and businesses of their legal options and obligations. They will draft the legislation that shapes the environmental outcomes of the future, and the contracts that allow the new environmental technologies to emerge. They will bring the lawsuits that enforce the environmental laws on the books. This course will introduce students to the exciting world of environmental law and will prepare them to participate in it. It will provide students with a solid grounding in the major federal environmental statutes – The Clean Air Act, The Clean Water Act, the Superfund Law, the Endangered Species Act, and others – and will expose them to the most significant cases interpreting these statutes. In addition, the course will introduce students to the regulatory approaches -- such as market-based trading, technology-based “command-and-control,” or planning-based strategies -- that underlie these statutes, and will thereby give them a deeper understanding of the statutes they are reading. The course will include regular exercises so that students can build their environmental law practice skills. It will close with a section on climate change law and policy, an area of increasing importance to the next generation of environmental lawyers.

**783 ENERGY LAW (2 credits):** An overview of the basic principles governing the production, sale, and use of coal, oil, natural gas, and electricity. Equal focus on the environmental and business laws that affect producers and consumers of energy.

**784 OIL AND GAS LAW (2 credits):** This course explores the fundamentals of oil and gas law, while also exposing students to the practical skills needed to be successful oil and gas attorneys. This course will provide a mixture of traditional doctrinal instruction, skills and experiential opportunities. Course activities may include a visit to a “fracking” site, a visit to a County Recorder’s Office to conduct a simulated title search, and an in-class simulated negotiation exercise in groups.

### **CRIMINAL LAW AND PROCEDURE**

**795 JUVENILE LAW (2 credits):** This course examines the legal relationships among children, family and the state, primarily in the context of issues over which juvenile courts traditionally have jurisdiction. The subject matter is divided into two sections, the first dealing with the constitutional and statutory rights of juveniles, [focusing on those rights which are] involved in the criminal justice system and the second focusing on civil matters including neglect, abuse, termination of parental rights, adoption, and children's right to treatment issues.

### **PUBLIC LAW**

**800 ADMINISTRATIVE LAW (3 credits):** Delegation of powers; statutory and constitutional controls in administrative proceedings; right to notice and hearing; adequacy of findings; procedure for obtaining judicial review; extent of judicial review.

**802 LEGISLATION (3 credits):** Consideration of how legislatures are formed and legislators elected; the making of statutory law; how statutes are drafted, enacted, applied, and interpreted.

**810 LABOR LAW** (3 credits): Analysis of the relationship between employers, employees and unions in the private sector under the National Labor Relations Act and other federal statutes. Topics include union organizing, employer and employee bargaining relations, representation procedures, strikes and picketing, unfair labor practices, the duty of fair representation, internal union affairs, and the enforcement of collective bargaining agreements.

**811 EMPLOYMENT LAW** (3 credits): Focuses on employment relationships between employers and employees. Examines the common law principles of employment-at-will, legal regulations on hiring and terminating employees, and conditions of employment. Specific topics include polygraph testing, nepotism, violence in the workplace, covenants not to compete, reference checks, and off-work behavior. Also covers the Family Medical Leave Act, Fair Labor Standards Act, Occupational Health and Safety Act, and various state laws.

**813 LABOR AND EMPLOYMENT ARBITRATION** (2 credits): The origin and development of labor arbitration. Examines state and federal labor arbitration laws, arbitration rules, and major arbitration decisions. Also includes the mechanics of the arbitration process and evidential and due process issues. This course usually concludes with a mock arbitration hearing, including the writing of a brief for arbitration and an arbitration opinion.

**817 EMPLOYMENT DISCRIMINATION ARBITRATION** (3 credits): A survey of federal laws prohibiting discrimination in employment on the basis of race, national origin, sex, age, religion, and disability. Focuses on Title VII of the Civil Rights Act of 1964, Americans with Disabilities Act, Age Discrimination in Employment Act, Equal Pay Act, and reconstruction era civil rights statutes. Prerequisite: 651.

**820 BIOETHICS AND LAW** (3 credits): Analysis of legal, ethical, and economic problems generated by current and projected advances in biomedical technologies; mind/behavior control by psychotropic intervention with organic therapies; genetic control through molecular biology and reproductive technology; life prolongation; reconstructive medicine and termination of life; regulation and support of biomedical research and experimentation. Co-requisite: 651.

**821 PUBLIC HEALTH LAW** (2 credits): This course will focus on efforts to use regulation, litigation and taxation to improve public health, with a particular focus on the tension between public health promotion and individual rights. It will survey the legal framework in which the government may regulate for the public health, focusing on the inherent tension between public health regulation and individual rights. The course will touch briefly on a wide range of constitutional limitations on government power (including 1st, 2nd, 4th, and 5th/14th Amendment issues) as well as the broader debate over whether government power should be used for "paternalistic" regulation. It will review litigation in the public health arena, including a discussion of whether courts are an appropriate and effective forum for addressing public health concerns. Finally, the course will touch on taxation for the public health, addressing the impact of "sin" taxes and the debate about whether the government's taxation power should be used to influence behavior.

**822 HEALTH LAW** (3 credits): An analysis of the health care industry, its financing and cost problems, its mix of public and private decision-making, and the various mechanisms by which resources are or might be allocated to health care uses. Specific topics include: 1) tensions of health policy--the health care sector and its special problems; access to health care--legal entitlements and obligations; professionalism; 2)

mechanisms of quality assurance--credentialing and regulation of health care personnel; the quality of care in institutions; 3) controlling health care costs--regulatory approaches to cost containment; cost controls in government programs; privately initiated reforms.

**823 INTERDISCIPLINARY CHILD WELFARE (ICW)** (2 credits): The Interdisciplinary Child Welfare course will provide law students and graduate level social work students with a foundation of mutual understanding of legal and sociological principles in child welfare work and strategies for effective multidisciplinary practice among child-serving professionals. Students in the ICW course will gain a basic understanding of the legal concepts related to children and families, child development theory, family dynamics, ethical considerations of interdisciplinary practice, and practical, interdisciplinary exercises and problem-solving opportunities. This course is open to law students and graduate social work students.

**825 ADOPTION LAW** (2 credits): This course will explore issues relating to adoption law. The course content will include the historical background of the American law of adoption, adoption procedure, parental consent to adoption, termination of parental rights, choosing an adoptive family, the Indian Child Welfare Act, race and sexual orientation issues in adoption, interstate dimensions of adoption, and wrongful adoption.

**826 SEXUAL MINORITIES AND THE LAW** (2 credits): An examination of a variety of areas in which the law distinguishes on the basis of sexual orientation including criminal law, family law, employment law and constitutional law. The jurisprudence in a variety of areas of law will be examined to see how that jurisprudence has or has not been modified in light of sexual orientation. Co-requisite: 651.

**829 LAW AND SOCIAL SCIENCE** (2 credits): This course introduces students to the use of social science evidence by legal practitioners and courts at all levels. Such evidence is used, for example, in cases involving issues of trademark infringement, obscenity, discrimination, identification of criminal offenders, potential jury prejudice, eyewitness reliability, sexual assault, self-defense, dangerousness, and the fashioning of remedies. Despite its now common use, scientific evidence poses fundamental issues and recurring challenges for the law. In this course, students examine the methodology of social science research and various uses and challenges of using such research in the law. This course provides a foundation for law students to become sophisticated consumers and critics of social science evidence, equipping them to recognize issues raised by the use of social science in the law, and providing a foundation in empirical analysis that assists in using social science in legal forums. *This course fulfills the Perspective Requirement for graduation.*

**830 IMMIGRATION AND NATURALIZATION** (2 credits): A basic introduction to immigration law and procedure. The course traces major legislative history and immigration policy.

### **LITIGATION AND PROCEDURE**

**841 FORENSIC EVIDENCE** (3 credits): An advanced evidence course focusing on expert issues or various forensic disciplines, crime scenes and incident investigations as evidence in civil and criminal litigation. Prerequisite: 670.

**843 JUDGING AND THE NATURE OF JUSTICE** (2 credits): This course will examine the ethical and legal responsibilities of the neutral arbiter of disputes and debate the appropriate role of judges in making,

interpreting and applying law. It will include analysis of various judicial philosophies and the contemporary theories of law which influence their development. Through readings and excerpts from film, it will trace notions and concepts of justice through time with an emphasis on the evolution of the administration of justice in contemporary U.S. society. Discussion will focus on topics such as methods of factual decision-making, judicial ethics, judicial writing and the characteristics intrinsic to those who are perceived as “good” and “bad” judges. Lastly, the course will provide an opportunity to compare the practical realities of the profession of judging with aspirational notions of “justice”. Prerequisite: 661

**844 REMEDIES** (3 credits): Compensatory damages (measuring value, consequential losses, limits on damages); injunctions (uses of injunctions, permanent injunctions, TRO's); declaratory judgments, restitution; punitive damages; contempt; collecting money judgments; litigation expenses; remedial defenses. Limited to students in their final year of law school.

**847 OHIO CIVIL RULES PRACTICUM** (1 Credit): Study of the Ohio Rules of Civil Procedure designed for students who plan to practice in Ohio and who have taken Civil Procedure: Jurisdiction and Civil Procedure: Rules. Topics include the unusual constitutional authority underlying the Civil Rules; the exquisitely-complex issues posed by application of the Civil Rules to civil actions and to “special statutory proceedings” under Civil Rules 1, 73, 75, and 82; commencement of actions; venue of actions; service of process; pleadings and motions; joinder; summary judgment; discovery; jury trial; dismissal of actions; JNOV and directed verdict; jury instructions; trial court findings of fact and conclusions of law; and relief from judgment under Civil Rule 60 (B). Course reading will include text of most Civil Rules and leading Ohio Supreme Court decisions interpreting the Rules, including many of the decisions listed in the Civil Procedure section of the Outline of Subjects Tested on Essay Portion of Ohio Bar Examination as last revised and promulgated by the Supreme Court of Ohio in November 2002. Prerequisites – all first-year day courses.

**849 E-DISCOVERY** (2 credits): This course covers legal issues pertaining to discovery of electronically stored evidence (ESI) in civil litigation. The course will provide traditional doctrinal instruction about the Federal Rules of Civil Procedure and the Federal Rules of Evidence pertaining to the discovery of ESI and case law interpreting these provisions. Additionally, the course will provide instruction on and opportunities to practice skills essential to managing the production and review of ESI. Finally, the course will provide a basic introduction to the technology most commonly used in the production and review of ESI. The course will explore issues surrounding ESI throughout the entire course of civil litigation from the duty to preserve to the eventual admissibility at trial of ESI. Prerequisites: 660, 661 or 661P.

## **TAXATION**

**850 ESTATE AND GIFT TAXATION** (3 credits): Substantive provisions of federal estate and gift tax laws and the generation skipping transfer provisions, including transfer with retention of interest or power, joint interests, life insurance proceeds, property subject to powers of appointment, marital deduction, and split gifts. Co-requisite: 680.

**852 FEDERAL PERSONAL INCOME TAX** (3 credits): Taxation of income; realization; recognition; timing; sales; dispositions of property and capital gains; personal and business-related deductions; exemptions; credits; and tax procedure. Prerequisites: 600, 601, 610, 611, 620, 621, 630, 631, 632 (evening students

only), 640

**853 STATE AND LOCAL TAXATION** (2 credits): An examination of the fundamental principles applicable to state and local taxes including a review of various types of taxes, (property, income, and sales and use taxes) used by the states and localities. We also look at federal constitutional limitations upon the states' ability to tax, including Commerce Clause, Due Process, and Equal Protection considerations. Ohio tax law is not the focus of the class and is used only as a means to address the principal national issues. Prerequisites: 651.

**854 TAXATION OF BUSINESS ENTITIES** (3 credits): This survey course will cover the basics of taxation of business entities. It will include an introduction to Federal taxation of C Corporations, Partnership, LLCs, and S Corporations. This course is designed primarily for students interested in business and will focus on identification and resolution of tax issues in common business transactions. Prerequisite: 680 This course may not be taken if the student is enrolled in the LL.M. in Taxation or M.T. programs, nor may they be used to replace the Corporation and Partnership tax courses required in those programs. The course may be taken by a student enrolled in the LL.M. in Business.

**855 CORPORATE TAXATION** (3 credits): Tax consideration in corporate formation, distributions, redemption and liquidation, including tax consequences of corporate reorganizations, mergers and acquisitions, consolidations, and divisions. Prerequisite: 680.

**856 PARTNERSHIP TAX** (3 credits): The meaning of partnership taxation including formation, transactions between partner and partnership, determination and treatment of partnership income and losses, sale or exchange of partnership interest, distributions, retirement, death of partner, and drafting the tax provisions of a partnership agreement. Prerequisite: 680.

**858 FEDERAL TAX PROCEDURE** (2 credits): The focus of this course is on federal tax procedure. Areas covered include: organization and operation of the Internal Revenue Service (IRS), audits, administrative appeals, deficiency procedures and litigation, refund claims and suits for refund, summons and other investigative authority of the IRS, access to IRS information, assessments, collections, private letter rulings, penalties and interest, and an introduction to criminal tax procedure. Co-requisite: 680.

**860 ADVANCED INDIVIDUAL INCOME TAX PROBLEMS** (2 credits): The course will utilize selected problems to cover the major income tax issues for individuals. Topics covered will include definitions of gross income, business deductions, income splitting, sales and other dispositions of property, gains and losses, and timing issues. Prerequisite: 680.

**862 TAX RESEARCH and COMMUNICATION I** (2 credits): An introduction to tax research and communication. The student will be responsible for completing certain exercises and drafting tax documents utilizing tax research techniques. Prerequisite: 680.

**863 TAX RESEARCH and COMMUNICATION II** (2 credits): Preparation of a comprehensive research paper. Prerequisite: 680, 862.

**865 SUBCHAPTER S CORPORATIONS AND ADVANCED PASS-THROUGH ENTITIES** (2 credits): Advanced corporate tax problems including taxation of Subchapter S corporations, professional corporations, personal holding companies and punitive taxes on earnings accumulations, and collapsible corporations.



Prerequisite: 680.

**872 INCOME TAXATION OF TRUSTS and ESTATES** (2 credits): Taxation of income of simple trusts, complex trusts, and grantor trusts; discussion of rules unique to trusts and estates, including distributable net income, charitable deduction, distribution deduction, and income in respect of decedents. Prerequisite: 680.

**876 TAX AND PROFESSIONAL RESPONSIBILITY** (2 credits): Examination of the ethical problems that confront the tax practitioner, including problems of return preparation, flagging weakness, review of returns, post-return developments, audits, and disclosure of adverse facts and law. Prerequisite: 680.

**878 ERISA TAX DEFERRED QUALIFIED PLANS** (2 credits): This course will cover tax code principles of tax deferral, various non-qualified plan options and other tax qualified arrangements such as IRAS and SEPS, 403(b) and 457(b) and (f) plans. Coverage will focus on the core Internal Revenue Code sections relating to various qualified plan options, coverage and participation alternatives, contribution and benefit limits, vesting and benefit protection rules, discrimination rules, salary deferral opportunities under 401(k), merger and acquisition rules, control group and affiliated service group rules, fiduciary and investment management oversight, reporting and disclosure rules, and certain health and welfare benefit rules. The course culminates with a practicum-style case study which simulates the experience of a law firm associate working in a tax/benefits department. During the case study, students will be required to design compensation plans that achieve the management and financial goals of a simulated client. This interactive process will help the focused and prepared student develop the critical thinking and problem solving skills necessary to succeed in practice and will demonstrate how a skilled attorney uses the tax code, regulations and related authorities to meet the business and financial concerns of clients. In short, the exercise demonstrates the importance of integrating theory and practice skills to successfully serve the needs of clients. Prerequisite: 680.

**896 REAL ESTATE TAXATION** (2 credits): Effect of income taxes on real estate and real estate transactions, sales and exchanges of real estate interests, various entities for the ownership and development of real estate, real estate syndications, problems of the investor and the developer, basis and basis adjustments, and choices of financing techniques such as the sale-leaseback, depreciation, amortization, and obsolescence. Prerequisite: 680.

