



**Student Handbook**  
Fall 2013

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# INTRODUCTION

Faulkner Law  
Fall, 2013

I have read the 2013-2014 Student Handbook, and I understand that its provisions apply to me as a student at Faulkner Law. I understand that from time to time the handbook may be updated while I am a student and that those changes will apply to me unless otherwise noted. Other University policies may apply and may also be changed from time to time. If there appears to be a conflict between the University's printed policies and the School of Law's policies, the School of Law's policies shall supersede.

I have read the Honor Code in the 2013-2014 Student Handbook, and I understand that, as a student at Faulkner Law, I am subject to the provisions of that code.

From time to time, the University or the law school takes photographs of classroom sessions or other settings to use in promotional literature or for other reasons. Law students should be aware that their presence in class and attendance at the law school may mean that at times they will be photographed. By attending school, law students authorize the university and its employees, agents, and personnel acting on behalf of the university to use and reproduce their likeness or photograph for purposes related to the educational mission of the university. Such contemplated purposes include, but are not limited to, use in the publicity, marketing, recruitment, and promotion of various university programs. Additionally, the university reserves the right to use the photograph or likeness of any student in accordance with this policy when the student is present either as a spectator or as an active participant at any event relating to, involving, hosted, sponsored, or produced by the University or the law school.

A student or student organization of the law school is prohibited from using any university mark or law school's mark, including, but not limited to, the university's or law school's name, logo, seal, or other related mark without explicit written permission from the Dean or the Dean's designee.

Faulkner Law  
Fall, 2013

I have read the 2013-2014 Student Handbook, and I understand that its provisions apply to me as a student at Faulkner Law. I understand that from time to time the handbook may be updated while I am a student and that those changes will apply to me unless otherwise noted. Other University policies may apply and may also be changed from time to time. If there appears to be a conflict between the University's printed policies and the School of Law's policies, the School of Law's policies shall supersede.

I have read the Honor Code in the 2013-2014 Student Handbook, and I understand that, as a student at Faulkner Law, I am subject to the provisions of that code.

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Signature

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Print Name

---

Student Number

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Date

Faulkner University  
 Thomas Goode Jones School of Law  
 Schedule of Classes – Fall Semester 2013

(Tentative) 7/1/2013

| <u>Time</u>                  | <u>Rm</u> | <u>MONDAY</u>  |         | <u>TUESDAY</u>                                  |     | <u>WED.</u>  |         | <u>THURSDAY</u>                                 |           | <u>FRIDAY</u>  |
|------------------------------|-----------|--|---------|---|-----|--|---------|---|-----------|--|
| <b>8:30</b><br>-             | 114       | Evidence A<br>6431-01<br>Lester                      |         |   | 114 | Evidence A<br>6431-01<br>Lester                      |         |   | 114       | Evidence A<br>6431-01<br>Lester                      |
| <b>9:40</b>                  | 208       | Evidence B<br>6431-03<br>Yates                       |         |   | 208 | Evidence B<br>6431-03<br>Yates                       |         |   | 208       | Evidence B<br>6431-03<br>Yates                       |
| <b>8:30</b><br>-             | 180       | Crim. Law<br>A<br>5420-01<br>L.Smith<br>(until 9:40) | 114     | Foundations<br>of Law X<br>5360-01<br>Hammond   | 180 | Crim. Law<br>A<br>5420-01<br>L.Smith<br>(until 9:40) | 114     | Foundations<br>of Law X<br>5360-01<br>Hammond   | 180       | Crim. Law<br>A<br>5420-01<br>L.Smith<br>(until 9:40) |
| <b>9:45</b>                  |           |  | 208     | Foundations<br>of Law Y<br>5360-03<br>MacLeod   |     |  | 208     | Foundations<br>of Law Y<br>5360-03<br>MacLeod   |           |  |
|                              |           |  | 155     | Foundations<br>of Law Z<br>5360-05<br>McFarland |     |  | 155     | Foundations<br>of Law Z<br>5360-05<br>McFarland |           |  |
|                              |           |  | 180     | Secured<br>Transactions<br>7344-01<br>Dees      |     |  | 180     | Secured<br>Transactions<br>7344-01<br>Dees      |           |  |
| <b>8:30-</b><br><b>11:30</b> |           |  | CT<br>2 | Trial Adv.<br>for Comp.<br>7374-01<br>Lester    |     |  | CT<br>2 | Trial Adv.<br>for Comp.<br>7374-01<br>Lester    |           |  |
| <b>9:00</b><br>-             |           |  |         |   |     |  |         | Mediation<br>Clinic<br>7348-01<br>Dunham        |           |  |
| <b>10:30</b>                 |           |  |         |   |     |  |         |   |           |  |
| <b>9:00</b><br>-             |           |  | Cln     | Family<br>Vio. Clinic<br>7372-01<br>TBA         |     |  | Cln     | Elder Law<br>Clinic<br>7375-01<br>Craft         |           |  |
| <b>11:00</b>                 |           |  |         |   |     |  |         |   |           |  |
| <b>10:00</b><br>-            |           |  | 114     | Civ. Pro. I B<br>5241-03<br>Vega                |     |  | 114     | Civ. Pro. I B<br>5241-03<br>Vega                |           |  |
| <b>10:50</b>                 |           |  |         |   |     |  |         |   |           |  |
| <b>10:00</b><br>-            |           |  |         |   |     |  |         |   | HH<br>109 | Torts A&B<br>5450-01<br>5450-03<br>Garner            |
| <b>11:10</b>                 |           |  |         |   |     |  |         |   |           |  |

| <b>Time</b>                  | <b>Rm</b> | <b>MONDAY</b>   |     | <b>TUESDAY</b>                              |           | <b>WED.</b>   |     | <b>THURSDAY</b>                             |         | <b>FRIDAY</b>                                |
|------------------------------|-----------|---|-----|---|-----------|---|-----|---|---------|--|
| <b>10:00<br/>-<br/>11:15</b> | 122       | LRW I 1 (A)<br>5339-01<br>TBA   | 208 | Advanced<br>Crim. Pro.<br>8349-01<br>DeBoer | 122       | LRW I 1 (A)<br>5339-01<br>TBA   | 208 | Advanced<br>Crim. Pro.<br>8349-01<br>DeBoer |         |  |
|                              | 215       | LRW I 3 (B)<br>5339-03<br>TBA   | 122 | Pre-trial<br>Practice<br>8312-01<br>Keele   | 215       | LRW I 3 (B)<br>5339-03<br>TBA   | 122 | Pre-trial<br>Practice<br>8312-01<br>Keele   |         |  |
|                              | 151       | LRW I 5<br>(A/B)<br>5339-05<br>TBA                                      | 215 | Childrens<br>Rights<br>8374-01<br>Howell    | 151       | LRW I 5<br>(A/B)<br>5339-05<br>TBA                                      | 215 | Childrens<br>Rights<br>8374-01<br>Howell    |         |  |
|                              | 114       | Con Law I<br>A<br>6345-01<br>Garman                                     |     |   | 114       | Con Law I<br>A<br>6345-01<br>Garman                                     |     |   |         |  |
|                              | 208       | Con Law I<br>B<br>6345-03<br>Olree                                      |     |   | 208       | Con Law I<br>B<br>6345-03<br>Olree                                      |     |   |         |  |
|                              | 180       |   |     |   | 180       |   |     |   |         |  |
|                              | 155       | Remedies A<br>7343-01<br>Campbell<br><br>Remedies B<br>7343-03<br>Keele |     |   | 155       | Remedies A<br>7343-01<br>Campbell<br><br>Remedies B<br>7343-03<br>Keele |     |   |         |  |
| <b>10:00<br/>-<br/>1:00</b>  |           |   |     |   |           |   |     |   | CT<br>2 | Trial Adv.<br>for Comp.<br>7374-01<br>Lester |
| <b>12:00<br/>-<br/>12:50</b> | 215       | Externship<br>8108-01<br>8229-01<br>8309-01                             |     |   |           |   |     |   |         |  |
| <b>1:00-<br/>2:10</b>        | HH1<br>09 | Torts A&B<br>5450-01<br>5450-03<br>Garner                               |     |   | HH<br>109 | Torts A&B<br>5450-01<br>5450-03<br>Garner                               |     |   | 180     | Crim. Law<br>B<br>5420-03<br>L.Smith         |



| Time      | Rm        | MONDAY   |           | TUESDAY   |           | WED.  |     | THURSDAY  |  | FRIDAY |
|-----------|-----------|--|-----------|---|-----------|---|-----|---|--|--------|
| 1:00-2:15 | 155       | Admin. Law<br>8371-01<br>DeBoer                | 122       | LRW I 2(A)<br>5339-07<br>TBA                              | 155       | Admin. Law<br>8371-01<br>DeBoer                                 | 122 | LRW I 2(A)<br>5339-07<br>TBA                    |  |        |
|           | 215       | Pre-trial<br>Practice<br>8312-03<br>Craft      | 155       | Conflict<br>of Laws<br>8378-01<br>McFarland               | 215       | Pre-trial<br>Practice<br>8312-03<br>Craft                       | 155 | Conflict<br>of Laws<br>8378-01<br>McFarland     |  |        |
|           | 122       | Legislation<br>8321-01<br>Hubbard              | 215       | Health Law<br>8384-01<br>Hammond                          | 122       | Legislation<br>8321-01<br>Hubbard                               | 215 | Health Law<br>8384-01<br>Hammond                |  |        |
| 1:00-3:00 |           |  |           |   |           |   | 151 | Mediation<br>Clinic<br>7348-01<br>Dunham        |  |        |
| 2:30-3:20 |           |  | 180       | Civ. Pro. I A<br>5241-01<br>Campbell                      |           |   | 180 | Civ. Pro. I A<br>5241-01<br>Campbell            |  |        |
| 2:30-3:40 | 180       | Crim. Law<br>B<br>5420-03<br>L.Smith           |           |   | 180       | Crim. Law<br>B<br>5420-03<br>L.Smith                            |     |   |  |        |
| 2:30-3:45 | 155       | Intellectual<br>Property<br>8320-01<br>MacLeod | 122       | LRW I 4 (B)<br>5339-09<br>TBA                             | 155       | Intellectual<br>Property<br>8320-01<br>MacLeod                  | 122 | LRW I 4 (B)<br>5339-09<br>TBA                   |  |        |
|           | 215       | Appellate<br>Advocacy<br>7360-01<br>Yates      | 208       | Family Law<br>7342-01<br>Howell                           | 215       | Appellate<br>Advocacy<br>7360-01<br>Yates                       | 208 | Family Law<br>7342-01<br>Howell                 |  |        |
|           |           |  | 215       | Int. Bus. Lit.<br>8344-01<br>Vega                         |           |   | 215 | Int. Bus. Lit.<br>8344-01<br>Vega               |  |        |
| 2:30-4:20 | FacC<br>R | Sports Law<br>SEMINAR<br>8244-01<br>Dees       | FacC<br>R | Civil Rights<br>Symposium<br>SEMINAR<br>8254-01<br>Garman | Fac<br>CR | Law and<br>Christian<br>Theology<br>SEMINAR<br>8248-01<br>Olree |     | Jurisprudence<br>SEMINAR<br>8246-01<br>Reynolds |  |        |

| Time              | Rm                   | MONDAY   |                | TUESDAY  |                      | WED.   |                | THURSDAY   |  | FRIDAY |
|-------------------|----------------------|--|----------------|--|----------------------|--|----------------|--|--|--------|
| 4:30<br>-<br>5:45 | 215<br><br>LibC<br>R | Environ.<br>Law<br>8381-01<br>Harrison<br><br>Adv. Legal<br>Research<br>7247-01<br>7376-01<br>Farmer/<br>Swanner | 122<br><br>208 | Bankruptcy<br>8375-01<br>Sawyer<br><br>Dispute<br>Res Process<br>7347-01<br>Dunham   | 215<br><br>Lib<br>CR | Environ.<br>Law<br>8381-01<br>Harrison<br><br>Adv. Legal<br>Research<br>7247-01<br>7376-01<br>Farmer/<br>Swanner | 122<br><br>208 | Bankruptcy<br>8375-01<br>Sawyer<br><br>Dispute<br>Res Process<br>7347-01<br>Dunham   |  |        |
| 6:00<br>-<br>7:15 | 215<br><br>122       | Federal<br>Income Tax<br>7373-02<br>Reynolds<br><br>Pre-trial<br>Practice<br>8312-02<br>Mendenhall               | 215<br><br>122 | Immigration<br>Law<br>8341-01<br>Moore<br><br>Land<br>Planning<br>8322-02<br>P.Smith | 215<br><br>122       | Federal<br>Income Tax<br>7373-02<br>Reynolds<br><br>Pre-trial<br>Practice<br>8312-02<br>Mendenhall               | 215<br><br>122 | Immigration<br>Law<br>8341-01<br>Moore<br><br>Land<br>Planning<br>8322-02<br>P.Smith |  |        |

#### **OTHER COURSE NUMBERS**

7167-01 Trial Competition (Greg Allen)  
8110-00 Junior Staff (Law Review)  
8112-00 Senior Staff (Law Review)  
8115-01 Board of Advocates  
8227-00 Editorial Staff (Law Review)  
8385-00 Independent Study  
9099-99 Rigorous Writing

#### **IMPORTANT DATES**

Fall on-site final registration: August 13  
Classes begin: August 14 (Wednesday)  
Last day for late registration or change of courses: August 20 (Tuesday)  
Labor Day Holiday: September 2  
Last day to drop courses: September 10 (Tuesday)  
Advising for Spring Semester registration: October 14 - 23  
Online registration for Spring Semester: October 24 - November 1  
Last day of classes: November 22  
Study days: November 23 - December 2  
Final exams: December 3 - 13

**New Student Orientation Schedule 2013**

**Monday, August 12**

- 7:30 - Noon**     ***Morning Program Presented at Faulkner University's Main Campus, Harris Administration Building – Room 101***
- 7:30 - 8:30     Registration, Student Photographs and Continental Breakfast
- 8:30 - 8:40     Welcome and Introduction of Senior Administrative Staff  
Josh Roberts, Director of Admissions
- 8:40 - 9:00     Welcome and Discussion of Law School Mission  
Charles Nelson, Dean
- 9:00 - 9:45     Welcome and Remarks by Guest Dignitaries  
Roy Moore, Chief Justice of the Alabama Supreme Court  
Todd Strange, Mayor for the City of Montgomery  
Introductions by Paul Smith, Assistant Dean of Administration
- 9:45 - 10:00    Welcome and Remarks by Student Bar Association President and Chief of Staff  
Tyler Evans, S.B.A. President  
Desirae Lewis, S.B.A. Chief of Staff  
Introductions by Anita Hamlett, Associate Dean of Student Services
- 10:00 - 10:15    Introduction Academic Success Program  
Professor Jennifer DeBoer and Professor Dennis Harrison
- 10:15 - 10:30    Introductions of Faulkner Law Library Staff Members  
Robb Farmer, Acting Law Library Director
- Introductions of Staff Members in the Dean's Suite  
Anita Hamlett, Associate Dean of Student Services
- 10:30 - 10:40    Break
- 10:40 - 12:00    Student Honor Code  
Tim Chinaris, Associate Dean for Academic Affairs  
Introduction of Brian Bird, Honor Court Chief Justice
- Student Conduct Code  
Anita Hamlett, Associate Dean for Student Services
- 12:00 - 5:00**     ***Lunch and Afternoon Program Presented at Faulkner University's Main Campus, historic Rotunda Building***
- 12:00 - 1:15     Lunch with Faculty and Student Ambassadors
- 1:15 - 2:30     Perspectives from the Podium  
Panel of Faulkner Law Professors

- 2:30 - 2:40 Break
- 2:40 - 3:45 Student Perspectives on Law School  
Panel of Faulkner Law Students
- 3:45 - 4:30 Introduction to Law School Programs and their Directors  
Professor John Craft, Acting Director of the Law School Clinics  
Professor Joe Lester, Director of the Advocacy Program  
Professor Matt Vega, Faculty Advisor for the *Faulkner Law Review*  
Professor Robb Farmer, Acting Director of Faulkner Law Library  
Mr. Allen Howell, Director of Career Services and Public Interest Program
- 4:30 - 4:35 Closing remarks and adjournment  
Tim Chinaris, Associate Dean of Academic Affairs
- 7:00 - 10:00 Student social event organized by Student Bar Association

Tuesday, August 13

- 7:45 - 11:45 *Morning Program Presented at Faulkner University's Main Campus, Harris Administration Building – Room 101***
- 7:45 - 8:30 Student Photographs and Continental Breakfast
- 8:30 - 9:15 Student Handbook  
Tim Chinaris, Associate Dean of Academic Affairs  
Anita Hamlett, Associate Dean of Student Services
- 9:45 - 10:15 Mitigating the Costs of Law School  
Josh Roberts, Director of Admissions
- 10:15 - 10:30 Break
- 10:30 - 11:15 Introduction to Campus Services Available to Law Students at Faulkner Students  
Pat Morrow, Representative from Project Key  
Michelle Bond and Roxy Wishum, Representatives from Faulkner's Counseling Services  
John Gordon, Representative from Faulkner's Students Services  
Cassie Green, Representative from Faulkner's Financial Aid Office  
Peggy Harris, Representative from the Office of Student Accounts
- 11:15 - 11:45 Alabama State Bar Perspective  
Keith Norman, Executive Director of the Alabama State Bar
- 11:45 – Noon Lawyer's Assistance Program  
Robert Thornhill, Executive Director
- 12:15 - 1:20 *Lunch at Faulkner University's Main Campus, historic Rotunda Building***

- 12:15 - 12:35 Professional Perspectives from  
Anthony Joseph, President, Alabama State Bar
- 12:35 - 1:00 Professional Perspectives  
Tommy Bryan, Justice, Alabama Supreme Court
- 1:00 - 1:20 Administration of Oath of Admission to the Study of Law  
Kelli Wise, Alabama Supreme Court
- 1:20 - 2:00 Break

**2:00 - 3:00** *LRWI Classes*  
*Students will attend this class with their LRW professor noted on the 1L schedule on the website. Classrooms are noted below:*

| <b>Room Assigned at<br/><i>Thomas Goode Jones School of Law Building</i></b> | <b>LRW Professor</b>     |
|--|--------------------------|
| Room 114   | Professor Ashley Hamlett |
| Room 208   | Professor Eric Voigt     |
| Room 122   | Professor Joi Montiel    |

3:00 - 3:15 Break

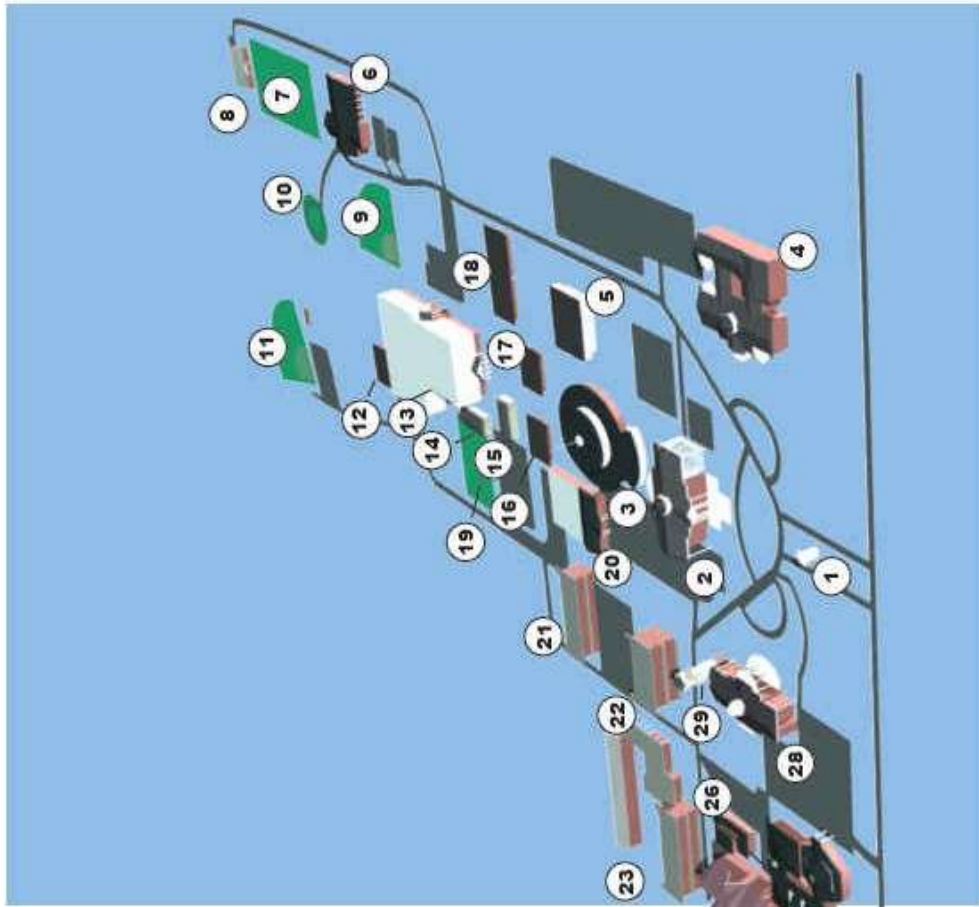
**3:15 - 4:15** *Reception -- In the Atrium of the Marjorie Snook Building that houses Thomas Goode Jones School of Law*

Sponsored by the *Thomas Goode Jones School of Law Alumni Association* and the *Alumni Relations Office* - A great opportunity for incoming students to network with alumni from the local area

**Campus Map**

- 1. Main Entrance & Visitor Information Center
- 2. Harris College of Business (Harris Building)
- 3. E.L. Collum Rotunda
- 4. Thomas Goode Jones School of Law (Marjorie Snook Building)
- 5. Gus Nichols Library
- 6. M.B. "Pop" Myers Fine Arts Center
- 7. John Mark Stallings Football Field
- 8. Leopold D. Lee Family Fieldhouse
- 9. Wynn Softball Field
- 10. Sojourner Park
- 11. Harrison Field (Baseball)
- 12. Maintenance Office
- 13. Tine Davis Gym/Multiplex (Freeman-Harrison Student Multiplex)
- 14. Project Key
- 15. Johnson Annex
- 16. Johnson Hall
- 17. Greer Hall
- 18. Brooks Hall
- 19. Tennis Courts
- 20. J.L. Perry Cafeteria (Bookstore; Mailroom; Café Siena)
- 21. Baldwin Dorm
- 22. Burton Dorm
- 23. Davis Dorm
- 24. Harrison Apartments
- 25. Margaret Harris Women's Residence Hall
- 26. National Lads to Leaders Office
- 27. University Church of Christ
- 28. V.P. Black College of Biblical Studies (Harris-Parker Building)
- 29. Freeman Tower

[www.faulkner.edu](http://www.faulkner.edu)



## **FAULKNER LAW PURPOSE AND PHILOSOPHY**

Faulkner Law is a professional school of Faulkner University, a Christian institution of higher education, offering the Juris Doctor degree. The School of Law shares Faulkner University's mission to glorify God by embracing academic excellence and emphasizing a strong commitment to integrity within a caring Christian environment. The School of Law seeks to prepare students to be practicing attorneys and/or to serve in law-oriented positions in business, industry and government.

As a part of Faulkner University, Faulkner Law is innately influenced by Christian concepts, and a part of its purpose is to provide students with the opportunity to study law in an environment of ethical and moral values. It is the philosophy of the School of Law that members of the bar serve best when they possess, in addition to practical and theoretical legal knowledge, a genuine commitment to high standards of personal conduct and professional responsibility. Therefore, the School of Law seeks to convey to its students not only knowledge of the law, but also an awareness of the responsibilities which accompany the power inherent in that knowledge.

### **HISTORY OF JONES SCHOOL OF LAW**

Montgomery County Circuit Judge Walter B. Jones founded the School of Law in 1928 at the request of several young men and women who wanted to pursue a legal education but could not afford to give up their employment to attend a traditional law school. Judge Jones named the school in honor of his father, Thomas Goode Jones (1844-1914).

Thomas Goode Jones was a farmer, soldier and lawyer. He served as reporter for the Supreme Court of Alabama, was elected Speaker of the House of the Alabama Legislature, and served two terms as Governor of Alabama. In 1901, President Theodore Roosevelt appointed Thomas Goode Jones to serve as the United States District Judge for the Northern and Middle Districts of Alabama. Jones authored the Alabama Code of Ethics, a document that served as a model for the American Bar Association's 1908 Canons of Professional Ethics.

From 1928 until his death in 1963, Judge Walter B. Jones owned and operated the School of Law as a proprietary educational institution. He served as its president, dean and faculty member. Classes were held in his chambers in the Montgomery County courthouse and in his home in downtown Montgomery. Judge Jones selected outstanding local attorneys to serve as faculty members.

The University of Alabama acquired the School of Law from Judge Jones' heir, Charles F. Bennett, in 1972, and transferred the School of Law's assets to Jones Law Institute, a non-profit corporation. In August of 1983, Alabama Christian College (now Faulkner University) purchased the School of Law from the University of Alabama and moved the School of Law to the Faulkner campus.

In the more than 80 years since its founding, the School of Law has produced more than 2,500 alumni who have become practicing attorneys, judges and other contributors to the legal profession and corporate world. Many have found their way to prominence in Alabama's legislative services and have become leaders in the civic, educational, and business life of their communities.

### **FAULKNER UNIVERSITY'S ACCREDITATION**

Faulkner University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane; Decatur, Georgia 30033-4097; telephone number 404-679-4500 ) to award associate, baccalaureate, master and juris doctor degrees. The three-fold purpose for publishing the Commission's address and contact number is to enable interested constituents (1) to learn about the accreditation status of Faulkner University, (2) to file a third-party comment at the time of Faulkner University's decennial review, or (3) to file a complaint against Faulkner University for alleged non-compliance with a standard or requirement. Normal inquiries about Faulkner University, such as admission requirements, financial aid, educational programs, etc., should be addressed directly to Faulkner University and not to the Commission's office.

### **SCHOOL OF LAW ACCREDITATION**

Faulkner Law is fully approved by the American Bar Association (ABA). The School of Law received approval on December 5, 2009.



# MISSION STATEMENT

**Faulkner Law**  
**MISSION STATEMENT**

As part of the Faulkner University community, the School of Law shares Faulkner University's mission to glorify God by embracing academic excellence and emphasizing a strong commitment to integrity within a caring Christian environment.

In its efforts to fulfill this mission, the School of Law endeavors to:

- Provide an excellent legal education in which the faculty engages students in a challenging learning experience designed to promote the students' competent and ethical participation in the legal profession;
- Promote a Christian environment that encourages all members of the law school community to use their abilities to advance the legal profession and benefit society;
- Attract, develop, and retain a highly competent and diverse faculty devoted to teaching, community service, and scholarly research and writing;
- Attract a qualified and diverse student body;
- Provide students with meaningful resources and experiences such as individual academic advising and support, career counseling, clinical, externship, and advocacy opportunities, designed to prepare them for their roles as competent and ethical members of the legal profession;
- Contribute to discussion of the relationship of faith, learning, and the law; and,
- Regularly reassess the program of legal education through on-going strategic planning to assure continual quality and improvement of the program.

# ACADEMIC CALENDAR

7/9/2013

## Academic Calendar 2013-2014

### FALL SEMESTER 2013

|                          |   |
|--------------------------|---|
| August 12-13             | New Student Orientation                           |
| August 13                | Final registration for Fall Semester              |
| August 14                | Classes begin                                     |
| August 17                | Faculty Retreat                                   |
| August 20                | Last day for late registration and course changes |
| August 22 - 26           | Greg Allen Trial Tournament                       |
| September 2              | Labor Day Holiday                                 |
| September 10             | Last day to drop courses                          |
| October 14 - 23          | Advising for Spring Semester registration         |
| October 24 - November 1  | Online registration for Spring Semester           |
| November 22              | Last day of classes                               |
| November 23 - December 2 | Study Days  |
| December 3 - 13          | Final Exams                                       |

### SPRING SEMESTER 2014

|                      |   |
|----------------------|---|
| January 6            | Final registration for Spring Semester            |
| January 8            | Classes begin                                     |
| January 14           | Last day for late registration and course changes |
| January 20           | Martin Luther King, Jr. Holiday                   |
| February 4           | Last day to drop courses                          |
| February __ (Friday) | Fred Gray Civil Rights Symposium                  |
| March 3 - 4          | Online registration for Summer Semester           |
| March 24 - 28        | Spring Holidays                                   |
| March 31 - April 4   | Advising for Fall 2013 registration               |
| April 7 - 11         | Online registration for Fall Semester             |
| April __ - __        | 1L Oral Argument Competition                      |
| April 23             | Last day of classes                               |
| April 24 - 28        | Study Days  |
| April 29 - May 9     | Final Exams                                       |
| May 10               | Commencement                                      |

### SUMMER SEMESTER 2014

|              |   |
|--------------|---|
| May 21       | Final registration for Summer Semester            |
| May 27       | Classes begin                                     |
| May 30       | Last day for late registration and course changes |
| June 13      | Last day to drop courses                          |
| July 4       | Independence Day Holidays                         |
| July 17      | Last day of classes                               |
| July 21 - 24 | Final Exams                                       |

# ORIENTATION MATERIALS

## **PRIMER ON PLAGIARISM**

### **By Louis Sirico (used by permission)**

Law school honor codes and disciplinary rules normally forbid submitting the work of another as one's work in any academic pursuit, whether or not with the consent of the author of the work. Plagiarism violates this rule.

#### **Types of Plagiarism**

1. quoting the words of another without attribution.
2. paraphrasing the words of another with attribution.
3. using the ideas of another without attribution.

The underlying rule is simple: Do not use the words or ideas of another and represent them as your own. Give credit where credit is due. Avoid plagiarism by including a citation to the source.

#### **How Plagiarism Applies to Memos, Briefs, and Other Law School Projects.**

1. **Quotations.** When you quote, give a citation to the source.
2. **Paraphrasing.** If you take another's sentences and change a few words, you still must give a citation. If you paraphrase, do not use quotations, but use a signal, usually see. There is a grey area between paraphrasing and putting something in your own words. You must decide whether or not a citation is necessary. Err on the side of caution. Usually you will want to include a citation, because a citation to authority increases the persuasiveness of what you are saying.
3. **Original ideas.** Closely following the structure of another person's written work falls into this category. For example, taking a few pages from a law review article or treatise and re-writing them in your own words constitutes plagiarism. Debatable cases arise when the structure of another's argument is not particularly original. Again, err on the side of giving credit. A citation increases persuasiveness.
4. **Legal Work Outside Law School.** There, the rules are much looser with regard to paraphrasing and using original ideas. Nonetheless, ignoring one's sources or relying on them too heavily may evidence poor lawyering. In law school, writing legal documents is an academic endeavor, and students must give attribution to sources.
5. **A sense of Proportion.** You need not place a citation after every sentence you write. Excessive cites are unattractive and break the flow of the sentences and your argument. They also suggest that you have avoided thinking and instead have pated together the words of others. This sort of cut-and-paste rarely is effective. In deciding when to cite, use your common sense. If you have questions, ask them before your deadline for submission. Avoid putting yourself and others in an embarrassing position.

## ILLUSTRATION

The left had column is an excerpt from a fictitious law review article. The right had column is a plagiarized version.

The classic cases on the law of lost and found property are worthless guides for a principled court. Authorities frequently cite Armorie v. Delamirie as the major finder's case. The case, however, is about the rights of a finder against those of a subsequent possessor who wrongfully converted the property. The court's brief discussion of the comparative rights of the finder and true owner is dictum. In South Staffordshire Water Company v. Sharman, worker's found gold rings on their employer's property. The court announced a rule accurate as a generality-the owner of a locus in quo presumptively possesses items on the land--when it could have relied on an uncontroversial rule-employees who find things in the course of their employment act as agents of their employers. In reaching its holding, the court entirely misread Bridges v. Hawkesworth, another traditional case. In Hannah v. Peel, the court offered a thorough discussion of the law and then ignored it to reach a curious result.

The classic cases on the law of lost and found property are worthless guides for a principled court. Authorities frequently cite Armorie v. Delamirie as the major finder's case. The court's brief discussion of the comparative rights of the finder and true owner is dictum. The case really is about the rights of a finder against those of a subsequent possessor who wrongfully converted the property. South Staffordshire Water Company v. Sharman concerns workers who found gold rings on their employer's property. Though the court could have rested its opinion on an uncontroversial rule-employees who, in the course of their employment, find personal property act on behalf of their employers-it chose to rely on a rule that is accurate only as a generality-the owner of a locus in quo presumptively possesses items on the land in question. The court betrayed its lack of understanding by misreading Bridges v. Hawkesworth, another standard case. The court in Hannah v. Peel reached a curious conclusion after offering a thorough discussion of the law and then ignoring it.

## COMMENT ON THE ILLUSTRATION

The first two sentences in the right-hand column are the clearest examples of plagiarism. The writer copies them verbatim without quotation marks and without citation. The next two sentences are virtually verbatim, but in reverse order, perhaps to mislead the reader who is familiar with the original article. In the remaining sentences, the writer has rearranged parts of the sentences and changed a few words here and there. Throughout, the writer has employed the organizational structure and substantive ideas of another without giving credit.

By failing to give proper attribution, the writer has reduced the persuasiveness of the argument. Citations to the article would have demonstrated that a published authority shared the writer's view and thus made the argument stronger.



## WHAT TO EXPECT IN LAW SCHOOL

Many people have given you advice and pointers about what to expect in law school. Everyone means well; you need to listen to all the advice and use it as you can in the next few months.

The “Answer” is of a different nature in law school. Generally, beginning law students come to law school expecting to learn the “answers” so they may reproduce the answer on law school exams and make all A’s. When they give what they think are the answers and then make low grades, their first inclination is to blame the professors for being obscure or for grading incorrectly.

The problem may be that the student has given a bottom line answer—a conclusory answer—such as “there is a contract here because all the elements are met.” The student has done all the mental calculation but has kept the reasoning behind the ideas in his or her head. What the professor may really be asking (in addition to whether there is a contract) is WHY there is a contract here...or WHY would the opposing party say there is not a contract here. The answer to the “Why” question goes beyond “because all the elements are met.” It requires laying out the reasoning process you used to get to your bottom line answer. A student said it best when he said, “How you get to the answer is more important than what the answer is.” Pay attention to the different lines of analysis—not just the black letter law. Always try to give the reasoning behind your answer.

Your law school education will be different because the goal is somewhat different: The goal here is to prepare you to teach yourself. The discussion in a law school class is not geared to giving you “answers” as much as it is geared to getting you to see the possible routes of analysis. Some professors will employ the “Socratic” method in class. The professor may ask you to brief a case and will then begin to ask you questions about the case. For every answer you give, the professor will ask another questions. He or she may even pose hypothetical situations which seem far afield from the case at hand, asking you to distinguish that situation from the case you briefed. It seems sometimes that you can give no satisfactory answer. To make matters worse, the professor may leave it to you to resolve the situations on your own.

Expect this type of class and observe what types of questions the professor is asking. He or she may be trying to help you see how far the reasoning of your case would go. Where would the court no longer follow that reasoning? As a lawyer, you will be representing clients who have situations somewhat different from settled law and you will have to make arguments to extend existing law—or you may be trying to convince the court to keep the law as it is and you must be able to distinguish your opponent’s case. These professors are training you to do that.

