

DUNCAN
SCHOOL OF LAW

Lincoln Memorial University

STUDENT HANDBOOK

AND

CATALOG

2009-2010

The Duncan School of Law reserves the right to alter or amend any portion of this Catalog, at any time, with or without notice.

Rev. 01.21.10

Contents

MISSION AND PURPOSE OF LINCOLN MEMORIAL UNIVERSITY	4
INSTITUTIONAL GOALS.....	4
DUNCAN SCHOOL OF LAW MISSION STATEMENT	5
NON-DISCRIMINATION POLICY.....	6
CAMPUS FACILITIES.....	6
Pride and Preservation	6
Lockers.....	7
Lost and Found	7
Lounges.....	7
ADMISSIONS	7
Pre-requisite Admissions Requirements	8
How to Apply for Admission.....	8
How We Review Applications.....	8
TUITION AND FEES	10
FINANCIAL AID	10
POLICY REGARDING CHANGING STUDENT STATUS.....	10
ATTENDANCE REQUIREMENTS.....	11
CURRICULUM.....	12
First-Year Course Load.....	12
First-Year Curriculum.....	12
Upper-Level Curriculum.....	12
Upper-Level Writing Requirement	13
Part-Time Curriculum	14
Full-Time Curriculum	15
Course Listings	16
First-Year Required Courses.....	16
Upper-Level Required Courses.....	16
COURSE DESCRIPTION.....	19
First-Year Required Courses.....	19
Upper-Level Required Courses.....	21
Elective Courses.....	25
EXTERNSHIPS	36
ACADEMIC PROBATION, REQUESTS FOR READMISSION, & WITHDRAWALS.....	38

STUDENT COMPLAINTS.....	40
WAIVER OF ACADEMIC RULES	41
CODE OF ACADEMIC INTEGRITY	41
ACADEMICS	50
University Regional Accreditation	50
Duncan School of Law Accreditation.....	50
GRADING POLICIES.....	51
CLASS RANK POLICY	
FERPA	60
TRANSFER CREDITS	62
STUDENT ORGANIZATIONS.....	64
LAW LIBRARY	65
STUDENTS WITH DISABILITIES	65
FIREARMS AND WEAPONS	68
DRUGS ON CAMPUS.....	68
CLASS CAPTURE USAGE.....	69
COMPUTER USAGE	69
ACADEMIC CALENDAR 2009-2012	69

MISSION AND PURPOSE OF LINCOLN MEMORIAL UNIVERSITY

Lincoln Memorial University is a values-based learning community dedicated to providing educational experiences in the liberal arts and professional studies. The University strives to give students a foundation for a more productive life by upholding the principles of Abraham Lincoln's life: a dedication to individual liberty, responsibility, and improvement; a respect for citizenship; recognition of the intrinsic value of high moral and ethical standards; and a belief in a personal God.

The University is committed to teaching, research, and service. The University's curriculum and commitment to quality instruction at every level are based on the beliefs that graduates must be able to communicate clearly and effectively in an era of rapidly and continuously expanding communication technology, must have an appreciable depth of learning in a field of knowledge, must appreciate and understand the various ways by which we come to know ourselves and the world around us, and must be able to exercise informed judgments.

The University believes that one of the major cornerstones of meaningful existence is service to humanity. By making educational and research opportunities available to students where they live and through various recreational and cultural events open to the community, Lincoln Memorial University seeks to advance life in the Cumberland Gap area and throughout the region through its teaching, research, and service mission.

INSTITUTIONAL GOALS

Lincoln Memorial University is a private, independent, non-sectarian university with a clearly defined mission that distinguishes it from other educational institutions. While the University cherishes its heritage and rich traditions, it recognizes that dynamic growth and change are required to meet the needs of today's students. The University has identified the following goals, which are derived from its mission and reflect its vision for the future:

1. To secure and maintain fiscal integrity in all its activities, programs, and operations through concerted efforts to continuously increase its endowment and financial standing;
2. To provide quality educational experiences that have their foundation in the liberal arts and professional studies, promote high personal standards, and produce graduates with relevant career skills to compete in an ever-changing, increasingly global market;
3. To make educational opportunities available to all persons without reference to social status. The University seeks to stabilize undergraduate enrollment by strengthening recruitment efforts and increasing student retention through the creation of an academic and social environment that facilitates success and rewards achievement;
4. To advance the Cumberland Gap and tri-state region through community service programs in continuing education, leadership development, recreation, and the fine and performing arts;

5. To continue as a critical educational, cultural, and recreational center for the area and to develop and maintain facilities which are safe, accessible, and conducive to the development of body, mind, and spirit;
6. To attract and retain a highly qualified faculty and staff, committed to teaching, research, and service, by providing the best compensation program possible;
7. To commit resources to support the teaching, research, and service role of the institution and the faculty;
8. To continue to strengthen the faculty and staff development program with priority for allocation of resources determined by institutional needs;
9. To increase technology for all educational sites. Specifically, the University seeks to continuously improve its computer and other technological resources for faculty and students;
10. To develop and implement academic programs in response to anticipated or demonstrated educational need and to continuously evaluate and improve the effectiveness of current programs;
11. To continue the tradition of providing a caring and nurturing environment where students, faculty, and staff with varied talents, experiences, and aspirations come together to form a community where diversity and growth in the pursuit of academic and career goals are encouraged. The University seeks to develop students' potential in a supportive environment while challenging them to grow intellectually and personally; and
12. To provide high quality educational opportunities through selected undergraduate and graduate degree programs for students who live or work a significant distance from the University's main campus, and for whom other options are not as accessible or satisfactory.

DUNCAN SCHOOL OF LAW MISSION STATEMENT

The Lincoln Memorial University-Duncan School of Law builds upon a foundation that upholds the principles of Abraham Lincoln's life: a dedication to individual liberty, responsibility, and improvement; a respect for citizenship; recognition of the intrinsic value of high moral and ethical standards; and a belief in a personal God. Through teaching, research and service, the LMU School of Law will prepare graduates:

- * who are committed to the premise that the cornerstone of meaningful existence is service to humanity;
- * who understand their professional responsibilities as representatives of clients, officers of the courts, and public citizens responsible for the quality and availability of justice under the law; and
- * who have an understanding of the fundamental principles of public and private law, an understanding of the nature, basis and role of the law and its institutions, and the skills of legal analysis and writing, issue recognition, reasoning, problem solving, organization, and oral and written communication necessary to participate effectively in the legal profession.

The School of Law will:

- * graduate Doctors of Jurisprudence;
- * provide a values-based learning community as the context for teaching, research, and service that supports student achievement;
- * provide an educational program that prepares graduates for admission to the bar, and for effective and responsible participation in the legal profession; and
- * enhance access to quality legal counsel for the under-served rural communities of Appalachia.

NON-DISCRIMINATION POLICY

In support of the Mission Statement and the principles upon which it is based, Lincoln Memorial University is committed to equal opportunity for all students, staff, and faculty, to nondiscrimination in the recruitment, admission, and retention of students, and to nondiscrimination in the recruitment, hiring, promotion, and retention of faculty and staff. Lincoln Memorial University reaffirms its commitment to personnel and educational policies that comply with the requirements applicable to equal opportunity/affirmative action laws, directives, executive orders, and regulations to the effect that no person at Lincoln Memorial University shall, on the basis of age, color, creed, disability, ethnic/national origin, gender, military status, pregnancy, race, religion, sexual orientation, or any other class protected by applicable law, be excluded from participating in, or be denied benefits of, any employment or educational opportunity.

CAMPUS FACILITIES

Pride and Preservation

The School of Law facility is a wonderful asset. Properly cared for, it will be a valuable resource and a source of pride for a long, long time. Please use the following guidelines in carrying out responsibilities as good stewards of the building:

A.

1. **Furniture Set-ups in Classrooms and Public Areas.** Please maintain appropriate furniture arrangements in classrooms and keep the public areas free of tables, chairs, etc. that are not being used. If it is necessary to rearrange the furniture in a classroom for a particular purpose, please move it back to its original configuration when finished.
2. **Tables and Stack Chairs.** Tables and chairs are available for activities sponsored by officially recognized law student organizations. If you need tables or chairs, please contact the Dean's Office. Please do not sit on the tables.
3. **The Furniture.** The building is furnished with good-quality tables, chairs and casual seating. Please take care of them. Again, the tables are especially vulnerable.
4. **Posting Announcements, Notices, Etc.** Notices of meetings, events, or other signs should be posted only on bulletin boards and easels. To post an announcement digitally, please contact the Dean's office. Easels are also available from the Dean's Office, but please return them promptly when you are finished with them. **Notices should not be posted on walls,**

woodwork, or pillars in any of the classrooms or Law Library. Notices posted on restricted areas will be removed.

5. Smoking. The School of Law building is a smoke-free facility.

Lockers

Student lockers are located on the lower level of the School of Law. Each student is assigned a locker which contains a slot that will also be used as a mailbox. Mail slots are used for distribution of items such as exam information, writing assignments, internal memoranda, and other notices. Professors may return papers to students' mail slots as well. Please make a habit of checking your locker regularly for mail or information.

Each student is assigned a locker at the start of the school year. Students keep the same locker for the entire year but must remove their belongings before leaving for the summer. Lockers are reassigned each August. Each student should understand that his/her locker is subject to random searches for items prohibited by the University, the School of Law, the State of Tennessee, or the United States Government. By using lockers for anything other than mail slots, each student waives his/her right to privacy to items within the locker.

Students may not receive U.S. mail addressed to them at the Law School. Any mail sent to a student in care of the School of Law will be returned to the sender.

Lost and Found

Students should check for lost items with the faculty assistant in Room 332.

Lounges

There is a lounge/kitchen area located on the first floor of the School of Law. Tables and chairs, a microwave oven, a coffeemaker, a toaster, and a refrigerator are provided so that students may eat in the lounge. Vending machines are also located in the lounge.

ADMISSIONS

Lincoln Memorial University is a mission-driven institution. LMU was established to serve the underserved and underrepresented populations throughout the Cumberland Gap and southern Appalachian region. The School of Law in Knoxville assumes that mantle in its admissions policies. We will consider admission of qualified applicants who have a desire to serve the underserved and underrepresented populations and geographical areas within this region.

The School of Law seeks to attract and retain a talented, inquisitive, energetic, and passionate cohort of students from all walks of life. Thus, the Office of Admissions, the Admissions Committee, and the faculty and staff will actively seek prospective students from varied backgrounds, socio-economic and family educational attainment levels, perspectives, life experiences, and worldviews.

Pre-requisite Admissions Requirements

To be considered for admission to the Duncan School of Law, an applicant must hold a baccalaureate degree prior to matriculation. The baccalaureate degree must be earned from a college or university that is accredited by a regional accrediting agency and is recognized by the Secretary of the United States Department of Education.

While no particular major program of study is required, applicants would be well served to pursue an undergraduate major that emphasizes certain skills. The American Bar Association recommends a curriculum that emphasizes, “analytic and problem-solving skills, critical reading abilities, writing skills, oral communication and listening abilities, general research skills, task organization and management skills, and the values of serving faithfully the interests of others while also promoting justice.” (Taken from the *Statement of Skills and Values* contained in the 1992 Report of the American Bar Association Task Force on Law Schools and the Profession, Legal Education and Professional Development—An Educational Continuum). There are no pre-requisite course requirements.

How to Apply for Admission

Each applicant must complete the application for admission which is located on the Law School’s web page at <http://www.lmunet.edu/law/>. The application should be printed and mailed to the Office of Admissions. The mailing address of the School of Law is 601 W. Summit Hill Drive, Knoxville, Tennessee 37902.

An applicant must take the Law School Admission Test. Registration and other pertinent information can be found on the Law School Admission Council’s (LSAC) website at www.LSAC.org. We will accept scores through the June 2010 test administration for admission in fall 2010. We will not accept scores older than 3 years from the fall of the year in which you apply.

All applicants must register with the Law School Data Assembly Service (LSDAS). Registration and other pertinent information can be found on the Law School Admission Council’s (LSAC) website at www.LSAC.org. Additionally, each applicant must submit two letters of reference. These items should be submitted to LSDAS.

All deadlines will be posted on the Law School’s web page.

How We Review Applications

We seek prospective students who are mature, inquisitive, highly motivated, passionate, compassionate, and eager to serve humanity. With this in mind, we believe the application process should be advantageous to both the potential student and the School of Law. That is, we seek to learn about one another to determine if our goals are similar. The School of Law seeks to attract and retain students whose goals are consistent with the Mission and purpose of the University.

Law students have committed themselves to one of the most demanding professions. The decision to pursue such a profession is not, nor should it be, quick and easy. The decision-making process

should be a long maturation process by which an applicant becomes educated about the legal profession, professional school training, and—most importantly—him or herself. The application process will help the applicant and the School of Law to determine if a particular applicant has the requisite academic preparation, temperament, and desire to become an attorney.

Following receipt of the completed application for admission, the Admissions Committee will review the application file. The Admissions Committee is composed of members of the faculty and the Director of Admissions. The Admissions Committee will determine whether to extend an offer of admission. Applicants will be notified, in writing, of the decision of the Admissions Committee. Applicants who are offered admission will be notified of the deadline for accepting the offer of admission and other pertinent information.

Ordinarily, the Admissions Committee does not conduct interviews with prospective students as part of the application process. However, there may be situations where it would be advantageous for both the Admissions Committee and the applicant to meet face-to-face to further discuss the prospective student's application file. This may provide some insight into the application for admission that may not be readily apparent on the face of the application. If you believe there may be some additional insight into your background that may be gleaned from meeting face-to-face, please contact the Director of Admissions.

The Admissions Committee will select students for admission based on a variety of factors. When reviewing application files, the Admissions Committee will consider the applicant's overall grade-point average (GPA), grades in individual courses, undergraduate curriculum, exposure to the legal profession, participation in volunteer experiences, communication skills, background, LSAT scores, and any other pertinent information. The preceding factors are not and should not be considered exclusive. The Admissions Committee's decision will be based upon a complete review of the application file.

In most circumstances, no singular factor presented by an applicant will, in and of itself, determine whether the Admissions Committee will extend an offer of admission. The decision to extend an offer of admission will be based on the totality of the evidence presented by the applicant to the Committee. Some factors will carry more weight than others. For example, the overall GPA—based upon a careful examination of the undergraduate, post-baccalaureate, graduate and professional transcripts, if any—and the LSAT score(s), will, except in extraordinary circumstances, carry the most weight in the decision-making process. Other factors, such as individual grades in all courses attempted; experience in the legal field; letters of recommendation; the applicant's overall "fit" with the Mission of the Duncan School of Law; changes in academic performance, over time, due to age and maturity; major accomplishments; etc. will also be considered.

