

1996

# NSU Law Center Student Handbook 1996-97

Nova Southeastern University

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Welcome to the 1996-97 edition of the Student Handbook. This document is capable of searching for the topic(s) that you wish to view; for example, examinations, residency, accommodations, and financial aid. In order to do this using Microsoft Word, you must use the "search" function. You may search by clicking on "edit" then "find", or by using CTRL-F.

NSU  
Law  
Center

found at:

<http://ares.law.nova.edu/nova/nova.htm>

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WPH

Law

Center

## Our Building

Over the summer of 1992, the Shepard Broad Law Center moved into its current building, The Leo Goodwin, Sr. Hall. The following pages should help you find your way around the Law Center. The building was designed by Sheff Devier of James Hartley Architects, Hollywood, Florida. The 122,000 square-foot building contains nine classrooms and seminar rooms, two courtrooms, clinic facilities, faculty and administrative offices, and a 50,000 square-foot library.

First, some general orientation: The law school facility is really two buildings joined by a 5,000 square-foot enclosed atrium. The west building (to your right as you enter the atrium through the main entrance) contains the classrooms, courtrooms, student offices and clinics on the first floor and faculty and Law Review offices on the second floor. The east building (to your left) contains administrative offices on the first floor and the library on the first, second and third floors. The entrance to the library is on the second floor. There is a separate entrance to the building at the west end for access by persons with disabilities and for the clinics. The building has an elevator near the atrium main entrance.



## University Offices Telephone Directory

<u>Department</u>	<u>Telephone Number</u>
Accounts Receivable	475-7614
Athletics	475-7345
Bookstore	476-4750
Cafeteria	476-4700
Financial Aid	452-3380
Housing	475-7052
NOVALERT	476-8999
NOVALERT (non-emergency)	476-8981
NSU Clinic	475-7070
NSU Main	475-7300
Registrar	475-7400
Student Life	452-1400
Transcripts	475-7456
Wellness Center	452-7052

## The Law Library

Tours will be conducted during registration/orientation week. Additional tours may be scheduled throughout the school year. Please attend one of the tour sessions. Maps and other handouts are available at the reference and circulation desks. Other library handouts and bibliographies are available in the Information Kiosk just inside the entrance doors on the second floor.

The Law Library's collection consist of over 280,000 volumes including the National Reporter System, statutes from all fifty states, treatises, periodicals, microforms, videos, and computer disks.

### LAW LIBRARY HOURS

Monday - Thursday	7:45 a.m. - Midnight
Friday	7:45 a.m. - 10:00 p.m.
Saturday	9:00 a.m. - 9:00 p.m.
Sunday	10:00 a.m. - Midnight

Special hours are posted for holidays, exams, and intersession periods. Extended hours are scheduled during exam periods for law school students only.

### REFERENCE LIBRARIANS

Librarians are scheduled for reference assistance throughout the week including evenings, Saturdays and Sundays.

Reference staff have extensive background including JD, M.L.S. and other appropriate degrees. If no one is available at the reference desk, please alert Circulation/Reserve personnel.

### USE OF LIBRARY MATERIALS

Law students will have a bar-code label affixed to their student I.D. You must show student I.D.

Check-out Policy: Circulating books may be checked out for a two-week period. These materials may be renewed if there is no "hold" on the material.

Circulating AV items may be checked out for three (3) days.

Fine Schedule: There is a \$0.50 per day, per item late fee charged for materials returned after the due date. If the item is "reserve" in nature, the late fee charged is \$0.50 per hour, per item.

Non-circulating: This material is for use within the law library and may not be checked out.

Lost item charges are determined by the current cost for the item plus a \$25.00 processing fee for each item. Failure to pay for late fees or lost item charges may result in grades being held. Graduating students must have all obligations cleared before their application for graduation can be approved.

CIRCULATION AND RESERVE DESK (located on the second floor of the law library)

Items located here are to insure their availability to students and faculty. To enter the area, you must leave a photo ID with the desk staff. Circulation/reserve staff are not permitted to accept keys or credit cards in place of a photo ID. ALL ITEMS MUST BE USED IN THE CIRCULATION/RESERVE AREA. Chairs, tables, and xerox machines are provided. Only single treaties may be checked out overnight. You must check them out no sooner than two (2) hours prior to closing and they must be returned within one (1) hour of opening the next business day.

#### EXAMS/FACULTY RESERVE

Many faculty members place copies of exams from previous semesters on Reserve, as well as, their individual web page. There is a notebook at the Circulation/Reserve desk which contains the list of professors/courses who have exams on reserve.

#### CURRENT PERIODICALS

Current law reviews, law journals, and newspapers are located in the Circulation/Reserve area. If you cannot locate a specific law review in the bound periodicals section (located on the third floor), please check Circulation/Reserve or Reference for assistance. A periodical holdings list is maintained at the Circulation/Reserve and Reference desks. In addition, Infotrac (located on the third floor near the bound periodicals and at various stations throughout the library) designates "THE LIBRARY SUBSCRIBES TO THIS TITLE" for those titles we take. Southeast Florida Library Information Network (SEFLIN) lists the holdings for periodicals, newspapers, and other journals which are owned by SEFLIN libraries.

#### LOCATING LIBRARY MATERIALS

There are on-line catalog stations located on all law library floors. The on-line catalog can be searched by author, title,

and subject. You can also combine subjects and key words to search a topic.

Law Review articles can be located by using Index to Legal Periodicals, Current Law Index, LegalTrac, and Wilson Disc. These sources are located either on the third floor or at the public access computer stations. Some periodical indices are also included on Westlaw and Lexis on-line services.

#### INFORMATION PHONES

A number of white information phones are located in the copy rooms and on columns in the law library. If you are having a problem with a copier or finding materials, pick up the phone and press the button. You will be assisted by the Circulation/Reserve staff.

#### DOCUMENT DELIVERY

If you are unable to locate the material you are looking for at the law library, you may want to speak with a Reference Librarian or the Document Delivery Librarian regarding an interlibrary loan request. The law library is a member of OCLC (Online Catalog Library Center), SEFLIN, and COSELL. These memberships enable the law library to borrow almost any journal or book title you may need. Fax and courier services insure materials can be received in a timely fashion.

When the material is received, a note will be placed in your communication folder so that you can secure the material from the Document Delivery Librarian.

WARNING!! If your request an item through interlibrary loan which requires payment and you no longer want or need the item, you will still be required to pay for it.

#### WESTLAW AND LEXIS

The Westlaw and Lexis labs are located on the third floor.

Training for Westlaw and Lexis will be arranged by the Professors for Legal Research & Writing at the end of first semester or early in the second semester.

After you have been trained, you may use either system. During peak use periods, the library reserves the right to place time restrictions on the terminals. In addition, the terminals are primarily for training purposes. The Labs may be closed for training purposes and you will not be able to use the terminals. Closings will be posted in advance.

Currently, each service has home-use software available. You must contact the individual service's student representatives for information about the software and computer specifications. Software is not available until you have completed the mandatory training.

Use of the services is a privilege. As students you are permitted to use these services only for your schoolwork or faculty related research. Non-educational use is strictly forbidden and considered an honor code violation.

If there is a problem with the equipment, notify the student representative on duty, the Reference Librarian, or Circulation/Reserve desk staff. DO NOT ATTEMPT TO "FIX" THE EQUIPMENT YOURSELF.

#### MICROFORMS FACILITIES

The Microforms and equipment to view them are located on the first floor of the law library.

There are several types of readers and reader/printers available for your use. There is an index to indicate what materials are housed in each drawer/cabinet. Instructions are on each machine and the library staff will assist you.

If the machines need paper or toner, please speak to a library staff member.

#### PHOTOCOPY FACILITIES

There are several types of copy machines in the law library. Some are coin operated; some are copicard operated, some operate with a credit card, and some of the machines reduce and enlarge images. Copicards are sold from machines in the photocopy room on the second floor. WE DO NOT GIVE CHANGE!! A \$5.00 bill is necessary to purchase a copicard. There is an added value machine which will permit you to add value to your card at \$1, \$5, \$10, and \$20 increments. READ THE DIRECTIONS!!! IF YOU DO NOT UNDERSTAND - - ASK FOR ASSISTANCE!!

If you have problems with the equipment in any of the copy rooms, please inform a library staff member immediately.

#### COMPUTER LAB

The Computer Lab is located on the third floor of the Law Library. No food or drinks are allowed in the lab at any time. Only current NSU law students may use the lab.

All of the computers are connected to the student local area network and run Windows 95. Software available on the systems include Office 95 (including MS Word 7.0 or Office 95 and PowerPoint), WordPerfect 6.1, Netscape, Pegasus Mail, CALI exercises and others. In addition, a number of CDS are made available on-line. Three HP LaserJet printers are available in the Computer Lab with one exclusively for laptop computer use.

Classes will be held throughout the year on various topics for faculty, staff, and students, subject to demand. During training, part or all of the Computer Lab may be closed for a period of time. Signs will be posted on the Computer Lab doors as well as in the Lab and in various locations throughout the school. An alternative to the Law Library Computer Lab during peak or closed times is the Main Campus Microcomputer Lab located on the first floor of the Parker Building. You will be required to have your student I.D.

If there is a problem in the Lab (toner is out, a computer has detected a virus, assistance is needed on a document) students should first contact the Lab Assistant for help. If no Assistant is available, contact the Computer Services Department (located next to the Lab or call 954-452-6199). Please DO NOT attempt to solve hardware/software problems yourself - these systems are setup in a specific way and changes may affect its performance.

#### Requirements:

You are required to have a Pegasus e-mail account and Network password. DO NOT FORGET THIS PASSWORD! The Network password gives you access to the computers in the Lab. Without it, you will not be able to use the Computer Lab. If you forget your password, you should contact a Lab Assistant or the Computer Services Department and present valid Student I.D. You will also need to bring a standard high density 3 1/2" disk with you to use word processing - this is true even if you just want to type something and print it without saving it.

#### GOVERNMENT DOCUMENTS/UNITED NATIONS/INTERNATIONAL LAW

Government documents, United Nations, and international law materials are located on the first floor of the law library. Experienced staff are located there to assist you in your needs.

#### EATING, DRINKING AND SMOKING IN THE LAW LIBRARY

NO FOOD IS ALLOWED IN THE LAW LIBRARY!!! Drinks must be in spill-proof mugs; Nova Southeastern University spill-proof mugs



are preferred. Obviously, a small spill can create havoc when books and computers are involved.

Nova Southeastern University is a smoke-free campus.

#### RESHELVING BOOKS

All persons using the law library are expected to reshelve the books and materials used. Care should be taken to return the materials to their proper location.

YOU MAY NOT HOLD BOOKS ON TABLES OVERNIGHT.

#### NOTICE!!!

Nova Law Center Honor Code - Article 3 (g) It is a violation of the Honor Code for a student to use, or deface, or restrict the availability of library materials in violation of library regulations, in a manner prejudicial to the interests of others.

#### STUDY ROOMS

Study rooms are available to Nova Southeastern University Law School students only. The rooms may not be reserved. The rooms are available on a first-come, first-served basis. These rooms should be used by small groups, at least two (2) or more. Noise must be kept to an acceptable range. There may be special exam-use rules; please watch for details and posted signs. Keys to access these rooms can be checked out from the Circulation desk.

#### QUIET

The Library is a quiet place for studying and doing research. It is not a place to socialize. Please conduct yourself accordingly.

#### EXAMS

During exams, access will be limited to Nova Southeastern University law students and members of the Bar.

#### AUDIO-VISUAL

Audio-Visual services are arranged through the Media and Technology Specialist. Please make necessary arrangements at least forty-eight (48) hours in advance. Taping of classes and events must be arranged through and with permission of faculty.

If you need information about specific audio-visual needs, please call 452-6145.

Audio-Visual Services does not tape classes for illness or other personal emergencies. The Law School Dean may request "mandatory" taping of classes during weather emergencies.

LIBRARY STAFF

Billie Jo Kaufman	Director of the Law Library and
Assistant	Professor of Law
Betty Maxwell	Assistant to the Director -
	Administration
Diane Altimari	Assistant to the Director - Finance
Craig Garrett	Law Fellow (1996-97 International &
	Administration)
Mary Paige Smith	Collection & Bibliographic Services
	Manager
Frank Novak	Director of Network Services
Randy Sweeting	Media & Technology Specialist
David Morgan	Law Center Automation Coordinator
Carol Yecies	Information Services
	Manager/Collection
	Development
Sarah Tabor	Government Documents/Circulation
	Librarian
Rhonda Gold	Document Delivery Librarian
Jason Gad	Evening Information Technologist
Johanne Noble	Circulation Manager
Daniel Nutter	Evening Circulation Manger
Pedro Perez	Collection Maintenance Assistant
Maxine Scheffler	Documents Assistant
Star Andrews	Cataloging & Collection Assistant
Donna Struthers	Cataloger/Database Management
	Librarian
Sheryl Perry	Serials Manager



Curriculum Planning  
Graduation Requirements  
Required Courses and Second Year Preference Courses

**FIRST YEAR (Prescribed Schedule: course sequence may vary)**

**First Semester**

Property	4 hours
Criminal Law	4 hours
Torts	4 hours
Legal Research & Writing I	<u>2 hours</u>
	14 hours

**Second Semester**

Civil Procedure	4 hours
Constitutional Law I	4 hours
Contracts	4 hours
Legal Research & Writing II	<u>2 hours</u>
	14 hours

**SECOND YEAR**

During the Fall semester, Constitutional Law II is required. The following are second year preference courses:

Corporations	Family Law
Criminal Procedure	Income Tax
Evidence	Wills & Trusts

Second year students have priority for winter sections of Trial Advocacy.

The faculty voted to give second year students preference for these courses because each is a prerequisite for at least one upper level course. If you take these courses during your second year, you increase your likelihood of being admitted to advanced courses in your area(s) of interest. If you do not take these courses during your second year, you risk being closed out as a third year student.

**SECOND OR THIRD YEAR**

One Writing Requirement Course (2 hour minimum)

**THIRD YEAR**

Professional Responsibility (3 hours) is required and may be taken either semester. Third year students have priority for all courses, except those designated above as 2d year preference or priority courses.

**OTHER GRADUATION REQUIREMENTS**

The Code of Academic Regulations is the official source of the

Law Center's graduation requirements. This summary and worksheet have been prepared to assist you in self-evaluating your progress towards graduation. Please also refer to the Code of Academic Regulations.

**DEGREE APPLICATIONS:** All prospective graduates must file a degree application with Student Affairs. Degree applications are available from Student Affairs. June graduates must file by the preceding October 1; January graduates must file by the preceding May 1. Applications will be reviewed in the order received. A late application may result in graduation being delayed.

**HOURS/G.P.A.:** In order to be recommended to the Trustees of the University for the degree of Juris Doctor (J.D.), a student must complete a minimum of 87 hours of credit with a cumulative grade point average of 2.0 or better. See B. supra for required courses. You cannot count more than 14 hours of non-classroom credit toward the 87 hours needed for graduation. Each category of non-classroom credit has a maximum number of credits indicated below:

- a. Criminal Clinic (max. 12)                      Civil Clinic (max. 12)
- b. Law Review (max. 4)                              Trial/Moot Court (max. 4)  
    MAXIMUM FOUR (4) HOUR COMBINED/TOTAL LIMIT
- c. Corporate Internship (max. 2)  
    Guardian Ad Litem (max. 2)  
    Judicial Administration (max. 5 externship credits)  
    Legislative Internship (max. 2)  
    Street Law (max. 2)  
    Supervised Research (max. 2)  
    Non-Law (max. 4)

**WRITING REQUIREMENT:** The writing requirement is generally met by earning a grade of C+ or better in a course specifically designated as a seminar. You can also meet the writing requirement by earning a C+ or better in 2 hours of Supervised Research. Some students meet writing requirement through Law Review papers.

**OTHER REQUIREMENTS:** You cannot graduate if your transcript reflects any missing grades or incompletes. It is important to note your file must contain the following: 2 photographs, an LSDAS report, an official validated transcript, sent directly to the Law Center from each undergraduate and graduate school you have attended, and an executed Honor Code form. You must also be sure to clear your financial accounts with the Law Center, the Law Library, and the University. Incomplete records and outstanding accounts will delay your graduation and bar certification.

**RESIDENCY AND RESIDENCY COMPUTATION**

You need the equivalent of 6 full-time semesters of residency to graduate. If you have successfully completed 5 Fall or Winter semesters with at least 12 hours of credit and 2 Summer sessions at Nova Southeastern with at least 6 hours, you will generally meet this requirement. Generally, you will also meet this requirement if you have successfully completed 6 Fall or Winter semesters with at least 12 hours of credit. Residency is technically counted in days. Taking less than a full load or attending courses at another law school may result in insufficient residency. Summer programs abroad almost always result in insufficient residency days under American Bar Association standards. No residency is earned for Summer Conditional, but the six hours earned do count toward graduation. (Summer Conditional grades are not included in your G.P.A.)

Shepard Broad Law Center holds 70 residency days of class every fall and winter semester and 35 days of class every summer term. To graduate, a student must accumulate 420 full-time equivalent residency days (an ABA requirement) in addition to meeting all course, grade, and financial requirements. Full-time students can accumulate these days in 6 fall/winter semesters or 5 fall/winter semesters and 2 summer terms. Part-time students can accumulate these days in 8 fall/winter semesters or in 7 fall/winter semesters and two summer terms.

## RESIDENCY AT NOVA SOUTHEASTERN

### Fall/Winter Semesters

Full-time students earn 70 residency days per semester if they (1) take at least 10 credits; (2) successfully complete at least 9 credits; and (3) are employed 20 or fewer hours per week.

Students who take fewer than 10 credits, and/or earn passing grades in fewer than 9 credits, earn a reduced number of residency days.

Irrespective of the number of credits taken or passed, students are considered part-time for any semester in which they are employed more than 20 hours per week.

### Summer Terms

Full-time students earn 35 residency days per term if they (1) take at least 5 credits ; (2) successfully complete at least 5 credits; and (3) are employed 20 or fewer hours per week.

Students who take fewer than 5 credits, or successfully complete fewer than 5 credits, during a Summer term earn a reduced number of residency days. Students who successfully complete one or more "mini-courses" during the summer should check earned residency at Student Affairs.

Irrespective of the number of credits taken or passed, students are considered part-time for any summer term in which they are employed more than 20 hours per week.

### Intensive Trial Advocacy

Students may also earn residency days for enrollment in Intensive Trial Advocacy. The exact number of days will depend on the number of days the particular Intensive class meets.

### Residency at Other Law Schools

The residency tables use ABA rules in determining the amount of residency days earned by full- and part-time students attending Shepard Broad Law Center.

Students attending another law school on a transient basis (or who have transferred here from another law school), will have their residency determined based on (1) the number of residency days offered by the other school; (2) the number of credits taken and passed; and (3) their status as full or part-time at the other school.

Warning: Summer Abroad programs generally do not include sufficient class days to qualify for full summer residency. These programs offer valuable academic experiences. However,

students planning to complete their studies after five full semesters and two summer terms may be unable to do so if one of the summer terms was taken in a Summer Abroad program.

Student Affairs will work with affected students to determine the appropriate residency credit from the other school. Students must consult that office before attending another school (on a transient basis) so that a residency shortfall does not delay their graduation.

RESIDENCY COMPUTATION TABLES

1A. Full-Time Students-Fall/Winter (Enrolled for 10 or more credits)

Hours Passed	Residency Days
9 or more	70.0000
8	62.2222
7	54.4444
6	46.6667
5	38.8889
4	31.1111
3	23.3333
2	15.5556
1	7.7778
0	0.0000

1B. Full-Time Students-Fall/Winter (Enrolled for fewer than 10 credits)

Hours Passed	Residency Days
9	63.0000
8	56.0000
7	49.0000
6	42.0000
5	35.0000
4	28.0000
3	21.0000
2	14.0000
1	7.0000
0	0.0000

1C. Full-Time Students-Summer Courses Over the Full Term

Hours Passed	Residency Days
5 or more	35.0000
4	28.0000
3	21.0000
2	14.0000
1	7.0000
0	0.0000

2A. Part-Time Students-Fall/Winter (Enrolled for 10 or more credits)

Hours Passed	Residency Days
8 or more	52.5000

7	45.9375
6	39.3750
5	32.8125
4	26.2500
3	19.6875
2	13.1250
1	6.5625
0	0.0000

2B. Part-Time Students-Summer Term

Hours Passed	Residency Days
4 or more	26.2500
3	19.6875
2	13.1250
1	6.5625
0	0.0000

**GRADUATION REQUIREMENTS WORKSHEET**

Eighty-seven (87) hours are required for graduation with a cumulative G.P.A. of 2.0 or better. You must successfully complete each of the following required courses:

- |                                   |  |
|-----------------------------------|--|
| _____ Property                    | _____ Constitutional Law I             |
| _____ Torts                       | _____ Civil Procedure                  |
| _____ Criminal Law                | _____ Contracts                        |
| _____ LR & W I                    | _____ LR & W II                        |
| _____ Constitutional Law II       |  |
| _____ Professional Responsibility | _____ Writing Requirement <sup>2</sup> |

**NON-CLASSROOM CREDITS:** (Check prerequisites for all courses)

The maximum number of non-classroom credits is 14 (included in a total of 87). Maximum number of credit hours for each category is indicated in parentheses. (Caveat: Do not exceed individual or total maximum hours)

- A. \_\_\_\_\_ Criminal Clinic (max. 12)      \_\_\_\_\_ Civil Clinic (max. 12)

- B. \_\_\_\_\_ Law Review (max. 4)      \_\_\_\_\_ Trial/Moot Court Competitions (max. 4)

\_\_\_\_\_ Total Part B (MAXIMUM 4 HOURS TOTAL/COMBINED)

- C. \_\_\_\_\_ Street Law (max. 2)      \_\_\_\_\_ Judicial Admin.<sup>3</sup> (max. 5)  
 \_\_\_\_\_ Legislative      \_\_\_\_\_ Guardian Ad Litem (max. 2)  
 \_\_\_\_\_ Internship (max. 2)      \_\_\_\_\_ Preapproved Non-Law Courses  
 \_\_\_\_\_ Corporate Internship (max 2)      (max. 4)  
 \_\_\_\_\_ Supervised Research (max. 2)

\_\_\_\_\_ + \_\_\_\_\_ = \_\_\_\_\_  
 Subtotal      Clinic      Max. 14  
 (B + C)

**RESIDENCY** Hours Earned/Hours Attempted      Residency Credit<sup>4</sup>



**TERM:**

Summer Conditional	_____	Not Applicable
Fall 1st Year	_____	_____
Winter 1st Year	_____	_____
Summer	_____	_____
Fall 2nd Year	_____	_____
Winter 2nd Year	_____	_____
Intensive	_____	9* days
Summer	_____	_____
Fall 3rd Year	_____	_____
Winter 3rd Year	_____	_____
Intensive	_____	9* days

1 The writing requirement is generally met by earning a grade of C+ or better in a course specifically designated as a seminar or writing requirement course. You can also meet the writing requirement by earning a C+ or better in 2 hours of Supervised Research. Some students meet writing requirement through Law Review papers.

2 The classroom component of Judicial Administration does not count toward your non-classroom credit. It counts as a classroom credit.

\* For Intensive Trial Advocacy taken before 1995, 8 days.

## GRADUATION DATE AND CERTIFICATION TO THE BAR

A student formally graduates on the day the University Board of Trustees confers his or her degree. Although you may have been referred to as a "December" or "May" graduate, you will not officially graduate until the last day of January or June on the day your degree is conferred by the Board. You will receive your diploma shortly after conferral. The operative date for eligibility to sit for the Florida Bar is the date you completed the requirements for graduation. The term "completed the requirements for graduation" refers to the time when completion of the requirements for graduation is recorded in the office of the law school dean or administrator.

The Law Center sends a completed "Certificate of Dean of Law School" (Form 3) and an official transcript to the Florida Board of Bar Examiners for each graduate. You do not need to request that this be done. If you are taking the Bar Exam in another state, however, you must specifically request in writing that we provide that Bar with information. You may do so by submitting a completed "Request to Send Information to a Third Party and Release" form to Student Affairs. For any out-of-state bar, it is your responsibility to provide us with any necessary forms. If no standard form is required, your written request must specify the precise information to be provided.

## **SEMINARS AND WORKSHOPS**

**Refer to Course Descriptions for more detailed information.**

### **SEMINARS**

Seminars are 2 or 3 credit writing courses that can be used to satisfy the upperclass writing requirement. Seminars are limited to 20 students and are taught by full-time faculty members in their areas of expertise. Students enrolled in seminars prepare research papers for their grade; a C+ or better is required to satisfy the writing requirement. Faculty can admit 2 students by Instructor's Permission rather than through the normal registration process.

### **WORKSHOPS**

Workshops are 2 or 3 credit lawyering skills courses. Workshops are limited to 20 students (24 when a faculty member requests the larger number). They can be taught by full-time or adjunct faculty members in their areas of expertise. Students enrolled in workshops perform various lawyering skills--for example, drafting documents and negotiating agreements for their grade. Workshops do not satisfy the writing requirement. Full-time faculty members (but not adjuncts) can admit 2 students by Instructor's Permission rather than through the normal registration process.

**The following are examples of seminars recently offered:**

Advanced Legal Research	Consumer Protection
Advanced Real Property Law	Environmental Law
Admiralty Law	Human Rights
AIDS	Jurisprudence
American Legal History	Law and Education
Bioethics	Law and the Elderly
Children's Rights	Law and Literature
Civil Rights of Persons with Differing Abilities	Law and Psychiatry
Civil Rights Litigation	Local Government
Comparative Law	Media Law
Constitutional Decisionmaking	Psychology for Lawyers

**The following are examples of workshops recently offered:**

Appellate Practice	Introductory Estate Planning
Bankruptcy Law	Landlord and Tenant
Business Planning	Legal Drafting
Civil Forfeiture	Probate Law
Corporate Law	Real Property
Family Law Litigation	RICO
Scientific Evidence	

## **COURSES BY AREAS OF CONCENTRATION**

### **Administrative Law and Government Regulation**

Administrative Law, Admiralty, Aviation Law, Banking Law, Consumer Protection, Copyright & Trademark, Defamation & Privacy, Employment Discrimination, Employment Law, Environmental Law, Immigration Law, Juvenile Law, Labor Law, Land Use Planning, Legislative Internship, Legislative Process, Local Government Law, Products Liability, and Securities Regulation.

### **Business and Commercial Law**

Agency and Partnership, Arbitration, Banking Law, Bankruptcy Law, Bankruptcy Workshop, Business Planning Workshop, Consumer Protection, Contracts, Corporate Finance, Corporate Workshop, Corporations, Defamation & Privacy, Insurance, Negotiable Instruments, Products Liability, Sales & Sales Financing, Securities Regulation, and Torts.

