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THOMAS GOODE JONES SCHOOL OF LAW

# **Student Handbook**

2017 - 2018

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Student Handbook  
Acknowledgment

2017-2018

I have read the 2017-2018 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 2017-2018 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.

## Campus Map

- |   |   |
|---|---|
| 1. Main Entrance & Visitor Information Center                     | 20. Tennis Courts   |
| 2. Harris College of Business (Harris Building)                   | 21. J.L. Perry Cafeteria  |
| 3. Thomas Goode Jones School of Law (Marjorie Snook Building)     | 22. Freeman Tower   |
| 4. E.L. Collum Rotunda  | 23. V.P. Black College of Biblical Studies (Harris-Parker Building) |
| 5. Gus Nichols Library  | 24. University Church of Christ                                     |
| 6. Greer Hall   | 25. National Lads to Leaders Office                                 |
| 7. Brooks Hall  | 26. Harris Women's Residence Hall                                   |
| 8. M.B. "Pop" Myers Fine Arts Building                            | 27. Harrison Apartments   |
| 9. John Mark Stallings Football Field                             | 28. Davis Dorms   |
| 10. Leopold D. Lee Family Fieldhouse                              | 29. Burton Dorms  |
| 11. Harrison Baseball Field                                       | 30. Baldwin Dorms   |
| 12. Pavilion  | 31. Men's Apartments  |
| 13. Sojourner Park  | 32. Camillia Gardens  |
| 14. Lady Eagles Softball Field                                    |   |
| 15. Maintenance Office  |   |
| 16. Tine Davis Gym/Multiplex (Freeman-Harrison Student Multiplex) |   |
| 17. Project Key   |   |
| 18. Johnson Annex   |   |
| 19. Johnson Hall  |   |

[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 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.

The Law School constructed the first phase of its new building on Faulkner's campus in 1996. In 1998, Faulkner's Board of Trustees approved a plan directing the Law School to seek approval by the American Bar Association. In 2000, the Law School added a full-time division to complement its part-time evening division. In 2001, it completed a major building expansion, nearly doubling the size of its facilities. In 2006, provisional approval was recommended by the Accreditation Committee and was granted by the

Council. The Law School was granted full approval by the American Bar Association in 2009. A third building phase, including the Allen Law Center, was completed in 2011.

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, masters, doctor of philosophy, 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.

# **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 2017–2018

### FALL SEMESTER 2017

August 9–11	Mini-Prep
August 14	Faculty Retreat
August 14–15	New Student Orientation
August 15	Final registration for Fall Semester
August 16	Classes begin
August 22	Last day for late registration and course changes
September 4	Labor Day Holiday
September 8	Last day to drop courses
October 27	Don Garner Charity Golf Tournament
October 9–18	Advising for Spring Semester registration
October 19–25	Online registration for Spring Semester
November 17	Last day of classes
November 20–29	Study Days
November 30–December 12	Final Exams

### SPRING SEMESTER 2018

January 2	January Session Classes Begin
January 5	Final registration for Spring Semester
January 8	Spring Semester Classes begin
January 12	Last day for late registration and course changes
January 15	Birthday of Martin Luther King, Jr. Holiday (no classes)
February 2	Last day to drop courses
March 1–2	Online registration for Summer Session
March 19–23	Spring Holidays
March 26–April 4	Advising for Fall 2018 registration
April 5–12	Online registration for Fall Semester
April 20	Last day of classes
April 23–27	Study Days
April 30–May 10	Final Exams
May 12	Commencement

### SUMMER SESSION 2018

May 23	Final registration for Summer Session
May 29	Classes begin
June 1	Last day for late registration and course changes
June 6	Last day to drop concentrated courses
June 12	Last day to drop standard courses
June 26	Last day of classes (Concentrated Courses)
June 29 & July 2	Final Exams (Concentrated Courses)
July 4	Independence Day Holiday (no classes)
July 19	Last day of classes (Standard Courses)
July 23–26	Final Exams (Standard Courses)

**FALL 2017 COURSES  
(Alphabetical)**

Course	No.	Professor	Rm	Day(s)			Time(s)
Accounting for Lawyers	8350-01	Montiel	208	M	W		4:15–5:35 pm
Administrative Law (§A & §B) <sup>3L REQ</sup>	8371-01	DeBoer, M.	180	M	W		1:00–2:20 pm
Advanced Legal Analysis	6101-01	Harrison	122			F	11:00 am–12:30 pm (Sept. 29–Nov. 17)
Advanced Legal Research <sup>APR</sup>	7247-02 7376-02	Swanner	122		T	R	4:15–5:35 pm
Bankruptcy	8375-02	Sawyer	215		T	R	4:30–5:50 pm
Children’s Rights <sup>SEMINAR FULL</sup>	8253-01	Howell	155		T		2:30–4:20 pm
Civil Procedure I §A <sup>1L REQ</sup>	5341-01	Campbell	114	M	W	F	M W 2:30–3:25 pm F 1:00–1:55 pm
Civil Procedure I §B <sup>1L REQ</sup>	5341-03	Keele	208	M	W	F	10:00–10:55 am
Civil Rights <sup>SEMINAR LIMITED SPACE</sup>	8254-01	Dees	155		W		10:00–11:40 am
Const. Crim. Proc. §A <sup>2L REQ</sup>	5346-01	Otey	114		T	R	8:30–9:50 am
Const. Crim. Proc. §B <sup>2L REQ</sup>	5346-03	DeBoer, M.	208		T	R	8:30–9:50 am
Contract Drafting <sup>APR</sup>	8354-02	Eubank	180		T	R	5:00–6:20 pm
Criminal Law §A <sup>1L REQ</sup>	5362-01	Otey	114		T	R	1:00–2:20 pm
Criminal Law §B <sup>1L REQ</sup>	5362-03	Yates	180		T	R	1:00–2:20 pm
Dispute Resolution Processes	7347-01	Morris	155	M	W		2:30–3:50 pm
Elder Law Clinic <sup>ELR LIMITED SPACE</sup>	7375-01	Craft	155			R	10:00 am–12:00 pm
Evidence §A <sup>2LREQ</sup>	6431-01	Lester	208	M	W	F	M W 1:00–2:10 pm; F 8:30–9:40 am
Evidence §B <sup>2LREQ</sup>	6431-03	Yates	114	M	W	F	M W 1:00–2:10 pm; F 8:30–9:40 am
Family Law <sup>MEE</sup>	7342-01	Howell	180	M	W		2:30–3:50 pm
Family Violence Clinic <sup>ELR</sup>	7372-01	McTear	Cli		T		10:00 am–12:00 pm
Federal Crimes	8310-02	Byrne	122	M	W		6:00–7:20 pm
Federal Income Taxation	7373-02	Reynolds	215	M	W		4:15–5:35 pm
Field Placement Class: Government Practice/Policy/ Judicial <sup>ELR</sup>	8108-01	Craft	Cli	M			12:00–1:00 pm
Field Placement Class: Access to Justice <sup>ELR</sup>	8108-03	McTear	Cli			R	12:00–12:50 pm
Field Placement Hours <sup>ELR</sup>	8229-01 8309-01 8496-01 8501-01	Craft	Cli				
First Am. & Indiv. Rts. §A <sup>2L REQ</sup>	5365-01	Hammond	208		T	R	10:00–11:20 am
First Am. & Indiv. Rts. §B <sup>2L REQ</sup>	5365-03	Olree	114		T	R	10:00–11:20 am
Foundations of Law §A <sup>1L REQ</sup>	5360-01	MacLeod	114		T	R	2:30–3:50 pm
Foundations of Law §B <sup>1L REQ</sup>	5360-03	McFarland	208		T	R	2:30–3:50 pm
Health Law	8384-01	Hammond	122		T	R	2:30–3:50 pm
Immigration Law	8341-02	Moore	122	M	W		4:15–5:35 pm