We anticipate that the number of applications for the class will exceed the number of seats in the class. The level of competition for seats in each class will be determined by the number of applications received during the application cycle and the academic competitiveness of the applicant pool. The admissions process is fluid and changes from year-to-year. The School of Law cannot predict with certainty the number of applications for admission it will receive in a given

year. Thus, it is impossible for us to give exact figures for GPAs, LSAT scores, and other factors that would make one competitive for admission.

Applicants who have demonstrated—through a rigorous undergraduate program of study, competitive LSAT scores, experience related to the legal profession, community service, and high ethical standards and career aspirations that match the Mission and purpose of the Duncan School of Law—that they possess those qualities and characteristics that will enable them to achieve success in law school and the legal profession are more likely to be selected for admission. Applicants who do not appear to meet these standards will not be selected for admission. The focus of this decision-making process will be academic strength, evidence of moral character, and the potential for future success on the state bar examination.

If you have any questions, please feel free to contact Paul Carney, Director of Admissions, at 865-524-5286. The Director of Admissions is the primary contact for students making application to the School of Law.

TUITION AND FEES

Tuition for the 2009–2010 academic year (the part-time program) will be \$900 per credit hour. In the first year of the evening program, each student will take 9 hours in the fall and 9 hours in the spring. Fees for the 2009–2010 academic year will be \$300 each semester, and there will be an additional fee of \$15 each semester for the Student Bar Association. The cost of books will vary, but a fair estimate is \$150 per course.

FINANCIAL AID

Lincoln Memorial University recognizes the problem of constantly increasing educational costs and thus offers a substantial program of financial aid to help students pay for their education. The University makes every effort to ensure that qualified students are not denied the opportunity to attend the University due to their limited financial resources. After the student submits the necessary application forms, the Financial Aid Office will determine the student's eligibility for financial assistance. Each applicant for financial aid must submit a Free Application for Federal Student Aid (FAFSA). The FAFSA should be submitted to the federal processing center in time to be received by April 1 for students entering the following fall. The priority deadline to apply for financial aid is April 1.

For additional information, please contact the Financial Aid Office.

POLICY REGARDING CHANGING STUDENT STATUS

- A. Students seeking to change their status from full-time to part-time or part-time to full-time must apply for and receive permission from the Associate Dean for Academics. Once an application is received, the Associate Dean for Academics may, in his/her sole discretion:

1. approve the application;
 2. deny the application;
 3. request additional information prior to issuing a decision; and/or
 4. require that the student seek and receive counseling provided by the institution.
- B. Notwithstanding the above, the Associate Dean for Academics shall not approve any application for a status change, unless:
1. the applicant has completed all first-year required courses as defined within this Handbook;
 2. the student has a cumulative GPA of at least a 2.8;
 3. the student has not received a final grade below a “C” during his/her first-year required courses;
 4. the student has sought and acquired a recommendation from a Duncan School of Law professor from whom he/she has taken a class;
 5. the student, if receiving financial aid, has met with the Coordinator for Financial Aid for the Law School or the Director of Financial Aid for LMU and received appropriate counseling on the effect of changing status;
 6. the Coordinator for Financial Aid for the Law School or the Director of Financial Aid for LMU has signed the application indicating the above counseling has been given; and
 7. an available seat exists within the anticipated class.

ATTENDANCE REQUIREMENTS

- I. Required Class Attendance
- A. Regular and punctual class attendance is required of all students in all courses. Faculty members are required to take attendance in all courses. An electronic attendance system shall be used, and students have the responsibility for making sure that they electronically indicate their attendance for each class.
 - B. No student may miss more than twenty percent (20%) of the class meetings in any course. A student who is tardy or who exits class early may, at the discretion of the professor, be marked as absent. (add)
 - C. Nothing within this rule shall prohibit a professor from adopting a more restrictive attendance rule. To the extent a professor adopts such a rule, that rule shall control.
 - D. Students must keep track of their absences. Students should not expect the School of Law to warn them when their absences are close to exceeding that which is allowed. (add)
 - E. Students who fail to comply with the attendance requirements shall be immediately administratively withdrawn from the class, and a grade of “WA” shall be given, if the student has a passing grade at the time of the withdrawal. If a student has a failing grade at the time of the withdrawal, a grade of “WF” shall be given. In the case of extraordinary circumstances, a student shall be allowed to withdraw and receive a grade of “W.”

- F. The Associate Dean for Academics may grant leave and relief from the attendance requirements in extraordinary circumstances.

(add)

CURRICULUM

The School of Law currently has an evening part-time class and will add a full-time day program in fall 2010. LMU is committed to building a law school that makes use of technology to improve the classroom experience and to prepare students to enter the practice of law.

First-Year Course Load

In the fall, each student will take Civil Procedure I (3 hours); Torts I (3 hours); and Lawyering Skills I (3 hours). In the spring, each course will continue with Civil Procedure II (3 hours); Torts II (3 hours); and Lawyering Skills II (3 hours). (add)

The curriculum is designed to prepare students to be effective attorneys by developing their abilities in critical thinking and problem-solving. The curriculum reflects a traditional legal education, while at the same time adopts the best practices for effective learning.

The School of Law operates on a semester system and requires successful completion of 88 semester hours for conferment of the J.D. degree. All requirements must be completed within 84 months of the student's initial enrollment in the law school and may not be completed earlier than 24 months after a student's initial enrollment.

Full-time students may not be employed until the completion of first-year required courses, and no more than 20 hours per week.

(add)

Graduation requirements for full-time and part-time students will be identical. Both full-time and part-time students will begin in the fall of each year.

First-Year Curriculum

The first-year curriculum is designed to give students a broad understanding of the American Legal System and the role of law in society. First-year courses provide a solid foundation upon which upper-level courses will build, while offering a structure designed to build and strengthen students' skills in legal analysis, reasoning, research, problem solving, and oral communication.

Upper-Level Curriculum

The upper-level curriculum reinforces skills learned in the first-year curriculum while permitting students to take courses in areas which interest them.

Upper-Level Writing Requirement

Each student must complete two substantial legal research and writing projects to graduate from the School of Law. One project requirement will be met upon successful completion of the four semesters of Lawyering Skills. The second project requirement may be met in one of three ways:

1) Seminar

By taking a course with not more than 20 enrolled students and writing a paper complying with the following requirements:

(add)

- a) The paper must be either expository or argumentative writing of at least 5,000 words of text exclusive of footnotes, endnotes, headings and the like;
- b) An outline and draft must be submitted and critiqued by the supervising faculty member prior to the submission of the final paper;
- c) The paper must be supervised by a full-time faculty member; and
- d) The grade for the final draft must be a “B” or better.

(add)

2) Independent Study

By taking an independent study with prior approval of the Curriculum Committee and meeting one of the two following options:

Option 1

- a) Writing a paper which is either expository or argumentative writing of at least 5,000 words of substantive text exclusive of footnotes or endnotes, headings, and the like;
- b) An outline and draft must be submitted and critiqued by the supervising faculty member prior to the submission of the final paper;
- c) The paper must be supervised by a full-time faculty member; and
- d) The grade for the final draft must be a “B” or better.

Option 2

- a) Writing a series of shorter memoranda, problems, or drafting exercises;
- b) The writings must cumulatively amount to at least 5,000 words of substantive words exclusive of footnotes, endnotes, headings, and the like; and
- c) The cumulative grade for final drafts of all of the writings is a “B” or better.

3) Law Review

Students who successfully complete two years of service on the Law Review and who produce a note which is either expository or argumentative writing of at least 5,000 words of text exclusive of footnotes, endnotes, headings, and the like will satisfy the advanced writing requirement. An outline and draft of the note must be submitted and critiqued by the Journal’s Faculty Advisor or another supervising faculty member prior to submission of the final paper, and either the Journal’s Faculty Advisor or the supervising faculty member must deem the final paper to be the quality of which would be a “B” or better if graded.

Part-Time Curriculum

Year 1

Fall Semester		Spring Semester	
Course Name	Hours	Course Name	Hours
Civil Procedure I	3	Civil Procedure II.....	3
Torts I.....	3	Torts II.....	3
Lawyering Skills I.....	3	Lawyering Skills II.....	3
Total Hours	9	Total Hours	9

Year 2

Fall Semester		Spring Semester	
Course Name	Hours	Course Name	Hours
Contracts I.....	3	Contracts II.....	3
Property I	3	Property II	3
Criminal Law	3	Criminal Procedure	3
Lawyering Skills III.....	3	Lawyering Skills IV	3
Total Hours	12	Total Hours	12

Year 3

Fall Semester		Spring Semester	
Course Name	Hours	Course Name	Hours
Evidence.....	3	Wills, Trusts and Estates	3
Required Course.....	3	Seminar (<i>Upper-Level Writing</i>)	3
Required Course.....	3	Required or Elective.....	3
Required or Elective	3	Required or Elective.....	3
Total Hours	12	Total Hours	12

Year 4

Fall Semester		Spring Semester	
Course Name	Hours	Course Name	Hours
Required or Elective	3	Required or Elective.....	3
Required or Elective	3	Required or Elective.....	3
Required or Elective	3	Required or Elective.....	3
Required or Elective	2	Required or Elective.....	2
Total Hours	11	Total Hours	11

Additional Required Courses for Part-Time Program

Course Name	Hours	Course Name	Hours
Business Organizations	3	Constitutional Law	3
Commercial Transactions	3	Domestic Relations	3
Conflict of Laws	3	Remedies	3
Professional Responsibility	3	Secured Transactions	3

Full-Time Curriculum

Year 1

Fall Semester		Spring Semester	
Course Name	Hours	Course Name	Hours
Civil Procedure I	3	Civil Procedure II.....	3
Contracts I.....	3	Contracts II.....	3
Property I	3	Property II	3
Torts I.....	3	Torts II.....	3
Lawyering Skills I.....	3	Lawyering Skills II.....	3
Total Hours	15	Total Hours	15

Year 2

Fall Semester		Spring Semester	
Course Name	Hours	Course Name	Hours
Criminal Law	3	Criminal Procedure	3
Evidence.....	3	Wills, Trusts & Estates.....	3
Lawyering Skills III.....	3	Seminar (<i>Upper-Level Writing</i>)	3
Required Course or Elective	3	Lawyering Skills IV	3
Required Course or Elective	3	Required Course or Elective	3
Total Hours	15	Total Hours	15

Year 3

Fall Semester		Spring Semester	
Course Name	Hours	Course Name	Hours
Required Course or Elective	3	Required Course or Elective	3
Required Course or Elective	3	Required Course or Elective	3
Required Course or Elective	3	Required Course or Elective	3
Required Course or Elective	3	Required Course or Elective	3
Required Course or Elective	2	Required Course or Elective	2
Total Hours	14	Total Hours	14

Additional Required Courses for Full-Time Program

Course Name	Hours	Course Name	Hours
Business Organizations	3	Constitutional Law	3
Commercial Transactions	3	Domestic Relations	3
Conflict of Laws	3	Remedies	3
Professional Responsibility	3	Secured Transactions	3

Legend

1000 Level: 1st-Year Required Courses

2000 Level: Upper-Level Required Courses

3000 Level: Upper-Level Electives

4000 Level: Designed to Satisfy the Upper-level Writing Requirement

Course Listings

Course Number	Title	Hours	Prerequisite
First-Year Required Courses			
Law 1011	Civil Procedure I	3	
Law 1012	Civil Procedure II	3	Civil Procedure I
Law 1021	Contracts I	3	
Law 1022	Contracts II	3	Contracts I
Law 1031	Property I	3	
Law 1032	Property II	3	Property I
Law 1041	Torts I	3	
Law 1042	Torts II	3	Torts I
Law 1051	Lawyering Skills I	3	
Law 1052	Lawyering Skills II	3	Lawyering Skills I
Upper-Level Required Courses			
Law 2011	Business Organizations	3	Contracts I and II
Law 2021	Commercial Transactions	3	Contracts I and II
Law 2031	Conflict of Laws	3	Civil Procedure I & II
Law 2041	Constitutional Law	3	
Law 2061	Criminal Law	3	
Law 2062	Criminal Procedure	3	Criminal Law
Law 2071	Domestic Relations	3	

Law 2081	Evidence	3	
Law 2051	Lawyering Skills III	3	Lawyering Skills II
Law 2052	Lawyering Skills IV	3	Lawyering Skills III
Law 2101	Professional Responsibility	3	
Law 2111	Remedies	3	Contracts I, Contracts II, Torts I, and Torts II
Law 2121	Secured Transactions	3	
Law 2131	Wills, Trusts and Estates	3	
	Electives *♦		
	<i>* = indicates satisfies upper-level writing requirement</i>		
Law 3011	Administrative Law	3	
Law 3021	Advanced Criminal Procedure	3	Criminal Procedure; Con Law
Law 4011	Advanced Estate Planning *	3	Estate Planning; Estate & Gift Tax
Law 3031	Advanced Evidence	3	Evidence
Law 3041	Advanced Federal Income Taxation	3	Federal Income Taxation
Law 3051	Alternative Dispute Resolution	3	
Law 4021	Appellate Advocacy *	3	Lawyering Skills II
Law 3061	Bankruptcy	3	Secured Transactions
Law 3071	Comparative Constitutional Law	3	Constitutional Law
Law 3081	Directed Study	1-3	
Law 4031	Drafting Transactional Documents *	2	Commercial Transactions
Law 3091	Education Law	2	
Law 3101	Employment Law	3	
Law 3111	Entertainment Law	3	
Law 3121	Environmental Law	3	
Law 3131	Estate Planning	3	Wills, Trusts and Estates
Law 3141	Estate and Gift Taxation	3	Estate Planning
Law 3151	European Union Law	3	
Law 3161	Externship I	2-3	
Law 3171	Externship II	2-3	Externship I
Law 3181	Federal Courts	3	Civil Procedure I and II
Law 3191	Federal Income Taxation	3	
Law 4041	First Amendment Seminar *	3	Constitutional Law
Law 3201	Healthcare Law	3	
Law 3211	Immigration Law	3	
Law 4051	Independent Study *	1-2	
Law 3221	Insurance Law	3	
Law 3231	Intellectual Property	3	
Law 3241	International Business Transactions	3	Contracts I and Contracts II
Law 3251	Interviewing, Negotiation & Counseling	3	
Law 3261	Jurisprudence	3	

Law 3271	Juvenile Law	3	
Law 3281	Land Use Planning	3	
Law 4061	Law Review I *	1	
Law 4071	Law Review II *	1	Law Review I
Law 4081	Law Review III	1	Law Review II
Law 4091	Law Review IV	1	Law Review III
Law 3291	Mock Trial Team	1-2	
Law 3301	Moot Court Board	1-2	
Law 3311	Patent Law	3	
Law 4101	Pleadings and Practice *	3	Lawyering Skills I and II
Law 3321	Products Liability	3	Torts I and Torts II
Law 4111	Real Estate Transactions *	3	Property I and Property II
Law 3331	Securities Regulation	3	Business Organizations
Law 3341	Special Topic	1-3	
Law 3351	Sports Law	2	
Law 4121	Technology and the Law *	2	
Law 3361	Trial Advocacy	3	Evidence

(ADD)

◆ *Note re: Electives*

Elective offerings are anticipated. Electives offered will vary based upon student interests and the skills and experience of faculty members. ABA guidelines prohibit listing courses in the school's catalog that are not currently offered and which have not been offered in the previous two years. Because we are a new institution, we are providing a laundry list of possible electives. Students who would like specific offerings should make suggestions to the Associate Dean for Academics.