### **Constitutional Law, Civil Rights, and Criminal Law**

Advanced Criminal Law, Advanced Criminal Procedure, AIDS, Bioethics Seminar, Children's Rights Seminar, Civil Rights Litigation Seminar, Civil Rights of Persons with Differing Abilities, Constitutional Decisionmaking, Constitutional Law I & II, Criminal Law, Criminal Procedure, Current Constitutional Problems, Drug Enforcement Seminar, Federal Jurisdiction, Florida Constitutional Law, Law and the Elderly, Media Law Seminar, RICO Workshop, and Scientific Evidence.

### **Family Relations and Estates**

Children's Rights Seminar, Family Law, Family Law Litigation Workshop, Guardian ad Litem, Introductory Estate Planning Workshop, Juvenile Law, Probate Law Workshop, and Wills & Trusts.

### **International and Comparative Law**

Admiralty, Aviation Law, Comparative Law, Immigration Law, International Business Transactions, International Human Rights, International Law, International Litigation.

### **Legal Theory, History, and Interdisciplinary Studies**

Advanced Research Techniques, AIDS, American Legal History, Civil Rights of Persons with Differing Abilities, Jurisprudence, Law and Literature Seminar, Law and Psychiatry, Legal Process, Psychology for Lawyers, Sports Law, and Street Law.

### **Real Property**

Advanced Real Property, Condominium Law, Environmental Law, Land Use Planning, Landlord and Tenant Workshop, Property, Real

## **COURSES BY AREAS OF CONCENTRATION**

### **Administrative Law and Government Regulation**

Administrative Law, Admiralty, Aviation Law, Banking Law, Consumer Protection, Copyright & Trademark, Defamation & Privacy, Employment Discrimination, Employment Law, Environmental Law, Immigration Law, Juvenile Law, Labor Law, Land Use Planning, Legislative Internship, Legislative Process, Local Government Law, Products Liability, and Securities Regulation.

### **Business and Commercial Law**

Agency and Partnership, Arbitration, Banking Law, Bankruptcy Law, Bankruptcy Workshop, Business Planning Workshop, Consumer Protection, Contracts, Corporate Finance, Corporate Workshop, Corporations, Defamation & Privacy, Insurance, Negotiable Instruments, Products Liability, Sales & Sales Financing, Securities Regulation, and Torts.

### **Constitutional Law, Civil Rights, and Criminal Law**

Advanced Criminal Law, Advanced Criminal Procedure, AIDS, Bioethics Seminar, Children's Rights Seminar, Civil Rights Litigation Seminar, Civil Rights of Persons with Differing Abilities, Constitutional Decisionmaking, Constitutional Law I & II, Criminal Law, Criminal Procedure, Current Constitutional Problems, Drug Enforcement Seminar, Federal Jurisdiction, Florida Constitutional Law, Law and the Elderly, Media Law Seminar, RICO Workshop, and Scientific Evidence.

### **Family Relations and Estates**

Children's Rights Seminar, Family Law, Family Law Litigation Workshop, Guardian ad Litem, Introductory Estate Planning Workshop, Juvenile Law, Probate Law Workshop, and Wills & Trusts.

### **International and Comparative Law**

Admiralty, Aviation Law, Comparative Law, Immigration Law, International Business Transactions, International Human Rights, International Law, International Litigation.

### **Legal Theory, History, and Interdisciplinary Studies**

Advanced Research Techniques, AIDS, American Legal History, Civil Rights of Persons with Differing Abilities, Jurisprudence, Law and Literature Seminar, Law and Psychiatry, Legal Process, Psychology for Lawyers, Sports Law, and Street Law.

### **Real Property**

Advanced Real Property, Condominium Law, Environmental Law, Land Use Planning, Landlord and Tenant Workshop, Property, Real

Estate Finance Law, and Real Property Workshop

**Taxation**

Business Planning Workshop, Corporate Tax, Estate and Gift Tax, Income Tax (Federal), and Introductory Estate Planning Workshop.

**Trial and Appellate Advocacy, Practice, and Procedure**

Alternative Dispute Resolution, Appellate Practice Workshop, Arbitration, Civil Procedure, Civil Rights Litigation Seminar, Clinical Legal Education, Conflicts of Laws, Criminal Procedure, Evidence, Family Law Litigation, Federal Jurisdiction, Guardian Ad Litem, Interviewing, Counseling & Negotiation, Judicial Administration, Legal Research & Writing, Moot Court, Pretrial Practice, Professional Responsibility, Remedies, RICO Workshop, Scientific Evidence Workshop, and Trial Advocacy.



## COURSE DESCRIPTIONS & PREREQUISITES

**\*CAVEAT: Prerequisites cannot be waived.**

**Accounting Issues for Lawyers (2 credits)** - An introduction to the process of recording and measuring financial data relating to the performance of the enterprise, with particular attention to the exercise of judgment in resolving questions in the accounting field. Kass, Lerman. Prerequisites: Passing grades in Contracts, Property, and Torts; 8 or fewer credits for prior accounting courses.

**Administrative Law (3 credits)** - This course focuses on the powers and structure of the administrative process in our constitutional system. Specific attention will be given to the nature of the powers vested in administrative agencies, the problems of administrative procedure, and the scope of judicial review applicable in the context of agency rule-making and adjudication. Burris. Prerequisites: Passing grades in Constitutional Law I and Civil Procedure. Federal Jurisdiction is helpful but not required.

**Admiralty (3 credits)** - Admiralty is a study of the law governing transportation on navigable waters. Among the topics discussed are personal injury and wrongful death claims; liability of carriers for damage to cargo; liability and damage arising from maritime collisions; chartering of vessels; salvage; and general average. The course also examines the jurisdiction of federal and state courts to hear admiralty and maritime cases. Smith. Prerequisites: Passing grades in Contracts, Torts, and Legal Research & Writing.

**Admiralty Seminar (3 credits)** - This seminar examines discrete areas of maritime law. During the Winter 1994 semester, the seminar focused on maritime arbitration. Jarvis. Prerequisites: Passing grades in all first year courses. Admiralty is recommended.

**Advanced Criminal Law (2 or 3 credits)** - This course focuses on the prosecution and defense of federal crimes: "racketeering," drug trafficking, bank secrecy, mail fraud, perjury, obstruction of justice, etc. In addition to elements of and defenses to substantive crimes, selected issues in the investigative process, such as plea bargaining, immunity, and sentencing, are studied. Hirsch, Wisotsky. Prerequisites: Passing grades in all first year courses. Evidence and Criminal Procedure are pre- or co-requisites.

**Advanced Criminal Procedure (2 credits)** - An exploration of certain advanced issues in the law regarding the procedure followed in the criminal courts. Offered as part of Criminal Clinic or as a separate course. Arcabascio, Sale. Prerequisites: Passing grade in Criminal Procedure; non-clinic course should not be taken if Criminal Clinic enrollment during

or after Winter 1997 is anticipated or already completed.

**Advanced Criminal Trial Advocacy (2 credits)** - A furtherance of the concepts and applications of trial advocacy. Arcabascio, Messing. Prerequisites: Enrollment in Criminal Clinic during or after Winter 1997.

**Advanced Issues in Corporate Law (3 credits)** - This course surveys corporate finance and the process of capital formation, debt, preferred stock, convertible securities, distributions, and acquisitions. Cane. Prerequisites: Passing grade in Corporations.

**Advanced Legal Research Seminar (2 credits)** - The application of advanced techniques of legal research to complex legal problems. Students will develop and perfect their skills in using basic research sources and will learn the use of advanced research sources not covered in Legal Research & Writing. Goldman, Kaufman. Prerequisites: Passing grades in all first year courses.

**Advanced Real Property Law Seminar (2 credits)** - A seminar examining the constitutional aspects of property law. The course will explore what constitutes property for purposes of the Fifth and Fourteenth Amendments, what constitutes a taking of that property, and what procedures must attend governmental interference with the use of that property. Brown. Prerequisites: Passing grades in Civil Procedure, Constitutional Law I, Contracts, Legal Research & Writing I & II, and Property.

**Agency and Partnership (3 credits)** - Consideration and analysis of the basic forms of business association including agency and partnership, with additional discussion of fiduciary responsibilities. M. Richmond, Cooney. Prerequisites: Passing grades in Contracts and Torts. Property is recommended.

**AIDS Seminar (2 or 3 credits)** - This course examines how the Acquired Immune Deficiency Syndrome has affected, and in turn been affected by, the legal system. Adams, Jarvis. Prerequisites: Passing grades in Legal Research & Writing I & II.

**Alternative Dispute Resolution (2 credits)** - This course will focus on mediation and other forms of dispute resolution, such as arbitration. Florida is the first state to have rules on mediation, including ethical conduct of mediation. Purdy. Prerequisites: Passing grades in all first year courses and Evidence.

**American Legal History Seminar (2 credits)** - A research seminar concerning the social and historical development of American lawyers as a professional group; growth of a Colonial bar; anti-lawyer sentiment in the new republic; the rise of professional organizations and a corporate bar; the structure of legal education; popular culture as it helps shape as well as reflect



public attitudes toward bench and bar; and stability and crisis in the contemporary period. Chase. Prerequisites: Passing grades in Legal Research & Writing I & II.

**Antitrust Law (2 credits)** - An examination of the United States antitrust laws, principally the Sherman Act and the Clayton Act, and the manner in which the federal courts have interpreted these laws to promote competition. Gropper. Prerequisites: Passing grades in all first year courses.

**Appellate Practice Workshop (3 credits)** - A study of the process of appellate advocacy and appellate decisionmaking using simulation exercises to explore the determination of whether the record of a completed litigation presents appealable questions, the determination of which issues to appeal, the techniques of effective brief writing and oral argument, and the theory and practice of law-making by appellate adjudication. Rogow, Wisotsky. Prerequisites: Passing grades in all first year courses. Evidence is a pre- or co-requisite.

**Arbitration (3 credits)** - A study of the practice and procedure relating to arbitration under both the Federal Arbitration Act and state arbitration codes. Jarvis. Prerequisites: Passing grade in Civil Procedure. Federal Jurisdiction is strongly recommended.

**Aviation Law (2 credits)** - This course explores various aspects of aviation law and practice, including the building, selling, and leasing of aircraft; their operation and maintenance; and the various domestic and international legal regimes that have grown up around them. Curtis. Prerequisites: Passing grades in all first year courses and Evidence.

**Banking Law (3 credits)** - This course surveys the regulation of financial institutions, including chartering, lending limits, bank powers, and services. This offering complements courses in the Uniform Commercial Code concerned with the law governing typical commercial transactions such as secured lending. Cane. Prerequisites: Passing grade in Corporations. Negotiable Instruments and Administrative Law are highly recommended.

**Bankruptcy Law (3 credits)** - This course surveys the rights and remedies of debtors and creditors in bankruptcy and under state law. Strategic considerations of alternative remedies are emphasized. Kalevitch. Prerequisites: Passing grades in Contracts, Torts, and Property.

**Bankruptcy Workshop (2 credits)** - An examination of the rights of creditors and debtors through the use of simulations and exercises. The course places students in roles designed to duplicate those of lawyers involved in bankruptcies and bankruptcy-related proceedings. Kalevitch. Prerequisites: None. Bankruptcy is recommended.

**Bioethics Seminar (2 credits)** - An exploration of legal issues faced by patients and physicians as a result of developing medical technology. Topics include organ transplantation; genetic engineering; end of life decisions, including physician-assisted suicide; reproductive rights, including abortion, and experimentation on feti and other human subjects. Prerequisites: Passing grades in Legal Research & Writing I and II and Constitutional Law I.

**Business Planning Workshop (2 or 3 credits)** - A study of business problems, including choice of business entities; formation of corporations; business agreements, such as shareholders' agreements for closely-held corporations; and use of qualified deferred compensation agreements. The course also may cover recapitalizations, mergers, and other reorganizations and divisions. Problems will be analyzed using principles of corporate or partnership law and federal tax law. Litman. Prerequisites: Passing grades in Contracts, Legal Research & Writing I & II, Corporations, and Income Tax.

**Children's Rights Seminar (2 or 3 credits)** - An examination of children's rights and the particular problems children face in the legal system. Primary areas of study will be children in court (abuse and neglect, foster care, status offenses, and juvenile delinquency), children in institutions (mental health, corrections, and special education) and, to a lesser extent, children in the family (custody, adoption, medical treatment, contraception, and discipline). Dale. Prerequisites: Passing grades in all first year courses and Family Law.

**Civil Clinic (6-12 credits)** - The Civil Clinic consists of in-house and extern divisions. Students in the in-house division represent clients under faculty supervision. The in-house division has two new projects representing children and persons with AIDS. Students in the extern division are placed into legal aid or governmental law offices in Dade, Broward, or Palm Beach Counties and are supervised by the individual program attorneys under the overall supervision of the Clinic Director. Enrollment is limited and places are distributed through a lottery system. Enrollment priority through clinic selection process in fall of 2d year. Please see further information in the following "Non-Classroom Credits" section. Adams/Epstein. Prerequisites: Extern-Juvenile Delinquency: Passing grades in Evidence, Professional Responsibility, Criminal Procedure, and Trial Advocacy; 3d year status; GPA: Summer-2.1; Fall/Winter-2.1 (preference to 2.3). Extern: Passing grades in Evidence, Pretrial Practice, and Professional Responsibility; 3d year status; GPA Summer-2.1, Fall/Winter-2.1 (preference to 2.3). Inhouse: Passing grades in Evidence and Professional Responsibility; Pretrial Practice is recommended; 3d year status; GPA: Summer-2.1; Fall/Winter-2.1 (preference to 2.3).

**Civil Forfeiture Workshop (2 credits)** - This course will begin with historical and theoretical aspects of forfeiture law and



progress to contemporary forfeiture practice and procedure. The workshop will have a practitioner oriented focus. Students will draft pleadings and other legal documents. Wisotsky.

Prerequisites: Passing grades in all first year courses. Criminal Procedure is a pre- or co-requisite.

**Civil Procedure (4 credits)** - A basic course on the theory and mechanics of enforcing substantive rights through civil (i.e., noncriminal) litigation. Major concepts emphasized include the jurisdiction of state and federal courts; pleadings and pretrial motions; discovery; post-trial motions; and the appellate process. Dale, Flynn, Masinter, Rogow, Rohr. Prerequisites: None.

**Civil Rights Litigation Seminar (2 credits)** - This seminar will explore the history and current scope of section 1983 of Title 42 of the United States Code as a remedy for constitutional deprivations and as a means to enforce statutory rights. The course will consider both actions for injunctive relief and actions for damages and will examine the defenses available to individual defendants and governmental bodies. Masinter. Prerequisites: Passing grades in Constitutional Law I and Legal Research & Writing I & II.

**Civil Rights of Persons with Differing Abilities Seminar (2 or 3 credits)** - This seminar will examine the legislation, regulations, and cases determining the rights of individuals with various disabilities and the constitutional rights of persons with mental illness or mental retardation. Among the topics studied are individuals with disabilities' rights to employment, education, access to buildings and transportation systems, and medical treatment. Smith. Prerequisites: Passing grades in Constitutional Law I and Legal Research & Writing I & II. Civil Procedure strongly recommended. Priority: (1) Students in Individuals with Disabilities Project. (2) All other students.

**Comparative Law Seminar (2 credits)** - This seminar provides students with familiarity with legal systems that differ from that of the United States. When taught by Professor Carton, the course covers the law of the former Soviet Union. Students discuss the recent and ongoing changes in the previous socialist system, comparing it to our own, in areas including the role of lawyers and judges, separation of powers, and numerous topics in civil and criminal law. Carton. Prerequisites: Passing grades in all first year courses.

**Condominium Law (3 credits)** - This course is designed to acquaint students with the legal and practical considerations in selecting the condominium format of development. The course includes an in-depth look at condominium operations, from board liability and responsibility to enforcement of covenants and restrictions. Poliakoff. Prerequisites: Passing grades in Property and Contracts.

**Conflict of Laws (3 credits)** - The primary focus of this course is an analysis of when a court may or should adopt the law of another jurisdiction. Other topics studied include the state's obligation to recognize the judgments of sister states and the limits of personal jurisdiction. Anderson, Dale, Smith.  
Prerequisites: Passing grades in all first year courses.

**Constitutional Decisionmaking Seminar (2 or 3 credits)** - This seminar is designed to develop an understanding of the dynamics of the judicial decisionmaking processes of the United States Supreme Court. It focuses on a variety of substantive areas of constitutional law. Anderson, O. Lewis. Prerequisites: Passing grades in Constitutional Law I and Legal Research & Writing I & II.

**Constitutional Law I (4 credits)** - A study of the Constitution of the United States, its interpretation, and its application. Topics include developments relating to judicial review of legislative action, problems of federalism, limits on the power of government regulation, and the protection of civil and political rights. Burris, Chase, Friedland, Joseph, Rooke-Ley, Sanchez. Prerequisites: None.

**Constitutional Law II (2 credits)** - An in-depth consideration of the federal constitutional protection of freedom of speech and freedom of religion, with an emphasis on freedom of speech in the political context. Barnes, Burris, Rohr, Rooke-Ley, Sanchez. Prerequisites: Passing grade in Constitutional Law I. Criminal Law and Torts are recommended.

**Construction Law (2 credits)** - This course investigates the construction process and the legal relationships among the participants, e.g., developer, architect, engineer, contractor, subcontractor, lender, creditors, insurers, bond issuer and claimant, government inspectors, occupants, etc. It focuses on such topics as construction contracts, bidding on contracts, contracts with architects and engineers, liens, and responsibility for payment and for defects. Peterson.  
Prerequisites: Passing grades in all first year courses.

**Consumer Protection (2 or 3 credits)** - An examination of the regulation of unfair and deceptive trade practices under the common law, the Federal Trade Commission Act, and the Florida Unfair and Deceptive Trade Practices Act. The course involves an analysis and application of common law principles, federal statutes and case precedent, and Florida statutes and judicial precedent to particular consumer problems. Flynn. Prerequisites: Passing grades in all first year courses.

**Contracts (4 credits)** - A comprehensive study of the creation, transfer, and termination of contract rights and duties. Coleman, Grohman, Jarvis, Kalevitch, Smith. Prerequisites: None.

**Copyright and Trademark (3 credits)** - The course will consider

in depth the protection given to works of authorship (which include literary, musical, and artistic works) by the federal Copyright Act. In addition, the course provides an overview of the law of trademarks, which pertains to the protection given to words, phrases, and symbols used to indicate the source or origin of goods and services. Rohr. Prerequisites: Passing grades in all first year courses.

**Corporate Internship (2 credits)** - Applications of corporate law in working with corporations' in-house corporate counsels. An eight-week commitment of 20 hours per week is required during the summer, as well as a written assignment for the faculty supervisor. Please see further information in the following "Non-Classroom Credits" section. Cooney, Kalevitch. Prerequisites: Interview by a Law Center selection committee and in-house counsel; top third of the class at preregistration and when the term begins; prior business experience and corporate law classes preferred.

**Corporate Tax (2 or 3 credits)** - A study of corporate tax law including formation, operation, and receipt of recurring and liquidating distributions. The 3-credit course also covers personal holding companies, accumulated earnings tax, and collapsible corporations. Getson, G. Richmond. Prerequisites: Passing grades in Contracts, Property, Income Tax (the 4-credit course, not the 2-credit Income Tax for the Uninterested), and Corporations.

**Corporate Workshop (3 credits)** - This workshop is a simulation of a business transaction from choice of entity through venture capital financing and finally an initial public offering or merger with a publicly held corporation. Students form law firms that negotiate with other student law firms. Students draft documents typical to business ventures, such as corporate articles or limited partnership agreements, stock purchase agreements, and the like. Cane. Prerequisites: Passing grade in Corporations. Income Tax, Securities Regulation, and Corporate Tax are recommended.

**Corporations (4 credits)** - Consideration and analysis of the corporate form of business association, including shareholders' interests and rights and the duties and liabilities of promoters, officers, directors, and controlling shareholders. Cane, Cooney, Grohman, M. Richmond. Prerequisites: Passing grades in Civil Procedure, Contracts, and Torts. Agency & Partnership is recommended.

**Criminal Clinic (12 credits)** - An externship program in which students practice criminal law full-time for one semester under the supervision of law school faculty and assistant state attorneys or public defenders; as of Winter 1997, a six-credit three-course class component is included. Students enrolled in the Criminal Clinic are prohibited from enrolling in any other course. Enrollment is limited and places are distributed through

a lottery system. Please see further information in the following "Non-Classroom Credits" section. Arcabascio, Messing. Prerequisites: Passing grades in Criminal Law, Evidence, Trial Advocacy (full term course is recommended), Professional Responsibility, and Criminal Procedure; 3d year status; GPA: Fall 1995, 2.1; Winter 1996, 2.1; Summer 1996, 2.1. Enrollment priority through clinic selection process in fall of 2d year. Check with Student Affairs prior to enrolling for possible changes in GPA requirements.

**Criminal Law (4 credits)** - The basic principles of American criminal law: definition of crimes, criminal responsibility, defenses, proof and punishment. Adams, Chase, Dobson, Friedland, Henderson, Langston, M. Richmond, Wisotsky. Prerequisites: None.

**Criminal Pretrial Practice (2 credits)** - Pretrial practice in a criminal law context. Lewis. Prerequisites: Passing grades in all first year courses, Criminal Procedure, and Evidence.

**Criminal Procedure (3 credits)** - Introduction to the basic Fourth, Fifth, and Sixth Amendment constitutional doctrines which courts use to control police procedures. Burris, Dobson, Joseph, Wisotsky. Prerequisites: Passing grades in Constitutional Law I and Criminal Law.

**Current Constitutional Problems (2 or 3 credits)** - Race and Gender Issues in American Law. Utilizing materials from various disciplines (law, literature, history, women's studies) this course examines current issues in American law that touch on matters of race and gender. Gilmore, Langston, Rooke-Ley. Prerequisites: Passing grade in Constitutional Law I. If designated "seminar," add Legal Research & Writing I & II. Please Note: Constitutional Law II may become a prerequisite in future years.

**Defamation, Privacy, & Publicity (3 credits)** - This course provides an intense examination of the law relating to economic torts. It covers deceit, defamation, business defamation, product disparagement, interference with contractual obligation, invasion of privacy, abuse of the judicial system, and civil rights torts. The course concludes with a study of issues of current concern such as tort reform. M. Richmond. Prerequisites: Passing grades in Constitutional Law I and Torts.

**Drug Enforcement Seminar (2 credits)** - A multidisciplinary seminar that explores the impact of drug law enforcement on the black market drug trade and the development of criminal law and procedure. Historical, medical and economic perspectives are considered. Wisotsky. Prerequisites: Passing grades in Criminal Law, Criminal Procedure, and Legal Research & Writing I & II.

**Electoral Process (2 credits)** - A study of the American electoral system. Anderson. Prerequisites: Passing grade in Constitutional Law I.



**Employment Discrimination (3 credits)** - A survey of federal law prohibiting discrimination in employment on the basis of race, national origin, sex, age, and handicap. The course will focus principally on Title VII of the Civil Rights Act of 1964 and secondarily on the Equal Pay Act, the Age Discrimination in Employment Act, and the Reconstruction Era civil rights statutes. Masinter. Prerequisites: Passing grade in Civil Procedure.

**Employment Law (3 credits)** - This course introduces students to the full spectrum of state and federal laws and court decisions regulating the employment relationship. It is designed for students interested in the general practice of law that may include some employment issues. After an introductory examination of the nature of employment, the course examines legal regulation of hiring, including limits on the use of polygraph tests and medical screening. Other matters addressed include wage, hour and benefit regulation under the Fair Labor Standards Act; privacy and safety at the workplace; workers' compensation; and discharge, unemployment compensation, and retirement. The course does not focus on employment discrimination and union-management relations issues addressed in other courses. Sanchez. Prerequisites: Passing grades in Constitutional Law I, Contracts, Property, and Torts.

**Environmental Law (3 credits)** - This course will emphasize federal legislation that aims at controlling pollution and protecting the human environment. Among topics considered will be the nature, effects, and legal control of air pollution and water pollution, and the contamination of groundwater. The National Environmental Policy Act will be treated, as will certain practical aspects of the litigation and negotiation of environmental matters. Mintz. Prerequisites: Passing grades in Civil Procedure, Torts, Constitutional Law I, and Property. If "seminar," add Legal Research & Writing I & II.

**Estate & Gift Tax (3 credits)** - An intensive examination of the federal estate and gift tax laws, key related income tax provisions, and selected issues of estate law policy. Chambliss. Prerequisites: Passing grade in Wills & Trusts. Income Tax is recommended.

**Evidence (4 credits)** - A consideration of rules relating to methods of proof of disputed facts, including competency, privileges, examination of witnesses, relevance, hearsay, and principal rules of exclusion. Braccialarghe, Dobson, Friedland, Messing, Epstein. Prerequisites: Passing grades in Civil Procedure, Constitutional Law I, Contracts, Criminal Law, Property, and Torts.

**Family Law (3 credits)** - The course covers the law regarding the family relationship--including the rights and responsibilities of parents, spouses, grandparents, and children--and the creation and dissolution of the family. Topics include adoption, spouse

and child abuse, alimony, property distribution, child support, and child custody. Coleman, Dale, Grohman, Rooke-Ley.

Prerequisites: Passing grades in Civil Procedure, Constitutional Law I, and Contracts.

**Family Law Litigation Workshop (2 or 3 credits)** - A survey of issues and problems involved in the litigation of dissolutions. Students will explore all stages from initial client interview, pre-trial motions, and discovery, through the trial, property settlement, and postjudgment relief. Goldenberg, Polen.

Prerequisites: Passing grades in Family Law and Evidence. Pretrial Practice and Trial Advocacy are recommended.

**Federal Drug Law (2 credits)** - This course will focus on the practical aspects of prosecuting and defending federal drug cases. Topics will include an overview of the federal criminal justice system; federal drug statutes contained in Title 21 of the United States Code, including offenses such as possession and distribution, importation, conspiracy and attempt, continuing criminal enterprise and criminal forfeiture; sentencing issues such as the application of the drug classifications and to mandatory minimum and sentencing enhancement provisions; and post-conviction remedies, including post-trial motions, direct appeal and habeas corpus. There will be participation in the class by federal criminal attorneys and law enforcement officers. Snow. Prerequisites: None. Constitutional Law I and Criminal Procedure are recommended.

**Federal Jurisdiction (3 credits)** - This course will study the jurisdiction of the federal courts, considering its source, constitutional and statutory limits, problems of federalism, and appellate and collateral review. Rogow. Prerequisites: Passing grade in Civil Procedure.