Intellectual Property	8320-01	MacLeod	215		T		R	8:30–9:50 am
Interviewing, Counseling, and Negotiation <sup>APR</sup>	7349-01	McTear	114	M		W		4:15–5:35 pm
Jurisprudence <sup>SEMINAR</sup> LIMITED SPACE	8246-01	Reynolds	215		T			2:30–4:20 pm
Law and Christian Theology <sup>SEMINAR</sup>	8248-01	Olree	155				R	2:30–4:10 pm
Legislation	8276-02	Isbell	155			W		4:30–6:00 pm
Legal Research & Writing I §A1 <sup>1L REQ</sup>	5339-01	Voigt	215	M		W		8:30–9:50 am
Legal Research & Writing I §A2 <sup>1L REQ</sup>	5339-05	Voigt	215	M		W		1:00–2:20 pm
Legal Research & Writing I §B1 <sup>1L REQ</sup>	5339-03	Hamlett	122	M		W		8:30–9:50 am
Legal Research & Writing I §B2 <sup>1L REQ</sup>	5339-07	Hamlett	122	M		W		1:00–2:20 pm
Mediation Clinic §1 <sup>ELR</sup>	7348-01	Morris	Cli	M				8:15–10:45 am
Mediation Clinic §2 <sup>ELR</sup>	7348-03	Morris	Cli				R	8:45–11:15 am
Pretrial Practice <sup>APR</sup> FULL	8312-01	Craft	155	M		W		8:30–9:50 am
Pretrial Practice <sup>APR</sup>	8312-02	Miller	155		T		R	6:00–7:20 pm
Products Liability	8393-01	Garner	180		T		R	2:30–3:50 pm
Remedies (§A&§B) <sup>3L REQ</sup>	7343-01	Keele	208		T		R	1:00–2:20 pm
Secured Transactions <sup>MEE</sup>	7344-01	Dees	122		T		R	10:00–11:20 am
Torts §A <sup>1L REQ</sup>	5450-01	Montiel/ Garner	114	M		W		F 10:00–11:10 am
Torts §B <sup>1L REQ</sup>	5450-03	Garner/ Montiel	208	M		W		F M W 2:30–3:40 pm; F 1:00–2:10 pm
Trial Advocacy for Competition <sup>APR</sup>	7374-01	Lester	Mt Crt	M		W		F M W 8:30–11:30 am; F 10:00am–1:00 pm

6/15/2017

1L REQ	First-Year Required Course
2L REQ	Second-Year Required Course
3L REQ	Third-Year Required Course
APR	Satisfies the Advanced Practicum Requirement of the Professional Development Requirement
ELR	Satisfies the Experiential Learning Requirement of the Professional Development Requirement
SEMINAR	Seminar that may be used to satisfy the Rigorous Writing Requirement
MEE	Tested on the Multistate Essay Examination

## ADDITIONAL COURSE NUMBERS

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

## Fall 2017 Exam Schedule

4/27/2017

Time	Rm	MONDAY NOV 27	Rm	TUESDAY NOV 28	Rm	WEDNESDAY NOV 29	Rm	THURSDAY NOV 30	Rm	FRIDAY DEC 1
9:00 to 12:00		Study Days		Study Days		Study Days		Torts A Garner/ Montiel (9:00–12:30) Torts B Garner/ Montiel (9:00–12:30)		Evidence A Lester (9:00–12:30) Evidence B Yates (9:00– 12:30)
2:00 to 5:00								Remedies Keele		

Time	Rm	MONDAY DEC 4	Rm	TUESDAY DEC 5	Rm	WEDNESDAY DEC 6	Rm	THURSDAY DEC 7	Rm	FRIDAY DEC 8
9:00 to 12:00		Founda- tions A MacLeod Founda- tions B McFarland		First Am. & Indiv. Rts. A Hammond First Am. & Indiv. Rts. B Olee		Federal Crimes Adjunct		Crim. Law A Otey Crim. Law B Yates		Health Law Hammond Products Liability Garner
2:00 to 5:00		Admin. Law M. DeBoer  Adv. Legal Analysis Harrison (2:00–3:00)		Bankruptcy Sawyer		Dispute Reso- lution Proc. Morris Family Law Howell		Accounting for Lawyers Montiel Fed. Inc. Tax Reynolds Immigr. Law Moore Legislation Isbell (2:00– 4:00)		Const. Crim. Proc. A Otey Const. Crim. Proc. B DeBoer Intellectual Property MacLeod

Time	Rm	MONDAY DEC 11	Rm	TUESDAY DEC 12	Rm	WEDNESDAY DEC 13	Rm	THURSDAY DEC 14	Rm	FRIDAY DEC 15
9:00 to 12:00		Civ. Pro. I A Campbell Civ. Pro. I B Keele		Make-up Exams						
2:00 to 5:00		Secured Transactions Dees		Make-up Exams						

## FACULTY

**Charles B. Campbell -- Associate Dean of Academic Affairs and Associate Professor of Law**  
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**Director--Elder Law Clinic**  
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**Elyce C. Morris -- Clinical Assistant Professor of Law, Director of Mediation Clinic,  
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**Thurston H. Reynolds, II -- Professor of Law**  
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#### **LIBRARY FACULTY**

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**Georgette Panagotacos -- Assistant Director for Collections Management & Research**  
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**Ned D. Swanner, Jr. -- Assistant Director for Electronic Services & Research Librarian**  
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*Updated August 3, 2017*

## ADJUNCT FACULTY

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

**David B. Byrne, Jr.**

Banking Law, Federal Crimes,  
Pretrial Practice, Trial Advocacy

**Laura Eubank**

Contract Drafting

**Dusty Farned**

Interview, Counseling, and Negotiations

**Dennis D. Harrison**

Evidence, Environmental Law  
Law Practice Management  
Products Liability, Real Estate Practice  
Sales, Contracts II  
Advanced Legal Analysis

**Jason Isbell**

Legislation

**Parker C. Johnston**

Interviewing, Counseling, and Negotiations

**Katherine MacLeod**

Law and Public Policy

**Danielle Mason**

Pretrial Practice

**Michael McInnish**

Interviewing, Counseling and Negotiations

**Allen Porter Mendenhall**

Legal Drafting, Pretrial Practice

**Tamika Miller**

Pretrial Practice

**Brian Moore**

Immigration

**Kelly Pate**

Pretrial Practice

**Victoria Relf**

Legal Drafting

**William Sawyer**

Bankruptcy

**Katharine Palmer Smith**

Land Planning

**Beau Womack**

Trial Advocacy

**W. Brent Woodall**

Trial Advocacy

*Updated August 1, 2017*

## ADMINISTRATION

### **Dean's Office** 334 / 386-7514; Fax: 334 / 386-7545

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### **Registrar** 334 / 386-7213; Fax: 334 / 386-7516

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### **Admissions** 334 / 386-7531; Fax: 334 / 386-7908

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### **Advocacy** 334 / 386-7542; Fax: 334 / 386-7545

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### **Blackstone Center for Law and Liberty** 334 / 386-7495; Fax: 334 / 386-7505

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### **Board of Advocates Office** 334 / 386-7973

### **Career Development** 334 / 386-7905; Fax: 334 / 386-7905

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### **Center for Academic Success** 334 / 386-7550; Fax: 334 / 386-7928

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### **Clinics**

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Kelly McTear, Clinical Assistant Professor of Law, Director-Family Violence Clinic kmctear@faulkner.edu  
Elyce C. Morris, Clinical Assistant Professor of Law & Director,  
Director of the Kenneth F. Dunham Mediation Clinic, Director of LL.M. Program emorris@faulkner.edu



## External Relations

334 / 386-7495; Fax: 334 / 386-7505

Robert L. McFarland, Associate Dean for External Relations &  
Associate Professor of Law

rmcfarland@faulkner.edu

## Library

334 / 386-7219 (Circulation Desk)

334 / 386-7533 (Reference Desk)

Fax: 334 / 386-7223

Donna M. Spears, Associate Dean for Information Resources  
JoAnna J. Butler, Technical Services Librarian  
Mary Hodge, Circulation Manager  
Courtney Pinkard, Circulation Assistant  
Gigi Panagotacos, Assistant Director, Collections Mgmt. & Research  
Anita Dandridge, Support Services Specialist  
Ned D. Swanner, Assistant Director, Electronic Services and Research

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gpanagotacos@faulkner.edu  
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nswanner@faulkner.edu

## Law Review Office

334 / 386-7580

Robert McBride, Editor in Chief

## Faulkner Police

334 / 386-7250

After Hours/Emergency

334 / 239-5496

## Student Bar Association Office

334 / 386-7581

Luke Farmer, President

## Additional Helpful Contacts -- Faulkner University

Business Office

334 / 386-7165, 7173

Culinary Management (Cafeteria)

334 / 386-7178 amoore@faulkner.edu

EFC

334 / 386-7171 helpdesk@faulkner.edu

Faulkner Counselors

Becky Coyle

334 / 386-7295 bcoyle@faulkner.edu

Michelle Bond

334 / 386-7275 mbond@faulkner.edu

Roxy Wishum

334 / 386-7896 rwishum@faulkner.edu

Financial Aid

334 / 386-7195 vjeter@faulkner.edu

Multi-Plex (Student Rec Center)

334 / 386-7391

Public Relations

Pat Gregory, Director of University Marketing

334 / 386-7259 pgregory@faulkner.edu

Angela Hardgrave, Graphic Designer

334 / 386-7489 ahardgrave@faulkner.edu

## Additional Helpful Contacts -- Outside the University

Alabama State Bar

334 / 269-1515

Crisis Hotline

800 / 273-8255

Family Violence Center

334 / 206-2100

Legal Aid

334 / 832-4570

Robert Thornhill, Director of Alabama Lawyer Assistance Program

334 / 517-2238

*Updated August 1, 2017*

## Technology Support Numbers

Call Regarding:	Transfer To:
Website Issues – Public Site No log in required	<a href="mailto:webmaster@faulkner.edu">webmaster@faulkner.edu</a>
my.faulkner.edu Online Registration Requires Student Log In (Question/Problem/Error message, Grades, Holds, Payment Agreement.)	Student Accounts 334-386-7165
Blackboard	<a href="mailto:bbsupport@faulkner.edu">bbsupport@faulkner.edu</a> 334-386-7397
iPads/Eagle iAdvantage	334-386-7396
Student Network Account Setup or Password Reset	<a href="https://password.faulkner.edu">https://password.faulkner.edu</a>

## **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**

This 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."