Do not take criticism personally. Understand, however, that your ideas will be challenged. Peer critiquing can be beneficial in helping you learn to put forth persuasive arguments. No one is trying to attack you personally, but is actually building you up to a level of being able to defend your ideas more credibly.

You may especially feel wounded by the critiques you receive on your writing because you have invested yourself in writing a draft and then the professor may challenge your organization, content, or style. Try to look at the critique objectively and learn from it. Your professors genuinely want to see you improve in the process.

Understand the Sponge theory. If you pour water on a sponge, it will soak in only so far at first. If you continue to pour water on the sponge, it will soak deeper into the sponge. During your first few weeks of law school, you can hold only so much. Persevere and you will continue to gain a deeper understanding as the semester goes on. Much of what you do during the first part of the semester will seem like wasted effort, but is actually necessary for you to understand more deeply. For example, briefing cases is a learned art. Your first briefs will be far longer and will probably include more irrelevant information than those you do as a lawyer. You are learning now what is important. One student wrote, “I consider the day I spent briefing cases wasted time. I had to return to those cases later when I understood more fully what the problem was.” That student was still looking for the bottom line answer. He did not understand he was **learning the process**.

While you have all accomplished a lot, you and your classmates enter law school with different levels of skill, ability, and understanding. At some point after you get to know people, you would do well to form a study group with three or four other students for whom you have a natural affinity. You cannot possibly hear and retain every bit of information to which you will be exposed. Your group will have thought of things you didn’t think of, and their perspectives will broaden your ability to analyze problems.

The question you should be able to answer at the end of a law school course should not primarily be “How much knowledge do I have about Tort law?” although that will be important. Rather, the question should be “Do I know how to analyze a problem to determine whether it involves a tort, and if so, how do I determine the strength of my client’s case?” Likewise, the questions you should be able to answer after the Legal Research and Writing course are “Do I know which sources I need to consult to find the current law on this situation?” and “Do I understand the questions I need to ask to know what the reader needs to know as I write this paper?”

Choose the most efficient way to spend your time. You will hear students complaining about the volume of work they have to do. You will see students who have sloppy habits. They will allow the undergraduate mentality to tell them they deserve a break (“time to go party”) or that they deserve a reward (“time to go party”). Granted, there is as much work to do as there are hours in the day. Before long, you will begin to feel some pressure because there is so much to do and because what you are doing is taxing your mental capacity. The best way to handle the pressure is to do a little bit of the work so the pressure lessens. Time spent complaining is time wasted. Time spent studying is time invested.

Be courteous. You are establishing your reputation now. People here at the law school will get to know you and will form impressions of you which will last long after you have graduated. Your fellow students will be the people who will refer clients to you if you show them your dependable work ethic. These students will be your opponents in court. You want them to think of you as a force to be reckoned with, not as a sloppy lawyer who is half-

prepared. Likewise, your professors may be called upon to give a reference for you even without your knowledge. It is a good idea to remember that at all times. Professors don't mind your disagreeing with them or challenging what they say, but disrespect may do you harm.

Expect one of the most challenging and enjoyable semesters of your educational career. This semester will go by quickly. When you look back, you will value what you learned this semester more than any other semester in law school.

## SETTING YOUR COURSE AND FOLLOWING THROUGH

How do students make good grades in law school?

1. They read and study the material daily.
2. They participate actively in class.
3. They clear up any confusion they have by reviewing the material and having a conference with the professor if necessary.
4. They come to class with single mindedness of purpose. They are there to learn all they can from each class. They have no other purpose.

You are learning a new discipline. Perhaps you have habits from undergraduate days that are inconsistent with what you need to do in law school. Perhaps you have a mind set about how to learn that needs to be restructured. For example, you may have established an undergraduate habit of reading a text minimally, if at all, and would have somehow made an A or a B by studying the night before a test. [“His tests come directly from the class notes. Just memorize them and you’ll make an A.”] That mind set may not be entirely your fault since some undergraduate courses do not challenge students as they should, or some teachers give good grades with little correlation to your true performance in a class. Thus, your “study” habits were reinforced. You did not have to do very much and you still did well

That mind set will not work in law school. IT WILL NOT WORK. You should read and re-read this section during the semester and at the end of the semester when you get your grades. The undergraduate mindset of quick-fix studying will not work here.

**There is a correlation between whether you read and study the material and how much you actually learn.** (And what your grade will be.) Each semester a few students seem to have very little idea about what is going on in class on a given day. There are at least two possible reasons for that blank stare: either (1) the student has read and studied all material diligently but has no aptitude for studying and understanding the law, or (2) the student is clueless because he or she has not read and studied the material. A professor will usually give students the benefit of the doubt and assume that they have studied the assignment diligently; therefore, they develop the idea that the first alternative must be the case for the clueless student.

In most cases, however, the second alternative is correct. Students have confirmed over the years after they get their grades that they did not study adequately. They relied on their undergraduate mindset-thinking they would come out all right in the end no matter how little they did.

Note well: there will be some confusion and lack of understanding during the first few weeks of law school and especially at the beginning of each project in legal writing. That is to be expected when you begin a new learning situation. If you find yourself clueless, you should (1) REVIEW the material that has already been

discussed to see where you left the track and (2) CONTACT your professor to get some help.

Resolve to overcome whatever timidity you may have about pursuing a conference with a professor. Having a conference is not a waste of time, but is an investment of time which will yield valuable results. A student who makes good grades applies the medicine preventively-before the illness becomes critical. The serious student has been pursuing the knowledge diligently. The poor student learns the lesson too late.

## TEN TIPS FROM TOP STUDENTS: HOW TO DO WELL IN LAW SCHOOL

1. I add to my outline daily after classes. I don't wait a month to get started.
2. I like to get the big picture and see the logical order of the course.
3. I have to understand the concept first before I can write about it. I don't do wholesale memorizing, but I do memorize the key phrases.
4. I brief the cases myself. I don't use canned briefs or others people's briefs.
5. I don't just brief the cases. I take notes on the cases.
6. I make my own outlines. I don't rely on someone else's outlines.
7. I clear up any points I don't understand by using supplements, working problems, and asking the professor.
8. I don't Google, chat, text message, or e-mail during class. I'm paying attention.
9. In preparing for exams, I reduce my big outline into a summary of the outline that covers all the main points. Before I begin writing the exam, I jot down my summary.
10. When I read an exam, I look for places where a rule applies. If there's not a rule to apply, I don't write on just "facts" alone. I start from the rule.

## EVALUATING (BRIEFING) CASES

Why do law students brief cases? Why don't law students just memorize laws? The practice of law requires that a lawyer predict the outcome in a given situation. In order to predict, the lawyer may first look up a particular statute, for example, but must then see whether a court has interpreted that statute. Sometimes there is no statutory law to fit the problem at hand. In a common law system, much of the law is found only in specific cases decided by appellate courts. It would be impossible to memorize all the "law" because there is too much. It would also be useless to memorize law, because you don't need to know all of it. You need to know (1) how to find the law relevant to the question you need to answer and (2) how to evaluate the law you find.

Law students study and brief cases for several reasons:

- to learn basic principles of law (for example, what is an "offer?")
- to understand how a principle of law is applied to a specific case to be able to predict how the principle would apply in a case which is factually similar or how the principle could be distinguished in a case that is factually different (if that situation is an "offer," would this situation also be an "offer?")
- to learn the basic framework of law (An offer is one of the requirements of a valid contract. What other elements are required?)
- to learn how a specific principle of law fits the general framework (To form a contract, there must be an offer before there is an acceptance.)
- to get an "explanation" of the law to learn WHY a court decides a case—the court's reasoning. (Why did the court think this communication was an offer? Is the court correct?)

In class, there is no client. You will be reading a cluster of cases to learn the development of a principle. You may be given hypothetical situations (such as a client might bring to you) to test the principle. In order to be prepared, you "brief" the cases beforehand. That is, you extract the essence of the case to be able to understand the principles from the case.

How will you use the brief? You will use the brief to remind yourself in class as to what the case is about as the professor leads you in a discussion. For that reason, write cryptically but clearly. Write so you can see what you need at a glance. Don't be afraid to use plenty of paper and skip lines. Save a place somewhere to take notes. Especially note the line of questions the professor uses. You will also use the brief when you review after class. Ask yourself where you were on target with your analysis and where you were wrong. Correct your notes.

Before you brief, READ the case all the way through. Get an idea of what happened and why. Then go back and begin to extract the important information. Use the following format to insure that you get all you need from the case.

1. Style of the Case – This means the name of the case. For example, W.H. Lucy and J.C. Lucy sued A.H. Zehmer and Ida S. Zehmer. The case is styled Lucy v. Zehmer.

Note that the case is styled after the first party from each side, the last names of the parties only.

2. Citation/court/date – It can be important to know which court decided a case and when the case was decided.
3. Procedural posture – How did the case get to this court? Jot down who the parties are, what the legal claims are, and what happened in the lower court. Often you will see a procedural issue before the appellate court as well as a substantive issue. For example, one procedural issue might be whether the grant of summary judgment by a lower court was proper. The substantive issue might be whether there was substantial evidence of negligent entrustment when a mother let her child have a gun and shot someone.
4. Issue(s) before this court – What question is this court called upon to decide? Put this part before the “facts” because what the issue is determines what the important facts are. Read carefully. Sometimes a court will tell you the issue; sometimes you have to dig. If the court has decided more than one issue in a case, you may need to isolate the facts/holding/reasoning for each issue.
5. Holding – What is the bottom line answer the court came to? Don’t just put “reversed the trial court.” That tells you nothing when you have just been called on in class. Tell yourself the real answer to the question. For example, “The court held that there was not negligent entrustment here because the plaintiff did not establish that the trustee was incompetent, inexperienced or reckless. Therefore, the court affirmed the grant of summary judgment.” It will be easier to go back and study this kind of answer. As with the issue, sometimes a court will tell you clearly what the holding is; sometimes you have to dig.
6. Facts – What are the significant facts a person would need to know to understand the question and answer? What facts determined the outcome? Don’t just copy down all the facts. Write only those facts relevant to the issue and those facts which will help you remember the case. Sometimes you will find the facts in one neat little section of the case; sometimes they are scattered throughout the opinion.
7. Rule applied and resulting rule – What is the rule of law the court is applying in the case? Try to identify the **inherited** rule – the rule in effect BEFORE this case came to the court. The rule could come from case law or statutory law. Then, identify the **processed** rule after you ascertain the court’s reasoning. The processed rule is the rule developed after the court decides this case.
8. Reasons/Policies - What are the reasons the court decided the way it did? Are the reasons sound and valid, or flawed? What policies, if any, does the court consider? What policies will this case affect?

Reasons are the logical steps the court took in reaching its decision. Policy is the reason behind the reason. For example, suppose a boy shoots a BB gun at



a concrete driveway. A BB ricochets from the concrete and hits someone in the eye. A court may hold that a mother who gives her fourteen-year-old son a BB gun is not liable for negligent entrustment because the son had been around guns all his life and had participated in a training class on gun safety. The “because” part is a **reason**. A **policy** behind that reason might be that although accidents happen, not every accident gives rise to a legal action.

An opinion may not state all the reasons the court decided the way it did. It may not state the policies involved. Try to note then where they occur and note what is mission if you can tell.

9. Dicta – Does the court say things which aren’t necessary to the holding but give us some insight into the case?
10. Dissents; Concurring Opinions - Is the decision unanimous, or have some of the judges dissented? A dissent means the judge disagrees with the holding and reasoning in the case. Note the reasons for the dissent. A concurring opinion tells us that a judge may agree with the result in the case but for different reasons. Note the reasons.
11. What did I learn from this case? How does it fit in with the other cases in the assignment? With these questions, you should reflect about the case. See where it fits in the big picture. You might even construct your own hypothetical situations to test the case. Prepare by thinking about what the questions the professor might ask about the case.

## **CHARACTER AND FITNESS REQUIREMENTS AND ADMISSION TO PRACTICE LAW**

Law school graduates must be admitted to the bar of a particular state in order to practice law there. In addition to passing the state's bar examination, a candidate for the bar is required to meet standards of character and fitness and other qualifications in order to be admitted to the bar.

### **A Continuing Duty to Update Your Application for Admission**

Our law school was named after Thomas Goode Jones, who authored the *Alabama Code of Ethics* that served as a model for the American Bar Association's 1908 *Cannons of Professional Ethics*. The American Bar Association's current Preamble to the Model Rules of Professional Conduct requires that "A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs."

All students of Faulkner Law owe a continuing duty to update your law school application to accurately respond to the questions posed therein. You must report in writing to the Associate Dean of Student Services any conviction, guilty plea or plea of nolo contendere (no contest to the charge). This includes traffic offenses. Failure to report or knowingly deceiving the administration of the law school by withholding information can subject a student to disciplinary sanctions, up to and including dismissal, after the right to be heard.

### **Applying for Bar Admission**

**As a law student, you should consult the website of the bar examiners of the jurisdiction(s) in which you wish to be admitted.** A list of the appropriate agency in each state is provided at the website of the National Conference of Bar Examiners at [www.ncbex.org](http://www.ncbex.org). See particularly the link to Bar Admission Survey and the "Comprehensive Guide to Bar Admission Requirements 2013." Particularly, you should try to consult with an official of the bar as necessary to discover whether any past conduct could keep you from becoming admitted to the bar upon graduation from law school.

Before being allowed to register for your second year (2L) at the School of law, you must have completed the enclosed form (on the following page) indicating that you have either 1) complied with your home state's requirements to file as a student, 2) researched and confirm that there is no such requirement in your home state, 3) or received approval by the governing body in your home state to delay filing until after completion of your law school studies. We have added this mandatory process to help our students address any character and fitness issues early in their career.



**Verification of Completion of Student Bar Application**

**Personal Information (Please type or print)**

**Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
\_\_\_\_\_

**Phone Number:** ( ) \_\_\_\_\_ - \_\_\_\_\_

**State bar for which I have/or will apply and phone number for that state bar:**  
\_\_\_\_\_ ( ) \_\_\_\_\_ - \_\_\_\_\_

**I have completed my student bar application in my home state of \_\_\_\_\_.**

**I have not completed my student bar application in my home state of \_\_\_\_\_.  
I have confirmed that no application is due from me prior to graduation. Faulkner is  
authorized to verify these facts, if necessary, using the numbers provided above.**

**Dean's Approval**

**Approved**

**Rejected**

**Comments:**

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

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

## Information about Registration with the Alabama State Bar

### ADMISSIONS OFFICE

(334) 269-1515

Alabama State Bar

[www.alabar.org/admissions](http://www.alabar.org/admissions)

P.O. Box 671 [admit@alabar.org](mailto:admit@alabar.org)

Montgomery, AL 36101

### Two separate filings are required in Alabama:

(A) The Law Student registration, and

(B) The application for registering to take the Bar exam when you graduate.

#### A. The Law Student Registration

1. Law Student Registration Fees –**Required if intending to obtain a third-year practice card or to apply for admission in Alabama.**

- No fee if filed within 60 days of starting law school;
- \$50 fee after 60 days, but within 180 days of starting law school;
- \$100 fee after 180 days, but within 390 days of starting law school; and
- \$250 after **390** days.

2. Law Student Registration

- Applications must be signed and notarized.
- Must be typewritten.
- Must include a passport photograph.
- All questions answered fully.
- Application is continuing in nature.
- All changes, corrections in writing only.
- Forms available from bar, law school or on-line.
- **THIS DOES NOT REGISTER YOU FOR THE BAR EXAM**

3. Most Common Problems

- No fee attached.
- Photos provided are not passport photos.
- Incomplete/incorrect answers.
- Release forms are not signed and notarized.
- Court records are not provided for arrests listed.
- Application forms are not signed and notarized.
- Incorrect information for character references.

## B. Application to Register to take the Alabama Bar Exam (done later, not now)

### 1. Alabama State Bar Application to take the Bar Exam

- Deadlines:
  - October 1<sup>st</sup> – for February Exam
  - February 1<sup>st</sup> – for July Exam
- Fees
  - \$475 – Alabama residents at time of graduation
  - \$750 – Non-residents, admitted to another state
- Bar fee must accompany applications.
- Must be typewritten.
- Must include 2 passport photographs.
- Answer all questions. Absolute candor is required.
- Application is continuing in nature.

### 2. Common Bar Application Problems

- Court records are not included when necessary.
- Incomplete addresses on Character and Fitness references or employers.
- Attorney affidavits are not signed and notarized.
- Bar applications/certificates of good standing from other jurisdictions are missing.
- Deficiencies must be cleared to sit for bar exam.

### 3. Be Particular

- Be neat on the application
- Do not refer to attachments. Fill out information that is requested. Use extra sheets.
- Check the spelling
- Make sure your information is understandable.
- Remember: This is an application to join the legal profession.

### 4. Character and Fitness Issues

- There has been an increase in applicants sent to the C&F Committee.
- Common problems:
  - DUI's
  - Multiple speeding tickets
  - Defaulted student or consumer loans
  - Excessive debt
  - Multiple bankruptcies or recent filing

**FACULTY/STAFF  
DIRECTORIES**

## FACULTY

**Charles B. Campbell, Associate Professor of Law**

B.S., Auburn University, 1988; J.D., University of Virginia School of Law, 1993

**Timothy P. Chinaris, Associate Dean Academic Affairs & Professor of Law**

B.A., Florida State University, 1977; J.D. University of Texas, 1984; M.S. Library and Information Studies, Florida State University, 1996

**John Craft, Clinical Asst. Professor of Law, Acting Director-Clinical/Externships,  
Director-Elder Law Clinic**

B.A., Auburn University, 1993; J.D., Jones School of Law, 2007

**Michael DeBoer, Associate Professor of Law**

B.A., Liberty University, 1992; M.A., Liberty Baptist Theological Seminary; 1993; M.Div., Southeastern Baptist Theological Seminary; 1995; J.D., Valparaiso University School of Law, 1998; LL.M., Indiana University School of Law, 2010

**Alford Jerome Dees, Professor of Law**

B.A., Auburn University, 1984; J.D., Cumberland School of Law, 1995

**Kenneth F. Dunham, Professor of Law**

B.S., David Lipscomb University, 1970; J.D., Atlanta School of Law, 1982; M.D.R., Pepperdine University, 2000; LL.M., Pepperdine University, 2003

**John J. Garman, Professor of Law**

B.A., David Lipscomb University, 1988; J.D., Vanderbilt University, 1991; LL.M., Universite de Driot, d'Economie et des Sciences d'Aix-Marseille, 2000

**Donald W. Garner, Professor of Law**

B.A., University of Texas at Arlington, 1967; J.D., University of Texas, 1971

**Ashley Hamrick Hamlett, Assitant Professor of Law**

B.A., University of North Carolina, 1990; J.D., University of Alabama School of Law, 1993

**Jeff Hammond, Associate Professor of Law**

B.A., Harding University, 1997; M.T.S., Emory University, 2001; J.D., Emory University, 2001

**Shirley D. Howell, Professor of Law**

B.A., Huntingdon College, 1972; J.D., Thomas Goode Jones School of Law, 1981

**Layne S. Keele, Associate Professor of Law**

B.B.A., Freed-Hardeman University, 2001; J.D., Indiana University School of Law, 2005

**Joseph L. Lester, Professor of Law, Director of Advocacy**

B.A., Vanderbilt University, 1995; J.D., University of Kentucky, 1998

**Adam MacLeod, Associate Professor of Law**

B.A., Gordon College, 1997; J.D. University of Notre Dame, 2000

**Robert L. McFarland, Associate Professor of Law**

B.A., Oklahoma Christian University, 1996; J.D., Pepperdine University, 2000

**Kelly McTear, Assistant Clinical Professor of Law, Acting Director-Family Violence Clinic**

B.A., Rhodes College, 2005; J.D., University of Alabama School of Law, 2008

**Joi Tatum Montiel, Associate Professor of Law & Director of Legal Research & Writing**

B.S., Auburn University at Montgomery, 1994; J.D., Thomas Goode Jones School of Law, 2003

**Charles I. Nelson, Dean and Professor of Law**

B.S., Abilene Christian University, 1962; J.D., University of Texas, 1965

**Andy Olree, Professor of Law**

B.B.A., Harding University, 1989; J.D., University of Chicago, 1994

**Thurston H. Reynolds, II, Professor of Law**

B.A., Abilene Christian University, 1974; J.D., University of Texas, 1977; LL.M., New York University, 1981

**F. LaGard Smith, Visiting Professor of Law**

A.A., Florida College, 1964; B.S., Willamette University, 1966; J.D., Willamette University, 1968

**Matt Vega, Associate Professor of Law**

B.A., Freed-Hardeman, 1990; J.D., Yale Law School, 1993

**Eric P. Voigt, Assistant Professor of Law**

B.A., University of North Carolina, 2000; J.D., Indiana University Maurer School of Law-Bloomington, 2003

**Sharon Yates, Distinguished Jurist in Residence**

B.S., University of Alabama, 1975; J.D., University of Alabama School of Law, 1982

*Updated July 10, 2013*



## ADMINISTRATION

**Charles I. Nelson, Dean and Professor of Law**

B.S., Abilene Christian University, 1962; J.D., University of Texas, 1965

**Timothy P. Chinaris, Associate Dean for Academic Affairs and Professor of Law**

B.A., Florida State University, 1977; J.D. University of Texas, 1984; M.S. Library and Information Studies, Florida State University, 1996

**Anita Hamlett, Associate Dean for Student Services**

B.A., The University of Alabama, 1988; J.D., The University of Alabama School of Law, 1992

**Paul M. Smith, Assistant Dean for Administrative Affairs**

B.A., Auburn University, 1962; M.A., Auburn University, 1966

**Joseph L. Lester, Professor of Law, Director of Advocacy**

B.A., Vanderbilt University, 1995; J.D., University of Kentucky, 1998

**Fred L. Clements, Jr., Assistant Director of Advocacy**

B.S., Illinois State University, 1993; J.D., Faulkner University, Jones School of Law, 2007

**Jennifer L. DeBoer, Director of Academic Success**

B.A., Hope College, 1997; M.A., University of Colorado at Colorado Springs, 2005; J.D., Valparaiso University School of Law, 2000

**Norma J. McGee, Director of Development**

B.A., University of West Florida, 1980

**G. Allen Howell, Director of Career Services**

B.A., University of Alabama at Birmingham, 2006; J.D., Faulkner University, Jones School of Law, 2009

**Joshua M. Roberts, Director of Admissions**

B.A., George Washington University, 2002; J.D., University of Memphis School of Law, 2004

**Christopher Kratzer, Communications Coordinator**

B.S., Auburn, Montgomery, 2010

*July 18, 2013*

### **Adjunct Professors**

The following individuals now teach or have recently taught at the law school as adjunct faculty.

**David B. Byrne, Jr., Adjunct Professor**

B.S., The University of Alabama, 1964; LL.B., The University of Alabama, 1966; J.D., The University of Alabama, 1969

**Sue Bell Cobb, Adjunct Professor**

B.A., The University of Alabama, 1978; J.D., The University of Alabama, 1981

**Jim M. Edwards, Adjunct Professor**

B.S., The University of Alabama, 1975; J.D., The University of Alabama School of Law, 1979; LL.M., The University of Alabama School of Law, 1981

**John P. Gray, Adjunct Professor**

B.S., University of North Alabama, 1980; B.A., Heritage Christian University, 1982; M.A., Lipscomb University, 1988; M.B.A., Samford University, 1991; J.D., Faulkner University, Jones School of Law, 1998; LL.M., The University of Alabama Law School, 2005

**Matthew R. Griffith, Adjunct Professor**

B.A., Auburn University, 2005; J.D., Faulkner University, Jones School of Law, 2008

**Del Grissom, Adjunct Professor**

B.S., University of Tennessee, 1984; M.S., National War College, National Defense University, 2004; J.D., University of Tennessee College of Law, 1987

**Dennis D. Harrison, Adjunct Professor and Academic Support Counselor**

B.S., Auburn University, 1977; J.D., Thomas Goode Jones School of Law, 1992

**Parker C. Johnston, Adjunct Professor**

B.S., Auburn University, 1985; J.D., The University of Alabama, 1988

**Katherine MacLeod, Adjunct Professor**

B.S., Dartmouth College, 1996; MPP, Harvard University, John F. Kennedy School of Government, 2004

**Robert L. McCurley, Adjunct Professor**

B.S., University of Alabama, 1963; J.D., University of Alabama, 1966

**Allen Porter Mendenhall, Adjunct Professor**

B.A., Furman University, 2005; M.A., West Virginia University, 2007; J.D., West Virginia University, 2009

**Brian Moore, Adjunct Professor**

B.S., Auburn University Montgomery, 1982; M.S., Auburn University Montgomery 1984; J.D., Jones School of Law, 1989

**Brent Rosen, Adjunct Professor**

B.A., Tulane University, 2005; J.D., University of Alabama School of Law, 2011

**William Sawyer, Adjunct Professor**

B.A., University of Notre Dame, 1978; J.D., Valparaiso University School of Law, 1982

**Katharine Palmer Smith, Adjunct Professor**

B.A., Salem College, 1970; J.D., The University of Alabama, 1973

**W. Brent Woodall, Adjunct Professor**

B.S., Athens State University, 1998; J.D., The University of Alabama, 2002

*Updated July 12, 2012*

## **Library Faculty**

### **W. Robert Farmer, Acting Director of Law Library**

B.A., University of Louisville, 1990; J.D., University of Kentucky College of Law, 1994;  
M.L.S., University of Kentucky, 2003

### **Elizabeth Bradsher, Assistant Director for Cataloging Systems & Service**

B.S., Troy State University, 1987; M.Ed., Auburn University, 1997; M.L.S., University of  
Southern Mississippi, 2006

### **JoAnna Butler, Technical Services Librarian**

B.A., Faulkner University, 2008; M.L.S., The University of Alabama, 2009

### **Georgette Panagotacos, Assistant Director for Collections Management & Research**

B.S., Florida State University, 1984; J.D., Florida State University, 1989; M.L.S., Florida  
State University, 1994

### **Ned Dexter Swanner, Jr., Assistant Director for Electronic Services & Research Librarian**

B.A., Randolph-Macon College, 1988; J.D., Campbell University, Norman Adrian Wiggins  
School of Law, 1991; LL.M., University of Missouri, 1995; M.A., University of Missouri,  
1999

*Updated July 10, 2013*

Faculty Staff Directory  
July 2013

| <b>Employee</b> |          | <b>EXT.</b> | <b>Suite</b> |  |
|-----------------|----------|-------------|--------------|--|
| Bradsher        | DeDe     | 7888        | 171          | <a href="mailto:bradsher@faulkner.edu">bradsher@faulkner.edu</a>         |
| Butler          | Joanna   | 7912        | 133          | <a href="mailto:jbutler@faulkner.edu">jbutler@faulkner.edu</a>           |
| Campbell        | Charles  | 7528        | 244          | <a href="mailto:ccampbell@faulkner.edu">ccampbell@faulkner.edu</a>       |
| Chinaris        | Tim      | 7214        | 235          | <a href="mailto:tchinaris@faulkner.edu">tchinaris@faulkner.edu</a>       |
| Clements        | Fred     | 7973        | 243          | <a href="mailto:fclements@faulkner.edu">fclements@faulkner.edu</a>       |
| Collier         | Lee Ann  | 7169        | 170          | <a href="mailto:lcollier@faulkner.edu">lcollier@faulkner.edu</a>         |
| Craft           | John     | 7975        | 186          | <a href="mailto:jcraft@faulkner.edu">jcraft@faulkner.edu</a>             |
| DeBoer          | Mike     | 7971        | 282          | <a href="mailto:mdeboer@faulkner.edu">mdeboer@faulkner.edu</a>           |
| DeBoer          | Jennifer | 7550        | 261          | <a href="mailto:jdeboer@faulkner.edu">jdeboer@faulkner.edu</a>           |
| Dees            | Jerome   | 7534        | 265          | <a href="mailto:jdees@faulkner.edu">jdees@faulkner.edu</a>               |
| Dunham          | Kenneth  | 7186        | 189          | <a href="mailto:kdunham@faulkner.edu">kdunham@faulkner.edu</a>           |
| Farmer          | Robb     | 7521        | 168          | <a href="mailto:rfarmer@faulkner.edu">rfarmer@faulkner.edu</a>           |
| Garman          | John     | 7532        | 245          | <a href="mailto:jgarman@faulkner.edu">jgarman@faulkner.edu</a>           |
| Garner          | Don      | 7913        | 275          | <a href="mailto:dgarner@faulkner.edu">dgarner@faulkner.edu</a>           |
| Hamlett         | Anita    | 7493        | 240          | <a href="mailto:ahamlett@faulkner.edu">ahamlett@faulkner.edu</a>         |
| Hamlett         | Ashley   | 7970        | 263          | <a href="mailto:ashamlett@faulkner.edu">ashamlett@faulkner.edu</a>       |
| Hammond         | Jeff     | 7211        | 278          | <a href="mailto:jhammond@faulkner.edu">jhammond@faulkner.edu</a>         |
| Harrison        | Dennis   | 7591        | 268          | <a href="mailto:dharrison@faulknr.edu">dharrison@faulknr.edu</a>         |
| Hartley         | Selena   | 7905        | 229          | <a href="mailto:shartley@faulkner.edu">shartley@faulkner.edu</a>         |
| Hodge           | Mary     | 7216        | 170          | <a href="mailto:mhodge@faulkner.edu">mhodge@faulkner.edu</a>             |
| Holden          | Janie    | 7531        | 135          | <a href="mailto:jholden@faulkner.edu">jholden@faulkner.edu</a>           |
| Howell          | Allen    | 7618        | 220          | <a href="mailto:ahowell@faulkner.edu">ahowell@faulkner.edu</a>           |
| Howell          | Shirley  | 7217        | 276          | <a href="mailto:showell@faulkner.edu">showell@faulkner.edu</a>           |
| Johnson         | Jennifer | 7213        | 232          | <a href="mailto:jkjohnson@faulkner.edu">jkjohnson@faulkner.edu</a>       |
| Keele           | Layne    | 7547        | 280          | <a href="mailto:lkeele@faulkner.edu">lkeele@faulkner.edu</a>             |
| Kratzer         | Chris    | 7489        | 243          | <a href="mailto:ckratzer@faulkner.edu">ckratzer@faulkner.edu</a>         |
| Lester          | Joseph   | 7542        | 267          | <a href="mailto:jlester@faulkner.edu">jlester@faulkner.edu</a>           |
| MacLeod         | Adam     | 7527        | 279          | <a href="mailto:amacleod@faulkner.edu">amacleod@faulkner.edu</a>         |
| Mason           | Kama     | 7506        | 221          | <a href="mailto:kmason@faulkner.edu">kmason@faulkner.edu</a>             |
| McFarland       | Rob      | 7549        | 247          | <a href="mailto:rmcfarland@faulkner.edu">rmcfarland@faulkner.edu</a>     |
| McGee           | Norma    | 7495        | 222          | <a href="mailto:nmcgee@faulkner.edu">nmcgee@faulkner.edu</a>             |
| Mohajerin       | Shannon  | 7514        | 232          | <a href="mailto:smohajerin@faulkner.edu">smohajerin@faulkner.edu</a>     |
| Montiel         | Joi      | 7917        | 269          | <a href="mailto:jmontiel@faulkner.edu">jmontiel@faulkner.edu</a>         |
| Nelson          | Charles  | 7220        | 234          | <a href="mailto:cnelson@faulkner.edu">cnelson@faulkner.edu</a>           |
| Olree           | Andy     | 7215        | 277          | <a href="mailto:aolree@faulkner.edu">aolree@faulkner.edu</a>             |
| Panagotacos     | Gigi     | 7559        | 167          | <a href="mailto:gpanagotacos@faulkner.edu">gpanagotacos@faulkner.edu</a> |
| Poole           | Cynthia  | 7449        | 232          | <a href="mailto:cpoole@faulkner.edu">cpoole@faulkner.edu</a>             |
| Reynolds        | Thurston | 7218        | 266          | <a href="mailto:treynolds@faulkner.edu">treynolds@faulkner.edu</a>       |
| Roberts         | Josh     | 7910        | 137A         | <a href="mailto:jroberts@faulkner.edu">jroberts@faulkner.edu</a>         |
| Smith           | Jeri     | 7513        | 232          | <a href="mailto:jsmith@faulkner.edu">jsmith@faulkner.edu</a>             |
| Smith           | LaGard   | 7536        | 242          | <a href="mailto:lsmith@faulkner.edu">lsmith@faulkner.edu</a>             |
| Smith           | Melinda  | 7564        | 170          | <a href="mailto:msmith@faulkner.edu">msmith@faulkner.edu</a>             |
| Smith           | Paul     | 7212        | 237          | <a href="mailto:psmith@faulkner.edu">psmith@faulkner.edu</a>             |

| <b>Employee</b>                 |                | <b>EXT.</b> | <b>Suite</b> |  |
|---------------------------------|----------------|-------------|--------------|--|
| Sumner                          | Cory           | 7219        |              | <a href="mailto:csumner@faulkner.edu">csumner@faulkner.edu</a>   |
| Swanner                         | Ned            | 7515        | 134          | <a href="mailto:nswanner@faulkner.edu">nswanner@faulkner.edu</a> |
| Vega                            | Matt           | 7920        | 281          | <a href="mailto:mvega@faulkner.edu">mvega@faulkner.edu</a>       |
| Voigt                           | Eric           | 7537        | 262          | <a href="mailto:evoigt@faulkner.edu">evoigt@faulkner.edu</a>     |
| Wishum                          | Rachel         | 7520        | 136          | <a href="mailto:rwishum@faulkner.edu">rwishum@faulkner.edu</a>   |
| Yates                           | Sharon         | 7404        | 274          |  |
| Adjunct Office                  |                |             | 174          |  |
| Alabama State Bar               | 334-269-1515   |             |              |  |
| Bookstore                       |                | 7160        |              |  |
| Business Office (Faulkner)      |                | 7165        |              |  |
| Cafeteria                       |                | 7178        |              |  |
| Copier Codes (Beverly Tolliver) |                | 7265        |              |  |
| Crisis Hotline                  | 1-800-273-8255 |             |              |  |
| EFC                             |                | 7171        |              |  |
| Elder Law Clinic                |                | 7578        |              |  |
| Family Violence Center          | 206-2100       |             |              |  |
| Family Violence Clinic          |                | 7915        |              |  |
| Faulkner Counselors             |                |             |              |  |
| Donna Putnam                    |                | 7295        |              |  |
| Michelle Bond                   |                | 7275        |              |  |
| Financial Aid (Cassie Green)    |                | 7803        |              |  |
| JSL Main Line                   |                | 7210        |              |  |
| Law Review Office               |                | 7580        |              |  |
| Library Circulation Desk        |                | 7219        |              |  |
| Library Reference Office        |                | 7533        |              |  |
| SBA Office                      |                | 7581        |              |  |
| Security                        |                | 7250        |              |  |
| Family Violence Center          | 206-2100       |             |              |  |
| Legal Aid                       | 832-4570       |             |              |  |

## Technology Support Numbers

| Call Regarding:   | Transfer To:  |
|---|---|
| <a href="http://www.faulkner.edu">www.faulkner.edu</a><br>Website Issues - PUBLIC SITE – NO LOGIN REQUIRED  | C. Grant and Company<br>630-675-1444 or email<br><a href="mailto:webmaster@faulkner.edu">webmaster@faulkner.edu</a> |
| <a href="http://my.faulkner.edu">My.faulkner.edu</a> ONLINE<br>REGISTRATION- REQUIRES STUDENT TO LOGIN<br>(Question/Problem/Error message, Grades, Holds, Payment Agreement.) | Student Accounts<br>334-386-7165  |

### Informational

|   |  |
|---|--|
| Blackboard  | Candance Barnes<br>334-386-7397  |
| GradesFirst   | Michelle Otwell<br>334-386-7380  |
| iPads/Eagle iAdvantage  | Hunter Traw<br>334-386-7396  |
| Student Network Account Setup or Password Reset   | Refer student to Quick Links>Student Account Setup/Change Password on <a href="http://www.faulkner.edu">www.faulkner.edu</a> |
| <a href="mailto:mail.faulkner.edu">mail.faulkner.edu</a>  | Student Accounts<br>334-386-7165   |
| My.faulkner.edu: Unable to register online or unable to see term history (grades, financial information, etc)   | Student Accounts<br>334-386-7165   |
| My.faulkner.edu: Message received after login <ul style="list-style-type: none"> <li>• We are missing information from our records</li> <li>• Your record is on hold</li> <li>• You have not been assigned an advisor</li> <li>• You are on Financial Aid alert</li> <li>• A degree plan has not been added to your record</li> </ul> | Student Accounts<br>334-386-7165   |

# ACADEMIC POLICIES



## **PART 5 – WRITING REQUIREMENTS**

### **§ 2-501. Rigorous Writing Requirement.**

(a) Among the requirements for the J. D. degree is the satisfactory fulfillment of the Rigorous Writing Requirement. The purpose of the Rigorous Writing Requirement is to give each student a challenging experience in legal research, problem solving, organization, legal reasoning, and legal writing. It may involve interdisciplinary work, the integration of theory and application, probing fundamental legal values, analysis of the current state of the law, and/or advocacy of a particular position. Satisfaction of the Rigorous Writing Requirement must involve a close working relationship with the supervising professor.