**Florida Constitutional Law (2 or 3 credits)** - A survey of the Florida Constitution and the relevant statutory and case law, with special emphasis on legislative and executive powers, organization and powers of the judiciary, finance and taxation, and local government. Jarvis. Prerequisites: Passing grades in all first year courses.

**Guardian Ad Litem (2 credits)** - This field-based course provides students with the opportunity to participate in the representation of children under the supervision of the Broward County Guardian Ad Litem Coordinator. In connection with their work, students prepare a paper analyzing the role, function, and purpose of guardians. Please see further information in the following "Non-Classroom Credits" section. Rocque.

Prerequisites: GPA of 2.0 (2.3 for summer term) at time of registration and when term begins.

**Health Law (2 or 3 credits)** - Attention will be focused on the developing health profession and will emphasize such issues as public health regulation, consumer protection, hospitals, and



health facilities. Morris. Prerequisites: Passing grades in Contracts and Torts. Corporations is recommended.

**Immigration Law (2 credits)** - A study of the key issues, policies, and regulations governing the entrance of persons into the United States, including status, classification, preferences, asylum, and review. Kurzban. Prerequisites: None. Constitutional Law I and Administrative Law are recommended.

**Income Tax (Federal) (4 credits)** - An introduction to basic concepts of federal income taxation of individuals, corporations, and other taxpayers: gross income; exemptions, deductions, and credits; timing and other problems involving accounting methods; capital gains and losses; and assignment of income. Litman, Maurer, G. Richmond. Prerequisites: Passing grades in Property or Contracts.

**Income Tax for the Uninterested (2 credits)** - Offered in summer terms, a shortened (mini-course) version of the four-credit Income Tax course. G. Richmond. Prerequisites: passing grades in Property or Contracts.

**Insurance (3 credits)** - Principles of insurance law and an overview of life, fire, casualty, and marine insurance. Consideration of insurance contracts with emphasis on frequently litigated conditions and exclusions in the policy. Negotiation and settlement of insurance claim litigation. Grohman, Schwartz. Prerequisites: Passing grades in Contracts and Legal Research & Writing I & II.

**International Arbitration (2 credits)** - This course is designed to acquaint students with the basics needed to handle an international arbitration proceeding, including agreement drafting, initiation, prosecution and defense, and enforcement. Although primary attention is given to Chapter 2 of the Federal Arbitration Act ("the New York Convention"), some time also is spent examining the UNCITRAL Model Arbitration Law and Rules. Prerequisites: Passing grade in Civil Procedure.

**International Business Transactions (3 credits)** - This course presents a survey of legal issues involved in international commercial transactions. Subjects covered include letters of credit, bills of lading, COGSA, customs, GATT, export regulation and remedies for unfair international trade practices. Donoho. Prerequisites: None.

**International Human Rights Seminar (2 or 3 credits)** - This seminar is designed to present both an overview of basic human rights law and an investigation into current human rights issues. Subjects covered will include problems of implementation and enforcement, conflicting concepts of human rights, cultural relativism, refugee law, humanitarian law, and transitions to democracy in Latin America. Also covered will be the domestic application of human rights law and the procedural mechanisms

available for their international protection. Donoho.

Prerequisites: Passing grades in Legal Research & Writing I & II.

**ILSA Journal of International & Comparative Law** - Please see the following "Non-Classroom Credit" section for information.

**International Litigation (2 credits)** - International litigation is designed to explore the special problems that American lawyers encounter when they attempt to sue defendants located in a foreign country, or attempt to secure evidence that is located in a foreign country, or attempt to obtain testimony from a witness located in a foreign country, or attempt to enforce an American judgment in a foreign country. Included in the course is a discussion of these concepts as they relate to arbitration. Jarvis. Prerequisites: Passing grade in Civil Procedure.

**Interviewing, Counseling, and Negotiation (3 credits)** - This course will analyze the processes of gathering facts, rendering advice, and settlement of disputes by utilizing interdisciplinary and audio-visual educational methods and by permitting students to conduct actual interviews, counseling sessions, and negotiations. The course will be built around real fact situations and require students to investigate substantive, procedural, and evidentiary issues in order to discharge effectively their role in each step of the process. Epstein, Flynn. Prerequisites: Passing grades in all first year courses and Evidence.

**Introductory Estate Planning Workshop (2 or 3 credits)** - A practice-oriented study of estate planning, including estate, gift, and income tax aspects, with concentrations on the marital deduction and unified credit, use of irrevocable trusts, and drafting. Litman. Prerequisites: Passing grades in Income Tax, Legal Research & Writing I & II, and Wills & Trusts.

**Judicial Administration (2-6 credits)** - An inquiry into the operation of our courts and overview of the judicial system, its goals and pressures, how juries function, judicial powers and methods, and the role of the judiciary in law reform. This course is coupled with a judicial clerkship, wherein students serve as research clerks to state trial and appellate court judges, federal magistrates, and federal court judges. Please see further information in the following "Non-Classroom Credits" section. No credit until Judicial Administration class component (0719 L01; satisfies in-class credit) is completed. Carton. Prerequisites: 2.2 (3.0 federal district court; 2.8 other federal; 2.6 for DCA; or higher set by judge; passing grades in all first year courses.

**Jurisprudence (2 or 3 credits)** - An analysis of various schools of jurisprudential thought. Professor Kalevitch recommends the exam option for students without a philosophy background. Joseph, Kalevitch, Langston. Prerequisites: If "seminar," passing grades in Legal Research & Writing I & II.

**Juvenile Law (3 credits)** - This course studies the juvenile justice system focusing on issues of delinquency, dependency (abuse and neglect), and status offenses (noncriminal misbehavior). Dale, Langston. Prerequisites: Passing grades in all first year courses and Family Law.

**Labor Law (3 credits)** - This course explores the basic relationships between employees, employers, and unions regulated under the National Labor Relations Act. The course covers such areas as union organizing and representation procedures, strikes, picketing, employer and union unfair labor practices, and collective bargaining. Klausner, Sanchez. Prerequisites: Passing grades in Contracts and Torts.

**Land Use Planning (3 credits)** - A survey of the various police power techniques available to state and local governments to regulate the development of land. Basic legal concepts underlying land use control, including nuisance and the "takings" question, will be considered. The course will thoroughly examine various aspects of zoning and subdivision control, as well as more recent innovations in the land use field, including planned unit development and growth management. Mintz. Prerequisites: Passing grades in Civil Procedure, Property, Constitutional Law I, and Torts. If "seminar," add Legal Research & Writing I & II.

**Landlord and Tenant Workshop (3 credits)** - This workshop continues the study of landlord-tenant law begun in the basic course on property. In order to provide students with a greater understanding of both commercial and residential relationships, students will draft and negotiate a lease. Brown. Prerequisites: Passing grades in Property, Contracts, Civil Procedure, and Constitutional Law I.

**Law and the Elderly Seminar (2 credits)** - A survey of federal and state laws shaping the lives of the growing numbers of elderly persons, including social security, Medicare, Medicaid, age discrimination in employment, housing, issues about death and dying, conservatorships, guardianships, and elder abuse. Sanchez. Prerequisites: Passing grades in Constitutional Law I, Legal Research & Writing I & II, and Torts.

**Law and Literature Seminar (2 credits)** - This course examines the interrelationship of literature and the law. It considers how attorneys may make use of literary techniques and devices and how literary themes impact on the life and practice of the lawyer. It compares approaches of the law and literature to various problems, noting when the human element can properly serve as a tool for the lawyer. Readings come predominantly from poetry, short stories, and drama. Students also learn the need for good writing technique in legal documents. M. Richmond. Prerequisites: 2.5 average GPA in Legal Research & Writing I & II, or a doctoral degree in English or American Literature.

**Law Office Management (2 credits)** - The course focuses on



problems--legal, ethical, and practical--involved in the actual practice of law. Attention will be given to topics such as billing, client files, and client communications. Third year students are more likely to benefit from this course than are second year students. Klausner. Prerequisites: Passing grades in all first year courses.

**Law and Psychiatry Seminar (2 credits)** - A research seminar concerning the relation between legal and mental health systems, including the insanity defense, competency to stand trial, and the professional liability of psychotherapists. Coleman, Friedland. Prerequisites: Passing grades in Constitutional Law I, Criminal Law, Legal Research & Writing I & II, and Torts.

**Law Review (2 credits)** - See description and prerequisites under the following "Non-Classroom Credits" section.

**Law and the Visual Arts Seminar (2 credits)** - This course explores the impact of traditional legal concepts as they relate to the particular needs of the artist. Topics include destruction, smuggling, and theft of art work; censorship and artistic freedom; and copyright. Prerequisites: Passing grades in all first year courses and Constitutional Law II.

**Legal Drafting Workshop (2 credits)** - Students prepare documents in the context of ongoing transactions. Berman. Prerequisites: Passing grades in all first year courses, Corporations, Family Law, and Wills & Trusts.

**Legal Process (3 credits)** - Historical overview of the development of private doctrinal law in the United States. Primary focus will be given to the transformation of tort, property, and contract law with the purpose of providing students with a concrete foundation for understanding how law develops over time and where American legal doctrine is going. Chase. Prerequisites: None. First year courses are helpful.

**Legal Research & Writing I & II (2 credits each)** - Students receive instruction in the use of library materials and research methods, including Westlaw and Lexis. Classroom sessions also cover legal writing techniques and strategies, and preparation of law office memoranda and correspondence, memoranda to courts, pleadings, and an appellate brief. Students participate in the oral argument of a motion and an appeal. Arcabascio, Carton, Cooney, Epstein, Goldman, Maurer, Rodriguez-Dod, Hall, Volenik. Prerequisites: None for Legal Research & Writing I. Passing grade in Legal Research & Writing I for Legal Research & Writing II.

**Legislation (2 credits)** - The study of statutes and their source. Topics include the legislative process; the history and theory of legislation; and statutory interpretation. This course is a prerequisite for Legislative Internship. Brown. Prerequisites: None.

**Legislative Internship (2 credits)** - This course introduces students to the legislative process at the state and federal level. Students will be assigned to do research in the office of a legislator for approximately eight to ten hours per week. In addition, they will attend weekly class meetings where they will analyze the legislative process and present evaluations of their ongoing projects. As appropriate, the course will also feature guest speakers with expertise in legislative matters. Students will be required to prepare and present a paper regarding some aspect of the legislative process. Please see further information in the following "Non-Classroom Credits" section. Anderson, Brown. Prerequisites: Passing grades in Legislation and in Legal Research & Writing I & II; 2.0 GPA at preregistration and when the term begins.

**Legislative Process (2 credits)** - The procedures and politics of legislation; relationships between the executive, legislative, and judicial branches in the development of the law; and issues and problems of drafting and interpreting statutes. Anderson. Prerequisites: Passing grade in Constitutional Law I.

**Local Government (2 or 3 credits)** - An exploration of issues that arise as a result of the exercise of state and local governmental powers in a federal system. Questions of local governmental autonomy, municipal incorporation and annexation, and intergovernmental conflict and coordination will be treated. The roles of key participants in the local government process, including legislators, judges, and executive branch officials, will also be examined. Mintz. Prerequisites: Passing grades in Civil Procedure, Constitutional Law I, and Torts.

**Media Law Seminar (2 credits)** - An in-depth study of the First Amendment as it relates to the media, primarily, although not exclusively, the print media. Recent Supreme Court decisions and changes in the law will be emphasized. Coleman. Prerequisites: Passing grades in Constitutional Law I & II (or First Amendment), Legal Research & Writing I & II, and Torts.

**Medical Malpractice (2 credits)** - This course provides students with an overview of medical malpractice litigation from the plaintiff and defendant perspective. In particular, this course will examine the Florida Medical Malpractice statute and other related tort law concepts. Flynn. Prerequisites: Passing grades in Evidence and Torts.

**Moot Court (1 or 2 credits)** - The Martin Feinrider Intramural Moot Court Competition is held each Fall semester. Students who participate in this course receive one credit hour for successfully completing an appellate brief and participating in oral argument rounds. Students who are members of an interscholastic moot court team receive one or two credits for successfully completing an appellate brief and participating in oral arguments. Please see further information in the following



"Non-Classroom Credits" section. Goldman. Prerequisites: 2.0 GPA at registration and when term begins; passing grades in Legal Research & Writing I & II.

**Negotiable Instruments (3 credits)** - A study of Articles 3 and 4 of the Uniform Commercial Code, including essentials of negotiability, transfer, superior rights of a holder in due course, defenses, liability on endorsements and warranties, bank collections, and the relationship between bank and customer. Masinter. Prerequisites: None.

**Partnership Tax (2 or 3 credits)** - A study of the taxation of partnerships. Prerequisites: Passing grades in Agency & Partnership and Income Tax.

**Patents (2 credits)** - A study of the law governing the creation, use, and loss of rights in patentable inventions. Kain. Prerequisites: Passing grades for at least 14 credit hours.

**Pretrial Practice (3 credits)** - Adversarial pairs of students will draft pleadings and motions, submit memoranda of law, and orally defend their positions in motion calendar arguments. Written discovery and oral depositions form another major component of Pre-Trial Practice. The course is designed to simulate the actual pre-trial process by which more than 90 percent of all cases are settled without trial. Addicott, Cohen, Cowan, Dale, Epstein, Flynn, Gelb, Godofsky, Lipton, Pole, Stone, Thabes, Zei, Zimet. Prerequisites: Passing grades in all first year courses and Evidence. A UCC course is recommended for students enrolling in Professor Lipton's section, which focuses on Commercial Litigation.

**Probate Workshop (2 credits)** - An advanced integration of the law of property, trusts, and estates exploring the administration of estates and the resolution of claims to estates. The course will include both doctrinal and practical considerations. Chambliss, Joseph. Prerequisites: Passing grade in Wills & Trusts.

**Products Liability (3 credits)** - A study of problems involved in the expanding field of responsibility of manufacturers and distributors with respect to defects in their products. Epstein, Joseph. Prerequisites: Passing grades in Torts and Contracts.

**Professional Responsibility (3 credits)** - The lawyer's professional role and social responsibilities, emphasizing and assessing the Model Rules of Professional Conduct. Problems concerning the adversary process, representations, disclosure and confidentiality, conflicts of interest, fees, advertising, group legal services, providing lawyers for the poor, and corporate counsel. Braccialarghe, Epstein, Gilmore, Henderson, Jarvis, Messing, Sanchez. Prerequisites: Summer/Fall: 3d year status; Winter: 2d or 3d year status. Preferences if bidding ties: Summer--Fall clinic students & December grads; Fall--Winter clinic students & December grads.

**Property (4 credits)** - A basic course concerning property rights and interests in both personal property and in land that introduces students to possession, estates in land, landlord and tenant, real estate transactions and finance, and private and governmental control of land use. Brown, Gilmore, Grohman, Marty-Nelson. Prerequisites: None.

**Psychology for Lawyers Seminar (2 credits)** - General introduction to psychodynamic concepts with some emphasis on how these ideas may be particularly valuable to lawyers. The approach will be oriented toward depth psychology rather than behaviorism and will utilize current as well as Freudian models of human development. Chase. Prerequisites: Passing grades in Legal Research & Writing I & II.

**Public International Law (3 credits)** - An introductory course in international law including review of the legal relationship between nations, sources and nature of international law, international organizations, the International Court of Justice and current international law issues (may include detailed study of events such as the Cuban Missile Crisis or the invasions of Panama and Kuwait). Chase, Donoho. Prerequisites: None.

**Real Estate Finance Law (3 credits)** - A study of modern land finance transactions, ownership, and syndications; mortgages; deeds of trust; sale-leasebacks; and leasehold mortgages, title insurance, usury, default, and remedies. Brown, Grohman. Prerequisites: Passing grades in Civil Procedure, Constitutional Law I, Contracts, and Property.

**Real Property Workshop (3 credits)** - An advanced integration of property, contract, business organization, and tax law materials and problems for an understanding of planning real property investments. A coverage of legal and financial issues in the acquisition, construction, use, and disposition of business properties. Grohman. Prerequisites: Passing grades in Civil Procedure, Contracts, Legal Research & Writing I & II, and Property.

**Remedies (3 credits)** - A consideration of legal, equitable, and restitutionary remedies in contract and tort cases; specific performance, reformation, restitution for unjust enrichment in cases of fraud and mistake; and measure of damages for injury to personal, property, and business interests. Sanchez. Prerequisites: Passing grades in Contracts and Torts.

**RICO Workshop (2 credits)** - A practice-oriented workshop in the burgeoning field of RICO criminal prosecutions and civil actions. The workshop will focus on the major issues arising in prosecuting and defending civil RICO actions: proof; defenses; damages; forfeitures; liens; and the like. Wisotsky. Prerequisites: Passing grades in all first year courses and Corporations.



**Sales and Sales Financing (4 credits)** - A survey of the law of sales and secured transactions focusing primarily upon Articles 2, 7, and 9 of the Uniform Commercial Code. In addition to exploring the rights, duties, and liabilities of parties to modern sales transactions and the conflicting claims of creditors to secured property, the course will examine the role of documentary transactions and security interests in facilitating the financing of commercial transactions. Cooney, Flynn, Kalevitch. Prerequisites: Passing grades in Contracts, Torts, and Property.

**Scientific Evidence Workshop (2 credits)** - A workshop designed to explore the law regarding the admissibility of scientific evidence and the tactics and strategy involved in the use of expert witnesses at trial. Students will draft appropriate pleadings; conduct pretrial interviews of expert witnesses, and conduct direct and cross examinations of expert witnesses in a trial setting. Henderson, Ongley. Prerequisites: Passing grades in Evidence and Trial Advocacy. Pretrial Practice is recommended.

**Securities Regulation (3 credits)** - A detailed study of problems in regard to the issuance and distribution of securities with special emphasis on federal and state securities regulations, including the Securities Act of 1933 and Securities Exchange Act of 1934. Cane. Prerequisites: Passing grade in Corporations (can be a corequisite with advance permission of professor).

**Sports and Entertainment Law (2 or 3 credits)** - This course explores the legal issues in professional and amateur sports, as well as in the entertainment industries of film, music, television, and publishing. The first half of the course, which focuses on sports law, addresses legal principles involving tort, criminal, contract, constitutional, labor and antitrust law. Particular attention will be paid to cases involving free agency, the reserve system and player contracts, violence in sports, and sex discrimination in amateur athletics. The second half of the course examines issues such as credit and compensation for performers, moral rights of creative talents to control the integrity of their work product, and contemporary legal issues involving various segments of the entertainment business. This course may also be offered as Entertainment Law or Sports Law. Carton, Jarvis. Prerequisites: Passing grades in all first year courses. Not open to students who have taken or are taking Sports Law or Entertainment Law.

**Street Law (1 or 2 credits)** - Law students working under faculty supervision serve as teachers of a course entitled "Street Law" in local high schools and junior high schools. This is intended to provide the members of the community with an understanding of their legal rights and responsibilities. The law student will attend a weekly seminar at the Law Center and teach three hours per week. Diaz, Rocque. Please see further information in the

following "Non-Classroom Credits" section. Prerequisites: 2.0 GPA at preregistration and when term begins.

**Supervised Research (1 or 2 credits)** - Research and production of a scholarly paper on a selected topic under the supervision of a faculty member conversant with the field. Full-time faculty. Please see further information in the following "Non-Classroom Credits" section. Prerequisites: Passing grades in Legal Research & Writing I & II; 2.0 GPA at registration and when term begins; permission of instructor; upperclass status.

**Torts (4 credits)** - A study of the traditional and emerging concepts of rights and liabilities arising from conduct that results in harm to others. Cane, Donoho, Flynn, Joseph, Mintz, M. Richmond. Prerequisites: None.

**Travel Law (2 credits)** - Each year, more than 40 million tourists visit Florida. This seminar provides a comprehensive introduction to the vast industry that serves them. Among the subjects covered are hospitality marketing, finance, management, operations, and public and community relations, as well as the distinct legal liabilities of travel agents, tour guides, innkeepers, airlines, and cruise ship operators. The course draws on the rich resources of South Florida and utilizes an interdisciplinary approach that emphasizes hands-on field-based research. Prerequisites: Passing grades in all first year courses.

**Trial Advocacy (3 credits)** - The tactics and strategy involved in various phases of civil and criminal trials including opening statements, direct and cross-examination of witnesses, expert witnesses, use of documentary and demonstrative evidence, and closing arguments. Extensive use is made of video equipment to tape the daily exercises. Students participate as members of two-person trial teams and participate in two full trials. Braccialarghe, Carney, Dale, Dimitrouleas, Dobson, Friedland, Kearney, Lipton, Morton, Nurik, Zimet. Prerequisites: Passing grades in all first year courses and Evidence. Preferences: Summer/Fall--3d year students; Winter--2d year students. For Intensive: passing grade in Evidence; 2.0 GPA at preregistration and when course begins. Preferences: May--2d year students; January--3d year students.

**Wills and Trusts (4 credits)** - Examination of the rules governing intestate and testate distribution of property; execution, alteration, and revocation of wills; the rights of immediate family members and the contest of wills; examination of the rules governing the creation and elements of express trusts, both private and charitable, rights of beneficiaries, termination of trusts, and the duties and liabilities of the trustee; and implied trusts, both resulting and constructive. Litman, Marty-Nelson, Maurer. Prerequisites: Passing grade in Property.

## **NON-CLASSROOM CREDITS**

### **1. A.T.L.A. (Professor Doug Donoho)**

A.T.L.A. (Association of Trial Lawyers of America) is an organization dedicated to improving courtroom skills. Nova Southeastern has its own student A.T.L.A. organization open to all students. Nova Southeastern's A.T.L.A. chapter provides its members with numerous opportunities to enhance their trial skills through intra-school competitions, guest speakers and national and state interscholastic competitions.

Every year A.T.L.A. sponsors an intraschool mock trial competition in the fall and winter semester. Each competition is available to all second and third year A.T.L.A. members who have completed or are currently enrolled in Evidence. First year students have the opportunity to act as witnesses. Critiques by the local judges and attorneys who judge the competitions provide invaluable advice without the pressure of grades.

These intraschool competitions and A.T.L.A.-sponsored try-outs serve as a conduit for prestigious national and state competitions. Students selected as team advocates by the faculty work closely with faculty coaches to prepare a mock case for trial. During the competition, these Nova Southeastern advocates will try that case several times against teams from other law schools under actual courtroom conditions and before independent judges. Each advocate receives 2 academic credits for his or her work.

These activities provide A.T.L.A. members with opportunities to enhance their trial skills in ways which are unavailable through the regular law school curriculum. A.T.L.A. welcomes all first year students to the Law Center and hopes that each one will join us in the pursuit of courtroom excellence.

### **2. CIVIL AND CRIMINAL CLINIC**

#### **a. CIVIL CLINIC (Professor Bill Adams)**

The Civil Law Clinic is a law school course designed and structured to introduce students to the practice of law by representing real clients in an office setting. Under Rule 11 of the Rules Regulating the Florida Bar, students who have completed the equivalent of four semesters of full-time course work are eligible to participate in the program and work under the supervision of licensed attorneys. The objective of the course is to develop the students' pretrial and trial advocacy skills in the context of client representation from initial interview through trial or settlement. Woven throughout the course are discussions of the application of ethical principles in representing clients. The Clinic has both inhouse and extern components.



Students may take the civil clinic for 6-12 credits for which they are required to work 20-40 hours, depending upon the number of credits taken. Each division has a classroom component which covers substantive and procedural matters. The Civil Clinic prerequisites for externs are Evidence, Pretrial Practice, and Professional Responsibility. For interns, Evidence and Professional Responsibility are prerequisites, and Pretrial Practice is recommended. Students must have at least a 2.1 G.P.A. to be admitted to Clinic, but preference may be given to students with a 2.3 or higher G.P.A.

#### EXTERN DIVISION

The extern division of the civil clinic places students in legal aid and governmental agency law offices. Approximately twenty different programs accept externs, including the legal aid agencies in Palm Beach, Broward, and Dade Counties; the Internal Revenue Service; the Securities and Exchange Commission; the Office of the Comptroller and the Office of the Attorney General of the State of Florida; the City Attorney's Office of Hollywood and Miami; and the County Attorney's Office for Palm Beach and Broward Counties; and the Office of the U.S. Bankruptcy Trustee.

Students work under the supervision of attorneys within the placement office and the clinical faculty. Prerequisites for the extern division are Evidence, Pretrial Practice, and Professional Responsibility.

The civil clinic external division also has a juvenile delinquency project which places students with Public Defender and State Attorney's Offices in Broward County. The Juvenile Delinquency Project is a special extern placement which places students with the Juvenile Division of the Public Defender or State Attorney in Broward County only. The students will provide representation in juvenile delinquency proceedings. The Juvenile Delinquency Project has the same prerequisites as the Criminal Clinic: Criminal Procedure, Evidence, Trial Advocacy, and Professional Responsibility.

#### INHOUSE DIVISION

The inhouse division is a law office within the law school staffed by faculty and students. The students are assigned cases in which they provide full representation under the supervision of the clinical faculty. Faculty members strive to insure that each student has the opportunity to experience each phase of case representation including hearings and trials.

The inhouse division houses three special projects. One involves representation of persons with AIDS in a variety of matters including disability, discrimination, health insurance, and guardianship cases. Students working on AIDS Project cases

also prepare simple wills, powers of attorney, and health care surrogate documents. The second project provides representation to children. The children's cases deal with disability, special education, and abuse and neglect matters. Students are given the opportunity to litigate cases with complex medical and psychological evidence. The Children's Project also provides students with the opportunity to do appellate work. The Clinic also houses 1000 Friends of Florida, which conducts complex environmental law litigation. Prerequisites for the inhouse division are Evidence and Professional Responsibility, but Pretrial Practice is strongly recommended.

**b. CRIMINAL CLINIC** (Professors Howard Messing and Catherine Arcabascio)

Nova Southeastern's outstanding Criminal Clinic offers third years students the opportunity to practice criminal trial law in a supervised and supportive setting in State Attorney and Public Defender Offices statewide. The highly competitive program provides "real world" experience for up to 75 students annually. We have placed students all over Florida and in other cities as far as Seattle. Many graduates have been hired by the offices where they interned. It is not unusual for interns to try jury trials during this program, under the supervision of experienced attorneys and with the support of Nova Southeastern faculty experienced in criminal trial practice. Many students rate this their best law school experience.

Currently the course is offered on a pass/fail basis for 12 credits in the Fall 1996 semester. In Winter 1997, the clinic will still be offered for twelve credits, but will contain a six-credit classroom component. Three two-credit classes will be offered: an advanced criminal procedure course, an advanced criminal trial advocacy course, and an interdisciplinary course. Interns will spend three weeks at the law school before commencing a 12-week placement. They will meet with their fellow interns on a weekly basis until the end of the placement, and will then return to the law school for one week of debriefing and classes.