**898 INSURANCE TAXATION** (2 credits): Explores the tax implications of owning life insurance policies and annuity contracts, and transactions (e.g., exchanges, distribution) involving those contract, as well as the definitional requirements imposed by the Internal Revenue Code. Course in estate taxation and/or estate planning is helpful but not mandatory. Prerequisite: 680.

### **LAWYERING SKILLS AND PROFESSIONALISM**

**900 ELECTRONIC LEGAL RESEARCH** (1 credit): The Electronic Legal Research is an intensive course that meets on a Saturday and Sunday early in the semester. This course will discuss and evaluate methods of electronic legal research. Internet legal resources, including Westlaw and Lexis, will be reviewed. Student will learn to evaluate electronic research tools and sources. A major course objective is to help students develop cost-effective and efficient research strategies. This course has limited enrollment. Attendance at every class for both days is mandatory. A research guide will be due at the end of the semester.

902 **DISPUTE RESOLUTION** (2 credits): Study of the major alternatives to litigation for the resolution of disputes including negotiation, mediation, arbitration, and court-annexed procedures. Theoretical materials applied in simulated exercises. **NOTE:** Students enrolling in the summer intensive format version of this course are not to work during the course.

903 **BUSINESS NEGOTIATION** (2 credits): This course is designed for students who have taken the Negotiation course and wish to learn about the use of negotiation in the business environment. A student who completes this course will acquire: a comprehensive and well-founded knowledge of business negotiation necessary for successful negotiation in business; the skills and abilities necessary to engage successfully in negotiation in various business and organization settings; an understanding of how the discipline of law relates to business negotiation; the ability to identify problems, create solutions, innovate, and improve current practices in business negotiations; and the ability to think creatively to reach mutually satisfactory negotiated outcomes in business. Prerequisites: 904.

904 **NEGOTIATION** (2 or 3 credits): Selected materials in negotiation, the process by which lawyers resolve 90% of their clients' legal problems. Topics include selecting appropriate strategies for a particular negotiation, planning for a negotiation, and implementing strategy, selecting tactics and considering ethical issues of misrepresentation and zealous advocacy. **NOTE:** Students enrolling in the summer intensive format version of this course are not to work during the course.

905 **GENERAL ARBITRATION** (2 credits): An examination of the use of arbitration as an alternate adjudicative process. The course will discuss all aspects of arbitration, including compulsory arbitration, arbitration clauses, the Federal Arbitration Act, post-hearing processes for formal arbitration, and public policy issues.

908 **INTERVIEWING and COUNSELING PRACTICUM** (2 credits): Selected materials in the lawyering process including development of the skills necessary for successful client interviewing and counseling, extensive use of role playing, and actual client interviews. This course primarily is for students who wish to enroll in the General Litigation Clinic (940).

910 **MEDIATION** (2 credits): This course approaches mediation from the advocate's perspective. Students will develop a sophisticated understanding of mediation and will learn when to use mediation as a settlement process. Learning objectives will be met through in class role-plays, reading assignments, written analysis of mediation role-plays, and a final examination. **NOTE:** Students enrolling in the summer intensive format version of this course are not to work during the course. Classes run from 8:00 am to 1:10 pm every day from Monday through Saturday. A final exam is given the following Tuesday.

911 **DIVORCE MEDIATION** (3 credits): Mediation in the domestic/divorce arena combines a thorough understanding of the basic skills of mediation with the substantive knowledge of the relevant issues on divorce such as custody, visitation, support and property division. The student will receive education and training that will explore these areas as well as provide the necessary educational requirements to comply with the standard divorce/domestic mediation certification. This course is well suited for those future attorneys who wish to mediate divorce cases or to represent clients in divorce mediations. A final exam is given. This course has been approved by the Ohio Supreme Court to meet the requirement of Rule 16 of the Ohio Rules of Superintendence for a 40-hour course in specialized family or divorce mediation.



Students interested in practicing in Ohio and being included on any list of court-approved family mediators should refer to Rule 16 for other Ohio Supreme Court requirements.

NOTE: In the one week summer intensive format, the 5 day class runs Monday through Friday (8:00 am to 5:30 pm). In the regular semester format, the class is taught over 5 weekend days (8:00 am to 5:30 pm each day).

Prerequisite: 910 Mediation. Students may seek permission from the Associate Dean to take 910 Mediation concurrently with 911 Divorce Mediation or to waive 910 Mediation. Permission to take the courses concurrently will be granted when attendance in regularly scheduled 910 Mediation classes will ensure that a student receives at least 12 hours of instruction in basic mediation before beginning 911 Divorce Mediation. Permission to waive 910 Mediation will be granted when a student has previously completed a basic 12 hour mediation course or has equivalent mediation experience.

**912 MEDIATION OF WORKPLACE DISPUTES** (2 credits): This course will expose students to various theoretical and practical approaches to mediating workplace disputes. Students will explore how the use and application of the mediation process can be used as a tool to resolve workplace disputes in lieu of protracted litigation. Through demonstration, structured exercises, simulations, role-play and group discussion, student will explore how to effectively represent clients during mediation. Students will also draft legal settlement agreements, prepare demand letters, and case evaluations for mediation. JD students and attorneys who have completed an extensive mediation training program may request that the prerequisite be waived. Prerequisite: 910.

**914 DEPOSITIONS** (2 credits): This course provides students with a developed knowledge and understanding of deposition strategies, as well as with the opportunity for hands-on application of the substantive and procedural law surrounding lay and expert depositions. Each student will be required to take and defend a lay and an expert deposition, prepare a deposition outline for those depositions they take, and prepare a deposition summary for all their deposition simulations. In conjunction with Grant Hospital's Medical Program, the final videotaped class will consist of expert depositions (taking and defending) employing Grant Medical Residents as deponents and expert witnesses. This course is intended to compliment both Trial Advocacy and Civil Pre-Trial Proceedings. Prerequisite: 660.

**915 EXPERT WITNESS** (2 credits): This course in expert witnesses focuses on the legal and practical considerations involved in use of expert witnesses in litigation. Students will evaluate case law, best practices concerning the use and exclusion of expert witnesses in litigation, the retention of experts, expert reports and depositions of expert witnesses. In addition to this instruction, the students will draft various legal documents, such as expert retention letters, expert reports, deposition outlines, and deposition summaries. Finally, the students will take several mock expert depositions, with the final culminating in the deposition of an outside expert based on the expert's report.

**919 CIVIL PRETRIAL PROCEEDINGS** (3 credits): As a litigation attorney you will conduct most of your activity before trial in pleading, discovery and dispositive motion practice. This includes meeting with your client, independently investigating the facts, preparing a Complaint or Answer, Interrogatories, Requests for Production of Documents, Requests for Admissions, Notice of Deposition, Subpoenas and gathering information on your client, the opposing party, and sometimes Co-Defendants. Once you have gathered this information, you will typically be taking multiple depositions and defending your client's

deposition as well as your witnesses' depositions. You may also be preparing or defending against a motion for summary judgment. This class will introduce you to the basics of pleadings, discovery and motion practice. You will explore strategies for framing and drafting pleadings. You will explore strategies for effective use of each discovery tool. You will prepare written discovery, prepare answers to discovery, and take mock depositions. Ultimately, the class seeks to help you learn to formulate a litigation plan and use each stage of the pretrial process to effectively develop the evidence needed to achieve your desired litigation outcome. By the end of this class, you should see how a litigator effectively employs pleadings and discovery to frame the factual issues in a way that allows for favorable disposition at trial or on summary judgment. Your final grade will be based on the pleadings you draft, the discovery submitted to opposing counsel, your responses on behalf of your client, including all appropriate objections, a final deposition and a motion for summary judgment. Prerequisite: 660, 661 or 661P

**921 JURY INSTRUCTIONS** (1 credit): This skill-based course will introduce students to the theoretical considerations involved in drafting jury instructions, as well as provide them with hands-on training in the research and writing of instructions. Students will learn a step-by-step approach to the drafting of instructions for use prior to trial, during trial and at the end of trial. Students will also learn how to prepare jury interrogatories and additional findings, how to prepare verdict forms, how to participate in a charging conference and preserve perceived error, and how to address jury questions and the issue of inconsistent verdicts. Throughout the course there will be continuing discussion on the role of counsel as an advocate and an officer of the Court, including ethical considerations and balancing advocacy with presenting correct statements of the law.

**922 TRIAL ADVOCACY PRACTICUM** (3 credits): Trial tactics and strategy; preparation for trial; procedure during trial; conduct of counsel; mock trial of a case. Prerequisites: 660, 661, 670.

**924 APPELLATE ADVOCACY PRACTICUM** (2 credits): Course focuses on writing appellate briefs and preparing oral arguments in defense of the brief. Advanced writing, analysis, and persuasion skills are emphasized. Additional topics include appellate jurisdiction, the standard of review, and appealable orders.

**925 MANAGING YOUR LAW PRACTICE:** (2 credits ) This course is designed to provide a basic overview of the business and professional issues facing the new law graduate who intend to practice as a solo practitioner or in a small law office. Most of the topics covered also will be relevant for students who intend to practice with larger law firms, government agencies, or corporate law departments. The course is open to students who have completed their first year. Enrollment is limited to 25 students. Prerequisite: 700

**926 GENERAL PRACTICE PRACTICUM** (2 credits): Application of legal theory to solving concrete problems encountered in general practice: planning and drafting techniques in selected areas of administrative, trial, and appellate practice. Limited to students in the last year of law school.

**927 BUSINESS & FINANCE CONCEPTS FOR LAWYERS** (2 credits): This course is designed to provide a basic understanding of the key financial issues that directly impact the performance of legal duties. This course will impart knowledge of financial concepts that practicing lawyers need for successful and informed representation of clients. Lawyers directly representing business firms will benefit from a better

understanding of the drivers impacting these companies, as will lawyers serving in government agencies that regulate these firms. In addition, students planning careers in litigation or family practice will gain tools to better assess the other side's financial resources and to improve their evaluation of settlement offers. Students will learn to read and analyze the basic financial documents that form the backbone of business practice.

**930 BUSINESS PLANNING PRACTICUM** (2 credits): Integrated study of corporate, financial, tax, accounting, and securities aspects of: organization of a small corporation, organization of a public corporation, stock dividends, recapitalization and stock redemption in the context of stockholder conflict, corporate liquidations, corporate mergers and acquisitions. 680, 700, and either 854, 855 or 856; Co-requisite: 701.

**935 MARSHALL-BRENNAN CONSTITUTIONAL LITERACY SEMINAR AND PRACTICUM** (3 credits): Students will participate in the Marshall-Brennan Constitutional Literacy Project. Students will be required to complete both components of the course. The first component will be a two-hour seminar in Advanced Constitutional Law, exploring how Constitutional Law affects the lives of high school students and the intersection between Constitutional Law and Education Law. The seminar will be conducted in the same manner as a traditional law school seminar. The seminar will meet once a week for two hours each week during the entire semester. Students will be expected to complete substantial reading assignments and participate in classroom discussion. The second component of the course will be a field placement. Students will be placed in teaching pairs and assigned to teach a Constitutional Law class in an area high school. Students will be expected to complete at least 30 hours of teaching at the high school during the course of the semester.

**938 ENVIRONMENTAL LAW PRACTICUM** (2 credits): This course uses problems and simulation exercises to teach students lawyering skills necessary for the practice of environmental law. It is divided into four sections -- compliance counseling, enforcement, litigation and policy -- which correspond to four of the main areas of environmental law practice. Each section commences with an introduction to the area of practice being covered. Following the introduction, students complete short problems designed to expand and deepen their understanding of the area. At the conclusion of each section, students engage in realistic that simulate the practice of environmental law. The course requires students to produce a variety of written work during the semester, such as memorandums, complaints, and summary briefs. Students will be graded on these written assignments as well as on the quality of their performance in the simulations. There is no final exam or paper requirement. Prerequisite: 780.

**940 GENERAL LITIGATION CLINIC** (2 or 3 credits): Law students who have received a limited license to practice law from the Ohio Supreme Court represent clients who are charged with misdemeanor offenses or who have civil legal problems in areas such as domestic relations, probate, bankruptcy, landlord-tenant, consumer, and wills. Prerequisite: This course available only to students who have completed two-thirds of the credit hours needed to graduate. Enrollment priority will be given to students who have taken 908.

**941 MEDIATION CLINIC** (3 credits): A clinical experience for students who have already completed the Mediation course as a prerequisite. Students will complete "some" classroom work, but they will spend the majority of time mediating disputes in a variety of settings. Students will conduct and/or observe pre-scheduled mediation sessions at the Franklin County Municipal Court, the City Prosecutor's Office, and

The Supreme Court of Ohio. Mediations may be scheduled during the day time or evening hours and may require attendance at different locations. The classroom work involves general skills training in the techniques needed to conduct a mediation. Additional training and classroom work will focus on subject areas that will assist the student in performing his/her role as a mediator. There is “no” regular class time set for this course. “Classroom” sessions will be scheduled based on student availability. NOTE: Each student will have a different “mediation” schedule that she/he will specifically coordinate with the professor. This schedule can be a set time for the entire semester, or it can change from week to week as the professor and student determine. There is a lot of flexibility in determining this schedule. After completing the Mediation Clinic for 3 credit hours, students may petition to take an additional semester of Mediation Clinic for 1, 2, or 3 credit hours. Prerequisite: 910.

**942 FOSTER YOUTH ADVOCACY CENTER (2 credits):** This course offers substantive instruction and an opportunity for experiential learning in child law and advocacy. Students will receive substantive instruction in areas that affect foster youth, such as public benefits, credit checks, expungements, and housing in a traditional classroom setting. Students will also provide direct representation and counseling to clients who are youth transitioning out of foster placements. Students will spend up to seven hours per week representing a minimum of four clients per semester, developing legal skills that include interviewing, drafting pleadings, and witness preparation. Students will also make at least two presentations per semester to community-based organizations and will represent a Franklin County family during National Adoption Day to finalize an adoption. FYAC will be offered only fall semester. However, students enrolled in the fall semester may have the option to earn additional credit in the spring where necessary to continue their representation of existing clients. FYAC is a 2-credit-hour course but can be taken for 3 credits with prior approval from the NCALP Director or FYAC professor. Prerequisite: This course is available only to students who have completed two-thirds of the credit hours needed to graduate (eligible for Supreme Court of Ohio’s legal intern license). Course capacity is 10 students.

**943 VOLUNTEER INCOME TAX ASSISTANCE (VITA) (1 credit)** Provides state and federal income tax preparation for low income taxpayers. Six students will be permitted to enroll in VITA for 1 hour of academic credit. Those students will be required to be available to serve clients a minimum of 20 scheduled hours from February 1st through April 15th. Client appointments are typically on Tuesday evenings and Saturday mornings. Students will also be required to attend four weeks of classes in January and February in which there will be two hours of classroom instruction each week. All students will be required to achieve the score specified by the IRS as necessary for participation in VITA on examinations specified by the instructor. Students will receive a grade upon completion of the course as determined by the instructor.

**944 EXTERNSHIP (2 or 3 credits):** Selected students are placed with a court, governmental or not-for profit agency to provide them with the opportunity to apply the substantive law and lawyering skills learned in the traditional curriculum. A faculty monitor closely supervises the student, under the coordination of the Faculty Externship Committee. Course credit is predicated on 55 working hours for each one-semester hour of credit. Grading is on a satisfactory/unsatisfactory basis. Prerequisites, Co-requisites, and other limitations on enrollment are announced in advance. Students may take the externship program more than once, for a total of no more than 6 credit hours. See Section 4.11

**945 CORE BAR STUDIES** (2 credit): Core Bar Studies (CBS) provides a substantive review of the core doctrinal material tested on bar exams and relevant to law practice. The course features a comprehensive faculty-led lecture series on the frequently-tested topics such as Torts, Contracts, Property, Constitutional Law, Evidence and Criminal Law. CBS is modeled on active learning principles and methodologies. As such, students will be required to engage with the substantive material through a variety of hands-on methods, including: interactive online lectures, online assessment software, live classroom discussion, written assessment exercises, and individual consultation with the course instructor. Students are expected to commit themselves to the learning process and to the ultimate goals of bar passage and excellence as attorneys. Core Bar Studies is intended exclusively for students whose academic record and/or experiential profile suggests that they would benefit from an earlier start to their bar examination preparation. Enrollment in the course is strictly limited and will be open by invitation only to third-year day or fourth-year evening students

**946 ADVANCED BAR STUDIES** (3 credits): The Advanced Bar Studies course, graded on a satisfactory/unsatisfactory basis, is designed to assist students in the preparation for the Bar Examination. The course will focus on test-taking techniques, a familiarization with the multiple choice test, Ohio essay questions, and multi-state performance test questions. Advanced Bar Studies is not a substitute for commercial Bar Review courses. It is not a review of the substantive topics tested on the bar exam. ABS must be taken in the final semester of law school.