(b) The Rigorous Writing Requirement may be satisfied in any of the following ways:

(1) By writing a paper or other document in connection with a seminar (or other upper-level course in which each student is required to write a paper) taught by a full-time faculty member (or, with permission of the Associate Dean for Academic Affairs, by an adjunct faculty member).

(2) By writing an article or comment for potential publication by the Law Review, if the author is a member of the Law Review staff or board. This writing must be under the supervision of a full-time faculty member, but not necessarily the faculty advisor to the Law Review. It must be at least 6,500 words in length, exclusive of footnotes, and must be of such quality that it is, in the opinion of the supervising professor, substantially publishable.

(3) By writing any portion of an appellate brief prepared for and submitted in an interscholastic moot court competition for which the student is entitled to and receives a grade of “P” and course credit pursuant to § 2-450a.

(4) With permission of the Associate Dean for Academic Affairs, by writing a directed research paper under the supervision of a full-time faculty member.

(c) The requirements for a paper satisfying the Rigorous Writing Requirements under (b)(1) or (b)(4) of this section are as follows:

(1) If written in connection with a course, it shall be on some aspect of the subject matter of the course.

(2) It shall be a substantial paper resulting from extensive research. It shall be at least 6,500 words in length, exclusive of footnotes. Each student shall be required to submit a word count, excluding footnotes, with the final draft.

(3) It shall be a product of high caliber that demonstrates the student’s ability to define a research problem and to do legal analysis. It shall be properly footnoted or end-noted in a form approved by the supervising professor.

(4) Before the student is given approval to write the paper, he or she shall submit a 100-200 word executive summary of the proposed paper, explaining the nature of the subject and how he or she plans to cover it.

(5) Prior to the student's submission of a draft, the supervising professor shall examine and approve an outline of the proposed paper.

(6) Prior to the student's submission of the final paper, the supervising professor shall critically evaluate at least one draft of the student's work.

(7) If written in connection with a seminar or other course in which each student is required to write a paper, the final paper must qualify for a grade no lower than C+ or the equivalent thereof. If written as a directed research paper, the final paper shall be of such quality that, if it were written and graded to meet a requirement of a seminar, it would receive a grade no lower than C+ or the equivalent thereof.

(8) Prior to approval of the final paper, the student shall confer with the supervising professor at least twice, and more times if required by the professor.

(d) The Associate Dean for Academic Affairs may waive or modify the provisions of the Rigorous Writing Requirement for any student who attended the law school before the fall semester of 1999.

(e) If the supervising professor approves the final paper, he or she shall complete and deliver to the Associate Dean for Academic Affairs the following certification:

I certify that \_\_\_\_\_ (name of student) \_\_\_\_\_ has written a paper that satisfies the Rigorous Writing Requirement. The student wrote the paper

\_\_\_\_\_ in connection with the course, \_\_\_\_\_; the paper qualified for a grade no lower than C+ (or the equivalent thereof).

\_\_\_\_\_ as an article or comment for the Law Review; the paper is substantially publishable.

\_\_\_\_\_ as directed research; the paper would receive a grade no lower than C+ (or the equivalent thereof) if it were written and graded to meet a requirement of a seminar.

\_\_\_\_\_ as a portion of a brief for an interscholastic moot court competition for which the student is entitled to and will receive (or has received) a grade of "P" and course credit.

\_\_\_\_\_  
Signature of Supervising Professor

\_\_\_\_\_  
Date

*September 21, 2004*  
*Revised January 31, 2006*  
*Revised October 12, 2007*  
*Revised December 7, 2007*

**§ 2-502. Paper Not To Be Used for More than One Academic Purpose.**

(a) A student who submits a paper or other writing for credit in a course or Independent Study shall not submit that paper or writing or a revision thereof or another writing on essentially the same topic (1) for credit in any other course or Independent Study or (2) for fulfillment of a condition to become a member of the Law Review staff.

(b) A student who submits a paper or other writing for fulfillment of a condition to become a member of the Law Review staff or for fulfillment of a condition in connection with an inter-scholastic moot court competition, shall not submit that paper or writing or a revision thereof or another writing on essentially the same topic (1) for credit in a course or Independent Study or (2) for fulfillment of another condition in connection with membership on the Law Review staff.

(c) The rules in this section shall not prohibit a student from submitting a paper for a course or Independent Study and simultaneously using that paper to satisfy the Rigorous Writing Requirement or the prerequisite comment for senior Law Review staff.

*September 21, 2004*

## **PART 6 – PROFESIONAL SKILLS REQUIREMENTS**

### **§ 2-601. Professional Skills Requirement.**

(a) Among the requirements for the J. D. degree is the satisfactory fulfillment of the Professional Skills Requirement. The purpose of the Professional Skills Requirement is to give each student a challenging experience in the development of professional skills to prepare students for the practice of law. “Professional skills” means skills that are generally regarded as necessary for effective and responsible participation in the legal profession.

(b) The Professional Skills Requirement may be satisfied in any of the following courses:

- (1) Advanced Legal Research
- (2) Appellate Advocacy
- (3) Arbitration
- (4) Dispute Resolution Processes
- (5) Elder Law Clinic
- (6) Externship
- (7) Family Violence Clinic
- (8) Interviewing, Counseling, and Negotiation
- (9) Legal Drafting
- (10) Mediation Clinic
- (11) Pre-trial Practice
- (12) Trial Advocacy
- (13) Trial Advocacy for Competition

*January 20, 2005*  
*Rev. September 13, 2005*  
*July 9, 2010*

## CHAPTER THREE ~ ACADEMIC PROGRESS

### PART 1 – J. D. DEGREE

#### § 3-101. Degree Conferred upon Graduates.

The law school confers the Juris Doctor (J.D.) degree upon its graduates.

*September 21, 2004*

#### § 3-102. Graduating Summa Cum Laude.

(a) Students graduating with grade point averages ranked in the top three percent of each graduating class shall be designated *Summa Cum Laude*.

(b) For purposes of § 3-102 through § 3-104, the term “graduating class” shall be defined as all students appearing on the commencement program in May of each year. Honors will be computed based on a student’s grade point average at the conclusion of the student’s penultimate semester and will be re-computed at the conclusion of the student’s final semester. If a student qualifies for honors after either period, the student will be notified of this honor and it will be recorded on the student’s transcript. Only the students qualifying for honors as of the penultimate semester will be recognized at commencement.

*September 21, 2004*

*Rev. February 13, 2007*

*Rev. Nov. 9, 2009*

#### § 3-103. Graduating Magna Cum Laude.

Students graduating with grade point averages ranked in the range of top three percent to top six percent of each graduating class shall be designated *Magna Cum Laude*.

*September 21, 2004*

*Rev. February 13, 2007*

#### § 3-104. Graduating Cum Laude.

Students graduating with grade point averages ranked in the range of top six percent to top fifteen percent of each graduating class shall be designated *Cum Laude*.

*September 21, 2004*

*Rev. February 13, 2007*

### **Part 3 – Course of Study**

#### **§ 3-301. Maximum Loads.**

(a) Full-time students may not register for more than 16 credit hours per semester and part-time students may not register for more than 11 credit hours per semester without first receiving written permission from the Associate Dean for Academic Affairs.

(b) The preceding section notwithstanding, full-time students whose grade point average is 2.5 or higher may not register for more than 18 credit hours per semester.

*September 21, 2004  
Rev. November 14, 2006*

#### **§ 3-302. Changing from Full-time, or from Part-time, Status.**

A student may change from the status of a full-time student to that of a part-time student, or from the status of a part-time student to that of a full-time student, only with the written permission of the Associate Dean for Academic Affairs.

*September 21, 2004*

#### **§ 3-303. Changing Sections of Same Course.**

Students who wish to change sections of the same course may do so only upon written application to the Associate Dean for Academic Affairs and with the approval of the Associate Dean for Academic Affairs and the professors of the two sections.

*September 21, 2004*

#### **§ 3-304. Full-time Student's Study during First Year.**

A first year full-time student must take those courses prescribed by the faculty and may not add or drop classes except that the student may withdraw completely from school. Nor may a first year full-time student change to part-time status during the course of a semester once begun; the student must either complete the semester as a full-time student or withdraw from school.

*September 21, 2004*

**§ 3-305. [Reserved]**

**§ 3-306. Dropping Courses without Cause.**

(a) Subject to the provisions of Sections 3-304 and 3-305 and of Subsection 3-403(c), a student may drop a course or courses at any time prior to the close of business on the fourth Friday of the semester (or, for sessions shorter than a regular semester, at any time prior to the close of business on the day immediately after 27% of the session's classes have met).

(b) To drop a course, a student must submit a timely and properly completed form. A grade of "WP" will be assigned and appear on the student's transcript. The "WP" will not have any effect on the student's grade point average. The University's tuition adjustment policy will apply.

*September 21, 2004*

**§ 3-307. Dropping Courses for Good Cause.**

(a) After the deadline specified in Subsection 3-306(a), subject to the provisions of Sections 3-304 and 3-305 and of Subsection 3-403(c), a student may be allowed to drop without academic penalty a course (or courses) for good cause shown.

(b) "Good cause" shall be limited to well-documented, serious medical problems of the student or an immediate family member or death of an immediate family member.

(c) A request to drop must be in writing, with all supporting documents, and must be delivered to the Associate Dean for Academic Affairs prior to the start of the scheduled final examination for the course.

(d) The request to drop must be approved by both the Associate Dean for Academic Affairs and the instructor of the course.

(e) If the request to drop is approved, a grade of "WP" shall be assigned and appear on the student's transcript. The University's tuition adjustment policy will apply.

(f) If the request to drop without academic penalty is not approved, the same shall be communicated promptly to the student. If the student desires to drop despite the imposition of academic penalty, the student shall be assigned a grade of "WF". The University's tuition adjustment policy will apply.

(g) Once the student has indicated a desire to drop a course despite the imposition of academic penalty, the student shall not be permitted to withdraw from that course by a withdrawal pursuant to Section 3-902.

*September 21, 2004*

**§ 3-308. Retaking Course.**

A student who receives a grade of 0.00 or “WF” in any required course must enroll in that same course in the first subsequent semester in which that course is offered.

*September 21, 2004*

**§ 3-309. Visiting Privileges at Another Law School.**

(a) The Associate Dean for Academic Affairs may approve the petition of a student requesting visiting privileges at an ABA-approved law school or program if (1) the visit would serve the best interests of both the student and Jones School of Law, (2) the petitioner’s cumulative grade point average at the law school is 2.00 or higher, and (3) either

the petitioner has a special interest in taking a concentration of courses in a defined subject matter, and the law school will not be able to offer that concentration of courses during the petitioner’s period of attendance at the law school; or

the petitioner shows that hardship will result if visiting status is not granted. “Hardship” will normally consist of compelling medical or employment circumstances in the petitioner’s family.

(b) In all cases, the petitioner must provide the course description for each course to be taken at the other law school, and receive pre-approval of the course(s) from the Associate Dean for Academic Affairs.

(c) Residence credit shall be granted to students on visiting status.

*September 21, 2004*



## PART 4 – ATTENDANCE

### § 3-401. Requirement of Attendance and Preparation.

Students are required to attend class meetings in the courses for which they are registered, and to be prepared to participate in the class discussion.

*September 21, 2004*

### § 3-402. Attendance for Part of Class.

Each faculty member has absolute discretion to deem absent a student who arrives late for, or leaves early from, a class meeting.

*September 21, 2004*

### § 3-403. Limitation on Number of Absences.

(a) Any first year student whose absences exceed 15% of all classes or any upper division student whose absences exceed 20% of all classes as specified in Section 3-404 shall not further participate in class, shall not be allowed to sit for the final examination, and shall be given a grade of “WF.”

(b) Absences are counted from the first class meeting of the course, regardless of when a student actually registers for a course.

(c) Once a student has been absent from more than the maximum permitted number of class meetings as specified in Section 3-404, the student shall not be permitted to drop the course pursuant to Section 3-306 or 3-307 or to withdraw from the course pursuant to Section 3-902.

*September 21, 2004*

*Rev. April 21, 2005*

*Rev. September 30, 2011*

### § 3-404. Maximum Number of Absences Permitted.

(a) Each semester, the maximum number of absences permitted by the 15% or 20% rule shall be the same for all courses that regularly meet the same number of times each week for the entire semester; for each category of course, such maximum number shall conclusively be deemed the following:

|  | <u>15% rule</u> | <u>20% rule</u> |
|--|-----------------|-----------------|
| Courses regularly meeting 4 times each week all semester | 8               | 12              |
| Courses regularly meeting 3 times each week all semester | 6               | 9               |
| Courses regularly meeting 2 times each week all semester | 4               | 6               |
| Courses regularly meeting 1 time each week all semester  | 2               | 3               |

(b) For summer courses, the maximum number of absences permitted shall be 5. For the externship class, the maximum number of absences permitted shall be 2.

*September 21, 2004*  
*Revised January 31, 2006*  
*Rev. September 30, 2011*

**§ 3-405. Instructor's Discretion to Adopt Stricter Policy.**

A faculty member may, at his or her option, adopt a policy requiring a higher level of attendance and lower the course grade when the student's absences exceed those specified in the policy, provided that said policy is in writing and communicated to students at the first class of the semester.

*September 21, 2004*

**§ 3-406. Procedures.**

After each class, each faculty member shall submit to the Associate Dean for Academic Affairs daily class rosters signed by all students in attendance. The Associate Dean for Academic Affairs shall record dates of absences for each student on a master class roster.

*September 21, 2004*

## **PART 5 – STUDENT EMPLOYMENT**

### **§ 3-501. Employment Limitation on Student Taking More than 12 Hours.**

A student shall not engage in remunerative employment for more than 20 hours per week (whether outside or inside the law school) in any semester in which the student is enrolled in more than 12 semester hours.

*September 21, 2004*

### **§ 3-502. Employment Certification by Student Taking More than 12 Hours.**

(a) At the beginning of each semester in which a student is enrolled in more than 12 semester hours, the student shall sign a statement certifying that the student is not engaged in remunerative employment for more than 20 hours per week and that he or she will not be so engaged during the remainder of the semester.

(b) Signing such a statement that is false is a violation of the Honor Code and shall be grounds for any sanction identified in the Honor Code, including expulsion from the law school.

*September 21, 2004*

### **§ 3-503. Full-time First Year Students.**

Full-time first year students are discouraged from engaging in any type of remunerative employment.

*September 21, 2004*

## PART 6 – EXAMINATIONS

### § 3-601. Time for Final Examinations.

No final examination shall be given at any time earlier than during the examination period which follows the end of the last regularly scheduled class of each session.

*September 21, 2004*

### § 3-602. Length of Final Examinations.

(a) The final examination shall be of suitable length and complexity to serve as an accurate evaluation of scholastic achievement.

(b) The time length of any final examination shall approximate the credit hours assigned to that particular course. However, no final examination shall exceed 3½ hours in length, with the exception of a “take-home” examination.

*September 21, 2004*

### § 3-603. Waiver of Requirement of Final Examination.

The Associate Dean for Academic Affairs shall have the discretion to waive, on a case-by-case basis, the requirement of a final examination in any course designated for a final examination in Part 3 or 4 of Chapter Two.

*September 21, 2004*

### § 3-604. Taking Examinations at Other than Scheduled Times.

(a) Except as provided in subsection (b) or (c) hereof, all students shall take each examination at its scheduled time.

(b) **Before the examination.** Prior to the scheduled time for an examination, only the Associate Dean for Academic Affairs has the authority to permit a student to take an examination at a time other than its scheduled time.

(1) A student shall be granted a departure from the examination schedule for a conflict of examinations scheduled simultaneously. The Associate Dean for Academic Affairs shall post the final examination schedule at least three weeks prior to the last scheduled day of classes. A student claiming a conflict shall notify the Associate Dean for Academic Affairs of the conflict no later than one week after the examination schedule is posted. The Associate Dean for Academic Affairs shall promptly notify faculty members of conflicts, preserving the anonymity of the examination process. The student shall take the make-up examination at such time as shall be determined by the Associate Dean for Academic Affairs.

(2) A student may be granted a short delay from the examination schedule for a course or courses, provided the student or an immediate family member has a serious medical emergency or on account of a death of an immediate family member or on account of other exigent circumstances. The student must petition the Associate Dean for Academic Affairs as soon as possible before the examination and provide credible, objective evidence (e.g., a letter from a licensed medical doctor) of the nature and extent of the serious medical emergency or such evidence of the death of the immediate family member or such evidence of other exigent circumstances. If the petition is approved, arrangements shall be made with the faculty member for the student to take a make-up examination as soon as is practical. Due to the impracticability of maintaining anonymous grading for a make-up examination, the student waives the right to claim a grievance based on arbitrary and capricious grading.

(3) Every reasonable effort shall be made (i) to draft the academic calendar to exclude examinations on religious days of worship and holidays, and (ii) to allow a student with a religious conflict with an examination time to take such examination at another time provided that the conflict has been substantiated to the satisfaction of the Associate Dean for Academic Affairs.

**(c) After the Examination.**

(1) If a student misses an examination without having requested relief pursuant to subsection (b) hereof, the student shall receive a grade of "0.00" for the examination unless the student petitions the Associate Dean for Academic Affairs in writing to make up the examination and the Associate Dean for Academic Affairs grants some form of relief. The Associate Dean for Academic Affairs shall not consider such a petition if the student has requested relief pursuant to subsection (b) hereof; when the Associate Dean for Academic Affairs does consider such a petition, the student shall have the burden of overcoming a presumption that the petition should be denied.

(2) The Associate Dean for Academic Affairs may grant the student permission to make up the examination, or may provide such other relief and/or sanctions as he or she may deem appropriate under the circumstances, after consultation with the affected professor(s). Relief may only be granted under this subsection if the student or an immediate family member had a serious medical emergency or on account of a death of an immediate family member or on account of other exigent circumstances. The student must petition for permission to make up the examination by submitting to the Associate Dean for Academic Affairs a written petition as soon as possible after the examination. The petition should provide credible, objective evidence (e.g., a letter from a licensed doctor) of the nature and extent of the serious medical emergency or of the death of the immediate family member or of other exigent circumstances. The petition must also set forth why the student failed to request relief pursuant to subsection (b) hereof.

(3) If the petition is approved and the Associate Dean for Academic Affairs grants permission to take a make-up examination, arrangements shall be made with the faculty member for the student to take a make-up examination as soon as is practical. Due to the

impracticability of maintaining anonymous grading for a make-up examination, the student waives the right to claim a grievance based on arbitrary and capricious grading.

*September 21, 2004*  
*Rev. November 14, 2006*

**§ 3-605. Examinations Other than Final Examinations.**

(a) The instructor of each class of Civil Procedure I, Criminal Law, Torts, and Foundations of Law shall give an examination during the semester. The instructor of each class shall determine the length and format of the examination for that class, what material will be covered on the examination, whether the examination will be for practice only or for credit (and, if so, how much credit), and what type of feedback the students will get after the examination.

(b) In all classes not described in subsection (a) hereof, each instructor shall decide whether to give an examination during the semester. For any such examination, the instructor shall have control over all aspects of the examination.

*September 21, 2004*  
*Rev. November 5, 2004*  
*Rev. March 31, 2010*

**§ 3-606. Student's Post-examination Review.**

Pursuant to procedures administered by the Assistant Dean for Administration, a student shall be permitted to review his or her examination papers.

*September 21, 2004*

## PART 7 – GRADES

### § 3-701. Preamble.

It is the sense of the faculty that every faculty member should be guided by responsibility and professionalism when assigning grades in any law school course. Responsibility and professionalism include, among other factors, the basic premise that a faculty member should not give students false hope by assigning favorable grades to students who demonstrate little chance of success on the bar examination and in the practice of law.

Faculty members must not be reluctant to assign a “0.00” to any student in any course when the student’s performance demonstrates either an inability to grasp basic concepts of the course or an inability to apply basic analytical reasoning skills in an examination or other performance measure of the student’s course work.

Every faculty member has an ethical obligation to adhere to the grading standards adopted by the faculty. Faculty members teaching different sections of the same course in a semester should confer with each other to make every effort to have consistency in grading for the course.

*September 21, 2004*

### § 3-702. Grading Standards.

(a) The following grade distribution percentages shall be used in every course with twenty or more students with the exception of Legal Research and Writing I and II, Professional Skills courses and seminar courses.

Mandatory norms and ranges for first year courses:

| <u>Grade</u>           | <u>Norm</u> | <u>Mandatory Range</u> |    |     |
|------------------------|-------------|------------------------|----|-----|
| 4.00, 3.67             | 10%         | 0                      | to | 15% |
| 3.33, 3.00, 2.67       | 40%         | 25                     | to | 55% |
| 2.33, 2.00, 1.67       | 40%         | 25                     | to | 55% |
| 1.33, 1.00, 0.50, 0.00 | 10%         | 5                      | to | 15% |

Mandatory norms and ranges for elective courses and for Constitutional Law I and II, Evidence, Business Associations, Professional Responsibility, and Remedies:

| <u>Grade</u>           | <u>Norm</u> | <u>Mandatory Range</u> |    |     |
|------------------------|-------------|------------------------|----|-----|
| 4.00, 3.67             | 15%         | 0                      | to | 25% |
| 3.33, 3.00, 2.67       | 40%         | 25                     | to | 60% |
| 2.33, 2.00, 1.67       | 40%         | 25                     | to | 60% |
| 1.33, 1.00, 0.50, 0.00 | 5%          | 0                      | to | 15% |

(b) Except as otherwise provided in subsection (d) hereof, a faculty member shall not assign grades in a course with a mean in excess of the mean specified in subsection (c) hereof.

Faculty members may, and are encouraged to, assign grades below the maximum mean when appropriate in any course.

(c) The maximum mean grade in each of the first year, first semester courses shall be 2.50. The maximum mean grade in each of the first year, second semester courses shall be 2.70. The maximum mean grade in each of the following courses shall be 2.75: Constitutional Law I and II, Evidence, Business Associations, and Professional Responsibility. The maximum mean grade in Remedies and each elective course in the curriculum shall be 3.00.

(d) The grades of students who fail the course for non-attendance or who withdraw from the course and are assigned a failing grade shall be used in the calculation of the maximum mean. If a student withdraws from a course with the mark of "WP" but has already earned a grade in the course, that grade shall not be used in the calculation of the maximum mean.

(e) Because of the difficulty of applying grading standards in a uniform manner in every course, the faculty and the Associate Dean for Academic Affairs should be guided by Section 3-701 and common sense when applying the grading standards specified in this section. The following are examples of application of the grading standards in special circumstances:

(1) It is possible that a particular course has a disproportionate number of better-than-average students because of the nature of the course material or other factors. Thus, deviation from the maximum mean for a course may be appropriate when the average of the cumulative grade point averages of the students in the course is higher than the maximum mean specified by the grading standards.

(2) A course with very few students presents special problems in applying a maximum mean.

*September 21, 2004*  
*Rev. May 3, 2005*  
*Rev. January 31, 2006*  
*Rev. April 14, 2006*  
*Rev. August 7, 2007*  
*Rev. May 4, 2010*

**§ 3-703. Values.**

(a) The grades and marks assigned at the law school shall have the following values:

|      |                          |
|------|--------------------------|
| 4.00 | 1.33                     |
| 3.67 | 1.00                     |
| 3.33 | 0.50                     |
| 3.00 | 0.00                     |
| 2.67 | 0.00 (Withdrawn Failing) |
| 2.33 | Pass – Satisfactory      |
| 2.00 | Incomplete               |
| 1.67 | Withdrawn Passing        |



(b) Course credit shall not be given for a grade of "0.00" or "WF", but the numerical grade equivalent of 0.00 shall be used in calculating the student's cumulative grade point average.

(c) If a student receives a grade of "0.00" or "WF" in a course, the subsequent successful completion of the course shall not remove the prior failing grade from the student's transcript, and the 0.00 for the prior failing grade shall continue to be used in calculating the student's cumulative grade point average.

(d) Course credit shall be given for a grade of "P", but no numerical grade equivalent shall be assigned and the grade shall not affect the cumulative grade point average.

(e) Course credit shall not be given for a mark of "I" or "WP", and the mark shall not affect the cumulative grade point average.

*September 21, 2004  
Rev. May 3, 2005*

#### **§ 3-704. Class Participation's Effect on Grade.**

A professor may take into account the quality of a student's class participation in determining the course grade, provided this policy is described in writing to students no later than the second class meeting. However, the maximum amount by which a student's participation may positively or negatively influence the student's grade is 0.34.

*September 21, 2004*

#### **§ 3-705. Anonymous Grading.**

(a) In any course in which the final grade is determined in whole or in part by a written examination, all parts of the examination shall be graded anonymously.

(b) In any course in which students may receive credit for factors in addition to the final examination (such as written work submitted during the semester or class participation), the instructor shall make a preliminary submission of each student's (1) examination grade (or score), (2) grade (or score) for each other factor for which credit is being given, and (3) proportionate weighting for each factor. Using that data, the administration shall calculate each student's preliminary grade (or score) and return to the instructor all of those grades (or scores) accompanied only with the students' secret numbers. Taking into account Sections 3-701 and 3-702, the instructor shall then determine the actual grade to be assigned to each secret number.

*September 21, 2004*

#### **§ 3-706. "Pass" Offerings.**

The grade of "P" shall be assigned only in those offerings which are specifically designated for such grade in Parts 3 and 4 of Chapter Two. In each of those offerings, each student shall receive a grade of either "P" or "1.00" or "0.00".

*September 21, 2004*

**§ 3-707. Use of "I"**

- (a) With the approval of the Associate Dean for Academic Affairs, an instructor may assign the mark of "I" when the student is not able to complete the course work by the end of the semester due to circumstances beyond the student's control, such as a change in the law on which the student is writing a paper or a carryover of clinical casework beyond the semester.
- (b) The course work must be completed at the time prescribed by the instructor, but no later than the end of the subsequent semester.
- (c) The mark of "I" shall be replaced with an earned grade only by the instructor after the course work has been completed. A student shall not enroll in the same course taught by a different instructor in order to remove the "I".
- (d) If the course work is not completed at the time prescribed by the instructor, the mark of "I" shall be replaced with the grade of "0.00".

*September 21, 2004*

**§ 3-708. Procedures for Recording Grades.**

- (a) To ensure compliance with the grading standards specified in Section 3-702, all grades shall be submitted to the Associate Dean for Academic Affairs for approval prior to entry on the students' records.
- (b) When the grades submitted violate the grading standards, the Associate Dean for Academic Affairs shall confer with the instructor. The instructor may decide to adjust the grades to comply with the grading standards. If the instructor does not so adjust the grades, any decision to change the grades in order to comply with the grading standards shall be made by the dean upon recommendation of the Associate Dean for Academic Affairs.
- (c) An instructor shall not change any student's grade after the course grade sheet has been submitted to the Associate Dean for Academic Affairs, except for documented mathematical errors or to comply with the grading standards.

*September 21, 2004*

**§ 3-709. Procedures Governing the Appeal of a Final Grade.**

- (a) These procedures are an attempt to ensure fairness in the independent and professional judgment of faculty members with regard to the assignment of final grades for students. These procedures are intended to serve the mission of the law school through the preservation of integrity in the achievement of its academic and professional goals.
- (b) **Right to Petition.** Any student who has received a final grade in a course at the law school may initiate a grievance with regard to the grade by filing a petition with the Academic Standards Committee (referred to in this section as "the committee").

**(c) How and When Petition Is to Be Filed.**

(1) A petition may be filed with the committee by hand-delivering or mailing it to the Associate Dean for Academic Affairs no later than forty-five days after the final grade in question is posted. A petition filed by mailing shall be deemed to have been filed on the date of the postmark of the petition. A petition filed by hand-delivery shall be deemed to have been filed on the date of receipt.

(2) For purposes of calculating the forty-five day period, the day of posting the final grade shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. The committee in its discretion may for good cause shown extend the forty-five day period.

**(d) Form of Petition.** A petition shall be addressed to the chairperson of the committee, must be signed by the petitioner, and shall state all of the following:

- (1) The name and student number of the student filing the petition;
- (2) The title of the course in which the final grade was received;
- (3) The name of the professor who taught the course;
- (4) The date on which the final grade in question was posted;
- (5) The reason(s) the petitioner believes he or she is entitled to relief in accordance with the requirements set forth in subsection (e) hereof; and
- (6) The specific relief requested.

**(e) Requirements of a Grievance Claim.** In order for a petition to state a grievance upon which relief can be granted, it must satisfy the requirements of both subsection (1) and subsection (2) hereof. A petition states a grievance claim upon which relief can be granted if it specifies that:

(1) The petitioner has consulted or attempted to consult with and request relief from the professor involved, and the professor either (i) has refused to consult with the student, or (ii) has not been conveniently available for a period of 15 days after the grade was posted, or (iii) after consultation with the petitioner, has declined to grant relief acceptable to the petitioner;

AND

(2) The grade received was unfair, or substantially inappropriate, for one or more of the following reasons:

- a. An error in computation was made in calculating the grade; or
- b. The grade received was the result of arbitrary and capricious grading by the professor against the student by which the professor did not make a good faith effort to assign final grades in accordance with his or her academic judgment. In addition, if the grade was received in a course graded anonymously, in whole or in part, and the claim of arbitrariness or capriciousness relates to that part of the grade that was anonymous, there must also be an allegation of a breach of anonymity. (Moreover, the student must establish, by a preponderance of evidence, that anonymity was breached.)

(f) **Professor's Academic Judgment.** In no event shall there be an inquiry into the professor's academic judgment or prerogative and responsibility for assigning grades as his or her judgment and conscience dictate.

(g) **When and How the Committee Shall Consider Petition.** The committee shall make every reasonable effort to act on petition within a period of 15 days from the time a petition is filed, during which period the committee shall also give the affected faculty member a copy of the petition. If the petition is not acted upon for any reason within this period, the petition shall be deemed to have been denied.

(h) **Actions and Procedures Available to the Committee in Considering Petition.** The committee, after due deliberation and by majority vote, may take one or more of the following actions and allied procedures in response to a petition:

(1) *Determine that the facts stated in the petition, if true, do not state a grievance upon which relief can be granted:* in which case the committee shall write a decision to that effect and send a copy, with any dissenting opinion, to the petitioner and to the professor.

(2) *Determine that the facts stated in the petition, if true, state a grievance upon which relief can be granted:* in which case the committee shall notify the professor whose actions are the subject of the petition and select a time when the petitioner and the professor can be present for a hearing on the petition.

a. Both the petitioner and the professor shall be permitted to be present during the hearing, but no person shall be required to attend the hearing. The parties may make arguments, answer questions, and offer such evidence as they desire. The committee shall be the judge of the relevance and materiality of the evidence, and conformity to legal rules of evidence shall not be necessary. The committee may limit reasonably any oral presentations.

b. Final Action by the Committee

1. In a case where the committee finds no action is appropriate, the committee shall so notify the petitioner and the professor.

2. If any recommendation is made by the committee, it shall be made to the professor in writing, stating the recommendations and the reasons therefore.

(i) If the professor accepts the recommendations of the committee, the professor may change the disputed grade pursuant to the recommendation of the committee. A professor may acquiesce with the committee's recommendation and initiate the change of grade by forwarding a copy of the recommendation and written acquiescence thereto to the Associate Dean for Academic Affairs, who, upon receipt of same, shall effect the change of grade.

(ii) If the professor declines to accept the recommendation of the committee within a period of three days from receipt of the recommendation, the committee shall then issue a written decision, and provide a copy to the professor and the petitioner. The grade shall be changed only if a majority of the committee finds that the final grade was assigned for one or more of the reasons listed in (e)(2) above; in the case of such a finding, the committee shall provide copies of its written decision to the professor, the petitioner, the faculty, and the Associate Dean for Academic Affairs, who shall effect the change of grade upon receipt of the written decision.

*September 21, 2004*  
*Revised May 16, 2007*

## **PART 8 – RECOGNITION OF ACADEMIC ACHIEVEMENT**

### **§ 3-801. Dean's Honor Roll.**

The Dean's Honor Roll, also commonly known as the Dean's List, is published to recognize students for their outstanding academic achievement in the immediately preceding semester. Students enrolled for eight or more hours in that semester who achieved at least a 3.33 grade point average shall be placed on the Dean's Honor Roll.

*September 21, 2004*

### **§ 3-802. Academic Ranking.**

(a) Each student who matriculates at Jones School of Law shall be ranked at the end of each fall semester and each spring semester he or she completes, except as provided below in § 3-804 (c)(2), (c)(3), and (c)(4).

(b) All rankings shall be based on grade point average.

(c) The office of the registrar shall compose an official class ranking following each semester in conformance with the academic regulations contained herein. Students shall be entitled to request, in writing, and receive their current class rank from the registrar's office. Upon a student's graduation, a student's final class ranking shall appear on his or her official transcript. The following guidelines are to be applied:

(1) First and Second Year Law Students.

Students will be ranked their first and second year of law school against all other students who matriculated with them.

(2) Final Year Law Students.

No student will receive a rank during the fall semester of his or her final year. Any student who completes his or her degree requirements in August or December will not be provided an academic ranking until the following spring along with his or her graduation class.

(3) Students Returning from Leave.