If you take part in the selection process and are not admitted but are put on one of the wait lists, you should endeavor to take the following courses before or during the Winter term of your second year, as otherwise, even though there may later be an opening in the Criminal Clinic, you will not be able to take it if you lack one of these prerequisite courses:

1. Evidence
2. Criminal Procedure
3. Trial Advocacy
4. Professional Responsibility

By completing all four of these courses by the end of your second year, you will be in the position to take advantage of any

openings that occur in the Criminal Clinic, be they Summer or Fall. Be sure you have satisfied these prerequisites by the beginning of the term in which you plan to take clinic.

Failure to sign up for the clinic selection process in the Fall semester of your second year may exclude you from the Fall and Winter Criminal Clinics during your third year. In past years, Summer clinic has not been as likely to close.

### **c. CLINIC SELECTION PROCESS**

If you wish to participate in the Criminal or Civil Clinic during your third year, you should take part in the clinic selection process that Student Affairs administers during the Fall semester of your second year. Failure to participate could preclude you from taking Civil or Criminal clinic during your third year. Clinic Selection Forms are distributed via communication folders and must be returned to Student Affairs by the posted deadline. Results are posted in the main corridor, and include students admitted to and waitlisted for each Clinic

Results for each clinic are forwarded to the appropriate supervising professor, who follows up with communication to admitted and waitlisted students. Failure to adhere to supervising professors' subsequent deadlines could cause you to forfeit your admitted or waitlisted status. Questions about placement at specific Clinic sites should be directed to the appropriate supervising professor.

You must register for any Clinic to which you have already been admitted during the registration period for the term in which the Clinic is scheduled. To retain an existing waitlist position, you must complete and submit a waitlist form during registration for the term in which the Clinic is offered.

If you choose not participate in the selection process, you may add your name to the bottom of a waitlist by completing a waitlist form during the appropriate registration period.

### **3. CORPORATE INTERNSHIP (Professors Leslie Cooney & Larry Kalevitch)**

The Corporate Internship Program is designed to provide students with an opportunity to work with in-house counsel and thereby gain valuable experience and insight as to the special needs of corporations. Students will be interviewed by a Law Center Selection Committee and finalists will be interviewed by corporate in-house counsel. The internship requires a commitment of 20 hours per week for eight weeks during the summer. Students must prepare a written assignment for the faculty supervisor. Prerequisites: Top third of the class at preregistration and when the term begins; prior business experience and corporate law classes preferred.



**4. GUARDIAN AD LITEM PROGRAM** (Adjunct Professors D. O'Reilly, D. Rubio, and C. Zickler; Professor L. Cooney)

Course Materials: Supplementary Book and Class Handouts

Course Requirements:

- a. Write one research paper of approximately 8 to 12 pages concerning guardian law or a related issue.
- b. Complete one guardian case as assigned by the Guardian Ad Litem Program of the 17th Judicial Circuit or other equivalent program.
- c. Attend all classes and lectures which are a part of the Guardian class.
- d. Maintain detailed records of all case-related activities.

Evaluation Criteria

- a. Term Paper, attendance, and case activity.
- b. Grade (pass/fail)

**5. ILSA JOURNAL OF INTERNATIONAL & COMPARATIVE LAW**  
(Professors Douglas Donoho and Billie Jo Kaufman)

The ILSA Journal of International & Comparative Law is a student edited law review, published three times annually under the auspices of the International Law Students Association. The Journal publishes articles, notes, and comments, which address topics related to international and comparative law issues. These articles are authored by students, professors, practitioners, and government officials, from all parts of the globe.

Members of the Journal of International & Comparative Law include editors, associate editors, staff members, and candidates. The Journal's Board of Editors is comprised of an editor-in-chief, managing editor, executive editor, lead articles editor, lead technical editor, technical editor, and associate editors. The Board of Editors is made of third year students, elected by the graduating Board, based on their performance as second year staff members. The staff is comprised of second and third year students.

There are two ways to become a Journal staff member. First year students at the top of their class are issued invitations, after their first or second semester, to become candidates for staff membership in their second year. The Journal also conducts a write-on competition each year after final exams. First and second year students, with a grade point average of 2.5 or higher, are eligible to become staff members by participating in

the write-on competition. The write-on competition consists of writing a short paper, based on an international issue, with sources provided by the Journal.

Once students become candidates for membership either by grading on, or through the write-on competition, there are three requirements. First, staff members must fulfill all assignment obligations as directed by the Board of Editors. Second, each staff member must write a publishable quality article, comment, or note, on an international law issue of their choice. Candidates may write this paper either during the summer or fall semester, after being accepted as candidates. Students may opt to submit this paper to the faculty to meet the writing requirement. Papers that receive a grade of C+ or higher fulfill the writing requirement. Finally, all staff are required to take at least one course in International Law before graduating. Staff members who complete these requirements are certified to the faculty to receive one credit for each year of membership.

Membership on a legal publication is an invaluable opportunity for any law student. The Journal of International & Comparative Law offers students a chance to be published and an opportunity to add an impressive credential to their resumes. Journal membership also offers students an opportunity to hone and perfect their writing and research skills which are much in demand by employers. Finally, Journal membership affords students an opportunity to represent Nova Southeastern by traveling to ILSA conferences, held in past years in New York City, Chicago, and Washington, D.C.

#### **6. JUDICIAL ADMINISTRATION (Professor Sharon Carton)**

The Judicial Administration internship program enables students to clerk for a judge in the Dade, Broward or Palm Beach County or Circuit Courts, the District Courts of Appeal, or federal courts. The course has two mandatory components: the clerkship, which can take place during the Fall, Winter or Summer semesters; and the seminar, which takes place only in the Fall semester. Students are urged to consider their ability to fit the seminar in their fall schedule when deciding whether to apply for Judicial Administration.

The seminar is taken for one credit, while a student may clerk for a minimum of one, or a maximum of five, credits. Generally, a student receives one credit of clerkship for every eight-hour day a week clerked during the semester (two credits for every two eight-hour days clerked, and so on). The seminar is pass-fail, held once a week for the first eight weeks of the semester, and requires a student to complete a ten-page research paper on a topic related to judicial administration.

The G.P.A. requirements for the course are as follows: to clerk for a Circuit or County Court judge, the student must have a 2.2 G.P.A.; to clerk for a D.C.A. judge, the student must have

a 2.6 G.P.A.; to clerk in the Bankruptcy Court, Immigration Court or for a federal magistrate, a 2.8 G.P.A. is required, and to clerk for a federal judge, the student must have a 3.0 G.P.A.

The course is taught by Professor Carton. Prior to registering for the course, the student must submit a resume, writing sample and signed course agreement form to the professor in charge of the court for which the student intends to clerk. Once a student submits this material to the professor, the student does not have the option of withdrawing from the course. Students must attach to their registration form a copy of the course agreement form or course approval form, with either professor's signature. Students must apply to the appropriate professor early in the semester preceding their clerkship. Students are placed on a first come, first served basis.

#### 7. LAW REVIEW (Professor Johnny Burris - Faculty Advisor)

The *Nova Law Review* is a student-run organization, which publishes three issues each year. The *Law Review* consists of second and third year students (staff members) and is run by a nine member board known as the Board of Editors. These nine positions include the Editor-in-Chief, Executive Editor, Lead Articles Editor, Technical Editor, and five Articles Editors.

The overriding purpose of the *Nova Law Review* is to publish scholarly and timely works, written by practitioners as well as students on the *Review*. In keeping with this purpose, the *Review* has published issues concerning the twenty-fifth anniversary of the Florida Constitution, the legal ramifications of drug use in the workplace, the AIDS virus, and Hurricane Andrew. As a result of the *Law Review's* commitment to publishing articles on the timely legal issues, articles have been cited by the Florida District Courts of Appeal, the Florida Supreme Court, and the United States Supreme Court.

The *Nova Law Review* has much to offer a law student. The task of editing and producing a finished journal enhances a student's reading, writing, and research skills. Also, a great deal of personal satisfaction is derived from participating in the publication of an outstanding journal of legal scholarship. As a member of *Law Review*, a student gains a significant advantage in the competitive legal job market, because many law firms often list law review as a prerequisite for a prospective employee.

Students who achieve a high level of academic excellence in their first semester of law school are invited to become members of the *Nova Law Review* as "grade-on candidates." Every year the Board of Editors establishes the required level of academic achievement necessary to become a grade-on candidate. Since 1992, for students to achieve grade-on candidate status, they had to finish in the first semester in the top 5% overall, top 5% per section, or at the end of winter semester 1st year in the top

5% overall or top 5% per section.

Grade-on candidates are required to write a paper on the topic of their choice, receiving assistance from an Articles Editor. Candidates become members once their papers are accepted according to the procedure outlined in the *Nova Law Review's* by-laws and such membership is subject to fulfilling all staff duties and obligations during the following year.

First and second year students with cumulative grade point averages of 2.50 or better may join the *Nova Law Review* through a "write-on" competition. These students must write a ten to twelve page paper in the format of a closed, abridged law review article over a five day period. All writers are assigned the same topic and materials as selected by the Executive Editor. Those students whose papers are accepted through a majority vote of the Board of Editors are considered candidates. These students, with the assistance of an Articles Editor, are required to write a paper on the topic of their choice. The candidate is then selected in the same manner and subject to the same obligations as grade-on candidates.

Writing a paper of outstanding quality for membership to the *Nova Law Review* is a challenging and rewarding experience. More important, students who participate may have their papers published in the *Nova Law Review*. The Board of Editors is committed to publishing a number of scholarly written student articles in every volume.

Each member of *Law Review* receives one credit per year and registration of such credit is conducted by the Editor-in-Chief or Executive Editor. Only those members who satisfy their responsibilities and obligations are recommended for *Law Review* credit.

Participation on the *Nova Law Review* is an experience which benefits a student both academically and professionally. With the formation of the *Nova Law Review* Alumni Association in 1993, *Law Review* students will also have an established network of practitioners who may provide law review topics, advice, and jobs. Equally important, *Law Review* membership presents an opportunity for students to meet new people and expand their social networks.

#### **8. LEGISLATIVE INTERNSHIP PROGRAM (Professor Ronald Brown)**

Legislative Internship is a course offered for two academic credits which satisfies the writing requirement of each J.D. candidate at Shepard Broad Law Center. Each student will be assigned to a legislator (e.g., a member of the United States House of Representatives, the United States Senate, the Florida House, the Florida Senate, or a city or county government) and expected to work in that legislator's office for at least eight hours per week during the semester.



During these "office hours," a student may be assigned to various projects, including drafting legislation, doing background research (legal and non-legal) in the development of legislative proposals, providing service to constituents, or attending legislative or political functions with their legislators. "Office hours" may include time actually spent in another location on office business (e.g., spent in the law library doing research, attending a hearing, or attending a meeting). A student's performance as an intern will be evaluated in writing by his or her supervisor.

Each student will maintain a log regarding time spent in the legislator's office. The student shall bring that log to meetings with Professor Brown. The log will not contain any substantive details about the activities in the office, but should indicate with accuracy (1) that the student is spending the agreed hours in the office and (2) how that time was spent (e.g., talking with constituents, doing legal research, or attending a legislative hearing).

In addition, each student is required to write a paper on a topic to be chosen at the beginning of the semester. The topic may concern a substantive legislative proposal or may focus on some aspect of the legislative process. The paper topic must be approved by Professor Brown. Good sense indicates that approval should be obtained before substantial effort has been invested in a topic. Professor Brown will provide suggestions and constructive criticism of outlines and drafts submitted by the last day of class this semester.

Papers will be submitted to and graded by Professor Brown. Papers must be submitted in duplicate. Papers must be at least 20 pages long, double spaced, and in the form of a law review article. Sources must be fully revealed by complete and proper footnotes or endnotes. Citations must be in accordance with the A Uniform System of Citation, 15th Ed., more commonly known as the "blue book." All research notes and materials must be submitted with the paper. Notes may be on computer disk. The promptness of completion of this paper is an important factor in the grading.

There will be a meeting (2 hours maximum) of each of the following weeks: the first two weeks of the semester, the first week in October, the first week in November, and the first week in December.

Grades will be assigned by Professor Brown based upon: (1) the legislator's evaluation; (2) the paper; and (3) compliance with course rules (e.g. maintenance of a complete log; and (4) participation in the class meetings. Given the nature of the course, grading will not be anonymous.

One important warning: once the semester begins, this class

may not be dropped except for truly extraordinary circumstances.

#### **9. MOOT COURT (Professor Pearl Goldman)**

**Overview:** The Moot Court Society offers students an opportunity to develop their oral and written advocacy skills by competing in intramural and interscholastic competitions throughout the year. The Society's teams have participated in the Robert Orsek (Y.L.S.), John Marshall, Workers' Compensation, and National competitions. Our teams have been extremely successful.

**Admission to the Society:** The Society encourages all eligible students to apply for membership. Second and third year students who are in good academic standing may be admitted to the Society as full members if they have:

1. Received a grade of C+ or higher on their appellate brief in the Martin Feinrider Memorial Intramural Moot Court class, or argued in the semi-finals of the Intramural Competition; or
2. Received a Best Brief award, for writing one of the two best appellate briefs in a Legal Research & Writing II section; or
3. Argued and won a specified number of rounds in the Freshman Moot Court Competition.

**Members, Officers, and Editors:** Once admitted, students must fulfill certain duties in order to retain their membership in the Society. Third year students in good academic standing are eligible to seek election as Officers and to receive partial tuition remission. Second and third year students in good academic standing are eligible to seek election to the Board of Editors.

**Academic Credit:** Participants in the Martin Feinrider Memorial Intramural Moot Court class receive one credit hour for successfully completing an appellate brief and participating in oral argument rounds. Members of an interscholastic moot court team receive one credit for successfully completing an appellate brief and participating in oral argument, if they have registered for credit during the registration period preceding the competition. In all cases, these credits are non-classroom credits.

#### **10. STREET LAW (Adjunct Professors M. Rocque and R. Diaz; Professor L. Cooney)**

##### **What is Street Law?**

Street Law is a law school course that involves law students teaching law related education in area high schools and middle schools. Because of the nature of the course, it is more than



simply a traditional, book-oriented class. On the other hand, it is very different from typical clinical education currently offered in the law school curriculum.

One significant difference that makes Street Law unique is the fact that it does not directly deal with case law or law students acting as lawyers. The major role played by law students is that of teacher. Law students go into high school and middle school classes attempting to teach students about the law, lawyering, and the relationship between these things and the real world.

As a teacher, the law student must prepare a lesson plan for each class and be ready to teach about a particular subject matter. Most of the course takes place in the area high and middle school's classrooms. Some learning, however, takes place on field trips to the Courthouse, or from guests such as police officers who may be brought into the class to explain to students how the laws are applied in practice.

The law students are still students themselves, however, and attend Street Law classes at the Nova Southeastern Law Center 7 - 10 times each semester. The classes at the Law Center teach the law students several things. First, the law students are given assistance in pedagogical techniques that they may utilize when they go to high schools and middle schools. Second, the law students are given a review in several substantive areas of law, including evidence, trial advocacy, and basic criminal law or procedure. Because the high school and middle school students often know very little about the substantive areas of law, the level of discourse in the high school and middle school classrooms is not often technical or advanced.

To satisfy the requirements of the American Bar Association and the Nova Southeastern Law Center, the students in Street Law are required to complete a term paper in addition to their teaching responsibilities and attending the law school classes. This term paper is a research paper in which the law students are asked to take a position about a legal subject associated with juvenile or educational law. In the past, students have written papers about death penalties for children, the Florida "hearsay" exception for victims of child sexual abuse, and the current state of the juvenile law.

Supervision is provided from the adjunct professors at Nova Southeastern who teach Street Law, as well as the associated high school and middle school teachers with whom the law student is teaching. Contact is maintained on a regular basis between the regular high school and middle school teachers and the adjunct professor at Nova Southeastern, to avoid any problems before they arise.

The program is conducted on a semester-long basis. The subject matter of the program generally fits into definite categories. The introduction of the semester-long program is

generally an introduction to law, in which students learn about various legal terminology, and basic concepts in the law such as interpretation and the role of precedent. After a brief introduction as such of a week or even less, the focus shifts to criminal law and procedure. The focus soon is on mock trials, and the components of trial advocacy. The end of the semester culminates in a mock trial competition held at the Broward County Courthouse in which most, if not all, of the schools participate. There are separate competitions for the high schools and the junior highs.

This general format which focuses on a mock trial competition need not be followed. In the past, some schools have focused on case law, and learning about various legal rules and principles. Since most of the students enjoy actively participating in law related education, the mock trials have proved popular and enduring.

#### **11. SUPERVISED RESEARCH**

Supervised research, a non-classroom credit, is described in Appendix A to the Code of Academic Regulations. Be sure to check prerequisites before attempting to enroll in the course.

#### **12. NON-LAW COURSES**

Pre-approved non-law courses count as non-classroom credit. Requesting permission to receive credit for non-law courses is described in Appendix A to the Code of Academic Regulations.

## FLORIDA BAR EXAM

**NOTE:** For more information regarding the Florida Bar Exam, please see the Florida Bar Examination Schedule and Filing Deadlines Form (# 49), published by the Florida Board of Bar Examiners. Copies of the Florida Bar Application are available from the receptionist in Administration.

### 1. APPLICATION TO THE FLORIDA BAR

First year students should pick up a "Beginning Law Student Packet" from the receptionist in Administration. Students must complete and file these forms with the Florida Board of Bar Examiners to become a student registrant, and thereby initiate the application process. At the beginning of your final year in law school, students should obtain a "Converter Forms Packet" from the receptionist and file all required forms. This will activate your Bar application and authorize the character and fitness investigation.

It is to your advantage financially to file the completed "Beginning Law Student Packet" within 180 calendar days of your commencement in law school. The fee during this time period is \$60.00, a savings of \$340.00 off the complete application fee of \$725.00. (If you file between 180-195 calendar days, the fee will be \$75.00. If you file between 195-250 calendar days, the fee will be \$150.00 and after that, the fee will be \$400.00). The balance of \$325.00 is due upon filing the "Converter Forms Packet". All necessary instructions, information, and fee schedules are contained in the packet, along with a copy of the Rules of the Supreme Court of Florida Relating to Admissions to the Bar. Applying immediately to the Bar is strongly advised.

## REGISTRATION

### A. FIRST YEAR:

The first year curriculum is required. Full-time day program students are assigned by Student Affairs to one of five sections in which they remain for both semesters of the first year. Evening program students are also assigned to their own section in which they enroll in a reduced course load. First year registration for the Fall semester is held during the week prior to the start of classes. Second semester registration is held before the end of the first semester. Students are advised to check their communication folders and Law Center bulletin boards for further information.

### UPPERCLASS: PREREGISTRATION AND REGISTRATION PROCEDURES

Upperclass course selection procedures are held in two stages: preregistration and registration.

**STAGE 1: Preregistration** A "Course Preference Form," which is distributed prior to the preregistration deadline, must be used to participate in the process. You must keep a copy of your form to be able to check the results of Stage 1 and participate in Stage 2.

Students preregistering for either the Fall or Winter semesters receive 60 points for each semester. Students preregistering for the Summer term receive 30 points. These points allow you to weight a course in terms of degree of desirability and to influence the order in which you are scheduled relative to other students in your graduating class who bid points on the same course. For example, all students in your graduating class giving a course 15 points have preference over all students in your class giving the same course 14 points. You must bid at least one point to keep your preference. Ties will be broken by a lottery.

Third year students have preference for all courses except those designated as second year preference courses, Constitutional Law II and certain other prerequisites. For example, a third year student bidding 1 point will be placed in a course ahead of a second year student bidding 56 points, the maximum allowable number of points on a single course, for the same course. You must bid at least one point to keep your preference for of any course.

You may assign points to more than one section of a course. You may indicate a preference for one section over another section by assigning more points to the section you prefer. You will not be admitted to more than one section of any course. If you have not indicated by points which section you prefer, we reserve the right to choose your section for you.

Points are not transferable among students, nor can they be

saved for another registration period. Students are not required to participate in preregistration. You may choose to wait and register for available seats after the bidding process ends, during the regularly scheduled registration period.

Each student must bid a minimum of 1 point for each course or section desired. All courses are subject to the course preference system and will be listed on the term's schedule. Even if you have been previously guaranteed a space in a particular class, you should still assign it at least one point.

Each full-time student preregistering for Fall or Winter must bid for 10 to 18 hours. If you bid on more than one section of the same course, only the hours of the course itself, not its individual sections, count in your total number of hours. For example, if you bid on four sections of Trial Advocacy, you have bid on three hours, not twelve hours.

The maximum number of points a student may bid for any Fall or Winter course is 56; for Summer, 29. Make sure your total number of points for all classes does not exceed the total number of points available for the term. **IF YOU ASSIGN MORE THAN THE AVAILABLE POINTS (60 FOR FALL OR WINTER, 30 FOR SUMMER), YOUR FORM WILL NOT BE PROCESSED.** Check your addition!

Each student allocates the assigned points among the courses desired, and this information is confidential between the student and Student Affairs personnel. Preregistration results will indicate the number of points needed to be admitted to a class, not the number of points each individual student bid.

A "Course Preference Form," which will be distributed with registration forms prior to registration, must be used to participate in the course preference process. You must keep a copy of your form to be able to check the results of Stage 1 and participate in Stage 2.

**STAGE 2: Registration** Prior to registration, you will receive a registration form in your communication folder; you must complete the form and return it by the posted deadline. You must check the posted results from preregistration to determine whether you may register for a given class. If the posted results show that you bid sufficient points to be admitted to a class, you are guaranteed a seat in it and may register for it during your regularly scheduled registration period. If you do not register for the class at that time, you will lose your guaranteed seat. You may also register for classes with open seats after preregistration. If you did not bid a sufficient number of points to be admitted to a course, you are closed out of it, and may not register for it.

When completing a registration form, be sure your correct student status (1st, 2nd, or 3rd year) is indicated in the upper right corner. If your form is lost or destroyed, contact Student



Affairs for a replacement form. All information requested on the form must be provided. **Incomplete, inaccurate, or illegible forms cannot be processed.** Pay particular attention to course numbers and section designations. When you fill out your registration form, be sure to type or press firmly with a ballpoint pen. **Make sure the gold copy, which is yours to keep after submitting the form, is legible.**

It is your responsibility to comply with all requirements, including professor permission/course approval forms, prerequisites, and minimum/maximum number of hours. Registrations for classes conflicting in time will not be processed, and registrations not in compliance with Law Center rules are subject to cancellation.

A student must satisfy all prerequisites for a course before the course begins. The Curriculum Planning section of the Student Handbook includes a list of prerequisites. Prerequisites cannot be waived. A student who registers for a course for which he or she does not have the prerequisites will be withdrawn from that course.

If you have a financial hold on your account from a previous balance or fail to pay tuition and fees by the deadline, your registration will not be processed until the matter is resolved, and you may lose your spot in any class to which you were admitted through preregistration.

If you wish to register for an open course to which you were not admitted through preregistration, you must register for it by the registration deadline. If space is available in the course for all students who register via this procedure, they will all be admitted. If the number of students following this procedure exceeds the number of spaces available for them (after those students admitted through preregistration have registered for the course), their admission basis will be determined by separate lottery for each class year.

The selection process for third year Clinics (Criminal and Civil) takes place in the fall semester of your second year. If you are admitted either to a Civil or Criminal Clinic and wish to enroll, you must register by the deadline for the term in which you are doing Clinic. If you are waitlisted for a Clinic and wish to preserve your waitlist position at the time of registration, you must complete a separate registration form for that clinic, print "WAITLIST" at the top of it, and include your name, SSN, the applicable course number and section, your local telephone number, signature, and date.

#### **LIMITED ENROLLMENT COURSES**

The following limited enrollment courses may be dropped only before the first day of classes: all seminars; all workshops; Alternative Dispute Resolution; Civil or Criminal Clinic;



Criminal Pre-Trial Practice; Guardian ad Litem; Interviewing, Counseling, and Negotiating; Judicial Administration; Legislative Internship; Pretrial Practice; Street Law; and Trial Advocacy. These courses may still be added on designated drop-add dates.

#### **COURSE APPROVAL FORMS AND OTHER REQUIRED FORMS**

Written professor approval is required for the following courses: Supervised Research, ATLA, Judicial Administration, Corporate Internship, Civil and Criminal Clinic, and Interscholastic Moot Court Competitions (not Intramural Moot Court). The professor may indicate approval by signing your Student Transaction Form before you submit it to Student Affairs. Judicial Administration course agreement forms may also be obtained from Professor Carton.

**EXAMS:** Students are required to take exams as scheduled. Keep this in mind when finalizing your schedule.

**FACULTY ADVISORS:** If you need advice on what courses to take, please see your faculty advisor or another faculty member before you register. You should also consult the Curriculum Planning section of this handbook.

**DROP-ADD SCHEDULE:** The drop-add schedule will be posted prior to the drop-add period. Drop-add is held one day prior to the beginning of classes and during the first week of the term.

**PROBLEMS:** If there is a problem with your registration, we will attempt to contact you immediately. Please be sure to include your daytime telephone number on all registration forms you submit. If you are notified, it is imperative that you contact Student Affairs as soon as possible.

## EXAMS

### GENERAL PROCEDURES

These procedures have been adopted and amended after a committee process which involved input from students, faculty, and the administration. Exam instructions may vary among individual faculty, so pay close attention to the instructions for each of your exams.

### BEFORE AND DURING THE EXAM

1. Exam Dates: Each term schedule includes the exam dates for all courses with scheduled exams.

2. Anonymous Numbers: Each term you are registered for classes, you are randomly assigned an anonymous exam number. You must record his or her anonymous number on each exam book. You must pick up your number in Student Affairs prior to the start of your first exam, and you must show your student ID when requesting your number. The proctor will verify that each student has a current anonymous number. If you do not have your number with you, your number will be obtained for you just prior to the start of the exam. It is an Honor Code violation to place your name on your exam or to identify your exam to your professor.

3. Room Assignments: During the exam period, room assignments are posted on a daily basis in the first floor hallway 30 minutes before exams are scheduled to begin. You must report to the assigned room at least 15 minutes before your exam is scheduled to begin.

4. You should bring to the exam room only items which you are permitted to use during the exam. Under no circumstances may you keep materials such as books, notes, or outlines at your seat or within reach unless their use is expressly authorized during the exam. You must place all unauthorized materials in the front of the room before signing in or picking up exam books. All beepers, alarm watches, and cellular telephones must be turned off. It is a violation of the Honor Code to keep unauthorized materials at your seat, whether they are in your purse, wallet, pocket or elsewhere within reach. You may keep your purse and/or jacket at your seat.