## **PERSPECTIVE**

**935 MARSHALL-BRENNAN CONSTITUTIONAL LITERACY SEMINAR AND PRACTICUM** (3 credits): Students will participate in the Marshall-Brennan Constitutional Literacy Project. Students will be required to complete both components of the course. The first component will be a two-hour seminar in Advanced Constitutional Law, exploring how Constitutional Law affects the lives of high school students and the intersection between Constitutional Law and Education Law. The seminar will be conducted in the same manner as a traditional law school seminar. The seminar will meet once a week for two hours each week during the entire semester. Students will be expected to complete substantial reading assignments and participate in classroom discussion. The second component of the course will be a field placement. Students will be placed in teaching pairs and assigned to teach a Constitutional Law class in an area high school. Students will be expected to complete at least 30 hours of teaching at the high school during the course of the semester.

**951 WOMEN AND THE LAW** (3 credits): This course examines topics in law relating to the law's treatment of and impact on women through a series of different theoretical perspectives that produce alternative understandings of the relationships between gender and law. Theoretical perspectives include formal equality, substantive equality, dominance theory, different voice theory, autonomy, and antiessentialism. Substantive topics include employment, the family, domestic violence, school sports, sexual harassment, pornography, rape, insurance, affirmative action; women in legal practice, the regulation of pregnancy, sexual orientation discrimination, and the intersection of race, gender and culture in the law. The course emphasizes relationships between theory and practice.

**952 LAW AND LITERATURE** (2 credits): We explore law's many meanings and values through stories. What is justice? Is our legal system just? How should we judge? What are law's foundations? Must law

be moral? Why obey law? How do we interpret the law? What kind of lawyer should I aspire to become? What values are most important to a meaningful life in the law? Literature helps answer these vital questions. It likewise teaches us new ways to critique our fickle justice system, to grasp law's distinctive discourse, and to become better legal writers. Narrative structure, character development, and theme building, among other storytelling techniques, enhance our repertoire of writing and persuasion skills. Those skills also share center stage with our professional values, as we confront the many moral-legal dilemmas in a thoughtful lawyer's life.

**956 LAW AND AMERICAN HISTORY** (3 credits): A survey of the history of the American legal and constitutional system, emphasizing how political, economic, social, and ideological changes have affected the structure, function, and content of American law.

**958 ORIGINS OF WESTERN LAW: GREECE AND ROME** (3 credits): An examination of Greek and Roman law and procedure, which greatly influenced Western law, including the birth and development of law and constitutional forms from the earliest beginnings in Greece through the codifications in Roman Emperor Justinian's reign.

**965 INTERNATIONAL LAW** (3 credits): An introduction to International Law as applied between independent nations and in American courts; selected problems dealing with the sources, development authority, and application of International Law; the making, interpretation, enforcement, and termination of treaties; states; recognition; territory; nationality; jurisdiction and immunities; the United Nations and other international organizations in which the United States holds membership; State responsibility; and International claims for wrongs to citizens abroad.

#### **OTHER**

**981 RESEARCH SEMINAR** (2 credits): Every year the Law School offers several research seminars, most of which satisfy the upper-class writing requirement. This seminar also satisfies the perspective requirement. Topics of seminars vary from year to year. Prerequisites, Co-requisites, and other limitations on enrollment are announced in advance.

**African American Males & the Law** From Dred Scott to the Scottsboro Boys, to Rodney King to possibly Trayvon Martin, African-American males are negatively impacted by the American Justice system. African-American males are disproportionately represented in every aspect of the criminal justice system, from being racially profiled, stopped, arrested, prosecuted, sentenced, incarcerated, and placed on death row. Indeed, the overrepresentation of African-American males in the criminal justice system negatively impacts their ability to gain meaningful employment, health care, the ability to vote, and to obtain a quality education, if any education at all. The purpose of this seminar is to identify, explore and determine the impact of the criminal justice system, court decisions, federal and state legislation, federal regulations, and the Constitution on the social and economic status of black males. Students will address issues related to black males in the areas of employment discrimination, the death penalty, the constitutionality of separate schools, Federal sentencing guidelines, AIDS, arrests and police brutality, NCAA's Rules and Propositions, incarceration, education, exclusion as jurors in jury trials, harassment, and stereotypes. Other faculty members and members of the legal community may be invited to share their expertise on some of the topics covered. Students will be required to prepare an extensive research paper. This paper



may be used to fulfill the Upper-class Writing Requirement. The seminar is also approved to meet perspective requirements.

**Criminal Responsibility** The typical sanction for breaking a criminal law is punishment. But because punishment may be considered a social evil, the institution of punishment must itself be justified. In this course, we will consider the retributive and utilitarian justifications for punishment, both in execution and amount. We will then apply those theories to types of cases in which punishment seems unjustified, including cases of involuntary acts, insane actors, mentally retarded murderers, and battered spouses. The question in all of these cases is: Why—and to what extent—should such actors avoid punishment for the social harm they have caused? Students will read and discuss dense philosophical and legal texts on these and other related issues. Each student will be required to submit a 20-page publishable paper on a relevant (and approved) topic of her choosing. This course fulfills the perspectives requirement.

**Ideas of the First Amendment** The first focus of the seminar will be the pivotal doctrines of first amendment law. For example, why is it important that we regulate speech after, rather than prior to, its expression; or why is viewpoint regulation more problematic than “neutral” regulation of speech; or should there be “paternalistic” reasons for regulating speech, designed to protect audiences from their own susceptibilities, to name a few. Although these doctrines are quickly canvassed in the core Constitutional Law courses, they are not given center stage as they will be in this seminar. The second focus of the seminar is that such questions are best studied by engaging a few of the greatest writings on the freedom of speech that have been generated in the Anglo-American tradition. The seminar will study these doctrines through the writings – some political polemic, some judicial opinions – of John Milton, James Madison, John Stuart Mill, Learned Hand, O.W. Holmes, Louis Brandeis, A. Meiklejohn and assorted “contemporary” replies. The course will fulfill the upper-level writing and perspectives requirements.

**International Criminal Law** This seminar will deal with the following topics: sources of international criminal law; jurisdiction (nationality; protective, territorial, passive personality, universal); crimes against humanity; war crimes, genocide; torture; terrorism; aerial hijacking; hostage taking; extradition; money laundering; environmental crimes; narcotics trafficking; international judicial assistance; and prisoner exchanges.

**Law And Religion** In this course, we will focus on the Supreme Court’s role in adjudicating issues regarding religious liberty. We also will raise issues regarding constitutional interpretation and will examine the development of substantive doctrine in this First Amendment area. After examining the basic historical and methodological materials, we will engage in a detailed examination of the most recent cases decided by the Supreme Court.

**982 INDEPENDENT RESEARCH PROJECT (1-3 credits):** Significant research paper or an independent research project under the guidance of a member of the faculty. A student may not register for independent research until the student provides a written proposal, tentative outline, and tentative hypothesis accepted by a full-time faculty member. A student may not register for more than one independent research project in a semester, or for more than six total credit hours of independent research, without the approval of the associate dean. Prerequisite: approval of instructor.

**986 LAW REVIEW I** (1-2 credits): Preparation of a publishable note or comment for the Capital University Law Review. Approval of Editor-in-Chief and Faculty Advisor is needed. Course may not be repeated. Selection by class rank or writing competition.

**987 LAW REVIEW II** (1-2 credits): Preparation and editing of notes and comments for Capital University Law Review; editing professional articles. Limited to Board members of the Law Review. Approval of faculty advisor is needed. Prerequisite: 986 and selection.

**990 MOOT COURT** (2 credits): Participation as a member of an interscholastic moot court team supervised by a full-time faculty member consistent with provisions of the Policy Manual Section 4.12. Approval needed by the faculty advisor(s). Credit awarded upon the certification of the faculty advisor(s). Selection is by competitive audition. Prerequisite: 924: Appellate Advocacy Practicum.

**National Moot Court Team** Participation as a regular member of the National Moot Court Team, in both the Spring ABA/LSD and the Fall CBNY moot court competitions. Two (2) hours of credit will be awarded to a person who participates either in the fall or spring competition only. Approval needed by the National Moot Court Team Advisors. Course may not be repeated for credit. Students selected by competitive audition.

**Child Welfare and Adoption Law Moot Court Team** Competes annually in a national competition hosted by the National Center for Adoption Law & Policy in partnership with The National Center for Adoption Law & Policy, The National Council of Juvenile & Family Court Judges, The ABA Center on Children and the Law, the American Academy of Adoption Attorneys, and the National Association of Counsel for Children. Each year, the competition focuses on emerging law, policies, and practices associated with child protection and adoption systems. Students are selected by competitive audition. Academic credit requires approval by the advisor to the team.

**Corporate Law Moot Court Team** Competes annually in The Ruby R. Vale Interschool Corporate Moot Court Competition held each spring at Widener University School of Law in Wilmington, Delaware. This national competition focuses on corporate issues of current legal relevance.

**Labor and Employment Law Moot Court Team** The Wagner Moot Court competition is the largest student-run moot court in the United States, and the only one dedicated to labor law. Each year, approximately 42 teams from across the country participate in the competition. The competition is held at New York Law School located in Manhattan. “The Wagner Competition is named in honor of the Law School’s distinguished alumnus, United States Senator Robert F. Wagner, who graduated from New York Law School in 1900. During his four consecutive terms in the Senate (1926-1949), Wagner authored sweeping legislation that dramatically changed the American social and economic landscape. His two greatest legislative achievements occurred in 1935 with the passage of the Social Security Act to provide old-age pensions to Americans, and the National Labor Relations Act to guarantee labor’s right to organize and bargain collectively.” Case problems for the competition are based on labor law and employment law issues. To participate in the competition, it is recommended the completion of a course in labor or employment law, but not required. Students are required to have completed the Appellate Advocacy course. Team members are selected by the Moot Court Board.

**996 MOCK TRIAL TEAM, PUBLIC SERVICE TEAM AND AMERICAN ALLIANCE FOR JUSTICE (REMINGER)**



**TEAM** (1 credit): Participation as a member of the mock trial team, public service or Reminger team. Supervised by a full-time member of the faculty consistent with the provisions of the Policy Manual Section 4.12. Approval needed by the faculty advisor(s). Credit is awarded upon the certification of the faculty advisor(s). Students are selected by competitive audition. Pre-requisite: 670 and Co-requisite: 922 for the Mock Trial Team.

#### **4.10A Perspective Courses**

During each registration period, courses satisfying the perspective requirement are listed in the registration materials. Following is a list of courses that have satisfied the perspective requirement in the past. Students should continue to check the courses on this list with information provided in the registration materials for the academic term to insure that courses continue to satisfy the requirement. Courses taught in summer abroad programs sponsored by other law schools cannot be used to satisfy the perspective requirement.

820	Bioethics and the Law	981:
756	Children Family and the State	Seminar: African American Males & the Law
965	International Law	Seminar: Criminal Responsibility
843	Judging and the Nature of Justice	Seminar: Ideas of the First Amendment
950	Jurisprudence	Seminar: International Criminal Law
956	Law and American History	Seminar: Law & Religion
952	Law and Literature	
829	Law and Social Science	
935	Marshall-Brennan Constitutional Sem. & Practicum	
958	Origins of Western Law: Greece and Rome	
826	Sexual Minorities and the Law	
951	Women and the Law	

## **4.11 The Upper-Class Writing Requirement: Goals and Implementation**

### **4.11.1 Statement of Goals**

- B. To reinforce, expand and amplify the skills learned by students' in the three mandatory Legal Analysis Research and Writing Courses.
- C. To develop the techniques of in-depth analysis, synthesis and organization of a body of material.
- D. To develop the ability to analyze multiple sources.
- E. To require students to produce original and rigorous written works. Examples of written works which could comply with this policy include law review style papers, briefs, policy papers and estate plans. A series of shorter works may also qualify.

### **4.11.02 Options to Fulfill the Obligation**

Students must fulfill the obligation of the upper-class writing requirement under the direction of a current full-time faculty member or, with the approval of the Associate Dean, a previous full-time faculty member. Students must receive, consistent with the above goals, faculty supervision and assessment of the writing experience before submitting the final version of a rigorous written work. The upper-class writing requirement may be fulfilled in any of the following classes:

- A. Capital University Law Review (via an approved note or comment).
- B. An approved research seminar, taught by a full-time faculty member. Qualifying seminars shall be determined by the Law School Administration. Such seminars shall be designated in the students' registration materials.
- C. An approved course or practicum taught by a full-time faculty member. Qualifying courses and practicums shall be determined by the Academic Affairs Committee upon the request of the professor teaching the course. In considering the request, the Committee will consider both the above goals and the percentage of the course-grade assigned to the written work. On approval, such courses shall be designated in the students' registration materials. The following courses have received such approval: Appellate Advocacy Practicum and Environmental Law Practicum.
- D. A course or practicum taught by a full-time faculty member, in which the normal means of grade achievement is an examination but in which the professor has granted a written work option to a maximum of five (5) students. Qualifying courses and practicums shall be determined by the Law School Administration after consultation with the professor of the course. Such courses shall be designated in the students' registration materials.
- E. An independent research (course 982), by completion of an independent research paper or

independent research project To fulfill the upper-class writing requirement, independent research projects require the pre-approval of the Academic Affairs Committee. No faculty member may direct more than three independent study papers or projects per semester. Students are advised that faculty members generally are unwilling to supervise independent study for purposes of satisfying upper-class writing in the areas in which they offer upper-class writing opportunities in a seminar or course.

#### **4.11.03 Format and Storage**

- A. Every written work submitted in fulfillment of the upper-class writing requirements shall have a title page bearing the name of the student and the Faculty member supervising the work as well as the title of the work.
- B. Written works submitted in fulfillment of the upper-class writing requirement shall be stored with examination papers for the same time as the examination papers.

#### **4.11.04 Minimum Grade**

To satisfy the upper-class writing requirement under Section 4.10.02 (A), the faculty advisor to the Capital University Law Review shall certify that the publishable note or comment submitted by the student merits a minimum grade of C. To satisfy the upper-class writing requirement pursuant to any other provisions of Section 4.10.02, the student must earn a minimum grade of C on the submitted written work. A student who earns less than a C on a written work submitted in fulfillment of the upper-class writing requirement will receive an incomplete (1) and must complete the written work consistent with the provisions governing incomplete grades (See Section 4.7.05 (C)(3)). In a course or seminar in which a written work is one component of the grade for the course or seminar, the student satisfies the upper-class writing requirement only if the student earns a minimum grade of C on the written work component of the course or seminar.

## 4.12 The “Experiential Courses” Requirement: Implementation

### 4.12.01 The “Experiential Courses” Requirement

A. Starting with the entering class of Fall 2016, all students will be required to take one or more experiential courses totaling at least six (6) credit hours. An experiential course may be a law clinic, simulation course, or a field placement. Each experiential course must integrate doctrine, theory, skills, and ethics, must develop the concepts underlying the professional skills being taught, must provide multiple opportunities for performance and must provide multiple opportunities for self-evaluation.

### 4.12.02 Options to Fulfill the Obligation

A. Students will be required to fulfill 2 credit hours of experiential courses via Legal Drafting.  
B. Students will be required to fulfill the remaining 4 credit hours of experiential courses via a combination of (1) law clinics, (2) simulation courses, and (3) field placements.