As a student of Faulkner Law, you owe a continuing duty to update your law school application to accurately respond to the questions posed therein. Your law school application provides information relevant to certify you to the state bars. Any information that may reflect on your character and fitness to practice law should be fully disclosed in your law school application. You must report in writing to the Associate Dean for Academic Affairs and the Assistant Dean of Students any conviction, guilty plea, or plea of nolo contendere (no contest to the charge), including any such incidents that occur either before matriculation or during your law school career. This includes traffic offenses. Failure to report or knowingly deceive 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.

Additionally, 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.

### **Applying for Bar Admission**

Each state has its own bar admission rules and registration procedures. Those students who intend to practice law are encouraged to review the rules in any state in which they plan to practice, especially those rules relating to specific courses or course credit hours that might be required during law school and registration deadlines. In most states, registration for the bar examination is required during the student's third-year of law school. A few states require students to register for the bar examination during their first year of law school. Some states, including Alabama, offer financial discounts to students registering as law students for the bar examination in their first year.

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 agencies in each state is provided at the website of the National Conference of Bar Examiners at [www.ncbex.org](http://www.ncbex.org). Please review the publication, "Comprehensive Guide to Bar Admission Requirements."

## **Certification**

Before being allowed to register for your second year (2L) at Faulkner Law, you must have completed the Verification of Completion of Student Bar Application indicating that you have either 1) complied with your home state's requirements to file as a student, 2) researched and confirmed that there is no such requirement in your home state, or 3) 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 legal career.

If you have questions concerning the bar examination or the bar application in your state, please contact the Assistant Dean of Students for assistance.

## 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. The receiving of credit in Legal Analysis and Persuasion is a prerequisite for fulfillment of the Rigorous Writing Requirement.
- (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 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 § 2-450b.
  - (3) 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)(3) 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 requirements for a paper satisfying the Rigorous Writing Requirements under (b)(2) of this section are as follows:
- (1) The interscholastic moot court competition rules must permit faculty input in the writing or review of the brief.
  - (2) A member of the faculty must review drafts of the brief and provide feedback to the students.
  - (3) At the time the brief is submitted to the interscholastic moot court competition, the brief must also be submitted to the supervising faculty member.
  - (4) The supervising faculty member must certify that the brief satisfies the Rigorous Writing Requirement.
- (e) 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.
- (f) 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 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

*Sept. 21, 2004; Rev. Jan. 31, 2006; Oct. 12, 2007;  
Dec. 7, 2007; May 6, 2014; Apr. 13, 2016*

**§ 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 interscholastic 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.

*Sept. 21, 2004*

## PART 6—PROFESSIONAL DEVELOPMENT REQUIREMENT

§ 2-601. **Professional Development Requirement.** *(These changes shall be applicable to students matriculating after July 1, 2014.)*

- (a) Among the requirements for the J. D. degree is the satisfactory fulfillment of the Professional Development Requirement. The purpose of the Professional Development 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 the American Bar Association has identified as necessary for effective and responsible participation in the legal profession. In order to graduate a student must complete at least six (6) credit hours of Professional Development courses, identified in subsections (b) and (c) below. Except for the Law Review Editor-in-Chief and other members of the Law Review Editorial Board and students who receive credit for inter-scholastic advocacy competitions, a student must complete at least three (3) credit hours of Advanced Practicum courses and at least three (3) credit hours of Experiential Learning courses.
- (b) The Advanced Practicum Requirement may be satisfied in any of the following courses:
- (1) Advanced Legal Research
  - (2) Appellate Advocacy
  - (3) Interviewing, Counseling, and Negotiation
  - (4) Legal Drafting
  - (5) Pretrial Practice (civil or criminal)
  - (6) Trial Advocacy
  - (7) Trial Advocacy for Competition
  - (8) Moot Court competition team
  - (9) Mediation competition team
  - (10) Trial competition team
- (c) The Experiential Learning Requirement may be satisfied in any of the following courses:
- (1) Elder Law Clinic
  - (2) Family Violence Clinic
  - (3) Field Placement
  - (4) Mediation Clinic
  - (5) Nonprofit Law Clinic

*Jan. 20, 2005; Rev. Sept. 13, 2005; July 9, 2010; Apr. 22, 2015*

*[NOTE: The Professional Skills Requirement applicable to students matriculating before July 1, 2014 was as follows:*

§ 2-601. **Professional Skills Requirement.** *(Applicable to students matriculating before July 1, 2014.)*

- (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*

**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.

*Sept. 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.

*Sept. 21, 2004; Rev. Feb. 13, 2007; 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*.

*Sept. 21, 2004; Rev. Feb. 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*.

*Sept. 21, 2004; Rev. Feb. 13, 2007*

**§ 3-105. Requirements for Degree.**

- (a) A student shall earn the J.D. degree upon satisfying the following requirements (which are not subject to variance or waiver unless otherwise provided by faculty policy):
  - (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, § 2-501, and Professional Skills Requirement, § 2-601;
  - (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.

(b) Requirements for earning the J.D. degree, as well as the courses offered, may be changed by the faculty at any time.

[\*The 90-hour requirement “appl[ies] to students matriculating in the J.D. program after July 1, 2016.” For students matriculating in the J.D. program before July 2, 2016, the applicable requirement is 88 hours.]

*Jan. 20, 2005; Rev. May 6, 2014; Mar. 9, 2016*

**§ 3-106. Time to Complete Degree.**

(a) The maximum period of time for a full-time law student to complete the requirements for the J.D. degree shall be five years.

(b) The maximum period of time for a part-time law student to complete the requirements for the J.D. degree shall be six years.

*Sept. 21, 2004*

**§ 3-107. Limit upon Credits from “Pass” Offerings.**

Of the 90[\*] credits needed for graduation, no more than 12 credits may be acquired through offerings in which the student may receive the grade of “P,” unless authorized by the Associate Dean of Academic Affairs. The total number of hours counted towards this limit is exclusive of hours accumulated in courses with a teaching component, including, but not limited to, externships, clinics, and participation on an interscholastic advocacy team.

[\*The 90-hour requirement “appl[ies] to students matriculating in the J.D. program after July 1, 2016.” For students matriculating in the J.D. program before July 2, 2016, the applicable requirement is 88 hours.]

*Sept. 21, 2004; Rev. Nov. 5, 2004; Nov. 14, 2006;  
Nov. 9, 2009; May 6, 2014; Mar. 9, 2016*

## PART 2—RESIDENCY

### § 3-201. Full-time Student's Residence during a Semester.

- (a) To receive residence credit for a semester, a full-time student must (1) complete the semester enrolled for at least ten semester hours and (2) receive academic credit for at least nine semester hours.
- (b) In any semester in which a full-time student fails to receive residence credit for a semester pursuant to subsection (a) hereof, the student shall receive residence credit for a fraction of a semester in the ratio that the hours of academic credit received bears to ten.

*Sept. 21, 2004*

### § 3-202. [Reserved].

### § 3-203. Full-time Student's Residence during Sessions Other than a Semester.

- (a) Subject to subsection (b) hereof, in any session other than a semester, a full-time student shall receive residence credit for a fraction of a semester in the ratio that the hours of academic credit received bears to ten.
- (b) The total of all courses taken in summer sessions by a full-time student shall not count for more than one semester in residence.

*Sept. 21, 2004*

### § 3-204. [Reserved].

## 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.

*Sept. 21, 2004; Rev. Nov. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 21, 2004*

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

- (a) Any student whose absences exceed 15% of all meetings in a course as specified in Section 3-404 shall have his/her final grade in the course reduced by one step for every absence over the maximum, as stated in this subsection. As used in this section “one step” is the number of grade points necessary to reduce the grade to the next lower grade on the grading scale.
- (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.

*Sept. 21, 2004; Rev. Apr. 21, 2005;  
Sept. 30, 2011;  
Oct. 14, 2014*

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

- (a) Each semester, the maximum number of absences permitted by the 15% 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>
Courses regularly meeting 4 times each week all semester	8
Courses regularly meeting 3 times each week all semester	6
Courses regularly meeting 2 times each week all semester	4
Courses regularly meeting 1 time each week all semester	2

- (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.