◆ *Note re: Law Review, Team, and Boards*

A cumulative grade point average of 2.5 is required for participation, selection, and continuation on Law Review or any Team or Board. Students may not serve on more than one of these activities. Credit, if given, is in the form of pass/fail. The faculty advisor for the respective activity approves the award of credit.

COURSE DESCRIPTION

Course descriptions may be revised, from time to time, to reflect current trends in the law and legal education.

First-Year Required Courses

(ADD)

Civil Procedure I

Hours: 3

Course Frequency: Each Fall

Prerequisite(s): None

This course provides a study of the rules, statutes, and principles governing the process by which courts resolve civil disputes. Specifically, it includes a study of the judicial process and of the relationship between the procedural and substantive law; pleadings; principles of jurisdiction, including jurisdiction over subject matter, persons, and service of process; and an introduction to the allocation of jurisdiction between the state and federal courts.

Civil Procedure II

Hours: 3

Course Frequency: Each Spring

Prerequisite(s): Civil Procedure I

This course focuses on pleadings, joinder of parties and claims, discovery, motions, trial, post-trial matters, disposition without trial, appellate review, and the effects of judgment.

Contracts I

Hours: 3

Course Frequency: Each Fall (Beginning with the second year of operation)

Prerequisite(s): None

This course provides a study of the basic principles of the common law of contracts. It focuses on legal theories for enforcing promises or preventing unjust enrichment and principles controlling the formation, modification, and enforceability of contracts.

Contracts II

Hours: 3

Course Frequency: Each Spring (Beginning with the second year of operation)

Prerequisite(s): Contracts I

This course focuses on the law related to the sale and lease of goods, particularly as affected by the Uniform Commercial Code and related federal statutes. This course further provides a study of the legal principles dealing with performance, remedies for nonperformance or threatened nonperformance, excuses for nonperformance, rights of nonparties to enforce contracts, assignment of rights, and delegation of duties.

Property I

Hours: 3

Course Frequency: Each Fall (Beginning 2010)

Prerequisite(s): None

This course provides a study of the fundamental concepts applicable to real property such as possessory estates and interests, as well as joint and concurrent ownership.

Property II

Hours: 3

Course Frequency: Each Spring (Beginning 2010)

Prerequisite(s): Property I

This course focuses on the rights, duties, and liabilities of landlords and tenants; acquisition, ownership, and transfer of property; rights of possession; donative transactions; issues in the conveyancing system; and governmental regulations.

Torts I

Hours: 3

Course Frequency: Each Fall

Prerequisite(s): None

This course provides a study of intentional torts against persons and property and the privileges thereto. It further focuses on the basic principles of negligence and other standards of care.

Torts II

Hours: 3

Course Frequency: Each Spring

Prerequisite(s): Torts I

This course focuses on the remaining issues in negligence, including particular duties of landowners, damages, joint and several liability, and defenses. Additionally, the class will survey the following areas: products liability, wrongful death, vicarious liability, and nuisance.

Lawyering Skills I

Hours: 3

Course Frequency: Each Fall

Prerequisite(s): None

This course provides an introduction to the law library and basic legal research. In addition, this course will provide a basic introduction to the fundamentals of both writing and legal writing.

Lawyering Skills II

Hours: 3

Course Frequency: Each Spring

Prerequisite(s): Lawyering Skills I

This course provides an introduction to predictive legal writing, continued instruction and heightened sophistication in legal researching methods, and an introduction to drafting basic legal correspondence.

Note: Upper-level courses will not be offered until the third year of operation.

Upper-Level Required Courses

(ADD)

Business Organizations

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Contracts I & Contracts II

This course provides a study of the formation, structure, and characteristics of the various business entities including unincorporated associations, partnerships, for-profit and not-for-profit business corporations, and limited liability companies. This course will additionally provide a study of agency relationships.

Commercial Transactions

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Contracts I & Contracts II

This course provides a study of Articles 1, 2, 3, and 6 of the Uniform Commercial Code and includes the sale of goods, bulk sales, and payment through negotiable instruments.

Conflict of Laws

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Civil Procedure I & II

This course provides a study of the legal policies, rules of law, and constitutional requirements for resolving disputes that have connections with: more than one state, a state and a foreign country, or both state and federal interests. It explores the principles that courts use in selecting the proper law to apply in such cases under the American system of divided sovereignty—divided both between states and between state and federal governments.

Constitutional Law

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course studies the basic principles of constitutional law, including the nature of a written constitution, the framework of the U.S. Constitution, the Marshall legacy and judicial review, theories of interpretation, and principles of interpretivism. Emphasis is given to the distribution of governmental powers in the federal system; separation of powers; the federal commerce, taxing, and foreign affairs powers; intergovernmental relations; due process; and equal protection.

Criminal Law

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the general principles, sources, and purpose of criminal law, including the act requirement, the mens rea requirement, causation, liability for attempted crimes, accomplice liability, defenses, criminal code interpretation, and a review of Tennessee criminal law.

Criminal Procedure

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Criminal Law

This course provides a study of the procedural aspects of the criminal justice system, including the law of arrest, search and seizure, police interrogation, and the privilege against self-incrimination. This course will provide particular emphasis on the impact of the fourth, fifth, and sixth amendments to the United States Constitution, as well as discuss Tennessee criminal procedure.

Domestic Relations

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of Federal and State laws affecting formal and informal family relationships: premarital disputes; antenuptial contracts; creation of common law and formal marriages; legal effects of marriage; support obligations within the family; legal separation, annulment, divorce, alimony, and property settlements; child custody and child support; abortion; and illegitimacy. The course will emphasize Tennessee law.

Evidence

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the rules regulating the admission and exclusion of oral, written, and demonstrative evidence at trials and other proceedings, including relevance, character evidence, competence, impeachment, hearsay, privileges, expert testimony, authentication, and judicial notice.

Lawyering Skills III

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Lawyering Skills I & II

This course provides an introduction to persuasive legal writing at both the trial and appellate levels and further continues to enhance students' legal researching skills. Additionally, this course provides an introduction to oral advocacy at both the trial and appellate levels.

Lawyering Skills IV

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Lawyering Skills I, II, & III

This course introduces students to drafting basic pre-trial documents, including but not limited to complaints, answers, scheduling orders, request for interrogatories, requests to admit, and request for production. This course will additionally discuss basic motions practice and require that the students draft and orally argue basic motions. Finally, this course will introduce students to basic modes of alternative dispute resolution.

Professional Responsibility

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the authority and duties of lawyers in the practice of their profession as advocates, mediators, and counselors, including discussions focusing on lawyers' responsibility to the courts, to the bar, and to their clients. This course further provides a study of the American Bar Association (ABA) Model Rules of Professional Conduct, the ABA Model Code of Judicial Conduct, controlling constitutional decisions, and generally accepted principles established in leading federal cases, state cases, and in procedural and evidentiary rules.

Remedies

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Contracts I, Contracts II, Torts I & Torts II

This course provides a study of the law of judicial remedies, both legal and equitable, focusing on the nature and scope of relief as distinguished from substantive and procedural law. The four major categories of remedies are addressed: damages, including measurement issues for both compensatory and punitive damages and limitations on the damages remedy; restitution, including measurement issues and issues related to rescission, constructive trust, and equitable lien; injunctions, including issues relating to requirements for obtaining preliminary and permanent injunctive; and declaratory relief, including ancillary remedies to effectuate the relief obtained and legal and equitable defenses.

Secured Transactions

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of Article 9 of the Uniform Commercial Code and discusses securing debt through the collateralization of personal property. The course will discuss the creation and enforcement of security interests in personal property as well as methods of determining priority between multiple secured debts on the same personal property.

Wills, Trusts and Estates

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the law governing the basic devices in gratuitous transfers, including the drafting and probate of wills, the appointment of personal representatives of decedents' estates, the administration of such estates (duties and powers of personal representatives), the appointment of testamentary trustees, and the administration of trusts generally (duties and powers of trustees).

Elective Courses

◆ *Note re: Electives*

Elective offerings are anticipated. Electives offered will vary based upon student interests and the skills and experience of faculty members. ABA guidelines prohibit listing courses in the school's catalog that are not currently offered and which have not been offered in the previous two years. Because we are a new institution, we are providing a laundry list of possible electives. Students who would like specific offerings should make suggestions to the Associate Dean for Academics.

Administrative Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the processes by which policies of administrative agencies are translated into law and applied by the responsible administrative agencies. Topics include: analysis of informal and formal procedures, separation of powers, delegation, statutory construction, rule making, and adjudication.

Advanced Criminal Procedure

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Criminal Procedure; Constitutional Law

This course provides a study of the procedural problems experienced in the preparation and prosecution of a criminal proceeding. Major areas of analysis include: arraignment and bail; an examination of the problems encountered in a preliminary hearing; the scope, extent, and goals of a grand jury proceeding; pre-trial discovery, motions and suppression hearings; and the "plea bargaining" process.

Advanced Estate Planning *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Estate Planning; Estate & Gift Tax

This course provides a study of income, gift, estate, and generation-skipping transfer taxes relevant to the estate planning process through the use of hypothetical clinical problems. The problems will include comprehensive estate planning and drafting of documents to effectuate the estate plan.

Advanced Evidence

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Evidence

This class is designed to build on the foundation acquired in Evidence and to facilitate thinking about evidence in a trial setting. The focus of this course will be to “think evidentially.” The course will take the student through a number of trials, both criminal and civil, using prepared fact patterns. The course will focus on the Federal Rules of Evidence and cover evidentiary law including relevance, character evidence, hearsay, impeachment, opinion evidence, expert testimony, and evidentiary privileges. It will examine the rules governing the presentation of evidence, including motions in limine, objections, and motions to suppress.

Advanced Federal Income Taxation

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Federal Income Tax

This course will provide a more in-depth look relating to the income taxation of property transactions. Subjects covered include: the effect of debt on basis and amount realized calculations, like-kind exchanges, the passive activity loss limitations, the at-risk rules, sale of a business, sale-leasebacks, and installment sales.

Alternative Dispute Resolution

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the law and methods involved in settling disputes outside of the courtroom, including arbitration, mediation, collaborative law, mini-trials, early neutral evaluation, and conciliation.

Appellate Advocacy *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Lawyering Skills III

This course provides an overview of the appellate process, building upon skills learned in Lawyering Skills III and including learning how to apply the rules of appellate procedure, as well as skills necessary for appellate brief writing and oral advocacy. Students will ultimately draft an appellate brief and present an oral argument.

Bankruptcy

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Secured Transactions

This course provides a study of the rights and remedies of debtors and creditors under the Federal Bankruptcy Code. In addition, the interplay of the Bankruptcy Code and the provisions of Article 9 of the Uniform Commercial Code and other provisions of state law are examined.

Comparative Constitutional Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Constitutional Law

This course will focus on the comparative study of the structure and content of constitutional law, primarily (though not exclusively) comparing the United States with both (a) western European civil law countries such as Germany and France and (b) other common law countries, such as Canada, the United Kingdom, and South Africa. After initial discussion of the concept of constitutionalism, students will spend the first half of the semester on issues of comparative constitutional structure, including variations in the institutions and practices of judicial review, negative and positive (social and economic) constitutional rights, the extent to which private actors are bound by constitutional norms, limits on constitutional rights, and federalism. In the second half of the semester, students will study various substantive constitutional rights, including freedom of speech and expression, freedom of religion, privacy rights, and differing conceptions of equality.

Directed Study

Hours: 1-3

Course Frequency: Offered as needed by students and faculty availability allow

Prerequisite(s): Same as the course which is represented by the Directed Study

This course is available in a limited number of subject areas. A directed study is a regular law school course offering taught to a student on an individual faculty/student basis which must be approved by the faculty member and the Associate Dean for Academics (or the Dean). In a directed study, the directing faculty member sets forth the objectives, requirements, and guidelines for earning credit in a course. A directed study syllabus for each course stating established meeting times with a faculty member, examination, readings, and a general outline of what is to be learned is provided. A directed study course will be denied if the course is available that same semester.

Drafting Transactional Documents *

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Commercial Transactions

Through classroom discussion, reading assignments, in-class exercises, and writing assignments students will learn to draft the "building blocks" of a commercial contract and learn to effectively allocate risk within the context of a specific business deal. The lawyer's function in the negotiating and drafting process and drafting ethics are also covered.

Education Law

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s):

This course provides a study of the law relating to public, private, and home education. Emphasis is placed on the legal framework for public education, the First Amendment and other Constitutional issues related to the public schools, and the nature of parental rights in the context of public education.

Employment Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the statutes, regulations, and cases dealing with a number of legal rights and concerns of employees and employers. Areas covered may include: (a) worker's compensation law and practice; (b) labor standards legislation, such as wage-and-hour laws (e.g., Fair Labor Standards Act—FLSA, public contract "prevailing wage" requirements); health-and-safety laws (e.g., Occupational Safety and Health Act—OSHA); an introduction to pension-protection laws (e.g., Employee Retirement Income Security Act—ERISA); and (c) wrongful discharge and at-will employment.

Entertainment Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of laws related to film, television, and music. Each industry is discussed from the clients' perspectives, detailing the business, legal, social, and ethical issues encountered in the development of a project from raw idea to final distributed product. Topics also include agents, managers, the studio system, new media, and careers in entertainment law.

Environmental Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of federal and state statutes, regulations, and relevant judicial and administrative decisions with respect to: major environmental control areas including air, water, solid waste, and noise pollution abatement; radioactive emission; the National Environmental Policy Act; significant land planning legislation; and the interrelation between federal and state legislation, including areas of responsibility.

Estate Planning

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Wills, Trusts and Estates

This course provides a study of estate planning techniques. Students will have an opportunity to learn how to prepare estate and gift tax returns. In addition, the course will cover practical aspects of meeting with and advising clients regarding their estate tax plans and their estate planning documents.