1. “Law Clinics” may include:

- 940 General Litigation Clinic
- 941 Mediation Clinic
- 942 FYLaw Clinic
- 943 Volunteer Income Tax Assistance (VITA)

2. “Simulation Course” may include:

- 923 Advanced Trial Advocacy Practicum
- 924 Appellate Advocacy Practicum
- 903 Business Negotiations
- 930 Business Planning Practicum
- 914 Depositions
- 902 Dispute Resolution
- 911 Divorce Mediation
- 938 Environmental Law Practicum
- 915 Expert Witness
- 905 General Arbitration
- 926 General Practice Practicum
- 913 Health Care & Dispute Resolution
- 908 Interviewing & Counseling
- 921 Jury Instructions
- 813 Labor and Employment Arbitration
- 633 Legal Drafting Practicum
- 935 Marshall-Brennan Seminar and Practicum
- 910 Mediation
- 912 Mediation of Workplace Disputes

996	Mock Trial
990	Moot Court
904	Negotiation
922	Trial Advocacy Practicum

3. "Field Placements" may include:

944 Externships (under the Externship Program)

#### **4.12.03 Restrictions**

Any course taken to fulfill this requirement may not be used toward the upper-level writing requirement set forth in Section 4.10, or as a substitute for the required course in Professional Responsibility. For example, if a student takes Appellate Advocacy Practicum to fulfill the upper-level writing requirement, then that course may not count toward the required six credit hours of experiential courses.

#### **4.12.04 Minimum Grade**

Students must receive a grade of C or better (or its equivalent) in each course toward the required six credit hours of experiential courses.

## 4.13 Externships

### 4.13.01 Introduction.

Externships, in common with clinical programs, complement the more traditional curriculum and simulation courses. Externships are intended to provide opportunities to apply the law learned in the traditional curriculum and to develop the lawyering skills learned in Legal Writing and the simulation courses.

### 4.13.02 General Policies

#### A. Program's Academic Goals and Methods to Measure/Assure Their Attainment

1. While the exact nature of skills to be derived from externships will vary with each externship, the goals of the externship program include:
  - a. Application of basic legal research and writing skills to the particular needs of a court, agency, non-profit organization or other externship site;
  - b. Development of substantive knowledge of law affecting the extern placement;
  - c. Insight into the legal process;
  - d. Development of professionalism and understanding of lawyer professional responsibilities; and
  - e. Preparation of students for a legal career
2. The Extern Faculty Monitor will evaluate whether the student makes progress in attaining these goals by several methods, including:
  - a. Monitoring the student's experience at the Site through individual conferences and communications with the extern throughout the term;
  - b. Discussion of the Student's performance with the Site Supervisor;
  - c. Attention to the extern's performance evaluations written by the Site Supervisor;
  - d. Review and evaluation of student journals and papers written for the Externship class (stored in student Notebook, submitted to Faculty Monitor periodically throughout the term);
  - e. Review of the student's written work at the Site (placed in the student's Externship Notebook); and
  - f. A final evaluation of the student's performance and written work at the end of the term, assessing whether it deserves academic credit.

B. Selection of Extern Placements and Efforts to Monitor High Quality Site Experience

1. The Externship Director, under supervision of the Externship Committee, will approve sites to be included in the Capital University Law School Externship Program based on certain standards, including the following:
  - a. Placement must be with a court, government agency, public service or non-profit organization, pro bono, or with the office of in-house corporate counsel;
  - b. A placement must involve legal projects that will help the student achieve the educational objectives of the program;
  - c. Students will receive careful supervision of legal work by an attorney at the Site placement;
  - d. The Supervisor at the site placement will communicate regularly with both the student externs and Faculty Monitor in evaluating the student's work;
  - e. Placement must be consistent with Capital University's Human Dignity Policy; and
  - f. Students may not receive any monetary compensation for the externship from the supervising agency, either directly or indirectly.
2. The Externship Director and/or Faculty Monitor will work cooperatively with the Site Supervisor to improve supervision of externs at the Site. Methods may include both written suggestions for effectively working with students and verbal discussions of ways to improve the site experience during the midterm conference between the Faculty Monitor and Site Supervisor.
3. Each term the Externship Director and/or Faculty Monitor will evaluate whether the active extern sites continue to provide the students with a good learning experience and meet the program goals, based upon student evaluation of the experience and independent assessment derived from the site conferences. If an externship site does not meet the program goals, and cannot be improved to do so, it will be dropped from the Capital University Law School program.

C. Selections of Students for Externship

1. The selection and assignment of students to an externship placement will be made upon written application prior to the beginning of the school term by the Externship Director under supervision of the Faculty Externship Committee.
  - a. The following criteria shall apply to the number and qualifications of students who may participate in externships during a given term and to their supervision:

No more than 20 to 25 students per faculty supervisor may participate in an externship;

No student may register for an externship while on academic probation. A student, who is subsequently placed on academic probation after commencing an



externship, may complete the externship; and Students participating in the externship program must have completed the equivalent of one year of law school coursework, including Civil Procedure Rules.

b. The Externship Committee shall develop and implement other criteria to use in selecting students for the externship program when the number of students requesting assignment to an externship exceeds the number of available placements. Such criteria might give preference to:

Graduating seniors with no previous clinical or externship experience;

Students with cumulative grade point averages that are significantly higher than the averages of other students applying for the same placement; or

Students who, on the basis of a written application, demonstrate a particularly high degree of interest in a career field closely related to the desired placement.

D. Course Credit and Grading

1. The duration of an externship is either one semester or one summer term. Where circumstances warrant, a student may take an externship in the regular program for either 2 or 3 credit hours per term, and with approval of the Director for up to 4 hours per term as part of the regular externship program.
2. Where a special opportunity is available that meets the program's externship criteria and with permission of the Director, Associate Dean, a student may be permitted to obtain externship credit for more than four credit hours, but no more than ten credit hours, in a single term. More than six hours of externship credit must also be approved by the Academic Affairs Committee AND WILL ONLY BE GRANTED if extraordinary circumstances exist that will enable the student to obtain an educational experience that would not be available with fewer hours of externship credit. There is a presumption against approving more than six hours of externship credit in a semester in which the student is expected to complete the requirements for graduation.
3. Course credit is predicated on a minimum participation of 50 site hours for each semester hour of credit plus up to 10 hours of class or tutorial per externship per term.
4. Grading shall be on a satisfactory/unsatisfactory basis, with "satisfactory" defined as the equivalent of "C" or better. The grade for each student extern shall be assigned by the Externship Director and Faculty Monitor, with input from the supervising attorney at the Site.
5. A student may earn a maximum of six (6) hours of credit for externships in the regular externship program and a maximum of ten (10) by special application for an extended credit externship. A student who takes an extended credit externship may also take an externship through the regular externship program, but may earn no more than ten (10) credit hours total for externships.

E. Student Responsibilities

1. Students must maintain the schedules and time commitments to which they agreed during the externship.
2. Student externs must periodically communicate with their Faculty Monitor throughout the term about the progress at the externship by assigned e-mails, papers, and scheduled conferences. They must also submit copies of representative briefs, memoranda, pleadings, or other legal writing prepared for the externship during the term to their Faculty Monitor.
3. At the conclusion of the term, student externs shall submit a comprehensive Notebook that contains class assignments, a summary of the externship work hours, a description of the nature and scope of the assignments and duties undertaken during the externship, work product documents, and an evaluation of the externship experience. The assignments, work product documents (or their equivalent), reports, and summaries will be reviewed by the Externship Director and/or the Faculty Monitor, and will be taken into account along with site evaluations in awarding course credit. No student will receive a satisfactory grade unless the required documents or their equivalents are submitted.

## 4.14 Policy on Inter-Law School Competitions

### 4.14.01 Scope

This policy applies to all interscholastic competitions involving Appellate Advocacy, Trial Advocacy, Negotiation, Client Counseling or similar skills.

### 4.14.02 Academic Credit

Students competing in an interscholastic moot court competition that requires both a brief and an oral argument shall be eligible for two (2) hours of academic credit upon satisfactory completion of a competition. Such credit shall be awarded on a satisfactory/unsatisfactory basis during the semester in which the oral rounds of the competition occur, subject to the determination of the Faculty Advisor. Students competing in an interscholastic moot court, trial advocacy, negotiation, client counseling or similar competition that requires solely an oral argument or a presentation shall be eligible for one (1) hour of academic credit upon satisfactory completion of a competition. Such credit shall be awarded on a satisfactory/unsatisfactory basis during the semester in which the oral rounds of the competition occur, subject to the determination of the Faculty Advisor.

### 4.14.03 Approval of Interscholastic Competitions

- A. Application by Students and Student Organizations. A student organization, an individual student, or a group of two or more students may make a proposal to the Moot Court Board Advisor to enter an interscholastic competition in the following academic year. Such a proposal must be submitted in writing by March 1. The proposal should include the following:
  1. The name of the proposed faculty advisor, if determined;
  2. A proposed budget, including entry fees; travel costs; brief printing and mailing costs; and any other costs;
  3. The name and address of the competitions sponsors;
  4. Any other information on the competition or which the student(s) or organization wishes to have considered.
- B. Application by a Faculty Member. A member of the full-time faculty, the legal writing faculty; a clinic staff attorney; or adjunct professor may make a proposal to the Associate Dean for Academic Affairs to enter an interscholastic competition in the following academic year. Such a proposal must be submitted in writing by March 1. The proposal should include the following:
  1. The name of the proposed faculty advisor, if determined;
  2. A proposed budget, including entry fees; travel costs; brief printing and mailing costs; and any other costs;
  3. The name and address of the competition sponsors;
  4. Any other information on the competition or which the faculty member wishes to have considered.
- C. Associate Dean for Academic Affairs' Initiative. The Associate Dean for Academic Affairs also may select competitions to enter on their own initiative.

- D. Recommendation to Dean. Based on proposals received from students and faculty, and their own initiative, the Associate Dean for Academic Affairs will provide the Dean with recommendations on which competitions to enter.

#### **4.14.04 Faculty Advisor**

- A. Selection. A team must have a Faculty Advisor to be approved for competition. Normally, the Faculty Advisor will be a member of the full time faculty. However, the Associate Dean for Academic Affairs may approve a member of the legal writing faculty, clinic staff attorney, or adjunct professor to serve as the Faculty Advisor for a competition.
- B. Duties. The Faculty Advisor for each competition will:
  - 1. Play an active role in selecting the team and shall make the final selection of team members. The Faculty Advisor has primary responsibility for assuring that the selection of the team is conducted in a fair, unbiased, and rational manner based upon the merits of the students applying for selection. Normally, the Faculty Advisor would be expected to attend oral tryouts and read writing samples submitted as part of the selection process;
  - 2. Closely monitor and supervise the students in preparation of memoranda, briefs, and oral arguments as permitted by the sponsors of the respective competitions. Even if the rules of the respective competition preclude Faculty or other assistance, the Faculty Advisor should review and retain copies of all memoranda, briefs, and other final work product as would be done for class papers and exams. The Faculty Advisor should observe most student practice rounds.
  - 3. Work with the students to establish a practice schedule, and arrange for practice round judges to watch and comment on the team. Teams should normally be expected to do a minimum of eight or more practice rounds, in addition to informal practices.
  - 4. Personally attend the interscholastic competition, advise the team within the limits permitted by the rules of the competition, and make arrangements for the entry, attendance and participation of the team at the competition.
  - 5. Evaluate the performance of the students and the quality of their participation and, where a team member applies for academic credit; determine whether the participation merits the award of credit.
  - 6. Be responsible for the team's budget.

#### 4.14.05 Team Selection

- A. Teams must be selected through a process open to any member of the student body, subject to the restrictions of paragraphs B, C, and D, of this subsection, below. Where the rules of the competition require students to be members of an organization in order to participate in the competition, students wishing to participate on the team may be required to join the organization, and to pay any required dues. However, no team will be authorized for outside competition if membership in such organization is not open to any student. Team selection may be based solely, or on a combination of, factors including oral try-outs, writing samples, grades, work experience, personal interview, and other lawful, relevant criteria.
- B. First-year students may not participate in interscholastic competitions.
- C. Students on academic probation at the time of team selection may not be selected for interscholastic competitions. Where a student is placed on academic probation between the time of team selection and the competition, the student may, with approval of the team Faculty Advisor, complete the competition. In deciding whether the student may continue, the Faculty Advisor should consider the student's academic standing and situation; the work already put forth by the student and the amount required in the following semester; the ability to substitute team members under the competition rules; and other relevant criteria.
- D. No student may participate in more than one interscholastic competition in an academic year.

## 4.15 Approval of Research Seminars

### Research Seminars

- A. The Course Descriptions do not list separate research seminars. Instead, there is only one seminar listed, as follows:

982 RESEARCH SEMINAR (2 hours): Every year the Law School offers several research seminars, most of which satisfy the upper-class writing requirement. Topics of seminars vary from year to year. Prerequisites, corequisites, and other limitations on enrollment are announced in advance.

- B. The Office of Records and Registration maintains a list of recently offered research seminars.
- C. Proposals for new research seminars are submitted to the Curriculum Committee, which has the authority to approve or not approve the proposal. Unlike proposals for new courses and practicums, therefore, new research seminar topics may be approved by the Curriculum Committee without the necessity for approval by the Law School Council.

We need to continue to be careful so as not to cause visitors to expect support that is not going to be available. In particular, visitors must understand that our library, and other libraries in the area, are not going to give them much support if they want to do research in foreign, international, or comparative law.

## 4.16 Law School Distance Learning Policy

### I. Definitions

- A. **Augmented Distance Learning:** A traditional class room situation in which participants are in a face-to-face classroom setting throughout the learning experience, but where distance learning methods are used to enhance the learning experience in or out of the classroom.
- B. **Blended Distance Learning:** Learning situation in which participants are in difference locations and also meet face-to-face at pre-determined times and places during the learning experience.
- C. **Distance Learning:** Instructional techniques involving electronic technology to enhance and build learning experience beyond a standard classroom.
- D. **Distance Learning Course:** Course in which Total Distance Learning or Blended Distance Learning is used as the mode of instruction.

- E. **Total Distance Learning:** Distance learning in which participants are primarily or exclusively in different locations through the learning experience.

1. Approval of Distance Learning Courses

Distance Learning Courses may not be taught unless they have been approved by Faculty Council after Approval by the Academic Affairs Committee, provided that the Academic Affairs Committee has approved the course only after consultation with (1) a person with expertise in the content of the course, (2) a person with experience in teaching distance learning and (3) a person with technological experience for the purpose of developing an effective Distance Learning Course. These individuals might be the instructor for the course, a member of the Law School faculty, a member of the Academic Affairs Committee, a member of the Law School administration or staff, or any other person with the appropriate expertise or experience.

2. Standards for Approval of Distance Learning Courses

A Distance Learning Course shall be approved by the Academic Affairs Committee if the course:

(a) Utilizes appropriate distance learning modes of instruction developed in consultation with a person with: 1. expertise in the content of the course; 2. person with experience in teaching distance learning; and 3. a person with technological experience for the purpose of developing an effecting Distance Learning Course.

(b) And if the course will be assessed after the course has been taught on a pilot basis for at least one term or semester, and prior to being approved on a permanent basis; and

(c) If the course complies with ABA Accreditation Standards regarding Distance Learning Courses.

## **4.17 The J.D. – M.B.A. Joint Degree Program of Capital University Law School and the School of Management of Capital University**

### **4.17.01 Introduction**

In 1985, the faculties of the Capital University School of Management (SOM) and the Capital University Law School agreed to create a joint degree program to enable students to complete both degrees with a substantial reduction in total credit hours. Full participation in the program enables the student to complete the two degrees by taking necessary prerequisite courses required by the School of Management and (2) 111 credit hours of required and elective courses specified by the School of Management and the Law School. Without the joint program, a student would have to complete prerequisite courses, as needed, and 40 hours in the School of Management and 89 hours in the Law School. Thus, through participation in the joint program, the student's hourly requirement is decreased by 18 credit hours.