When a student returns from an authorized leave of absence, the Associate Dean for Academic Affairs shall determine and communicate in writing to the registrar with which class of students the returning student shall be ranked.

The Associate Dean for Academic Affairs shall make this decision based upon which group of students most accurately reflects the class peers of the returning student. If the Associate Dean for Academic Affairs determines that no class accurately reflects a returning student's class, the

Associate Dean has the authority to declare that the student will not be ranked.

(4) Transfer Students.

No student who transfers into the school shall receive a class ranking from the school. Students who return to the law school to take courses after a transfer out will not be ranked upon their return to the school.

(5) This ranking system shall be implemented beginning with the class matriculating in the fall of 2011.

*Rev. February 4, 2011*

[NOTE: *The following applies to students who matriculated prior to August 2011.*

§ 3-804. *Academic Rankings.*

(a) *All full-time and part-time students who began law school at Jones School of Law shall be grouped for ranking into the following groups:*

(1) *Students who have completed 31 hours or less.*

(2) *Students who have completed 32 to 67 hours.*

(3) *Students who have completed 68 hours or more but are not in the graduating class. For purposes of academic rankings, the term “graduating class” shall be defined as all students appearing on the graduation program in June.*

(4) *The graduating class. Students who complete their degree requirements in August and December will not receive a final academic ranking until the following June.*

(b) *Academic rankings shall be based on grade point average.*

(c) *Academic rankings shall be assigned as a number indicating the numerical class standing relative to the entire group (i.e., X of Y, where X is the student’s rank and Y is the total number of students in the group being ranked).*

(d) *This ranking system shall be implemented at the end of the spring 2007 semester.]*

## **PART 9 – INTERRUPTION OF ACADEMIC PROGRESS**

### **§ 3-901. Dismissal for Failure to Continue in the Next Semester.**

If a student completes a semester but fails to continue his or her studies in the immediately following semester, the student shall be dismissed from the law school.

*September 21, 2004*

### **§ 3-902. Approved Withdrawal, and Dismissal Thereafter.**

(a) The Dean, or the Associate Dean for Academic Affairs when the dean so authorizes him or her, shall have exclusive and final jurisdiction over the approving of withdrawals from the program.

(b) Subject to the provisions of Sections 3-306 and 3-307 and Subsection 3-403(c), any student may withdraw from the law school program at any time provided a written request for complete withdrawal is approved in writing by the Dean or the Associate Dean for Academic Affairs.

(c) Except as provided for first-year students in subsection (d) or (e) hereof, if a student receives approval to withdraw but is not granted a leave of absence, he or she must continue his or her studies in the semester immediately following the withdrawal. If such student fails to continue his or her studies in such semester, the student shall be dismissed from the law school.

(d) If a student in his or her second semester receives approval to withdraw but is not granted a leave of absence, that student must continue his or her studies in the second semester immediately following the withdrawal. If such student fails to continue his or her studies in such semester, the student shall be dismissed from the law school.

(e) If a student in his or her first semester receives approval to withdraw but is not granted a leave of absence, he or she shall not be dismissed for failure to continue his or her studies and may apply for readmission in any year following the withdrawal.

(f) If a student receives approval to withdraw and later continues his or her studies, the student shall be subject to Section 3-105 as it reads at the time of the student's continuation of studies, except that a change in the number of hours in a required course shall not operate to the detriment of the returning student.

*September 21, 2004*

*Revised January 31, 2006*

### **§ 3-903. Leave of Absence, and Dismissal Thereafter.**

(a) The Dean, or the Associate Dean for Academic Affairs when the dean so authorizes him or her, shall have exclusive and final jurisdiction over the granting of leaves of absence.

(b) If, for good cause, a student finds it necessary to interrupt progress toward his or her



degree, a leave of absence may be granted in writing by the dean or the Associate Dean for Academic Affairs, specifying the duration of the leave.

(c) Only a well-documented request based upon extenuating circumstances beyond the control of the student (e.g., medical/psychological circumstances, death in the family, or other family crisis) shall constitute good cause. Good cause shall not include the desire to await accreditation.

(d) A student must have a grade point average of 2.00 or higher, and must present the petition for a leave of absence to the dean or the Associate Dean for Academic Affairs.

(e) The petition must state clearly and completely the reasons for the leave and the duration of the leave.

(f) A leave of absence may be granted for a maximum of one year and can be approved only once during a student's matriculation at the law school.

(g) If a student is granted a leave of absence and later continues his or her studies, the student shall be subject to Section 3-105 as it reads at the time of the student's continuation of studies, except that a change in the number of hours in a required course shall not operate to the detriment of the returning student.

(h) If a student is granted a leave of absence and fails to continue his or her studies at the specified time, the student shall be dismissed from the law school.

*September 21, 2004*

#### **§ 3-904. Academic Good Standing.**

In order to remain in good standing, a student must:

(a) At the conclusion of each semester, attain a cumulative grade point average of at least 2.00.

(b) In this manual, unless otherwise specified, grade point averages shall be rounded to three significant digits. For example, a 1.995 or greater will be rounded to 2.00 but a 1.994 will be rounded to a 1.99 and not a 2.00.

*September 21, 2004*

*Rev. November 9, 2009*

*Rev. May 4, 2010*

**§ 3-905. Probation, Dismissal, and Eligibility for Reinstatement.**

(a) Any first year student whose cumulative grade point average falls below 2.15 at the end of the first semester of study shall be placed on academic probation. Any student placed on academic probation shall be required to meet with the Associate Dean of Academic Affairs (or his/her designee) no later than the fifth day of classes of the second semester. The Associate Dean of Academic Affairs will counsel the student concerning his/her chances for successfully completing the academic program at the law school and may require the student (as a condition of academic probation) to participate in any portion or portions of the Academic Success Program that the associate dean shall deem appropriate.

(b) At the conclusion of the first semester of the first year, any student whose cumulative grade point average is 1.50 or below shall be dismissed from the law school and shall not be eligible for reinstatement.

(c) Any student whose cumulative grade point average falls below 2.00 at the end of the first year or thereafter shall be dismissed from the law school.

- (1) Any such student whose cumulative grade point average is below 1.90 shall be dismissed from the law school and shall not be eligible for reinstatement.
- (2) Any student whose cumulative grade point average is at least 1.95 may petition the Associate Dean for Academic Affairs, pursuant to sections 3-906 through 3-909, for reinstatement on academic probation for one semester (the probationary semester). If the Associate Dean for Academic Affairs refuses to reinstate the student, the student may petition the **academic standards committee** pursuant to sections 3-906 through 3-909.
- (3) Any such student whose cumulative grade point average is at least 1.90 shall be allowed to petition the **Academic Standards Committee** pursuant to Sections 3-906 – 3-909, for reinstatement for one semester on academic probation (the probationary semester).

*April 21, 2005*  
*Revised September 12, 2008*  
*Revised March 6, 2009*  
*Rev. May 4, 2010*  
*October 11, 2010*  
*Rev. September 5, 2012*

**§ 3-906. Reinstatement Possible Only Once.**

A student may be reinstated only once.

*September 21, 2004*

**§ 3-907. Grounds for Reinstatement.**

The **Academic Standards Committee** shall reinstate a student only when it determines that (a) there were extraordinary circumstances that caused the academic deficiency, (b) there is a strong likelihood that the student will achieve a cumulative grade point average of 2.00 or higher at the end of the probationary semester, and (c) there is a strong likelihood that the student will achieve a cumulative grade point average of 2.00 or higher in each semester thereafter.

*September 21, 2004*

*Rev. March 6, 2009*

**§ 3-908. Procedures for Reinstatement.**

(a) The **Academic Standards Committee** shall have exclusive and final jurisdiction over reinstatement decisions **and it shall develop procedures to conduct reinstatement hearings.**

(b) A student who has been dismissed from the law school but has petitioned for reinstatement shall be reinstated only by an affirmative vote of a majority of all faculty members present and voting who serve **on the Academic Standards Committee, provided a quorum is present.** For the purposes of this section a quorum consists of more than fifty percent of all members serving on the committee.

(c) A student shall initiate a petition for reinstatement by preparing a written petition addressed to **the chair of the Academic Standards Committee.** The petition shall describe the student's academic circumstances, state the extraordinary circumstances that caused the academic deficiency, and indicate why and how the student expects to make sufficient improvement to have a cumulative grade point average of 2.00 or higher at the end of the probationary semester.

(d) The student is entitled to make a personal appearance before the **Academic Standards Committee**, to answer questions, and to offer argument on behalf of the petition.

(e) If the **Academic Standards Committee** decides to reinstate the student, it may attach such conditions to its decision as it deems to be in the best interests of the student and the law school under the particular circumstances involved.

(f) The **Academic Standards Committee's** decision on the petition for reinstatement shall be final and not subject to reconsideration.

*September 21, 2004*

*Revised March 6, 2009*

*Rev. Nov. 9, 2009*

**§ 3-909. Deadline for Reinstatement.**

(a) Any reinstatement must be for a semester or session which is no later than the third regular (fall or spring) semester following the academic term in which the student's performance caused the cumulative grade point average to fall below 2.00.

(b) If the petition is for reinstatement in the third regular semester following the student's performance which caused the cumulative grade point average to fall below 2.00, the petition must be submitted at least three weeks before the first class of that semester.

*September 21, 2004*

**§ 3-910. Dismissal after Reinstatement.**

If a student is reinstated and does not achieve a cumulative grade point average of 2.00 or higher at the end of the probationary semester, the student shall be dismissed from the law school and shall not be eligible for reinstatement.

*September 21, 2004*

**§ 3-911. Faculty procedure and authority after removal from Honor Court.**

(a) As chief administrative officer of the law school, the Dean or his designee shall have plenary authority to discipline or dismiss from law school any student or otherwise resolve any student disciplinary matter as warranted by the circumstances. If the Dean acts under this section, he shall promptly report any action to the faculty for its review.

(b) In the case where the Associate Dean for Academic Affairs or the faculty removes a particular case from the honor court pursuant to Art. IV, Section 4.1 of the Honor Code, the student will be provided with notice and an opportunity to be heard by the faculty. The faculty may then recommend a resolution to the Dean. This matter may be resolved in any manner the faculty recommends or the Dean sees fit. Nothing in this subparagraph is intended to or may be interpreted to conflict with or supersede the Dean's plenary authority described in § 3-911(a).

*April 21, 2005*

## CHAPTER FOUR ~ ADMISSIONS

### PART 1 – BEGINNING STUDENTS

#### § 4-101. Authority of Admissions Committee.

- (a) The Admissions Committee shall have exclusive and final jurisdiction over the admission of beginning students.
- (b) No person shall be admitted without the affirmative vote of a majority of the Admissions Committee.

*September 21, 2004*

#### § 4-102. Admissions Goals.

A crucial part of the mission of the law school is to provide access to legal education to students with diverse backgrounds and life experiences, including those who might not otherwise have the opportunity to study law. The law school admits into its J.D. degree program applicants who have satisfied its educational prerequisites and who appear capable of satisfactorily completing its educational requirements and being admitted to the profession.

*September 21, 2004*

#### § 4-103. Educational Requirements.

- (a) The law school requires for admission to its degree program a bachelor's degree from an institution that is accredited by an accrediting agency recognized by the United States Department of Education.
- (b) The law school may grant conditional admission to a student who has not satisfied the educational requirement stated in subsection (a) hereof, provided that such requirement will be met before the student matriculates.

*September 21, 2004*

#### § 4-104. Law School Admission Test.

- (a) The law school requires all applicants to take the Law School Admission Test sponsored by the Law School Admission Council. The score earned by the applicant shall play a key role in the admission decision.
- (b) For those applicants taking the Law School Admission Test more than once, the score used for admission shall be the highest of the scores earned on all tests taken.
- (c) No LSAT score older than five years shall be considered in the admission process.

*September 21, 2004  
Rev. June 2, 2006*

**§ 4-105. Applicant Previously Disqualified by Another Law School.**

(a) The law school shall consider admitting a student who has been disqualified previously for academic reasons by another school upon an affirmative showing that the student possesses the requisite ability to succeed in the study of law and that the prior disqualification does not indicate a lack of capacity to complete the course of study at Jones School of Law. This showing shall be made by a letter from the disqualifying school or, if two or more years have elapsed since that disqualification, by the nature of interim work, activity, or studies indicating a stronger potential for law study.

(b) When such an applicant is admitted, the Admissions Committee shall place in the admittee's file a statement of the considerations that led to the decision to admit the applicant.

*September 21, 2004*  
*Revised October 17, 2006*

**§ 4-106. Applicant with LL.M. Degree.**

(a) Each applicant to the J.D. program who has previously earned an LL.M. in an ABA-approved law school must furnish with the application a recent LSAT result.

(b) Once admitted, except as provided in subsection (c) hereof, such student shall complete all of the law school's requirements for other students earning the J.D. degree. Except as provided in subsection (d) hereof, such student shall not be admitted with advanced standing.

(c) The Associate Dean for Academic Affairs may grant a waiver from re-enrolling in certain required courses successfully completed as an LL.M. student (e.g., Contracts). In such an instance, the student shall still be required to complete 90 semester hours by substituting elective courses for any courses that were waived.

(d) This policy does not preclude the Associate Dean for Academic Affairs from allowing credit consistent with ABA Standard 507.

*September 21, 2004*

## **PART 2 – READMITTED STUDENTS**

### **§ 4-201. Authority of Admissions Committee.**

(a) The Admissions Committee shall have exclusive and final jurisdiction over the readmission of former students who have been dismissed or have withdrawn in their first semester.

(b) No person shall be readmitted without the affirmative vote of a majority of the Admissions Committee.

*September 21, 2004*

### **§ 4-202. Matriculation Two Years after Dismissal.**

If a student has been dismissed from the law school pursuant to Section 3-901, 3-902, or 3-903, or has been dismissed pursuant to Section 3-905 and has not been reinstated, he or she may apply for readmission to the law school. If he or she is readmitted, he or she shall matriculate only after at least two years have elapsed since the dismissal. The student shall make a showing that during the interim, he or she has undertaken work, activity or studies to indicate a stronger potential for the study of law.

*September 21, 2004  
Rev. October 17, 2006*

### **§ 4-203. Readmission on the Basis of Current Admission Standards.**

The readmission decision shall be made by the Admissions Committee under then-current admission standards.

*September 21, 2004*

### **§ 4-204. Status of Readmitted Student.**

(a) A student who has been dismissed and who is readmitted shall forfeit all credits previously earned and shall be readmitted as a first year, first semester student.

(b) The grade point average of a student who has been readmitted shall be based only on the work attempted since readmission. However, if the readmitted student shall have been dismissed pursuant to Section 3-905, his or her transcript shall continue to show the earlier courses attempted, the grades earned, and the dismissal.

*September 21, 2004*

**§ 4-205. Statement in File.**

In each case where readmission is granted, the Admissions Committee shall sign and place in the admittee's file a statement of the considerations that led to the decision to readmit the applicant.

*September 21, 2004*



### **PART 3 – TRANSFER STUDENTS**

#### **§ 4-301. Authority of Dean.**

The Dean, or the Associate Dean for Academic Affairs when the Dean so authorizes him or her, shall have exclusive and final jurisdiction over the admission of transfer students and the awarding of transfer credit.

*September 21, 2004*

#### **§ 4-302. Transfer Only When in Good Standing.**

A student must be in good standing at the other law school at the time of transferring to Jones School of Law.

*September 21, 2004*

#### **§ 4-303. Limitations on Transfer of Credit.**

(a) All course work accepted for transfer must be taken either at an ABA-approved law school or in an ABA-approved program.

(b) No more than 30 semester hours of academic credits shall be accepted for transfer.

(c) The law school shall accept transfer credit only for courses in which the grade received is equal to or higher than the grade point average required for graduation at the other law school.

(d) Credit for any course required for graduation from Jones School of Law shall be accepted for transfer only when the course taken shall have been comparable to the course offered at Jones School of Law.

*September 21, 2004*

#### **§ 4-304. "P" for All Transfer Credit.**

All grades for which credit is transferred shall be entered as "P" on the student's records and shall not affect the student's cumulative grade point average.

*September 21, 2004*

## **PART 4 – VISITING STUDENTS**

### **§ 4-401. Authority of Dean.**

The Dean, or the Associate Dean for Academic Affairs when the Dean so authorizes him or her, shall have exclusive and final jurisdiction over the extension of visiting privileges to students from other law schools for matriculation at Jones School of Law.

*September 21, 2004*

### **§ 4-402. Limitation on Use of Credits Earned Here.**

When a student has been extended visiting privileges by Jones School of Law, the credits earned here may not be applied toward a degree from this law school.

*September 21, 2004*

### **§ 4-403. Student from ABA-approved Program, and with Appropriate Approval.**

A student may be extended visiting privileges here only if he or she (a) is a student at an ABA-approved law school or program, and (b) has been approved for visiting privileges here by an appropriate official at the student's school of residence.

*September 21, 2004*

### **§ 4-404. Visiting Privileges Only When in Good Standing.**

For visiting privileges, a student must be in good standing at the student's school of residence at the time of beginning the visit here.

*September 21, 2004*

### **§ 4-405. Best Interest of Jones School of Law.**

A student may be admitted here for visiting privileges only if the visit serves the best interest of Jones School of Law.

*September 21, 2004*

### **§ 4-406 Jones School of Law Students Earning Credit At Other Law Schools.**

(a) A student who is in good academic standing at the School of Law may earn credit at other ABA-approved law schools up to a maximum of 15 credit hours. Upon showing of a well-documented request based upon extenuating circumstances of hardship (e.g., medical/psychological circumstances, death in the family, or other family crisis), the Associate Dean for Academic Affairs may allow the student to earn up to 30 credit hours at other ABA-approved law schools. No credit may be earned at law schools that are not ABA-approved.

(b) A student who is in good academic standing at the School of Law may participate in a summer abroad program sponsored by another ABA-approved law school subject to the credit hour limit above.

(c) A student who wishes to earn credit at another ABA-approved law school must receive the approval of the Associate Dean for Academic Affairs prior to enrollment at the other law school.

*October 11, 2010*

# CURRICULUM POLICIES

# **FAULKNER UNIVERSITY'S JONES SCHOOL OF LAW**



## **CURRICULUM GUIDEBOOK**

**ACADEMIC YEAR 2013-2014**

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## **Guidebook Purpose**

The purpose of this guidebook is to assist students in making selections for elective course offerings. The Law School is pleased to be able to offer a variety of electives. With careful selection and sequencing a student can maximize his or her educational experience and be better prepared for law practice. This guidebook is only a guide and should be used as a supplement to the student handbook, not a replacement.

## **Law School's Mission**

As part of the Faulkner University community, the School of Law shares Faulkner University's mission to glorify God by embracing academic excellence and emphasizing a strong commitment to integrity within a caring Christian environment.

In its efforts to fulfill this mission, the School of Law endeavors to:

- Provide an excellent legal education in which the faculty engages students in a challenging learning experience designed to promote the students' competent and ethical participation in the legal profession;
- Promote a Christian environment that encourages all members of the law school community to use their abilities to advance the legal profession and benefit society;
- Attract, develop, and retain a highly competent and diverse faculty devoted to teaching, community service, and scholarly research and writing;
- Attract a qualified and diverse student body while providing an opportunity for non-traditional students to pursue a career in the legal profession;
- Provide students with meaningful resources and experiences such as individual academic advising and support, career counseling, and clinical and externship opportunities, designed to prepare them for their roles as competent and ethical members of the legal profession;
- Contribute to discussion of the relationship between faith, learning, and the law; and
- Regularly reassess the program of legal education through on-going strategic planning to assure continual quality and improvement of the program.

## **Graduation Requirements**

A student shall earn the J.D. degree upon satisfying the following requirements:

- (1) The successful completion of 90 semester hours of offerings, which shall include successful completion of all required courses;
- (2) Satisfaction of the Rigorous Writing Requirement and Professional Skills Requirement;
- (3) A cumulative grade point average of at least 2.00; and
- (4) The completion of six semesters in residence (or the equivalent) if a full-time student or eight semesters in residence (or the equivalent) if a part-time student.

[From: § 3-105, *Manual of Policies* (2013-14).]



## Required Courses

### 1<sup>ST</sup> YEAR FALL SEMESTER

|                            |    |
|----------------------------|----|
| CIVIL PROCEDURE I          | 2  |
| CRIMINAL LAW               | 4  |
| LEGAL RESEARCH & WRITING I | 3  |
| FOUNDATIONS OF LAW         | 3  |
| TORTS                      | 4  |
|                            | —  |
| TOTAL HOURS                | 16 |

### 1<sup>ST</sup> YEAR SPRING SEMESTER

|                                      |    |
|--------------------------------------|----|
| CIVIL PROCEDURE II                   | 3  |
| CONTRACTS                            | 4  |
| LEGAL RESEARCH & WRITING II          | 2  |
| PROPERTY                             | 4  |
| CONSTITUTIONAL CRIMINAL<br>PROCEDURE | 3  |
|                                      | —  |
| TOTAL HOURS                          | 16 |

### 2<sup>ND</sup> YEAR FALL SEMESTER

|                      |       |
|----------------------|-------|
| CONSTITUTIONAL LAW I | 3     |
| EVIDENCE             | 4     |
| <i>ELECTIVES</i>     | 7-9   |
|                      | —     |
| TOTAL HOURS          | 14-16 |

### 2<sup>ND</sup> YEAR SPRING SEMESTER

|                             |       |
|-----------------------------|-------|
| CONSTITUTIONAL LAW II       | 3     |
| BUSINESS ASSOCIATIONS       | 4     |
| PROFESSIONAL RESPONSIBILITY | 3     |
| <i>ELECTIVE(S)</i>          | 4-6   |
|                             | —     |
| TOTAL HOURS                 | 14-16 |

### 3<sup>RD</sup> YEAR FALL SEMESTER

|                  |       |
|------------------|-------|
| REMEDIES         | 3     |
| <i>ELECTIVES</i> | 11-13 |
|                  | —     |
| TOTAL HOURS      | 14-16 |

### 3<sup>RD</sup> YEAR SPRING SEMESTER

|                  |       |
|------------------|-------|
| <i>ELECTIVES</i> | 13-16 |
|                  | —     |
| TOTAL HOURS      | 13-16 |

Elective selections must include courses that satisfy the Rigorous Writing Requirement and the Professional Skills Requirement. This can be accomplished in the second or third year.

Full-time students generally graduate in three (3) years attending only in the fall and spring.

## **Elective Sequencing**

The law following list sets out when certain courses are *typically* scheduled for second- and third-year students. Not all upper-class courses are available to all students during each semester. The law school tries to maintain the availability of as many of these courses as possible in the groupings listed below. True availability, though, is a function of the actual scheduling of the days and times of meeting, and that changes from semester to semester, depending on faculty and classroom availability. This means that students wishing to take a sequence of courses in a particular subject area need to monitor the schedule and take courses at the first available time period. (While the law school endeavors to offer courses as listed below, there is no guarantee that a particular course will be offered or offered as listed.)

### **Courses Offered Every Fall & Spring**

Elder Law Clinic  
Externship  
Family Violence Clinic  
Independent Study  
Law Review  
Mediation Clinic  
Moot Court Competition Team  
Trial Competition Team

### **Summer**

Summer scheduling is difficult to predict. The course offerings in any particular summer session depend upon student demand and the availability of faculty in that summer, among other factors. Therefore, students with an interest in taking summer coursework are urged to contact the Associate Dean for Academic Affairs early in the spring semester so that their preferences may be taken into account as the summer schedule is formulated. Courses that have been offered in recent summers include: Advanced Legal Research; Environmental Law; Federal Courts; Health Law; Insurance Law; Interviewing, Counseling, and Negotiation; Law and Literature; Law Office Management; Professional Responsibility; and Trial Advocacy.

## **Fall**

Administrative Law  
Advanced Legal Research  
*Antitrust (odd)*  
Bankruptcy  
*Children's Rights\* (odd)*  
*Comparative Constitutional Law\* (even)*  
Conflict of Laws  
Dispute Resolution Process  
Education Law  
Family Law  
Federal Income Tax  
Health Law\*  
*Immigration Law (even)*  
*Insurance Law (even)*  
*International Business Litigation (odd)*  
*Intellectual Property (odd)*  
Jurisprudence\*  
Land Planning\*  
*Law and Christian Theology\* (odd)*  
Legal Drafting  
*Legal Ethics in the New Millennium\* (odd)*  
Legislation  
Pre-Trial Practice  
*Religion & the Constitution\* (even)*  
Secured Transactions  
*Sports Law\* (even)*  
Trial Advocacy for Competition  
Trial Competition

## **Spring**

Advanced Legal Research  
Advanced Torts\*  
*Appellate Advocacy (odd)*  
Arbitration  
*Civil Rights\* (even)*  
Conflict of Laws  
Advanced Criminal Procedure  
*Current Topics in Criminal Law\* (even)*  
Employment Law  
*Environmental Law (even)*  
Federal Courts  
Freedom of Expression\*  
*Gaming Law\* (odd)*  
*Intellectual Property\* (odd)*  
Interviewing Counseling, and Negotiation  
*International Law\* (odd)*  
*Law and Bioethics\* (even)*  
*Law and Public Policy\* (even)*  
Mediation Competition Team  
Negotiable Instruments  
Products Liability  
*Race, Poverty & the Death Penalty\* (odd)*  
*Real Estate Practice (odd)*  
Sales  
Taxation of Business Enterprises  
Trial Advocacy  
Wills & Trusts  
*Worker's Compensation (even)*

Courses in *italics* usually will be offered every other year at the time indicated; otherwise courses usually will be offered every year during that same semester. Courses marked \* may be offered as a seminar.

## **Elective Courses**

### **Administrative Law (8371)**

This course studies the relationship of administrative agencies to the legislative, executive, and judicial branches of the government in the American system of constitutional government, with a particular emphasis on judicial review of agency actions. The powers of administrative agencies are addressed with in-depth treatment of the rulemaking process and procedural rights in hearings before administrative agencies.

### **Advanced Criminal Procedure (8325)**

This course covers the procedural rules applicable to various stages in the development of a criminal case from pre-trial stages through appeal. Coverage will include statutory and other sources of procedural law outside the U.S. Constitution, and may also include rules derived from relevant federal constitutional law, to the extent these are not treated in the Constitutional Criminal Procedure course. Topics considered include issues related to search and seizure, privileges, preliminary hearings, bail, pleas and plea bargaining, jury selection, fair trials, sentencing and judgment, double jeopardy and post conviction relief.

### **Advanced Legal Research (7247, 7376)**

Team-taught by the professional law librarians, this course features advanced classroom and hands-on instruction. The course covers electronic database and Internet research, case law, statutory research, federal legislative history, administrative law, law periodicals, treatises and other secondary sources, practice aids, and news and interdisciplinary research. It is recommended that this course be taken prior to or in conjunction with a seminar, law review, or employment as a faculty research assistant. This course fulfills the Professional Skills Requirement.

### **Advanced Topics in Family Law Seminar (8272)**

Prerequisite: Family Law. This seminar provides students with an opportunity to do in-depth research into cutting-edge topics in Family Law. Each student will choose a topic of interest and write a research paper that satisfies the rigorous writing requirement set forth in Section 2-501. Each student will make a presentation to the group explaining the results of his or her research during the second half of the semester. The professor limits absences and expects full participation from each student.

### **Advanced Torts Seminar (8257)**

This is a seminar on tort topics that provoke public debate or involve timely public issues. Various topics will be suggested, such as class action abuse and constitutional limitations on civil damages, but students are strongly encouraged to choose a topic of interest to them after consulting with the professor.

### **Animal Law (8266, 8337)**

This course in animal law introduces students to those principles, rules, and regulations – as developed by common law and from statute – that affect animals. Starting with a summary of historical origins, the course examines such laws in their philosophical, scientific, and practical underpinnings, and from a variety of differing perspectives, exploring how the law has treated animals in the past and may treat them in the future. From the foundational (How are animals defined? Can animals have standing? Are animals property?) to the pragmatic (What procedural obstacles might confront claims made on behalf of animals? What substantive constraints might prosecuting an animal cruelty case entail?) the course addresses diverse questions and answers in such areas as contract, tort and constitutional law; protections under criminal and civil statutes; cruelty and abuse laws; legal standing for animals; treatment of laboratory animals; ownership and valuation issues; custody areas; and ethical and legal dilemmas posed by the capture, confinement, and commercial use of animals.

### **Antitrust (8331)**

This course examines how the antitrust laws regulate the private economic behavior of market participants. The course covers federal antitrust laws including the Sherman Antitrust Act, the Clayton Act and the Federal Trade Commission Act. The course examines cases on topics such as monopolization, predatory pricing, vertical restraints, price fixing and territorial allocations.

### **Appellate Advocacy (7360)**

This course is an in-depth study of the appellate process, including: historical and comparative viewpoints; preservation of the record on appeal; post-trial motions; appellate procedure; research and preparation of briefs; argument, including communication theory; administrative appeals; rehearing; and petitions for certiorari.

### **Arbitration (8319)**

This is a study of the principles and attendant laws governing the arbitration process. Students are given a history of the arbitration process and its current applications. Up-to-date case and statutory law on arbitration are discussed in light of recent developments in the uses of this process to control contract disputes. The course covers the ramifications of the use of arbitration as a forum choice.

### **Bankruptcy (8375)**

This is a study of: courts of bankruptcy; acts of bankruptcy; voluntary and involuntary bankruptcy; bankruptcy process, pleading, schedules, and adjudication; debts, dischargeable and not dischargeable in bankruptcy; appointment of receivers and trustees; granting and revocation of discharges in bankruptcy; administration of the bankrupt's estate; and pertinent provisions of the Uniform Commercial Code.

### **Children's Rights (8253, 8374)**

This course focuses on the relationship between children, families, and the state, with particular emphasis on the juvenile justice system and delinquency, child abuse and neglect, foster care of dependent children, and the educational rights of disabled children. The special ethical considerations of representing children also are covered.

### **Civil Rights (8254, 8324)**

This course is a seminar on various aspects of civil rights including, but not limited to, issues of voting, employment, public accommodations, housing and other realms of public interest.

### **Comparative Constitutional Law (8263)**

This course examines and compares the fundamental constitutional structures and institutions of the United States, Canada, France, Germany, the United Kingdom, and the European Union. Other nations' systems may also be studied depending on the interests of the students who have enrolled in the course.

### **Conflict of Laws (8378)**

This course examines the principles guiding courts in deciding which state's law to apply when dealing with a legal controversy in which there are elements involving more than one state. The general subject of jurisdiction is considered. The remainder of the course is concerned with an analysis of choice-of-law problems.

### **Current Issues in Criminal Law (8252)**

This seminar deals with various current "hot" topic issues in Criminal law and procedure.

### **Dispute Resolution Processes (7347)**

This survey course covers all of the non-litigation dispute resolution processes. Students are required to take an active part in class exercises and role-plays.

### **Elder Law Clinic (7375)**

This clinic provides opportunities for law students to represent and counsel low-income, elderly citizens in Montgomery, Autauga and Elmore counties. Second and third year law students counsel and represent clients with diverse legal needs: guardianships and custody matters; advanced directives; powers of attorney; wills and trusts; estate planning; benefit applications and appeals; retirement solutions; elder abuse; and medical decision making. The Elder Law Clinic also provides public information programs on federal and state benefits, long-term care solutions, nursing home and skilled nursing facility standards, age discrimination, elder abuse, grandparental custody, medical

decision making and end-of-life issues. The Elder Law Clinic works in cooperation with Legal Services Alabama and the Alabama Department of Senior Services.

### **Employment Law (8387)**

This is a study of the legal regulation of the employment relationship, including protection against discrimination, minimum standards of compensation and safety, systems of compensation for injured and unemployed workers, and the concept of employment at will.

### **Environmental Law (8381)**

This course is an analysis of the ends and means of environmental protection through study of statutes, administrative regulations and practices, and judicial decisions treating the protection of the environment in the United States. Topics may include: statutes that regulate pollution emissions (e.g., Clean Air Act, Clean Water Act); procedural requirements (e.g., National Environmental Policy Act, California Environmental Quality Act); administrative law (e.g., standing, standards of judicial review); hazardous and toxic substances and wastes; risk assessment and management; natural resources and wildlife conservation; enforcement and liability; and environmental justice. The course may also examine the ecological, ethical, economic, scientific, and political rationales for laws protecting the environment.

### **Externship (8108, 8229, 8309, 8409)**

Externs earn academic credit while working part-time in government or non-profit legal institutions. Externs work under the supervision of qualified and experienced practicing attorneys who provide guidance and training in professional lawyering skills. The offering includes a classroom component that covers topics relating to the legal system, judicial process, and professionalism. To register for this offering, consent of the instructor is required.

### **Family Law (7342)**

This is an overview of the legal relationships created by family associations. Particular emphasis is placed on the relationships between parents and child and between husband and wife. Other topics include the nature of marriage, separation, divorce, adoption, and emancipation.

### **Family Violence Clinic (7246, 7372)**

Operating in conjunction with Legal Services Corporation of Alabama and the Family Sunshine Center, the Family Violence Clinic provides pro bono services for victims of domestic violence. Students with limited-practice authority will represent clients in court proceedings for Protection from Abuse Orders and related matters and will interview clients, provide advice, prepare pleadings, investigate and evaluate cases. Students without limited practice authority will not appear in court but will interview clients and

assist with advice and counsel, case evaluation, investigation, research, and hearing preparation.

### **Federal Courts (8383)**

This course examines the nature and role of the federal court system within the American constitutional system of government. Particular emphasis is placed on the power of Congress to create courts and allocate jurisdiction, the power of the Supreme Court to establish federal rules of court, the relationship of federal and state jurisdiction, the application of choice of law principles in federal courts, the development of federal common law, and alternative bases of federal jurisdiction, including habeas corpus jurisdiction.

### **Federal Income Tax (7373)**

This is a study of the basic laws relating to federal income taxation, including problems relating to items included in or excluded from gross income, deductions, credits, recognition and character of gains and losses from disposition of property, and timing issues.

### **Freedom of Expression (8262)**

This is a study of the history and theory of the constitutional doctrine of freedom of expression. The study centers on the Speech and Press Clauses of the First Amendment. Subjects to be considered include advocacy of unlawful conduct, symbolic expression, obscenity and pornography, defamation, commercial speech, hate speech, and invasion of privacy.

### **Gaming Law Seminar (8258)**

This is an in-depth study of the current issues relating to gambling including gaming distinctions and gambling regulations. The course examines the interrelationship between state and federal gambling laws. Other topics include tribal gambling, charitable gambling, the marketing of games and lotteries, internet gambling, and criminality of games.

### **Health Law (8247, 8384)**

This course investigates the major legal issues arising in health care delivery, not merely physician malpractice but also corporate malpractice, economic credentialing, peer review, utilization review, quality assurance, Medicare fraud and abuse, tax exempt status for hospitals, joint ventures, managed care, antitrust, AIDS, ADA, reproductive rights, the right to die, various federal OBRAS and COBRAS, and ERISA.

### **Immigration Law (8268, 8341)**

This course surveys the fundamental concepts and recent trends in immigration law. Students will learn to navigate the complex regulatory framework and resolve basic



immigration problems. This course involves the study of constitutional, statutory, and regulatory authorities. Specific topics of study may include citizenship, admissions categories and procedure, deportability grounds and procedure, refugees and the problem of asylum, and unauthorized migrant workers in the United States.