Estate and Gift Taxation

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Estate Planning

This course provides a study of taxation of gratuitous transfers under the federal estate and gift tax codes. The course will be primarily taught through hypothetical estate planning situations and problems highlighting the statutes and rules covered.

European Union Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides an introductory study of the law, history, and structure of the European Union, including its multilevel system of governance and the reach of its powers, both economical and political. Material will be presented through a combination of lecture, group discussion, case studies, and group and individual presentations. Material will include a survey of the origin of the European Union, the roles of Member States, noteworthy legal decisions, the draft Constitution for Europe, and the interaction between the EU and non-EU actors including states and international organizations.

Externship I & II

Hours: 1-2

Course Frequency: Will be offered every semester with limited availability

Prerequisite for Externship I: None

Prerequisite for Externship II: Externship I

Students will spend time at off-campus “sites” which have been previously approved by the Director of the Externship Program. These sites will have a supervisor which may be an attorney or judge. Each student will also have a responsible faculty sponsor to which the student will report. Weekly journals and writing assignments will be completed and reviewed by the faculty sponsor and the Director of the Externship Program. Students may participate in up to two externships for course credits of either one or two hours each.

Federal Courts

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Civil Procedure I & Civil Procedure II

This course provides a study of the constitutional and practical doctrines that define the judicial power of the United States, with particular emphasis on the role of federal courts in the American system of government, including the federal courts’ relationship to the other branches of the federal government and their relationship to the separate state systems of government.

Federal Income Taxation

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): None

This course provides a study of the basic principles of federal income tax, concentrating on individual taxpayers, business taxpayers, and investors as taxpayers. Particular emphasis is placed on the use of the Internal Revenue Code and federal tax regulations. Topics include items of inclusion and exclusion from gross income, deductions from gross income, capital gains and losses, basic tax accounting, and the identification of income to the appropriate taxpayer.

First Amendment Seminar *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Constitutional Law

This course provides a study of the history, theory, and jurisprudence of the First Amendment, with particular emphasis on the speech, press and religion clauses.

Healthcare Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the key concepts in health law such as the structure of health care organizations, quality of health care, and liability of health care providers. It also addresses access to health care; financing mechanisms of health care, including Medicare and Medicaid; regulation of health care; and oversight of managed health care. New developments in health care law will also be examined.

Immigration Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the legal, historical, and policy perspectives that shape U.S. law governing immigration and citizenship, including the constitutional bases for regulating immigration, the history of immigration law in the United States, and the source and scope of congressional and executive branch power with regard to immigration. The course will also examine the role of the judiciary in interpreting immigration law, citizenship and naturalization, the admission and removal of immigrants and non-immigrants, and the issue of undocumented immigration. Students will also analyze the impact of immigration in other areas, including employment, criminal law, family unification, and discrimination.

Independent Study *

Hours: 1-2

Course Frequency: Offered every semester; Requires faculty sponsor

Prerequisite(s): None

An Independent Study is appropriate for a student who wishes to study a particular area of law that is not covered in the school's existing course offerings. An independent study is supervised by a faculty member, with prior approval of the Curriculum Committee. A student wishing to conduct an independent study for credit must complete a Request for Independent Study consistent with the Guidelines for Independent Study.

Insurance Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of: various types of insurance, including life, property, health, accident, and liability insurance; regulation of the insurance industry; interpretation of insurance documents; conditions, warranties, and representations; coverage and exclusions; duties of agents; excess liability; subrogation; bad faith actions against insurers; liability insurance defense problems, including the duty to defend; notice and cooperation issues; and conflicts of interest.

Intellectual Property

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a survey of the basics of copyrights, patents, trade and service marks, and trade secrets. Additionally, a study of developments in the laws governing the protection of property interests in computer software and the Internet will be covered.

International Business Transactions

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Contracts I & Contracts II

This course provides a study of the international sale of goods and services, cross-border transfers of intellectual property, foreign direct investment, and international settlement of disputes. Topics relating to sales of goods and services include documentary and standby letters of credit, bills of lading, and distributorship and franchising agreements. Topics related to intellectual property (patents, copyright, trademarks, know-how) are viewed from the perspectives of industrialized and developing countries and antitrust policy. Topics relating to foreign direct investment include not only types of establishments but also privatizations, project finance, exchange controls, labor relations, and multilateral institutions. Topics relating to dispute settlement include arbitration, extraterritorial jurisdiction, and the enforcement of foreign judgments.

Interviewing, Negotiation and Counseling

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course will develop students' skills in the fundamentals of interviewing and counseling clients and negotiating agreements. These three skills have been identified by the *ABA Task Force on Law Schools and the Profession: Narrowing the Gap* as essential components of competent lawyering. The course will cover conceptual foundations for understanding the processes involved in interviewing, counseling, and negotiation.

Jurisprudence

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of various legal theories, concepts, philosophies and problems. Coverage may include: legal positivism, natural law theory, legal realism, idealism, historical jurisprudence, utilitarianism, sociological jurisprudence, policy science, and critical studies.

Juvenile Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the: rights and responsibilities of children in relation to parents, society, and institutions; history of the Juvenile Court; development of children's rights; and trends in juvenile justice.

Land Use Planning

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of selective governmental regulation of the use of real estate and of the land development industry. This course is fundamentally a course in applied Constitutional and administrative law. It includes the law of nuisance, zoning, density, growth, and subdivision controls.

Law Review I, II, III & IV *

Hours for Law Review I: 1

Hours for Law Review II: 1

Hours for Law Review III: 1

Hours for Law Review IV: 1

Course Frequency: After journal is fully operational, Law Review I & III will be offered each Fall and Law Review II & IV will be offered each Spring.

Prerequisite for Law Review I: None

Prerequisite for Law Review II: Law Review I

Prerequisite for Law Review III: Law Review II

Prerequisite for Law Review IV: Law Review III

The Law Review course is designed to teach techniques and research methods for legal writing in connection with practice in legal writing for the Lincoln Memorial University Law Review. Each student is required to accomplish a stated amount of writing acceptable for publication or service on the staff in order to receive credit for the course.

Mock Trial Team

Hours: 1-2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

Members of the Mock Trial Team participate in trial advocacy competitions both intra-school, regionally, and nationally.

Moot Court Board

Hours: 1-2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

Members of the Moot Court Board prepare appellate briefs and present oral arguments in intra-school, regional, and national Moot Court competitions.

Patent Law

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of patent law and policy. The course will examine the history of patents and the policy arguments for and against using patents as a mechanism for inducing innovation. Students will learn the basics of patent drafting and prosecution, patent claims, and claim construction. The class then addresses in depth the central patentability criteria of subject matter, utility, nonobviousness, and disclosure. Other topics may include: the relationship between patents and other forms of intellectual property protection such as trade secrets and copyright; the intersection of patent and antitrust law; the role of the Patent and Trademark Office and the Court of Appeals for the Federal Circuit.

Pleadings and Practice *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Lawyering Skills I & Lawyering Skills II

This course provides a study of pre-trial practices and procedures. Students will become familiar with the relevant Rules of Civil Procedure and other pre-trial techniques, including client interviewing and counseling, witness interviewing, informal discovery techniques, litigation planning, expert development and discovery, pleadings, interrogatories, depositions, requests for production, requests for admission, pre-trial motion practice, settlement strategies, settlement brochures, settlement conferences, pre-trial conferences, and settlement agreements.

Products Liability

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Torts I & Torts II

This course provides a study of the liability of manufacturers and distributors for defects in their products. This course provides particular focus on the origins of strict liability in tort for defective products, as well as negligence and warranty theories. The course will cover recent developments in recovery, elements of proof, available defenses, and tort reform.

Real Estate Transactions *

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Property I & Property II

This course will include such skills as searching a title and drafting instruments necessary to convey interests in real property. Topics may include legal requirements for the conveyance of real property, financing real estate, title examinations, recording acts, loan closing, foreclosure practices, and planned unit developments.

(ADD)

Securities Regulation

Hours: 3

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): Business Organizations

This course provides a study of the law governing the issuance, distribution, and trading of securities, focusing primarily on the Securities Act of 1933, the Securities Exchange Act of 1934, and related rules and regulations. Topics include the definition of a “security,” the obligation to register, the registration and disclosure requirements, the exemptions from the registration process, the insider trading and antifraud provisions, and civil remedies for violations of applicable laws.

Special Topic

Hours: 1-2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course may be designed and offered by a member of the faculty. A syllabus of the Special Topic course must be approved by the Associate Dean for Academics prior to the course offering.

Sports Law

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of the academic (e.g., labor and antitrust) and practical (e.g., contracts and agents) aspects of professional sports and the emerging field of sports law, including rules governing Olympic competition, the NCAA, and other amateur athletics.

Technology and the Law *

Hours: 2

Course Frequency: Offered when student interest and faculty availability allow

Prerequisite(s): None

This course provides a study of how technology impacts the law and how the law affects technology. The course will cover aspects of internet and software copyright issues, trade secrets, computer crime, privacy, antitrust, and regulation of internet content. Timely issues that may arise near or during the time of the course offering may also be examined.

Trial Advocacy

Hours: 3

Course Frequency: Offered one semester every year

Prerequisite(s): Evidence

This course will provide practical instruction in relation to the skills of advocacy in civil and criminal cases. Students will learn effective skills for jury selection, opening statements, direct and cross examination of witnesses (both lay and expert), objections, and closing arguments. Additionally, students will focus on case theory development and strategies best suited to jury persuasion.

EXTERNSHIPS

The Law School plans to develop a robust externship program. This program is a field-placement program which will provide upper-level students with the opportunity to assist in handling real legal problems or to assist in providing service to real clients, both under the direct supervision of selected judges or licensed, practicing attorneys at educational, governmental, or non-profit sites. Upper-level students in good academic standing will be permitted to register for the Externship Course and may apply towards graduation no more than six hours of academic credit earned from the successful completion of the course. The goals of the Externship Program will be set forth in the School of Law's Externship Plan and are augmented by the following more specific educational goals:

(add)

- To provide exposure to the actual workings of the legal system under the guidance of an experienced attorney in the public service;
- To provide research and writing opportunities in an actual case setting. (Note: the writing component may be broadly understood to encompass such activities as the drafting of bench memoranda, writing jury instructions, drafting orders of the court, etc.). This writing requirement, however, may not be used to satisfy the Upper-Level Writing Requirement;
- To introduce students to the ethical concerns and issues of professionalism that arise in actual case settings;
- To provide opportunities for enhancing professional communication skills; and

- To build skills in reflecting on the practice of law and in using those reflections as tools for professional development.

The Externship Course has three components:

1. Field Placement: The first component is the field-placement component where students work at a selected field-placement site under the direct supervision of a judge or licensed, practicing attorney.
2. Classroom: The second component is a class component where the students meet with the Director of the Externship Program at regularly scheduled classroom sessions over the semester. The scheduled classes provide for instruction on issues associated with the practice of law as a profession.
3. Faculty Supervision: The third component is a reflective component where students meet regularly over the semester with a faculty sponsor from the School of Law who ensures the Externship policies are being followed, ensures that the Externship Course requirements are being met, and provides one-on-one sessions for reflection on issues that arise with respect to clients and the work environment including ethical issues. The faculty sponsors also review their externs' time logs, journals, and writings.

Hour Requirements:

Students who enroll in the three credit-hour Externship Course must work at their field-placement sites or on site-related activities for a minimum number of hours over the semester. Students who register for the two credit-hour Externship Course must work at their field-placement sites or on site-related activities for a minimum number of hours over the semester. The specific number of hours has not yet been determined and will be determined by the faculty with significant input from the Externship Director. The externship policies will provide that students must work at the site a minimum of six weeks over the semester; however, students will be encouraged during the fall and spring semesters to work twelve weeks due to their class schedules. Students in both courses must attend, during the semester, four hours of scheduled classroom instruction with the Externship Director and must meet with their faculty sponsors an additional four hours over the semester.

Pass/Fail Grading:

The Externship Course will be graded on a pass or fail basis. To receive a passing grade for the Externship Course, a student must successfully: (a) provide weekly written reports to his or her faculty sponsor consisting of a time log of hours worked and a journal entry of 500 words, providing reflections on program-approved topics; (b) submit up to three writings completed under the supervision of the site supervisor; (c) attend the regularly scheduled classes; (d) meet with his or her faculty sponsor four hours over the semester; and (e) receive a satisfactory mid-term and final evaluation from the site supervisor. (ADD) The faculty sponsor maintains a notebook for the extern over the semester which contains the extern's time logs, journal entries and writings; recommends the grade; and submits the recommended grade and all written work to the Externship Director for final

review. The Externship Director transmits the final grade to the proper administrative assistant.

ACADEMIC PROBATION, REQUESTS FOR READMISSION & WITHDRAWALS

I. Academic Probation

- A. A student is in good standing if he or she retains a cumulative GPA of 2.0 or better.
- B. A student will be placed on academic probation if the student has a cumulative grade point average below 2.00 at the end of his or her first two semesters of coursework or any semester thereafter. The fall or spring semester following the moment a student is placed on academic probation shall be known as the probationary semester.
- C. A student placed on academic probation at any time during his or her law school career must comply with the following obligations to be allowed to continue his or her legal education at the law school:
 - 1. The student must meet with the Associate Dean for Academics or his or her designee for counseling. Prior to that meeting, the student must review all of his or her exams from the previous semester and must identify in writing: the most common feedback the student received on his or her work, how the student studied for each class, why the student believes he or she has not performed well in law school, and how the student will change his or her studying process to improve his or her grades. (ADD)
 - 2. The Associate Dean for Academics or his or her designee will offer the student information regarding the student's necessary grade point average to avoid academic dismissal and, working with the student, will develop an education plan designed to maximize the student's chance of avoiding academic dismissal.
 - 3. The student must complete all Academic Support Probation Program paperwork, including an Academic Support Probation Program Contract.
 - 4. The student must comply with all of the requirements of the Academic Support Probation Program, including meeting attendance requirements with respect to meetings with program personnel, fulfilling all agreements made in the Academic Support Probation Program Contract, and completing all Academic Support Probation Program assignments.
- D. A student who fails to meet any of the foregoing obligations will be administratively dismissed from the law school.