### **4.17.02 Advantages of the Joint J.D./M.B.A Program**

Frequently, business executives, accountants, and attorneys recommend to prospective School graduates that they consider acquiring both a J.D. and an M.B.A. Both courses of study are extremely useful in the business and legal communities. Individuals holding both degrees are frequently able to progress faster, utilizing the joint training in law and business to better achieve both professional and personal goals. No reliable statistics exist to absolutely prove this, but placement directors and corporate executives frequently inquire if we have graduates with both sets of credentials. Obviously, having both degrees provides the graduate with the flexibility of pursuing opportunities in law or business

### **4.17.03 Application to the Joint J.D./M.B.A. Program**

- A. Students enrolled in either the Graduate School or the Law School may seek the assistance of the program advisors. Prospective students not currently enrolled at Capital University may request additional information about the joint degree program from either:

Office of the Dean

Admissions Office

Capital University School of Management

2199 East Main Street

Columbus, Ohio 43209

(614) 236-6679

Web Site: [www.capital.edu](http://www.capital.edu)

Capital University Law School

303 East Broad Street Columbus, Ohio 43215

(614) 236-6310

E-mail: [admission@law.capital.edu](mailto:admission@law.capital.edu)

Web Site: [www.law.capital.edu](http://www.law.capital.edu)

- B. Persons who desire to enroll in the joint program should read thoroughly the relevant materials of both the Law School and the School of Management prior to scheduling a conference with the joint program advisor in either school. A student already enrolled in one school should



first talk with that school's advisor.

- C. Admission into the M.B.A. program requires completing and filing its admissions application, together with the reported results of the GMAT, with the School of Management (SOM). Similarly, admission into the Law School requires completion and filing of its admissions application, together with the reported results of the LSAT, with the Law School.
  - 1. The GMAT and LSAT exams both are administered four times per year. However, the examinations are not given at the same time, or in the same location. Prospective students should consult the admissions offices or publications of the respective schools for further information.
  - 2. The joint degree applicant must complete two applications, submit two standardized test scores, pay two application fees, and file the joint degree application with both programs.
  - 3. Because each school admits students separately, admission into either program does not signify or predict admissibility into the other.
  
- D. A prospective student not already enrolled in either school may apply to both schools at the same time and so indicate by filing the joint student application with both schools. However, the student must elect to start either the M.B.A. or the J.D. program first and complete the basic required courses of that program prior to taking courses in the second program.
  - 1. The basic required courses of the J.D. program are the 29 credit hours of the full-time first-year Law School curriculum, which takes one year if enrolled as a full-time student or two years as a part-time student. The applicant is advised to start the law program first, unless first having begun the SOM program before entry into law school.
  - 2. SOM normally requires its students to have completed two years of work experience prior to admission. If the joint degree applicant does not have the minimum two years business or managerial experience, the applicant must start the Law School first. After completing 29 hours of law work they are deemed to have satisfied the two year work experience requirement and may start the M.B.A. program, assuming they have completed all required M.B.A. prerequisite courses. Additionally, the M.B.A. program has nine (9) required courses (31 hours), which the student starting the M.B.A. program must complete before beginning the J.D. program.
  
- E. The student enrolled in one program may apply for admission into the other program as outlined in the relevant admissions materials of each school. Also a joint degree application must be filed with the Office of Admission of each school.
  - 1. 1. As indicated above, admission into one program does not signify admissibility into the other program. In order to be admitted into the second program the student will have to be in good standing in the first program and meet all admission requirements of the second program. However, a student who is near completion of one program, but who

has not yet commenced the other program, may not be able to pursue the joint degree program.

2. 2. A current student in either program may apply to be a joint student by notifying the faculty advisor and registrar (Law School) or records secretary (SOM) of the school in which the student is already enrolled, and then applying for admission to the other school.

Because the student is already enrolled in one program, the student ordinarily must complete the basic required courses in the program already begun prior to starting courses in the other program. For the law student, this means completing those courses required in the first-year day curriculum. For the SOM student, this means completion of all required M.B.A. prerequisites and the first 31 hours of M.B.A. course requirements.

- F. Occasionally an applicant to the joint J.D./M.B.A. program seeks to apply, as transfer credit, course work taken at a school other than Capital University.
  1. The School of Management accepts up to nine hours of transfer credit from another accredited M.B.A. program (usually about three courses) and the Law School accepts up to 43 credit hours of transfer credit from another accredited law program. However, a course taken at another institution and accepted for transfer credit by SOM cannot be used to satisfy the nine credit hours that the Law School accepts from SOM work for credit toward the J.D. degree. A course taken at another institution and accepted for transfer credit by the Law School cannot be used to satisfy the nine credit hours that the School of Management accepts from the Law School work for credit toward the M.B.A. degree.
  2. The Law School requires all law students to complete a minimum of 43 credit hours at the law school (exclusive of transfer credits or credits earned at other schools with whom the Law School offers a joint degree program). Typically, this requirement only affects students wishing to transfer into the Law School from another law school.

#### **4.17.04 Period of Enrollment**

- A. Normally, the part-time joint degree candidate is able to complete both degrees within five and a half years. The candidate who completes law school as a day student can complete both programs in four years and three summers.
- B. The School of Management normally requires the student to complete the M.B.A. within five years from the semester in which the student is initially enrolled in SOM 600 (Business and Society). Because the joint degree program requires completion of many more hours than the M.B.A., the SOM faculty has agreed to waive the five-year rule, providing the student is making satisfactory progress towards completion of both degrees. The student must seek and receive permission for waiver of this time period by formalized written application to the SOM faculty

outlining a planned completion.

- C. The Law School requires that the student complete the Juris Doctor program within seven years from the term in which the student is first enrolled. The combined J.D./M.B.A. may easily be completed within in six years even by the part-time student. Therefore, no need exists to waive the requirement. Waivers rarely are granted by the Law School, and then only because of extraordinary circumstances, and only for one year.

#### **4.17.05 The Program of Study**

- A. The School of Management offers its M.B.A. primarily during the evening, with occasional classes on Saturday mornings, on a part-time basis. SOM has a daytime program, and joint degree students may register for any class offered during the day subject to limitations imposed by course scheduling. The Law School offers the J.D. degree either during the day or on an evening part-time basis. Thus, the candidate can take law courses during the day or evening.
- B. With the permission of both advisors, a student may take both law and business courses during the same semester, providing all basic requirements for both programs have been fulfilled. Simultaneous enrollment in the School of Management and the Law School usually is permitted if all prerequisites have been completed.
  - 1. This means that the student must have completed: (1) all SOM prerequisites and the first 31 hours of SOM course requirements, and (2) the 29 credit hours of the full-time first-year Law School curriculum, which takes one year if enrolled as a full-time law student or two years as a part-time student, before the student may begin to take classes concurrently at both the School of Management and the Law School.
  - 2. However, the full-time student may never take concurrently more than 16 credit hours in both programs in the same semester. The part-time law student, after completing the 29 hours noted above, may take courses concurrently in both schools, but is prohibited from taking concurrently more than 11 credit hours in both programs at any given time. During summer sessions, the joint degree candidate may not take more than eight credit hours concurrently as a full-time student or six credit-hours as a part-time degree student, without the express written permission of the Dean or Dean's delegate or Dean's delegate of the Law School for law courses and the Dean or Dean's delegate of the School of Management for SOM courses.
  - 3. A student who has completed SOM prerequisite courses and the first 31 hours of SOM course requirements, and who has completed the part-time first-year law program or its equivalent, may take appropriate summer session courses in the SOM program, the law program, or both.
- C. Joint degree students registered only in one school should communicate periodically with the other school. Each school's registrar automatically continues to mail registration materials to the joint degree candidate until it is determined that the candidate no longer wishes to receive them. It is the joint degree student's responsibility to notify both the Law School's Office of Records and

Registration and the SOM registrar of changes in either their permanent or local mailing address.

- D. Because SOM and the Law School are on different calendars and may on occasion offer special courses at times and on a schedule, which creates conflicts with the calendar and course and exam schedules of the other school, students may not always be able to take courses offered in the curriculum of SOM or the Law School. Students with scheduling problems should talk with the advisor at the school affected. However, there may be occasions in which a solution to scheduling conflicts cannot be resolved such that the student may have to postpone taking a desired course.
- E. The joint degree student may complete both course requirements together, or complete one ahead of the other. Because each school grants academic credit for some courses successfully completed in the other school:
  - 1. To be eligible to receive the J.D. degree, the joint degree student must successfully complete 18 credit hours in the SOM program at the 600, 700, and 900 levels.
  - 2. To be eligible to receive the M.B.A. degree, the joint degree student must successfully complete all Law School courses being used as SOM Electives (joint degree credits) as well as the other M.B.A. Core courses.

The joint degree student must notify the registrar of each school at the appropriate time to receive the degree awarded by each. Degrees are presented at the respective commencements of the two schools.

#### **4.17.06 Definition and Operation of Joint Degree Credit**

- A. SOM accepts up to nine hours of law work for its forty required hours to complete the M.B.A., i.e., SOM uses nine hours of specified law courses in place of nine hours of M.B.A. electives. In addition, SOM 799 (the one credit hour M.B.A. writing research paper) will be waived for students who have successfully completed Legal Writing I and II at the Law School. The courses in the Law School that can be used for credit towards the M.B.A. are set out in Appendix A. The Law School will allow a law candidate to use any nine hours in the M.B.A. Core (600, 700, and 900 levels) to count towards its 89 credit hour degree requirement.
- B. The academic retention rules of the School of Management and the Law School differ, and interested students are advised to consult with the appropriate advisor.
- C. Accreditation standards prohibit either program from using transfer credit that has been achieved at a substandard level.
  - 1. The law student must maintain a 2.00 cumulative grade point average to remain in the law program. Because a C grade or better is considered acceptable at the Law School, a C grade or better earned in a course at the Law School that satisfies the requirements for joint degree

credit will be counted as indicated below for joint degree credit.

2. The M.B.A. student may not have more than two C's or four C+'s for M.B.A. work, including joint credit, and stay in the program. A course taken in the SOM will be counted for joint degree credit only if it satisfies the requirements for joint degree credit and only if the student earns a B or better.
- D. A student enrolled in the J.D./M.B.A. joint degree program will have two official transcripts, one from each program (J.D. and M.B.A.). In order to have a complete record, it will be necessary for a joint degree student to request both transcripts.
  1. Credits earned in the law program that satisfy and are to be counted for joint degree credits, will appear on the Law School transcripts by course title, credit hour and letter grade. Those same credits, following an appropriate footnote, will be listed on the SOM transcript by course title and credit hour. The letter grades will not be averaged into the SOM cumulative grade average.
  2. Credits earned in the SOM program that satisfy and are to be counted for the joint degree credits, will appear on the SOM transcript by course title, credit hour and letter grade. Those same credits, following an appropriate footnote, will be listed on the Law School transcript by course title and credit hour. The letter grades will not be averaged into the Law School cumulative grade point average.

#### **4.17.07 The Bar Exam**

To be admitted to the practice of law, most states require the successful completion of that state's bar examination. Bar examinations are usually given at least once, and often, as in Ohio, twice a year. A student should consult with the Supreme Court or the Board of Bar Examiners of the appropriate state about requirements to sit for that state's bar examination. Ohio allows a person to sit for the bar examination upon certification from the Law School Registrar that the student has completed all requirements for the degree.

#### **4.17.08 Appendix**

##### **CAPITAL UNIVERSITY LAW SCHOOL COURSES WHICH WILL SERVE AS JOINT DEGREE CREDIT**

(Courses listed below may change from time to time. Consequently, this list may not reflect courses currently being offered at the law school. Additionally, new courses may be added to the curriculum and not appear on this list. Students are advised to check the Course Descriptions appearing in the Manual of Policies and Procedures or contact the law school registrar.)

##### **A. Administrative Law and Governmental Regulation**

- Labor Arbitration
- Labor Law
- Antitrust Law and Trade Regulation
- Unfair Trade Practices

- B. Business Association Courses
  - Corporate Counsel
  - Securities Regulation
- C. Commercial Law
  - Consumer Law
- D. International Law
  - Admiralty
  - International Sales
- E. Medicine and Science
  - Biotechnology and the Law
  - Control of Research and Therapy
  - Contemporary Medical Liability
- F. Property and Estates
  - Copyrights
  - Environmental Law
  - Air Pollution Law and Policy
  - Water Pollution Law and Policy
  - Hazardous Waste Law and Policy
  - Intellectual Property
  - Real Estate Finance
  - Land Use Controls
  - Patent Law
  - Energy Law
- G. Taxation
  - All tax course (other than Federal Personal Income Tax) and independent research in tax related areas,
- H. Torts and Remedies
  - Products Liability
- I. Other Advanced Courses
  - Creditors' and Debtors' Rights
  - Insurance Law
  - Agricultural Law
- J. Other Courses may be approved upon filing a Request for Dean's Action with the Dean or Dean's delegate.

## **4.18 The J.D./M.S.N Joint Degree Program of Capital University Law School and the School of Nursing of Capital University**

### **4.18.01 Introduction**

In 1993, the faculties of the Capital University School of Nursing and the Capital University Law School agreed to create a joint degree program to enable students to complete both degrees with a substantial reduction in total credit hours. Full participation in the program makes it possible for the student to complete the two degrees by taking (1) necessary prerequisite courses required by the School of Nursing and (2) 104 credit hours of required and elective courses specified by the School of Nursing and the Law School. Without the joint program, a student would have to complete prerequisite courses and at least 36 credit hours in the School of Nursing and 89 credit hours in the Law School. Thus, through participation in the joint program the student's hourly requirement is decreased by 21 credit hours.

### **4.18.02 Advantages of the Joint J.D./M.S.N Program**

A graduate with a J.D./M.S.N is exceptionally well prepared to address the needs of a health care system that is becoming increasingly complex in terms of the need for technical competence, compassionate care, and public accountability. The knowledge and skills gained through simultaneous study in both nursing and law will provide an interdisciplinary base for the graduate to resolve problems in a rapidly changing health care delivery system. Because growing numbers of nurses currently seek a second degree in law, the added career flexibility will be attractive to many nurses.

### **4.18.03 Application for the Joint J.D./M.S.N Program**

- A. Students enrolled in the School of Nursing or the Law School may seek the assistance of the program advisors on each faculty. Prospective students not currently enrolled at Capital University may request additional information about the joint degree program from either:

Office of the Dean, School of Nursing  
Capital University  
2199 East Main Street  
Columbus, Ohio 43209  
(614) 236-6378  
E-mail: [kjasinsk@capital.edu](mailto:kjasinsk@capital.edu)  
Web Site: [www.capital.edu](http://www.capital.edu)

Admissions Office  
Capital University Law School  
303 East Broad Street  
Columbus, Ohio 43215  
614-236-6310  
E-mail: [admission@law.capital.edu](mailto:admission@law.capital.edu)  
Web Site: [www.law.capital.edu](http://www.law.capital.edu)

- B. Persons who desire to enroll in the joint program should thoroughly read both Law School's and School of Nursing's materials prior to scheduling a conference with the joint program advisor in either school. A student who is already enrolled in one school should first talk with that school's

advisor.

- C. Admission into the M.S.N program requires completing and filing its admission application, together with the reported results of the Graduate Record Examination (GRE) with the School of Nursing. Admission into the Law School requires completing and filing its admissions application, together with the reported results of the Law School Admissions Test (LSAT), with the law school.
  - 1. The LSAT examination, required by the Law School, and the GRE, required by the School of Nursing, are administered several times each year. However, the examinations are not given at the same time, or in the same location. Prospective students should consult the admissions offices or publications of the respective schools for further information. (Additional GRE times are available through computer testing at Sylvan Learning Centers.)
  - 2. The joint degree applicant must complete two applications, submit required standardized test scores, pay two application fees, and file a joint degree application with both schools.
  - 3. Because each school admits students separately, admission into either program does not signify or predict admissibility into the other.
- D. A prospective student not already enrolled in either school may apply to both schools at the same time and so indicate by filing a joint degree application with each school. However, the student must elect to start either the M.S.N or the JD program first and complete the basic required courses of that program prior to taking courses in the second program. The basic required courses of the M.S.N program are the nine credit hours of core nursing requirements; the basic requirements of the JD program are the 29 credit hours of the full-time first-year Law School curriculum, which takes one year if enrolled as a full-time student or two years as a part-time student. The applicant is advised to start the law program first, unless first having begun the M.S.N program before entry into law school.
- E. A student enrolled in one program may apply for admission into the other program as outlined in the relevant admissions materials of that school. Also, a joint degree application must be filed with the Registrar of each school.
  - 1. As indicated above, admission into one program does not signify admissibility into the other program. In order to be admitted into the second program, the student must be in good academic standing in the first program and meet all admission requirements of the second program.
  - 2. A current student in either program may apply to be a joint student by notifying the faculty advisor and Registrar of the school in which the student is enrolled, and then applying for admission to the other school.