### **Independent Study (8107, 8236, 8385)**

This is independent research and production of a scholarly paper, under the supervision of a member of the faculty.

### **Insurance Law (8386)**

This is a study of fundamental legal principles relating to various types of first-party and liability insurance contracts, focusing on property, life, health, automobile, and commercial and professional liability policies. Topics include: rules of insurance contract construction; doctrines governing applications for insurance and representations made by the applicant; statutory and administrative regulation of insurance; and various issues arising in particular types of insurance.

### **Intellectual Property (8242, 8320)**

This course examines procedural and substantive legal issues arising out of trade secrets, trademarks/service marks, and copyrights. The course focuses on the federal and state statutory and common law regulation of intellectual property rights while also focusing on litigation and transactional issues arising out of the registration and enforcement of intellectual property rights.

### **International Business Litigation (8344)**

This course combines lecture and problem solving, taking a litigation approach. The course addresses legal and business issues facing a foreign national investing or doing business in the United States as well as United States persons engaging in business or investing abroad. Topics include: basic choice of law and choice of forum analysis; international judicial assistance (service of process and discovery abroad); enforcement of judgments internationally; alternative dispute settlement mechanisms (conciliation and arbitration); and sovereign immunity. The goal is to give a rounded appreciation of the interplay between national and international rules that influence private international litigation.

### **International Law (8251, 8328)**

This is an introductory international law course focusing on the history and development of international law, the fundamental principles of international law, and the role of international institutions. Topics include principles of international law, treaties, conventions and executive agreements, customary law, the International Court of Justice, the United Nations and other international institutions, states and individuals under international law, the Law of Armed Conflict, just warfare, and the use of force.

### **Interviewing, Counseling, and Negotiation (7349)**

This course covers the interviewing and counseling of clients, developing and weighing options, and negotiating on behalf of clients. Students are required to take an active part in class exercises and role-plays.

### **Jurisprudence (8246, 8323)**

Exposing students to the philosophy of law, this course is an examination of the basic principles that underlie our legal system. It is a study of basic schools of jurisprudence, including natural law theory, legal positivism, legal realism, the critical legal studies movement, the law and economics movement, feminist legal theory, critical race theory, and the various strains of Christian legal theory. In keeping with the mission of the law school, the course will approach all of these topics from the standpoint of Biblical truth.

### **Land Planning (8239, 8322)**

This course examines the public and private planning and regulation of land. The course specifically focuses on techniques for planning the current use, future use, and intended non-use of land while covering subject matter including Smart Growth regulations, form-based zoning regulations, traditional Euclidean zoning regulations, aesthetic controls, and other regulatory controls which arise out of the planning of land. The course also examines constitutional and environmental issues facing the public and private planning and regulation of land.

### **Law and Bioethics (8270)**

This course covers the intersection of topics in medical and biological science ethics and American law. Topics discussed in the class include, but are not limited to: end-of-life issues, medical research ethics, organ donation and transplantation issues, genetic ethics, behavior control, and reproduction issues. Class readings and discussion will focus on the tort, contract, property, and constitutional implications of these topics.

### **Law and Christian Theology (8248, 8306)**

This interdisciplinary course examines various Christian theological understandings of law and government. Readings for the course will come from the Bible and from the writings of Christian theologians and jurists, from ancient times to the present day. The readings addresses topics such as the origins and purposes of government, the legitimacy of particular forms of government or sources of law, political activity by Christians, nonviolent and violent resistance to law, equality under law, liberty under law, and legal toleration of religious diversity. Students should expect to confront and analyze a number of conflicting Christian perspectives on these issues.

### **Law and Public Policy (8269, 8342)**

Law and Public Policy examines the relationship between legal doctrine and public policy. Students explore the relationship between legal doctrines and policy outcomes, both intended and unintended. The course focuses upon several areas of recent legal reform in the United States, which have met with varying levels of success and which illustrate the relationship between law and policy. Within each area the course examines (1) the relevant law before and after the reform and the interpretations given to those laws by the courts; (2) the perceived problems with the initial law; (3) the goal of the reform; and (4) the consequences of the subsequent change in the law.

### **Law Review (8109, 8110, 8111, 8112, 8226, 8227, 8228, 8308)**

This offering is available only to students selected for membership on the staff of Faulkner Law Review. Credit is earned upon the basis of performance criteria set forth in the Faulkner Law Review Constitution.

### **Legal Drafting (8316)**

This course focuses on developing professional writing skills by working with some of the types of writing done by lawyers in their practices. Class projects vary, but will include discussion and drafting of several types of documents such as a lease and a contract, and other projects.

### **Legal Ethics in the New Millennium (8272, 8334)**

This course explores emerging issues in legal ethics that will affect the practice of law throughout the next decade and beyond. Topics that may be covered include: the impact of technology on law practice; the multijurisdictional practice of law, and nationalization of bar admission; developments in delivery of legal services, including pro bono duties; public legal services organizations (and funding under IOLTA programs), continued viability of restraints on the unauthorized practice of law; multidisciplinary practice arrangements; specialized problems in conflicts of interest; criminal defense ethics; insurance defense ethics; and developing methods of lawyer regulation.

### **Legislation (8321)**

This course is about American legislative institutions and the processes they employ to consider and enact legislation. The material deals specifically with the Alabama Legislature at the state level and the United States Congress at the federal level. An evolving recognition on the part of most law schools that the education of law students must include an awareness of the significance of statutory lawmaking and a critical understanding of legislative institutions and their processes. The course is designed to provide that knowledge and understanding.

### **Mediation Clinic (7348)**

This clinical offering contains a classroom component as well as “hands on” mediation experiences under the supervision of a faculty member. Students mediate disputes at the Montgomery County District Court and report their experiences during the classroom sessions. The goal of the course is to allow the students to hone their skills as mediators in courtroom settings as well as in the classroom. A required training session typically is held on a weekend near the beginning of the course.

### **Mediation Competition Team (7171, 7248)**

This offering is for students selected by the Director of Advocacy to compete on one of the Law School’s Interscholastic Mediation teams.

### **Moot Court Competition Team (7170, 7243)**

This offering is for students selected by the Director of Advocacy on one of the Law School’s interscholastic moot court teams. Students gain expertise in appellate advocacy as they prepare for the competition by researching legal issues presented and preparing an appellate brief. Students also gain experience for and participating in oral arguments at the competition.

### **Negotiable Instruments (7350)**

Focusing on Articles 3 and 4 of the Uniform Commercial Code, this is the study both of the general principles applicable to promissory notes and drafts and of the special rules for bank deposits and collections. The course also addresses legislation and administrative regulations protecting consumers in connection with negotiable instruments.

### **Pre-trial Practice (8312)**

This problem-oriented course focuses on the preparation of a civil case for trial. Topics include initial interview, informal discovery, drafting of pleadings, conduct of formal discovery, motion practice, and preparation of a trial book.

### **Products Liability (8393)**

This is a study of the sources, development, and limits of the law of products liability. The course examines the historical development of products liability and theories of liability rooted in negligence, contract, strict liability in tort, fraud, warranty, and statute (primarily the Uniform Commercial Code). Particular attention is given to the development of legal definitions of a “product.” The course also examines modern trends in products liability jurisprudence. Emphasis is placed on common litigation problems encountered in products liability cases, including proper parties, proof, use of expert witnesses, and insurance considerations.

### **Professional Malpractice (8255, 8317)**

The course covers the fundamental procedures and trial techniques followed in professional liability lawsuits, with particular emphasis placed on the law relating to medical and legal professions. This course analyzes and discusses plaintiff's rights and defenses to claims against doctors, hospitals, and drug companies, lawyers, and other professionals.

### **Race, Poverty and the Death Penalty (8265)**

This is an in-depth study of the interrelationship of poverty, race, and the death penalty. The course focuses particularly upon issues of ineffective assistance of counsel for indigent defendants and racial discrimination both conscious and unconscious in capital cases.

### **Real Estate Practice (8330)**

This course focuses on the practical application of real property law covering deeds, mortgages, leases, land contracts, real estate closings, and all forms of conveyances. It involves drafting and analyzing real property documents.

### **Religion and the Constitution (8264)**

This is a study of the three Religion Clauses of the Constitution: the Religious Tests Clause of Art. VI; and the Establishment and Free Exercise Clauses of the First Amendment. The course addresses the history and theory of the Religion Clauses as well as their interpretation by the U.S. Supreme Court. Students apply constitutional law and theory to topics such as religious exercises in public schools, religiously motivated legislation, governmental funding of churches and religious schools, governmental regulation of private religious activities, political involvement by religious groups, and governmental promotion of religious ideas.

### **Sales (7244)**

Focusing on Article 2 of the Uniform Commercial Code, this is the study of the sale of goods, including seller's warranties, risk of loss, and remedies. The course also introduces the student to Article 2A (lease of goods) and to the international treaty dealing with the sale of goods.

### **Secured Transactions (7344) (Also called Commercial Law: Secured Transactions)**

This course covers Article 9 of the Uniform Commercial Code. It deals with effectiveness of security agreements, attachment of security interests, categories of collateral, perfection and priority of security interests, rights of third parties, and enforcement of security interests in cases of the debtor's default.

### **Smart Growth Seminar (8259)**

This involves an in-depth examination of the use of Smart Growth regulations to plan the current use, future use, and intended non-use of land. The course focuses on the regulatory and Constitutional issues arising out of the use of Smart Growth regulations and further provides an examination of how Smart Growth regulations contrast with traditional Euclidean zoning regulations. The course involves a detailed comparison of different federal, regional, state, and local methods of engaging in Smart Growth regulation.

### **Sports Law (8244, 8307)**

This course examines legal issues arising from professional and amateur sports, with particular emphasis on contract disputes, tort liability, agency questions, collective bargaining, and the implications of antitrust law. The sources of the relevant law include the common law, federal and state statutes, and administrative regulations.

### **Taxation of Business Enterprises (8332)**

This course examines federal income tax laws affecting the acquisition, operation, and disposition of business enterprises and assets, with particular attention to the taxation of corporations, shareholders, partnerships and partners.

### **Trial Advocacy (7368)**

This is practice-oriented course is intended to develop legal skills in the trial setting. The course emphasizes preparation of witnesses, jury selection, opening statements, presentation of evidence, examination of witnesses, and closing arguments.

### **Trial Advocacy for Competition (7374)**

This practice-oriented course is intended to develop legal skills in the trial setting. The course emphasizes preparation of witnesses, opening statements, presentation of evidence, examination of witnesses and closing arguments. The purpose of this intensive trial advocacy course is to prepare students to compete in regional and national trial competitions.

### **Trial Competition (7167)**

One hour of credit may be earned by participating in this intra-school Trial Competition. Students are given a case file in early August; the competition is typically completed during the first half of the fall semester. All students prepare both sides of a case and try the case a minimum of three times. Some of the trials are held on weekends. Participating in Trial Competition makes a student eligible for being considered for selection for the law school's trial team that competes against trial teams from other law schools.

**Trial Competition Team (7242, 7371)**

This offering is for students selected for one of the school's trial teams. They gain experience in various aspects of trial work as they prepare for and participate in competition against teams from other law schools.

**Wills and Trusts (7337)**

This course examines: intestate succession; the essential elements and formalities for making, revoking, or altering a will; will contests; and administration of estates. The course also explores: the character, creation, validity and use of trusts; types of trusts; rights, duties and liabilities of settlors, trustees, beneficiaries, and third parties; fiduciary administration; settlement and distribution; remedies of beneficiaries; and tax, real property, and future interest considerations, including the rule against perpetuities, in connection with wills and trusts.

**Worker's Compensation (8256, 8329)**

This course surveys the law relevant to the practice of Worker's Compensation law and covers topics from forms, pleadings, procedures and appeals to issues of accidents, occupational diseases and the relationship between tort law and worker's compensation law.

## **Curriculum Inventory**

The following courses have been offered in the past and may be offered again in the future however, they have not been offered for the last two years and/or there is no set sequencing schedule for these courses. They may be added at any time. Students should not expect that any course on this list will be offered.

- (1) Admiralty Law
- (2) Alabama Civil Procedure
- (3) Alabama Constitutional Law
- (4) Banking Law
- (5) Corporate Governance
- (6) Estate and Gift Tax
- (7) Estate Planning
- (8) Federal Crimes
- (9) First Amendment
- (10) Gender and the Law
- (11) Gospel Jurisprudence
- (12) Law Office Management
- (13) Litigation Technology
- (14) Military Justice
- (15) Securities Regulation
- (16) Toxic Torts



## **Course Clusters**

The guide below lists courses recommended by the faculty's curriculum committee and gives details about the sequencing of courses within particular fields of law.

### **ALTERNATIVE DISPUTE RESOLUTION (ADR)**

These courses detail alternative methods of settling disputes other than through a trial. Students may earn a Certificate in Dispute Resolution upon completion of the fifteen hours in the courses listed below. The Certificate in Dispute Resolution is not a supplemental degree, but an opportunity for students to highlight their knowledge of conflict management principles and dispute resolution processes.

#### **Foundational Courses:**

Dispute Resolution Processes (3 hours)

Administrative Law (3 hours)

#### **Advanced Courses:**

Interviewing, Counseling, and Negotiation (3 hours)

Mediation Clinic (3 hours)

Arbitration (3 hours)

#### **For a certificate in Dispute Resolution the following courses are required:**

Mediation Clinic (3 hours)

## **CHILD ADVOCACY**

The Child Advocacy cluster is designed for students interested in careers as advocates for children in delinquency, abuse and neglect, custody, and education cases.

### **Foundational Course:**

Family Law (3 hours)

### **Additional Courses for Students with Particular Interests:**

Children's Rights Seminar (2 or 3 hours)

Family Violence Clinic (2 or 3 hours)

Interviewing Counseling, and Negotiation (3 hours)

## **CRIMINAL PRACTICE**

Prosecutors and criminal defense lawyers play vital roles in the criminal justice system and shape the criminal regulation of individual and corporate behavior in a free society. Courses in the criminal practice area prepare students for future careers as prosecutors, defense counsel, and judges in the juvenile justice system and the criminal justice system.

### **Foundational Courses:**

Children's Rights (2 or 3 hours)

Legal Drafting (3 hours)

Advanced Criminal Procedure (3 hours)

Trial Advocacy (3 hours)

Interviewing, Counseling, and Negotiation (3 hours)

### **Additional Courses for Students with Particular Interests:**

Appellate Advocacy (3 hours)

Current Issues in Criminal Law (2 hours)

## **ENTERTAINMENT LAW**

The field of Entertainment Law provides diverse opportunities for representing clients with creative or athletic talent, as well as representing the employers of that talent and companies that engage that talent for their services.

The Entertainment Law Cluster is designed to expose students to the areas of law they may encounter while representing these types of clients.

### **Foundational Courses:**

Administrative Law (3 hours)

Sports Law (2 or 3 hours)

Legal Drafting (3 hours)

### **Additional Courses for Students with Particular Interests:**

Employment Law (3 hours)

Gaming Law (2 hours)  
Intellectual Property Law (2 or 3 hours)

## **ENVIRONMENTAL LAW**

Students concentrating on courses in Environmental Law seek in-depth analysis of environmental protection through the study of statutes, administrative regulations and practices, and judicial decisions treating the protection of the environment in the United States. “Particular Interest” courses offer specialized training for applications in land use with a discussion of environmental issues affecting those uses. This Course Cluster provides basic preparation for students considering an environmental law practice.

### **Foundational Courses:**

Environmental Law (3 hours)

### **Additional Courses for Students with Particular Interests:**

Administrative Law (3 hours)

Land Planning (3 hours)

Real Estate Practice (3 hours)

Smart Growth Law (2 hours)

## **GOVERNMENT PRACTICE**

State and federal governments employ significant numbers of lawyers. Government lawyers gain experience in ways not easily replicated in the private sector; many new government lawyers handle cases that are the province of senior partners at private law firms. Additionally, government lawyers influence public policy in ways that private attorneys cannot. Courses in the government practice area prepare students for the unique role of government lawyers to represent agencies of the executive and legislative branches of state and federal government.

### **Foundational Courses:**

Pre-trial Practice (3 hours)

Trial Advocacy (3 hours)

Administrative Law (3 hours)

Employment Law (3 hours)

Environmental Law (3 hours)

Legal Drafting (3 hours)

Legislation (3 hours)

Interviewing, Counseling, and Negotiation (3 hours)

### **Additional Courses for Students with Particular Interests:**

Land Planning (3 hours)

Federal Courts (3 hours)

Appellate Advocacy (3 hours)

Advanced Torts (2 hours)

Civil Rights (2 or 3 hours)

## **INTERNATIONAL LAW**

The International Law Cluster is designed for students interested in the interaction between U.S. law and foreign law or who may seek careers representing clients with overseas interests.

### **Foundational Course:**

International Law (3 hours)

### **Additional Courses for Students with Particular Interests:**

Comparative Constitutional Law (3 hours)

Conflict of Laws (3 hours)

International Business Litigation (3 hours)

## **LABOR AND EMPLOYMENT**

The Labor and Employment Cluster is intended for students who seek careers representing workers or management in administrative and court proceedings including claims for injury, breach of contract, and union/management issues.

### **Foundational Courses:**

Employment Law (3 hours)

Administrative Law (3 hours)

### **Additional Courses for Students with Particular Interests:**

Arbitration (3 hours)

Worker's Compensation (3 hours)

## **LAND USE AND DEVELOPMENT**

As the southeastern United States grows in population, Alabama is positioned to be a key area for land use and development. Land use lawyers represent municipalities and developers. Other areas of law in this cluster include real estate transactions, environmental regulations, and a variety of other administrative agencies.

This cluster will expose students to the many opportunities that these areas present in Alabama and the southeastern United States in general.

### **Foundational Courses:**

Land Planning (3 hours)

### **Additional Courses for Students with Particular Interests:**

Environmental Law (3 hours)

Administrative Law (3 hours)

Smart Growth Law (2 hours)

Real Estate Practice (3 hours)

## **LAW & RELIGION**

This cluster is intended for those students interested in the legal issues raised when the government interacts with religion.

### **Foundational Courses:**

Law and Christian Theology (2 or 3 hours)

Religion and the Constitution (2 or 3 hours)

### **Additional Courses for Students with Particular Interests:**

Comparative Constitutional Law (2 or 3 hours)

Freedom of Expression (2 or 3 hours)

Jurisprudence (2 or 3 hours)

## **LEGAL RESEARCH AND WRITING**

Students concentrating on courses in Legal Research and Writing seek training in advanced writing skills and research methods. This is a practical skills course of study. Completion of this course cluster will better prepare students for the general practice of law or a concentration in appellate practice. Students taking the courses in this cluster will develop skills in drafting documents for transactional work as well.

### **Foundational Courses:**

Advanced Legal Research (2 or 3 hours)

Legal Drafting (3 hours)

Pre-trial Practice (3 hours)

### **Additional Courses for Students with Particular Interests:**

Appellate Advocacy (3 hours)

Law Review (1, 2 or 3 hours)

Moot Court Competition Team (1 or 2 hours)

## **LITIGATION SKILLS**

Whether a lawyer is a defense counsel or plaintiff's counsel, the various phases of a litigated matter represent prime practice areas for students. This course cluster exposes students to these various phases by providing both theoretical and practical learning and training in each area.

### **Foundational Courses:**

Dispute Resolution Process (3 hours)

Pre-trial Practice (3 hours)

Trial Advocacy (3 hours)

### **Additional Courses for Students with Particular Interests:**

Administrative Law (3 hours)

Advanced Torts Seminar (2 hours)  
Appellate Advocacy (3 hours)  
Arbitration (3 hours)  
Moot Court Competition Team (1 or 2 hours)  
Products Liability (3 hours)  
Trial Competition Team (1, 2 or 3 hours)

## **PUBLIC INTEREST LAW**

This course cluster is intended for students interested in legal issues a lawyer is likely to confront in representing the interests of the poor or members of other marginalized groups, or in representing citizens or public interest groups in claims against the government.

### **Foundational Courses:**

Civil Rights (2 or 3 hours)

### **Additional Courses for Students with Particular Interests:**

Administrative Law (3 hours)  
Children's Rights (2 or 3 hours)  
Elder Law Clinic (2 or 3 hours)  
Employment Law (3 hours)  
Environmental Law (3 hours)  
Family Law (3 hours)  
Family Violence Clinic (2 or 3 hours)  
Freedom of Expression (2 or 3 hours)  
Mediation Clinic (3 hours)  
Religion and the Constitution (2 or 3 hours)

## **SMALL OFFICE PRACTICE**

Courses in the small office practice area prepare students for the special challenges and opportunities of solo practice or the general practice of law. These courses equip the aspiring general practitioner to handle a wide variety of criminal and civil matters for individuals and small businesses. Importantly, general practitioners must recognize when clients should be referred to legal specialists. Accordingly, these courses also expose students to the different issues that arise in a general practice.

### **Foundational Courses:**

Pre-trial Practice (3 hours)  
Advanced Criminal Procedure (3 hours)  
Family Law (3 hours)  
Wills and Trusts (3 hours)  
Sales (2 hours)  
Negotiable Instruments (3 hours)  
Secured Transactions (3 hours)  
Legal Drafting (3 hours)

Interviewing, Counseling, and Negotiation (3 hours)  
Federal Income Tax (3 hours)  
Children's Rights (2 or 3 hours)

**Additional Courses for Students with Particular Interests:**

Bankruptcy (3 hours)  
Trial Advocacy (3 hours)  
Real Estate Practice (3 hours)

**TAX LAW**

This cluster is intended for those interested in learning the law of federal or state taxation.

**Foundational Courses:**

Federal Income Tax (3 hours)  
Taxation of Business Enterprises (3 hours)

**Additional Courses for Students with Particular Interests:**

Wills and Trusts (3 hours)

**TRIAL ADVOCACY**

These courses are available for students to hone their advocacy skills. Courtroom presence and preparation are highlighted in these courses. Individuals who hope to be a prosecutor or criminal defense attorney should consider these courses.

**Foundational Courses:**

Pre-trial Practice (3 hours)  
Trial Advocacy (3 hours)

**Additional Courses for Students with Particular Interests:**

Trial Advocacy for Competition (3 hours)  
Trial Competition (1 hour)  
Trial Competition Team (1, 2 or 3 hours)

## **Co-Curricular Programs**

The Law School has co-curricular programs that provide students with opportunities to hone their research, writing, and advocacy skills. Each program is time intensive and requires a high level of commitment by the students. Participation in these programs is an honor. Space is limited. If you are interested in any of these areas you should contact the program directors for more information.

### **Law Review**

Participation in Law Review will help you hone your research and writing abilities and give you opportunities to collaborate with other law students. Staff members receive one credit hour for each semester they serve on the Law Review; additional credit is available for editors of the Law Review.

Membership on the Law Review is competitive. Students are chosen on the basis of grades or on the basis of a writing competition after their first year. Students invited to join Law Review on the basis of grades must be ranked in the top 15% of their class and have a cumulative grade point average of 2.75 or higher; they must also complete a citation and proofreading exercise. Students who write-on must be ranked in the top 50% of their class, write a paper, and complete the citation and proofreading exercise.

## **Advocacy Programs**

### **BOARD OF ADVOCATES**

The Law School's Board of Advocates is a student organization composed of second and third year law students dedicated to development of pre-trial (including client counseling, mediation, arbitration and negotiation), trial, and appellate advocacy skills. Membership criteria and duties are contained in the Constitution and Bylaws of the Board of Advocates and available, upon request, from the Director of Advocacy Programs.

### **INTRASCHOLASTIC ADVOCACY COMPETITIONS**

#### ***Faulkner's First Year Moot Court Competition***

All first year students are eligible to participate in an intra-school moot court competition in the spring semester of their first year as part of Legal Research and Writing II. First-year students prepare an appellate brief and participate in competitive appellate oral arguments. Awards are given to the best brief and the best advocate in the competition.



### ***J. Greg Allen Mock Trial Competition***

Each fall the law school hosts the J. Greg Allen Mock Trial Competition. This tournament is open to Faulkner Law students who have completed trial advocacy. The tournament is traditionally held the last week in August. Awards will be given to the best two teams and the best advocate.

### **INTERSCHOLASTIC ADVOCACY COMPETITIONS**

The law school's advocacy programs provide numerous opportunities for second and third year students to hone their advocacy skills in national trial, appellate, and alternate-dispute resolution advocacy competitions. Students selected to participate in interscholastic advocacy events represent the law school in competitions against law students from around the country.

Participation in the law school's interscholastic advocacy program is limited to students selected by the Director of Advocacy Programs. Applications are solicited in March or April of each year. As part of the application process, students may be required to participate in a formal try-out. All law students in good academic standing are eligible to apply for a position on one of the law school's advocacy teams.

For more information regarding any of the law school's advocacy programs please see Professor Lester.

## **Professional Skills Courses**

The purpose of the Professional Skills Requirement is to give each student a challenging experience in the development of professional skills that prepare students for the practice of law. “Professional skills” means skills generally regarded as necessary for effective and responsible participation in the legal profession.

The Professional Skills Requirement may be satisfied by the successful completion of any of the following courses:

- (1) Advanced Legal Research
- (2) Appellate Advocacy
- (3) Arbitration
- (4) Dispute Resolution Processes
- (5) Elder Law Clinic
- (6) Externship
- (7) Family Violence Clinic
- (8) Interviewing, Counseling, and Negotiation
- (9) Legal Drafting
- (10) Mediation Clinic
- (11) Pre-trial Practice
- (12) Trial Advocacy
- (13) Trial Advocacy for Competition

[From: § 2-601, *Manual of Policies* (2013-14).]

## Seminars

The Law School offers a wide variety of special seminars. A seminar provides a small group learning environment conducive to the development of lawyering skills through legal writing and class participation. Most students will satisfy the Rigorous Writing Requirement with the substantive paper written in a seminar. Below is a list of seminars that have offered, but actual offerings in a given semester or year may vary.

The law school has offered the following courses as seminars:

- (1) Advanced Topics in Family Law
- (2) Advanced Torts
- (3) Animal Law
- (4) Children's Rights
- (5) Civil Rights
- (6) Comparative Constitutional Law
- (7) Current Topics in Criminal Law
- (8) Freedom of Expression
- (9) Gaming Law
- (10) Health Law
- (11) Immigration Law
- (12) Intellectual Property
- (13) International Law
- (14) Jurisprudence
- (15) Land Planning
- (16) Law and Bioethics
- (17) Law and Christian Theology
- (18) Law and Public Policy
- (19) Legal Ethics in the New Millennium
- (20) Professional Malpractice
- (21) Race, Poverty, and the Death Penalty
- (22) Religion and the Constitution
- (23) Smart Growth
- (24) Sports Law

## **Clinics**

The Law School offers three clinics: the Mediation Clinic; the Family Violence Clinic; and the Elder Law Clinic. Clinical study is a unique opportunity for students to practice law with real clients in real courts. Clinical students apply theory to practice and are responsible for interviewing clients, evaluating claims, conducting investigation and discovery, preparing legal documents and pleadings, mediating disputes, counseling clients and litigating in area courts. The Clinics provide unparalleled opportunities for law students to obtain real-world, hands-on experience and preparation for the practice of law.

### **ELDER LAW CLINIC**

The Elder Law Clinic offers opportunities for law students to represent low-income, elderly citizens in area counties. Law students counsel and represent clients with diverse legal needs: guardianships and custody matters; advanced directives; powers of attorney; wills and trusts; estate planning; benefit applications and appeals; retirement solutions; elder abuse; and medical decision making. The Elder Law Clinic also provides public information programs on federal and state benefit programs, long-term care solutions, nursing home and skilled nursing facility standards, age discrimination, elder abuse, grandparental custody, medical decision making and end-of-life issues. The Elder Law Clinic works in cooperation with Legal Services Alabama and the Alabama Department of Senior Services. The Elder Law Clinic promotes the school's mission to serve those neglected or in need and provides valuable, hands-on practice to prepare students for the profession.

The Elder Law Clinic is a three hour, Pass/D/Fail course, and it satisfies the Professional Skills Requirement. The prerequisites for taking this offering are: Civil Procedure I and II; Contracts; Legal Research and Writing I and II; Property; and Torts. Also, students must have completed or must take simultaneously with the Elder Law Clinic at least one of the following courses: Evidence; Wills and Trusts; Administrative Law; Estate Planning; Federal Income Tax; Family Law; or Insurance Law. Students eligible for limited-practice cards must obtain such a card for clinic practice.

### **MEDIATION CLINIC**

In the Mediation Clinic, students learn the theory and practice of mediation and alternative dispute resolution, then mediate cases at the Montgomery County District Court and report their experiences during the classroom sessions. The goal of this course is to allow students to hone their skills as mediators in courtroom settings as well as in the classroom. The Mediation Clinic is a three-hour, Pass/D/Fail course, and it satisfies the Professional Skills Requirement. This clinic is open to second- and third-year students.

## **Family Violence Clinic**

The Family Violence Clinic offers students the opportunity to represent live clients in area courts to seek protection from domestic violence. In cooperation with an area abuse shelter, students litigate pro bono on behalf of people in abusive family relationships to obtain orders that enable these survivors to find safety, to protect their children and to establish more peaceful lives. The Family Violence Clinic promotes the school's mission to relieve the oppressed and abused, and it provides valuable, practical real-world experience to prepare new lawyers for the courtroom.

The Family Violence Clinic is a three-hour, Pass/D/Fail course that satisfies the Professional Skills Requirement. Prerequisites for taking this course are: Civil Procedure I and II; Contracts; Legal Research and Writing I and II; Property; and Torts. Evidence is a pre- or co-requisite for this offering. Additionally, students who are eligible for limited-practice authority (the 3L card) must acquire it.

REGISTRATION & STUDENT  
ADVISING

## REGISTRATION AND STUDENT ADVISING

Several weeks before a new semester begins, a tentative schedule of classes and an exam schedule for the next semester will be sent to students via Faulkner email. This information can also be found on our website under “Current Students.”

Each student will be assigned a faculty advisor who will post a sign-up sheet for students to visit with the faculty member to discuss the schedule and advise the student regarding any questions the student might have. Students are encouraged (though not required) to visit the advisor.

### Step One: Academic Advising

**First year students** have a prescribed course of study, therefore, there is no reason for them to meet with an advisor. First year students should read the Student Handbook and begin to think about the courses they want to take after the required courses have been completed.

**All other students** will be assigned an academic faculty advisor and may meet with the faculty member during the advising period.

### Step Two: Online registration and finalizing the payment plan

During the dates set aside for pre-registration, the student will go to my.faulkner.edu, select courses, and submit them. (More detailed registration instructions will be emailed to students each semester before registration.) After the time set for online registration expires, it may be necessary to make some adjustments to the schedule. For example, if too few students sign up for a class, it may be cancelled. Every effort will be made to let students know as soon as possible if a class has been cancelled and to let the student select another course.

Once the student has submitted his or her schedule, he or she will receive a confirmatory email letting him or her know it is time to complete the online payment agreement.

**Failure to finalize pre-registration during the time set aside will mean that any priority the student had in a capped course will be released to allow students on the waiting list to enroll in that class.**

If a student does not register during the online pre-registration period, he or she can register on the date of Final Registration, but **will be given no preference for placement in capped classes**. Full-time students may not register for more than 16 credit hours per semester. Students whose grade point average is **2.5** or higher, however, may register for up to **18** hours per semester with the approval of the Associate Dean for Academic Affairs.

## **Final Registration**

If, for some reason, a student misses pre-registration, or needs to make an adjustment to a schedule, that student must register in person on the date listed for final registration. If the student cannot be present on that date, he or she may designate another student or proxy to register for him or her, with the Academic Dean's approval. After final registration, a student may drop/add courses for a limited time, but there will be a **\$100 charge** for doing so. Changes may be requested via email during final registration to [jkjohnson@faulkner.edu](mailto:jkjohnson@faulkner.edu).



# EXAM REVIEW

## **REVIEW OF FINAL EXAMINATIONS**

Students who wish to review their final examination papers are required to give at least twenty-four hours notice to the office of the Assistant Dean for Administrative Affairs. This provides time for the staff to obtain the desired papers and have them available at the appointed time. Examinations may be reviewed during the two-week period following the first week of classes each semester.

# FINANCIAL INFORMATION

## **FINANCIAL INFORMATION**

### **PAYMENT REQUIREMENTS**

All charges owed for each semester are due at final registration. Registration and confirmation of classes are not complete until the Business Office acceptance is granted.

### **HOW TO PAY**

Checks for tuition and fees should be made payable to Faulkner Law and must identify the student for which payment is made. Books and supplies are available from Faulkner Bookstore on campus and must be purchased separately. Online payments may be made at:

<https://secure.faulkner.edu/forms/fees/>

A fee is assessed for each returned check. If a student repeatedly issues an NSF check, he/she will be required to make subsequent payments in cash or by cashier's check.

### **DEFERRING PAYMENT**

Students may apply to defer a portion of their balance for each semester. At final registration a down payment is required which is equal to one-fourth of the total amount due. The remaining tuition is paid in three equal installments payable on the first day of the first, second, and third months following registration. In order to defer payment, students must make the required down payment due at registration and maintain a satisfactory credit record for each semester of enrollment.

A deferment fee is assessed for those students permitted to defer payment. A late payment fee is assessed for each late payment. The student may not be allowed to participate in examinations if his/her account is delinquent.

### **PAST DUE BALANCES**

In the event a balance remains after the close of the semester in which charges were incurred, a delinquency charge of 1.5% monthly will be added to the unpaid balance. This delinquency charge will continue monthly until the balance is paid in full.

Diplomas, grades, transcripts or other reports are not released to the student until all accounts, current or otherwise, have been settled in agreement with the policy outlined above. Such documents are retained by Faulkner Law as security for these obligations until they are satisfied.

### **FINANCIAL AID**

Faulkner Law is approved by the State of Alabama Approving Agency. Students who are eligible to receive VA education benefits, have applied to the VA, and been approved by the VA for benefits may use those benefits while attending Faulkner University, Jones School of Law. Other Financial Aid programs available may be Direct Stafford Student Loan and Direct Plus Loan. Information for these programs may be obtained at [www.studentloans.gov](http://www.studentloans.gov)

Faulkner University Jones School of Law has also chosen to be a Post 9/11 GI Bill Yellow Ribbon School.

Student should consult with the Financial Aid Office concerning the effect of withdrawal, dismissal or change in course load. With any change during a semester, a Return of Title IV Calculation is completed based on the last date of attendance. Depending upon the Return of Title IV Calculations, loan funds may be returned to the Direct Loan Program. All charges owed must be paid at the time of withdrawal or dismissal. Refunds for student loans awarded to the student are paid back to the federal fund program.

**Each student who graduates from Faulkner Law is required to attend an Exit Interview.**

If a student's loan has not been received at the time of final registration, that student is required to make a first payment under the deferred payment plan.