*Sept. 21, 2004; Rev. Jan. 31, 2006;  
Sept. 30, 2011;  
Oct. 14, 2014*

**§ 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. However, the professor may lower the student’s final course grade no more than one step per absence when the student’s absences exceed those specified in the professor’s policy. Such policy must be in writing and communicated to students at the first class of the semester. As used in this section “one step” is the number of grade points necessary to reduce the grade to the next lower grade on the grading scale.

*Sept. 21, 2004; Oct. 14, 2014*

**§ 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.

*Sept. 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.

*Sept. 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.

*Sept. 21, 2004*

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

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

*Sept. 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.

*Sept. 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.
- (c) The final examination in courses teaching predominately subject-matter tested on the Multistate Bar Examination shall include a substantial component in Multistate Bar Examination format. Such component should include questions simulating the time pressure, complexity, length, and content of Multistate Bar Examination questions related to that course’s subject matter.

*Sept. 21, 2004; Jan. 20, 2015*

### § 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.

*Sept. 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.

*Sept. 21, 2004; Rev. Nov. 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.

*Sept. 21, 2004; Rev. Nov. 5, 2004; Mar. 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.

*Sept. 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.

*Sept. 21, 2004*

### § 3-702. Grading Standards.

- (a) The following grade distribution percentages shall be used in every course with 20 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</u>	<u>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 other courses:

<u>Grade</u>	<u>Norm</u>	<u>Mandatory</u>	<u>Range</u>
4.00, 3.67	15%		0 to 25%
3.33, 3.00, 2.67	45%		25 to 65%
2.33, 2.00, 1.67	35%		20 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 other courses 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.

*Sept. 21, 2004; Rev. May 3, 2005; Jan. 31, 2006;  
Apr. 14, 2006; Aug. 7, 2007; May 4, 2010;  
Mar. 18, 2014*

### **§ 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 (WF, Withdrawn Failing)
2.33	P (Pass—Satisfactory)
2.00	I (Incomplete)
1.67	WP (Withdrawn Passing)
	NC (No Credit)

- (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, except as provided in section 3-907.
- (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,” “NC,” or “WP,” and the mark shall not affect the cumulative grade point average.

*Sept. 21, 2004; Rev. May 3, 2005; June 4, 2014*

### **§ 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 one step. As used in this section “one step” is the number of grade points necessary to reduce the grade to the next lower grade on the grading scale.

*Sept. 21, 2004; Oct. 14, 2014*

**§ 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.

*Sept. 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."

*Sept. 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."

*Sept. 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.

*Sept. 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.

Sept. 21, 2004; Rev. 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.

*Sept. 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 may appear on his or her official transcript at the student's request. 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. Feb. 4, 2011; Oct. 14, 2014*

[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.

*Sept. 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.

*Sept. 21, 2004; Rev. Jan. 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.

*Sept. 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.

*Sept. 21, 2004; Rev. Nov. 9, 2009; May 4, 2010*

**§ 3-905. Probation, Academic Counseling, and Dismissal.**

- (a) Any first year student whose cumulative grade point average falls below 2.00 at the end of the first semester of study shall be placed on academic probation. Any first year student whose cumulative grade point average falls below 2.15 but at or above 2.00 at the end of the first semester of study shall receive academic counseling. Any student who is placed on academic probation or who receives academic counseling 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 (either as a condition of academic probation or as part of academic counseling) to participate in any portion or portions of the Academic Success Program that the associate dean shall deem appropriate.
- (b) Any student whose cumulative grade point average falls below 2.00 at the end of the first year shall be dismissed from the law school unless the student is placed on probation under the Second Chance Program in subsection (b)(2).
  - (1) Any such student whose cumulative grade point average is below 1.67 shall be dismissed from the law school and shall not be eligible for the Second Chance Program in subsection (b)(2).
  - (2) Any such student whose cumulative grade point average is at least 1.67 may petition the Associate Dean for Academic Affairs to be placed on academic probation for one year under the Second Chance Program. If the student fails to submit a petition, or if the Associate Dean for Academic Affairs denies the student's petition, the student shall be dismissed from the law school.
- (c) Any student whose cumulative grade point average falls below 2.00 after the end of the first year may petition the Associate Dean for Academic Affairs to be placed on academic

probation for up to one semester. A probationary semester shall include any summer session or intersession immediately before the probationary semester. If the student fails to submit a petition, or if the Associate Dean for Academic Affairs denies the student's petition, the student shall be dismissed from the law school.

*Apr. 21, 2005; Rev. Sept. 12, 2008; Mar. 6, 2009; May 4, 2010; Oct. 11, 2010; Sept. 5, 2012; Mar. 18, 2014; June 4, 2014; May 4, 2016*

**§ 3-906. Limitation on Academic Probation.**

A student may be placed on academic probation only once under section 3-905(c), except by the dean in extraordinary circumstances.

*Sept. 21, 2004; June 4, 2014; May 4, 2016*

**§ 3-907. Grounds for Probation; Second Chance Program.**

(a) The Associate Dean for Academic Affairs shall place a student on academic probation under section 3-905(c) only when he or she determines that (1) 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 or session, and (2) there is a strong likelihood that the student will achieve a cumulative grade point average of 2.00 or higher in each semester thereafter.

(b) Second Chance Program.

(1) The Associate Dean for Academic Affairs shall place a student on probation for one year under the Second Chance Program, *see* § 3-905(b)(2), only when he or she determines that (i) 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 year, and (ii) there is a strong likelihood that the student will achieve a cumulative grade point average of 2.00 or higher in each semester thereafter.

(2) If a student is placed on probation under the Second Chance Program at the end of the first year, the student must repeat any course in which the student made a grade below 2.00, up to a maximum of 22 total credit hours. Upon repeating such a course, the grade that the student made when taking the course for the first time shall be replaced with a grade of "NC." The grade the student makes when repeating such a course shall be the grade used in calculating the student's cumulative grade point average. If a student would otherwise be required to repeat more than 22 total credit hours under this subsection, the Associate Dean for Academic Affairs may decide which course or courses will not be repeated due to the 22-credit-hour limitation or may, in appropriate cases, permit the student to decide which course or courses will not be repeated due to the 22-credit-hour limitation.

(c) A student in good standing who is not participating and has not participated in the Second Chance Program may nevertheless elect, with the permission of the Associate Dean for Academic Affairs, to repeat one or more first-year courses in which the student made below a 2.00. If such a student makes this election, the grade the student earned when

taking the course the first time will be replaced by the grade earned upon repeating the course, following the same rules applied to grades under the Second Chance Program in subsection 3-907(b)(2).

*Sept. 21, 2004; Rev. Mar. 6, 2009; June 4, 2014; May 4, 2016*

**§ 3-908. Procedures for Probation; Conditions.**

- (a) The Associate Dean for Academic Affairs shall have jurisdiction over probation decisions and shall develop policies and procedures for making such decisions.
- (b) A student shall initiate a petition for probation under section 3-905(b)(2) or (c) by preparing a written petition addressed to the Associate Dean for Academic Affairs. The petition shall describe the student's academic circumstances, state the 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 year, semester, or session.
- (c) If the Associate Dean for Academic Affairs decides to place the student on probation, the student must meet with the Director of the Academic Success Program to develop an academic success plan. In addition, the Associate Dean may attach such further conditions to the decision as he or she deems to be in the best interests of the student and the law school under the particular circumstances involved. These conditions may demand such efforts as full participation in various tutorial and academic enhancements and resources both inside and outside the law school. The conditions for probation may be varied and may be enhanced and updated in the discretion of the Associate Dean during the probationary year, semester, or session.

*Sept. 21, 2004; Rev. Mar. 6, 2009; Nov. 9, 2009; June 4, 2014; May 4, 2016*

**§ 3-909. Deadline for Probation.**

- (a) Any probationary term must begin 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 probation 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.

*Sept. 21, 2004; May 4, 2016*

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

If a student is placed on probation under section 3-905(b)(2) or (c) and does not achieve a cumulative grade point average of 2.00 or higher at the end of the probationary year, semester, or session, as applicable, the student shall be dismissed from the law school and shall not be eligible for reinstatement, except by the dean in extraordinary circumstances.

*Sept. 21, 2004; May 4, 2016*

**§ 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).

*Apr. 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.

*Sept. 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.

*Sept. 21, 2004*

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

- (a) The law school requires for admission to its J.D. degree program a bachelor's degree, or successful completion of three-fourths of the work acceptable for 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.
- (c) In an extraordinary case, the law school may admit to its J.D. degree program an applicant who does not possess the educational requirements of subsection (a) if the applicant's experience, ability, and other characteristics clearly show an aptitude for the study of law. The admitting officer shall sign and place in the admittee's file a statement of the considerations that led to the decision to admit the applicant.

*Sept. 21, 2004; Rev. May 6, 2014*

#### § 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.  
*Sept. 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.

*Sept. 21, 2004; Rev. Oct. 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.

[\*The 90-hour requirement "appl[ies] to students matriculating in the J.D. program after July 1, 2016." For students matriculating in the J.D. program before July 2, 2016, the applicable requirement is 88 hours.]