Because the student is already enrolled in one program, the student ordinarily must complete the basic requirements of the program already begun prior to starting courses in the other program.



For the law student, this means completing those courses required in the first-year day curriculum.

- F. Occasionally an applicant to the joint J.D./M.S.N program seeks to apply, as transfer credit, course work taken at another law school or another M.S.N program. Each program determines how many transfer credits it will accept from another institution.
- 1. The School of Nursing accepts up to nine credit hours of transfer credit from another accredited M.S.N program and the Law School accepts up to 43 credit hours of transfer credit from another accredited law program. However, a course taken at another institution and accepted for transfer credit by the School of Nursing cannot be used to satisfy the nine credit hours that the Law School accepts from the School of Nursing work for credit toward the JD degree. A course taken at another institution and accepted for transfer credit by the Law School cannot be used to satisfy the twelve credit hours that the School of Nursing accepts from the Law School work for credit toward the M.S.N degree.
- 2. The Law School requires all law students to complete a minimum of 43 credit hours at the law school (exclusive of transfer credits or credits earned at other schools with whom the Law School offers a joint degree program). Typically, this requirement only affects students wishing to transfer into the Law School from another law school.

#### **4.18.04 Period of Enrollment**

- A. Normally, the part-time joint degree candidate is able to complete both degrees within five and a half years. The candidate who completes Law School as a day student can complete both programs in four years and three summers.
- B. The Law School requires that the student complete the JD program within seven years from the term in which the student is first enrolled. The combined J.D./M.S.N may easily be completed within six years even by a part-time student. Therefore, there is no need to waive the requirement. Waivers rarely are granted by the Law School, and then only because of extraordinary circumstances, and only for one year.

#### **4.18.05 The Program of Study**

- A. The School of Nursing offers its M.S.N. program on both a full and part-time basis during the evenings, with occasional classes on Saturday mornings. The Law School offers the JD degree either during the day or on a part-time basis. Thus, the candidate can take the law courses either day or evening, but all courses for the M.S.N. are taken during the evening or on Saturday mornings.
- B. With permission of both advisors, a student may, on occasion, take both law and nursing courses during the same semester, providing all basic requirements for both programs have

been fulfilled. Simultaneous enrollment in the School of Nursing and the Law School usually is permitted if all prerequisites have been completed.

1. This means that the student must have fulfilled: (1) the nine credit hours of nursing core requirements, and (2) the 29 credit hours of the full-time first-year Law School curriculum, which takes one year if enrolled as a full-time law student or two years as a part-time student, before the student may begin to take classes concurrently at both the School of Nursing and the Law School.
2. However, the full-time student may never take concurrently more than 16 credit hours in both programs in the same semester. The part-time law student, after completing the 29 hours noted above, may take courses concurrently in both schools, but is prohibited from taking concurrently more than 11 credit hours in both programs at any given time. During summer sessions, the joint degree candidate may not take more than eight credit hours concurrently as a full-time student or six credit hours as a part-time degree student, without the express written permission of the Dean of the Law School or their delegate for law courses and the Associate Dean of the School of Nursing for nursing courses.
3. A student who has completed the nine hours of nursing core requirements and has completed the part-time first-year law program may take appropriate summer session courses in the nursing program, the law program, or both.
- C. Joint degree students registered only in one school should communicate periodically with the other school. Each school's Registrar automatically continues to mail registration materials to the joint degree candidate until it is determined that the candidate no longer wishes to receive them. It is the joint degree student's responsibility to notify both the Law School Office of Records and Registration and the Registrar for the School of Nursing Graduate Program of changes in either their permanent or local mailing address.
- D. The joint degree student may complete both course requirements together, or complete one ahead of the other. Because each school grants academic credit for some courses successfully completed in the other school:
  1. to be eligible to receive the J.D. degree, the joint degree student must successfully complete 18 credit hours in the nursing program.
  2. to be eligible to receive the M.S.N. degree, the joint degree student must successfully complete 12 credit hours in the law program.

The joint degree student must notify the registrar of each school at the appropriate time to receive the degree awarded by each. Degrees are presented at the respective commencements of the two schools.

#### 4.18.06 Definition and Operation of Joint Degree Credit

- A. The M.S.N. program accepts 12 credit hours of law work for its 36 required credit hours to complete the M.S.N. The JD program accepts nine credit hours of nursing work for its 86 required credit hours to complete the JD. The courses in the Law School that can be used for credit towards the M.S.N are set out in Appendix A. The courses in the School of Nursing that can be used for credit towards the JD are set out in Appendix B.
- B. The academic retention rules of the M.S.N program and the Law School program may differ, and interested students are advised to consult with the appropriate advisor.
  - 1. The law student must maintain a 2.00 cumulative grade point average to remain in the law program. Because a C grade or better is considered acceptable at the Law School, a C grade or better earned in a course at the Law School that satisfies the requirements for joint degree credit will be counted as indicated below for joint degree credit.
  - 2. The M.S.N student is required to maintain a cumulative grade point average of 3.00 to remain in the program. Because a B grade or better is considered acceptable at the School of Nursing, a B grade or better earned in a course at the School of Nursing that satisfies the requirements for joint degree credit will be counted as indicated below for joint credit.
- C. Accreditation standards prohibit either program from using transfer credit that has been achieved at a substandard level.
- D. A student enrolled in the J.D./M.S.N joint degree program will have two official transcripts, one from each program. In order to have a complete record, it will be necessary for a joint degree student to request both transcripts.
  - 1. Credits earned in the law program that satisfy the requirements for joint degree credit, will appear on the Law School transcript by course title, semester hours of credit, and letter grade. Those same credits, following an appropriate footnote, will be listed on the School of Nursing transcript by course title and credit hour. The letter grades will not be averaged into the M.S.N cumulative grade average.
  - 2. Credits earned in the M.S.N program that satisfy the requirements for joint degree credit, will appear on the M.S.N transcript by course title, credit hour, and letter grade. Those same credits, following an appropriate footnote, will be listed on the Law School transcript by course title and credit hour. The letter grades will not be averaged into the Law School cumulative grade point average.

#### 4.18.07 The Bar Examination

To be admitted to the practice of law, most states require the successful completion of that state's bar examination. Bar examinations are usually given at least once, and often, as in Ohio, twice a year. A student should consult with the Supreme Court or the Board of Bar Examiners of the

appropriate state about requirements to sit for that state's bar examination. Ohio allows a person to sit for the bar examination upon certification from the Law School Registrar that the student has completed all requirements for the degree.

#### **4.18.08 Appendix A**

##### LAW SCHOOL COURSES THAT WILL SERVE AS JOINT DEGREE COURSES FOR THE SCHOOL OF NURSING

The School of Nursing will accept 12 credit hours of C grade or better work in the following Law School courses for credit toward the M.S.N degree.

##### COURSES HIGHLY RECOMMENDED BY THE SCHOOL OF NURSING

- Bioethics & Law
- Health Law
- Medical Malpractice

##### OTHER APPROVED COURSES

- Administrative Law
- Labor Law
- Labor Arbitration
- Antitrust & Trade Regulation
- Juvenile Law
- Products Liability
- Legislation
- Alternative Dispute Resolution

Other Law School courses may be approved on a course-by-course basis, by the Associate Dean of the School of Nursing, prior to enrollment in those courses.

#### **4.18.09 Appendix B**

##### SCHOOL OF NURSING COURSES THAT WILL SERVE AS JOINT DEGREE COURSES FOR THE LAW SCHOOL

The Law School will accept 9 credit hours of B grade or better work in the following School of Nursing courses for credit toward the JD degree.

- N 610 Nursing Science & Theory
- N 620 Advanced Research in Nursing
- N 630 Systems Theories & Nursing Informatics
- N 755 Seminar/Practicum I
- N 765 Seminar/Practicum II
- N 770 Thesis
- N 785 Project

Other courses taken in the M.S.N program may be approved on a course-by-course basis by the student's Law School advisor and the Associate Dean of the Law School, prior to enrollment in those courses.

## **4.19 The J.D./M.T.S. Joint Degree Program of Capital University Law School and Trinity Lutheran Seminary**

### **4.19.01 Introduction**

In 2001, the faculties of the Trinity Lutheran Seminary and the Capital University Law School agreed to create a joint degree program to enable students to complete both degrees with a substantial reduction in total credit hours. Full participation in the program makes it possible for the student to complete the two degrees by taking (1) 67 quarter (45 semester) credit hours of required and elective courses specified by Trinity Lutheran Seminary and (2) 78 semester (117 quarter) credit hours of required and elective courses specified by the Law School. Without the joint program, a student would have to complete prerequisite courses and at least 88 quarter (59 semester) credit hours in the Seminary and 89 semester (133 quarter) credit hours in the Law School. Thus, through participation in the joint program the student's hourly requirement is decreased by 29 quarter (22 semester) credit hours.

### **4.19.02 Advantages of the Joint J.D./M.T.S. Program**

A graduate with a J.D./M.T.S. is exceptionally well prepared to deal with the complex ethical questions of our time. The knowledge and skills gained through simultaneous study in theology and law will provide an interdisciplinary base for understanding these and other issues in the broadest possible context, and is particularly useful for persons seeking to work in the public policy arena or with religiously based organizations.

### **4.19.03 Application for the Joint J.D./M.T.S. Program**

- A. Students enrolled in the Seminary or the Law School may seek the assistance of the program advisors on each faculty. Prospective students not currently enrolled at Capital University Law School or Trinity Lutheran Seminary may request additional information about the joint degree program from either:

Office of the Dean	Admissions Office
Trinity Lutheran Seminary	Capital University Law School
2199 East Main Street	303 East Broad Street
Columbus, Ohio 43209	Columbus, Ohio 43215
(614) 236-6378	614-236-6310
	E-mail: <a href="mailto:admission@law.capital.edu">admission@law.capital.edu</a>
	Web Site: <a href="http://www.law.capital.edu">www.law.capital.edu</a>

- B. Persons who desire to enroll in the joint program should thoroughly read the Law School's and the Seminary's materials prior to scheduling a conference with the joint program advisor in either school. A student who is already enrolled in one school should first talk with that school's advisor.

- C. Admission into the M.T.S. program requires filing the admission application, together with all other requirements as provided in the Seminary Catalog to the seminary. Admission into the J.D. program requires completing and filing the Law School admission application and the reported results of the Law School Admissions Test (LSAT), together with all other requirements as provided in the Law School view book.
1. The LSAT examination, required by the Law School, is administered several times each year. However, the examinations are not given at the same time, or in the same location. Prospective students should consult the admission office of the Law School or its publications for further information.
  2. The joint degree applicant must complete two applications, submit required standardized test scores, pay two application fees, and file a joint degree application with both schools.
  3. Because each school admits students separately, admission into either program does not signify or predict admissibility into the other.
- D. A prospective student not already enrolled in either school may apply to both schools at the same time and so indicate by filing a joint degree application with each school. However, the student must elect to start either the M.T.S. or the JD program first and complete the “basic requirements” (courses) of that program prior to taking courses in the second program. An M.T.S. student has met the basic requirements after completing 40 quarter hours of course work at the seminary. Normally, this is achieved in one year as a full-time student. The “basic requirements” (courses) of the JD program are the 29 credit hours of the full-time first-year Law School curriculum plus Constitutional Law II and Civil Procedure: Jurisdiction, which takes a year and a half if enrolled as a full-time student and two years if enrolled as a part-time student. The applicant is advised to start the law program first, unless first having begun the M.T.S. program before entry into law school.
- E. A student enrolled in one program may apply for admission into the other program as outlined in the relevant admissions materials of that school. Also, a joint degree application must be filed with the Registrar of each school.
1. As indicated above, admission into one program does not signify admissibility into the other program. In order to be admitted into the second program, the student must be in good academic standing in the first program and meet all admission requirements of the second program.
  2. A current student in either program may apply to be a joint student by notifying the faculty advisor or, in the case of the Law School, the Dean or Dean’s delegate, and Registrar of the school in which the student is enrolled, and then applying for admission to the other school.

Because the student is already enrolled in one program, the student ordinarily must complete the “basic requirements” of the program already begun prior to starting courses in the other program.

- F. Occasionally, an applicant to the joint J.D./M.T.S. program seeks to apply, as transfer credit, course work taken at another law school or another seminary program. Each program determines how many transfer credits it will accept from another institution.
- 1. The Seminary accepts up to 44 credit hours of transfer credit from another accredited M.T.S. program. However, a course taken at another institution and accepted for transfer credit by the Seminary cannot be used to satisfy the credit hours that the Law School accepts from the Seminary for credit toward the JD degree.
- 2. The Law School accepts up to 43 credit hours of transfer credit from another American Bar Association accredited law school. The Law School requires all law students to complete a minimum of 43 credit hours at the law school (exclusive of transfer credits or credits earned at other schools with whom the Law School offers a joint degree program). A course taken at another institution and accepted for transfer credit by the Law School cannot be used to satisfy the credit hours that the Seminary accepts from the Law School for credit toward the M.T.S. degree.

#### **4.19.04 Period of Enrollment**

- A. The J.D. degree can be earned in three years as a full-time student or four years including three summers as a part-time student. It is possible for a student to accelerate completion of the J.D. degree by one semester. The M.T.S. degree can be earned in two years as a full-time student. A full-time joint degree student can complete the joint J.D./M.T.S. degree in four years and three summers. A part-time joint degree student can complete both degrees within five and a half years. A student pursuing this degree should meet with the advisor to each program to develop a course plan of study.
- B. The Law School requires that the student complete the JD program within six years from the term in which the student is first enrolled. The combined J.D./M.T.S. may be completed within six years with prior planning. Since a student may complete one degree ahead of the other, there is no need to waive the six year requirement if a student wants to extend the time on pursuing the joint degree. Waivers rarely are granted by the Law School, and then only because of extraordinary circumstances, and only for one year.

#### **4.19.05 The Program of Study**

- A. The Seminary offers its M.T.S. program on both a full and part-time basis during the day, with occasional evening classes and regular summer school offerings in June. The Law School offers the JD degree on both a full-time day or part-time day or evening basis. Several elective courses at the law school are only available during the evening.
- B. With permission of both advisors, a student may, on occasion, take both law and seminary courses during the same semester, providing all “basic requirements” for both programs have been fulfilled. Simultaneous enrollment in the Seminary and the Law School usually is permitted

if all prerequisites have been completed.

1. This means that the student must have completed at least 40 quarter hours of credit of the M.T.S. program and (2) the 29 semester credit hours of the full-time first-year Law School curriculum plus Constitutional Law II and Civil Procedure: Jurisdiction (a year and a half if enrolled as a full-time law student and two years as a part-time student) before the student may begin to take classes concurrently at both the Seminary and the Law School.
2. However, the full-time student may never take concurrently more than 16 semester-credit hours (or its equivalent in quarter hours) in both programs in the same semester. The part-time law student, after completing the “basic requirements”, may take courses concurrently in both schools, but is prohibited from taking concurrently more than 11 semester-credit hours (or its equivalent in quarter hours) in both programs at any given time. During summer sessions, the joint degree candidate may not take more than eight semester-credit hours concurrently as a full-time student or six semester-credit hours as a part-time degree student, without the express written permission of the Dean of the Law School or their Delegate and the Academic Dean of the Seminary. (Limitations imposed here are based on academic pedagogy and ABA accreditation standards.)
3. A student who has completed the “basic requirements” of the M.T.S and has completed the part-time first-year law program may take appropriate summer session courses in the M.T.S. program, the law program, or both with permission from the Dean of the Law School or their delegate.
- C. Joint degree students registered only in one school should communicate periodically with the other school. Each school's Registrar automatically will continue to mail registration materials to the joint degree candidate until it is determined that the candidate no longer wishes to receive them. It is the joint degree student's responsibility to notify both the Law School Office of Records and Registration and the Registrar for Trinity Lutheran Seminary of changes in either their permanent or local mailing address.
- D. The joint degree student may complete both course requirements together, or complete one ahead of the other. Because each school grants academic credit for some courses successfully completed in the other school:
  1. To be eligible to receive the J.D. degree, the joint degree student must successfully complete 40 quarter credit hours in the M.T.S. program, of which 12 (8 semester) quarter hours are courses approved as joint degree credit, and all other J.D. degree requirements.
  2. To be eligible to receive the M.T.S. degree, the joint degree student must successfully complete 40 semester credit hours in the law program, of which 16 (24 quarter) semester hours are courses approved as joint degree credit, and all other M.T.S. degree requirements.