(ADD)

(ADD)

II. Requests for Readmission

- A. A student who has received notice that he or she is to be disqualified may petition the Academic Standards Committee for readmission and permission to continue his or her studies on academic probation for the following semester.
- B. The petition must be submitted to the chair of the Academic Standards Committee

- no later than two weeks after grades are posted.
- C. The petition must allege facts that meet each of the below-referenced standards for readmission.
 - D. A student may elect to stand on his or her petition alone. But, if the student requests a hearing, a hearing will be conducted by the committee within one week of receipt of the petition unless extraordinary circumstances necessitate a later hearing.
 - E. The chair of the Academic Standards Committee will inform the student of the Committee's decision within two days after the committee makes a determination.
 - F. As a condition of readmission, the committee may require, among other things, that the student re-take certain law school classes or otherwise address deficiencies by doing additional reading, obtaining tutoring, and/or taking writing classes.
 - G. A student may be granted permission to continue his or her studies under this provision only one time during his or her studies at the law school.
 - H. A student who is readmitted shall be readmitted on probation. As such, the student must comply with all requirements stated in the academic probation policy.
 - I. The Academic Standards Committee may grant a petition if the student establishes the following:
 - 1. extraordinary circumstances contributed to his or her inability to meet the academic requirements of the law school;
 - 2. the student's failure to meet the standards for continuing his or her studies does not indicate a lack of capacity to complete the program of study and, in fact, the student possesses that capacity; and
 - 3. the circumstances resulting in the student's academic disqualification have been remedied or no longer exist.

III. Withdrawal from Courses

- A. Students are not permitted to withdraw from courses after the add/drop period without the approval of the Associate Dean for Academics. To the extent the Associate Dean for Academics would grant such a request, students shall receive a "W" or "WF" at the discretion of the Associate Dean for Academics.
- B. The Higher Education Amendments of 1998 regulate how colleges and universities handle Title IV funds when a recipient withdraws from school. This policy is separate from the University's refund of institutional charges. The return of Title IV funds includes Pell Grants, Federal Supplemental Educational Opportunity Grants, PLUS loans, Perkins Loans and Stafford Loans. The policy states that up through the 60% point in each semester a pro-rata schedule will be used to determine how much Title IV aid the student has earned. For example, if the student has attended 31% of the enrollment period, the student has earned 31% of his/her Title IV aid, and 69% of the aid must be returned to the federal government. After the 60% point in the semester, the student has earned 100% of the aid for which the student was eligible. Additional information on the return of Title IV funds may be obtained from the Office of Admissions and Student Affairs.
- C. The official date of the withdrawal is the date that the Office of Admissions and Student Affairs receives the student's written request for a leave. The percentage of time completed in the enrollment period is determined by dividing the number of days

completed by the number of days in the enrollment period. If 60% of the semester has been completed, there is no return of Title IV funds.

- D. Tuition refunds will be based on the following schedule for fall and spring semesters. If the student withdraws on or before the first official day of class, 100% of applicable institutional dollars will be refunded. If the student withdraws after the first official day of classes and during the first week of the semester 90% will be refunded; during the second week 75% will be refunded. During the third week 50% will be refunded. During the fourth week 25% will be refunded. Students who withdraw after four weeks will not receive any refund. A different, and more abbreviated, schedule will apply to summer and Maymester semesters. (ADD)

IV. Leave of Absence:

- A. A leave of absence requires prior approval from the Associate Dean for Academics. Students should be aware that any leave from the University may have financial impact.
- B. Any student in good standing who discontinues her/his attendance for no more than two regular semesters may resume law studies upon approval of the Associate Dean for Academics.
- C. Any student in good standing who discontinues her/his attendance for more than two regular semesters shall be deemed to have withdrawn from the School of Law. Former students must apply for readmission by submitting a petition to the Academic Standards Committee no later than 45 days prior to the beginning of the term in which the student seeks readmission. Former students who have withdrawn in good standing are not guaranteed readmission.

V. Repeating Courses:

- A. Students receiving an “F,” “W,” “WA,” or “WF” in a required course must retake the course.
- B. Students may repeat any course from which he or she withdrew or was dropped, provided that the course is otherwise being offered and space is available.
- C. All other requests to repeat a course must be submitted to the Academic Standards Committee. The Committee may grant such approval only upon a showing of extraordinary circumstances.
- D. In the case of repetition of a course, both the original grade earned and the grade earned on repetition shall be reported on the transcript and computed as part of the student’s cumulative average.

STUDENT COMPLAINTS

Grievances concerning any aspect of academics should first be taken to the instructor of the class if a classroom situation is in dispute. If a student feels he/she needs to take the matter further, the Associate Dean for Academics should be consulted no later than two weeks following the first day of classes for the next semester (including summer terms). The next appeal source is to the Dean. The Dean’s decision is final and may not be appealed. All student complaints must be submitted in writing.

WAIVER OF ACADEMIC RULES

Requests for waiver of any School of Law rule, regulation, or policy shall be submitted in writing to the Dean who shall forward requests to the faculty committee having jurisdiction over the matter. The Dean may also forward a recommendation to the faculty. If none of the standing faculty committees has jurisdiction over the issue(s) raised, then the Dean, in her/his discretion, may grant or deny the waiver. The student will be notified of the decision in writing.

CODE OF ACADEMIC INTEGRITY

Preamble

Consistent with the goal of training lawyers whose professional and personal conduct exemplifies high ethical standards and reflects well upon the law school and the legal profession, the faculty of the School of Law has adopted the following Code of Academic Integrity (“the Code.”)

I. COMMITTEE COMPOSITION AND SELECTION

- A. There shall be a committee known as the Committee on Academic Integrity (“the Committee”), which shall be composed of seven members: three students, three faculty members, and the Associate Dean for Academics.
 - 1. The Dean shall appoint three members to serve on the Committee.
 - 2. The student body shall elect the student representatives to the Committee for one-year terms. To be eligible for election, a student must be in good academic standing and shall not have been convicted of a violation of this Code.
- B. If an alternate is required for a faculty position, the same process described in I(A)(1) shall be used. If an alternate is required for a student position, the SBA President shall serve as an alternate. If the SBA President is unable to serve, the SBA Vice-President shall serve as an alternate. If both the SBA President and SBA Vice-President are unable to serve, the Dean shall appoint a faculty member. If an alternate is required for the Associate Dean for Academics, the Dean shall appoint an alternate. Unless specifically authorized by the Dean, however, the Dean’s replacement for the Associate Dean for Academics will not carry the duties provided for in III(C)(12) and/or V(G).
- C. The accused may petition the Committee for the recusal of any Committee member for good cause. If a member of the Committee is recused or recuses himself or herself, then an alternate will be appointed in accordance with I(B) above.
- D. A Committee member may voluntarily withdraw from participation in a hearing for good cause. In that event, an alternate will be appointed in accordance with I(B) above.

II. COMPLAINT AND PRELIMINARY INVESTIGATION

- A. Complaints of misconduct under the Code must be made to either the Associate Dean for Academics or the Chairperson of the Committee.
- B. Any member of the law school community may submit a complaint alleging that a student has violated one or more provisions of the Code. A complaint shall consist of a written statement identifying the nature of the violation and the name of the accused who is the subject of the complaint.
- C. Once the Chairperson receives the complaint, the Chairperson shall, within seven days, review the complaint to see if the matter alleged in the complaint is a matter that falls within conduct prohibited by the Code (contained in Section VI). The Committee shall not be used to resolve purely personal conflicts between students. If the Chairperson determines the complaint is not appropriate for disposition by the Committee, the Chairperson shall dismiss the complaint and no negative record shall be made with regard to the student.
- D. If the complaint is accepted, the Chairperson shall convene the Committee, if reasonably possible, within two weeks from the date the complaint was accepted.
- E. Once the Committee is convened, the Committee shall choose a subcommittee consisting of a faculty member and a student member to conduct a preliminary investigation of the complaint (“the Subcommittee”). Under no circumstances shall the Associate Dean for Academics serve as a member of any Subcommittee.
- F. The Committee shall make and keep records to track the complaint until its final disposition.
- G. Preliminary Investigation
 - 1. The Subcommittee shall conduct a confidential investigation in which it shall interview the accused, the accuser, and any other persons who may possess information pertinent to the complaint. It shall further examine any materials provided by the various parties and witnesses and shall examine any other pertinent materials. The Subcommittee shall not participate in any vote pursuant to Sections III or V of this Code.
 - 2. The accused shall be confidentially informed of the charges against him or her by registered and regular mail within one week of the commencement of the investigation by the Subcommittee.
 - 3. Both members of the Subcommittee shall agree on the recommended disposition of the case—whether to recommend a full hearing, a plea agreement, a dismissal, or some other disposition. If the Subcommittee cannot reach unanimity, the recommendation shall be made by the Associate Dean for Academics upon a summary presentation of the evidence gathered by the Subcommittee. In the event the Associate Dean for Academics is called upon to make this recommendation, that shall not, without more, constitute a basis for recusal of the Associate Dean for Academics during any other portion of the proceedings pursuant to this Code. In either event, there is no appeal from the decision. The standard for proceeding to a full hearing shall be as follows: there must be credible evidence to believe that the

violation of the Code alleged in the complaint actually occurred and that the violation was committed by the accused.

4. If during the course of the investigation, the Subcommittee discovers additional or related violations of this Code other than those contained in the original complaint, the Subcommittee shall investigate such violations and determine, consistent with Section II(G)(3) above, whether to recommend a full hearing regarding these alleged violations. If during the course of the investigation, the Subcommittee determines there is credible evidence to believe that a student or students other than the accused have violated this Code, such evidence shall form the basis of a separate complaint. To the extent the Subcommittee should find additional bases of violations of the Code during its preliminary investigation, the Subcommittee is authorized to amend its statement of formal charges, when appropriate, notwithstanding the time parameters contained within Section II(G)(2).
5. The Subcommittee shall make its recommendation within no more than three weeks, if reasonably possible, or within a reasonable period of time if witnesses or information are unavailable.

III. FULL HEARING

- A. The Committee, in its sole discretion, possesses the power to accept or reject the recommendation of the Subcommittee. Unless extraordinary circumstances exist or unless the accused enters into a plea bargain pursuant to Section V herein, the Committee should normally accept the recommendation of the Subcommittee. To the extent the Subcommittee could not reach unanimity in a recommendation and the Associate Dean for Academics is thus called upon to make a recommendation pursuant to II(G)(3), the Committee must accept the recommendation and proceed to either a full hearing pursuant to this section or a plea agreement pursuant to section V.
- B. Notification of Accused and Timing of Hearing
 1. In the event of a determination to proceed to a full hearing, the Committee shall notify the accused and shall set a date for the hearing that falls within two weeks of the determination to proceed.
 2. The Committee may decide to set the date of the hearing at a later date in extenuating circumstances. Extenuating circumstances shall include but not be limited to the unavailability of witnesses.
 3. At any time after the determination to proceed but before the full hearing, the Committee may meet to consider any preliminary matters as they arise including the accused's request to sever parties or to have discreet violations heard separately. Such determinations shall remain within the sole discretion of the Committee. Furthermore, the Committee shall be empowered to enter into a plea agreement with the accused at any time after the Subcommittee finishes its preliminary investigation and makes a recommendation pursuant to these rules.

C. Hearing Rules

1. The Hearing panel shall consist of the four members of the Committee that did not sit on the Subcommittee during the preliminary investigation of the alleged incident as well as the Associate Dean for Academics. There shall be no prehearing discovery. In the event that a full hearing will be held, the accused shall have access to the evidence gathered in the preliminary investigation.
2. The accused shall be presumed innocent. The members of the Committee may question the accused, the accuser, and any witnesses. The Committee shall also consider any supporting materials, including documentary materials of any kind.
3. The formal rules of evidence shall not apply.
4. The accused shall have the right to counsel during the hearing.
5. The accused shall have the right to make a statement at the opening and closing of the hearing.
6. The accused shall have the right to refuse to answer any question that may incriminate him or her. No inferences shall be drawn from the exercise of this right.
7. The accused has the right, and shall be provided any and all reasonable opportunity, to submit materials to the Committee.
8. All proceedings and hearings of the Committee shall be closed to all but those directly involved in the proceeding. Nevertheless, nothing within this provision shall prevent the Dean from attending the hearing.
9. Requests for continuance of a scheduled hearing shall be heard by the Committee and shall only be granted in extraordinary circumstances.
10. The accused's unreasonable failure to appear at the full hearing shall entitle the Committee to summarily render a decision against the accused.
11. The full hearing shall be recorded.
12. The Associate Dean for Academics shall sit as the Chief Committee Member during all hearings. In the event the Associate Dean for Academics is unavailable, for any reason, the Chairperson of the Committee shall sit as the Chief Committee Member during all hearings. In the event neither the Associate Dean for Academics nor the Chairperson of the Committee is available, the Chief Committee Member shall be appointed by the Dean from within the members of the Committee.

D. Committee Determination

1. At the close of questioning and upon consideration of all the relevant materials, the Committee shall decide whether the accused is guilty in a closed-door meeting.
2. The accused can only be found guilty if a simple majority of the Committee finds by clear and convincing evidence that the accused committed acts that

violate the Code. For purposes of any vote pursuant to this rule, each Committee member, regardless of rank, shall have one vote.

3. If the Committee finds the accused is guilty, it shall determine the appropriate sanction by a simple majority vote.
4. The Committee shall notify the accused of its determination at its earliest possible convenience.
5. All information in relation to the identity of the accused shall remain confidential. No information describing or characterizing the accused shall be disseminated by members of the Committee. Notwithstanding the above provisions, the Chairperson is authorized and required to transmit pertinent information regarding the evidence and/or final disposition of the hearing to the Dean and Registrar. Additionally, the Registrar is authorized to transmit information regarding the final disposition of the hearing in which the accused is found guilty to any and all persons requesting information about the accused's academic standing at the School of Law. The Registrar shall seek permission from the accused in writing prior to providing the information to anyone pursuant to this subsection. To the extent the accused refuses to provide consent for such a request or fails to provide consent within one week of the request, the Registrar shall not transmit any academic information of any kind to the person requesting such information. Instead, the Registrar shall send a letter to the person requesting the information stating that the accused did not consent to release of his or her academic information.
6. The fact that a specific violation of the Code has occurred, that an individual has been found guilty, and the nature of the sanction levied, if any, may be promulgated to the School of Law community by the Chairperson as long as the disclosure does not violate any part of subsection 5 of this section.

IV. APPEAL

- A. The accused shall have the right to appeal an adverse finding by the Committee. Such appeal shall lie in the sole discretion of the Dean and must be made within two weeks of the Committee's transmission of the disposition to the accused. For purposes of this rule, transmission shall be defined as the date the Committee mailed, sent, emailed, or faxed the disposition to the accused.
- B. Should the accused require additional time, he or she must make a written request to the Dean within the same two-week period. The Dean may, within his or her discretion, grant such additional time for appeal.
- C. With respect to the finding(s) and sanction(s) determined by the Committee, the Dean may, within his or her discretion, alter any portion of the Committee's findings or sanctions.
- D. To the extent this section (section IV) is inconsistent with section V(D), this section (section IV) shall be subordinate.