*Sept. 21, 2004; Rev. May 6, 2014; Mar. 9, 2016*

**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.

*Sept. 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.

*Sept. 21, 2004; Rev. Oct. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Sept. 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.

*Oct. 11, 2010*

## **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.

The bookstore can now be accessed from Faulkner's website by selecting "Quick Links" on the Faulkner home page, then select "Textbooks" from the pull-down menu. You can click the link below to take you to the site as well.

[https://bookstore.mbsdirect.net/vbm/vb\\_home.php?FVCUSNO=37599&url=faulkner.htm](https://bookstore.mbsdirect.net/vbm/vb_home.php?FVCUSNO=37599&url=faulkner.htm)

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 that 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**

Financial Aid is available through the Direct Stafford Unsubsidized Student Loan and Direct Plus Loan. Information for these loans may be obtained at [www.studentloans.gov](http://www.studentloans.gov) and the University's Financial Aid Office.

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.

### **VETERANS AND DEPENDENTS**

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.

Faulkner University is also a Yellow Ribbon School. For the 2017-2018 school year, Faulkner has again agreed to fully fund the Yellow Ribbon program, serving an unlimited number of students. Information on these programs may be obtained at [http://www.benefits.va.gov/gibill/education\\_programs.asp](http://www.benefits.va.gov/gibill/education_programs.asp) and by contacting the Military and Veteran Services office at [mvs@faulkner.edu](mailto:mvs@faulkner.edu) or by calling 1-800-879-9816, ext. 7146.

### **EXIT INTERVIEW**

**Each student who graduates from Faulkner Law is required to attend an Exit Interview during his or her last semester of attendance.**

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

**TUITION AND FEES**

Student Activity Fee (per semester).....	\$175.00
Faulkner Law First Year Students (per semester).....	\$19,000.00
Audit Fee .....	\$330.00
Deferred Payment Fee (per semester).....	\$100.00
Drop/Add Fee.....	\$100.00
Change of Course Fee.....	\$100.00
Late Registration Fee.....	\$100.00
Transcript Fee.....	\$15.00
Seat Deposit (First Year Students-First Semester Only).....	\$500.00
Emergency Response Fee (per semester).....	\$10.00
Jones School of Law Summer Class (per semester hour).....	\$1,350.00
Jones School of Law (2 <sup>nd</sup> and 3 <sup>rd</sup> year students)	
1-9 hours.....	\$1,350 per semester hour
10-16 hours.....	\$19,000
17 and above.....	\$1,350 per semester hour (excludes 3L students)

*Updated August 23, 2011*  
*Updated July 25, 2012*  
*Updated July 11, 2013*  
*Updated June 9, 2015*  
*Updated July 20, 2016*  
*Updated August 1, 2017*



## CHAPTER SIX ~ ENVIRONMENT

### PART 1—HONOR CODE

#### Article I. Purposes.

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

- (a) To promote academic and personal flourishing of all members of the Law School community.
- (b) To preserve and protect the integrity of the Law School.
- (c) To promote the highest ethical standards among all members of the Law School community.
- (d) To ensure that grades at the Law School are administered fairly.
- (e) 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 To “file with the Court” means to provide a written or electronic copy of the document to the Chief Justice, the Associate Dean of Academic Affairs, the prosecutor, and any suspected violators.

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

§2.5 “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.

§2.6 “Law School” is Faulkner University’s Thomas Goode Jones School of Law.

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

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

- §2.9 “Quorum” is achieved when five or more Justices are present for a hearing of the Court.
- §2.10 “Reporting party” is any person who reports a suspected violation of the Code. “The Report” is the report of a suspected violation.
- §2.11 “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.
- §2.12 “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.
- §2.13 “Unauthorized assistance” is the assistance that either the instructor or the Code specifies to be unauthorized.
- §2.14 “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) Plagiarizing the work of another by representing, either expressly or by conduct, that the work is 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, tablets, smart watches, and computers.
- (i) Doing anything that compromises the anonymity of an examination or assignment, including but not limited to actions or writings that 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 an instructor 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, taking an exam for another student, or submitting an assignment for another student.
- (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) Knowingly failing to report a violation of the Code.
- (r) Conspiring to violate the Code.
- (s) Abusing the Honor Court process, including but not limited to:
  - (i) Engaging in conduct with the intent to obstruct access to potential

evidence connected with an Honor Code investigation or proceeding.

- (ii) Filing a frivolous report of an Honor Code violation with the intent to harass another student. A frivolous report is one without basis in fact.
- (iii) Attempting to intimidate or deter complainants, witnesses, or other participants in an Honor Code investigation or proceeding.
- (iv) Taking action to prevent the discovery of conduct prohibited by this 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 an instructor to control conduct in the 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** 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. If no eligible person runs for Chief Justice during the spring semester elections, the remaining members of the Court shall select from among themselves a Chief Justice prior to the beginning of the summer term.

**§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 deemed 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 appointed by the Associate Dean for Academic Affairs, subject to the approval of a majority of elected voting members of the Student Bar Association.

(a) A Prosecutor may be recused from a case if the Associate Dean for Academic Affairs finds good cause for recusal.

(b) If the Prosecutor is recused from a case, the Assistant Prosecutor shall act as the Prosecutor for that case.

(c) If both the Prosecutor and the Assistant Prosecutor are recused from a case, the Associate Dean for Academic Affairs may appoint a prosecutor for the case from the student body.

**§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-year law student in good standing appointed by the Associate Dean for Academic Affairs, subject to the approval of a majority of elected voting members of the Student Bar Association.

**§5.7** After a determination of probable cause pursuant to Section 6.2(a), the suspected violator has the right to Defense Counsel. The Defense Counsel is an officer of the Court who is selected by a suspected violator to assist in the suspected violator's 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. Suspected violators must be promptly apprised of their right to Defense Counsel, but they shall be entitled to proceed pro se.

(a) If a suspected violator is represented by Defense Counsel, the Defense Counsel shall be privy to all communications with the suspected violator by the Prosecutor, the Court, or the counsel of any other party, including being copied on all electronic communications, unless the Defense Counsel and the suspected violator waive this right in writing.

- (b) If the suspected violator is represented by Defense Counsel, the Prosecutor shall not meet in person with the suspected violator without Defense Counsel being present or without a written waiver of this right signed by the suspected violator prior to each meeting.

## **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 or her identity as the reporting party only to the Associate Dean for Academic Affairs except as provided herein at Subsection 6.3(a).

### **§6.2 Initial Investigation and Opportunity to Be Heard.**

- (a) Upon receipt of a 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.
  - (1) The investigation shall be conducted with the highest degree of confidentiality.
  - (2) The Prosecutor may request specific grades or academic transcripts as necessary to conduct the investigation. The Associate Dean for Academic Affairs retains discretion to approve or deny any such request.
  - (3) The Prosecutor shall inform each potential witness of the need for absolute confidentiality.
  - (4) If the Prosecutor determines that there is not probable cause, he or she shall so advise the reporting party and promptly close the case.

- (b) Upon a determination of probable cause, the Prosecutor 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 the Prosecutor 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 6.4 shall be followed.
  - (2) If the suspected violator does not admit all allegations of the Report, the Prosecutor may reassess the existence of probable cause based on any information provided by the suspected violator. If the Prosecutor 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 the Prosecutor determines that there is probable cause, he or she shall so advise the suspected violator and the reporting party and follow the procedures for a Hearing on the Merits set forth in Section 6.3.
  
- (c) Prosecutorial Discretion
  - (1) The Prosecutor shall have discretion to dismiss any portion of the Report or to dismiss the entire Report and close the case until a motion is filed with the Court for a hearing under Section 6.3 or Section 6.4. If the Prosecutor dismisses only a portion of the Report, the Prosecutor shall file an Amended Report.
  - (2) The Prosecutor shall have discretion to file an Amended Report to include any additional violations of the Honor Code that are discovered during the investigation at any point until a motion is filed with the Court for a hearing under Section 6.3 or Section 6.4.
  - (3) Before filing an Amended Report, the Prosecutor shall provide a written copy of the Amended Report to the suspected violator and the Associate Dean for Academic Affairs. Once filed, the Amended Report will supersede the Report for all purposes within this Code.
  
- (d) Until a Motion for a Hearing on the Merits has been filed pursuant to Subsection 6.3(a), the Prosecutor and the suspected violator may reach a plea bargain. Once a Motion for a Hearing on the Merits has been filed, any plea bargain must be approved by the Associate Dean for Academic Affairs. Plea bargains may include, but are not limited to, the following:
  - (1) The suspected violator agrees with the Prosecutor to admit to the full Report on the condition that the Prosecutor will recommend a particular sanction to the Court. Notwithstanding any recommendation from the Prosecutor, the Court retains discretion regarding the sanction that it recommends to the Associate Dean of Academic Affairs.