The joint degree student must notify the registrar of each school at the appropriate time to



receive the degree awarded by each. Degrees are presented at the respective commencements of the two schools.

#### **4.19.06 Definition and Operation of Joint Degree Credit**

- A. The M.T.S. program accepts 16 semester (24 quarter) credit hours of law work (joint degree credit) for its required 88 quarter credit hours to complete the M.T.S. The JD program accepts 12 quarter (8 semester) credit hours (joint degree credit) of M.T.S. work for its 86 required credit hours to complete the JD. The courses in the Law School that can be used for joint degree credit towards the M.T.S. and the courses in the M.T.S. program that can be used for joint degree credit towards the JD are subject to the approval of the academic dean at the respective school. A joint degree student should discuss with the appropriate academic dean as to whether the course is acceptable as joint degree credit.
- B. The academic retention rules of the M.T.S. program and the Law School program may differ, and interested students are advised to consult with the appropriate advisor.
  - 1. The law student must maintain a 2.00 cumulative grade point average to remain in the law program. Because a C grade or better is considered acceptable at the Law School, a C grade or better earned in a course at the Law School that satisfies the requirements for joint degree credit may be counted for joint degree credit.
  - 2. The M.T.S. student is required to remain in good academic standing at the Seminary, according to the standards provided for in the Seminary catalogue. Trinity's grading system is pass-fail but allows students to elect to receive a passing grade. A joint degree student is required to receive and must request a letter grade for any course to be used for joint degree credit. Because a C or better and is an acceptable grade at the Seminary, a grade of C earned in a course at the Seminary that satisfies the requirements for joint degree credit will be counted for joint degree credit.
- C. Accreditation standards prohibit either program from using transfer credit that has been achieved at a substandard level.
- D. A student enrolled in the J.D./M.T.S. program will have two official transcripts, one from each program. In order to have a complete record, it will be necessary for a joint degree student to request both transcripts.
  - 1. Credits earned in the law program that satisfy the requirements for joint degree credit, will appear on the Law School transcript by course title consistent with Law School policy. Those same credits, following an appropriate footnote, will be listed on the Seminary transcript.
  - 2. Credits earned in the M.T.S. program that satisfy the requirements for joint degree credit, will appear on the M.T.S. transcript by course title consistent with Seminary policies. Those same credits, following an appropriate footnote, will be listed on the Law School transcript by course title and credit hour. The letter grades will not be averaged into the Law School cumulative grade point average.

#### **4.19.07 Graduation Requirements**

Each joint degree candidate must satisfy the graduation requirements of each school. Graduation requirements may be found in each school's bulletin or catalogue.

#### **4.19.08 The Bar Examination**

To be admitted to the practice of law, most states require the successful completion of that state's bar examination. Bar examinations are usually given at least once, and often, as in Ohio, twice a year. A student should consult with the Supreme Court or the Board of Bar Examiners of the appropriate state about requirements to sit for that state's bar examination. Ohio allows a person to sit for the bar examination upon certification from the Law School Office of Records and Registration that the student has completed all requirements for the degree.

## 4.19.09 Curriculum

### Master of Theological Studies

Required Core Courses (37-38 Eight Quarter Hours)

ID1001 Introduction to Theological Studies

#### Bible Division Courses

BL1021 Old Testament I

BL1022 Old Testament II

BL1041 New Testament I

BL1042 New Testament II

#### History Theology Society Division

HTS1041 Systematic Theology I

HTS1042 Systematic Theology II

HTS2031 Lutheran Identity

Or HTS2032 Reformed Identity

Or HTS2033 African American Church Heritage

Or HTS2034 Denomination Heritage

HTS3031 Being Lutheran in America

Or HTS3032 Denominational History

#### Ministry Division

MN1031 Ministry of Worship

Or MN 2041 Ministry of Education

Or one of the Arts Option Courses

#### Elective Courses

50 51 Quarter hours of Elective courses, including 8 semester hours of approved course work from Capital University Law School. At least 32 quarter hours of elective courses must be in an area of concentration such as theological ethics. Elective courses may include focused independent studies.

#### Language

The student may be required to take Greek, Hebrew or to show proficiency in another language depending on the student's course of study.

#### Thesis Substitute

Students may in lieu of elective courses complete a 6

quarter hour thesis. See Seminary Catalogue.

### Juris Doctor

#### J.D. Required Courses

Contracts I and II	6 hours
Property I and II	5
Torts I and II	5
Criminal Law	3
Legal Analysis Research and Writing	4
Constitutional Law I & II	6
Civil Procedure: Rules	3
Civil Procedure: Jurisdiction	3
Evidence	4
Federal Personal Income Tax	3
Professional Responsibility	2

#### Electives

Forty-two hours of elective courses of which 12 quarter hours (8 semester hours) may be met from approved course work from Trinity Lutheran Seminary as joint degree credits.

#### Perspective Requirement

All students are required to take a course that exposes students to the philosophy of law or to a comparative nature of legal systems. Perspective courses are listed in the registration materials for each term.

#### Upper-class Writing

All students are required to prepare an in depth research paper prior to graduation. (See Law School Manual of Policies and Procedures)

## 4.20 Master of Laws in Business, Taxation and Business and Taxation

### 4.20.01 Requirements

A student may earn a Master in Laws in either Business, Taxation or Business and Taxation by satisfying the following requirements, in addition to the course requirements of the specific degree.

- A. Applicants for Master of Laws in Business, Taxation, or Business and Taxation
  - 1. The applicant must have earned a J.D. or LL.B. from an ABA accredited law school.
  - 2. The applicant must demonstrate aptitude to undertake graduate legal tax or business studies. Factors considered include: law school academic record (preference is given to those graduating in the top-half of their law school class); published and unpublished relevant written work; nature and duration of legal or tax/ business-related work experience.
  - 3. Each applicant must demonstrate successful completion at the law school level of the following courses:
    - a. LL.M in Taxation or LL.M in Business & Taxation: (1) a federal personal income taxation course; and (2) a basic business association course(s) (including agency, partnership and corporations).
    - b. LL.M in Business: (1) a federal personal income taxation course; (2) secured transactions (UCC Article 9); and (3) a basic business associations course(s) (including agency, partnership and corporations).

Applicants are eligible to enroll in the J.D.-level courses to fulfill these prerequisite courses.

- B. Applicants for Masters of Taxation
  - 1. The applicant must have earned a baccalaureate degree at an institution accredited by one of the six regional accrediting affiliates of the American Council on Education.
  - 2. The applicant must have successfully completed 24 semester hours (36 quarter hours) of accounting courses; preference is given to candidates with a B average or better, or those in the upper half of the class at the baccalaureate level.
  - 3. The applicant must demonstrate aptitude to undertake graduate tax or business studies. Factors considered include: (1) accounting and undergraduate academic record; (2) published and unpublished relevant written work; (3) nature and duration of accounting experience, including possession of professional certificates such as the CPA or the CMA; and/or (4) the score achieved no earlier than five years prior to the application on a nationally competitive admission examination such as the LSAT, GMAT or GRE.

4. The applicant must have completed a basic taxation course and a business law course (including agency, partnership and corporation law) in the accounting baccalaureate program.

C. International Students

1. The applicant must have earned a J.D. or LL.B. from an accredited foreign law school.

2. The applicant must provide TOEFL scores. The minimum acceptable score on the manual test is 600; the minimum acceptable score on the computerized test is 250. In lieu of TOEFL scores, the applicant may provide GMAT, GRE or LSAT scores.

The applicant must secure appropriate visas for entry into the United States.

#### 4.20.02 Admission Process

A. Applicants in all graduate law degree programs must complete the following process:

1. Complete a printed or on-line application.

2. Request that official transcripts be sent directly to the Graduate Law Programs office from the awarding institution. Official transcripts must be sent for all post-high schoolwork undertaken regardless of whether it resulted in a degree.

3. Submit the application fee of \$25.00.

4. Although not required, letters of recommendation are considered if submitted by the applicant.

5. Each applicant must submit a personal statement detailing the non-quantifiable qualities that he or she possesses. Applicants may also submit a resume or *curriculum vitae*.

6. Each applicant must complete a personal interview with the executive director of Graduate Law Programs. If the applicant is unable to personally appear in Columbus, a telephone interview is arranged.

B. The J.D./LL.M Program (3 ½ Year Program): Capital University Law School J.D. students that have successfully completed Federal Personal Income Taxation are eligible to provisionally enter the J.D./LL.M program. Upon completion of their J.D. degree and upon admission to the LL.M. program, these students may transfer 12 credits of required or eligible elective courses for which they have a cumulative GPA of at least 2.75 into the LL.M program of their choice. These students can complete both a J.D. and an LL.M in three and a half years. Students also have the option of completing their LL.M on a part-time basis.

C. Transfer Credits: Students that have obtained their J.D. at an ABA accredited law school may, subject to director approval, transfer six credits of advanced tax courses (beyond a basic federal personal income taxation course) into the LL.M in Taxation program, cutting their overall credit requirements by a full one-third.

### 4.20.03 Degree Requirements

A. Students must complete 24 credit hours of required and elective coursework for the selected program and achieve a 2.75 grade point average within a six-year period. Course requirements for the Master of Laws in Taxation or Masters of Taxation follow. Course requirements for the Master of Laws in Business and Master of Laws in Business and Taxation may be found in Section 4.20 and Section 4.21, respectively.

B. Course Requirements for LL. M in Taxation or M.T.

#### 1. Required Courses

Advanced Individual Income Tax Problems	2
Taxation Research & Communication I	2
Taxation Research II/Tax Policy Seminar	2
Introduction to Tax Procedure	2
Tax and Professional Responsibility	2
Corporate Tax	3
Partnership Tax	3
Total Required	16

Required courses must be taken in the semester prescribed.

#### 2. Elective Courses 8

(See view book or Course Descriptions for a listing of tax electives)

An LL.M in Taxation or M.T. student may take up to four hours of graduate business law classes.

C. Academic Standing:

1. The student must remain in academic good standing while a student in the program. The student must achieve a 2.75 cumulative grade point average or better upon attempting nine (9) credit hours to continue to register for classes in a graduate program. Any student whose grade point average is below a 2.75 cumulative grade point average after attempting nine (9) credit hours must petition the Graduate Council for permission to continue their studies. If permission is granted, the student is on academic probation and not in good academic standing. In order to receive a degree, the student must have a minimum cumulative grade point average of 2.75.

2. A student who fails to meet the requirements of 4.19.01(C)(1) may petition the Graduate Council for permission to continue as a student.

D. A full time student may take up to 12 hours of graduate course work in any semester. A part time student may take up to 6 credit hours of course work in any semester

#### **4.20.04 Grading**

The graduate programs utilize a modified 4.0 scale: The point value of grades is as follows:

A	Outstanding	4.00
A-	Excellent	3.67
B+	Very Good	3.33
B	Good	3.00
B-	Acceptable	2.67
C+	Acceptable	2.33
C	Minimum for Credit	2.00
E	Failure	0

#### **4.20.05 Changes in Required or Elective Courses**

The Graduate Council and Law Council reserve the right and do periodically change course requirements as well as add and delete courses. Students are required to meet the requirements in effect at the time they begin the LL.M program, unless otherwise provided the Graduate and/or Law Council. Students in the three and one half year program, begin the LL.M program only when they have completed all of their J.D. requirements.

## 4.21 Master of Laws in Business

### 4.21.01 Requirements

A student may earn an LL.M. in Business degree. This section does not attempt to set forth all requirements for earning the LL.M. in Business degree, but only those related to required and elective courses. For the general requirement related to the LL.M. in Business see Chapter 4.19 of the Manual of Policies and Procedures.

- A. The student must satisfy the following pre requisite courses:
1. Business Associations I and II or the equivalent (especially Corporations)
  2. Secured Transactions or the equivalent (UCC Article 9)
  3. Federal Personal Income Tax or equivalent (introductory federal tax course)

If not taken prior to receiving the JD degree, the student must take them; the student, however, will receive no credit toward the LL.M in Business degree for taking these pre requisite courses.

- B. The student must take the following 12 credit hours of required courses, which may be satisfied if taken as a J.D. student:
1. Corporate Finance                      3 credits
  2. Taxation of Business Entities \*   3 credits
  3. Business Planning \*\*                2 credits
  4. A policy perspective course relating to the business sector being studied by the student (2 or 3 cr.) (E.g. Tax and Professional Responsibility; Tax Policy, Law and Economics, or Corporate Governance)
  5. The student must complete a substantial research paper of at least 30 pages, which is submitted for grade in one of the LL.M. courses or seminars. The student must receive a minimum grade of C on the paper.

\* If the student is unable to schedule the Taxation of Business Entities course, the student may petition the Program Director to take either Corporate Taxation or Partnership Taxation.

\*\* With permission of the Program Director, a course more suited to the student's area of concentration may be substituted for the Business Planning course. (E.G. If the area of study is Labor and Employment Law, the student may be permitted to substitute Labor Arbitration in place of Business Planning.)



C. Additional Course Requirements and Concentration of Law Study

1. Students pursuing an LL.M. in Business must select one of the following areas of concentration: (1) Finance/Corporate Governance, (2) Small Business, (3) Regulatory, (4) Dispute Resolution, (5) Taxation, (6) Labor and Employment, and (7) Intellectual Property. Concentrations are based upon courses the Law School intends to offer for at least 3 years. However, the Law School reserves the right to add or delete concentrations and/or courses within these concentrations depending upon course availability, course enrollment, or additional course development.
2. The student must take at least 8 of their remaining credit hours from the list of courses provided within the selected concentration area.
3. Following is a list of the concentration areas and the courses:

<b><u>Finance/Corporate Governance</u></b>	<b><u>Small Business</u></b>	<b><u>Regulatory</u></b>
Antitrust	Entrepreneurship Law	Antitrust
Mergers & Acquisitions	Consumer Law	Energy Law
Real Estate Finance	International Sales	Environmental Law
Corporate Counsel	Consumer Bankruptcy	Hazardous Waste
Securities Regulation	Business Bankruptcy	Immigration Law
Corporate Taxation	Accounting Problems for Lawyers	Environmental Practicum
International Taxation I and II	Limited Liability Companies	Health Law
Business Bankruptcy	Partnership Taxation	Insurance Law
International Sales		
<b><u>Dispute Resolution</u></b>	<b><u>Labor and Employment</u></b>	<b><u>Intellectual Property</u></b>
Mediation	Employment Law	Intellectual Property
Negotiation	Labor Arbitration	Computer Law
Arbitration*	Employment Discrimination	Patent Law
Dispute Resolution	Labor Law	Copyright Law
DR in the Healthcare Industry*	Mediating Workplace Conflicts	
DR in Domestic Law*		
DR / Selected Regulatory Issues*		
DR Systems Development*		
DR Practicum*		
Mediating Workplace Conflicts		

\*These courses are under development. Check with the Director of Graduate Programs or Office of Records and Registration to determine availability.

4. Students are expected to take the remaining number of credits (approximately 5-6 credits) needed to earn the LL.M. in Business degree (24 credits) from courses related to the students' area of concentration. Course selections are subject to the approval of the Program Director if the selected courses are outside of the courses listed under each concentration.

5. Students also may enroll in courses (including approved seminars) not listed in subsections (C)(1) thru (C)(4), inclusive, totaling no more than four credit hours of course work, upon the approval of the program director after a showing by the student that the courses desired by the student are part of a coherent plan of the student with particular career objectives.

#### **4.21.02 Changes in Required or Elective Courses**

The Graduate Council and Law Council reserve the right and do periodically change course requirements as well as add and delete courses. Students are required to meet the requirements in effect at the time they begin the LL.M. program, unless otherwise provided by the Graduate and/or Law Council. Students in the three and one-half year program begin the LL.M. program only when they have completed all of their J.D. requirements and are fully accepted into the program.