V. PLEA AGREEMENTS

- A. At any point following the preliminary investigation and the recommendation of the Subcommittee, the Committee shall be empowered to enter into a plea agreement with the accused(s).
- B. For a plea agreement to be enforceable:
 - 1. the accused(s) must unequivocally admit and accept responsibility for the prohibited conduct as stated within the plea agreement and consent to the sanction imposed by the Committee;
 - 2. a simple majority of the Committee must agree:
 - a. to accept the plea agreement;
 - b. sufficient evidence exists to demonstrate that the accused committed the prohibited conduct; and
 - c. the sanction imposed by the plea agreement is appropriate.
 - 3. the accused must have been expressly warned, in the text of the agreement, that he or she is permitted to seek legal counsel prior to executing the agreement. Nothing within this provision, however, should be construed to indicate that the School of Law or any of its agents or employees is responsible for securing, providing, or recommending specific legal counsel. Furthermore, nothing within this rule should be construed to indicate that the School of Law or any of its agents or employees is encouraged to secure, provide, or recommend specific legal counsel.
 - 4. it must be in writing and signed by the accused and the Associate Dean for Academics. The Associate Dean for Academics shall not sign such an agreement without the appropriate approval of a simple majority of the Committee.
 - 5. the plea agreement must expressly warn the accused, in the text of the agreement, that execution of the agreement will constitute a waiver of any alleged error in the process, whether known or unknown at the time of execution, pursuant to the Code. Furthermore, the plea agreement must expressly warn the accused(s) that no right to appeal any alleged error, whether known or unknown, shall be preserved.
- C. The Committee, in its sole discretion, is authorized to reduce, alter, and/or amend the charges against the accused(s) within the plea agreement. Furthermore, the Committee, in its sole discretion, is authorized to consider the plea as a mitigating factor for purposes of imposing its sanctions within the plea agreement. However, nothing within this section shall be construed to provide the accused(s) with a right to an exercise of such discretion.
- D. Once a plea agreement is properly executed in compliance with this rule, the matter shall be terminated, and notwithstanding any errors that may have occurred during

the preliminary investigation or any other portion of the process, whether known or unknown at the time of execution, no right to appeal shall be preserved regardless of the alleged error's severity, type, potential for repetition, or import. To the extent this subsection is inconsistent with section IV, this subsection shall control.

- E. Notwithstanding the termination of a matter pursuant to V(D), the Committee shall maintain jurisdiction over the matter until such time as the imposed sanctions are fully completed. Furthermore, the right, ability, and jurisdiction of the Committee to impose further sanctions for the accused(s)' failure to fully comply with the sanctions shall be preserved until all of the sanctions imposed within the plea agreement are completed.
- F. For purposes of any vote pursuant to this rule, each Committee member, regardless of rank, shall have one vote.
- G. In the event the Associate Dean for Academics is unavailable to sign the plea agreement, the Chairperson of the Committee shall sign the plea agreement. In the event neither the Associate Dean for Academics nor the Chairperson of the Committee is available to sign the plea agreement, the Dean shall appoint a member of the Committee as the acting Chairperson to sign the plea agreement.

VI. PROHIBITED CONDUCT

The following rules hereby set forth violations of the Code. Unless otherwise specified, violations shall consist of conduct that is performed intentionally, knowingly, or recklessly. Knowledge that an act constitutes a violation of the Code, however, is not a necessary element of misconduct.

- A. **Misconduct Involving Work Required for a Law School Course, Program or Other Requirement**
 - 1. **Plagiarism:** A student shall not plagiarize the work of another. Plagiarism includes (a) the misappropriation of language taken verbatim, or nearly verbatim, from other sources without crediting the author of the original work by use of appropriate forms of attribution; (b) the misappropriation of the original ideas of another without appropriate attribution; or (c) the misappropriation of the original pattern of ideas or organization of one or more original works over a substantial portion of the paper. This third species of plagiarism occurs when a student follows the work of others, idea for idea, over a substantial portion of the paper, while paraphrasing the language of the original work, without indicating that the pattern of thought or structure of the paper comes from the original source.
 - 2. **Use of work completed by another:** A student shall not submit the work of another in fulfillment of any law school requirement. This includes work completed by another student, practicing attorney, or any other person.
 - 3. **Multiple submission of work:** A student shall not submit work in fulfillment of any law school requirement which the student has submitted in compliance with the requisites for any other class or program at this or any other academic institution without the express, written consent of the present professor. This provision shall also apply to work submitted for law school credit which was previously completed in satisfaction of non-academic work requirements outside the School of Law.

B. Unauthorized collaboration: A student shall not submit work produced in collaboration with another without the written permission of the professor. This includes collaboration with respect to the substantive content of work as well as the writing style, grammar, proofreading, or citation form.

C. Misconduct Involving Examinations:

1. A student shall not copy the work of another during the course of any examination.
2. Unauthorized use of materials during examinations: During an examination, a student shall not use any materials that are not expressly permitted by the professor or exam proctor. This includes use of books, outlines, notes, taped materials, or any other materials.
3. Departure from the exam room: A student shall not leave the exam room before completing the exam without permission of the exam proctor, if an exam proctor has been assigned to the room. If permission is granted to leave the exam room, a student shall not review any materials during his/her absence from the examination room nor shall he or she discuss the exam or related matters with any person during the course of the exam.
4. Interference with other students during exam: A student shall not talk or engage in other conduct that unreasonably distracts or disturbs other students during an examination.
5. Unauthorized departure with, or discussion of, an exam: Without the express permission of the professor, a student shall not remove any exam, or any portion thereof, from the exam room. A student shall not transcribe, deliver, or receive notes taken during or after an exam. No student shall discuss with another student whom he or she knows has not yet taken an exam the nature or substance of the examination.
6. Cheating by substitution: A student shall not take an exam for another student nor shall a student intentionally or knowingly permit another to take an exam for him or her.
7. Violation of exam security: A student shall not in any way violate the security maintained for preparation or storage of any exam materials or other course materials.
8. Attempts to enlist assistance of third parties: A student shall not attempt to enlist the assistance of another student or third party with the intention of violating any of the foregoing provisions.

D. Misconduct Involving Library Materials

1. A student shall not tear, deface, destroy, or otherwise dispose of library materials or equipment.
2. A student shall not disrupt others with respect to their use of library materials, equipment, or resources.
3. A student shall not remove library materials without complying with established library procedures.

4. A student shall not conduct himself or herself in a matter that unreasonably interferes with others' use of library materials, equipment, or resources or that violates a library rule about which the student should know.

E. Other Misrepresentations or Dishonesty

1. Misrepresentation: A student shall not misrepresent facts to the School of Law, any of its agents or employees, or any potential or existing employer. This includes but is not limited to: misrepresentations of degrees obtained, grades earned, subjects studied, work performed, or other personal or professional achievements or experiences. To the extent the student provides any information to the School of Law or any of its agents or employees, the student shall have the continuing obligation to update the School of Law as such information may change.
2. Misrepresentation of class attendance: A student shall not sign, electronically or otherwise, the attendance roster for another student who is absent from, or late to, class. A student shall not enlist the assistance of another to sign, electronically or otherwise, his or her name on the attendance roster.

F. General Offenses

1. Other offenses: A student shall not steal from, harm, threaten or harass any person, nor shall he or she misrepresent facts about another person with the intention of harming that person in connection with some academic or professional function, capacity, or opportunity. Any complaints involving sexual harassment should be brought pursuant to the University Sexual Harassment Policy and are not regulated by this Code.
2. Conduct unbecoming a member of the profession: Students shall conduct themselves in a professional manner during all events sanctioned, held, conducted, or permitted by the School of Law.
3. Third parties: A student shall not assist another student in violating the Code nor shall any student attempt to enlist the assistance of a third party with the purpose of violating the Code. For purposes of this rule, "assistance" shall include any actions taken in preparation of a violation, any actions taken in furtherance of a violation, or any actions that further, enhance, protect, or secret the violation after-the-fact.
4. Failure to comply with sanctions imposed by the Committee: It shall be a violation of this Code for a student to fail to comply with a sanction imposed by the Committee.

G. Risk of Serious Harm

Posing Imminent Risk of Serious Harm: Students who pose an imminent risk of serious harm shall be suspended immediately and accorded due process, otherwise consistent with this Code, at a later date. The decision to invoke this subsection lies in the sole discretion of the Dean.

(ADD)

V. SANCTIONS

Unless authorized by the Dean, the Committee may impose only the following sanctions, singly or in combination:

- A. Written Warning: Written notice to be placed in the student's permanent file.
- B. Probation: The suspension of any sentence subject to future non-violation of this Code.
- C. Restitution.
- D. Suspension from School.
- E. Expulsion from School.
- F. Public Discussion: The student is required to undertake public discussion of his or her act in the interest of educating and deterring others. This sanction shall not be imposed in the absence of the written consent of the accused and may be imposed as an alternative to other sanctions. To the extent this subsection is inconsistent with any other section of this Code, this subsection shall control.

ACADEMICS

University Regional Accreditation

Lincoln Memorial University is accredited by the **Commission on Colleges of the Southern Association of Colleges and Schools** to award associate, baccalaureate, masters, specialist and doctorate degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Lincoln Memorial University.

In April of 2009, The Southern Association of Colleges and Schools Commission on Colleges (SACS-COC) granted approval for Lincoln Memorial University (LMU) to offer the Doctor of Jurisprudence (JD) degree program. The Substantive Change allowed LMU to open the John J. Duncan, Jr. School of Law in August of 2009.

Duncan School of Law Accreditation

On February 24, 2009, the Lincoln Memorial University School of Law earned approval from the Tennessee Board of Law Examiners for its graduates to be eligible to take the bar examination in Tennessee.

The Dean is fully informed as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association. The Administration and the Dean are determined to devote all necessary resources and in other respects to take all necessary steps to present a program of legal education that will qualify for approval by the American Bar Association. **The Law School makes no representation to any applicant that it will be approved by the American Bar Association prior to the graduation of any matriculating student.**

GRADING POLICIES

I. The School of Law will use a mandatory grade distribution system for required courses.

A. Level 1000 Courses:

Grades of A and A- shall be awarded to no more than 20% of the class.

Grades of B+, B, and B- shall be awarded to no more than 35% of the class.

For each class, the cumulative average grade shall fall between 2.40 and 2.80, inclusive.

B. Level 2000 Courses

Grades of A and A- shall be awarded to no more than 30% of the class.

Grades of B+, B, and B- shall be awarded to no more than 50% of the class.

For each class, the cumulative average grade shall fall between 2.70 and 3.10, inclusive.

C. Other Provisions

These provisions shall apply to all 1000 and 2000 level courses in which 20 or more students are enrolled. (ADD)

D. If a faculty member submits grades for a covered course that conform to the grading curves (both as to the required grades and as to the required cumulative average), the Registrar shall process the grade as usual. If they do not, they shall be returned to the professor for adjustment to conformity to the curves. The Registrar shall not process any grades for a course until all grades for the course conform to the grading curves, unless a waiver has been obtained from the Dean or Associate Dean for Academics.

E. In extraordinary circumstances, the Dean or Associate Dean for Academics may grant a waiver for a professor not conforming to the grading curves for a particular course for a particular semester. It is not considered “extraordinary circumstances” that a professor simply considers the curve too strict or too generous, in whole or in part, or the class too strong or too weak for the curve to be applicable. Any such waiver shall be reported to the Academic Standards Committee in writing, together with the reasons for the waiver.

II. Grading

A. The School of Law uses a letter grade system as follows:

A 4.00	C 2.00
A- 3.67	C- 1.67
B+ 3.33	D+ 1.33
B 3.00	D 1.00
B- 2.67	D- .67
C+ 2.33	F 0.00

B. Explanation of Grades

A A grade of A is given to any student who completes the requirements for a course and does so in a fashion that is uniformly outstanding for a law student and future lawyer at this stage of his or her education.

A- A grade of A- is given to any student who completes the requirements for a course and does so in a fashion that is often outstanding but lacks the consistency associated with uniformly outstanding work for a law student and future lawyer at this stage of his or her education.

B+ A grade of B+ is given to any student who completes the requirements for a course and does so in a fashion that is very good but lacks the consistency associated with outstanding work for a law student and future lawyer at this stage of his or her education.

B A grade of B is given to any student who completes the requirements for a course and does so in a fashion that is uniformly good work for a law student and future lawyer at this stage of his or her education.

B- A grade of B- is given to any student who completes the requirements for a course and does so in a fashion that is often good work, but lacks the consistency associated with uniformly good work for a law student and future lawyer at this stage of his or her education.

C+ A grade of C+ is given to any student who completes the requirements for a course and does so in a fashion that is above the level of competent but not rising to the level of good work for a law student and future lawyer at this stage of his or her education.

C A grade of C is given to any student who completes the requirements for a course and does so in a fashion that is competent for a law student and future lawyer at this stage of his or her education.

C- A grade of C- is given to any student who completes the requirements for a course and does so in a fashion that is below the level of competent, lacking the

consistency necessary for competent work for a law student and future lawyer at this stage of his or her education. A student who maintains a C- average is not eligible to graduate and, if that average persists, is not eligible to continue his or her studies at the law school.

D+ A grade of D+ is given to any student who completes the requirements for a course and does so in a fashion that reflects some skill but is solidly below the level of competent for a law student and future lawyer at this stage of his or her education.

D A grade of D is given to any student who completes the requirements for a course and does so in a fashion that reflects some skill but is substantially below competent for a law student and future lawyer at this stage of his or her education.

D- A grade of D- is given to any student who completes the requirements for a course and does so in a fashion that generally reflects some minimal skill that is marginally above a failing grade for a law student and future lawyer at this stage of his or her education.

F A grade of F is given to any student who either (a) completes the requirements for a course and does so in a fashion that is not acceptable at all and demonstrates none of the skill or talent generally found in a law student and future lawyer at this stage of his or her education or (b) does not complete the requirements for the course in a timely fashion. This grade confers no credit for the course.

C. Other possible transcript notations and explanations:

I = Incomplete

A grade of I is given to a student who has not completed the requirements for a course in a timely fashion but has arranged with the instructor to do so within no more than six calendar months from the last day of exams for the applicable semester. After six months, an unresolved I becomes an F (0.00). At no time does an I confer credit for a course.

P = Passing

Eligible courses will be graded on a pass/fail basis. A grade of P is given to any student who passes a pass/fail course. This grade confers credit but is not calculated in the grade average.

W = Withdrew

A grade of W is posted on the transcript whenever a student withdraws from a course after the fourth week of classes in a full term or the second week of classes in a summer term. The W grade confers no credit and is not calculated in the grade average.

WA = Withdrew Absences

A grade of WA is posted on the transcript whenever a student is withdrawn from a course for excessive absences and has a passing grade at the time the student is withdrawn. The WA grade confers no credit and is not calculated in the grade average.