- (2) The suspected violator agrees with the Prosecutor to admit to some of the facts in the Report on the condition that the Prosecutor dismiss the rest of the Report. The Prosecutor would prepare an Amended Report and follow the procedures set forth in Section 6.4.

### **§6.3 Hearing on the Merits.**

- (a) Promptly after notifying the suspected violator of the finding of probable cause, the Prosecutor shall file with the Court a Motion for a Hearing on the Merits, which shall include (i) a written complaint containing a plain statement of the facts of the alleged violation(s), (ii) the identity of the reporting party, (iii) the names of individuals needed as witnesses at the hearing on the complaint, and (iv) a request for a hearing on the Merits.
- (b) Upon filing a Motion for a Hearing on the Merits, the Prosecutor shall promptly provide to the alleged violator a list of any physical evidence within the Prosecutor's possession, custody, or control that is material to preparing the defense or that the Prosecutor intends to use during the case-in-chief, and shall allow the alleged violator the opportunity to inspect and copy any such evidence.
- (c) Promptly after receiving a Motion for a Hearing on the Merits, the Chief Justice of the Court shall hold a Scheduling Conference with the Prosecutor and the alleged violator, at which time the Chief Justice shall set a hearing date that affords the alleged violator a reasonable opportunity to attend.
- (d) 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.
- (e) 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.

### **§6.4 Sanction Hearing.**

- (a) If the suspected violator admits the allegations of the Report, the Prosecutor shall file with the Court a Motion for a Sanction Hearing, which shall include (i) a copy of the Report, (ii) the fact that the violator has admitted the allegations of the Report, (iii) a request for a Sanction Hearing, and (iv) any other fact the Prosecutor deems relevant.
- (b) Upon receiving the motion requesting a Sanction Hearing, the Chief Justice of the Court shall schedule and hold a Scheduling Conference with the Prosecutor, the violator, and the violator's Defense Counsel (if any), at which time the Chief Justice shall set a hearing date that affords the violator a reasonable opportunity to attend.



- (c) At the 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 the violator's Defense Counsel have the right to appear before the Court and make such statements as they choose. Article VII applies to the Sanction Hearing.

## **Article VII. Hearing Procedures.**

**§7.1** Each Sanction Hearing as set forth in Section 6.4 and each Hearing on the Merits as set forth in Section 6.3 shall be closed to all persons except the Prosecutor, Assistant Prosecutor, Defense Counsel, the suspected violator, the interested instructors, 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 or she 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, or an indefinite suspension with the possibility of readmission upon application for readmission to the Admissions Committee after a set 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) Probation for a definite period of time under specified terms or conditions with consequences specified for noncompliance.
- (k) Any other appropriate sanction.

**§8.2** This Honor Code does not require the imposition of any particular sanction or range of sanctions for any of the types of misconduct described in §3.1. The decision to impose a particular sanction or a mix of sanctions is made by the Associate Dean of Academic Affairs, who may, in his sole discretion, consider the following factors as mitigating or aggravating factors:

- (a) Conscientious admissions of misconduct made by a student before gaining any knowledge that someone else may suspect that student of an Honor Code violation;
- (b) Admissions of wrongdoing made after a student has been accused of misconduct;
- (c) Whether the misconduct was intentionally or negligently committed;
- (d) The degree of harm to others and the seriousness of the conduct;
- (e) The nexus between the student's conduct and the question of character and fitness of the student to practice law;
- (f) The violator's history of misconduct or lack thereof;
- (g) The motive for the misconduct.

## **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. The failure to file a timely notice of appeal operates as a waiver of the appeals process.

**§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 the expiration of the time for filing an

appeal if no appeal was filed), 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. Miscellaneous Procedures.**

**§10.1** Any document filed with the Court shall be captioned as “Faulkner Law v. [Defendant’s Name].”

**§10.2** The case number of any case shall be the date that the case was filed, followed by two digits, beginning with “01” and ascending numerically for each case filed in a particular day (Year-Month-Day ##, for example, “2016-11-30 01”).

**§10.3** A case is considered opened once a report is made to the Prosecutor pursuant to Section 6.1.

**§10.4** A Prosecutor closes the case by providing written notice of the closure to the reporting party, the suspected violator (if the suspected violator has received notice of the case), the suspected violator’s Defense Counsel (if any), and the Associate Dean of Academic Affairs. A case is automatically closed once a case has been dismissed under §6.2(a) or the appeals process under Article IX has been waived or completed.

**§10.5** A case may not be reopened without written approval by the Associate Dean of Academic Affairs. If a case is reopened, notice shall be promptly sent to the alleged violator.

**§10.6** If an alleged violation occurs, or a report is filed, at a time other than during the fall or spring semesters, and if:

- (a) both the Prosecutor and the Assistant Prosecutor are away from campus;
- (b) the suspected violator is away from campus, and is not reasonably expected to return within the two weeks following the report; or
- (c) one or more Honor Court Justices are away from campus, such that a quorum of the Court cannot be established in person;

then, in the discretion of the Associate Dean for Academic Affairs, the investigation and/or hearing procedures described in this Honor Code may be postponed up until the beginning of the next regular semester or may proceed by using technology to secure the real-time electronic participation of physically-absent participants.

## **Article XI. Enactment of, and Amendments to, the Code.**

- §11.1** 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.
- §11.2** 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.
- §11.3** 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.
- §11.4** If there is any conflict between the Code and the regulation of any student organization, the Code governs such regulation.
- §11.5** Final approval of the Code repeals the honor code(s) in effect at the time of such approval.

## **Article XII. Pledge.**

- §12.1** On any written work done by a law student for academic credit, including examinations, the pledge provided in Section 12.2 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.
- §12.2** 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)."
- §12.3** If the completed pledge does not appear on the academic work, the instructor may exercise discretion to deny credit for the work.
- §12.4** The purpose of the pledge is to provide a continuing reminder to students that they owe a responsibility of honorable behavior to themselves, to fellow students, to instructors, to the Law School, and to the legal profession.

*As originally approved by the faculty on January 23, 2004, and by the student body on March 16, 2004; as amended and approved by the faculty on January 25, 2017, and approved by the student body on April 14, 2017*

## **PART 2—NONDISCRIMINATION AND DIVERSITY**

### **§ 6-201. Nondiscrimination.**

Faulkner University's Thomas Goode Jones School of 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.

*Sept. 21, 2004; Rev. Dec. 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.

*Sept. 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.”

*Sept. 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.

*Sept. 21, 2004*

## **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.

*Sept. 21, 2004; Rev. Feb. 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.

*Sept. 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 remainder of this section (Section 6-501) has been omitted because a new director was named).*

Dec. 7, 2007

*Note: The program Director is Robert Thornhill. His contact number is 334-517-2238 (24-hour Confidential Phone, 334-224-6920), and his email address is: robert.hornhill@alabar.org.*

### § 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.

*Sept. 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.

*Sept. 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 school's 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 Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794, and other applicable laws and regulations, the law school will provide, as necessary, reasonable and appropriate 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. The Center for Disability Services: 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: <https://www.faulkner.edu/undergrad/student-life/living-on-campus/student-services/project-key-for-disabilities/guidelines-for-disability-services/>

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 Center for Disability Services: 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.

*Updated August 1, 2017*

## **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.

## **OTHER POLICIES**

### **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.

### **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 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 Assistant Dean of Students.
3. For building concerns to the Associate Dean for Academic 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.

## **JONES SCHOOL OF LAW LIBRARY USER GUIDE**

### **WELCOME**

Welcome to the Jones School of Law Library at Faulkner University. The Law Library staff provides resources and services designed to help our patrons meet their legal information needs. The JSL Law Library houses a variety of digital, print, and microform materials in an attractive, functional environment. We offer research instruction and assistance, at the reference desk, in a group setting through our series of informal research workshops, and individually by appointment. The wireless network and computers located on both floors of the Law Library make it easy to access our collection of electronic resources through our Library catalog or website links. Law 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 the circulation desk (334-386-7219); the reference desk ([jslreference@faulkner.edu](mailto:jslreference@faulkner.edu), 334-386-7533); access the Law Library website (<http://www.faulkner.edu/law/jones-library>); or ask any staff member.

### **LAW LIBRARY INFORMATION**

#### **Hours**

During the 2017-18 academic year, the Law Library will be typically be open during these hours:

Monday – Thursday	7:30 am – 11:00 pm
Friday	7:30 am – 8:00 pm
Saturday	9:00 am – 8:00 pm
Sunday	1:00 pm – 11:00 pm

The Law Library operates on reduced hours during holidays and semester breaks, and offers extended hours during final exam periods. Library hours are subject to change.

In addition to law students and faculty, alumni, Faulkner University students, attorneys, and members of the general public are welcome to use the library.