5. All students must sign in before exams are distributed. Each student must sign the alphabetical sign-in sheet next to his or her name. The proctor will monitor the sign-in process at the front of the room. If your name is not on the sign-in sheet, verify that you are in the correct room, notify the proctor, and add your name to the bottom of the list. After the exam, inform Student Affairs in writing that your name was not on the sign-in sheet.

6. After signing in, you should pick up exam books and sit quietly in your seat until the proctor is ready to begin the exam. Students should not sit closer together than every other seat. Students must follow the proctor's instructions concerning seating. A student who fails to follow the proctor's instructions will be excluded from the exam. A student who is excluded from the exam will receive an "F" on the exam.

7. Just before the scheduled exam start time, the proctor will distribute the exam questions face down. Students will be told how many pages of exam questions there are and each student will verify (while the exam is still face down) that he or she has a complete examination.

8. The proctor will announce when the exam will begin and end, and will record this information on the board. The time allotted will be rigorously enforced.

9. The proctor will signal the class to turn over the exam questions and begin. The actual time and the time remaining in the exam period will be posted at regular intervals during the exam period (approximately every 30 minutes).

10. Students may not smoke in the exam room or anywhere else in the building.

11. When only 5 minutes remain in the examination period, the proctor will give a verbal 5 minute warning. After this warning is given, no one may turn in his or her exam or leave the exam room until the exam period is over and the students are excused by the proctor. Students should remain quietly in their seats until the proctor collects their exams and excuses them from the room.

12. The proctor will also give a final one minute verbal warning. Students should use the last minute to complete the sentence they are writing and to make sure all required identifying information is on each exam book.

13. When time is called, all students must stop writing immediately. Exam questions should be turned face down on the desk and exam books must be closed. No exams will be collected until everyone has stopped writing. Continuing to write after time has been called is a violation of the Honor Code and violators will be prosecuted.

14. After signing in, students may not leave the examination room without the proctor's permission until the exam has begun. After the 5 minute warning is given, students may not leave the room until the exam is over and the students are excused by the proctor. At all other times during the exam, students may leave the room for a restroom or cigarette break without signing out. Students who leave during the exam cannot take the exam from the exam room. If you leave the room for a break, leave your exam

face down at your seat.

15. From the moment the exam begins until you have turned in your exam answers, you may not converse (e.g., speak, exchange any information, or exchange any writing) with anyone except the proctor, a member of the law school administration (e.g., a dean or director), or if the faculty member has expressly authorized questions during the exam, the faculty member whose exam is being given. In addition, students who have taken the exam and those who have not taken it may not discuss the exam prior to its completion by both parties. **BEWARE!** These prohibitions include idle conversation in the halls and restrooms. Should your exam be interrupted by evacuation of the building, this prohibition applies during the evacuation period as well. If special circumstances justify an exception to this rule, get advance written permission from Student Affairs.

16. Students may not use personal computers. Typewriters with more than one-line memory capabilities during an in-class examination are also prohibited, whether or not the exam is in open-book format.

17. Examination books must be properly identified. The following information must appear on the front of each exam book:

- a. your anonymous number (not name or SSN);
- b. course name and section;
- c. professor's name;
- d. date of examination; and
- e. the number of each exam book and the total number of books (i.e., 1 of 3; 2 of 3; 3 of 3; or 1/3; 2/3; 3/3).

#### **AFTER THE EXAM**

1. You may turn in your exam before the five minute warning is given, if you have completed the exam and the proctor is in the room. You may not turn in your exam unless the proctor is in the room.

2. Unless otherwise instructed, you must turn in all exam books, including any unused books or books used for scratch paper, and the examination questions and handouts, if any.

3. After the exam, you may not leave the room until excused by the proctor. Proctors must verify the information on the front of the exam books, ensure that exam questions are collected (where required), separate answer books from scratch books and unused books, and verify the book count recorded by each student.

As students turn in exams, the proctor will make a list by anonymous numbers of all exams received. Next to each anonymous number the proctor will indicate the number of exam books turned in.

4. Students must leave the exam area quickly and quietly upon completion of their exam. All exams do not necessarily start and



end at the same time and noise in the hallway may disturb other test-takers. Please be considerate of other students who may still be writing their exams.

## **SPECIAL PROCEDURES: TYPING, ACCOMMODATIONS, AND INCOMPLETES**

**TYPING.** Any student who wants to type exams must complete "Notice to Type Exams" form and file it with Student Affairs by 5:00 p.m. on the last Friday of October for the Fall Exam Period, the last Friday of March for the Winter Exam Period, and the first Friday of June for the Summer Exam Period. Typing paper will be provided by the proctor. Typists must provide their own typewriters and any other necessary and permitted equipment and supplies (e.g., ribbons, correction fluid, extension cords). **Students are limited to using a typewriter with one line memory capabilities only. The use of any other equipment with memory capabilities is prohibited.** Earplugs--but not earphones--may be used.

One room will be set aside as the typing room for each exam period. If you have filed the notice to type an exam, then you will be required to take that exam in the typing room. If you have not filed the notice by the deadline that you will type an exam, you will not be permitted to type that exam. **DO NOT IDENTIFY YOURSELF AS A TYPIST TO YOUR PROFESSORS AT ANY TIME PRIOR TO THE POSTING OF YOUR CLASS GRADES.**

**ACCOMMODATIONS.** Special accommodations may be made for students who have special needs which they believe prevent them from taking their exams under the standard conditions. Students should contact Student Affairs as early as possible to discuss their needs and must follow the Law Center's procedures for such accommodations. Please see the immediately following section, "Disability-Related Policies and Procedures," for detailed information.

**INCOMPLETES.** If extraordinary circumstances prevent a student from taking an examination as scheduled, the following procedures must be followed. (1) The student must submit a written petition for an Incomplete to Student Affairs. **TO PROTECT YOUR ANONYMITY, DO NOT CONTACT YOUR PROFESSOR.** Except in the most compelling circumstances, the petition must be received before the examination begins. A student who is unable to submit the petition prior to the exam, should, if possible, call Student Affairs at 452-6130 or 452-6131, before the exam, and submit a petition as soon as possible. The petition must contain an adequate explanation of the circumstances which prevented the student from taking the exam as scheduled. (2) Any student requesting an Incomplete based on medical reasons must provide medical verification. Medical verification must include the following:

(A) a diagnosis of the student's condition; (B) a statement that the student was in fact medically unable to sit for the exam at the scheduled time; and (C) the complete name, title, address, and phone number of the medical professional providing the verification. Except in the most compelling circumstances, this requires that the student be seen by the doctor before or at the

exam time. Students who file petitions for an Incomplete will receive written notice of whether or not their petitions have been approved. If an Incomplete is granted, Student Affairs will make arrangements, in consultation with the faculty member involved, to administer a make-up exam. The faculty member has the ultimate authority in determining when a student may make up the exam: (1) soon after its originally scheduled date, (2) during an interim period, or (3) on the exam date the next time the course is offered.

"Extraordinary circumstances" justifying an Incomplete would include such events as death in the family and personal illness. You should not take an exam if you are physically or emotionally unable to do so. Consult the Code of Academic Regulations for further information on Incompletes.

**FORMS.** All necessary forms are available in Student Affairs.

## DISABILITY-RELATED POLICIES AND PROCEDURES

Nova Southeastern University is committed to achieving equal educational opportunity and full participation for persons with disabilities. It is the University's policy that no qualified person be excluded from participating in any University program or activity, be denied the benefits of any University program or activity, or otherwise be subjected to discrimination with regard to any University program or activity. This policy is derived from the University's commitment to nondiscrimination for all persons in employment and access to facilities, student programs, activities, and services.

### CRITERIA FOR PROVIDING ACCOMMODATIONS

In determining whether to provide accommodations for students, the following questions must be answered [adapted from Sally Scott, Determining Reasonable Academic Adjustments for College Students with Learning Disabilities, 27, Journal of Learning Disabilities, no. 7, pp. 403-412 (1994)]:

- Does the student have a disability?

A person with a disability is one who (a) has a mental or physical impairment which substantially limits one or more major life activities (including learning); or (b) has a record of such impairment; or (c) is regarded as having such an impairment.

- Has the student provided adequate documentation?

To receive accommodations, students with disabilities must also provide adequate documentation from a clinician qualified to make such a diagnosis, and which gives detailed information about diagnosis, treatment, limitations, and length of time the diagnosis is expected to impact student functioning. For a learning disability, the Law Center requires a written diagnostic report (within the last three years) written by an appropriate professional, which includes (but is not limited to) the following: (1) a measure of intellectual assessment (e.g., WAIS-R); (2) a measure of information processing (e.g., Woodcock-Johnson); and (3) a measure of achievement (e.g. WRAT). Students are responsible for securing diagnostic evaluations and providing copies of such to Student Affairs.

- Is the student "qualified"?

Can the student (a) meet the prerequisite academic and technical standards or a course or program, and (b) can the student, with accommodation, perform the essential tasks of the course or program?

- Is the accommodation reasonable?



An accommodation is reasonable if it (a) is based on documented individual needs; and (b) allows the most integrated personal experience possible; and (c) does not compromise the essential requirements of a course or program; and (d) does not pose a threat to personal or public safety; and (e) does not impose undue financial or administrative burden; and (f) is not of a personal nature (such as eye glasses or hearing aids).

■ If the previous four answers are affirmative, the accommodation must be provided at no cost to the student. If any of the previous four answers are negative, the accommodation need not be provided.

#### LAW CENTER PROCEDURES

Prior to enrollment, all admitted applicants are sent materials regarding disability-related services, including forms to complete and a statement of the appeals process for disability-related accommodations. Prospective students are urged to provide all requested information and documentation as early as possible before beginning law school.

The deadlines for submitting disability-related documentation are as follows: for fall semesters, October 1; for winter semesters, March 1; for summer terms, May 20. If the need for disability-related accommodations arises unexpectedly, students should contact Student Affairs as soon as possible.

Individuals who have disabilities for which they believe they need accommodations must complete a "Request for Disability Accommodation Form." Disability-related documentation prepared by appropriate professional service providers should accompany this form. In addition, an "Authorization Form for Documentation Release," and a "Professional Provider Conferral Form," may need to be completed to allow Student Affairs to consult with students' professional service providers as well as other appropriate subject matter experts. Confidentiality of records is maintained at all times, and all necessary forms are available in Student Affairs.

All students who submit these forms will receive a "Disability Accommodation Notice Form" outlining approved accommodations. Students must indicate, by initialing where directed, whether they accept or decline the accommodations offered; signatures of both Student Affairs representative and student are required to validate the form.

Students who are dissatisfied with the terms of the "Disability Accommodation Notice Form" may file a petition seeking review of the accommodation(s). The petition must be received by Student Affairs within 21 calendar days of the decision date, noted on the "Disability Accommodation Notice Form."

A five-member committee--four full-time faculty members and the Director of the Disability Law Institute--will review the appeal petition. Committee members will receive relevant information from the petitioner and Student Affairs. At its discretion, the committee may request additional information.

Within 10 working days of the petition's receipt, the committee will render a decision or advise the petitioner of the need for additional information or time. The Dean or Dean's designate will review committee decisions to deny the appeal. Students will then be notified of the final decision. Three votes are needed to reverse the decision to deny accommodation(s).

Please contact Student Affairs if you have questions or concerns.

**OFFICE OF STUDENT AFFAIRS: GENERAL PROCEDURES**

OFFICE HOURS: Monday - Thursday 8:30-6:00  
Friday 8:30-5:00

**REQUESTS FOR INFORMATION:** Please allow at least five working days for processing any request for information.

**INFORMATION REQUESTS FROM INDIVIDUAL STUDENTS OTHER THAN TRANSCRIPTS AND DEFERMENT FORMS**

**REQUEST TO OBTAIN INFORMATION FROM YOUR RECORDS FOR YOURSELF**

A student desiring information from his or her student file must submit a completed "Request for Information from Records" form to Student Affairs. The most frequently requested item in this category is a copy of the application for admission.

**REQUEST TO SEND INFORMATION TO THIRD PARTY**

A student desiring that information be sent from the Law Center to a third party must submit a completed "Request to Send Information to Third Party and Release" form to Student Affairs. The most frequently requested items in this category include sending information to prospective employers, other law schools, or out-of-state bar examiners.

**INFORMATION REQUESTS FROM STUDENT ORGANIZATIONS**

Student organizations at times need information from Student Affairs concerning the entire student body or individual students. The Family Educational Rights and Privacy Act requires us to treat student records as confidential information. Generally, we can only release published directory information (i.e., names, addresses, and phone numbers). It is not always possible, and it is rarely advisable, for us to release information on very short notice. Please follow the procedures outlined below to enable us to assist you throughout the year.

(1) Any request for student information must be in writing and must first be submitted to your faculty advisor.

(2) If the request is approved, your faculty advisor must then forward your request to the attention of Student Affairs. We generally are unable to process a request received directly from a student. Faculty members have rights to receive information that generally do not extend to students.

(3) A request should be received in Student Affairs at least ten working days in advance of the date you need the information. The earlier we receive the request, the more likely you will receive the information when you need it.

(4) The written request must spell out completely the nature of the request, the reason for the request, and the persons who will have access to the information requested.

(5) If the request is for confidential information about a particular student, a release form, signed by the student and authorizing release of the information requested, must be attached to the request. Release forms are available in Student Affairs.

(6) Any person who receives student information is bound to treat that information as confidential and use it only for the purpose for which it was released.



## **GRADES: HOTLINE, POSTING AND MAILING**

**1. STUDENT AFFAIRS HOTLINE** Students may call the Student Affairs Hotline at 452-6132 for a recorded message of what grades have been posted. The Hotline is updated as soon as additional grades are received, processed, and posted. All calls concerning the receipt and posting of grades will be forwarded to the Hotline.

**2. POSTING OF GRADES** Once the exam period has ended, grades are posted as soon as they are received and processed. Grades are posted in the main corridor. Grades are not posted for students with delinquent accounts, past-due emergency loans, or outstanding library fines.

**3. MAILING OF GRADES** Grade reports are mailed out by the University Registrar's Office to all students after all grades for the term have been received and processed. This is generally six to eight weeks after the last exam for the term.

Student Affairs will take requests to mail grades to you as grades are received, if the requests comply with the following:

- (1) For each of your courses, you must provide a separate self-addressed stamped postcard or envelope with 3 x 5 card.
- (2) Print all the following information, in the order listed below on each postcard, or on a 3 x 5 card paperclipped to each envelope:

Course Number and Section, if any  
Professor's Name  
Your Exam Number  
Your Name  
Your Social Security Number

Requests not in compliance will not be processed.

## TRANSIENT STUDENT PROCEDURES

To obtain credit for courses taken at another law school, a student must follow all of the procedures listed below.

1. A student must petition for permission to obtain credit for courses taken at another law school. For a term during the regular academic year, a petition will be granted only upon extraordinary circumstances. For a summer term, permission is routinely granted in accordance with the procedures outlined.
2. All course work taken at another law school must be approved in advance.
3. Any course required at NSU which you wish to take at another law school must be pre-approved by one of our full-time faculty who teaches the required course. To seek this approval, you must submit to the faculty member a course description, syllabus, and text(s) required for the other law school's version of the required course; you must submit the professor's written approval to Student Affairs.
4. Petitions should be submitted to Student Affairs and must contain the following information:
  - a. Your name, complete mailing address, phone number, social security number, expected graduation date, and the term for which you are seeking transient status.
  - b. The exact dates for the term at the school you will be attending.
  - c. For a regular term, the extraordinary circumstances upon which your petition is based.
  - d. A copy of the school's calendar for the semester you will be attending, which clearly shows both the exact days that classes are regularly scheduled and all holidays and other days when classes are not regularly scheduled.
  - e. A copy of the school's schedule of classes offered (schedule must indicate all courses offered, as well as the days and times they meet).
  - f. Name of the law school (must be ABA approved).
  - g. Complete mailing address and telephone number of the other law school and name and title of individual to whose attention any correspondence should be sent.
  - h. Type of grading system utilized by the other law school. If a numerical system is used, the equivalent for letter grades must be supplied directly from the Dean or the

Registrar of the other law school.

- i. Number of credit hours for which the student intends to register and whether they are semester or quarter hours.
  - j. Complete course titles for desired courses. List alternates in case the other law school cannot accommodate your first choice.
  - k. A description of courses copied from the other law school's catalog or another official source if the catalog contains no description.
  - l. A list of the prerequisites for each course that you wish to take at the other law school.
5. If the arrangements are approved, a letter will automatically be sent to the other law school indicating that the Nova Southeastern student has permission to be a transient student. A copy will be sent to you.
  6. Nova Southeastern will accept credit for approved courses at another law school on the same basis as credit is awarded at Nova Southeastern.
  7. Grades earned at another law school are not figured into your grade point average at Nova Southeastern. All approvals are conditioned upon your remaining in good standing. If your cumulative grade point average for work taken at the Law Center falls below a 2.0, you will be ineligible to be a transient student and no transfer credit will be accepted.
  8. If the school you will be attending is on the quarter system, all credit hours earned will be converted to semester hours.
  9. To earn full residency credit for a term at another law school, you must meet the residency requirements of Nova Southeastern Law Center as set out in the Code of Academic Regulations.
  10. It is your responsibility to make certain that all transcripts are sent to the Shepard Broad Law Center of Nova Southeastern University, 3305 College Avenue, Fort Lauderdale, FL 33314. Transcripts should be sent to the attention of Student Affairs. You will not receive credit at Nova Southeastern for courses taken at another law school until an official transcript is received directly from the other law school. Your graduation and certification to the Board of Bar Examiners may be delayed pending receipt of the transcripts.

## WITHDRAWAL

A student contemplating withdrawal from the Law Center should consult with Student Affairs before taking such action. In order to withdraw officially, a student must submit to Student Affairs a completed Student Transaction form and a written petition to withdraw. Before a petition to withdraw can be approved, the student must satisfy or make arrangements to satisfy all obligations to the Law Center and the University, including a Financial Aid Exit Interview. If a student seeks to withdraw during a term, the rules concerning withdrawal from a course also apply. Note: Notifying your professor or Financial Aid of your intention to withdraw or merely ceasing to attend class does not constitute an official withdrawal. A student who has registered will be considered enrolled in the Law Center and charged tuition until he or she does officially withdraw. Tuition will be refunded according to the published tuition refund policy.

A student contemplating withdrawal from a specific course must petition Student Affairs in writing and should consult the section(s) of the Code of Academic Regulations regarding withdrawal for the appropriate procedures and limitations.



## TUITION REFUND POLICY

### STUDENTS WHO WITHDRAW FROM ALL CLASSES

If a new first year student withdraws from all classes before 5:00 p.m. on the last business day before classes begin, tuition is refunded minus a \$650.00 deposit.

If a returning student withdraws from all classes before 5:00 p.m. on the last business day before classes begin, tuition is refunded minus \$50.00.

If a returning student withdraws from all classes after classes have begun, but before drop-add has ended, tuition is refunded minus \$175.00.

If a student withdraws from all classes after drop-add has ended, tuition will be refunded according to the following schedule:

1. Withdrawal within 5 business days from the end of drop-add, 25% of tuition is retained by the Law Center.
2. Withdrawal within 10 business days from the end of drop-add, 50% of tuition is retained by the Law Center.
3. Withdrawal within 15 business days from the end of drop-add, 75% of tuition is retained by the Law Center.
4. Withdrawal on or after 15 business days from the end of drop-add, 100% of tuition is retained by the Law Center.

### ■ STUDENTS WHO PAY PER CREDIT HOUR AND WITHDRAW FROM ONE OR MORE CLASSES, BUT NOT FROM ALL CLASSES

If a student who pays per credit hour withdraws from one or more classes, but not all classes, before drop-add has ended, all tuition for the class(es) dropped will be refunded.

If a student who pays per credit hour withdraws from one or more classes, but not all classes, after drop-add has ended, tuition will be refunded according to the above schedule (paragraphs 1-4).

Intensive Trial Advocacy: All portions of the tuition for this special class are non-refundable.

## LEAVE OF ABSENCE

A student may petition Student Affairs for a leave of absence. Upon a showing of good cause and provided that the student is in good academic standing or on academic probation, a student may be granted a leave of absence for a period of up to one academic year. A student who has not completed his or her first year of law school may request a leave of absence even if his/her G.P.A. is below a 2.0, so long as it is not below a 1.5. Such a student may be granted a leave of absence between the first and second semesters for a period up to one academic year with the understanding that upon returning to the Law Center the student's G.P.A. must be raised to a 2.0, or the student will be subject to academic dismissal. For further information with regard to a leave of absence or academic standing, please refer to the Code of Academic Regulations.

**ACADEMIC STANDING, PROBATION & DISMISSAL**

Please refer to the Code of Academic Regulations for complete rules on academic standing, academic probation, and academic dismissal.

## **THE CAREER DEVELOPMENT OFFICE AND STUDENT EMPLOYMENT**

### **THE CAREER DEVELOPMENT OFFICE**

The Career Development Office is committed to providing every law student with the skills and resources necessary to identify and successfully implement his or her career path. The Career Development Office will assist in defining professional and personal goals, identifying professional opportunities, enhancing job search skills, developing a professional network, and securing employment. Our first priority is helping you to help yourself. We are a resource, **not** a clearinghouse. You must be committed to taking full responsibility for your legal career.

The Career Development Office is open Monday through Friday from 8:30 a.m. to 5:00 p.m. and by appointment. The Assistant Dean and Director is Mary P. Buxton, Esq., the Assistant Director is Patricia Jason, and the Administrative Assistant is Shirley Thompson. The telephone number is (305) 452-6124.

All students are encouraged to make an appointment with Career Development early in their law school career. Career plans, goals, and strategies should be discussed at that time. A complete series of handouts and materials are available in the Career Development Office.

## STUDENT EMPLOYMENT

### FIRST YEAR STUDENTS:

Law Library: See Billie Jo Kaufman, Director. Starting salary is \$4.25 an hour.

Financial Aid: Federal College Work Study - see Liza Ziegler at the Financial Aid Office.

### SECOND AND THIRD YEAR STUDENTS:

Goodwin Research Assistants: Seek positions with individual professors. If unsuccessful, then see Career Development, (First Floor). Employment forms are generated by Office of Administrative Operations, to which faculty should submit written requests to hire specific students.

Individuals with Disabilities Project: See Fran Tetunic, Administrator of the King Disability Law Institute.

Career Development: See Mary P. Buxton, Assistant Dean and Director of Career Development, or her Administrative Assistant Shirley Thompson for assistance in locating part-time positions and/or volunteer positions during the academic year and summer term.



## **OTHER PROGRAMS**

### **CENTER FOR THE STUDY OF YOUTH POLICY**

The Center for the Study of Youth Policy at Nova Southeastern University, Shepard Broad Law Center, researches and develops programs and policies dealing with children's issues, including juvenile justice and child welfare. Besides the Nova Southeastern Center, there are also Centers for the Study of Youth Policy at the University of Pennsylvania and the University of Utah.

The Nova Southeastern Center provides information and assistance to advocates, practitioners, judges, and policy-makers concerned with effective youth policies at the national, state, and local levels. The Center disseminates its own research and publications, as well as material from other sources.

The Center is presently coordinating three major projects: the National Juvenile Detention Initiative, the Florida Juvenile Detention Initiative, and the Key Decision Maker Project.

Both the National and Florida Juvenile Detention Initiatives are demonstration projects, where the Center oversees the implementation of juvenile detention reform in five cities across the United States and four sites in Florida. This project includes training seminars, written reports, technical assistance, and on-site consultations centered on implementing juvenile detention reform and alternatives to traditional detention.

As part of the Florida Detention Initiative, the Center is conducting an evaluation of the specialized case management project, implemented by the Florida Department of Juvenile Justice. This project was initiated in Pompano Beach, Florida, and focuses on reducing minority overrepresentation in the juvenile justice system by improving the quality of local community-based services.

The Key Decision Maker Project involves working groups consisting of key policy makers in a number of states across the country that focus on each state's juvenile justice issues and initiatives. The Center assists these groups with consensus building, networking, policy reform, and technical assistance.

In addition to these three primary projects, the Center regularly researches new juvenile issues and maintains a high profile in the children's rights field. Students seeking information about the Center should contact either Judge Frank Orlando, Director of the Center, or Sandra O'Brien, Associate Director.

## CHARLES & LUCILLE KING DISABILITY LAW INSTITUTE

The Charles and Lucille King Disability Law Institute is a resource center for disability law issues in the state of Florida. Established in 1988, the Institute provides litigation assistance to attorneys handling disability law cases and information to the public regarding disability law matters. The Institute responds to requests for information and provides speakers on topics such as the Americans with Disabilities Act.

The Juvenile Mediation Program operates under the auspices of the Institute. It provides free mediation services to juveniles and their parents or guardians as a means to prevent the juveniles' entry into the criminal justice system and allow them to resolve family conflicts in a socially acceptable manner. The program also provides the Juvenile Court with free restitution mediation services for juvenile offenders and their victims.

For additional information, see Fran Tetunic, Director of the King Disability Law Institute.

## THE FAMILY AND CHILDREN'S LAW CONCENTRATION

The Family and Children's Law Concentration is an innovative program assisting students interested in practicing family law, including dissolution of marriage, child custody, adoption, juvenile justice, and children's rights. Through a curriculum of required courses and additional participation with mentors, special projects, and working within the field, students become well-rounded and -versed in all areas of family law practice. The program does not limit students in their course selection or career pursuits to the field of family law, and students receive a certificate noting their completion of the concentration upon graduation.

First year students interested in the Family and Children's Law Concentration should attend informational sessions about the program during the Fall semester. The application procedure takes place in January, and students are selected for the concentration and begin their participation in February of their first year.

## INDIVIDUALS WITH DISABILITIES PROJECT

The Public Service Fellowship Program of the Individuals with Disabilities Project, administered by the Disability Law Institute, is funded by a grant from the Law Students' Assistance Program of the Florida Bar Foundation. The program provides fellowships to students interested in learning, first hand, about the problems that confront individuals with disabilities and the laws that protect their civil rights. Students accepted as IDP Public Service Fellows are required to take a related course such as the Civil Rights of Individuals with Disabilities, Psychiatry and the Law, or the AIDS seminar. In addition, they spend up to 300 hours assisting attorneys who represent people with disabilities and/or doing research projects for the Disability Law Institute.

Each year fifteen students are selected to be Public Service Fellows because of interest and enthusiasm. Students apply in January, are notified in March, and start their public service either in the summer or the fall term.