WF = Withdrew Failing

A grade of WF is posted on the transcript whenever a student is withdrawn from a course for excessive absences and has a failing grade at the time the student is withdrawn. The WF grade confers no credit and is calculated in the grade average (0.00).

WD = Withdrew from University

A notation of WD denotes official withdrawal from the University prior to the conference of a grade in the course.

X

A notation of X is posted on the transcript if the student, through no fault of his or her own, has not yet received a grade for a course. This notation is designed for those situations in which a course is expected to take more than one semester to complete. This notation also covers unforeseeable circumstances unrelated to the student. The X notation does not confer credit for the course and is not calculated in the grade point average.

AU = Audit

A notation of AU denotes an official audit of the course. No credit is awarded nor is a grade assigned.

D. Pass/Fail Grading

Any course in which letter grades are not expected to be given will be graded on a pass/fail basis. Students who pass the course receive a P for the course. Students who fail the course receive an F (0.00). A failing grade will be calculated as part of a student's grade point average.

1. For all coursework taken on a pass/fail basis, whether at, or outside, the School of Law, a student must perform at no less than a C level to earn a P grade. Students who perform below a C level will receive an F.
2. Credit Hour Limitation. Absent approval in writing from the Associate Dean for Academics, no student may count more than nine credit hours earned in courses graded on a pass/fail basis toward the total number of hours required for graduation.
3. (ADD)

E. Grade Changes/Academic Grievance Procedure
(ADD)

1. Grievances concerning any academic issues should first be taken to the instructor of the class. If a student feels he/she needs to take the matter further, the Associate Dean for Academics should be consulted. (ADD)
2. After a professor has submitted grades to the Registrar's office, the grades are final and may not be changed except with permission from the Academic Standards Committee (ADD). To qualify, a requested grade change must allege facts indicating a basis for the change that falls within one of three categories set forth below and in accordance with the policies detailed below.

(ADD)

(ADD)

3. Requests for changes to grades must be made no later than:
 - (i) forty-five (45) days after the date set by the official Academic Calendar for the end of that semester's final exams; or
 - (ii) three (3) weeks after the contested grades are posted, whichever is later.

(ADD)

4. Mathematical, administrative or clerical error:
Upon a showing that a grade was recorded in error due to a mathematical error, administrative error, or clerical error, a grade change will be presented to the Associate Dean for Academics.
 - a. A mathematical error is an error based upon an incorrect calculation of a student's score on an exam or in a class, such as an error in addition, subtraction, or other formulaic error.
 - b. An administrative error is a non-mathematical error made by a faculty member in reading a student's exam, such as unintentionally overlooking a portion of a student's exam answer.
 - c. A clerical error is an error, other than those addressed above, such as a transcription error. Clerical errors are not limited to errors made by faculty and include errors made by a staff member after a faculty member has turned in his or her grades.

- d. Challenges to grades based on any of the above grounds first shall be addressed directly with the faculty member responsible for the grade. If the faculty member agrees that a mathematical error, administrative error, or clerical error has been made, the faculty member shall submit the request for a grade change to the Associate Dean for Academics.
- e. If the faculty member does not agree that a mathematical error, administrative error, or clerical error has been made, the student may submit a written request for the change to the Academic Standards Committee. The committee shall allow the faculty member to provide a written response and shall conduct any investigation it deems necessary. If the faculty member involved is a member of the Committee, the faculty member shall be recused from participating in the deliberations.

5. Bias

- A. A grade challenge made on the basis of bias would include an allegation by a student that his or her grade was unfairly awarded based upon a particular faculty member's bias with regard to (and presumably against) that student.
- B. To allege bias, a student must allege specific facts indicating professorial prejudice (either against a group of students or against the student making the allegation). To qualify for consideration, the challenge must allege that the prejudice stems from a source other than the student's performance in class discussions, on the course's webpage, on assignments, or on papers, quizzes, and examinations. Allegations of bias must be made under oath.
- C. Challenges based on bias shall be submitted in writing to the Associate Dean for Academics who shall forward the challenge directly to the Academic Standards Committee. The Committee shall allow the faculty member involved to provide a written response and shall conduct any investigation it deems necessary. If the faculty member involved is a member of the Committee, the faculty member shall be recused from participating in the deliberations.

6. Arbitrary and capricious grading

- A. A grade challenge made on the basis of an allegation of arbitrary and capricious grading must be submitted in writing to the Associate Dean for Academics who shall forward the challenge directly to the Academic Standards Committee.
- B. The Committee shall allow the faculty member involved to provide

a written response and shall conduct any investigation it deems necessary. If the faculty member involved is a member of the Committee, the faculty member shall be recused from participating in the deliberations.

7. Finality of Decisions

All decisions of the Academic Standards Committee with respect to requests for grade changes shall be final.

- F. Calculation of Grade Point Averages: After all grades have been recorded for students each semester, the Registrar will calculate and report to each student his or her individual grade point average.
- G. Examinations: As a general matter, in non-writing and non-skills courses, a mid-term and a final exam will serve as the principal basis for evaluation of academic performance. The examination format will be left to the discretion of each faculty member. Faculty will use traditional essay questions, multiple-choice or short answer questions, or a combination thereof. Except for take-home exams, exam rooms will be proctored.
- H. For final examinations, professors will be encouraged to create an examination, the length of which will mirror the number of hours for the course. For example, a class worth three (3) credit hours will have a final exam which is three (3) hours in length. Accommodated students will receive additional time which complies with the University's policy and the American with Disabilities Act.
- I. Faculty members who have been teaching three years or less must have each examination reviewed by a colleague prior to the administration of the exam. Colleagues, when available, are to be selected who have teaching experience in the same or similar subject matters. When such colleagues are not available, the faculty member should seek review from a colleague outside of the law school who has teaching experience in the same or similar subject matter. When neither of these options is available due to either the inability to locate an appropriate colleague or due to time constraints or other appropriate reasons, then the Assistant Dean of Assessment will select a faculty member to review the examination.
- J. The reviewing faculty member will be required to complete a written evaluation of the examination and provide a copy to the faculty member who shall retain such evaluation and who shall provide all copies as part of his or her annual self-evaluation report.
- K. Collaboration:

Faculty members teaching identical courses during a given semester will be encouraged to collaborate on the creation of all examinations administered during that semester.

- L. **Retention of Examinations:**
Complete copies of all examinations administered must be provided to the Assistant Dean of Assessment. These examinations may be reviewed by the Dean, the Assistant Dean of Assessment, or any member of the central administration. These examinations will not be released to other persons without the prior consent of the faculty member creating the examination.

- M. **Assessment Questions:**
As an additional form of assessment, all midterms and final examinations in Level 1000 courses shall have a number of multiple choice questions imbedded in the examinations which are selected and/or created by a committee whose charge includes this task. These questions and the students' answers will be used to help objectively assess teaching effectiveness. For example, if, using a significant data pool, 80% of Professors X, Y & Zs' students correctly answer these imbedded questions and only 20% of Professor A's students correctly answer these questions, then further investigation into the cause may be necessary. This will help, along with other tools, to identify whether the cause for poor performance is course content, teaching style, discrepancies in student strengths, and weaknesses among sections, etc.

- N. **Faculty Collaboration:**
The faculty will, from time to time, gather their data from the electronic assessments taken from the embedded questions to help determine which, if any, students are demonstrating performance which would indicate they are at a higher risk of poor performance on mid-term and final exams. This assessment will permit early intervention to assist those students.

- O. Professors are encouraged to either create final examinations which comprehensively test the subject matters taught over the course of the semester or, if appropriate, use the final examination in conjunction with the mid-term to comprehensively test those matters which are taught over the course of the semester.

- P. **Writing Courses:**
For courses that fulfill the upper-level writing requirement, the supervising faculty member is required to review an outline as well as completed draft and provide substantial, individualized comment and guidance to his/her students. A student must also complete a final draft of the paper.

- Q. **Skills Courses:**

In skills courses, such as trial advocacy, grades are based on the professor's observation of student performance on tasks assigned during the semester. Additionally, many faculty may factor students' class participation into the final grade calculation.

Confidentiality of Official Student Records and Maintenance of Progress Records

All official student information records maintained by the academic and administrative offices of the School of Law are considered confidential, and only such information as is necessary to the normal operations of the School of Law is maintained in official student information records. The School of Law requires each record-keeping office to establish and maintain procedures and practices that will reinforce the principle of confidentiality.

The academic and administrative offices of the School of Law may maintain the following types of academic and non-academic student information records: permanent records of academic achievement (transcripts) including supporting documents, academic advisor and dean's files, admission files, loan and scholarship files, medical files, residence files, student conduct and activity files, Office of Career Services files, foreign student files, alumni/alumnae files, student account files, and library files.

All official student information records are maintained by School of Law staff members in the course of performance of their normally assigned duties, and only those administrative, faculty, and academic staff personnel who have a legitimate educational interest and require access to student information records in the course of their normally assigned duties shall have that right of access.

Only information directly relevant to the educational processes of the School of Law or that is voluntarily offered by the student and accepted from the student shall be included in the officially maintained student information records listed above. Specifically excluded from such student information records are references to political or social beliefs and practices, membership in any organization other than professional and/or honorary societies, and student activities listed by the students themselves.

CLASS RANK POLICY

- A. To be ranked, a student must have completed:
1. thirty (30) credit hours at the Duncan School of Law; and
 2. all first-year required courses as indicated within this Handbook.
- B. The Associate Dean for Academics, or a designee, shall calculate class ranks twice per calendar year—after all student grades for the fall semester have been entered and after all student grades for maymester have been entered.
- C. For purposes of ranking, student cohorts shall be governed by credit hours. At the end of the fall semester, students shall be ranked within the following groups:
- 45–59 completed credit hours
74+ completed credit hours
- At the end of maymester, students shall be ranked within the following groups:
- 30–45 completed credit hours
60–73 completed credit hours
74+ completed credit hours
- D. Students shall receive a final Graduation Class Rank upon completing all graduation requirements. The Graduation Class Rank shall only be computed once per year—at the end of maymester. The Graduation Class Rank shall include all students who have completed graduation requirements since the last issuance of a Graduation Class Rank.

(ADD)

FERPA

The University complies with the provisions of the Family Education Rights and Privacy Act (FERPA), 1974, as amended. This law maintains that the institution will provide for the confidentiality of law student education records.

No one outside the University shall have access to, nor will LMU disclose any information from, law students' education records without the written consent of law students except to personnel within the institution, to officials of other institutions in which law students seek enrollment, to persons or organizations providing law students financial aid, to accrediting agencies carrying out

their accreditation function, to persons in compliance with a judicial order, and to persons in an emergency in order to protect the health and safety of law students or other persons. Additionally, according to 1998 Higher Education Amendments, the University is authorized by law to contact parents or guardians when law students under the age of 21 commit serious or repeated violations directly or indirectly involving our drug and alcohol policies. All the exceptions are permitted under the Act.

Law students may not inspect and review financial information submitted by their parents; confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review; or education records containing information about more than one law student, in which case LMU will permit access only to that part of the record which pertains to the inquiring law student.

Rescheduling Law School Exams

1. **Course Exam Conflicts Rescheduling.** A student may obtain a rescheduling of an examination if that student would otherwise be obligated to take two or more examinations on the same calendar day (*i.e.*, beginning 12:00 a.m. and ending 11:59 p.m.). To obtain such a rescheduling, the student must seek and receive written confirmation of the rescheduling from the Assistant Dean of Assessment on or before the last day of classes for that academic term.
2. **Other Rescheduling.** In all other circumstances, a student may obtain a rescheduling of an examination only upon the prior, written, discretionary approval of the Assistant Dean of Assessment. Rescheduling an examination in the absence of same-day course exam conflicts is an extraordinary event, and students should expect such requests to be denied in the absence of exceptional circumstances. Requests to reschedule exams based on employment obligations, travel plans, vacation or social commitments, exams on back-to-back days, and the like will almost always fail to qualify as exceptional circumstances.
3. **Reschedule Date:** The date for the taking of any rescheduled examination shall be set by the Assistant Dean of Assessment (ADD). Students should expect any rescheduled examination to be administered only on the Law School's designated Exam Conflict Day. Exceptions to this scheduling will be exceedingly rare, and students should not anticipate ever being granted a rescheduled examination date that would occur before the date for regularly-scheduled administration of that examination.
4. **Conditions.** In considering requests for the rescheduling of an examination in the absence of course exam conflicts, the Assistant Dean of Assessment may require such documentation and impose such conditions as the he or she deems proper. No individual faculty member at the School of Law may grant a rescheduling.

TRANSFER CREDITS

I. Credit earned prior to matriculating at the School of Law:

- A. Applicants who have completed the equivalent of the first year of law school from an ABA accredited law school may apply to transfer to the School of Law. Transfer applicants must submit the following:
1. A complete application for admission;
 2. One letter of recommendation from a faculty member at the applicant's existing or previous institution;
 3. A statement of good standing from the Dean of the applicant's existing or previous institution;
 4. An official transcript from the applicant's existing or previous institution;
 5. A statement of why a transfer is requested;
 6. A specific list of courses for which the student seeks to obtain credit;
 7. An official course description for all courses for which the student seeks to obtain credit.
- B. Applications for transfer credit shall be reviewed by:
1. The Director of Admissions. The Director shall determine whether the applicant meets or exceeds admissions requirements. (ADD)
 2. The Academic Standards Committee. The Academic Standards Committee shall, in its sole discretion, determine whether transfer credit is appropriate for each credit sought on an individual basis. In exercising its discretion, the Academic Standards Committee shall review:
 - a. The type of classes taken at the student's existing or previous institution;
 - b. The similarity between the type of classes taken at the student's existing or previous institution with comparable classes at the School of Law;
 - c. Whether the classes taken at the student's existing or previous institution are classes traditionally taken at a law school accredited by the ABA;
 - d. The grades received by the student in the classes taken at the student's existing or previous institution; and
 - e. The student's entire admission file.
- C. Under no circumstances may a student transfer more than 30 credit hours. A student who has transferred from another law school must successfully complete at

least 58 credit hours at the School of Law, with a cumulative grade point average of 2.00 or better, and satisfy all other degree requirements.

- D. Under no circumstances shall the Academic Standards Committee extend credit for any class in which the student earned a grade less than “C.”

II. Credit earned at a foreign institution while matriculating at the School of Law: Students seeking to earn credit at a foreign institution while matriculating at the School of Law must comply with all provisions of this rule. For purposes of this rule, “foreign institution” shall include any institution other than the Duncan School of Law.