#### **Law Library Collection**

The Law 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 Law Library pages found on the Faulkner University website. 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, religion, and professional responsibility. The Law Library has a strong collection of Alabama jurisdictional 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 Faulkner University's ABA-approved legal studies program. We always welcome input from faculty and students concerning possible additions to the Law Library collection.

The first floor of the Law Library contains the Alabama section, study aid materials, the reference collection, federal materials, the Library's microform collection, and state codes and digests. The second floor houses the bulk of the circulating general collection (case law, statutes and other legal materials including various texts and treatises on specific areas of the law, regional reporters, law journals, and the Jurisprudence and Religion collections).

## Law Library Staff Contacts

A list of current staff contacts is available on the library's website [http://www.faulkner.edu/faculty\\_department/jones-library](http://www.faulkner.edu/faculty_department/jones-library)). While in the Library, please contact the circulation desk (334/386-7219) with general questions or concerns, and the reference desk (334/386-7533 or [jsreference@faulkner.edu](mailto:jsreference@faulkner.edu)) for reference/ research assistance.

Below is a list of all Law Library faculty and staff:

*JoAnna Butler, Technical Services Librarian*  
[jbutler@faulkner.edu](mailto:jbutler@faulkner.edu)  
334/386-7912

*Anita Dandridge, Library Support Specialist*  
[adanfridge@faulkner.edu](mailto:adanfridge@faulkner.edu)  
334/386-7521

*Mary Hodge, Circulation Manager*  
[mhodge@faulkner.edu](mailto:mhodge@faulkner.edu)  
334/386-7216

*Gigi Panagotacos, Assistant Director of Collections Management & Research*  
[gpanagotacos@faulkner.edu](mailto:gpanagotacos@faulkner.edu)  
334/386-7559

*Courtney Pinkard, Circulation Assistant*  
[cpinkard@faulkner.edu](mailto:cpinkard@faulkner.edu)  
334/386-7169

*Donna Spears, Associate Dean for Information Resources*  
[dspears@faulkner.edu](mailto:dspears@faulkner.edu)  
334/386-7888

*Ned Swanner, Assistant Director of Electronic Services Management & Research*  
[nswanner@faulkner.edu](mailto:nswanner@faulkner.edu)  
334/386-7515

## **LIBRARY SERVICES**

These policies have been adopted in order to enable the Law 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 Law Library policies by current Faulkner Law students may be considered an Honor Code offense. Patrons who violate these policies may be subject to disciplinary action, including loss of Law Library privileges, referral to the Honor Court, and/or civil or criminal penalties.

### **Alumni Services**

Alumni have privileges to receive Law Library cards and check out circulating materials from the Law Library. Alumni may also utilize non-circulating reference, Alabama-specific, and special collection materials within the library. They also have access to the reference services provided by the library. Alumni may request a library card at the circulation desk.

### **Check Out**

Faulkner Law students must have a valid university ID card to check out materials. Alumni must have an alumni library card. Public patrons are unable to check out books but are welcome to use them in the library. Students may renew an item in person or by calling the circulation desk. If an item has been placed on hold by another patron, it may not be renewed.

As this is a research library, many items do not check out. However, many items in the general collection may be checked out for a period of two weeks. Items in the section Study Aids may be checked out for a period of 48 hours. Any student who fails to return a study aid on time will lose the privilege of checking out study aid materials and/or study rooms for the remainder of the semester in which the infraction occurs, as well as for the duration of the next semester.

### **Holds**

If an item is checked out, Faulkner Law students may place a hold on such an item and will be contacted when the item becomes available.

### **Interlibrary Loan**

If the Law Library does not own an item needed by a patron, then 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 Faulkner Law 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).

## **EXTERNSHIP PROGRAM**

Learning in law must include both theory and practice, and that is the essence of Faulkner Law's Field Placement Program (or "Externship"). A robust legal education includes time in the classroom and time in the field with a lawyer or judge who mentors and supervises the student's learning. Students who engage themselves in the course learn first-hand about issues arising frequently in practice and acquire a level of legal skills impossible to attain in the classroom alone. In addition to substance and skill, students experience the role, culture, expectations, and dynamics of lawyering in the world; and bear the moral, ethical, and intellectual obligations of law practice.

The educational premise of the Field Placement Program is to develop students' professional learning and professional identity through observation, reflection, discussion, and evaluation. First, students are placed with lawyers and judges in their offices to gain real-life experience in practice, and *learn through observation*. Second, students document their experiences and observations in journals to raise and explore questions about the profession and the student's place in it, *learning through reflection*. 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, *learning through discussion*. Fourth, students actively seek feedback, criticism and guidance from their field placement supervisors, *learning through evaluation*.

The Field Placement Program is an elective offering and is available each semester and during the summer term. Students may take up to two semesters in the Field Placement Program (in the same or a different placement). Prerequisites are a cumulative GPA of at least 2.0 and the successful completion of at least 28 semester hours. Consent of the Field Placement Program Director or course instructor is required prior to registering for the course. The course has two components: the classroom component (Field Placement Class) and the fieldwork component (Field Placement Hours).

### **Field Placement Class**

The Field Placement Class is for one semester hour of credit. In class, students in similar placements meet weekly (together in person or online) with the professor to reflect upon and glean lessons from their fieldwork experience, focusing on the ethical, professional, and practical realities of law practice. Students who have completed a previous field placement may omit the classroom component with the permission of the Field Placement Program Director.

### **Field Placement Hours**

The fieldwork component is satisfied by completing a minimum of 120 hours of work in the field (earning two credits), time sheets, reflective and assigned journals, and student performance evaluations. Thus, students typically earn three credits for the field placement course – one credit for the classroom component and two credits for fieldwork. Students may earn additional fieldwork credit with permission. Each additional credit requires 60 hours of work in the field.

Field placements are available in scores of public interest, non-profit, and public service law offices, courts, government agencies, and select private law firms. Students choose their own field placement and submit applications to their preferred placements. A listing of current, approved field placement offerings can be found in the Field Placement Program Student Handbook & Placement Catalog. Students should also closely monitor unpaid internships posted by the Career Development Office and listed in the Faulkner Law newsletter. Many would qualify for field placement credit. Students may suggest and arrange new or one-time placements, with the prior approval of the Field Placement Program Director. All field placement hosts agree to the following:

- (a) Review Faulkner Law's standards for supervising field placement students. The host must provide adequate supervision, explanation, and criticism to enable the student to complete work well and to learn from the experience.
- (b) Ensure the student has sufficient work to complete their required fieldwork hours. The student must be given primarily legal work to accomplish. Legal work includes, but is not limited to, legal research and writing, drafting forms, preparing pleadings, document preparation for hearings, trial or depositions, discovery tasks, and observation of depositions, hearings, trials, conferences, interviews or other tasks common to attorneys.
- (c) Certify and sign the student's time sheets each week.
- (d) Complete mid-semester and final student performance evaluations.
- (e) The student cannot be compensated in any form for any work performed for the field placement host during the semester/term.
- (f) The placement may not generate any legal fees for work performed by the student. This includes charging a client or billing the student's time to a grant or other funding source. This also includes charging a client or billing for the supervisor's time spent training or assisting the student or reviewing the student's work.

The Field Placement Program is a Pass/D/Fail course with no final exam. Students who timely complete the requirements and who receive good marks from their placement supervisor will be given a passing grade. Students who perform in a sub-standard manner, who do not timely submit their materials, or who do not satisfy the course requirements will be given either a D or a failing grade. Grades are based on written documentation of work in time sheets and journals and their timely submission and on the placement supervisor's evaluation of the student's work.

Credits earned in the course count toward the Professional Development requirement.



## PUBLIC INTEREST PROGRAMS

As a part of a Christian university, Faulkner Law 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 encourage an attitude of service in our students. Because of this mission, Public Interest Programs provide a dynamic and varied schedule of activities and opportunities throughout each academic year, including community legal clinics, speakers and programs, and collaborations with local community service organizations and county/state bar associations, courts, and legal service providers.

Public Interest Programs has partnered with a variety of organizations to foster opportunities for pre-approved volunteer services. Any of the field placements listed in the school's Field Placement Handbook are pre-approved for Public Interest activities. Additionally, pre-approval for a particular activity or organization can be obtained by e-mailing the Director of Public Interest Programs.

Attempts are made to schedule at least one Public Service Day each year. 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.

### Faulkner Law Public Interest Society

Law students that complete fifty (50) total hours of approved volunteer work during their law school careers will be admitted as Public Interest Society Fellows upon graduation. Fellowship in the Faulkner Law Public Interest Society illustrates a law student's commitment to helping others and bettering the community. Fellowship also includes a notation of service on the student's transcript, special recognition in the graduation program, and eligibility for the Distinguished Public Interest Fellow Award. Two special distinctions beyond Fellowship in the Public Interest Society:

- (a) **Distinguished Public Interest Award** The member of the Public Interest Society that best represents qualities of dedication to service and commitment to community will be honored with this award. The award will be granted based on the recipient's amount of approved public interest hours turned in, the variety and scope of those hours completed while in law school and the individual's ability to exemplify the spirit of service. The Distinguished Public Interest Fellow is chosen in the spring of each year by a panel that includes the Director of Public Interest. This honor is announced at the Public Interest Society Induction and presented at graduation.
- (b) **Public Interest Merits of Distinction** Fellows who have completed thirty (30) volunteer hours in a particular service field will be given distinctions in the Public Interest Society.