For more information about the IDP, contact Professor Joseph F. Smith, faculty advisor to the project and to the Disability Law Institute, or Fran Tetunic, Director of the Disability Law Institute.

## JUVENILE MEDIATION PROGRAM

The Juvenile Mediation Program provides no-cost mediation services for juveniles, their parents, victims, or other disputants. It targets juveniles considered to be at risk of entering the juvenile justice system and serves as a diversionary program for juveniles arrested for misdemeanors. The program also provides no-cost juvenile restitution mediation services, which benefit the court, juvenile offenders and their victims.

Mediation provides the juveniles a process through which they are empowered and enabled to amicably resolve their disputes, while retaining responsibility and accountability for their actions and inactions. Specially selected law students receive mediation training and conduct the juvenile mediation sessions.

For additional information, see Fran Tetunic, program director.



## MENTORSHIP PROGRAM

In cooperation with the Law Center's commitment toward the development of lawyering skills, the Mentorship Program is designed primarily to assist law students in understanding the importance of professionalism. We want our students to hear from lawyers about the day-to-day practice of law and what it means to be a professional. The Mentorship Program provides an opportunity for students to continue the discussion about professionalism outside the clerking or employment relationship and outside the formal education structure.

As future practitioners, Nova Southeastern students will greatly benefit from having professional role models from the practicing bar. Lawyers from Broward, Dade and Palm Beach counties participate in the Mentorship Program. Students meet periodically with their mentors to discuss issues of interest to the student and develop an important contact with a member of the practicing bar.

Students are invited to join the Mentorship Program which is administered by the Law Center's Office of Career Services. Mentors include Nova Southeastern graduates and alumni from other law schools. The Program will ensure that students will meet practitioners and learn first-hand about the profession they will enter.

## PRO BONO STUDENTS AMERICA

Pro Bono Students America (PBSA) is a national program which matches law students with volunteer public interest positions during their tenure in law school. Through a national database containing thousands of volunteer positions locally and nationwide, students may be placed to work *pro bono* for organizations during any semester, break period, or for the summer. In addition, the database now contains information on paid, post-graduate public interest positions across the country. The Shepard Broad Law Center serves as the administrative center for the Southeast region of the national program, recruiting all volunteering opportunities and assisting all counselors at law schools throughout the Southeast in working with their students.

The mission of Pro Bono Students America is to encourage students to do volunteer work during law school, to instill a *pro bono* ethic in law students, to provide a tool to assist law students in making educational and career choices, and to aid underserved communities.

Law students interested in gaining hands-on legal experience at such organizations as the State Attorney's Office, Legal Aid Services, and special interest advocacy centers should complete a student interest form at the PBSA office. Students are encouraged to come to the PBSA office and register their interests with the office at any time. Positions are available for 1L, 2L, and 3L students.

## **THE ACADEMIC RESOURCES PROGRAM**

The Academic Resources Program has grown out of the Law Center's commitment to provide quality legal education to a diverse community of students. In order to help meet that commitment, the Academic Resources Program offers many opportunities to our first year students to help ease their transition into law school and an active learning environment. Whether a first year student is a "traditional" law student coming straight from college, or a "non-traditional" student making a mid-life career change; whatever a student's race, gender or sexual orientation, the Academic Resources Program offers some opportunity to the first year student to get a sense of belonging at the Law Center, to learn what law school is all about, and to learn how to develop and improve the skills needed to succeed in law school. Among the resources offered are Success Workshops focusing on study skills, problem solving and exam preparation, study tutorials where second and third year students help first years, writing workshops, and individual assistance for struggling students. The Law Center is committed to the success of all students, and the Academic Resources Program seeks to help students work effectively to ensure their own success.

## **BUILDING MATTERS**

### **BULLETIN BOARDS: POSTING POLICIES AND PROCEDURES.**

1. **BULLETIN BOARDS:** Use thumbtacks or push pins and post only on the appropriate bulletin board. Items may not be tacked, taped, stapled etc. to windows, walls, doors, etc..
2. **PULL DATE:** Everything posted at the Law Center must include a pull date--the date when the item is to be removed.
3. **STUDENT ORGANIZATIONS:** All student organization information will be posted on the bulletin boards in the Student Organization Rooms (Rooms 162-166). The Student Bar Association assigns space and is generally responsible for these bulletin boards.
4. **CLASS INFORMATION:** All class information will be posted on the "Class Assignments" bulletin board in the first floor main corridor. Class assignments and notices of class cancellations will be posted here. All assignments and other notices should be typed on three by five index cards.
5. **FACULTY POSTING ITEMS OF INTEREST TO STUDENTS:** One bulletin board in the Student Organization Rooms is reserved for posting by the faculty of items of interest to students. Bulletin boards on the second floor, in alcoves not assigned to a particular faculty secretary, may also be used for this purpose.
6. **INFORMATION ON JOBS and LLM PROGRAMS:** Information on jobs and LLM programs will be handled by, and where appropriate, posted in the Career Services Office.
7. **INFORMATION ON SCHOLARSHIP CONTESTS AND FINANCIAL OPPORTUNITIES FOR STUDENTS:** Information on scholarship contests and other financial opportunities for students will be forwarded to the President of the Student Bar Association for posting in the Student Organizations Rooms.
8. **OFFICIAL NOTICES FROM THE OFFICE OF THE DEAN:** Official notices from the Office of the Dean will be posted on the two glass covered bulletin boards in the main corridor.
9. **GRADES/REGISTRATION INFORMATION AND RESULTS:** Grades and registration information and results will be posted on the large bulletin boards in the main corridor.

### **PARKING; PUBLIC SAFETY AND OTHER BUILDING CONCERNS**

1. **PARKING** Students are prohibited from parking in spaces reserved for faculty and staff between 8:00 a.m. and 4:00 p.m. Monday through Friday. This parking regulation is in effect throughout the year, including breaks, exams, and summer school. Violators will be sanctioned and may be towed or booted. Any student who parks at the Law Center must display an NSU Law

Center parking sticker on his or her vehicle. Student parking stickers are available from the receptionist in Administration, upon completion of an application form.

**2. ROOM RESERVATIONS** Rooms in the Law Center may be reserved for student activities and functions when such functions do not interfere with classes and exams. Student groups are encouraged to plan functions and submit room requests as far in advance as possible. Students wishing to reserve rooms must do so through the receptionist inside the Administration entrance.

Everyone's cooperation is needed to help ensure that all activities are accurately reflected on the Law Center's global calendar. Individuals reserving rooms for activities of interest to the law school community must provide information including time, date, place, and who is invited when making the reservation. Rooms may **NOT** be used during the exam period as study areas.

**3. PUBLIC SAFETY: NOVALERT** Do not hesitate to call NOVALERT at 476-8999 with any safety concerns, which include but are not limited to emergencies and after hours assistance. At night, you may call NOVALERT from the Law Library, or from the telephone to the left of the elevator (atrium first floor). Any students leaving the building after dark are encouraged to call NOVALERT to have a public safety officer escort them to the parking lot. For any other concerns, please do not hesitate to call NOVALERT's office number at 476-8981.

**4. POLICY DISCOURAGING EATING AND DRINKING IN CLASSROOMS** Eating and drinking are prohibited in the Courtrooms. In addition, it is our policy to maintain the Law Center as a professional building. Consequently, the faculty strongly discourages any eating in any classroom. Furthermore, the drinking of beverages, which, if spilled, might harm school property, is also strongly discouraged. The administration may prohibit eating or drinking in any location, and any professor may prohibit eating or drinking in his or her class.

**5. OTHER BUILDING CONCERNS** Any faculty, staff, or student concerns with the building, equipment, parking, room usage, vending machines etc. should be directed to Richard Corbyons, Facilities Manager.



## **STUDENT COUNSELING SERVICES**

**General** - Each first year student is assigned a faculty advisor with who they are encouraged to meet and discuss curriculum planning. Assignment of faculty advisors is not intended to restrict students from approaching any other faculty member, it just provides a place to start.

**The NSU Clinic: Psychological Counseling** - All NSU students are entitled to use of the free psychological counseling services offered at the clinic. The counseling service is directed by Dr. Barry Schneider, a well-known clinical psychologist and a professor in the School of Psychology at Nova Southeastern. Any personal and/or learning-related problems may be addressed and referrals will be made if necessary. Students may call 452-6401 to make an appointment.

**Brain Injury Rehabilitation Program** - The university's Brain Injury Rehabilitation Center provides neuropsychological assessment of functioning related to brain injuries, which may result from accidents, illness, or other circumstances. Complete learning disability testing is also offered. Any student with a problem arising from a brain injury is eligible to receive services, as are any students experiencing specific cognitive difficulties. The program is run by Dr. Charles Golden, Professor of Psychology at Nova Southeastern. To schedule an appointment, please call 452-7202.

**Family Counseling** - Should family counseling be necessary, the Family Center of Nova Southeastern University provides a full range of diagnostic, therapeutic and educational services for children and families. Fees are discounted for Nova Southeastern University students. Contact Monica Dowling, Ph.D. at 475-7450 for more information.

**The Wellness Center** - The Wellness Center, staffed by a full-time Health Educator, promotes wellness and advocates healthy lifestyle choices for the Nova Southeastern community. The Wellness Center coordinates and develops ongoing health education programs to include the following; stress management, nutrition, fitness, AIDS, STD's, substance abuse, and alcohol awareness. In addition, the Wellness Center provides a library of health information resources that include the above topics. Literature is free to students. Videos, tapes, and books can be loaned on a weekly basis.

The Wellness Center has developed a physician referral network to assist students with their health care needs. For convenience, and to better serve the health needs of the student, the Wellness Center provides basic first aid, over the counter medication, and condoms. The Wellness Center also offers student health insurance, and a dental plan for students interested in obtaining coverage.

The Wellness Center believes that the promotion of mental health is just as important as the promotion of physical health.

Student counseling services are coordinated through the Wellness Center. One hour counseling sessions are provided weekly. This service is free to the NSU student, and is provided by student interns from the Psychology doctoral programs. To schedule an appointment for student counseling, call 452-6401.

For more information, please call the Wellness Center at 475-7052, or visit the Center at Leo Goodwin, Sr., Residential Hall, Room 144, Monday - Friday, 9:00 a.m. - 5:00 p.m.

**OFFICE OF THE UNIVERSITY REGISTRAR (located on the first floor of the Administration Building)**

### **TRANSCRIPT REQUESTS**

Students may request, from the University Registrar's office, a transcript reflecting all Law Center academic work completed or accepted. Transcript Request Forms are available at the University Registrar's office and must be submitted with a check or money order for \$5.00 for each transcript requested. Students with delinquent accounts may be unable to receive transcripts.

### **DEFERMENT FORMS**

Repayment on many student loans may be deferred while you are a law student. The University Registrar's Office processes hundreds of requests each term to complete deferment forms. Before you drop off a deferment form, please read the form carefully and provide all information that the form requires of you correctly and completely. DO NOT FILL OUT the Registrar's section. Paperclip a stamped addressed envelope to each deferment form. Failure to follow these procedures will delay processing and may jeopardize your deferment. For more information on deferments, see the section that deals with Financial Aid and Tuition.

### **UPDATING INFORMATION IN YOUR STUDENT RECORD: DATA CHANGE FORMS**

A data change form must be submitted to the University Registrar's Office for a student to change his or her name, address, or phone number. After a data change form has been submitted, it is a good idea to verify that the updated information has been entered in the computer.

To process a name change, the Registrar's Office requires documentation. The type of documentation required depends on the circumstances surrounding the name change. For example, if you were recently married, a copy of your marriage license would suffice. If your name has been changed as a result of a legal proceeding, a copy of the court order providing for your name change should be submitted.

### **STUDENT IDENTIFICATION CARDS**

All law students are issued photo-identification cards after registering for their first semester at the Law Center. Each student should carry his or her ID card on school premises at all times. Your student ID card must be presented when using the law library, and when obtaining exam numbers and other confidential information. Other University offices may also require you to present your ID.

Be sure you have a current validation sticker on your ID.

Student IDs must be updated with current validation stickers two times per year; in July or August and again in January or February. Validation stickers enable you to continue to use your ID for the above purposes. First year students registering for the first time will receive validation stickers with ID cards. Validation stickers for updating your ID and replacement ID cards (\$5.00 fee) may be obtained from the University Registrar's office.

**THE OFFICE OF STUDENT FINANCIAL AID (located on the first floor of the Administration Building)**

As part of their ongoing efforts to improve telephone service to financial aid applicants, NSU's Office of Student Financial Aid has implemented a telephone voice response system. They have named their system the Automated Telephone Counseling (ATC) System. Thanks to the ATC, you may, with the help of a touch tone phone, access information regarding your financial aid application, much as you would student loan information through your loan servicer's telephone system or your bank information through your bank's on-line system.

Through the ATC, you will be able to obtain general financial aid information, request a packet be mailed to you, or check the status of your application (including loan disbursement information) simply by punching in your social security number and four digit pin number (your birth month and year). No need to wait on hold. No more waiting for a return phone call. No need to rush to a phone on your coffee break at work. The ATC will be available twenty-four hours a day, seven days a week, and file information will be updated daily.

Of course, financial aid counselors will continue to be available for questions and concerns not addressed by the ATC. It is our hope that contacting a counselor will become a faster and smoother process. The ATC may be accessed locally at 452-3380 or toll free at 1-800-522-3243.



## **STUDENT HEALTH INSURANCE**

Students desiring health insurance may be interested in the following plans:

- A. Nova Southeastern University  
Student Injury and Sickness Excess Insurance Plan  
Student Insurance Division  
P.O. Box 809025  
Dallas, TX 75380-9025  
1-800-767-0700
  
- B. American Bar Association  
Law Student Division  
Health Insurance Program  
P.O. Box 809025  
Dallas, TX 75380-9025  
1-800-767-0700

These plans provide affordable and practical coverage for law students. Students are strongly encouraged to either obtain health insurance through one of these plans or from an independent carrier.

## University Mission Statement

"Nova Southeastern University provides educational programs of distinction from pre-kindergarten through the doctoral level at times and in locations convenient to students, prepares students for leadership roles in business and the professions, encourages research and community service, and fosters an atmosphere of creativity and innovation utilizing technology where appropriate."

## PART TWO - HONOR CODE

This Code seeks to promote high standards of academic and professional integrity.

### ARTICLE I THE HONOR COURT

- A. Composition. The Honor Court shall consist of two students and three faculty members. Student members serve for a one year term and shall be elected by students in an annual at-large election according to procedures established by the Student Bar Association. Faculty members shall be appointed by the Dean. The Honor Court shall choose a Chief Justice from among its members.
- B. Quorum. A quorum of the Honor Court shall consist of two faculty members and one student member.
- C. Jurisdiction. The Honor Court shall have original and exclusive jurisdiction over all cases in which a law student is charged with a violation of the Honor Code.
- D. Enforcement. The responsibility for the enforcement of the Honor Code shall be vested in the Law Center Community. As stated in Article III(L), it is a violation of the Honor Code to fail to report an Honor Code violation.

### ARTICLE II DEFINITIONS

- A. The Law Center Community means students, student organizations, members of the faculty, administration, and staff, including library staff.
- B. Respondent means the student against whom charges have been brought.
- C. School days means any week day the Law Center is in regular session, including reading and examination periods and summer school.

### ARTICLE III VIOLATIONS

It is a violation of the Honor Code for a student:

- A. To violate instructions or to give, receive, or use unauthorized aid while taking an examination, or to convey information regarding the content of an examination to a student who has not yet taken that examination;
- B. To give, receive, or use unauthorized aid in the preparation of a course assignment;
- C. To plagiarize: to represent another person's work, words, or ideas as one's own in a course assignment, an examination, or in any writing submitted for publication or prepared for academic credit;
- D. To submit for academic credit any course assignment or paper previously submitted for academic credit at this or any other academic institution unless permission has first been obtained from the current instructor.
- E. To disclose the identity of the author of an examination booklet or course assignment, except when permitted by the faculty member;
- F. To intentionally deprive, either temporarily or permanently, another member of the Law Center Community of the use of such person's books, notes, study materials, or personal property without such person's prior or subsequent permission;
- G. To use, or restrict the availability of library materials in violation of library regulations, in a manner prejudicial to the interests of others;
- H. To intentionally violate written rules relating to the integrity of professional, cocurricular, and extracurricular activities, including but not limited to, the Moot Court Society, Law Review, the Career Services Office, and ATLA;
- I. To make false statements, or refuse to testify, or otherwise refuse to answer questions during an Honor Code investigation or proceeding, except that no student shall be required over his objection to implicate himself in a violation of the Honor Code. No statement made by a student other than the respondent during an Honor Code investigation or proceeding may be used to implicate him in a violation of Article III(L).
- J. To make a false statement about academic matters to a faculty member or to the Honor Court;
- K. To intentionally destroy, damage, deface, steal or fail to return Law Center, SBA, or personal property belonging to any member of the Law Center Community;

- L. To intentionally fail to report an Honor Code violation;
- M. To intentionally fail to respond to an Honor Court directive or subpoena.

#### ARTICLE IV SANCTIONS

- A. The Honor Court has the authority to impose the following sanctions for Honor Code violations:
  - 1. Expulsion from the Law Center. Notwithstanding decisions under earlier versions of the Honor Code, the sanction of expulsion will be appropriate for any violation of Article III(A), (B), or (C);
  - 2. Suspension from the Law Center for up to three semesters;
  - 3. Imposition of a grade of F in the academic course involved;
  - 4. Performance of a specified number of hours of community service in a manner determined by the Dean;
  - 5. Imposition for a specified time of Honor Code probation which shall include removal from and denial of eligibility for any or all offices or positions held in the Student Bar Association, Law Review, Moot Court Society, ATLA, student law fraternities, and similar student activities;
  - 6. Public written reprimand of the respondent.
- B. In addition to imposing a sanction for violation of the Honor Code, the Honor Court shall in an appropriate case order restitution, repair, or replacement of damaged, destroyed, or stolen property.

#### ARTICLE V RULES OF PROCEDURE

- A. Complaints:
  - 1. An Honor Code proceeding is initiated by filing a signed complaint with the Dean's assistant.
  - 2. Upon filing, the Dean's assistant shall forward the complaint, in a sealed envelope, to the Chief Justice of the Honor Court.
  - 3. A complaint filed with Honor Court shall include: The name of the accused; the specific violation charged; the time, date and place of the alleged violation; any specific facts supporting the allegation; and the names of all known witnesses or a statement that there were no witnesses or



none is known.

4. The Chief Justice shall summon a meeting of the Honor Court as soon as it is practicable after receipt of the complaint and shall present the complaint to the Honor Court.
5. At this meeting the Honor Court shall by majority vote dismiss the complaint only if
  - a. The complaint as a whole is frivolous or without foundation;
  - b. Substantially the same charges against the same person have already been adjudicated in a prior Honor Code proceeding; or
  - c. The complaint is untimely. A complaint shall be untimely if the alleged violation occurred more than one year before the complaint was filed.

B. Notice and Answer:

1. If a complaint is not dismissed under Subsection A(5), then, within three School days after the Subsection A(4) meeting, the Honor Court shall give written notice to the respondent and the Dean of the violation charged, the supporting allegations, the names of any witnesses furnished in the complaint, the names of the members of the Honor Court, a copy of the Honor Code, and the requirement of an answer and the consequences of a failure to answer. The required notice may be delivered in person, or by a combination of certified mail to the last address furnished by respondent to the Dean's office and placement of the notice in a sealed envelope in the student's communication center folder.
2. Within five school days after delivery of notice in person or 10 school days after mailing and placement of the notice, respondent shall give the Chief Justice a signed written answer.
3. Failure to answer within this time limit is an admission by respondent of the violation charged, and the Honor Court shall meet within five school days after expiration of the time limit to consider sanctions.

C. Investigation:

1. If a complaint is not dismissed under Subsection A(5), then the Dean shall appoint a prosecutor who may be a member of the Law Center faculty or administration, an attorney, or a student. Students appointed as prosecutors shall be chosen from a list of students who have returned completed applications to the Dean's Office. The prosecutor shall begin an investigation.

2. The prosecutor shall attempt to interview all witnesses and obtain signed written or recorded statements from them, and shall advise them of the confidential nature of Honor Court proceedings. A prosecutor who is not a student may delegate investigative tasks to students and to other responsible individuals.
3. Upon receipt, the prosecutor shall be given a copy of respondent's answer.
4. The prosecutor and the respondent may engage in plea bargaining with respect to violations alleged and any sanction to be imposed. However, any plea bargain is conditional upon approval by the Honor Court. Should the Honor Court reject a plea bargain, then any admission by the respondent shall be deemed withdrawn.

D. Preliminary Meetings

1. If the respondent has not answered as required by Subsection B(2), the Honor Court shall meet and impose a sanction.
2. If after completing the investigation the prosecutor believes that there is insufficient credible evidence upon which to prosecute the violation charged, then the prosecutor shall request the Honor Court to hold a preliminary meeting at which the prosecutor shall recommend dismissal of the complaint. By majority vote, the Honor Court may dismiss the complaint.
3. If the prosecutor and respondent have reached a plea agreement, the prosecutor shall request the Honor Court to hold a preliminary meeting to receive the plea agreement.
4. No preliminary meeting will be held unless required under Section (A) or requested by the prosecutor under Subsection D(2) or D(3).

E. Notice of Trial

1. If respondent has returned a timely answer and the Honor Court has not dismissed the complaint, the Honor Court shall schedule a trial. Notice of the trial and its time and place shall be given to respondent at least 72 hours in advance of the scheduled time.
2. Except under extraordinary circumstances, the trial may be postponed only once on request of respondent made within 24 hours after receipt of notice of the trial and may be postponed by not more than three school days.

## F. Trial

1. The Chief Justice shall preside at the trial, and shall conduct it in an orderly, impartial, and expeditious manner.
2. The trial shall be open to the Law Center Community.
3. The respondent may have any person who is not a witness, a member of the Honor Court, or a member of the Faculty, administration or staff of the Law Center present to assist the respondent at the trial. The SBA may create an Office of Student Defender to provide assistance to students charged with a violation, is under no obligation to create the office or furnish assistance.
4. Witnesses summoned by the Honor Court, the prosecutor, and the respondent shall attend. The Honor Court shall issue such process as may be necessary to secure the attendance of witnesses, signed by a justice of the Honor Court.
5. Upon motion of either party, the Honor Court shall exclude witnesses during the testimony of other witnesses and shall caution witnesses not to speak to one another concerning the complaint during the trial.
6. The prosecutor and the respondent may make an opening statement.
7. The prosecutor shall present evidence against the respondent.
8. The respondent or his assistance shall present evidence for the respondent. The respondent may testify but shall not be compelled to testify.
9. Irrelevant or unduly repetitious evidence shall be excluded, but all relevant evidence shall be admissible. Formal rules of evidence shall not apply.
10. All witnesses who testify including respondent shall be subject to cross-examination and to examination by Honor Code Justices.
11. The prosecutor and the respondent may present a closing argument.
12. A record shall be kept of the trial by tape recording or other means.

## G. Judgment of the Court

1. At the conclusion of the trial, the Honor Court shall deliberate in private, and promptly announce its judgment to respondent and the prosecutor.

2. A judgment that respondent violated the Honor Code must be based on clear and convincing evidence and must be supported by a majority of the justices deliberating.
3. A judgment of no violation dismisses the complaint and terminates the proceeding.

#### H. Imposition of Sanction

1. Immediately following the announcement of the judgment, the prosecutor and respondent may present evidence of mitigating or aggravating circumstances.
2. The Honor Court by majority vote of the justices sitting shall impose a sanction authorized by Article Four and promptly announce the sanction to respondent.
3. The Honor Code shall give written notice of its judgment and sanction to the Dean of the Law Center as soon as is practicable. The Honor Court shall publish its judgment and sanction in an opinion, and shall forward a copy of its opinion to the Dean of the Law Center, the respondent, and the Assistant Dean for Student Affairs.
4. In imposing a sanction, the Honor Court shall not be bound by decisions under earlier versions of the Honor Code.

#### I. Court's Opinion

1. On completion of the trial, the court shall publish a written opinion to the student body outlining the Code provision alleged to have been violated, the facts involved in the case and the action taken by the Court.
2. All Honor Court opinions and appellate opinions shall be filed with and permanently retained by the office of the Chief Justice according to the Code provision alleged to have been violated. Each opinion shall then be filed in chronological order. The prosecutor, respondent, and his assistant shall have access to these files for the purpose of preparing for trial.

### ARTICLE VI APPELLATE PROCEDURE

- A. Appeal of Judgment. The judgment and the sanction imposed may be appealed to the Appellate Review Board by either party.
- B. The Appellate Review Board. The Appellate Review Board shall consist of:
  1. The Dean of the Law Center or the Dean's appointed

representative,

2. a member of the Representative Council of the SBA, chosen among themselves, and
  3. a member of the faculty of the Law Center, chosen among themselves.
- C. Time Limit. Any appeal of the judgment or sanction of the Honor Court must be taken within 5 school days following the Court's announcement of a judgment or sanction.
- D. Stays. Publication of the opinion of the court, pursuant to Article V(I) shall be automatically stayed for five school days following the imposition of sanction, and, in the event that a motion to stay has been filed with the Appellate Review Board, for an additional period of time pending the Board's disposition of the motion.
- E. Nature of Review. The Appellate Review Board shall have the power to set aside a judgment rendered or sanction imposed by the Honor Court only if the Board finds that
1. the court has exceeded its power,
  2. the judgment is unsupported by substantial evidence, or
  3. the sanction imposed is arbitrary or capricious.
- F. Majority Vote. Decisions by the Appellate Review Board shall be determined by majority vote.
- G. Remand to Honor Court. Where the Appellate Review Board finds that reversible error has occurred, the Appellate Review Board shall remand the cause to the Honor Court for appropriate action in accordance with such finding, dismissing the complaint. Upon dismissal of the complaint the name of the accused shall be expunged from the record.
- H. Record of Proceedings. Formal recordation of the hearing shall not be made except at the request and expense of the defendant.



PART III CODE OF ACADEMIC REGULATIONS & GRADUATION REQUIREMENTS  
STUDENT HANDBOOK, 1996-97 EDITION (student version as of 7/23/96)

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## CODE OF ACADEMIC REGULATIONS & GRADUATION REQUIREMENTS

### I. SUMMARY, WAIVERS, AND RULE CHANGES

#### A. BRIEF SUMMARY

This Code governs academic requirements, graduation requirements, and certain student rights and responsibilities. A brief summary of the basic academic and graduation requirements follows. Detailed provisions appear elsewhere in the Code, the Code's Appendices, and the Honor Code. Other sections of the Student Handbook contain useful information, such as course prerequisites. Students should consult the detailed information and should not rely exclusively on the following summary.