## **4.22 LL.M. in Business and Taxation/Business or Tax Concentration**

### **4.22.01 Introduction**

A student may earn an LL.M in Business and Taxation degree with either a business or tax concentration. This section does not attempt to set forth all requirements for earning the LL.M in Business and Taxation degree, but only those related to required and elective courses.

### **4.22.02 LL.M. in Business and Taxation/Tax Concentration**

- A. The student must successfully complete the 14 credit hours of course work required to earn the LL. M in Taxation degree. These courses are:
1. Advanced Income Tax Problems            2 cr
  2. Taxation Research & Communications I   2
  3. Taxation Research II, Current Issues Seminar, Tax Policy Seminar or Thesis        2
  4. Corporate Tax   3
  5. Partnership Tax            3
  6. Tax And Professional Responsibility       2
- B. The student also must enroll in the Business Planning Practicum, Corporate Finance, and must elect 5 credit hours of course work from one of the concentrations for students pursuing the LL.M in Business degree. These courses include Corporate Finance, Business Research and the elective courses listed in the categories of Regulation of Business, Commercial, and Labor and Employment in the LL.M. in Business degree. (See §4.21.03 (B)(3) for a listing of courses.)

### 4.22.03 LL.M. in Business and Taxation/Business Concentration

The student must successfully complete the following requirements:

- A. Required Courses
  - 1. Corporate Finance 3
  - 2. Taxation of Business Entities \* 3
  - 3. Business Planning Practicum \*\* 2
  - 4. A policy perspective course of the business sector being studied by the student (2 or 3 credits) (E.g. Tax and Professional Responsibility, Tax Policy, Law and Economics, or Corporate Governance)
  - 5. The student must complete a substantial research paper of at least 30 pages, which is submitted for a grade in one of the LL.M. courses or seminars. The student must receive a minimum grade of C on the paper.
    - \* If the student is unable to schedule the Taxation of Business Entities course, the student may petition the Program Director to take either Corporate Taxation or Partnership Taxation.
    - \*\* With permission of the Program Director, a course more suited to the student's area of concentration may be substituted for the Business Planning course. (e.g. If the area of study is Labor and Employment Law, the student may be permitted to substitute Labor Arbitration in place of Business Planning.)
- B. Additional Course Requirements and Concentration of Law Study
  - 1. Students pursuing an LL.M. in Business and Taxation/Business Concentration must select one of the following areas of concentration: **(1) Finance/Corporate Governance, (2) Small Business, (3) Regulatory, (4) Dispute Resolution, (5) Labor and Employment, and (6) Intellectual Property.** Concentrations are based upon courses the Law School intends to offer for at least 3 years. However, the Law School reserves the right to add or delete concentrations and/or courses within these concentrations depending upon course availability, course enrollment, or additional course development.
  - 2. The student must take at least 8 of their remaining credit hours from the list of courses provided within the selected concentration area.

3. Following is a list of the concentration areas and the courses:

<b><u>Finance/Corporate Governance</u></b>	<b><u>Small Business</u></b>	<b><u>Regulatory</u></b>
Antitrust	Entrepreneurship Law	Antitrust
Mergers & Acquisitions	Consumer Law	Energy Law
Real Estate Finance	International Sales	Environmental Law
Corporate Counsel	Consumer Bankruptcy	Hazardous Waste
Securities Regulation	Business Bankruptcy	Immigration Law
Corporate Taxation	Accounting Problems for Lawyers	Environmental Practicum
International Taxation I and II	Limited Liability Companies	Health Law
Business Bankruptcy	Partnership Taxation	Insurance Law
International Sales		
<b><u>Dispute Resolution</u></b>	<b><u>Labor and Employment</u></b>	<b><u>Intellectual Property</u></b>
Mediation	Employment Law	Intellectual Property
Negotiation	Labor Arbitration	Computer Law
Arbitration*	Employment Discrimination	Patent Law
Dispute Resolution	Labor Law	Copyright Law
DR in the Healthcare Industry*	Mediation of Workplace Disputes	
DR in Domestic Law*		
DR / Selected Regulatory Issues*		
DR Systems Development*		
DR Practicum*		
Mediation of Workplace Disputes		

\*These courses are under development. Check with the Director of Graduate Programs or Office of Records and Registration to determine availability.

C. Elective Courses – Students must select additional electives so as to meet the 24 credit hour graduation requirement. At least four credit hours must come from the list of taxation courses permitted or required for a student pursuing the LL.M. in Taxation degree (See LL.M. in Taxation for a partial listing of LL.M. in Taxation courses).

#### **4.22.04 Changes in Required or Elective Courses**

The Graduate Council and Law Council reserve the right and do periodically change course requirements as well as add and delete courses. Students are required to meet the requirements in effect at the time they begin the LL.M program, unless otherwise provided by the Graduate and/or Law Council. Students in the three and one-half year program, begin the LL.M program only when they have completed all of their J.D. requirements.

## **4.23 LL.M./ MBA or M.T./MBA Joint Degree Program of Capital University Law School and the School of Management of Capital University**

### **4.23.01 Introduction**

Capital University School of Management (SOM) and Capital University Law School offers a joint LL.M./MBA and joint M.T./MBA program. Without the joint program, a student would have to complete prerequisite courses, as needed, and 40 hours in the School of Management and 24 hours in the LL.M/M.T. program. Under the auspices of the joint program, the School of Management will award its students nine hours of elective credit for taking the LL.M program; the Law School will award its LL.M/M.T. students four elective credit hours for completing the MBA program. Thus, through participation in the joint program, the student's hourly requirement is decreased by 13 credit hours.

It should be noted that a student may not simultaneously pursue a “triple” combined degree, i.e., a joint J.D./LL.M/MBA.

### **4.23.02 Advantages of the Joint LL.M./MBA Program**

Frequently, business executives, accountants, and attorneys recommend to middle management or to senior associates that they consider acquiring either an LL.M/ M.T. degree or an MBA. Both courses of study are extremely useful in the business and legal communities. An individual holding both degrees should be able to progress even faster, utilizing the joint training in law and business to better achieve both professional and personal goals. Obviously, having both degrees would provide the graduate with the flexibility of pursuing more advanced opportunities in law or business.

### **4.23.03 Application to the Joint J.D./MBA Program**

- A. Students enrolled in either the School of Management or the Law School may seek the assistance of the program advisors. Prospective students not currently enrolled at Capital University may request additional information about the joint degree program from either:

Office of the Dean	Graduate Law Programs Office
Capital University	Capital University Law School
School of Management	303 East Broad Street
1 College and Main	Columbus, Ohio 43215
Columbus, Ohio 43209	(614) 236-6444
(614) 236-6679	E-mail: <a href="mailto:culsgradlaw@law.capital.edu">culsgradlaw@law.capital.edu</a>
Web Site: <a href="http://www.capital.edu">www.capital.edu</a>	Web Site: <a href="http://www.law.capital.edu">www.law.capital.edu</a>

- B. Persons who desire to enroll in the joint program should read thoroughly the relevant materials of both the Graduate Law Program and the School of Management prior to scheduling a conference with the joint program advisor in either school. A student already enrolled in one school should first talk with that school's advisor.
- C. Admission into the MBA program requires completing and filing its admissions application, together with the reported results of the GMAT, with the School of Management (SOM); the School of Management has indicated that it will also accept LSAT scores in lieu of GMAT scores for joint graduate program students; the LSAT must have been taken within five years of application to the joint degree program. Similarly, admission into either the LL.M or M.T. program requires completion and filing of the appropriate admissions application and other required documentation to the Graduate Law Programs Office.
  - 1. The joint degree applicant must complete two applications, submit the required standardized test score to the School of Management, pay two application fees, and file the joint degree application with both programs.
  - 2. Because each school admits students separately, admission into either program does not signify or predict admissibility into the other.
- D. A prospective student not already enrolled in either school may apply to both schools at the same time and so indicate by filing the joint student application with both schools.
- E. The student already enrolled in one program may apply for admission into the other program as outlined in the relevant admissions materials of each school and be considered a joint LL.M/MBA or MT/MBA student. Also a joint degree application must be filed with the Office of Admission of each school.
  - 1. As indicated above, admission into one program does not signify admissibility into the other program. In order to be admitted into the second program the student will have to be in good standing in the first program and meet all admission requirements of the second program. However, a student who is near completion of one program, but who has not yet commenced the other program, may not be able to realize the full benefits of the joint degree program.
  - 2. A current student in either program may apply to be a joint student by notifying the faculty advisor and registrar (Law School) or registrar (SOM) of the school in which the student is already enrolled, and then applying for admission to the other school.
- F. Occasionally an applicant to the joint LL.M/MBA program seeks to apply, as transfer credit, course work taken at a school other than Capital University.

The School of Management accepts up to nine hours of transfer credit from another accredited MBA program (usually about three courses) and the Graduate Law Program accepts up to 6 credit hours of advanced taxation transfer credit from another accredited law program, which may only be applied to the LL.M in Taxation program. However, a course taken at another institution and accepted for transfer credit by SOM cannot be used to satisfy the nine credit hours that the Graduate Law Program accepts from SOM work for credit toward the LL.M degree. A course taken at another institution and accepted for transfer credit by the Graduate Law Program cannot be used to satisfy the nine credit hours that the School of Management accepts from the Graduate Law Program work for credit toward the MBA degree.

#### **4.23.04 Period of Enrollment**

- A. The School of Management normally requires the student to complete the 40 credit hours required to obtain the MBA within five years from the semester in which the student is initially enrolled in MBA 600 (Business and Society). Because the joint degree program requires completion of many more hours than the MBA, the SOM faculty has agreed to waive the five-year rule, providing the student is making satisfactory progress towards completion of both degrees. The student must seek and receive permission for waiver of this time period by formalized written application to the SOM faculty outlining a planned completion.
- B. The Graduate Law Program requires that the student complete the 24 credit hours required for the LL.M or M.T. program within six years from the term in which the student is first enrolled. The combined LL.M/M.T.-MBA may easily be completed within six years even by the part-time student. Therefore, no need exists to waive the requirement. Waivers rarely are granted by the Law School, and then only because of extraordinary circumstances, and only for one year.

#### **4.23.05 The Program of Study**

- A. The School of Management offers its MBA primarily during the evening, with occasional classes on Saturday mornings, on a part-time basis. The Law School offers the LL.M and M.T. degrees during the evening on a part-time or full-time basis.
- B. With the permission of both advisors, a student may take both law and business courses during the same semester. Simultaneous enrollment in the School of Management and the LL.M or M.T. program usually is permitted.

However, the full-time student may never take concurrently more than 16 credit hours in both programs in the same semester. The part-time LL.M or M.T. student, may take courses concurrently in both schools, but is prohibited from taking concurrently more than 11 credit hours in both programs at any given time. During summer sessions, the joint degree candidate may not take more than eight credit hours concurrently as a full-time student or six credit hours as a part-time degree student, without the express written permission of the Associate Dean of the Law School for law courses and the Dean of the School of Management for MBA courses.



- C. Joint degree students registered only in one school should communicate periodically with the other school. Each school's registrar automatically continues to mail registration materials to the joint degree candidate until it is determined that the candidate no longer wishes to receive them. It is the joint degree student's responsibility to notify both the Law School Registrar and the SOM registrar of changes in either their permanent or local mailing address.
- D. Because SOM and the Law School are on different calendars and may on occasion offer special courses at times and on a schedule, which creates conflicts with the calendar and course and exam schedules of the other school, students may not always be able to take courses offered in the curriculum of the MBA program or the Law School. Students with scheduling problems should talk with the advisor at the school affected. However, there may be occasions in which a solution to scheduling conflicts cannot be resolved such that the student may have to postpone taking a desired course.
- E. The joint degree student may complete both course requirements together, or complete one ahead of the other. Because each school grants academic credit for some courses successfully completed in the other school:
  - 1. to be eligible to receive the LL.M. or M.T. degree, the joint degree student must successfully complete 18 credit hours in the MBA program at the 600, 700, and 900 levels.
  - 2. to be eligible to receive the MBA degree, the joint degree student must successfully complete all Graduate Law Program courses being used as MBA Electives (joint degree credits) as well as the other MBA core courses.

The joint degree student must notify the registrar of each school at the appropriate time to receive the degree awarded by each. Degrees are presented at the respective commencements of the two schools.

#### 4.23.06 Definition and Operation of Joint Degree Credit

- A. SOM accepts up to nine hours of law work for its forty required hours to complete the MBA, i.e., SOM uses nine hours of specified law courses in place of nine hours of MBA electives. The courses in the Graduate Law Program that can be used for credit towards the MBA are set out in Appendix A. The Graduate Law Program will allow a law candidate to use any four hours in the MBA Core (600, 700, and 900 levels) to count towards its 24 credit hour degree requirement.
- B. The academic retention rules of the School of Management and the Law School differ, and interested students are advised to consult with the appropriate advisor.
- C. Accreditation standards prohibit either program from using transfer credit that has been achieved at a substandard level.
  - 1. The LL.M or M.T. student must maintain a 2.75 cumulative grade point average to remain in the graduate law program. Because a C grade or better is considered acceptable and receives credit in the Graduate Law Program, a C grade or better earned in a course at the Graduate Law Program that satisfies the requirements for joint degree credit will be counted as indicated below for joint degree credit.
  - 2. The MBA student must achieve a cumulative 3.0 G.P.A. to graduate with the degree. A course taken in the MBA program will be counted for joint degree credit only if it satisfies the requirements for joint degree credit and only if the student earns a B or better.
- D. A student enrolled in the LL.M or M.T./M.B.A. joint degree program will have two official transcripts, one from each program (LL.M or M.T. and M.B.A.). In order to have a complete record, it will be necessary for a joint degree student to request both transcripts.
  - 1. Credits earned in the law program that satisfy and are to be counted for joint degree credits, will appear on the Law School transcripts by course title, credit hour and letter grade. Those same credits, following an appropriate footnote, will be listed on the SOM transcript by course title and credit hour. The letter grades will not be averaged into the MBA cumulative grade average.
  - 2. Credits earned in the MBA program that satisfy and are to be counted for the joint degree credits, will appear on the MBA transcript by course title, credit hour and letter grade. Those same credits, following an appropriate footnote, will be listed on the Law School transcript by course title and credit hour. The letter grades will not be averaged into the Law School cumulative grade point average.

## 4.23.07 APPENDIX A

### CAPITAL LAW SCHOOL LL.M./MASTERS OF TAXATION COURSES THAT WILL SERVE AS JOINT DEGREE CREDIT

(Courses listed below may change from time to time. Consequently, this list may not reflect courses currently being offered at the law school. Additionally, new courses may be added to the curriculum and not appear on this list. Students are advised to check the Course Descriptions appearing in the Manual of Policies and Procedures or contact the law school registrar.)

1. Required LL.M. in Taxation or Master of Taxation for Accountants Required Courses

- Advanced Individual Income Tax Problems
- Taxation Research and Communication I
- Taxation Research II
- Introduction to Tax Procedure
- Tax and Professional Responsibility
- Corporate Tax
- Partnership Tax

2. A partial listing of elective tax courses includes:

- S Corporations and Advanced Pass-Through Entities
- Tax Reorganizations
- Consolidated Income Tax Returns
- Advanced S-Corporation Planning
- Advanced Partnership Issues
- Limited Liability Corporations
- Problems in Mergers and Acquisitions
- Advanced Problems in Corporate Acquisitions
- Estate and Gift Taxation
- Income Taxation of Trusts and Estates
- Estate Planning Practicum
- Tax Controversies
- Tax Litigation Seminar
- Qualified Retirement Plans
- Executive Compensation
- International Taxation I and II
- Transnational Taxation
- Accounting Problems of Lawyers
- State and Local Taxation
- Real Estate Taxation
- Exempt Organizations
- Timing Problems
- Insurance Taxation
- Charitable Giving
- Divorce and Tax
- Sales and Use Tax

3. LL.M in Business and Taxation and LL.M in Business Courses

- Corporate Finance
- Business Planning Practicum
- Business Research
- Creditors' Rights
- Commercial Paper
- International Sales
- Consumer Law
- Antitrust and Trade Regulation
- Unfair Trade Practices
- Securities Regulation
- Health Law
- Energy Law
- Entrepreneurship Law
- Labor Law
- Employment Law
- Employment Discrimination
- Labor Arbitration
- Law of Professional Sports
- Corporate Counsel