### **TUITION AND FEES**

|   |             |
|---|-------------|
| Application Fee (non refundable)                          | \$ 50.00    |
| Student Activities Fee (1L's only)                        | \$ 350.00   |
| Faulkner Law First Year Students (per semester)           | \$17,000.00 |
| Audit Fee (per hour)                                      | \$ 330.00   |
| Deferred Payment Fee (per semester)                       | \$ 75.00    |
| Drop/Add Fee  | \$ 100.00   |
| Late Registration Fee                                     | \$ 100.00   |
| Transcript Fee  | \$ 15.00    |
| Seat Deposit<br>(First Year Students-First Semester Only) | \$ 300.00   |
| Emergency Response Fee                                    | \$ 10.00    |

*Updated August 23, 2011  
Updated July 25, 2012  
Updated July 11, 2013*

# HONOR CODE

## CHAPTER SIX ~ ENVIRONMENT

### PART 1 – HONOR CODE

#### Article I. Purposes

§1.1 The purposes of this Honor Code are the following:

- (a) To preserve and protect the integrity of the Law School.
- (b) To promote the highest ethical standards among students, faculty, and staff.
- (c) To ensure that grades at the Law School are administered fairly.
- (d) To ensure that students who engage in ethical violations are duly disciplined while also ensuring that students who are wrongly accused of ethical violations are exonerated.

#### Article II. Definitions

§2.1 “Code” means this Honor Code.

§2.2 “Court” means the Honor Court, which is the official representative of law students in deciding questions about violations of the Code.

§2.3 “Instructor” is any full, associate, assistant, adjunct, or part-time professor, or any other person acting in a teaching capacity.

§2.4 “Interested faculty member” is the faculty member in whose course a violation of the Code is alleged to have occurred, regardless of whether that faculty member is the reporting party.

§2.5 “Law School” is Thomas Goode Jones School of Law.

§2.6 “Parties” include the suspected violator, the Prosecutor, Defense Counsel, and the interested faculty member, if any.

§2.7 To “publish” means to post a notice on the Law School’s bulletin board which is designated for announcements relating to the Code.

§2.8 “Quorum” is achieved when five or more Justices are present for a hearing of the Court.

§2.9 “Reporting party” is any person who reports a suspected violation of the Code. “The Report” is the report of a suspected violation.

§2.10 “Student” is any student admitted to, or enrolled in the Law School, including a student who is part-time, transferring, transient, auditing, or visiting from any other school.

§2.11 “Suspected violator” is any person reported as having violated the Code. Whenever the term appears in a procedural context, it also refers to the suspected violator’s counsel.

§2.12 “Unauthorized assistance” is the assistance that either the instructor or the Code specifies to be unauthorized.

§2.13 “Unauthorized material” is the material that either the instructor or the Code specifies to be unauthorized.

### **Article III. Violations of the Honor Code**

§3.1 The following practices are violations of the Code:

- (a) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one’s own.
- (b) Giving, obtaining, soliciting, or offering to provide unauthorized assistance in the preparation of material to be submitted or presented in a class, law review assignment or competition, moot court assignment or competition, essay contests for which eligibility is dependent on status as a law student, or any other similar activity.
- (c) Using unauthorized materials in connection with class assignments or examinations.
- (d) Concealing or stealing library books or other library materials, or withdrawing such materials from the library without properly checking them out, or defacing such books or materials, making copies without paying for them if payment is appropriate, failure to pay library fines, computer fraud, and software copyright infringements.
- (e) Copying the work of another student during an examination or giving, soliciting, offering to give, or asking to receive or receiving any unauthorized assistance or information before or during an examination.
- (f) Obtaining or possessing an examination, assignment, answer sheet, or similar material in advance of such time as one is entitled to possess it.
- (g) Commencing or accessing an examination before the stipulated time, including reading the contents of the exam or writing any notes or outlines or continuing to write after time has expired in an examination period.
- (h) Bringing to an examination any unauthorized electronic device. Such devices include, but are not limited to, cell phones, beepers, palm pilots, computers and word processors.
- (i) Doing anything which compromises the anonymity of an examination or assignment, including but not limited to actions or writings which would reveal one’s identity to the professor, unless authorized to do so by the professor. This provision shall not be construed to conflict with any provision of the Americans with Disabilities Act.



- (j) Failing to disclose to a professor that work submitted for credit was wholly or substantially done prior to the beginning of the course for which the work is being submitted (or, in the case of the rigorous writing requirement, prior to the supervising professor's approval to write the paper).
- (k) Taking property of another without authorization or by fraud. Such property includes, but is not limited to, briefs, books, notes, tapes, computer software, data, or outlines belonging to a faculty member or another student.
- (l) Making a material misrepresentation to the administration, faculty, or staff of the Law School or Faulkner University. This provision specifically includes, but is not limited to, signing another student's name to the class attendance roll.
- (m) Revealing any confidential information presented during a proceeding before the Court.
- (n) Engaging in conduct, which, if done by a lawyer, would violate the Alabama Rules of Professional Conduct.
- (o) Engaging in conduct that adversely reflects on fitness to study or practice law, including but not limited to violations of federal or state criminal law, regardless of whether such conduct is actually prosecuted in the courts.
- (p) Attempting to commit any of the acts described in Subsections 3.1(a) - 3.1(o).
- (q) Knowing failure to report a violation of the Code, conspiring to violate the Code, or knowingly making a false report that another student has violated the Code.

#### **Article IV. Jurisdiction and Terms of the Honor Court**

**§4.1** The Court shall have jurisdiction over all alleged violations of the Code as defined in Article III above, unless the Associate Dean for Academic Affairs or a majority of the faculty vote to remove a particular case from the Court.

**§4.2.** Nothing in this code is intended to supersede the authority and responsibility of a faculty member to control conduct in his classroom, to determine what factors are to be considered in assigning a grade or credit for student performance, and to determine the appropriate grade or credit to be assigned. An aggrieved student may appeal his or her grade under the Academic Policies and Procedures of the Law School.

**§4.3** Once a complaint has been filed pursuant to Subsection 6.4(a), there shall be no plea-bargaining among or between the Court, the Prosecutor, and the alleged violator without the approval of the Associate Dean for Academic Affairs.

**§4.4** Each term of the Court will begin on the first day of the summer semester of the Law

School and will end the next year on the day before the summer semester begins.

## **Article V. Members and Officers of the Court**

**§5.1** The voting members of the Court shall be seven students in good academic standing. A Chief Justice shall be elected by all students, in the spring semester for the upcoming term of the Court. The remaining student members shall be elected as follows: two at-large Justices from the third year class elected by the entire third year class, two at-large justices from the second year class elected by the entire second year class, and one Justice from each section of the first year class to be elected by their respective sections. The two first year members shall be elected within one month after the beginning of the fall semester; they shall become members of the Court as soon as they are elected. The remaining members shall be elected in the spring semester for the upcoming term of the Court.

**§5.2** If during a term of the Court the position of Chief Justice becomes vacant, the remaining members of the Court shall select from among themselves a Chief Justice; the new Chief Justice shall then fill the vacancy on the Court by appointing any student in good academic standing, provided however that this appointment shall be approved by a majority of the Student Bar Association's elected officers. Any other vacancy on the Court shall be filled by the Chief Justice's appointing a student in good academic standing who is in the student group which originally elected the member whose position has become vacant, provided however that this appointment shall be approved by a majority of the Student Bar Association's elected officers

**§5.3** A member of the faculty, appointed by the Dean, shall serve as a nonvoting member of the Court. That faculty member shall (a) provide advice, recommendations, or other assistance as he may deem necessary or desirable, (b) rule on motions and objections made during proceedings of the Court, and (c) preserve all records of the Court in connection with questions about violations of the Code.

**§5.4** The Chief Justice shall (a) preside over all meetings of the Court, (b) act as the chief administrative officer of the Court, and (c) only vote to break a tie.

**§5.5** The Prosecutor is an officer of the Court who is the representative of the law students in investigating, presenting, and prosecuting alleged violations of the Code. The Prosecutor shall be a third year law student in good standing elected by the student body at large.

**§5.6** The Assistant Prosecutor is an officer of the Court who assists the Prosecutor in investigating, presenting, and prosecuting violations of the Code. The Assistant Prosecutor shall be a second or third year law student in good standing elected by the student body at large.

**§5.7** The Defense Counsel is an officer of the Court who is selected by a suspected violator to assist in his defense. A suspected violator may select as Defense Counsel either one attorney licensed to practice law in Alabama or a maximum of two second or third year law students. The alleged violator shall be entitled to proceed pro se.

*Revised March 8, 2010*

## **Article VI. Prehearing Procedures**

### **§6.1 Reporting Suspected Violations**

- (a) Any student who in good faith reasonably suspects that a violation of the Code has occurred shall report that suspected violation at the earliest practicable time to the Prosecutor pursuant to the procedures set forth in Subsection 6.1(c).
- (b) Any other member of the Law School or University community (administration, faculty, or staff) who in good faith reasonably suspects that a violation of the Code has occurred may report that suspected violation to the Prosecutor pursuant to the procedures set forth in Subsection 6.1(c).
- (c) The Prosecutor shall provide a form for reporting violations and a separate sheet for the signature of the reporting party. The Report of the suspected violation shall contain the name of the suspected violator or, if the violator's name is not known, all relevant identifying information. It shall also include a full description of the suspected violation, stating the place, date, and approximate time of occurrence. The person reporting the violation shall verify the Report by signing on the separate signature page, and the Prosecutor shall reveal his identity as the reporting party only to the Associate Dean for Academic Affairs except as provided herein at Subsection 6.4(a).

### **§6.2 Initial Investigation and Opportunity To Be Heard**

- (a) Upon receipt of the Report, the Prosecutor shall first provide a copy of the Report to the Associate Dean for Academic Affairs and then investigate whether there is probable cause to conclude that a violation of the Code has occurred. If the Prosecutor determines that there is not probable cause, he shall so advise the reporting party and take no further action on the Report.
- (b) If the Prosecutor determines that there is probable cause, he shall provide a copy of the Report (without the signature page) to the suspected violator and afford the suspected violator an opportunity to be heard by him on the matter.
- (1) If the suspected violator admits all allegations of the Report, then the procedures for a Sanction Hearing set forth in Section 6.3 shall be followed.
- (2) If the suspected violator does not admit all allegations of the Report, the Prosecutor shall make such further inquiry or investigation as he deems appropriate, if any, in order to determine whether there is probable cause to conclude that a violation of the Code has occurred. If he determines that there is not probable cause, he shall so advise the suspected violator and the reporting party and take no further action on the Report. If he determines that there is probable cause, he shall so advise the suspected violator and the reporting party and follow the procedures for a Hearing on the Merits set forth in Section 6.4.

### **§6.3 Sanction Hearing**

The Prosecutor shall present to the Court the Report, the fact that the violator has admitted the allegations of the Report, and any other relevant fact. The violator and his Defense Counsel have the right to appear before the Court and make such statements as they choose.

## **§6.4 Hearing on the Merits**

(a) Promptly after notifying the suspected violator of the finding of probable cause, the Prosecutor shall file with the Court, and deliver to the suspected violator, (i) a written complaint containing a plain statement of the facts of the alleged violation(s), together with the identity of the reporting party, and (ii) the names of individuals needed as witnesses at the hearing on the complaint.

(b) Promptly after receiving the complaint, the Court shall schedule a hearing date which provides reasonable time for the parties and witnesses to prepare to attend. The Court shall then give prompt notice to the parties and witnesses of the time and place for the hearing on the complaint

(c) Prior to the hearing, the suspected violator may, but is not required to, file with the Court a written response to the complaint. Before any such response is filed with the Court, a copy thereof shall be delivered to the Prosecutor.

(d) At the hearing, the burden shall be on the Prosecutor to prove the allegations of violation(s) of the Code by clear and convincing evidence.

## **Article VII. Hearing Procedures**

**§7.1** Each Sanction Hearing as set forth in Section 6.3 and each Hearing on the Merits as set forth in Section 6.4 shall be closed to all persons except the Prosecutor, Assistant Prosecutor, Defense Counsel, the suspected violator, the interested faculty member(s), the witnesses, and any person designated by the Court to assist in the conduct of the hearing. Any party may invoke the rule to exclude a witness except during the taking of his testimony.

**§7.2** In no hearing shall the Court be bound by formal rules of criminal or civil procedure or strict rules of evidence, nor does the Code attempt to establish detailed procedural rules. Each hearing shall be conducted in a manner that affords the parties a fair and reasonable opportunity to present information and make arguments relevant to the alleged violation(s) and appropriate sanction(s) when violation(s) are admitted or proved.

**§7.3** (a) Any party has a right to challenge any member of the Court for cause. Any challenge for cause shall be made in writing and filed with the Court no later than one day prior to the hearing.

(b) The Chief Justice shall make the final decision on a challenge for cause filed prior to the hearing. If the Chief Justice is challenged or is otherwise unable to rule on the pre-hearing challenge, the challenge shall be decided prior to the hearing by a majority vote of the members of the Court present at the hearing. If Court member(s) are disqualified because of the granting of challenge(s) for cause, the remaining members of the Court shall constitute the Court for the remainder of the case if a quorum of the Court remains qualified and is present for the hearing. If the Chief Justice is disqualified because of the granting of a challenge for cause, the remaining members of the Court shall elect from among themselves a presiding judge for the case in question.

(c) If the granting of challenges results in the Court's inability to achieve a quorum for a case, each vacancy for that case shall be filled promptly by the Chief Justice, or if he is not able to act, by the SBA President. Each of the students selected to fill a vacancy for the case shall be in good academic standing and shall be in the student group which originally elected the member whose position has been rendered vacant for the case. The hearing may be continued for a reasonable time to permit the replacement judge(s) to become familiar with the case.

**§7.4** The parties have the right to make opening and closing statements.

**§7.5** The parties have the right to examine and cross-examine witnesses.

**§7.6** The parties have the right to present any physical or demonstrative evidence, independent of witnesses, that is relevant to the case.

**§7.7** The parties have the right to present character evidence and character witnesses.

**§7.8** An electronic sound recording shall be made of the proceedings of the hearing.

**§7.9** All exhibits offered, whether received into evidence or not, shall be retained and made a part of the record of the proceedings.

**§7.10** Promptly after the hearing the Court shall deliberate to its decision. A finding of a violation of the Code requires an affirmative vote by four members of the Court that the violation has been proved by clear and convincing evidence.

**§7.11** The Court shall prepare written findings of fact with respect to whether a violation has or has not occurred. Copies of such findings shall be presented to the Associate Dean for Academic Affairs and to each of the parties in the case.

**§7.12** When a violation is admitted or found to have occurred, the Court shall provide in writing to the Associate Dean for Academic Affairs a recommendation of the sanction(s) it determines to be appropriate, together with the reasons for the recommendation.

## **Article VIII. Sanctions**

**§8.1** The Court may recommend any one or more of the following sanctions to the Associate Dean for Academic Affairs:

- (a) Expulsion.
- (b) Suspension for a specified period of time.
- (c) A reduction of the grade in the course in which the violation occurred, including reduction to an “F”.
- (d) A grade of “Incomplete” in the course in which the violation occurred.
- (e) Cancellation of the work done in the course in which the violation occurred.
- (f) A written reprimand, which the administration of the Law School shall have the discretion to remove from the student’s permanent record.
- (g) Payment to compensate for any injury or loss caused, provided that the amount of such injury or loss has been proved by a preponderance of the information, together with up to three times the amount of such compensatory payment.
- (h) Restitution.
- (i) Dismissal from Law Review, Moot Court, and any other office or position connected with the Law School.
- (j) Any other appropriate sanction.

## **Article IX. Appeals**

**§9.1** Any interested party has the right to appeal to the Dean. Any matter may be appealed except for findings of fact. Notice of appeal must be filed with the Dean no later than three days after the party receives written notification of the sanction(s) to be imposed.

**§9.2** There will be no additional testimony permitted at the appeal. The Dean shall decide the appeal based solely upon the written documents in the case, the records of the proceedings of the Court (including the electronic sound recording), and such oral arguments of the parties as the Dean deems appropriate.

**§9.3** When the Dean has decided an appeal, he shall provide written notice to the parties of his decision. Following receipt of such notice (or, as the case may be, the expiration of the time for filing an appeal), the Chief Justice shall promptly publish a summary of any case in which a sanction is imposed, including findings of fact as to the violation(s) of the Code and the sanction(s) imposed, provided however that the name of the parties involved shall not be revealed.

## **Article X. Enactment of, and Amendments to, the Code**

**§10.1** The Code, and any amendment of it, shall originate either in the Court or the faculty. The originating body shall approve the Code or any amendment of it and then submit it for approval of the other body. Upon approval by the other body, it shall be submitted to the student body for final approval.

**§10.2** The Code, and any amendment of it, shall become effective upon final approval and shall govern all conduct occurring after the date of its adoption.

**§10.3** Upon final approval, the Code shall be printed and distributed to the students. The Code as amended shall be printed in each subsequent addition of the Student Handbook and provided to all students upon enrollment in the Law School. Copies of the Code shall be placed on reserve in the law library and made available in the office of the Student Bar Association.

**§10.4** If there is any conflict between the Code and the regulation of any student organization, the Code governs such regulation.

**§10.5** Final approval of the Code repeals the honor code(s) in effect at the time of such approval.

## **Article XI. Pledge**

**§11.1** On any written work done by a law student for academic credit, including examinations, the pledge provided in Section 11.2 must be included, followed by the student's entry of his signature (or anonymous number when appropriate). However, even if the pledge is not included, all such work is governed by the Code.

**§11.2** The pledge shall be as follows: "On my honor I represent that I have neither given nor received unauthorized aid on this (fill in the appropriate description)."

**§11.3** If the completed pledge does not appear on the academic work, the instructor may exercise his discretion and not give credit for the work.

**§11.4** The purpose of the pledge is to provide a continuing reminder to each student that he owes a responsibility of honorable behavior to himself, to his fellow students, to his instructors, to the Law School, and to the legal profession.

*Approved by the faculty on January 23, 2004,  
and by the student body on March 16, 2004.*



## HONOR CODE VIOLATIONS AND SANCTIONS

*Consider the following true stories (some facts have been altered) and determine whether they would constitute an honor code violation under the JSL Honor Code. If so, what sanction should apply?*

- A. A student completes an online citation exercise and submits it. In return, she gets back an e-mail with the answers to the exercise. She forwards the e-mail to a classmate who cuts and pastes the answers into his own e-mail. He submits his “answers.”

Violation?

Sanction?

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- B. Students were assigned to develop an outline for a project. One study group divided the work and each did a portion of the outline. They all turned in essentially the same outline.

Violation?

Sanction?

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- C. The school had a strict no-collaboration policy, i.e. a student could not show his or her written work for the class to anyone. A student handed in his paper and mistakenly left attached to it an e-mail from his lawyer uncle who had reviewed the paper and suggested numerous changes, most of which the student had made. The student argued that he had done nothing wrong.

Violation?

Sanction?

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- D. A student had to repeat his first year legal writing course. The class was doing the same assignment it had done the previous year. He had a different teacher this year. This student copied and turned in a model answer that had been given to him the year before.

Violation?

Sanction?

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- E. A student worked for the on-campus legal clinic. He submitted his work time sheet, but represented that he had worked more hours than he had actually worked.

Violation?

Sanction?

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- F. Bob signed the roll sheet for Jim who was absent that day. Bob later told Jim he had done that and that Jim could sign for him some day to pay him back.

Violation?

Sanction?

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- G. In an upper level seminar, a student turned in a paper containing language that appeared too polished for that student. The professor looked for the source, and found that about 1/3 of the paper had been cut-and-pasted from the Internet. Sometimes the student changed a few words or altered a footnote, but in the challenged passages, the structure and much of the language was word-for-word the same as the originals. Altogether six different sources were copied from. Sometimes the source was cited; sometimes it wasn't. No quotation marks were used.

Violation?

Sanction?

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- H. One young man was working on his girlfriend's computer and printed and submitted her document as his own without her knowledge (with only a few minor changes having been made to mask the theft).

Violation?

Sanction?

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- I. Students were not allowed to discuss the final memo problem with each other. One student e-mailed another student specific list of questions about the memo. She responded by telling him that she wasn't comfortable answering his questions because of the instructions not to discuss the problem. He responded by telling her just to delete the

e-mail and forget about it. He also commented in the e-mail that he didn't agree with the instructions not to discuss the problem.

Violation?

Sanction?

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- J. A student takes library books home, knowing that some of them are needed for other students to do research and complete a class assignment.

Violation?

Sanction?

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- K. A student forgets to pick up his secret number and knows he will be late to the exam if he goes to get it. Instead, he writes his social security number on the exam.

Violation?

Sanction?

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- L. Time is called at the end of the exam. One student has just erased an answer and pencils in the correct answer on the scantron after time has been called.

Violation?

Sanction?

Faulkner Law  
Summaries of Honor Court Opinions  
2006-10

**2006-01**

Facts: On May 1, 2006 the Honor Court held a Sanction Hearing in case number 2006-001, involving the use of unauthorized materials (obtaining a brief from the internet and putting portions of it in the student's own brief) by a student in connection with a class assignment.

Violation: The student acknowledged violating Article III, § 3.1 of the Honor Code. Article III, § 3.1 of the Honor Code lists the following as violations of the Code:

- (a) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one's own.
- (b) Giving, obtaining, soliciting, or offering to provide unauthorized assistance in the preparation of material to be submitted or presented in a class....
- (c) Using unauthorized materials in connection with class assignments or examinations.

Decision: After hearing argument from the prosecutor and affording the student an opportunity to address the Court, the Court deliberated to determine an appropriate sanction for the violation. Section 8.1(c) of the Honor Code gives the Court the authority to recommend a reduction of the student's grade in the course in which the violation occurred, including reducing the final grade to failing. A motion was made for a reduction in the student's semester grade to an "F," and the motion was seconded. The Court subsequently voted 4 to 1 in favor of the motion.

It is the recommendation of the Honor Court that the student in case number 2006-001 be given a grade of "F" in the class in which the violation occurred, and that the student be required to retake the class for credit. The Court wishes to impress upon all students the necessity for honor and integrity as a law student and future lawyer. Any violation of the Honor Code is serious and will receive due consideration by this Court.

*Done this, the 4<sup>th</sup> day of May, 2006.*

**2006-02**

Facts: During the spring semester 2006 finals, a final exam was given consisting of a series of multiple-choice (Multi-State) questions and two essay questions. The second essay question called for the examinee to analyze the fact pattern for a client and to write a memorandum explaining the analysis. The student wrote the memo in the "To:, From:, Re:" format, and inadvertently wrote the student's name in the "From:" field instead of the student's secret number.

The professor graded the multiple-choice questions and the first essay question of the student's paper anonymously since the professor had not yet seen the second essay question, and the student was given full credit for the answers to the multiple-choice questions and the first essay

question. When the professor discovered the student's name on the second essay question, the professor immediately stopped grading the exam, and no credit was given to the student for that question.

The matter was forwarded to the Honor Court Prosecutor, who conferred with the student. The student admitted to inadvertently compromising anonymity by writing the student's name on the exam and signed an admission statement.

Violation: Article III, section 3.1 of the Honor Code states the following is a violation of the Code:

“(i) Doing anything which compromises the anonymity of an examination or assignment, including but not limited to actions or writing which would reveal one's identity to the professor, unless authorized to do so by the professor.”

The Prosecutor and the student entered into a plea agreement, and the agreement was approved by the Associate Dean for Academic Affairs as required by Article IV, section 4.3 of the Honor Code. The plea stated that the Prosecutor would recommend the Court accept the plea and impose no greater sanction than that of having a formal letter of reprimand placed in the student's file with the option of the student being able to petition the Dean for the removal of the reprimand prior to graduation if no further Honor Code violations occur during law school enrollment.

Decision: After hearing argument from the prosecutor and affording the student an opportunity to address the Court, the Court deliberated to determine an appropriate sanction for the violation. Section 8.1 (j) of the Honor Code gives the Court the authority to impose any other appropriate sanction as it deems necessary. After deliberation among the Court, a motion was made to recommend no sanction, as the student inadvertently compromised anonymity, and the student already received no credit for the answer that was compromised. The motion was seconded, and the vote was unanimous, 4 to 0.

It is the recommendation of the Honor Court that the student in case number 2006-002 receive no further sanction. Through the findings of the Prosecutor and the Court, the Court is satisfied that there is no evidence that the student sought to gain an unfair advantage, and that the violation was unintentional. The Court also believes that the student has already received adequate punishment by receiving no credit on the second essay question of the final exam, which lowered the student's grade in the course. The Court would like to impress upon all students that this is a violation nonetheless, and that as a prospective attorney every student should pay careful attention to minute details and instructions given on exams. Any violation of the Honor Code is a serious matter and will always be given the utmost consideration by this Court.

*Done this, the 20th day of August, 2006.*

### **2006-03; 2006-04**

Facts: During the fall semester 2006, Student B sent Student A notes from classes Student A had missed as well as a completed ICW exercise. Student A turned in the ICW exercise in Legal Research and Writing as the student's own work. The ICW exercise was in the wrong font and

contained other mistakes that were the same as the exercise Student B turned in. These mistakes tipped off the Professor that plagiarism might have occurred. Student A admitted to the professor that the ICW exercise answers were from Student B and also admitted to turning in the exercise as the student's own work.

Violation: Article III, section 3.1 of the Honor Code

- (a) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one's own.
- (b) Giving, obtaining, soliciting, or offering to provide unauthorized assistance in the preparation of material to be submitted or presented in a class . . .

Decision: Student A received a five percent reduction of the grade received in the course. This reduction amounts to the total weight of all ICW exercises in the Legal Research and Writing class. The vote was 4-2. Student B received a zero on the ICW exercise turned in and a written letter of reprimand placed in the student's file, which the administration of the Law School shall have the discretion to remove from the student's permanent record upon petition by the student. The vote was 6-0. The Court determined that the ICW exercises were not a substantial part of the Legal Research and Writing class; therefore the Court felt any harsher sanction would be inappropriate. The Court would like to impress upon the student body the seriousness of plagiarism and remind students that *any* violation of the Honor Code is a serious matter and will always be given the utmost consideration by the Court.

### **2006-05; 2006-06**

Facts: During the Fall Semester 2006, student A and student B worked on assignments for their Legal Research and Writing class together. During the sanction hearing, both students admitted to being friends and working together on graded assignments. Both students admitted that they were aware they could work on BLRW exercises together, but they knew it was a violation of the Honor Code to turn in identical assignments. However, as evidenced in the exhibits presented by the prosecutor, both students submitted identical assignments for a grade.

Both students initially admitted that they were aware they were not supposed to work on ICW exercises together. However, as the hearing progressed, the students' statements about the ICW exercises became inconsistent. The students later claimed the professor never clarified whether they were allowed to work on ICW exercises together. They claimed they were told they could work on BLRW exercises together, but were never told that they could not work on ICW exercises together.

During the question and answer portion of the hearing, the two students were asked if they attended 1L orientation. Both students said yes, at which time they were asked if they were present during the Academic Dean's presentation of Honor Code violations. Again, both students said yes. They were then reminded that the first scenario on the handout distributed during the presentation made clear that working together on ICW exercises was a violation of the Honor Code. In response to this information, both students said that they must not have been paying attention.

Violation: Article III, section 3.1 of the Honor Code:

- (c) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one's own.
- (d) Giving, obtaining, soliciting, or offering to provide unauthorized assistance in the preparation of material to be submitted or presented in a class . . .

Decision: Students A and B received a grade reduction to an F in LRWI. The vote was 6-0. First, the evidence submitted at the hearing by the prosecutor clearly shows that the two students plagiarized. The BLRW exercises, as well as the ICW exercises, were typed with the same tabs, font, and identical sentence structure, including incorrect responses. When a member of the court questioned student A as to the inability to distinguish the assignments, he/she was silent. It is the finding of the court that the substance of the assignments turned in by the two students was indistinguishable.

Second, both students admitted to conspiring together on graded assignments. Both students admitted to working together, including working on graded assignments. In furtherance of this conspiracy, the court found that the students changed the heading on the ICW exercises, but only the name on the BLRW exercises. This overt act is further evidence of the two students' intent to violate the Honor Code and defraud the professor. Finally, the testimony provided by both students confirmed that they had previously worked on other graded assignments together. Upon questioning the students about working on assignments together, the court inferred that the two students had worked on prior graded exercises for an extended period of time. Most notable to this court was information that both students had previously submitted work so similar in nature that their professor had warned them against working together in the future.

The facts in this case indicate an intentional act by both students to plagiarize their work, violate the school's Honor Code, and in essence jeopardize the integrity of the school, the student body, and the legal profession as a whole. The Honor Court firmly stands by and supports the mission of this institution, "to glorify God by embracing academic excellence and emphasizing a strong commitment to integrity within a caring Christian environment." This court feels that the actions of both student A and student B violated the Honor Code while disregarding the school's mission, and any sanction of less than an F would be inappropriate.

The students appealed the court's decision to the Dean of the law school, who sustained the court's opinion.

### **2007-01; 2007-02**

Facts: During the spring semester 2007, student A and student B were having a conversation when student B said to student A that he/she wished someone would sign the roll for him/her. The next day student A noticed student B was absent from class and signed the roll for him/her. Other students noticed this and brought this to the attention of the Academic Dean. Student A admitted that he/she signed student B's name on the roll and also said that he/she

might have signed student B's name on class attendance rolls before this incident. Student B admitted that student A signed his/her name on the roll. Student B also said that he/she signed student A's name on class attendance rolls before this incident. Several class rolls from throughout the semester indicate that the students' admissions were true.

Violation: Article III, section 3.1(l) of the Honor Code:

(l) Making a material misrepresentation to the administration, faculty, or staff of the Law School or Faulkner University. This provision specifically includes, but is not limited to, signing another student's name to the class attendance roll.

Decision: Students A and B received a one-year suspension from law school, to begin at the end of spring semester 2007 and continue through spring semester 2008. The students will be able to return, grades permitting, for summer semester 2008. The vote was 4-2 in favor of a one-year suspension. During the question and answer portion of the sanction hearing it was asked of student A how many times student A signed the roll for student B. Student A did not know how many times exactly, but student A did admit to signing the roll for student B more than once, including during the fall semester 2006.

The court had in evidence numerous rolls from different classes that both student A and student B were in together, and upon review of these documents it was obvious to the court that the signatures on some rolls were not the same as on other rolls. The court also had in evidence the Employment Work Hours Form that every student must sign at the beginning of the semester agreeing to work no more than 20 hours a semester. These documents had the signatures of both student A and student B and were used as a comparison by the court to the signatures on the rolls.

Upon review of all the evidence, it is apparent that student A signed the roll for student B a number of times. The students also admitted to doing this during the fall semester 2006. Since this blatant violation began in the fall semester and continued through the spring semester 2007, it is the court's opinion that the students should be suspended for an entire year since the violation occurred many times over the course of a year.

Someone who signs the roll for another person or has his or her name signed by someone else puts him or herself at an unfair advantage and thereby commits an offense against those students who are abiding within the rules. Since there are a limited number of absences allowed in a class, a person who has his or her name placed on a roll when he or she is not in attendance seeks to alter the grade by fraudulently obtaining an extra absence (or more) in a course.

The court is satisfied that this sanction is the proper punishment for this particular violation. The court would like to stress to the student body the seriousness of this violation in hopes that in the future such a violation will not come before the court. Any violation of the Honor Code will be given the utmost consideration by the court.

The students appealed the court's decision to the Dean of the law school, who sustained the court's opinion.



## 2007-03

### Facts:

During Spring Semester 2007, Student A submitted a final draft of the assigned Appellate Brief to his/her Legal Research and Writing II professor. The professor observed that Student A's Brief was considerably better than his/her rough drafts. Upon conducting further research, the professor found that Student A's Brief was substantially similar to a Westlaw brief in that Student A's Brief contained several large excerpts of text which was identical to text found in the Westlaw brief. Nine (9) of the fourteen (14) pages in Student A's Brief were virtually identical to the Westlaw brief.

On June 20, 2007, the Honor Court conducted a hearing. The Court found that Student A's first reading assignment from the professor was an LRW II packet containing explicit information on plagiarism. Specifically, the packet explained the meaning, severity and consequences of plagiarism. All students in the professor's class were expected to read this assignment. Additionally, plagiarism was a topic covered regularly in the professor's class. Despite Student A's arguments to the contrary, there was no evidence that Student A's professor told his/her students that it was permissible to cut and paste from a Westlaw brief. Further, Student A's admission that he/she did not bother to read the LRW II information on plagiarism could not be used as an excuse for the misconduct.

In addition to the plagiarism discussions which were conducted by Student A's professor, the Court found that the topic of plagiarism was discussed in detail during new student orientation, and that Student A was given a copy of the Honor Code, where plagiarism is the first violation discussed. In fact, upon submission of the subject Brief for grading, Student A signed an Honor Code Pledge affirming that he/she did not violate the Honor Code in any way in his/her Brief. However, as the evidence clearly establishes, Student A broke his/her Pledge and intentionally violated the Honor Code by plagiarizing two-thirds (2/3) of his/her Brief.

Violation: Student A was charged with violating Article III, § 3.1 of the Honor Code:

- (a) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one's own.

Decision: At the conclusion of oral arguments, and after much deliberation, the Honor Court voted unanimously in favor of expulsion. Article VIII, section 8.1(a) of the Honor Code gives the Court authority to expel a student for plagiarism. Due to the blatant violation, the Court decided that Student A should be expelled from school indefinitely.

*Done this 27th day of June, 2007.*

The opinion of the Honor Court in 2007-03 was appealed and that opinion was sustained on July 24, 2007.

## **2007-04**

### Facts:

During exams in the spring of 2007, Student A compromised his/her anonymity by writing his/her name in his/her blue book on an exam. Student A addressed the question, which was in memo format, and put his/her name in the heading. Part of the professor's directions on the exam included a reminder that compromising anonymity would result in a grade reduction in the class to a D. Student A admitted that he/she accidentally put his/her name on the exam.

Violation: Student A was charged with violating Article III, section 3.1(i) of the Honor Code:

- (i) Doing anything which compromises the anonymity of an examination or assignment, including but not limited to actions or writings which would reveal one's identity to the professor, unless authorized to do so by the professor. This provision should not be construed to conflict with any provision of the Americans with Disabilities Act.

### Decision:

After hearing argument from the prosecutor and affording Student A an opportunity to address the court, the court deliberated to determine an appropriate sanction for the violation. Article VIII, section 8.1(f) of the Honor Code gives the court the authority to place a written reprimand in a student's file. The court voted unanimously for a one-year written reprimand to be placed in the student's file, provided no other Honor Code infractions arise. The reprimand should emphasize the severity of Student A's conduct and that such carelessness will not be tolerated. Done the 27th day of June, 2007.

## **2008-01**

### Facts:

In the spring of 2008, Student A was arrested and charged with a misdemeanor crime. Student A obtained legal counsel and the case was pending in Montgomery Municipal Court. Student A informed the Alabama State Bar of his/her arrest. Subsequent to informing the bar of his/her arrest, Student A entered an agreement with the Alabama Lawyers Assistance Program under which the student agreed to submit to stringent requirements including random drug testing, monitoring, and other treatment for an extended period of time.

Violation: Student A admitted to a violation of Article III, section 3.1(n) and (o) of the Honor Code:

(n) Engaging in conduct, which, if done by a lawyer, would violate the Alabama Rules of Professional conduct.

(o) Engaging in conduct that adversely reflects on fitness to study or practice law, including but not limited to violations of federal or state criminal law, regardless of whether such conduct is actually prosecuted in the courts.