To graduate from Shepard Broad Law Center, a student must meet five requirements: (a) achieve a cumulative grade point average of 2.000 or higher; (b) receive passing grades for at least 87 credit hours, of which at least 73 must be in classroom courses; (c) pass all required courses and complete a writing requirement; (d) complete the equivalent of six semesters of days in residence as a full-time student or eight semesters of days in residence as a part-time student; and (e) complete degree studies within 5 years of registration as a full-time student or six years of registration as a part-time student.

The academic requirements for continued registration vary during the course of study. Any student whose cumulative grade point average is below 2.000 is subject to the rules concerning Probation and Dismissal. The rules for Probation include limitations on participation in student activities, course requirements, and grade point average requirements.

#### B. WAIVERS OF LAW CENTER RULES; ADA ACCOMMODATION REQUESTS

Students must present requests for waiver of any Law Center rule in writing to Student Affairs. When appropriate, Student Affairs will rule on the request, refer it to the Dean, Associate Dean, or appropriate faculty committee, or refer it to the faculty.

Accommodation requests based on the Americans With Disabilities Act should be made through Student Affairs and not through individual faculty or administrators.

#### C. CHANGES IN LAW CENTER RULES

A change in Law Center rules, including a change relating to degree requirements that may occur after the original admission of a student to the Law Center, will apply to all students unless the new rule otherwise states or the Dean or faculty waives the change on the ground of hardship.

## II. SCHOLASTIC STANDARDS

### A. MINIMUM AND MAXIMUM CREDIT LOADS

#### 1. Fall and Winter Semesters.

a. Minimum credit load. No full-time student may enroll for fewer than ten (10) credit hours. No part-time student may enroll for fewer than eight (8) credit hours.

b. Maximum credit load. No full-time student may enroll for more than eighteen (18) credit hours. No part-time student may enroll for more than twelve (12) credit hours.

#### 2. Summer Term.

a. Minimum credit load. There is no minimum credit requirement. However, a full-time student who plans to accelerate graduation by attending two summer terms must enroll for and pass at least five (5) credit hours in each summer term to satisfy residency requirements. A part-time student who plans to accelerate graduation by attending two or more summer terms must enroll for and pass at least four (4) credit hours in each summer term to receive full residency for that term.

b. Maximum credit load. No full-time student may enroll for more than nine (9) credit hours. No part-time student may enroll for more than six (6) credit hours.

3. Auditing Courses. Students may audit a course with the permission of the professor but only if all seats are not taken by students enrolling for credit. Audited courses do not count toward residency or other graduation requirements.

### B. COURSE PREREQUISITES AND REGISTRATION PRIORITIES

1. Prerequisites. Course prerequisites are published in the Student Handbook and updated in registration materials. **Neither the instructor nor the administration can waive a prerequisite.** Students who enroll in a course for which they lack one or more prerequisites will be dropped from the course no matter how late in the term the problem is discovered. The responsibility for determining that prerequisites are met lies with the student. Prerequisites are listed in the Student Handbook and are also on file in Student Affairs.

2. Priorities. Except as specified below, third year students have priority in registration for all courses.

Students for whom courses are required receive registration preference for those courses. Full-time students (and part-time students who began their studies before summer 1996) receive preference for day sections of those courses; part-time students receive preference for evening sections of those courses.

Second year full-time students receive registration preference in all day sections of the following courses: Constitutional Law II, Corporations; Criminal Procedure; Evidence; Family Law; Income Tax; and Wills & Trusts.

Second year full-time students also receive registration preference vis-a-vis third year full-time students for all winter semester Trial Advocacy sections and for May offerings of Intensive Trial Advocacy. Comparable rules apply to part-time students who have completed the prerequisites for these courses.

### C. CREDIT IN MISCELLANEOUS CIRCUMSTANCES

#### 1. Credits Earned at Other Law Schools.

a. Students transferring to Nova Southeastern. Transfer students receive all credits awarded by another ABA-approved law school for courses completed with a grade of C or better. See also Appendix B.

b. Nova Southeastern students taking courses at other ABA-approved law schools. Before registering for courses at another ABA-approved law school, a Nova Southeastern student must obtain written permission from Student Affairs for the courses to be taken. The student will receive all credits awarded by the other law school for courses completed. Special permission is required before a student can take a course that is required for graduation or that will be used to meet course prerequisites for advanced work.

Maximum credit and term limits apply. Nova Southeastern students can earn credit for no more than two semester equivalents (two semesters, one semester and two summer terms, etc.) of work taken as a transient student at another law school. Students who attend summer terms at other law schools cannot earn more than sixteen (16) summer credits toward the Nova Southeastern degree.



c. Study at foreign law schools. The ABA imposes special requirements for programs involving study in other countries under the auspices of an ABA-approved school or a foreign law school. Student Affairs should be consulted well in advance by students interested in these programs.

d. Foreign attorneys. See Appendix B for rules governing foreign attorneys.

e. Classroom and nonclassroom courses. Courses taken at other law schools will be treated as classroom or nonclassroom based on how comparable courses at Nova Southeastern are treated. See Appendix A.

f. Residency days. When courses are taken at other law schools, residency credits will be based on the number of residency days at the school attended, not based on the number of days Nova Southeastern is in session during the period.

2. Credits Earned at Schools Other Than Law Schools. Credits earned outside a law school are considered nonclassroom credits and are subject to the rules governing nonclassroom courses in Appendix A.

3. Nonclassroom Courses--Special Requirements and Limitations. A student must earn at least 73 credits in classroom courses to graduate. Therefore, a student may enroll for-- but will not receive credit toward graduation for--more than 14 credits of nonclassroom courses. In addition, each category of nonclassroom courses has a maximum number of credits. A student may enroll for but will not receive credit toward residency or other graduation requirements for more than the maximum listed credits for each category of nonclassroom courses. A list of nonclassroom courses, their respective maximum credits, and the special rules governing enrollment in nonclassroom courses appears in Appendix A.

#### D. EXAMINATIONS

1. When required. The Law Center requires a written examination in every course for which credit is given, except clinical work and courses requiring extensive written work such as moot court, trial advocacy, legal writing and drafting, seminars, workshops, and supervised research projects.

2. Anonymity of Grading. Examinations are graded anonymously. The administration will distribute anonymous numbers each semester. Professors must submit all examination grades by the anonymous number appearing on the examination. Students must not put their names or other identifying information anywhere on examinations.

3. Absence from Examination. A student absent from a final examination will receive a grade of F unless the absence is excused.

a. Student requests for an excused absence from an examination must be submitted in writing to Student Affairs before the examination.

b. A student who for extraordinary reasons cannot report in advance of the examination the reasons for absence must file a written request to be excused with Student Affairs at the earliest practicable opportunity, stating in writing the reason for the late request as well as the reason why the student should be excused from the examination.

c. A student with a properly excused absence from a final examination will receive a grade of Incomplete.

4. Failure to Complete Examination. A student who begins an examination has decided that he/she is well enough to sit for and complete the examination. Therefore, a student who receives a copy of an examination from a proctor will be graded on the work submitted by the end of that examination even if the student is unable for any reason to finish taking the examination. A student may petition the faculty for extraordinary relief and request to be retested, but should understand that the faculty is unlikely to grant such a petition. A student who believes he/she will be unable to complete an examination should notify Student Affairs before the examination and request an excused absence.

5. Problems During Examination. All Law Center examinations are proctored. If a student discovers a problem, such as an examination with missing pages, or becomes ill during the examination, he/she should immediately report the problem to the proctor. The proctor will consult with Student Affairs if he/she is unable to resolve the problem.

#### E. GRADING

1. Grading System. The Center uses the following grading and quality point system:

<u>Letter Grade</u>	<u>Quality Points</u>
A	4.0
B+	3.5
B	3.0
C+	2.5

C	2.0
D+	1.5
D	1.0
F	0.0
Audit	AU
Incomplete	I
Pass	P
Withdrawal	W
No Credit	NC

2. Courses for Which Credit, but not Quality Points, Can Be Earned or Which Are Subject to Special Grading Rules.

a. Pass/D/Fail. The following courses are graded pass/D/fail: Corporate Internship; Criminal Clinic; Guardian Ad Litem; Trial Competitions; Judicial Administration; Law Review; Moot Court; and Street Law.

b. Pass/D/Fail or Letter Grade. Civil Clinic and Legislative internship may be either a letter grade or pass/D/fail at the option of the professor.

c. A pass in courses graded pass/D/fail earns hours toward graduation but does not affect the grade point average. A fail or a D will affect a student's grade point average.

3. Class Preparation and Attendance Affecting Grades.

a. Lowering of grades. A professor may lower to the next grade a student's final grade if the student has been unprepared or absent without excuse more than two (2) times. This rule is self-executing. Faculty members are not required to announce its application in advance.

(1) A student who because of inadequate class preparation does not respond to a professor's inquiry is unprepared.

(2) A student who is absent without excuse will not also receive an unprepared for that class.

(3) Each professor may decide what circumstances will excuse a failure to be prepared. Circumstances that would excuse an attorney from a scheduled court appearance generally will excuse a student from preparation for a scheduled class.

(4) Before submitting final examination grades, a professor must transmit to Student Affairs the names of students to receive lowered grades. Student Affairs will lower the anonymously reported examination grades accordingly.

b. Raising of grades. A professor may raise to the next grade a student's final grade based on outstanding class participation.

(1) A professor who invokes this rule must give notice to the class before counting the student's participation.

(2) A professor electing this option must, before submitting final examination grades, transmit to Student Affairs the names of students to receive higher grades. Student Affairs will raise the anonymously reported examination grades accordingly.

c. Courses graded by student's name. A professor raising or lowering grades in a courses not graded anonymously can raise or lower students' grades before submitting the grade list to Student Affairs.

4. Excessive Absences Will Result in Grade of F for Course. This rule is self-executing. Faculty members are not required to announce its application in advance.

a. A professor may bar from a final examination any student who exceeds the maximum permitted length of unexcused absences. A student barred from the examination will receive a grade of F in the course. If the course grade is not based on a final examination, the professor may nevertheless bar the student from completing further classwork and assign a grade of F. Unless the professor announces a lower number, a student cannot be absent without excuse for more than 100 minutes per credit hour.

(1) Fall/winter semester. The chart below illustrates various applications of the rule during the fall and winter terms.

Course Credits	Absent Weekly Minutes	Maximum Minutes/ Meetings	Absences Meeting	Maximum (# of Meetings)
1	100	1	50	2

2	200	2	50	4
2	200	1	100	2
3	300	3	50	6
3	300	2	75	4
3	300	1	150	2
4	400	4	50	8
4	400	3	67	6
4	400	3	75	6
4	400	2	100	4

(2) Summer term. Because summer school classes usually meet twice as long each week as regular semester classes, it usually takes one half as many missed class meetings to reach the maximum of 100 minutes per credit hour. For example, a 3 credit summer school course (300 class minute maximum) may meet twice a week for 3 hours each meeting. Two unexcused absences are the maximum for that 3 credit course.

b. An unexcused absence also can lead to lowering of the student's grade. See Section II.E.3.a.

c. Each professor may decide what circumstances will excuse a student's absence. Circumstances that would excuse an attorney from a scheduled court appearance generally will excuse a student from attending class.

5. Transmission of Grades. Professors cannot advise students of their grades until Student Affairs posts grades. Student Affairs has sole authority to transmit grades to the Registrar for mailing to students. No Law Center employee can transmit notification of a grade over the telephone.

6. Change of Grades. A professor who has transmitted grades to Student Affairs can change a grade only to correct a professor's clerical error. No grade will be changed unless the professor submits a written explanation to Student Affairs describing the clerical error.

## F. REPEATING COURSES

### 1. Required Courses.

a. Mandatory repetition. A student who fails a required course must repeat the course. A student cannot enroll in subsequent semesters of Legal Research and Writing before first passing the previous semesters in the sequence.



b. Time for repetition. A student must repeat a required course by retaking it during the next regular semester it is offered if there is a seat available.

2. Elective Courses. A student who fails an elective course may, but is not required to, repeat it. Students should note that passing grades in many elective courses are prerequisites for advanced courses, including the Clinics.

3. Courses That Were Not Failed. A student cannot repeat for credit a course for which he/she has received Law Center credit.

4. Reflection on Transcript of Repeated Courses. Both the original F and the grade earned upon repetition for a repeated course will appear on the transcript, compute into the cumulative gpa, and count for class rank.

#### G. FAILURE TO COMPLETE COURSES & WITHDRAWAL FROM COURSES

1. Withdrawal--Required Courses. A student may not withdraw from a required course (other than Professional Responsibility) except in extraordinary circumstances upon written petition approved by Student Affairs and the instructor. Withdrawal after the close of drop/add period will be noted on the student's transcript.

2. Withdrawal--Limited Enrollment Courses and Externships. A student may withdraw from the following courses only before the first day of the semester or summer term involved: all seminars; all workshops; Alternative Dispute Resolution; Civil and Criminal Clinic; Corporate Internship; Guardian Ad Litem; Interviewing, Counseling & Negotiating; Judicial Administration; Legislative Internship; Pre-Trial Practice and Criminal Pre-Trial Practice; Street Law; and Trial Advocacy, including Intensive and Advanced Intensive. During the drop/add period, a student may withdraw only with the permission of the instructor. A student may drop a course after the drop/add period ends only with the permission of Student Affairs and the instructor based on a petition stating extraordinary circumstances. Withdrawal after the close of drop/add will be noted on the student's transcript.

3. Withdrawal--Other Elective Courses and Professional Responsibility. A student may withdraw from an elective course or from Professional Responsibility at any time during the drop/add period. The drop/add period ends after five class days or after all classes have been scheduled for at least one meeting, whichever is earlier. A student may drop a course after the drop/add period ends only with the permission of Student Affairs and the instructor based on a

petition stating extraordinary circumstances. Withdrawal after the close of drop/add will be noted on the student's transcript.

4. Incomplete Grades--When Given. A student will receive a grade of Incomplete (I) when:
  - a. Properly excused for absence from the final examination; or
  - b. Granted additional time by the professor to complete course requirements other than a final examination.

5. Incomplete Grades--Removal.

- a. Courses requiring examinations. A student must take an examination to remove an incomplete in an examination course. The professor may determine the date of the examination, which cannot be later than the end of the examination period of the second regular semester following the term in which the grade of Incomplete was given. A student who does not take the examination within the required time will receive an F. See Section II.D.3 for procedures to follow in requesting an excused absence from an examination.

- b. Courses requiring papers or other nonexamination requirements. When a course requires completion of a paper or other project to remove a grade of Incomplete, the professor will determine the due date for submission of the required work, which cannot be later than the end of the examination period of the next regular semester following the term in which the original grade of Incomplete was given. A student who submits a paper after the deadline will receive a grade of F. See Section II.G.4 regarding granting of additional time.

#### H. ACADEMIC STANDING; ACADEMIC PROBATION; ACADEMIC DISMISSAL<sup>1</sup>

1. Good Academic Standing. To be in Good Academic Standing, a student must have a cumulative gpa of at least 2.000. Students who are not in Good Academic Standing cannot take nonclassroom courses (Appendix A) or participate in accredited student activities (see Section II.I. infra), but in some circumstances they may be eligible to continue studies at the Law Center. Students' academic standing is determined:

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<sup>1</sup> These rules apply to students beginning their studies at the Law Center on or after June 30. Students who began their studies earlier should consult Student Affairs for the relevant provisions of these rules.

a. **First Year Students:** at the end of the first two semesters, including the summer immediately following the second semester if the student enrolls in summer classes for academic probation or dismissal. A student who has completed two semesters can register for the first year summer term only if it is mathematically possible for the student to achieve a cumulative gpa of at least 1.750 by the end of the summer term OR if the student attained a gpa of 2.000 in at least one semester during the first year.

For eligibility to participate in student activities and non-classroom courses, Good Standing is determined at the end of each semester or summer term including the student's first semester at the Law Center.

b. **All Other Students:** at the end of each semester or term of enrollment.

2. **Academic Dismissal.** Students who do not qualify for Good Standing or Probation are dismissed and are ineligible to continue studies at the Law Center. Students are not in good standing or eligible for Probation if they (a) fail to achieve the required minimum cumulative grade point averages; (b) fail to achieve the required minimum semester or term grade point averages set forth in Tables 1 through 5 (Appendix C); or (c) fall below a cumulative 2.000 after having previously been on probation following any term or semester other than their first. Dismissal is final and unreviewable by any means.

3. **Probation.** Students who are not in good standing are eligible for Probation only if they are mathematically able to attain the required cumulative grade point average within the time allotted. See Appendix C.

4. **Effect of Grades Earned Elsewhere.** Only grades earned at Shepard Broad Law Center will be used in determining whether a student has attained any gpa requirement listed in this section.

5. **Timetable for Probation and Dismissal.** The rules governing Probation and Dismissal depend on when a student's cumulative grade point average drops below a 2.000 for the first time. Those rules are set forth in Tables 1 through 5, found in Appendix C. Students repeating the first year, transfer students, and foreign attorneys are subject to the rules in Tables 2 through 5; their first semester of enrollment is treated, for purposes of these rules, as being their third semester.

6. **Students Repeating the First Year, Foreign Attorneys, and Transfer Students.** A student repeating the first year (a student who was previously dismissed from law school or who previously withdrew from law school after taking at least one second semester examination), or a transfer student (including a foreign attorney) is subject to the rules applied to students who fall below a 2.000 during the first semester or term following the first year.

7. Intensive or Mini-Course. Grades earned by a student in an Intensive (or Advanced Intensive) Trial Advocacy course or Law Center mini-course immediately after enrollment in a fall or winter semester will be computed as earned in that immediately preceding semester for the purpose of determining academic standing and dismissal.

8. Transient Students. Transient students are ineligible to continue if their cumulative grade point average (counting only courses taken at Shepard Broad Law Center) is below 2.000 after any regular semester or summer term. Transient students are ineligible for a probationary term.

9. Application for Readmission as a First Year Student.

a. A student dismissed from the Law Center can apply to the Admissions Committee for readmission as a first year student only for a fall semester to begin after the student has been out of law school for at least two academic years.

b. A student who has completed at least the first year at another law school and failed to maintain the grade point average necessary to continue at that school can apply to the Admissions Committee for readmission as a first year student only for a fall semester to begin after the student has been out of law school for at least two academic years.

#### I. STUDENT ACTIVITIES--G.P.A. REQUIREMENTS

1. A student must be in good academic standing to serve as an officer, director or coordinator of (or hold any other position of responsibility in) any organization affiliated with the Law Center whether or not credit can be earned through participation in the activity (e.g., Law Review, Moot Court Society, SBA, FAWL). A student must relinquish any position whenever his/her cumulative grade point average falls below 2.000.

2. A student must be in good academic standing to compete in, coordinate, or serve as a witness for any intramural or interscholastic competition, or to serve on a Law Review staff or board of editors. A student in good academic standing chosen for any competition who falls below a 2.000 before the competition will be withdrawn from the competition without any grade.

#### J. LEAVE OF ABSENCE

Student Affairs may grant a student a leave of absence for good cause. A student is eligible for a leave of absence only if he/she is in Good Academic Standing or on Academic Probation.

## K. WITHDRAWAL

A student considering withdrawing from school should first consult with Student Affairs. To withdraw, a student

1. Must complete and submit to Student Affairs an official withdrawal form;
2. Must satisfy or make arrangements to satisfy all obligations to the University and the Law Center (including return of library materials).

In addition, if the student seeks to withdraw during a term, the rules concerning withdrawal from a course (Section II.G.) also apply.

A student who fails to withdraw in accordance with this procedure is ineligible to re-enroll at the Law Center. A withdrawing student's status--Good Standing, on Academic Probation, or Academically Dismissed--will not be changed because the student decides to withdraw.

## III. GRADUATION REQUIREMENTS AND PROCEDURES

A student must fulfill the requirements related to: (a) credit hours; (b) grade point average; (c) particular courses; (d) residency days; and (e) completion time.

### A. CREDIT HOURS AND GRADE POINT AVERAGE

A student must earn a minimum of 87 credit hours, including at least 73 classroom credit hours, and have a cumulative grade point average of at least 2.000. A student can receive credits only by:

1. earning a grade of D or better (or a P or D in a pass/D/fail course) in Law Center courses;
2. receiving credit for courses taken at another law school; or
3. receiving credit for graduate school courses with a grade of B or better (or a P in a Pass/Fail course).

### B. REQUIRED COURSES AND WRITING REQUIREMENT



1. Required Courses. A full-time student must take and pass each of the following required courses: Civil Procedure; Constitutional Law I & II; Contracts; Criminal Law; Legal Research & Writing I & II; Professional Responsibility; Property; and Torts. A part-time student must take and pass each of the following required courses: Civil Procedure; Constitutional Law I & II; Contracts; Corporations; Criminal Law; Criminal Procedure; Evidence; Family Law; Income Tax; Legal Research & Writing I & II; Professional Responsibility; Property; Torts; and Wills & Trusts.

2. Writing Requirement. A student must complete a seminar or a two credit Supervised Research with a grade of C+ or better. A student can also satisfy this requirement by submitting to the Nova Law Review or the Journal of International & Comparative Law a note or case comment that is certified by a full-time faculty member to merit a grade of C+ or better. Only full-time faculty members, including visiting faculty and Professors of Legal Writing on continuing contract, can offer seminars or Supervised Research. Workshops do not satisfy the writing requirement even when taught by full-time faculty. Seminars taken at other law schools or in nonlaw programs do not satisfy the writing requirement.

3. Courses Taken at Other Law Schools. The Associate Dean-Academic Affairs, consulting as necessary with the Admissions Committee or faculty members teaching in a particular subject area, will determine the extent to which a student transferring to the Law Center should be exempt from a required course based on work done at another law school. Student Affairs will determine in advance of the course being taken if coursework taken as a transient student at another law school can be substituted for a Law Center required course.

### C. RESIDENCY REQUIREMENTS

1. General Rule. To graduate, a student must earn residency credit equivalent to six full-time 70-day semesters in the study of law. A student can earn residency credits by attending classes at the Law Center, at other ABA-approved law schools, or in ABA-approved foreign programs. Part-time students require a minimum of eight 70-day semesters to earn residency credit equivalent to six full-time semesters.

a. ABA Residency Standards. Residency credit is awarded based on the number of days in a semester or term, using ABA governing rules. Computation tables are on file in Student Affairs.

b. Class Attendance. To satisfy residency and class hours requirements, a student must regularly and punctually attend class.

c. Effect of Employment. A student who works more than 20 hours per week cannot receive full residency credit for that term, and will receive no more than 3/4 of normal residency credit.

d. Last Four Semesters at Law Center. A student must spend the last four regular semesters as a resident student at the Law Center. Student Affairs can grant exceptions for a legitimate academic purpose or in cases of personal or family hardship, but a student must spend at least two of the last four semesters in residence at the Law Center, and must spend at least four semesters in residence at the Law Center. Transfer students are subject to the requirements set forth in Appendix B.

2. Credit Hours Needed to Earn Full Residency.

a. Fall/Winter Semester. A full-time student can receive a full semester of residency credit for fall or winter semester by enrolling in a minimum of ten class hours a week and receiving credit for at least nine hours; a part-time student can receive  $\frac{3}{4}$  of a semester of residency credit for fall or winter semester by enrolling in, and receiving credit for, at least eight class hours a week. A student who fails to satisfy either of these requirements will receive residency credit only in proportion to the ratio of hours enrolled or credit received to the minimum specified.

b. Summer School. A full-time student can receive  $\frac{1}{2}$  of a semester of residency credit for summer school by enrolling in and passing a minimum of five credit hours; a part-time student can receive  $\frac{1}{3}$  of a semester of residency credit for summer school by enrolling in and passing a minimum of four credit hours.

3. Courses Not Sponsored by Shepard Broad Law Center. Because other programs may offer fewer than 70 days of residency in a particular semester (or 35 in a particular summer term), these programs present special concerns regarding residency. Before enrolling in such a course, a student must obtain permission from Student Affairs, which will provide a residency computation for the program.

4. Transfer Students and Foreign Attorneys. See Rules in Appendix B.

#### D. MAXIMUM TIME REQUIREMENTS

A full-time student must earn all credits for the J.D. degree within five years of beginning law school studies except for good cause shown and with approval of the faculty. A part-time student must earn all credits for the J.D. degree within six years except for good cause shown and with the approval of the faculty.

## E. GRADUATION WITH HONORS; DEAN'S LIST

1. A student graduates with honors by earning the following average:

Summa Cum Laude	3.600-4.000
Magna Cum Laude	3.400-3.599
Cum Laude	3.200-3.399

2. Student Affairs compiles separate Dean's Lists for the first, second and third year classes full-time classes (including part-time day students who began their studies before 1996) and for the first, second, third, and fourth year part-time classes. Dean's List computations are made for each regular semester and reflect grades earned for that semester. Dean's list includes students in the top 15% of their class for the semester. A full-time student is not eligible for Dean's list unless he/she has completed at least 10 credit hours, of which at least 5 must be in courses for which letter grades are awarded. A part-time student is not eligible for Dean's list unless he/she has completed at least 8 credit hours, of which at least 4 must be in courses for which letter grades are awarded.

## F. FORWARDING GRADUATES' NAMES TO TRUSTEES

1. Requirement. A student can graduate with a J.D. degree from the Law Center only upon recommendation of the Law Center forwarded through the Dean's Office to the President and Trustees of the University. Before a recommendation can be forwarded, the Dean's Office must ascertain that each prospective candidate for the J.D. degree has met all of the requirements for the degree in timely fashion.

2. Procedure.

- a. Promptly after submission of grades, Student Affairs will review the complete file of each prospective graduate to determine if the student has completed all requirements for graduation.

- b. A student will graduate on the degree conferral date determined by the University Board of Trustees.

3. Liquidation of Indebtedness. A student must pay all debts owed to the University before graduating, receiving grades or transcripts, receiving a Dean's Certificate to take any bar examination, or receiving any other administrative services from the University.

#### IV. CODE OF STUDENT CONDUCT

- A. Jurisdiction. The Honor Court has exclusive power to impose a penalty, including a lower grade, upon a student as a result of a finding or belief that the student has engaged in conduct that violates the Honor Code. However, a professor retains complete discretion to grade written work which is based wholly or partly upon research by the student. The Dean retains authority to address complaints of sexual harassment and other allegations of conduct that poses an imminent threat to the well being of others in the Law Center community
- B. Code. The Honor Code approved by the faculty in May 1994 governs student conduct.
- C. Court Composition. The Honor Court shall be composed of three (3) faculty members and two (2) student members.
- D. The Dean appoints the faculty members of the Honor Court.