Merit	Purpose	Requirement
Merit of Pro Bono Achievement	The law school recognizes the benefits provided to a community when attorneys commit time to provide pro bono services to clients who could not otherwise afford legal representation.	30 or more hours completed as a volunteer working in a firm or organization that provides direct legal representation at no cost to clients.
Community Service Merit	Faulkner Law students are encouraged to engage both the local community and their home communities by participating in projects like Habitat for Humanity, volunteering at a local non-profit, or serving on local committees or boards.	30 or more hours completed as an active member of a civic organization, committee, or board, or volunteer for a community project. Time spent in community projects conducted by Faulkner Law student organizations may qualify.
Ellen Brooks Merit for Public Service	Government and judicial service is crucially important to the administration of justice. By taking a volunteer position in a government agency, students are active in making sure justice is served.	30 or more hours completed as a volunteer for a government/public service entity, at any level of government (municipal, county, state, federal).

Students are not eligible for merits of recognition until they have submitted sufficient hours to be named a Faulkner Law Public Interest Society Fellow. Any of the fifty (50) minimum hours required to be a Public Interest Society Fellow can also be applied toward merits.

### Qualifying Hours

Acceptance of submitted hours for credit toward Public Interest Society Fellowship is based on the following criteria:

- (a) Public Service/Interest: Does the activity fall into one of the three (3) distinction categories (Pro Bono, Community Service, or Public Service)?
- (b) Volunteer: Did the student receive any compensation (including class credit) for the work other than reimbursement for expenses or costs?
- (c) Procedure: Was the activity approved in advance? Were hours submitted in a timely fashion, on the proper form, and verified by a qualified supervisor?

The determination of whether the activity will qualify for credit will be made by the Director of Public Interest Programs.

Limits on hours submitted: The first year of law school is a rigorous and demanding time. In recognition of that, and to encourage first year students to focus on the rigors of the law school environment, first year law students may submit no more than eight (8) hours per semester as approved public interest hours. There are no caps on service hours beyond the 1L year.

**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**

Volunteer activities in any category should be preapproved by the Director of Public Interest Programs to ensure that the student will receive credit. Students should use the “Student Time Log” located in the Public Interest Programs Guidebook and on the Public Interest Programs website to report hours. To be counted, hours MUST be submitted no later than 30 days into the semester following completion of the work. For instance, hours worked during the fall semester must be reported to the Director of Public Interest Programs no later than 30 days after classes commence in the spring. The Director reserves the discretion to reject time logs submitted remotely in time from the activity which they report.

The Public Interest Programs Guidebook, Public Interest Activity Pre-Approval Form, and Public Interest Program Log can be accessed on the Faulkner Law website under Current Students, then Public Interest Program (<http://www.faulkner.edu/law/faulkner-law-programs/public-interest-program/>). The Director of Public Interest Programs is Professor Kelly F. McTear (kmctear@faulkner.edu).

## STUDENT ORGANIZATIONS

All Student Organizations shall abide by the policies and procedures of the *Student Handbook* and the *Student Organization Handbook* and contact the Assistant Dean of Students with any questions.

### **Alabama Defense Lawyers Association**

President: Coy Morgan

Faculty Advisor: Professor John Craft

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 Constitution Society**

President: Regina Taylor

Faculty Advisor: Professor Shirley Howell

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>.

### **Black Law Students Association**

*Ernestine S. Sapp Chapter*

President: Eddie Talley

Faculty Advisors: Professor Jerome Dees & Professor Melvin Otey

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**

Chair: Jessica Lopez

Faculty Advisor: Professor Joe Lester

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 effective advocates. In addition to the coordination and support of interscholastic competition teams, the Board is responsible for every aspect of intramural competitions. Membership on the Board is extended to outstanding second and third-year students who have shown dedication and commitment to the school's advocacy

programs. The Director of Advocacy Programs holds auditions for the Board of Advocates each spring.

### **Christian Legal Society**

President: Ben Shiver

Faculty Advisors: Professor Layne Keele & Professor Michael DeBoer

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 Democrats**

President: Brittany Cheek

Faculty Advisor: Professor John Craft

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>.

### **Faulkner Law Review**

Editor in Chief: Robert McBride

Faculty Advisor: Professor Adam MacLeod

The Faulkner Law Review is an entirely student-run journal that publishes scholarly articles written by law professors, judges, and other legal professionals. These articles can be cited by judges in legal opinions and by other scholars, which enhances the prestige of both the journal and the author. Students are invited to apply for Law Review in their second year of law school. Students who have a minimum 2.5 grade point average and are ranked in the top 35% of their class will be invited to participate in the competitive application process. Being invited to join Law Review is an honor and one that a student should definitely accept.

Law Review editors are responsible for editing articles submitted by scholars, which involves making sure that statements are supported by authority and that footnotes are in the correct Bluebook form. The senior editorial staff oversees the running of the Law Review, from selecting articles for publishing to assigning work to junior editors. What this means as a Law Review member is that you could potentially help shape legal scholarship and discourse.

The Faulkner Law Review is also responsible for hosting an annual symposium where scholars present their articles to other legal professionals.

### **Federalist Society**

President: Coy Morgan

Faculty Advisor: Professor Michael DeBoer

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, the separation of governmental powers is central to our Constitution, and it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. The Society seeks both to promote an awareness of these principles and to further their application through its activities.

### **Honor Court**

Chief Justice: Sam Elmore

Prosecutor: Jonathan Morgan

Faculty Advisor to the Chief Justice: Professor Michael DeBoer

Faculty Advisor to the Prosecutor: Dean Charles Campbell

The Honor Court, composed of student leaders elected by the law school's student body, has jurisdiction over cases involving student violations of the Law School's Honor Code.

### **Jones Law Republicans**

President: Richard (Ryan) Purvis

Faculty Advisor: Professor Eric Voigt

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**

President: Theresa Basile

Faculty Advisor: Professor Kelly McTear

Jones Public Interest Law Foundation (JPILF) is a forum for students interested in performing public service legal work to support one another and explore public interest concerns. JPILF, partnering with Faulkner Law's Public Interest Programs Office, provides financial support for students engaging in public interest work through its summer stipend program. JPILF strives to provide fellowship for law students interested in improving their communities and provide opportunities for law students to do just that.

### **Law Students for the Second Amendment**

President: Joseph Bamburg

Faculty Advisor: Professor Layne Keele

Law Students for the Second Amendment (LS2A) subsists to protect the Second Amendment of the United States Constitution. We strive to provide informative and educational firearm safety courses with the assistance of our local community and law enforcement agencies. We also hold

seminars on self-defense and host debates related to gun rights and gun control. Firearm experience is not required to join.

### **Military Veterans Law Association**

President: Jessica Cotton

Faculty Advisor: Professor Jerome Dees

The Military Veterans Law Association (MVLA) is an organization of veterans, those looking to join the military, and anyone who is interested in veteran issues. We are dedicated to helping fellow veterans and are doing this by spearheading the mentorship program with the Veterans Treatment Court. We are also dedicated to helping those join the military by working closely with the JAG Recruiters to schedule events and keep everyone informed about upcoming deadlines. The MVLA is also dedicated to helping its members succeed while in law school.

### **Phi Alpha Delta**

*Albert Patterson Chapter*

President: Michael Jackson

Faculty Advisor: Professor Joi Christoff

The purpose of Phi Alpha Delta (PAD) 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 Bar Association**

President: James (Luke) Farmer

Faculty Advisor: Professor Ashley Hamlett

The Student Bar Association (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**

President: Ambreshia Landrum

Faculty Advisor: Professor Ashley Hamlett

The 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.

**Young Americans for Liberty**

President: Laura Glidewell

Faculty Advisor: Professor Andy Olree

Young Americans for Liberty is a libertarian group that promotes freedom and rights of the individual in society. Our group hosts fun events throughout the year to learn about personal freedoms in America and how that plays out in politics. In addition to the events hosted on campus, there is an opportunity to attend national conferences and become part of the larger movement.

**Young Lawyers Section**

President: Robert (Trace) Zarr

Faculty Advisor: Professor Elyce Morris

The Young Lawyers Section (YLS) at Faulkner Law is comprised of any law student who wishes to obtain membership with the Young Lawyers Student Section of the Alabama State Bar. The YLS works closely with the members of the Young Lawyers Section of the Alabama State Bar on projects throughout the year. It encourages students to build relationships with Alabama lawyers through networking opportunities and special projects.

*Updates 8/1/201*