Decision:

After hearing from both the Prosecutor and Student A, the court decided in a 4-3 decision that Student A should have a letter of reprimand placed in his/her file. The dissenters voted for a one-semester suspension. The letter of reprimand should incorporate the terms of the contract between Student A and ALAP. The letter of reprimand should state that, "Student A shall not engage in any conduct that would adversely reflect on his/her fitness to study or practice law, including but not limited to violations of federal or state criminal law, regardless of whether such conduct is actually prosecuted in the courts." The court further instructed that if Student A does not abide by the letter of reprimand, or if Student A does not abide by the terms of the ALAP contract, he/she shall be suspended from law school for one semester. This letter of reprimand is permanent and shall not, under any circumstances, be removed once Student A has graduated from law school.

*Done this, the 25th day of February, 2008.*

**2008-02**

Facts:

During the spring semester of 2008, Student A went out drinking with friends in Montgomery. A friend of Student A later found him/her in the parking lot of a bar lying unconscious. The friend dropped Student A off at Student A's house, but Student A did not go into his/her house. Subsequently, Student A wandered around the neighborhood, arrived at the home of an off-duty police officer, and kicked the front door numerous times. The off-duty police officer was highly offended and called the police. Soon thereafter, the police arrived and arrested Student A for public intoxication. The following day, a friend entered bail for Student A and returned him/her home at which point Student A was arrested again for criminal trespass. On several occasions, Student A attempted to contact the off-duty police officer to formally apologize and pay for any damage. However, such efforts have been unsuccessful. Student A informed the Alabama Bar of his/her arrest and is currently attending alcohol abuse classes. Student A has two sponsors for AA who are helping him/her deal with and/or overcome this problem. In addition, Student A has attended numerous sessions with a psychologist.

Violation: Student A admitted to violating Article III, §§ 3.1(n) and (o) of the Honor Code:

(n) Engaging in conduct, which, if done by a lawyer, would violate the Alabama Rules of Professional conduct.

(o) Engaging in conduct that adversely reflects on fitness to study or practice law, including but not limited to violations of federal or state criminal law, regardless of whether such conduct is actually prosecuted in the courts.

Decision:

After hearing from both the Prosecutor and Student A, the court decided in a 5-4 vote in favor of placing a letter of reprimand in Student A's file. The dissenters voted for a one semester suspension. The letter of reprimand should state that, "Student A shall not engage in any conduct that would adversely reflect on his/her fitness to study or practice law including, but not limited to, violations of federal or state criminal law, regardless of whether such conduct is actually prosecuted in the courts." If Student A does not abide by the letter of reprimand, Student A will again be brought before the Honor Court and likely face either suspension or indefinite expulsion. This letter of reprimand is permanent and shall not, under any circumstances, be removed once Student A has graduated from law school.

The court's sanctions were made considering relevant circumstances. Student A faces criminal punishment as well as sanctions and requirements imposed by the state bar association. At the time of Student A's hearing, resolution of this matter was pending in the criminal system. Also, Student A has fully disclosed his/her actions to the state bar association.

Dissenting Opinion:

We respectfully dissent from the opinion of this court and issue this dissenting opinion as a caution to the student in question and to every other student at this institution that these actions are indeed serious and will not be tolerated by this court. Therefore, we believe that serious punishment should follow Honor Code infractions of this nature. The underlying issues raised in the hearing are serious threats to the health and safety of a student and to the individuals around him/her and an appropriate punishment should therefore follow. We disagree with the majority's view that this student is sincere in his/her desire to correct his/her problems. While we agree that he/she has taken satisfactory first steps towards sobriety, we believe that these steps were not undertaken voluntarily, nor were they his/her idea, but rather they were taken upon the advice of his/her attorney(s) in an effort to mitigate punishment. This student did not acknowledge that he/she has a drinking problem; rather he/she stated to the court he/she has a problem with controlling the amount of alcohol consumed. While he/she is seeking professional help, the minority is concerned that he/she is only taking these steps and "going through the motions" until such time as his/her punishment is administered by this court and by the criminal court.

We appreciate the honesty and forthcoming of this student, but that does not decrease the serious nature of his/her crimes and underlying problems. We believe that the majority was too lenient upon this student and we believe that the appropriate sanction should have been suspension for the period of one semester. Alcoholism is neither a disease to be taken lightly nor one that can be conquered without a sincere desire to recover. While it is not the responsibility of this court to attempt to identify and treat alcoholism in our fellow students or barristers, it is the responsibility of this court to ensure that Faulkner Law sends professional and morally

upstanding attorneys into the real world: attorneys who strive to abide by the principles embodied in our Honor Code. Every student that possesses a degree from our institution is a reflection upon all of us.

While this student is taking satisfactory preliminary steps towards becoming one such professional, we are not certain that these steps are of his/her own volition as he/she seemed to lack in sincerity and humility. We believe suspension is necessary to give this student a chance to focus on his/her sobriety, something we firmly believe is critical, and to contemplate the severity of his/her actions. The minority would like to reiterate the opinion of the majority that if this student engages in further violations of the Honor Code subsequent punishment will likely be more severe.

*Done this, the 25th day of April, 2008.*

## **2009-01**

Facts: On January 29, 2009, Student A received an LRW client-assignment, via email from his/her professor, regarding the LRW II Appellate Brief. The entire class received the same assignment along with the record for the brief. The record explained the case law required for the assigned brief and detailed the argument for both sides. Later that day, Student A was asked by another student which client assignment he/she received. Student A answered the question and then stated that the other side had an easier case. Student A then proceeded to discuss the required argument for his/her side which came directly from the email sent from the professor earlier in the day. Student A stated to this Court that he/she had no time to research the problem between the time of receiving the email and the discussion with other students. The Professor's syllabus requires all discussions of the brief to be held in class. Student A admitted he had discussed the brief in the hearing of other students.

Violation: Student A was charged with violating Article III, § 3.1 of the Honor Code:

(b) Giving, obtaining, soliciting, or offering to provide unauthorized assistance in preparation of material to be submitted or presented in a class, law review assignment or competition, moot court assignment or competition, essay contests for which eligibility is dependent on status as a law student, or any other similar activity.

Decision: After consideration of all the evidence and deliberation among the Court, the Court by a vote of 6-2 ordered that a written reprimand be placed in the student's file and that the student should be ineligible for the 1L Moot Court Competition. The student violated the Honor Code even though he/she was only reciting the information given to all of the students via email. The letter of reprimand will stay with the student's transcript until the student petitions for its removal during his/her final semester before graduation. Additionally, the prevention of Moot Court Competition eligibility prevents the student from competing in a highly esteemed academic competition. The Court would like to stress to the student body the seriousness of this violation in hopes that in the future such a violation will not come before the Court. Any violation of the Honor Code will be given the utmost consideration by the Court. The dissenting votes felt the

violation required a more severe punishment and requested a written reprimand for 1 year and a grade reduction in LRW II by a 1/2 letter grade.

*Done this, the 17th day of February, 2009.*

### **2009-02; 2009-03; 2009-04**

Facts: On January 29, 2009, Student A was working on his/her LRW Appellate Brief in one of the library study rooms. Student B and Student C were also in the study room and all three students were working on an assignment for the Appellate Brief which required the following sections: cover page, statutes involved, jurisdiction, and appendix. While working on the statutes involved and appendix sections, Student A asked Student B how he/she had written his/her section. Student B responded by flipping the computer screen around to show Student A the correct grammar and verbiage. Student A then copied "word for word" off of Student B's computer. (Student A's Statement). This collaboration resulted in both Student A and Student B misquoting a distinctive word within the statute. Additionally, Student A and Student B worked together on formatting the cover page. This unauthorized collaboration resulted in an odd grammatical mistake in both Student A's and Student B's cover page. Student A, Student B, and Student C then discussed the jurisdiction of the Appellate Brief and decided the jurisdiction within the record was the appropriate jurisdiction. This collaboration resulted in all three students citing the incorrect jurisdiction. Student A's syllabus for LRW II requires all discussions of the brief to be held in class with "unauthorized collaboration or plagiarism" to result in an 'F' in the class and mandatory withdrawal from the course. The students admitted to discussing the LRWII Appellate Brief assignment.

Violation: Students A, B, and C were charged with violating Article III, Section 3.1(a) and (b) of the Honor Code:

- (a) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one's own.
  
- (b) Giving, obtaining, soliciting, or offering to provide unauthorized assistance in the preparation of material to be submitted or presented in a class, law review assignment or competition, moot court assignment or competition, essay contests for which eligibility is dependent on status as a law student, or any other similar activity.

Decision: After consideration of all the evidence and deliberation among the Court, a motion was made to recommend that Student A receive an 'F' in LRW II and have a written reprimand placed in his/her file. The motion was seconded, and the Court voted 6-2 in favor of a grade reduction to an 'F' in LRWII and a written reprimand placed in the students' files until the final semester before graduation, at which time the students may petition for its removal.

The Court is satisfied that this sanction is the proper punishment for this particular violation. The students violated the Honor Code by plagiarizing an assignment and representing

it as his/her own work to a professor. Although the plagiarism did not include the full assignment, three of the four parts to the assignment were completed with unauthorized assistance. Additionally, Student A requested this assistance from Student B which is also an Honor Code violation. This Court finds the plagiarized portions substantive and the actions of the students to be an egregious violation of the Honor Code in light of the numerous discussions and lectures on plagiarism held by the Academic Dean, LRW professors, and presenters during orientation. The grade reduction to 'F' will prevent the students from competing in this year's 1L Moot Court Competition with their classmates; will require the students to withdraw from LRW II, and to retake LRW II before graduation. The letter of reprimand will stay with the student's transcript until the student petitions for its removal during his/her final semester before graduation. The Court would like to stress to the student body the seriousness of this violation in hopes that in the future such a violation will not come before the Court. Any violation of the Honor Code will be given the utmost consideration by the Court.

The dissenting votes felt the violation required a more severe punishment and requested a semester suspension along with the majority's sanction of a written reprimand until graduation and grade reduction in LRW II to an 'F'.

*Done this the 17th day of February, 2009.*

## **2009-05**

Facts: During the Spring 2009 semester, Student A turned in a lengthy research paper for a grade in an elective class and for rigorous writing credit. His/Her professor noticed an incorrect citation which stated that the website was last visited in the fall of 2008. The professor then researched further and found 12 instances of plagiarism out of 169 footnotes. Student A took language from a source and used that language as his/her own, without quoting or block-quoting the material. The citations to the material sometimes reflected the original source and sometimes reflected the intermediary paper from which the information was taken. Student A cited the original source that the intermediary source was citing instead of that intermediary source. Moreover, the direct language used in Student A's paper did not have quotation marks around it. There did not seem to be any concealment on the part of Student A in trying to hide where the material came from. Additionally, the student turned in two drafts containing almost the same citations prior to the final draft. The student claims these acts of plagiarism were a mistake and apologized.

Violation: Student A was charged with violating Article III, § 3.1(a) of the Honor Code:

- (a) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one's own.

Decision: At the hearing, Student A stated that he/she had no intent to violate the Honor Code nor was he/she attempting to plagiarize. Student A admitted making a mistake by not correctly citing the paper and stated he/she did not realize the method of citation being used was plagiarizing the material from the intermediary source. Student A was very apologetic and the Court found no intent to plagiarize. However, the Jones Honor Code does not require intent. The Court finds that the act itself was a violation.

Article VIII, Section 8.1(c) of the Honor Code gives the Court the authority to reduce Student A's grade to an "F". Additionally, Section 8.1 (j) of the same Article gives the Court authority to make any other appropriate sanctions. After consideration of all the evidence and deliberation among the Court, the Court has decided that Student A should receive a grade of "F" and be required to attend the Honor Court portion of student orientation in the Fall of 2009. The vote was 6-1.

The Court is satisfied that this sanction is the proper punishment for this particular violation. The student violated the Honor Code even though he/she did so without the intent to plagiarize. The Honor Code does not require intent, but the Court finds Student A's mistakes to reflect negligence, given that there was no attempt at concealment. The grade reduction to "F" will require the student to retake an elective to fulfill the rigorous writing requirement. Additionally, the Court feels this student would benefit from attending the portion of 1L student orientation that focuses on the Honor Code and plagiarism. The Court wants to stress to the student body the seriousness of this violation in hopes that in the future such a violation will not come before the Court. Any violation of the Honor Code will be given the utmost consideration by the Court.

*Done this, the 21st day of May, 2009.*

### **2010-01; 2010-02; 2010-03**

Facts: In the fall semester of 2009, Students A, B, and C were given a writing assignment as part of a class at the Law School. Student A testified that shortly after the assignment was given, he/she began receiving questions from other students in the class. According to Student A, the other students told him/her that the professor told them to talk to him/her regarding questions about the assignment. However, Student A was not in class the day that comment was allegedly made.

At a later date, Student B asked Student A about the formatting of the assignment and eventually asked Student A to email him/her whatever he/she had completed so far. Student A admits to emailing his/her assignment to Student B so Student B could see how to format the document. Student B admitted to using Student A's assignment for formatting purposes only. Sometime later, Student C asked Student B about the formatting requirements of the assignment. Student B admitted that he/she emailed Student A's assignment to Student C in response. Student C admitted to copying a section from Student A's assignment into his/her own assignment and "only changing a few things." While grading the assignment, the professor noticed that Student C's assignment was substantially similar to Student A's assignment.

During the hearing, Student C testified that there was some uncertainty in the class as to how the assignment in question was to be formatted. Both Student C and Student B testified that when asked about the formatting requirements of the assignment, the professor told the class to "just ask [Student A]." Student A testified that he/she was absent from class the day the statement was allegedly made but that when he/she asked the professor about it the next day, the professor said that "it was fine."

The testimony regarding the alleged statements by the professor was unclear. According to the Prosecutor, the professor declined to give a written answer to the allegation but stated that he/she



did not authorize students to work together on major assignments and that he/she did not remember having the conversation with Student A. However, the Prosecutor also stated that the professor did not express any disagreement with Student A's written statement. There were also written statements from two witnesses before the Court. In those statements, the witnesses described the "laid-back" nature of the class. Both witnesses stated that while they don't remember the specific statement to "just ask [Student A]" being made, neither of them would be surprised if such a statement were made.

Violation: Article III, § 3.1 (a), (b), and (c) of the Honor Code states that the following practices are violations of the Code:

(a) Plagiarism, which means representing, either expressly or by conduct, the work of another to be one's own.

(b) Giving, obtaining, soliciting, or offering to provide unauthorized assistance in the preparation of material to be submitted or presented in a class, law review assignment or competition, moot court assignment or competition, essay contests for which eligibility is dependent on status as a law student, or any other similar activity.

(c) Using unauthorized materials in connection with class assignments or examinations.

Decision:

**Student C** admitted that he/she copied another student's work and turned it in as his/her own. After considering all of the evidence, the Court decided by a vote of 6-1 that Student C's grade should be reduced to an "F" in the course in question. The dissenter recommended giving the student an "F" on the assignment in question. Although there is no element of intent to plagiarism, the Court determined Student C purposely and knowingly copied Student A's work. That determination factored into the Court's decision on the sanction. Student C admitted that one of the reasons he/she chose to copy the work was because he/she put off the assignment until the last minute. However, Student C admitted that he/she exercised poor judgment and the Court was satisfied that Student C realized the seriousness of his/her offense. This Court recommended that Student C be given a grade of "F" in the course in question.

**Student B** did not possess any bad intent at the time he/she received assistance on the assignment nor at the time he/she emailed the assignment to Student C. However, the Court believes that Student B lacked proper judgment when he/she asked Student A for his/her actual assignment. The court *may* have reached a different conclusion had Student B merely asked for guidance from Student A. In this particular case, Student B could have taken further steps to clarify the professor's intentions regarding giving and receiving assistance on the assignment. After taking all of the evidence and testimony into consideration, the Court decided by a vote of 4-3 to place a letter of reprimand in Student B's file. The dissenters recommended that the student be given an "F" on the assignment in question.

**Student A** did not possess any bad intent at the time he/she emailed the assignment to Student B. However, the Court believes that Student A lacked proper judgment when he/she emailed the actual assignment. The court *might* have reached a different conclusion had Student A merely given guidance to Student B. In this particular case, Student A could have taken further steps to clarify the professor's intentions regarding giving and receiving assistance on the assignment. After taking all of the evidence and testimony into consideration, the Court decided unanimously to place a letter of reprimand in Student A's file.

*Done this, the 27th day of January, 2010. No appeal was taken.*

## **2012-01**

**Facts:** During the 2012 Fall semester, Student A misrepresented to his Professor the reason for missing a deadline. When Student A failed to submit his assignment before the Professor's Deadline, the Professor informed Student A that the Professor had not received Student A's assignment. Student A represented that he believed the assignment was later that day at midnight, and not at noon. However, TWEN records proved that Student A tried to submit the assignment at least four times just minutes after the noon deadline. Student A later admitted to lying to the professor, the basis of this violation, and explained it was a result of panic after the deadline passed.

**Violation:** Student A admitted to a violation of Article III, Section 3.1(1) of the Honor Code: (1) Making a material misrepresentation to the administration, faculty, or staff of the Law School or Faulkner University. This provision specifically includes, but is not limited to, signing another student's name to the class attendance roll.

**Honor Court Decision:** After hearing from the Professor, Prosecutor, and Student A, the court unanimously decided that Student A should receive a letter of reprimand placed in Student A's file. This reprimand shall be removed at graduation, provided that Student A commits no other violations of the Honor Code. If Student A commits another violation of the Honor Code, the letter of reprimand shall be permanent, and the Court recommends suspension or expulsion. Student A shall give a sincere written apology to the Professor, the faculty advisors for the Court, and the Prosecutor for not handling this situation appropriately; all of this could have been avoided by simply complying with deadlines or admitting the untimeliness of Student A's assignment. Further, Student A shall not be allowed to be a member of the Student Bar Association (SBA), Honor Court, Advocacy teams (this includes any competition, including the Board of Advocates), nor Law Review. The Court feels that this punishment is appropriate, in conjunction with the grade reductions that were levied for the late submission. In light of the facts, the Professor and Prosecutor recommended a sanction similar to that announced by the Court. The Court admonishes the student body to take the Honor Code seriously, and hopes that violations of the Code will not occur throughout the year. Any violation will be given the upmost consideration, and students should not rely on the mercy of the Court.

*Done this 25th Day of February, 2013.*

**Ultimate Disposition:** After careful consideration, the Associate Dean for Academic Affairs concurs in the Honor Court's decision with one exception. The letter of reprimand issued to Student A will remain in Student A's law school file and will not be removed at graduation.

# OTHER POLICIES

## **PART 2 – NONDISCRIMINATION AND DIVERSITY**

### **§ 6-201. Nondiscrimination.**

Faulkner Law does not discriminate on any basis protected by federal or state law in connection with its educational policies, admissions, financial aid, employment, educational programs, or activities. The School of Law does not discriminate against any person on the basis of sexual orientation. However, sexual conduct outside marriage is inconsistent with the University's religious traditions, values, affiliation, and purpose. Therefore, in accordance with ABA Standard 211, the School of Law does not knowingly employ individuals who engage in such conduct; the School of Law also expects its students to avoid using the law school's (or University's) facilities, resources, or names to advocate such conduct. Also, in accordance with Standard 211, the School of Law exercises a preference in employment of faculty and staff for those qualified applicants who are members of the Church of Christ whose lifestyles are consistent with the mission of the School of Law and with the beliefs and values of the Church of Christ. In cases where no qualified applicant is a member of the Church of Christ, the School of Law exercises a preference in employment for those whose religious beliefs and lifestyles are consistent with the mission of the School of Law and with the beliefs and values of the Church of Christ.

*September 21, 2004  
Rev. December 15, 2008*

### **§ 6-202. Diversity.**

It is the policy of the law school to employ, retain, or admit faculty members, staff, and students on the basis of individual merit. However, the law school believes that diversity in the faculty, staff, and students is directly related to the value of its educational mission. The benefits to be derived, especially in the context of the study of law, mandate that special care be taken to achieve a high level of diversity among faculty members, staff, and students. Aspiring lawyers who have been exposed to diverse views will bring to the bar an enhanced appreciation of their unique role in society and their special responsibilities in the administration of justice for all people. The law school's commitment to diversity, however, is informed by its mission statement and its affiliation with Faulkner University.

*September 21, 2004*

## PART 3 – ACADEMIC FREEDOM

### § 6-301. Principles.

The well being of an academic institution and of society in general can be maintained only if individuals and groups exercise their responsibility and freedom to search for the truth and to speak the truth as it is discovered. As members of a collegial community, members of the faculty, administrators, and students of the law school must extend to one another the trust and respect which create the appropriate environment for the exercise of academic freedom. The faculty hereby adopts the “1940 Statement of Principles on Academic Freedom and Tenure” of the American Association of University Professors. It reads as follows:

“The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his other academic duties, but research for pecuniary return should be based upon an understanding with the authorities of the institution.

The teacher is entitled to freedom in the classroom in discussing his subject, but he should be careful not to introduce into his teaching controversial matter which has no relation to his subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

The teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When he speaks or writes as a citizen, he should be free from institutional censorship or discipline, but his special position in the community imposes special obligations. As a man of learning and an educational officer, he should remember that the public may judge his profession and his institution by his utterances. Hence, he should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he is not an institutional spokesman.”

*September 21, 2004*

### § 6-302. Speech regarding Gender or Sexuality.

The free and open discussion of issues or theories relating to sexuality or gender in an academic or professional setting, when appropriate to the subject matter, will be presumed not to constitute sexual harassment even if it offends or embarrasses an individual.

*September 21, 2004*

## PART 5 - POLICIES

### § 6-501. Policy on the Use of Alcohol

Law students should be aware that their actions reflect on their professional reputation. One's professional reputation does not begin upon graduation from law school but from the outset of his or her law school career. The law school encourages students to think and act responsibly if engaging in the use of alcohol.

The law school prohibits students and student organizations from providing or arranging for the provision of alcoholic beverages at events or functions sponsored by any student organization. An event or function invoking the name of the law school or the name of any student organization defines sponsorship. Arranging for the provision of alcoholic beverages includes any "deals" made with licensed vendors to provide a special discount to event attendees.

Concerns regarding students' abuse of alcohol or other controlled substances should be reported to the Assistant Dean for Student Services. Counseling is available to law students through the Alabama Lawyer Assistance Program sponsored by the Alabama State Bar. The program director is Robert B. Thornhill, MS, LPC, MLAP. His contact number is 334-517-2212 (24-hour Confidential Phone, 334-224-6920) and her e-mail address is Robert.thornhill@alabar.org.

*December 7, 2007*

*July 17, 2013*

### § 6-502. Professional Courtesy and Behavior Policy

In accordance with the mission statement emphasizing a strong commitment to integrity within a caring Christian environment, the law school expects its students to conduct themselves in a professional, dignified, and respectful manner and avoid inappropriate conduct. Students are also expected to respect the views and personal dignity of other members of the law school and university community.

A non-exhaustive list of inappropriate conduct includes:

1. Severe or pervasive use of obscenities or the use of profane, degrading, abusive, or threatening language or gestures.
2. Disrupting the activities or functions of the law school or university, or any class, library, academic, or co-curricular activity.
3. Making a material misrepresentation to the administration, faculty, or staff of the law school or university. Misrepresentations prohibited by section 3.1(k) of the Honor Code shall be addressed pursuant to the Honor Code, rather than under this Policy.
4. Publishing or circulating false information that is damaging to the reputation of any member of the law school or university community.
5. Failing or refusing to comply with the reasonable instruction of any clearly identified law school or university official who is performing his or her duties.

6. Destroying, defacing, erasing, altering, hiding, limiting access to, possessing, accessing, entering or using, without authority, the property of the law school and university or the property of others located on the premises of the law school and university or related to a law school and university activity. Practices prohibited by section 3.1(d) of the Honor Code shall be addressed pursuant to the Honor Code, rather than under this Policy.
7. Taking property of another without authorization or by fraud. Such property includes, but is not limited to, briefs, books, notes, tapes, computer software, data, or outlines belonging to a faculty member or another student.
8. Engaging in conduct, which, if done by a lawyer, would violate the Alabama Rules of Professional Conduct, including but not limited to the unauthorized practice of law, lack of candor to appropriate authorities, and untruthfulness.
9. Engaging in conduct that adversely reflects on fitness to study or practice law, including but not limited to violations of federal or state criminal law, regardless of whether such conduct is actually prosecuted in the courts.
10. Directly or indirectly discouraging, harassing, retaliating against, or attempting to influence improperly any administrator, faculty member, witness, person reporting a violation, or other person involved with the Administrative Discipline process or Honor Code process, or refusing to cooperate in any investigation or proceeding pursuant to such processes.
11. Behavior that adversely reflects on or affects the law school and university community, mission, or reputation.

The law school encourages students to apprise themselves of the Alabama State Bar's Code of Professional Courtesy which illustrates how lawyers should conduct themselves in the practice of law. Students should begin practicing these concepts while in law school.

*September 14, 2009*

### **§ 6-503. Administrative Discipline Policy**

The Dean, or the Dean's designee, has full authority to enforce law school policies. If an alleged policy violation is reported, a student or student organization is entitled to a hearing with the Dean or the Dean's designee as soon as practicable. However, appropriate protective measures may be taken prior to a hearing. Sanctions for policy violations may include:

1. Expulsion
2. Suspension for a specified period of time.
3. Disciplinary probation.
4. A written reprimand, which the administration of the law school shall have the discretion to remove from the student's permanent record.
5. Community service.



6. Payment to compensate for any injury or loss caused, provided that the amount of such injury or loss has been proved by a preponderance of the information, together with up to three times the amount of such compensatory payment.
7. Restitution.
8. Dismissal from Law Review, Moot Court, and any other office or position connected with the law school.
9. Any other appropriate sanction.

This list of sanctions is not all-inclusive, and sanctions are not listed in any particular order. One or more sanctions may be imposed in response to one or more policy violations at the discretion of the Administration at any time. The sanction selected depends on the nature and severity of the violation. Prior violations or mitigating factors may be considered when imposing sanctions under this policy.

Violations of policies in the “policy statements” section of the Student Handbook will be regarded as “non-academic” violations and addressed by the Administrative Discipline Policy. If an academic violation should be suspected during investigation of a non-academic violation, then the academic violation shall be addressed by the Honor Code and its procedures. The non-academic violation shall be addressed by the Administrative Discipline Policy and its procedures. In the event of any overlap between the Honor Code and the Administrative Discipline Policy, the matter will be treated as non-academic and addressed under the Administrative Discipline Policy and its procedures. In no event shall a single infraction subject a student to both the Administrative Discipline Policy procedures and the Honor Code procedures.

*September 14, 2009*

## **Policy and Procedures for Providing Services to Students with Disabilities**

### **Overview**

Faulkner Law, recognizes its legal obligation to make reasonable accommodations designed to make its educational program and activities accessible to otherwise qualified persons with disabilities. By providing access to qualified students with disabilities, the law school demonstrates its belief that the legal profession will benefit from the skills and talents of these individuals.

### **Definitions**

1. For purposes of this policy, a person with a disability is defined as any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairments; or is regarded as having such impairment.
2. For purposes of this policy, an otherwise qualified person with a disability is defined as an individual with a disability who meets the academic and technical standards requisite to admission and participation in the law schools' educational program and activities.
3. Major Life Activities: The phrase "major life activities" refers to normal functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
4. Physical Impairment: A physical impairment includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory and speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin and endocrine.
5. Mental Impairment: A mental impairment includes any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
6. Learning Disabilities: A learning disability is a generic term that refers to a heterogeneous group of disorders manifested by significant difficulties in the acquisition and use of listening, speaking, reading, writing, reasoning, or mathematical abilities. These disorders occur in persons of average to very superior intelligence due to central nervous system dysfunction.

To comply with the Americans with Disabilities Act and other applicable laws, the law school will provide, as necessary, reasonable and readily achievable accommodations, including academic adjustments and auxiliary aids to ensure otherwise qualified students with disabilities access to the school's services, programs and activities. The Associate Dean for Academic Affairs is responsible for law school policies affecting students with disabilities. While the law

school will strive to accommodate students as fully as possible, reasonable adjustments or accommodations do not include measures which fundamentally alter the academic program of the law school or which place undue administrative or financial burdens on the law school. Students with disabilities who require accommodations must make those needs known to the Associate Dean for Academic Affairs as soon as possible. Students are responsible for making these needs known in a timely fashion and for providing appropriate documentation and evaluations in appropriate cases. The student should not assume that this information is known by the law school because it was included in an application for admission or in the student's application to take the Law School Admission Test.

The law school seeks to accommodate students with disabilities on an individual basis. Individual students are given reasonable and necessary accommodations based on specific information and assessment data documented by a professional from outside the law school who, in the judgment of the school, is qualified to provide such information and assessments. Mrs. Pat Morrow from Project Key (334-386-7185) makes available information as to the existence and location of services, activities, and facilities that are accessible to and usable by persons with disabilities.

Information about a student's disability and accommodations is treated as confidential under applicable laws and law school policies and is provided only to individuals who are privileged to receive such information on a need-to-know basis.

### **Verification of Disability**

A student with a disability must provide to the Associate Dean for Academic Affairs current professional verification certified by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional health care provider who, in the opinion of the law school, is qualified in the diagnosis of the disability. The verification must reflect the student's present level of functioning of the major life activity affected by the disability. The cost of obtaining the professional verification will be borne by the student. See Faulkner University's website for documentation guidelines: <http://www.faulkner.edu/services/documentationguidelines.asp>.

If the initial verification is deemed incomplete or inadequate to determine the present extent of the disability and the appropriate accommodations needed, the law school has the discretion to require supplemental assessment of a physical disability. The cost of the supplemental assessment will be borne by the student.

Temporary impairments are not commonly regarded as disabilities, and only in rare circumstances will the degree of limitation rendered by a temporary impairment be substantial enough to qualify as a disability pursuant to this policy.

## **Records and Privacy**

The law school will maintain confidential records within the Project Key Office relating to accommodations based upon disability. The records will include the documentation submitted to verify the disability. Upon graduation or termination of enrollment, these records shall be archived apart from official educational records. All documents produced by consultants in the performance of services for the law school will remain the property of the law school.

## **Post Graduation Policy and Services**

The law school will assist students in documenting accommodations received during law school as an aid in requesting accommodations for bar examinations.

## **Admissions Policy**

The law school does not discriminate on the basis of a disability. Any information concerning an applicant's disability provided during the admissions process is voluntary or optional and is maintained in accordance with laws relating to confidentiality. The law school uses this information only for the purpose of overcoming past performance difficulties that the students may have experienced due to disabilities as reflected in their academic records. No limitations are placed on the number or proportion of persons with disabilities who may be admitted or enrolled. In order to provide the accommodations on a timely basis, it is recommended that new students inform the law school of the need for accommodations well in advance of their matriculation.

## **NOTIFICATION OF RIGHTS UNDER FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records.

1. The right to inspect and review the student's education records.
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file with the U.S. Department of Education a complaint concerning alleged failure by Faulkner Law to comply with the requirement of FERPA.
5. The right to obtain a copy of Faulkner Law's student records policy. You can obtain a copy of the policy from the Registrar's office.

Faulkner University and Faulkner Law may disclose, without consent, “directory” information such as a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. If a student wishes to request that the school not disclose such directory information, the student must let the Dean or his designee know within a reasonable time after the fall semester begins.

### **Sexual Harassment**

Sexual harassment constitutes a violation of Civil Rights law as a form of sex discrimination and will not be tolerated by Faulkner Law. It subverts the mission of the law school and threatens the careers, educational experience and well being of the students, faculty, and staff.

The free and open discussion of issues or theories relating to sexuality or gender in an academic or professional setting, when appropriate to the subject matter, will be presumed not to constitute sexual harassment even if it offends or embarrasses an individual.

Further information can be found at the Faulkner University website.

### **Non-Smoking**

Smoking is not permitted on the Faulkner University Campus. Smoking is not allowed in the School of Law.

However, an exception has been allowed for a limited area in the back student parking lot near the dumpsters. This exception may be discontinued for any reason and will no longer be allowed if law students fail to keep the area clean or abuse this leniency.

### **Appropriate Dress**

Recognizing that you have entered into a noble profession, your dress while attending Faulkner Law should be reflective of this profession. Students are encouraged to dress in a manner that would encourage standards of modesty appropriate to Christian life and standards of personal appearance that will be expected in their future practice. Immodest dress is distracting from the focus of the study of law and therefore discouraged.

### **Weapons**

Any firearms, illegal knives and other prohibited weapons are strictly prohibited on university property, including parking lots, or at any university activity off campus. Other dangerous weapons not listed may be subject to sanction. If a student is found in violation of this university policy, he or she may also be subject to the university student conduct policy and may be suspended or dismissed.

Anyone who is a Concealed Handgun License (CHL) holder should contact the Faulkner University Department of Campus Safety (334-386-7250) with any questions to ensure compliance with current Alabama laws.

## **PROVIDING YOUR FEEDBACK**

Feedback from current students is encouraged and appreciated. If you participated in a particular course or extracurricular activity and want to share your praise, with the administration, we welcome your comments about the legal program. Likewise, we want you to easily be able to identify who can help you if you have a complaint or concern during your three years with us. Here are the procedures for notifying us in the writing regarding your concerns. If you have any other concerns outside of those listed below, contact the Associate Dean for Academic Affairs.

### **Written Student Complaints Policy for Faulkner Law**

If a student needs to bring a complaint to the attention of the administration, please address the complaint to the attention of the following person:

1. For academic concerns to the Associate Dean for Academic Affairs.
2. For student behavioral matters to the Associate Dean for Student Services.
3. For building concerns to the Assistant Dean for Administrative Affairs.
4. For concerns in the Library to the Associate Dean for Information Services.

Complaints will be handled with discretion. All complaints should be submitted in writing and as soon as possible after the problem occurs. A complaint outside the jurisdiction of the Honor Court will be answered by the appropriate administrator. A response will be given in writing within a reasonable time.

If the student feels that the problem is not satisfactorily resolved, the complaint may be referred to the Dean of the School of Law.

### **Student Complaints regarding the Law School's Program of Legal Education and its Compliance with ABA Accreditation Standards**

1. The Thomas Goode Jones School of Law is accredited by the American Bar Association. The ABA Standards for Approval of Law Schools (the "ABA Accreditation Standards") are posted on the ABA's website.
2. Any student who has knowledge of a significant problem that directly implicates the law school's program of legal education and its compliance with the ABA Accreditation Standards may file a complaint with the Associate Dean for Academic Affairs (the "Associate Dean"). The complaint: must be in writing; must identify the perceived problem (including the specific ABA Accreditation Standard or Standards implicated) in sufficient detail to permit the Associate Dean to investigate the matter; and must be signed by the student and include the student's contact information.
3. If a complaint on its face does not allege a violation of an ABA Accreditation Standard, the Associate Dean may dismiss the complainant without further investigation. The complainant will be notified of the dismissal and of the right to appeal in accordance with section 5, below.