#### V. FACULTY ADVISORS FOR STUDENTS

All students will be assigned a faculty advisor, who will be available to advise them throughout their academic career. The advisor will meet with advisees as needed.

#### VI. MISCELLANEOUS FACULTY POLICIES: OFFICE HOURS, ABSENCES FOR RELIGIOUS HOLIDAYS, TAPING, AUDITING, WRITING COMPONENT

- A. Each faculty member has the right to set the time made available for consultation with students. Faculty members must devote a reasonable amount of time each week to a fairly regular schedule of office hours.
- B. Each professor may adopt his/her own policy regarding absences on religious holidays. An absence for religious reasons the evening before a day on which the Law Center is closed for a religious holiday is treated as an excused absence.
- C. Each professor may permit or prohibit the use of tape recorders in class. Faculty are encouraged to allow videotaping and audiotaping of classes meeting the evening before religious holidays on which the Law Center is closed as well as on religious holidays for which the Law Center is not closed.

D. Each professor may permit or prohibit students from auditing courses in which space is available.

E. Each professor will determine the type of writing component appropriate to the course that he/she is teaching.

## VII. NONDISCRIMINATION AND SEXUAL HARASSMENT

### A. NONDISCRIMINATION

The Law Center does not discriminate on the basis of race, color, age, sex, sexual preference, religion or creed, national or ethnic origin, veteran status, or disability in the administration of its educational policies, admissions policies, scholarship and loan programs, or other Law Center-administered programs.

### B. SEXUAL HARASSMENT

1. It is the intent of the University and the Law Center to protect all employees and students from sexual harassment. Sexual harassment of employees violates Title VII of the Civil Rights Act of 1964. Sexual harassment undermines the integrity of the employment and academic environment, debilitates morale, and interferes with the effectiveness of employees and students.

a. Nova Southeastern University and the Shepard Broad Law Center will not tolerate sexual harassment. Sexual harassment is an insidious practice. It demeans individuals being treated in such manner, and creates unacceptable stress for the entire organization. Persons harassing others will be dealt with swiftly and vigorously.

b. Normal, non-coercive interaction that is welcomed by both parties is not considered to be sexual harassment.

2. Sexual Harassment of or by an Employee, Client or Vendor

a. In accordance with the Equal Employment Opportunity Commission promulgated guidelines, unwelcome sexual advances, unwanted requests for favors of a sexual nature, and any other unwanted verbal or physical conduct of a sexual nature are considered sexual harassment if:



(1) Explicit or implicit submission to sexual overtones is made a term or condition of employment.

(2) Employment decisions are made on the basis of whether submission to or rejection of sexual overtones occurred.

(3) An individual's work performance is unreasonably interfered with by a sexually intimidating, hostile, or offensive atmosphere.

b. At Nova Southeastern University and Shepard Broad Law Center, sexual harassment of or by employees includes:

(1) Unwelcome or unwanted sexual advances. This includes unwelcome physical contact or sexual advances considered unacceptable by another individual.

(2) Requests or demands for sexual favors. This includes subtle or blatant pressures or requests for any type of sexual favor accompanied by an implied or stated promise of preferential treatment or negative consequence concerning one's employment status.

(3) Verbal abuse that is sex-oriented or considered unacceptable by another individual, as well as sexually derogatory comments. This includes commenting about an individual's body or appearance when such comments go beyond mere courtesy; telling jokes that are clearly unwanted and considered offensive by others; or other tasteless sexually oriented comments or innuendoes or actions that offend others.

(4) Engaging in any type of sexually oriented conduct that would unreasonably interfere with another's work performance. This includes extending unwanted sexual attention to someone that reduces personal productivity or time available to work at assigned tasks.

(5) Creating a work environment that is intimidating, hostile, or offensive because of unwelcome or unwanted sexually-oriented conversations, suggestions, requests, demands, physical contacts or attentions.

3. Sexual Harassment by Employees of Students. Sexual harassment by employees of students consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature including unwelcome patting, pinching, or touching and offensive or demeaning sexual remarks, jokes, or gestures when:

a. Submission to such conduct is made to appear to be a term or condition of enrollment, attendance, or participation in a class;

- b. Submission to or rejection of such conduct affects academic decisions; or
- c. Such conduct has the purpose or effect of unreasonably interfering with a student's academic performance or creating an intimidating, hostile, or offensive academic environment.

4. Sexual harassment by students of students

Sexual harassment by students of students consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature including unwelcome patting, pinching, or touching when such conduct occurs in the Law Center and has the purpose or effect of unreasonably interfering with a student's academic performance or creating an intimidating, hostile, or offensive academic environment.

5. Procedure. Any student or employee who violates any portion of this policy will be subject to disciplinary action.

a. Violation by employees. All allegations of sexual harassment of or by an employee, client, or vendor will be promptly and thoroughly investigated by the University Human Resources Department, and should be reported promptly to the Director of Human Resources. An aggrieved student may also file a grievance under the Student Grievance Procedure set forth in Section VIII.

b. Violation by students. Any student alleging sexual harassment in the Law Center by a student should report the allegation to the Dean, who will investigate and take appropriate action, which may include suspension or expulsion of an offender from the Law Center.

### C. ROMANTIC AND SEXUAL RELATIONS BETWEEN FACULTY AND STUDENTS

1. Romantic and sexual relationships between a faculty member and a student are subject to the prohibition against sexual harassment.

2. Romantic or sexual relationships between a faculty member and a student then enrolled in the faculty member's class (including supervised student activities for which academic credit is given) may appear to be coercive and are discouraged. Even when no coercion is present, such relationships create an appearance of impropriety and favoritism that can impair the academic experience of all students in that class. It is, therefore, improper conduct for a faculty member to engage in a romantic or sexual relationship with a student then enrolled in the faculty member's class.

## VIII. STUDENT GRIEVANCE PROCEDURE

A. Any student who has a grievance concerning a member of the faculty or the staff may file the grievance in writing with the Assistant to the Dean.

B. Upon receipt of a written grievance, the Dean will review the grievance to determine if the grievance presents a complaint upon which action should be taken.

1. If the Dean decides no action should be taken based on the allegations contained in the grievance, then it will be returned to the individual with a brief written explanation of the reason(s) why it is not appropriate to take any action.

2. If the Dean decides an inquiry should be made to determine whether the complaint alleges conduct that should result in some action concerning the complaint, then the Dean may invoke one of the following procedures:

a. Informal resolution procedure: The Dean will inquire of the complainant for proof supporting the complaint. The Dean will request that the party the complaint is against respond to the complaint and supporting proof. If the Dean finds there is no basis for any sanction or that the complaint may be resolved informally, then the complaint will be dismissed.

b. Formal resolution procedure: If the Dean determines that there is a basis for the complaint and informal resolution is not appropriate, then he/she will appoint an Ad Hoc Committee to investigate the complaint. This Committee will be composed of four faculty members and one student; except that if the complaint concerns a staff member then the Committee will be composed of three faculty members, one staff member, and one student. The Committee will request that the parties involved attend a hearing, at which time both parties shall submit their evidence and arguments concerning the matter. The Committee will provide the Dean with a written finding of the facts and recommended solution for appropriate action by the Dean.

C. The Dean shall respond to all complaints within 90 days of their filing. The time period begins to run on the date the grievance is filed with the Assistant to the Dean.

D. If the Dean is a party to or witness in the matter of the complaint, then the Associate Dean-Academic Affairs will review the complaint under the procedure set forth in VIII.B above, including any recommendation for a solution under VIII.B.2.b. If both the Dean and the Associate Dean are unavailable, then the full faculty will meet to appoint a committee under VIII.B.2.b above.

E. The Assistant to the Dean will be the custodian of records for all actions under this procedure.

## IX. FACULTY GOVERNING BODIES

### A. FACULTY MEETINGS

1. The Dean shall call faculty meetings no less frequently than once per month during the fall and winter semesters. In the event of an emergency, and in the absence of the Dean, any tenured faculty member may call an emergency meeting to consider only those matters raised by the emergency.

2. The spirit of Robert's Rules of Order shall govern Faculty meetings provided, however, a two-third's majority of those faculty members present and voting is required to extend an offer for a teaching position at or above the Instructor's level, including changing a visitor position to tenure track or extending a visitorship for a second or subsequent year.

3. The Dean shall appoint a parliamentarian, to serve at his/her pleasure, to assure that meetings proceed in an orderly manner.

4. The Dean shall appoint a secretary, to serve at his/her pleasure, to take the minutes of faculty meetings.

5. The Dean shall prepare an informal agenda and distribute it to each member of the faculty and the SBA representatives before faculty meetings. Faculty members and the SBA representatives may add to the agenda prior to the meeting. Agenda items are to be distributed by 5 p.m. on the Wednesday before a faculty meeting (based upon faculty meetings occurring on Mondays). Faculty meetings are to end after two hours unless the faculty decides to extend the meeting time.

6. The chairperson will always have the right to one vote at faculty meetings.

7. Visiting Professors are invited to attend faculty meetings and are permitted to vote at such meetings, with the exception of tenure and hiring decisions.

#### 8. Student Representation at Faculty Meetings

a. Two representatives from the Student Body, appointed by the Student Bar Association president, may attend and participate in faculty meetings except those portions of the

meeting dealing with tenure or with matters relating to other students who have not waived their right of privacy.

b. The SBA may designate the primary student representative, who will have the right to one vote at faculty meetings. The second representative will have a right to vote in the absence of the primary student representative.

c. The faculty may sit in executive session without the student representatives present or voting on any specific matter if 3/4 of the faculty vote for such a session.

9. Abstentions will be treated, for all purposes other than determining a quorum, as though the abstaining member was neither present nor voting.

## B. FACULTY COMMITTEES

1. The Dean will publish and maintain a current list of all faculty committees, including descriptions of their duties and jurisdiction.

2. Committee Appointments.

a. The Dean will appoint the membership of all committees not listed in b, after giving each faculty member an opportunity to express a preference for assignment. The Dean will appoint the chair of each committee.

b. The faculty will annually elect members of the Contract Renewal, Promotion, and Tenure Committee, the Budget Committee, and any committee involving review of the Dean's performance. The faculty will elect members of the Dean Search Committee when a dean search is needed. These committees will select their chair.

3. Students may sit on faculty committees other than the Budget Committee, the Committee on Annual Faculty Review, and the Contract Renewal, Promotion, and Tenure Committee.

a. The Student Bar Association will appoint one primary (and one additional) student representative to faculty committees. The additional student can vote (a) only in the absence of the primary student representative or (b) if the faculty members of the committee vote to extend voting rights to a second student. In either case, the additional student representative will have the same voting rights as the primary representative.



b. The extent of student participation will depend on the determination of the individual faculty committee. Student members of the Admissions Committee may not read or vote on applicant files. Student members of the Student Affairs Committee may not participate in matters concerning other students for whom a waiver of student privacy rights is not on file.

4. The Dean will receive a copy of the minutes of every committee. The Dean will be notified in writing in advance of all committee meetings.

5. The Dean must appoint at least three faculty members to each Committee, and should attempt to appoint at least five.

6. The Dean or the Dean's designee may serve as an ex-officio member of all faculty committees.

#### C. PROPOSALS FOR CHANGES IN POLICY AND AMENDMENT OF REGULATIONS

1. A committee with responsibility to propose a faculty policy or amendment to these regulations will publish a notice of its intended meetings and agenda. The entire faculty may attend all such meetings.

2. The entire faculty will receive notice of the action of a committee on matters affecting policy or these regulations.

3. The committee will submit its recommendations for consideration and discussion during the next called faculty meeting.

4. Nothing contained in these rules prohibits the faculty from considering a motion affecting law school policy during the faculty meeting in which the motion is made.

#### D. CURRICULUM INTEREST GROUPS

1. Specific groups of faculty members will consider matters raised by particular areas of the law.

2. These groups will work with the Curriculum Committee to develop subject area tracks within the curriculum.

3. The Dean will maintain a list of curriculum interest groups and assign faculty members to interest groups based on the expressed preference of the individuals.

#### E. APPROVAL OF NEW COURSES

No course can be offered at the Law Center unless it is approved by the faculty in accordance with the following guidelines:

Fall semester courses:	preceding July 1st
Winter semester courses:	preceding October 15th
Summer term courses:	preceding April 1st

The only exceptions to this rule will be (1) courses taught by new professors at the Law Center in their first semester and (2) courses approved late at the discretion of the faculty.

#### X. FACULTY MATTERS

##### A. ACADEMIC FREEDOM

The teacher is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of 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 the subject matter, but should be careful not to introduce into teaching controversial matter that has no relation to the subject. The teacher is a citizen, a member of a learned profession, and an officer of an educational institution. When speaking or writing as a citizen, the professor should be free from institutional censorship or discipline, but the special position in the community imposes special obligations. As a learned individual and an educational officer, the professor should remember that the public may judge both the teaching and legal professions, as well as the supporting institution, by his/her utterances. Hence, the professor must strive at all times to be accurate, to exercise appropriate restraint, to show respect for the opinions of others, and to make every effort to become disaffiliated from institutional spokespersonship.

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## APPENDIX A: SPECIAL RULES GOVERNING NONCLASSROOM COURSES

I. Good Standing Required: Students must be in good academic standing when the term begins to take a nonclassroom course. Students cannot register for nonclassroom courses during the registration period if they are not in good academic standing at that time. Faculty members can set higher, but not lower, gpa requirements for nonclassroom courses.

II. The following courses are nonclassroom courses. The credit hours which appear in parentheses are the maximum credits for the respective course which can be counted toward graduation requirements. A student may enroll for, but cannot count toward graduation requirements, credits in excess of the listed maximum for each course. Additional rules governing the first three categories follow the complete list:

- (1) Nonlaw courses--courses given by any school other than a law school (4 credits).
- (2) Supervised Research--(2 credits; this is a maximum total credit limit)
- (3) Trial Competitions, Moot Court, Law Review/Journal--(combined total of 4 credits). The one credit hour earned for participating in the intramural Moot Court class/competition is subject to this limit.
- (4) Street Law--(2 credits).
- (5) Judicial Administration--(5 credits). The one credit hour earned for classroom instruction is not subject to this limit when taught during a regular semester.
- (6) Clinic--(12 credits). The one credit hour earned by Civil Clinic Externs for classroom instruction is subject to this limit.
- (7) Legislative Internship--(2 credits).
- (8) Guardian Ad Litem--(2 credits).
- (9) Corporate Internship--(3 credits; higher limits are under study)

### 1. Non-Law Courses.

a. Approval and limit on credit hours. A student must petition for and receive the approval of Student Affairs to enroll in a graduate school course. Credit cannot be earned for undergraduate courses.

(1) Students enrolled in joint degree programs. Four credits approved in the other program as part of the joint degree requirements will not be treated as a nonclassroom credit. Up to 4 additional credits in the other program may be used to satisfy Law Center graduation requirements, but these will count as nonclassroom credits. If the student does not complete the degree requirements of the other program, he/she will not be eligible to take advantage of this provision.

(2) All other students. A maximum of 4 hours of credit in non-law graduate level courses will count toward graduation.

b. Credit. A student will receive credit for graduate school courses completed with a grade of at least B, or for a pass achieved in a course graded on a pass-fail basis. The grade will appear on the Law Center transcript but will not affect the student's grade point average or class rank.

## 2. Supervised Research

a. Registration. A student may register for Supervised Research only during a regular semester or summer session. A student must register for Supervised Research no later than the last day for adding a course in that semester or summer session. A student cannot drop Supervised Research later than the last day for dropping a course in the semester or summer session during which he/she is registered for it.

b. Only currently employed full-time faculty members, including visiting professors and Professors of Legal Writing on continuing contract, can supervise Supervised Research.

c. No student may earn more than two (2) credit hours for Supervised Research.

d. No full-time student may enroll in Supervised Research for a summer term until he/she has completed at least three (3) semesters of law school; no part-time student may enroll in Supervised Research for a summer term until he/she has completed at least four (4) semesters of law school.

## 3. Law Review/Journal, Trial Competitions, and Moot Court.

a. Maximum allowable credit. No student may earn more than four credits toward graduation for participation in Law Review/Journal, Trial Competitions, and Moot Court, or for any combination of these activities.

(1) Law Review/Journal

(a) A student who performs the duties of a member of the Board of Editors of a Shepard Broad Law Center Law Review or Law Journal (as defined within the publication's By-Laws) for a full semester may receive up to two (2) hours of pass/D/fail credit. A student can earn credit for serving on the Board of Editors in a maximum of 2 semesters.

The faculty advisor may, as a matter of discretion, award two (2), one (1), or no credits to a student who has served as an editor for less than a full semester.

(b) Any student performing the By-Laws' delineated duties of a senior staff member may receive one (1) hour of pass/D/fail credit for each semester of service.

(c) Any student performing the By-Laws' delineated duties of a staff member for the equivalent of one (1) full year may receive one (1) hour of pass/D/fail credit.

(2) Trial and moot court competitions.

(a) A student participating in an interscholastic or an upperclass intramural moot court competition for which a written brief is required (e.g., the National Moot Court Competition or The Florida Bar Moot Court Competition) may receive up to two (2) hours of pass/D/fail credit.

(b) A student participating in an interscholastic trial advocacy competition for which a written brief or trial notebook is required (e.g., the ATLA National Mock Trial Competition) may receive up to two (2) hours of pass/D/fail credit.

(c) A student participating in a competition for which a written brief or trial notebook is not required (e.g., the National Appellate Advocacy Competition) may receive credit under (a) or (b) above by producing a brief or trial notebook sufficient to merit academic credit.



(d) Credit cannot be earned for participation as a witness or in a similar capacity.

b. Grade point average to participate. The governing bodies of the Law Review, the Moot Court Society, and ATLA may establish higher, but not lower, than a minimum cumulative grade point average of 2.000 for participants.

c. Registration procedure. A student seeking credit for service as a member of the Law Review or for participating in a competition must register for credit hours during the normal Law Center enrollment period.

d. Method of certifying receipt of credit.

(1) Law Review/Journal. No student will receive Law Review or Law Journal credit unless the faculty advisor to the Law Review or Journal certifies, at the end of the semester for which credit is sought, that the student has completed editorial work of sufficient quantity and quality to merit academic credit.

(2) Trial Competitions and Moot Court. No student will receive credit unless a faculty advisor to the team certifies, at the end of the semester for which credit is sought, that the student participated in the competition and that the participation was of sufficient quantity and quality to merit academic credit.

**APPENDIX B: SPECIAL RULES GOVERNING TRANSFER STUDENTS AND FOREIGN ATTORNEYS**

I. Transfer Student Without Law Degree. A student who transfers to the Law Center from an ABA-approved law school must be in residence at the Law Center for a minimum of 3.5 semesters (245 days) as a full-time student. No transfer student will receive a degree from the Law Center unless he/she earns at least 52 credits from the Law Center.

II. Foreign Attorneys. A foreign attorney must be in residence at the Law Center for a minimum of 4 semesters (280 days) as a full-time student. Foreign attorneys in their final year at the Law Center will retain second year preference status for second year preference courses but will otherwise be treated as third year students.

III. The Associate Dean-Academic Affairs will notify transfer students and foreign attorneys of:

1. the courses for which they will receive credit (and amount of such credit);
2. the number of semesters/days they are to be in residence at the Law Center;
3. the particular courses (and order of courses) they must take at the Law Center; and
4. the number of credits to be earned at the Law Center, which in no event will be fewer than 58.

The Associate Dean shall follow Admissions Committee guidelines in admitting transfer students and awarding advanced standing credit.

## APPENDIX C. PROBATION AND DISMISSAL TABLES

Table 1. Cumulative GPA Below 2.000 During or at the End of the First Year (including summer if attended)

GPA	below 1.750	1.750-1.899	1.900-1.999
Semesters/Terms completed			
1 semester	probation for student activities; not eligible for summer school unless second semester completed	probation for student activities; not eligible for summer school unless second semester completed	probation for student activities; not eligible for summer school unless second semester completed
2 semesters plus summer, 2 semesters and no summer (summer is limited to term immediately following first year; a student can attend summer school only if he/she can mathematically reach 1.750 at the end of summer OR had at least 2.000 in one first year semester)	<b>dismissed</b>	probation for all purposes; subject to course and grade requirements in Table 1A.	probation for all purposes; subject to course and grade requirements in Table 1A.
first semester or term following completion of first year (A student can select whether to attend the fall semester immediately following first year or to take a leave of absence and return for winter, summer, or following fall.	<b>dismissed</b>	<b>dismissed if semester/term gpa below 2.000; otherwise probation for all purposes and subject to course requirements in Table 1A.</b>	<b>dismissed if semester/term gpa below 2.000; otherwise probation for all purposes; subject to course and grade requirements in Table 1A.</b>
second semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed if semester/term gpa below 2.000; otherwise probation for all purposes and subject to course requirements in Table 1A if student has not completed at least 58 credits</b>
third semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed if semester/term gpa below 2.000; otherwise probation for all purposes</b>
fourth semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed</b>
<p>Summary: a student who finishes the first year (2 semesters or 2 semesters plus the immediately following summer) below a 2.000 and who qualifies for probation will be dismissed for failing to attain a cumulative 1.900 by the end of the second semester or term of attendance following the first year, for failing to attain a cumulative 2.000 by the end of the fourth semester or term of attendance following the end of the first year, or for failing to attain a 2.000 in any term or semester after the end of the first year if on probation during that semester or term. A student who successfully completes probation imposed at the end of the first year and later falls below a 2.000 cumulative gpa is dismissed. A student for whom attainment of the necessary cumulative gpa during the time allotted is mathematically impossible will be dismissed.</p>			

Table 1A. Requirements of Probation Following First Year

1. The student must enroll in at least two of the following per semester: Second year preference courses: Corporations; Criminal Procedure; Evidence; Family Law; Income Tax; Wills & Trusts

2. The student may substitute first year required courses that he/she has not successfully completed for second year preference courses

3. The student must take Constitutional Law II the first time it is offered once he/she has completed Constitutional Law I

4. A student who cannot comply with requirements 1-3 must have his/her schedule approved by the Associate Dean-Academic Affairs

5. A student who is below a cumulative 2.000 gpa is subject to these course rules until he/she has completed 58 credit hours

Table 2. Cumulative GPA Below 2.000 for the First Time at the End of the First Semester or Summer Term of Attendance Following First Year (other than the summer immediately following first year)

GPA	below 1.750	1.750-1.899	1.900-1.999
Semesters/Terms completed			
first semester or term following completion of first year (A student can select whether to attend the fall semester immediately following first year or to take a leave of absence and return for winter, summer, or following fall. The summer immediately following the end of the first year does not count as the first semester or term following completion of first year.)	<b>dismissed</b>	probation for all purposes; subject to course requirements in Table 1A.	probation for all purposes; subject to course and grade requirements in Table 1A.
second semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed if semester/term gpa below 2.000; otherwise, probation for all purposes and subject to course requirements in Table 1A if student has not completed at least 58 credits</b>
third semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed if semester/term gpa below 2.000; otherwise, probation for all purposes</b>
fourth semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed</b>
<p>Summary: a student who finishes the first year (2 semesters or 2 semesters plus the immediately following summer) at or above a 2.000 but who falls between a 1.750 and a 1.999 after the following semester or summer term is on probation. A student on probation will be dismissed for failing to attain a cumulative 1.900 by the end of the next semester or term of attendance, for failing to attain a cumulative 2.000 by the end of the fourth semester or term of attendance following the first year, or for failing to attain a 2.000 in any term or semester while on probation. <b>A student who successfully completes probation and later falls below a cumulative 2.000 gpa is dismissed. A student for whom attainment of the necessary cumulative gpa during the time allotted is mathematically impossible will be dismissed.</b></p>			

Table 3. Cumulative GPA Below 2.000 for the First Time at the End of the Second Semester or Summer Term of Attendance Following First Year (other than the summer immediately following first year)



GPA	below 1.750	1.750-1.899	1.900-1.999
Semesters/Terms completed			
second semester or term following completion of first year	<b>dismissed</b>	probation for all purposes; subject to course requirements in Table 1A if student has not completed at least 58 credits	probation for all purposes; subject to course requirements in Table 1A if student has not completed at least 58 credits
third semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed if semester/term gpa below 2.000; otherwise probation for all purposes</b>
fourth semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed</b>
<p>Summary: a student who finishes the first year (2 semesters or 2 semesters plus the immediately following summer) and the following term or semester at or above a cumulative 2.000 but who falls between a cumulative 1.750 and 1.999 after the following term or semester is on probation. A student on probation will be dismissed for failing to for failing to attain a cumulative 2.000 by the end of the fourth semester or term of attendance following the end of the first year or for failing to attain a 2.000 in any term or semester if on probation during that semester or term. A student who successfully completes probation and later falls below a cumulative 2.000 gpa is dismissed. A student for whom attainment of the necessary cumulative gpa during the time allotted is mathematically impossible will be dismissed.</p>			

Table 4. Cumulative GPA Below 2.000 for the First Time at the End of the Third Semester or Summer Term of Attendance Following First Year (other than the summer immediately following first year)

GPA	below 1.750	1.750-1.899	1.900-1.999
Semesters/Terms completed			
third semester or term following completion of first year	<b>dismissed</b>	probation for all purposes	probation for all purposes
fourth semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed</b>
<p>Summary: a student who finishes the first year (2 semesters or 2 semesters plus the immediately following summer) and the following two terms or semesters at or above a 2.000 but who falls between a cumulative 1.750 and 1.999 after the next term or semester is on probation. A student on probation will be dismissed for failing to attain a cumulative 2.000 by the end of the next semester or term of attendance. A student who successfully completes probation and later falls below a cumulative 2.000 gpa is dismissed. A student for whom attainment of the necessary cumulative gpa during the time allotted is mathematically impossible will be dismissed.</p>			

Table 5. Cumulative GPA Below 2.000 for the First Time At the End of the Fourth Semester or Summer Term of Attendance Following in the First Year (other than the summer immediately following first year)

GPA	below 1.750	1.750-1.899	1.900-1.999
Semesters/Terms completed			
fourth semester or term following completion of first year	<b>dismissed</b>	<b>dismissed</b>	probation for all purposes
any subsequent semester or term	<b>dismissed</b>	<b>dismissed</b>	<b>dismissed</b>
<p>Summary: a student who falls below a 2.000 for the first time after attending four semesters or terms following the first year receives one semester on probation to attain a 2.000 cumulative gpa. The probationary semester or term will be granted only if attaining the cumulative 2.000 is mathematically possible. A student on probation will be dismissed for failing to attain a cumulative 2.000 by the end of the next semester or term of attendance.</p>			