4. If the complaint on its face alleges a violation of an ABA Accreditation Standard, the Associate Dean will investigate and attempt to resolve the matter. Upon completion of the investigation, the Associate Dean will notify the complainant of the action, if any, that the law school is taking with regard to the matter. The investigation and notification will occur within twenty-one (21) business days of the Associate Dean's initial receipt of the written complaint, unless the Associate Dean notifies the complainant that additional time is needed for investigation. If additional time is needed, the Associate Dean will conclude the investigation as soon as is reasonably practicable.
5. If the complainant is dissatisfied with the decision of the Associate Dean, the complainant may appeal the decision to the Dean of the law school. The appeal must be in writing and must be received by the Dean within ten (10) business days of the date of the Associate Dean's decision. The Dean's decision on the appeal will be communicated to the complainant within twenty-one (21) business days. The decision of the Dean is final.
6. The law school will maintain a written record of each complaint, how it was investigated, and its resolution. The record will be kept in the office of the Associate Dean for at least eight (8) years after the resolution of the complaint.

## **Policy on Student Use of ExpressO**

Any student wishing to submit an article to journals for publication may do so using ExpressO. The fee for submitting the article will be paid by the law school provided the following criteria are met:

1. The student must submit the article to a full-time member of the faculty for review.
2. The faculty member must certify that the article is of publishable quality.
3. The limit on the number of journals to which the article may be submitted is 25.

## **Printing and Copy Charge Policy**

### **A. Printing**

1. Students may receive up to 250 pages printed to the printers located in the library at no cost.
2. Other than material printed on the Westlaw and Lexis printers (see C., below) all pages above 250 will be billed at \$.10 per page.
3. Any charges will be posted on the following dates and at that time the student may review his/her account online to see if they are over the limit or, in the case of part-time students, how much printing expense they have incurred.

### **B. Copying**

There is a \$.10 per page charge for copies made on the copiers.

### **C. Westlaw and Lexis**

Cost of material printed on the Westlaw and Lexis copiers is borne by Westlaw and Lexis at no charge to students. Westlaw, Lexis, and other subscription databases are to be used only for educational purposes.



# LIBRARY USER GUIDE

**FAULKNER UNIVERSITY  
THOMAS GOODE JONES SCHOOL OF LAW**

**LIBRARY USER GUIDE**  
**For Students**

**2013-2014 Academic Year**

## **WELCOME**

Welcome to the Jones School of Law Library at Faulkner University. Our Library staff provides resources and services designed to help our patrons meet their legal information needs. The Library houses a variety of digital, print, and microform materials in an attractive, functional environment. We offer research instruction and assistance in a group setting through our series of informal research workshops and individually by appointment. Our wireless network and computers located on both floors of the Library make it easy to access our collection of electronic resources through our Library catalog or website links. Library publications such as research guides, newsletters, and email messages inform patrons to new developments and resources.

We invite you to familiarize yourself with our resources and programs. If you have questions, you can visit or contact our Reference Desk ([jsreference@faulkner.edu](mailto:jsreference@faulkner.edu), 334-386-7533); access the Library website (<http://www.faulkner.edu/jsl/library/default.aspx>); or ask any staff member.

## **LIBRARY INFORMATION**

### ***Hours***

During the 2012-2013 academic year the Law Library will be typically be open during these hours:

|                   |                    |
|-------------------|--------------------|
| Sunday            | 1:00 pm – 11:00 pm |
| Monday – Thursday | 7:30 am – 11:00 pm |
| Friday            | 7:30 am – 8:00 pm  |
| Saturday          | 9:00 am – 8:00 pm  |

The Library operates on reduced hours on holidays and during semester breaks, and offers extended hours during final exam periods. Library hours are subject to change.

In addition to law students and faculty, Faulkner University students, attorneys, and members of the general public are welcome to use the Library. Access for these patrons may be more limited than the hours posted above.

### ***Library Collection***

The Library has developed its collection in a variety of formats to provide access to the legal and reference information that our patrons need. The Library owns or provides reliable access to: federal and state primary law (constitutions, statutes, administrative materials, and cases); secondary resources such as legal encyclopedias, law journals; treatises; practice aids and selected non-legal reference tools. A core collection of print materials is maintained, with many valuable retrospective materials available in microform. An array of online databases may be accessed on-campus or remotely via the Internet by members of the law school community (access is restricted to on-campus use for persons who are not current students or faculty of the

university). View a list of available databases by visiting the “Electronic Databases and Research Vortex” portion of the Library website (<http://www.joneslawlibrary.org/>). Finding aids and citators help patrons locate needed information and update their research results.

The collection is arranged around the curricular and research interests of the law school community. Areas of special emphasis include alternative dispute resolution, family law and domestic violence, elder law, jurisprudence, Christian legal thought, and professional responsibility. The Library has a strong collection of Alabama materials. Access to non-legal materials is provided through the varied print and electronic resources made available by the main campus library. The Law Library’s collection also supports the university’s ABA-approved legal studies program. We always welcome input from faculty and students concerning possible additions to the Library collection.

The first floor of the Library contains the Alabama section, Reserve materials, the Reference collection, federal statutes, federal case law, selected portions of the National Reporter System case law, the Library’s substantial microform collection, and circulating materials with Library of Congress call numbers A through J. The second floor houses the bulk of the circulating print collection (Library of Congress call numbers K through Z); case law, statutes and other legal materials from other states; law journals; and archival materials.

### ***Library Facility***

The Library occupies approximately 23,000 square feet on two floors of the law school building. A spacious atrium-type reading area houses the Circulation Desk and a casual reading area. The second floor is designated for quiet study. More than thirty computers are available for patron use, including twelve computers in the second-floor Training Lab, which houses Library workshops, legal research presentations, and some classes. Additionally, a wireless network and more than 125 available ports enable law school patrons with laptop computers to connect to the university’s network from anywhere in the Library.

On the first floor are the Circulation Desk (including the Reserve collection); the Reference Desk; the atrium reading area with low shelving for casual reading materials; open stack shelving; a microform area with reader-printers; study tables; two group study rooms, and staff offices. In addition to the Computer Training Lab, the second floor features a conference room; three group study rooms; many study carrels and tables; open-stack shelving; compact shelving; and an archival area.

### ***Library Staff Contacts***

A list of current staff contacts is available on the Library’s website <http://www.faulkner.edu/JSL/library/personnel.aspx>. While in the Library, please contact the Circulation Desk with general questions or concerns, and the Reference Desk for reference/research assistance.

## **LIBRARY SERVICES**

### ***Library Internet Presence***

The Library's website is the gateway to information about the Library and access to its collections and services. Among other things, the site contains: Library hours; staff contact information; an email link to the Library's research services; an electronic version of the interlibrary loan request form; search portals for the online catalog; links to subscription electronic databases and Internet research resources; and digital versions of Library publications (e.g., research guides, new acquisitions lists, newsletters).

Access the home page of Library's website at <http://www.faulkner.edu/jsl/library/default.aspx> and the Research Vortex (focusing on electronic databases) at <http://www.joneslawlibrary.org/>.

You can also connect with the Law Library also via our presence on Facebook and Twitter.

Finally, the Library has a TWEN site on Westlaw. This can be accessed through current students who have received their Westlaw IDs.

### ***Library Catalog***

The Library's holdings are listed in its Innovative Interfaces Millennium online public access catalog (OPAC). Virtually all library holdings, including digital resources, are cataloged in this system. The catalog contains links to many of the Library's electronic databases, allowing a searcher to click and launch directly to the database. The Library's use of the Innovative system is a cooperative endeavor with the main campus library, so patrons can search the catalog and find items held by either library

### ***Reserve Materials***

Some heavily-used materials are kept on Reserve at the Circulation Desk. Additionally, some instructors place certain course materials on Reserve. Law school students may check out these materials for two hours.

### ***Research and Instructional Assistance***

Research assistance is available at the Reference Desk on the first floor of the Library for 60 hours per week (9a-8p Monday-Thursday, 9a-6p Friday, and 2p-6p Sunday). Law school students and faculty receive priority on research services, although librarians will assist non-law school patrons as time permits. Law school students and faculty may also obtain assistance telephonically (334-386-7233) or electronically by emailing us at [JSLreference@faulkner.edu](mailto:JSLreference@faulkner.edu). Reference hours are subject to change.

Librarians regularly offer informal small-group refresher workshop on various research topics. Some of these sessions are timed to coincide with topics covered in LRW (Legal Research and Writing) and other courses. We welcome suggestions from students regarding workshop topics.

## ***Computer Training Lab***

A Computer Training Lab on the second floor of the Library houses thirteen computers and an LCD projector. The computers connect to high-volume laser printers. The Lab may be used for classes, presentations, or small-group electronic research instruction. When not being used for classes or workshops, the machines in the Lab are available to patrons for general use

## ***Interlibrary Loan***

If the Library does not own an item needed by a patron, that item usually can be obtained in a timely manner by borrowing it from another library through the Library's interlibrary loan (ILL) service. ILL service is available to JSL students, faculty, and staff. Requests may be placed in person at the Circulation Desk or the Reference Desk; by email to [jslreference@faulkner.edu](mailto:jslreference@faulkner.edu); or digitally via a link to an ILL request form on the Library website at <http://ww2.faulkner.edu/jsl/library/forms/loan.cfm>.

## ***Library Publications***

The Library authors informational publications such as a newsletter, user guides, legal research guides, and lists of new acquisitions. The Library's website, Facebook page, Twitter updates, and TWEN site offer general information; news, policies; useful links to databases and other resources; and copies of Library publications.

## **LIBRARY POLICIES**

The Library endeavors to maintain an inviting atmosphere. In order to efficiently serve its various constituencies, the Library has promulgated policies designed to maximize the effectiveness of its resources. The Library's most recent document of General Policies is appended to this Guide and is available on the Library website at <http://www.faulkner.edu/JSL/library/policies.aspx>.

**Faulkner University**  
**Jones School of Law Library**  
**General Policies**

*These policies have been adopted in order to enable the Library to fulfill its mission to provide the most comprehensive access to our resources by all patrons, to provide an atmosphere conducive to studying, and to protect and maintain our collections. Violation of Library policies by current Jones School of Law students may be considered a Student Conduct Code offense. Patrons who violate these policies may be subject to disciplinary action, including loss of Library privileges, referral to the Honor Court, and/or civil or criminal penalties.*

**ACCESS:**

The Library is open to members of the Faulkner Law community (current students, faculty, and staff of the law school), alumni, attorneys, and the general public.

**ALUMNI:**

Alumni of the university and the law school are welcome to use the Library as public patrons. See section on PUBLIC PATRONS, below.

**ANIMALS:**

Animals are not permitted in the Library, with the exception of service animals.

**BULLETIN BOARDS:**

Bulletin boards located in the Library are for general Library, law school, and law-related information. Postings must be approved by a librarian. Bulletin boards are not to be used for personal postings (including student election campaign postings). No postings are permitted on Library doors, windows, or walls.

**CARRELS:**

See STUDY ROOMS AND CARRELS.

**CATALOG:**

The Library uses an Online Public Access Catalog (OPAC) that is available through the law school's website from any computer, on campus or off, that has Internet access. Patrons also can search the catalog via dedicated terminals located in the Library. The computers in the Library and in the Training Lab are available for searching the OPAC, as well as for accessing the Internet and the Library's online databases.

**CHILDREN:**

See section on PUBLIC PATRONS, below.

**CIRCULATION:**

Because of the research nature of a law collection and the inter-relationship of the resources, most of the collection does not circulate outside of the Library. Patrons may

check with the Circulation Desk regarding specific items. Most materials on Reserve may be checked out for two hours and may not leave the Library. Overdue materials may incur fines (see section on FINES, below). Patrons must have a valid university ID card in order to check out materials. For those items that circulate, borrowing privileges are limited to university students, faculty, staff, and patrons of our consortium members.

#### COMPUTING:

Computer equipment is to be used for educational and research purposes. Research computers for patron use are available on both floors of the Library. Faulkner Law students and faculty have priority on the use of Library computer resources. For members of the Faulkner Law community, wired ports and wireless access are available throughout the Library for connecting to the university's network and the Internet. All computer use must be in accordance with Faulkner University computer use policies. Public patrons using Library computers must sign up at the Circulation Desk and will be logged on by a Library staff member. Database access for public patrons is limited and is subject to the terms of the Library's contractual obligations with providers.

#### CONFIDENTIALITY OF LIBRARY RECORDS:

The Library endorses the concept of confidentiality expressed in the American Library Association's Code of Ethics: "We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted." The Library will not voluntarily provide personal information to third parties about Library patrons or their records. This includes whether a person has a library card, the person's address and telephone number, what materials the person has checked out in the past, and what materials the person presently is using. Library records will be released to third parties in accordance with applicable law.

#### COPYRIGHT:

The copyright law of the United States (Title 17, U.S. Code) governs the making of photocopies or other reproductions of copyrighted materials. Persons making copies are responsible for complying with the provisions of this act.

#### EMERGENCIES AND ALARMS:

Please report any emergencies to the Circulation Desk attendants as soon as possible. Emergency exits are marked. Patrons should familiarize themselves with these exits. In the event of a fire alarm or fire drill, please walk to the nearest exit (do not use the elevators), and stand clear of the building. Please be aware of any emergency personnel or equipment that may require access to the building. Follow the directions of Library or emergency personnel and do not re-enter the building until they have given permission to do so.

#### FAXING:

The Library does not send or receive faxes for patrons.

#### FINES AND FEES:

The Library reserves the right to charge fines and/or fees for overdue items. Overdue items not returned may be considered lost. Lost items will be billed for replacement cost,



plus a processing fee per item. Fines must be paid at the University's business office. Unpaid fines may result in grades being held, registration being denied, borrowing privileges being suspended, or transcripts and diplomas being held.

#### FOOD AND DRINK:

Food and drink are allowed in the Library. Patrons must use this privilege in a responsible manner and must clean up after themselves. Violators may have their food privileges revoked. No alcoholic beverages of any kind are permitted.

#### GROUP STUDY ROOMS AND CARRELS:

The Library has group study rooms on each floor. Due to the level of demand for the limited number of rooms, study rooms are to be used by groups (i.e., two or more people together) pursuant to the reservation system that is administered through the Circulation Desk. Study room doors are always locked, and a key must be checked out from the Circulation Desk.

If a room is available, an individual student may use that room but must vacate it when requested by a group. Students must be considerate of others when using group study rooms; this includes not monopolizing a group study room for an extended period of time. The group study rooms are not sound-proof, so students should be aware of noise levels during discussions. Students may not adjust the thermostats in the Library, because modifying the temperature in one part of the building affects others.

Leaving items in a group study room does not "reserve" that room. The Library cannot take responsibility for any unattended items left anywhere in the building, including the group study rooms. The Library reserves the right to inspect and remove unattended personal items from group study rooms, study carrels, tables, and other areas.

#### ID CARDS AND REGISTRATION:

All persons who visit the Library are required to fill out a registration form. Members of the Faulkner University community must present their own, valid university ID card to check out Library materials. The Library reserves the right to check ID cards at any time.

#### INTERLIBRARY LOAN (ILL):

Materials not found in the Library collection often can be borrowed from other libraries. ILL forms are available at the Circulation Desk and on the Library web site.

#### LEGAL ADVICE NOT GIVEN:

Library staff will assist patrons in obtaining access to materials. Library staff, however, will not interpret the law, explain the meaning of the law, apply the law to a specific situation, or otherwise provide legal services or legal advice. Patrons with specific legal needs should consult an attorney licensed to practice in the relevant jurisdiction.

#### LOST AND FOUND:

Any items turned in to the Library staff will be held at the Circulation Desk through the end of the semester. For your protection, label your belongings so they are identifiable in the event they are turned in to Lost and Found. The Library assumes no responsibility for personal items lost or stolen on the premises. Patrons are cautioned not to leave their books, bags, computers, or other personal items unattended.

#### MESSAGES:

The Library does not have a paging system, and cannot take messages for patrons.

#### MICROFORM MATERIALS:

The microform collection is housed in cabinets in the rear area on the first floor. Equipment for viewing microforms is located near the microform collection. If you need assistance using the microform equipment, please ask at the Reference Desk or at the Circulation Desk.

#### NOISE:

In order to maintain an atmosphere conducive to research and study, noise levels must remain as low as possible. In particular, the second floor is designed for quiet study. If you must have a lengthy conversation, please do so in a study room or outside of the Library. Please move outside of the Library to send or receive cellular phone calls. Cellular phones and pagers should be turned off or set on silent mode, and phone conversations must take place outside of the Library.

#### OVERDUE ITEMS:

See FINES.

#### PERSONAL BELONGINGS:

The Library cannot take responsibility for any unattended items left anywhere in the building, including the group study rooms. The Library reserves the right to inspect and remove unattended personal items from group study rooms, study carrels, tables, and other areas.

#### PHOTOCOPY MACHINES:

Self-service copiers are located on the first floor. Copy charges and billing procedures are set by the university. Please report any problems (e.g., out of toner or paper, paper jams) to the Circulation Desk. See also: COPYRIGHT.

#### PRINTING:

The Library provides access to a number of monochrome laser printers for use by members of the Faulkner University community and any persons engaged in research on federal government websites. Student printing charges and billing procedures are set by the university.

#### PROBLEMS:

Please report any building, furniture, equipment, information technology, noise, or maintenance problems to the Circulation Desk or library personnel. Any Library materials in need of repair should be brought to the attention of the staff member at the Circulation Desk.

#### PUBLIC PATRONS:

Persons who are not members of the Faulkner Law community are permitted to use the Library, but all such use must be in accordance with Library and university policies. Public patron access usually is curtailed during final examinations and similar periods. Public patron privileges are subject to suspension or revocation for violations of policies or for hostile or otherwise inappropriate behavior toward staff members or other patrons. All public patrons must sign in at the Circulation Desk, must complete appropriate forms (e.g., Library use agreement form). Regarding computer use by public patrons, see section on COMPUTING, above.

Public patrons who are minors are subject to additional requirements. We understand that many of our patrons are also parents. Children may come into the Library, but they must remain quiet and children under age 16 must be attended by their parent(s) or guardians(s) at all times. Children under age 16 are not permitted to use Library computers unless prior permission is obtained from the Library Director or the Director's designee.

#### REFERENCE SERVICES:

Reference services are regularly available six days a week for members of the Faulkner University community, and to the extent that time and resources permit, other patrons. Reference Desk hours may be subject to change and are posted both in the Library, and on the Library web site. Reference services also may be available via telephone (334-386-7533) and via email to [jslreference@faulkner.edu](mailto:jslreference@faulkner.edu).

#### RESHELVING:

Patrons are requested not to reshelve their materials after use. When finished with a book, please place it on a nearby reshelving cart, or simply leave it on the carrel or table, and Library staff will reshelve it. If you would like materials left where you are working, leave a dated note requesting that they not be reshelled. The note will be honored through the end of the day.

#### RESTROOMS:

Restrooms are located on each floor of the Library.

#### SECURITY:

To enhance security and promote compliance with Library policies, the Library reserves the right to inspect materials when a patron is entering or leaving the building, or if items are left unattended. Security cameras are strategically placed on both floors of the Library.

**SMOKING AND TOBACCO USE:**

In accordance with Faulkner University policy, no smoking or other tobacco is permitted. Use of all tobacco products (including smokeless tobacco products) is prohibited in the Library.

**STUDY TABLES AND CARRELS:**

The Library offers both individual carrels, and multi-seat tables for those engaged in study and research. Many of these areas are powered.

**SUGGESTIONS:**

The Library welcomes your suggestions. A suggestion box is available on the first floor.

**TELEPHONES:**

Cellular phones should not be used in the Library except in cases of emergency. Patrons' cellular phones and pagers should be turned off or set on silent mode. Telephone conversations must take place outside of the Library.

**TRAINING LAB:**

A Computer Training Lab is located on the second floor of the Library. When not being used for classes or training sessions, Library patrons may use the computers in the lab in accordance with Library and university policies.

**TYPEWRITERS:**

A typewriter is available on the second floor for patron use.

# EXTERNSHIP PROGRAM

## **EXTERNSHIP PROGRAM**

Professionals with no experience have difficulty getting jobs in today's competitive employment market. In medicine and architecture the classic method of teaching utilizes classroom time, plus on-the-job experience as an intern or as an apprentice. A balanced legal education includes time in the classroom and time on the job with a judge, district attorney, public defender, or non-profit agency. This on-the-job experience is the essence of the externship program at Faulkner Law. Learning in law must be balanced between theory and practice. The externship provides a synthesis of doctrine, skill and culture, the essence of professionalism. Students who engage themselves in the externship program learn first-hand about issues arising frequently in practice and acquire a level of legal skills impossible to attain in the classroom. In addition to substance and skill, students experience the role, culture, expectations and dynamics of lawyer in the world, and students bear the moral, ethical and intellectual obligations that come with live clients and cases. The externship experience connects work with school in an atmosphere of public service.

The externship program applies four primary means of teaching and learning. First, students work in the field, gaining real-life experience in practice. Second, students document their work and progress in journals to reflect on their experience and to raise and explore questions about the profession. Third, students attend class where they engage critical questions, stories and challenges of their work, the role of lawyers, the culture of the profession and lawyers' duties to clients and society. Fourth, students actively will seek feedback, criticism and guidance from their field supervisors. Good feedback may be the most important component of a successful externship experience.

The externship program is available each semester and externships are available in scores of law offices, courts and agencies. Students must spend a pre-determined number of hours on the job and attend class once a week during the semester in which they engage in the externship. Students select their own externship site locations with the aid of the externship director. Students must be supervised by a lawyer and work for a non-profit organization, court or governmental agency. Students may be reimbursed their expenses, but may not be paid for work performed in connection with their externship.

Externships are available in one, two and three semester hour blocks. Each semester hour requires 60 hours of time on the job to acquire one semester hour's credit. The classroom component meets for one hour during the week and is mandatory. The classroom component adds an additional hour of credit to the time spent by the extern on the job. Classroom sessions cover a variety of topics and problems related to externships. A student interested in the externship program must register for the course, sign-up for preferred field placements as directed by the Externship Director or teaching faculty, with guidance from advisors or the Director. The student then registers and pays the normal semester hour tuition for each semester hour of externship at registration. At the commencement of the term, the externship teacher will distribute packets of necessary documents to secure and begin the externship field placement.

The student's supervisor will complete a mid-term and a final evaluation on the student in addition to signing an agreement to provide supervision. The student will complete time sheets

during the semester and complete an evaluation at the end of the semester. The student will be required to establish written goals at the beginning of the semester and submit a reflective journal describing how these goals were met during the externship experience.

There is no final exam or letter grade assigned to externship students upon completion of their externship. Externship is a Pass/D/Fail course of study.

Faulkner Law works with the following offices, agencies, and courts, among many others, to provide high-quality field placement for externship students:

U.S. District Courts and Magistrate Courts  
United States Attorney  
Federal Public Defenders  
United States Air Force  
U.S. Army  
Various Federal Agencies  
Alabama Supreme Court and Appellate Courts  
Alabama Attorney General's Office  
Various Alabama Executive Departments  
Alabama Circuit Courts, District Courts and Municipal Courts  
Alabama District Attorneys  
Legal Services Alabama  
Alabama Appleseed  
Southern Poverty Law Center  
Equal Justice Initiative  
Foundation for Moral Law  
Alabama ACLU  
Georgia Innocence Project

Numerous other courts, district attorneys and public agencies have provided externship opportunities across the state of Alabama. Law offices must meet these criteria to qualify as an externship field placement:

1. The organization must be governmental, judicial, public interest, public service or non-profit.
2. The organization must not profit from the extern's work.
3. The extern must not be paid for the work performed during the externship.
4. The extern must be supervised at the organization by a licensed attorney, with at least 2 years of experience.
5. Private, for-profit law firms do not qualify for externship job locations, unless the externs work is exclusively devoted to court-appointed indigent services or *pro bono* public interest work.

# PUBLIC INTEREST PROGRAM



## Public Interest Program

As a part of a Christian University, the Law School seeks not only to provide the legal knowledge and practical skills necessary to produce competent and ethical members of the legal community, but also to instill in our students an attitude of service. Because of this mission, the Career Services Office (CSO) administers the Public Interest Program. The Law School challenges students to perform fifty (50) hours of qualified voluntary public service during their law school career.

### **Public Interest Society & Distinctions**

Students completing the service commitment qualify for recognition as a Fellow of the Law School's Public Interest Society. Fellows of the Public Interest Society are granted a notation of service on their transcripts, special recognition at graduation and entry into future events for Society fellows. Fellows of the Society also qualify for consideration of merits and the Distinguished Public Interest Fellow Award. Students may list their designation as a Fellow of Faulkner Law's Public Interest Society on their resumes.

The **Distinguished Public Interest Fellow** is a member of the graduating class who has demonstrated the highest dedication to public service based on the amount of volunteer hours completed and the individual's ability to exemplify the spirit of service. The Distinguished Public Interest Fellow is chosen each year by a panel that shall include the Director. This honor is presented at graduation.

Additionally, all Fellows of the Public Interest Society that meet the following criteria will also be recognized accordingly:

*Merit of Pro Bono Achievement:* The Law School recognizes the benefits provided to a community when attorneys commit time to provide pro bono services. This distinction is awarded to the graduating student that has completed a minimum of thirty (30) hours of pro bono work during their law school career. Pro bono work completed toward externship class credit or in a law school clinic will not count toward this distinction.

*Merit of Samaritan:* The law school encourages any kind of service to the community including valuable non-legal work. This distinction is awarded to the Fellows that has completed a minimum of thirty (30) hours of non-legal charitable work during their law school career.

*Ellen Brooks Merit for Public Service:* The Law School's dedication to service along with its award winning advocacy program have created opportunities for Faulkner Law students to intern in a variety of public service positions. This distinction is awarded to Society Fellows that have completed thirty (30) hours of public service work during their law school careers.

To clarify, students that are eligible for merits of recognition must also be members of the Faulkner Law Public Interest Society. Any of the fifty (50) minimum hours required to be Fellows of the Public Interest Society can also be applied toward merits.

## **Qualified Hours**

The Career Services Office has partnered with a variety of organizations to foster opportunities for pre-approved volunteer services. Some organizations with prior approved programs are Alabama Appleseed; Alabama Attorney General's Office; Alabama Civil Justice Foundation; Alabama State Bar Volunteer Lawyer Program; Dallas County Teen Court Program; District Attorney's Offices; Family Sunshine Center; Federal Defender's Office in the Middle District of Alabama; Legal Services Alabama; Montgomery County Public Schools; SaveFirst; Income Tax Assistance (VITA) Program; Southern Poverty Law Center; U.S. Air Force Judge Advocate General's School; and the Volunteer and Information Center. This list is merely representative as the Director continues to add new partners.

Students wishing to submit volunteer service hours for admission into the Public Interest Society must first have approval using the ***Request for Approval*** form. Students should submit the Request for Approval for the Director's review at least ***ten*** (10) days prior to the desired volunteer activity. Activities may also be submitted up to ***thirty*** (30) days after the service for review by the Director. Requests for an activity to be approved for credit later than thirty (30) days after its occurrence may be considered based on the decision of the Director.

The criteria for the review of volunteer hours toward entry into the Public Interest Society will be as follows:

- 1) Public Service/Interest: Did the student provide a genuine service to the community or public?
- 2) Volunteer: Did the student receive any compensation (including class credit) for the work other than reimbursement for expenses or costs?
- 3) Did the volunteer hours *qualify* under the conditions stated in this Public Interest Program description?

The determination of whether the activity will qualify for volunteer service credit will be made by the Director. First year law students may submit no more than eight (8) hours per semester during the fall and spring of time that will be counted as approved public interest hours.

## **Work as part of a student organization**

Student organizations are encouraged to participate in public service activities. However, participation in the planning and organization of the program or service activity will not be counted toward the overall qualified hours. The faculty or staff liaison for the student association will be regarded as the authorized individual to verify all public service hours.

## **Travel time and training**

Travel time for volunteer services is not to be counted toward hours earned. However, training for volunteer services will be counted toward hours earned.

## **Reporting**

Public Interest/Public Service activities should be preapproved by the Director prior to participation to ensure that the student will receive credit for completing the project. See above information regarding applying for credit. Students should use the ***Student Time Log*** to report

qualified hours. Students are strongly encouraged to report hours within one month of completing the volunteer work.

**Public Service Day**

Attempts are made to schedule at least one Public Service Day each year. The Public Service Day is an opportunity for students, faculty and staff to come together outside of the classroom for fellowship and service to the community.

The forms described above can be accessed on the Law School's website under the Public Interest Program:

<https://www.faulkner.edu/jsl/publicinterestprogram.aspx#2>

# STUDENT ORGANIZATIONS

## PART 4 – STUDENT ORGANIZATIONS

### § 6-401. Minimum Grade Point Average for Officers.

(a) Subject to subsection (b) and (c) hereof, no student whose cumulative grade point average is less than 2.30 may hold an office in an organization approved by the law school. A student who does not meet this requirement forfeits his or her office immediately.

(b) A first-year SBA Senator or Honor Court Justice may complete his or her term of office should he or she finish the fall semester with a grade point average less than a 2.30.

(c) This section does not impair the right of a particular organization to require a higher grade point average as a prerequisite for holding office.

*September 21, 2004*  
*Rev. February 13, 2007*

### § 6-402. Former Students Not Eligible.

Former students are not eligible for membership in an organization approved by the law school for students.

*September 21, 2004*

## **Student Organizations**

All Student Organizations shall abide by the policies and procedures of the *Student Organization Handbook* and contact the Office of Student Services with any questions.

### **Alabama Criminal Defense Lawyers Association**

This recently chartered student division of the state association is established to encourage students to network with criminal defense practitioners and learn from their experiences.

### **Alabama Defense Lawyers Association**

This student section of the state association was established in 2010 to allow students with an interest in the defense of civil actions and the promotion of fairness and integrity in the civil justice system to network with practicing civil defense attorneys and to develop mentoring-type relationships with members of the bench and bar.

### **American Association for Justice**

The American Association for Justice (formerly ATLA) promotes justice and fairness for injured persons, safeguards victims' rights - particularly the right to trial by jury - and strengthens the civil justice system through education and disclosure of information critical to public health and safety.

### **American Constitution Society**

The American Constitution Society for Law and Policy (ACS) promotes the vitality of the U.S. Constitution and the fundamental values it expresses: individual rights and liberties, genuine equality, access to justice, democracy and the rule of law. These abiding principles are reflected in the vision of the Constitution's framers and the wisdom of forward-looking leaders who have shaped our law throughout American history. As a result of their efforts, the Constitution has retained its authority and relevance for each new generation. For more information on ACS, visit <http://www.acslaw.org>.

### **The Association of Future Prosecutors (AFP)**

The Association of Future Prosecutors, established in the spring of 2012, provides a forum for law students interested in becoming prosecutors. AFP seeks to cultivate an interest among students in becoming prosecutors and to assist student members in building their careers, networking with prospective employers, learning the skills required to become prosecutors, and preparing for entry into the workforce. AFP sponsors guest speakers who address topics related to the practice of criminal law and procedure.

### **Black Law Students Association - Ernestine S. Sapp Chapter**

BLSA was established to address the community and political concerns surrounding minority law students. BLSA is committed to the achievement of all law students and has developed a blueprint for law school success through an open academic enrichment program. In addition, members strive to create professional alliances between BLSA, faculty, other student organizations, and members of the legal and political communities in Alabama.

### **Board of Advocates**

The Board of Advocates is a select group of students who promote and pursue opportunities for all students to enhance the skills necessary to be an effective advocate. In addition to the coordination and support of interscholastic competition 163 teams, the Board is responsible for every aspect of intramural competitions. Membership on the Board is extended to outstanding third-year students who have shown dedication and commitment to the school's advocacy programs. At Faulkner Law, the Board of Advocates is considered part of the co-curricular program and is addressed in more detail in the *Curriculum Guidebook*.

### **Christian Legal Society**

The Christian Legal Society is a nationwide membership organization of Christian attorneys, judges, law professors and law students. The basic and primary purpose of the Christian Legal Society is to equip, inspire, and challenge law students to serve Jesus Christ actively through the legal profession.

### **Faulkner Law Review**

The Faulkner Law Review publishes a varied body of legal scholarship with the purpose of advancing legal discussion of timely theoretical and practical legal issues among the professional and academic communities. The Faulkner Law Review strives to develop the legal writing skills of its members, improve ability to engage in high level legal analysis, and assist in the fulfillment of the Faulkner Law's overall mission to produce lawyers with the highest professional and ethical standards. The Faulkner Law Review endeavors to advance the Faulkner Law's visibility and reputation in the Southeast and in the greater legal community through the production of a quality scholarly publication. Students are invited to membership on the Law Review either because of their excellent grades or their selection in a write-on competition. At Faulkner Law, the Faulkner Law Review is considered part of the co-curricular program and is addressed in more detail in the *Curriculum Guidebook*.

### **Federalist Society**

The Federalist Society for Law and Public Policy Studies is a group of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be.

### **Honor Court**

The Honor Court has jurisdiction over all cases involving violations of the Law School's Honor Code.

### **Faulkner Law Democrats**

Faulkner Law Democrats is an organization dedicated to promoting a better America, with equality, opportunity, and freedom within a just and strong society by inviting and organizing the participation of all Faulkner Law students. Our goals are to explore political and service opportunities available to law students, host speakers to discuss relevant issues facing the state and nation, and create opportunities for students to network with Democratic leaders. For more information on College Democrats of America, visit <http://www.collegedems.com>.

### **Jones Law Republicans**

The Jones Law Republicans is an organization of conservative minded students who support Republican ideals and work to support those ideals in our community. Our goals are to explore political opportunities available to law students, host speakers to discuss relevant issues, and create opportunities for students to network with Republican leaders.

### **Jones Public Interest Law Foundation**

The Jones Public Interest Law Foundation was established to provide moral support for students participating in public interest law, financial support for such students, a forum for exploring Public Interest concerns, fellowship for law students interested in public interest law and support for initiatives engendering public interest law within the law school.

### **Phi Alpha Delta - Albert Patterson Chapter**

The purpose of Phi Alpha Delta is to form a strong bond uniting students and teachers of the law with members of the Bench and Bar in a fraternal fellowship designed to advance the ideals of liberty and equal justice under law; to stimulate excellence in scholarship; to inspire the virtues of compassion and courage; to foster integrity and professional competence; to promote the welfare of its members; and to encourage their moral, intellectual, and cultural advancement; so that each member may enjoy a lifetime of honorable professional and public service.

### **Student Animal Legal Defense Fund**

The Student Animal Legal Defense Fund is an organization devoted to enhancing the welfare and legal status of all animals, domestic and wild. As a student organization, our primary goals are to educate ourselves and others concerning the issues and laws that affect animals and to influence positive change.

### **Student Bar Association**

The SBA is a student service organization. It is administered by student officers elected by the student body. The purpose of the organization is to make students aware of obligations and responsibilities existing for lawyers through bar association activities; to promote a consciousness of professional responsibility; and to provide a forum for students. The SBA actively develops programs and social activities for the student body. The officers and representatives serve as liaisons to the Law School Administration.

### **Women's Legal Society**

WLS is an organization that works to promote the individual and collective impact of the law students through networking, mentoring, education, recognition, and community involvement.

*Updated July 16, 2013*



### **Notification of Minimum GPA Requirements for Officers**

(a) Subject to subsection (b) and (c) hereof, no student whose cumulative grade point average is less than 2.30 may hold an office in an organization approved by the law school. A student who does not meet this requirement forfeits his or her office immediately.

(b) A first-year SBA Senator or Honor Court Justice may complete his or her term of office should he or she finish the fall semester with a grade point average less than a 2.30.

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