- A. Students seeking to earn credit at a foreign institution must file a petition with the Academic Standards Committee prior to beginning any course of study at a foreign institution. The petition must include:

1. The name and contact information for the foreign institution;
2. The proposed course of study at the foreign institution, including the specific classes the student intends to take and the course descriptions for those classes; and
3. A statement from the foreign institution’s admissions office indicating the student complies with the institution’s admission requirements and has in fact been granted admission.
4. (ADD)

- B. After receiving a petition pursuant to this subpart, the Academic Standards Committee shall, in its sole discretion, determine whether credit from the target foreign institution could be acceptable. In considering a petition pursuant to this provision, the Academic Standards Committee shall consider:

1. The student’s academic performance at the School of Law;
2. The student’s disciplinary file, if any;
3. The type of classes the student seeks to take at the foreign institution;
4. The similarity between the type of classes the students seeks to take at the foreign institution and comparable classes at the School of Law; and
5. Whether the classes the student seeks to take at the foreign institution are classes traditionally taken at a law school accredited by the ABA.

After considering the above factors, the Academic Standards Committee shall either approve the petition or deny the petition. To be valid and serve as the basis for future consideration of credit pursuant to part II.C. and II.D., all approvals must be in writing and signed by the Chair of the Academic Standards Committee. Under no circumstances shall the approval or denial, without more, grant credit.

- C. Once a student completes a course of study at a foreign institution pursuant to this rule, the student shall, if at all, petition the Academic Standards Committee for credit within 6 months of completing the foreign institution’s academic program. The petition must include an official transcript from the foreign institution and a statement from the foreign institution indicating the student is in good standing.

- D. After receiving a complete petition for credit, the Academic Standards Committee shall grant credit for all courses in which the student received a “C” or above.
 - E. Notwithstanding any provision contained herein, a student may not transfer more than 30 hours of credit.
- III. **Transferring grades:** Accepted transfer credits shall appear on a student’s transcript as a “P,” indicating the student earned pass/fail credit. Under no circumstances shall transfer credit be considered when determining a student’s GPA, cumulative GPA, or class rank at the School of Law.
- IV. **Distinction from Pass/Fail Credit:** While grades transferred from a foreign institution appear as pass/fail credit on a student’s transcript at the School of Law, credit transferred from a foreign institution shall not be considered when calculating a student’s maximum pass/fail credit pursuant to **GRADING POLICIES** part II.D.

STUDENT ORGANIZATIONS

Student Bar Association

The Student Bar Association (“SBA”) is the student government of the School of Law and shall consist of three branches—the Executive Branch, the Legislative Branch, and the Judicial Branch.

The Executive Branch shall have at least four Constitutional Officers who shall be elected by the entire student body—the President, the Vice-President, the Secretary, and the Treasurer. The Executive Branch shall be responsible for enforcing actions by the Legislative and Judicial Branches and for other duties in accordance with the SBA Constitution. Officers for the Executive Branch shall be elected annually to a one-year term.

The Legislative Branch shall consist of a Senate, which shall be comprised of not less than eight senators. Each class matriculating at the School of Law must be equally represented in the Senate irrespective of the size of the class. The Senate shall be responsible for the creation of bylaws, approving the budget, and other duties in accordance with the SBA Constitution. Officers for the Legislative Branch shall be elected annually to a one-year term.

The Judicial Branch shall have three Constitutional officers who shall be appointed by majority vote of the Senate to a one-year term. The Judicial Branch shall be responsible for interpreting the SBA Constitution and the Bylaws.

LAW LIBRARY

The Mission of the Law Library is to support the School of Law's and curriculum. The Law Library will provide access to legal information to support the teaching, research, and scholarly activities conducted by faculty and students and develop legal research aids and programs that allow faculty and students to fully use and understand the use of legal research tools, including the development of the most effective legal research techniques. The Law Library will also assist the legal community of the Knoxville area through the development of a collection of mixed format resources.

Regular Hours

Monday through Thursday	8:00 a.m. – 10:00 p.m.
Friday	8:00 a.m. – 6:00 p.m.
Weekend Hours	Scheduled As Needed

Regular, holiday, inter-term, and examination hours are posted on the digital screen in the lobby. Hours may change during examination periods, holidays, and inter-term sessions. Announcements concerning Library hours are shared with the School of Law community via email, and posted on the digital announcements screen located in the lobby.

STUDENTS WITH DISABILITIES

LMU does not discriminate, for purposes of admission to LMU or access to and treatment in LMU's programs or activities, on the basis of disability. Every effort is made to accommodate the needs of the students with disabilities attending LMU. As buildings on the LMU campuses are remodeled, care is taken to assure that persons with disabilities have sufficient access to those buildings. LMU will also provide reasonable accommodations to students with properly documented disabilities. If a student with a disability has any issue or question about his/her disability, the Americans with Disabilities Act ("ADA") or Section 504 of the Rehabilitation Act of 1973 (Section 504) he/she should contact the (ADD) ADA Coordinator in the Office of Student Services (Student Center, Room 319, 423-869-6251). That contact information is also listed on the class syllabus for every LMU class. In addition, students with learning disabilities should become familiar with the services of the Tagge Center for Academic Excellence and Student Support Services, both located on the in the Student Center on the LMU Harrogate Campus.

Request for Accommodations

The following procedure must be followed in order for any student with a disability to receive accommodation:

1. The student must submit documentation of his/her disability to the (ADD) ADA Coordinator (guidelines for proper documentation are set forth below);
2. The ADA Coordinator will contact the student concerning arrangements for reasonable accommodations (student must be prepared to discuss specific accommodation needs);
- 3) A "Student Accommodation Form" listing the accommodations to be provided to the student during a particular semester will be circulated to the student's faculty for review and signature;
- 4) The student must contact the ADA Coordinator prior to each semester for reauthorization and accommodations for the upcoming semester.

Documentation Guidelines

Students requesting accommodations or services from LMU because of a learning disability are required to submit documentation to determine eligibility for those accommodations or services in accordance with Section 504 and the ADA. A diagnosis of a learning disability does not necessarily qualify a student for academic accommodations under the law. To establish that a student is covered under Section 504 and the ADA, the documentation must indicate that the disability substantially limits some major life activity, including learning.

The following guidelines are provided in the interest of assuring that documentation of a learning disability is complete and supports the student's request for accommodations. LMU will determine eligibility and appropriate services, case by case, based on the quality, recency, and completeness of the documentation submitted. The following requirements provide students, schools, and professional diagnosticians with a common understanding of the components of documentation that are necessary to validate the existence of a learning disability, the impact on the individual's educational performance, and the need for academic accommodations for the purpose of the ADA and Section 504. (10/05)

- A. **A Qualified Professional Must Conduct the Evaluation**
The assessment must be administered by a trained and qualified (i.e., certified and/or licensed) professional (e.g., psychologist, school psychologist, neurophysiologist, education diagnostician, or student clinicians who are being supervised by a qualified professional) who has had direct experience with adolescents and adults with learning disabilities.
- B. **Documentation must be Current**
Reasonable accommodations are based on the current impact of the disability on academic performance. In most cases this means that a diagnostic evaluation should be age appropriate, relevant to the student's learning environment, and show the students' current level of functioning. If documentation does not address the individual's current level of functioning, a re-evaluation may be required.
- C. **Documentation Must Include a Specific Diagnosis**
The report must include a clear and direct statement that a learning disability does or does not exist, including a rule out of alternative explanations of

learning problems. Terms such as “learning difficulty,” “appears,” “suggests,” or “probable” do not support a conclusive diagnosis.

D. Documentation Must be Comprehensive

The documentation must include a summary containing relevant historical information, instructional interventions, related services, and age of initial diagnosis. The documentation must also include objective data regarding aptitude, achievement, and information processing. Test scores (standard scores, percentiles, and grade equivalents) must also be included in the documentation.

E. Recommendations for Accommodations

A diagnostic report may include specific recommendations for accommodation(s). A prior history of an accommodation, without a demonstration of a current need, does not in and of itself warrant the provision of that accommodation. Each accommodation recommended by an evaluator should include a rationale. The evaluation should support the recommendations with specific test results or clinical observations. If an accommodation is not clearly identified in the diagnostic report, LMU will seek clarification and/or additional information either from the student’s evaluator or from another trained professional chosen by LMU. LMU will make the final determination as to whether appropriate and reasonable accommodations are warranted and can be provided. LMU reserves the right to request reassessment of the student’s disability when questions arise regarding previous assessment or provision of services or accommodations or when the student requests additional services or accommodations above and beyond what has been previously provided to the student.

F. Process for Receiving Reasonable Accommodations

All documentation related to the student’s disability and accommodations shall be maintained by the ADA Coordinator. Upon receipt of the documentation, the ADA Coordinator will meet with the student, either in person or by telephone, to discuss and make arrangements for accommodations for the upcoming semester. A Student Disabilities Form will be completed listing the agreed upon accommodations and will be signed by the student, the student's faculty members, and the ADA Coordinator. This process shall be followed each semester for which the student wishes to request accommodations.

If a problem arises concerning the reasonable accommodations, the student should contact the ADA Coordinator for assistance (Ext. 6251).

Grievance Procedure for Student with Disabilities

All grievances concerning any aspect of the services or accommodations provided to student with a disability or related to any issue related to Section 504 or the ADA should be taken to the ADA Coordinator within ten (10) working days. If the student feels he/she needs to take the matter further, LMU’s grievance committee will review the matter. The LMU grievance committee consists of: Vice President for Enrollment Management & Student Services (Chair), the ADA

Coordinator, the Director of Student Success and Retention, the Director of Student Support Services, and the Dean. The decision of LMU's grievance committee is final. (1/06)

FIREARMS AND WEAPONS

LMU is committed to providing a safe, healthy learning and working environment, and to making adequate provisions for the safety and health of its students, staff, faculty and the public, and will not permit its students or employees, as well as visitors, to act in ways that may endanger themselves or others.

All visitors, students and employees are prohibited from possessing, carrying, trading or showing weapons of any kind, including firearms, fireworks, guns, explosives, bows and arrows, knives, etc. while on LMU premises, while on duty, while operating LMU vehicles or equipment, or while operating personal vehicles for LMU purposes. Visitors, students and employees are also prohibited from keeping weapons in their personal vehicles parked on LMU's premises. LMU premises include any property owned, operated, controlled or managed by it. Individuals are permitted to carry mace, pepper spray and pocket knives with blades less than four (4) inches as long as they are stored in a pocket, purse, briefcase or other personal belongings. Also permitted are paintball weapons to be used for organized recreational purposes on LMU premises.

This policy does not apply to those who are expressly authorized by LMU to use explosives and other authorized tools that could be viewed as weapons in the performance of their jobs.

LMU reserves the right, based upon reasonable suspicion of a violation of this policy, to search an office desk, and other property under the control of the visitor, student or employee, as well as the packages, purses, lunch boxes, briefcases, and students' or employees' vehicles parked on its premises. Individuals may also be required to remove a jacket or sweater and to turn out their pockets. Reasonable suspicion sufficient to justify a search may be based on a clear and reasonable belief, through observation or information provided by a reliable and credible source, that an employee is in violation of this policy. Searches of LMU property under the control of the visitor, student or employee are subject to being conducted without notice, once the reasonable suspicion standard has been met.

Violation of this policy may result in disciplinary action, up to and including expulsion or termination.

DRUGS ON CAMPUS

- I. Students may not, at any time while on any property owned, leased, or controlled by the Duncan School of Law, possess or use illicit substances as defined by either the United States Code or the Tennessee Code without a prescription from their doctor.
- II. Students may not, at any time while on any property owned, leased, or controlled by the Duncan School of Law, possess or consume alcoholic beverages unless approved, in advance, by the Dean.

- II. Students may not, at any time while on any property owned, leased, or controlled by the Duncan School of Law, carry, traffic, distribute, or manufacture illicit substances as defined by either the United States Code or the Tennessee Code.
- III. For purposes of this rule, the term “controlled” includes but is not limited to any property where the Duncan School of Law is holding or conducting a School event, whether on or off campus, regardless of who owns the property.
- IV. For purposes of this rule, “property” shall include but is not limited to the interior of a student’s car when the student’s car is located in or on an area owned, leased, or regulated by the Duncan School of Law.
- V. Students violating this policy will be subject to disciplinary actions up to and including expulsion.

CLASS CAPTURE USAGE

The School of Law has implemented a system of “class capture” technologies in many of the classrooms, enabling the School of Law to record both audio and video lectures. By continuing to matriculate at the School of Law, the student acknowledges that he or she gives the University and the School of Law the authority to use these recorded sessions in any manner it sees fit. The University and the School of Law further maintains the exclusive rights to all audio and/or video recordings in any format whatever, in perpetuity, and the student gives exclusive license for the University and the School of Law to use those video and audio recordings in any manner which the University sees fit.

COMPUTER USAGE

In support of its mission of teaching, scholarship, and service, the School of Law provides computer access for students. The computing resources of the School of Law, including laptop computers, facilities, hardware, software, networks, and computer accounts, are the property of the School of Law. The use of these resources is a privilege granted by the School of Law to authorized users only. The School of Law requires all persons authorized to use its computing resources to do so responsibly and in compliance with all state and federal laws, all contractual and license agreements, and all policies of the University and the School of Law. Authorized users of the School of Law’s computing resources must act responsibly to maintain the integrity and security of these resources. Each user of the School of Law’s computing resources is ultimately responsible for the use of that computing resource and for the use of his or her computer account. Persons misusing the School of Law’s computing resources in violation of federal and state laws or policies promulgated by the University or the School of Law are subject to disciplinary actions by the School of Law and/or forfeiture of their computer privileges. In the event such misuse of computer resources threatens to compromise the integrity or jeopardize the security of university computer resources or harm authorized users of those resources, the University's Chief Information Officer, the Dean, or any of their designees is authorized to take any and all necessary actions,

including the immediate confiscation and/or disabling of a university computer resource or the temporary or permanent termination of a computer account, to protect, investigate, and ensure the security and proper use of computer resources.

1. Use of any School of Law computing resource is restricted to those having proper authorization to use that particular resource. It is a violation of the law and School of Law policy to assist in, encourage, or conceal from authorities any unauthorized use, or attempt an unauthorized use, of any of the School of Law's computers or network facilities.
2. No one shall knowingly endanger the security of any School of Law computing resource nor willfully interfere with authorized computer usage by circumventing or attempting to circumvent normal resource limits, logon procedures, or security regulations.
3. No technologies shall be connected to the School of Law's computing resources that interfere with authorized usage of those resources. The School of Law reserves the right to restrict the use of any technologies that may endanger the security and/or integrity of its computing resources.
4. The School of Law's computing resources shall not be used to attempt unauthorized use, or to interfere with another person's legitimate use, of any computer or network facility anywhere. Encroaching on or disrupting another person's use of the School of Law's computers is prohibited. Examples of such acts include but are not limited to: sending excessive messages either locally or off campus [including but not limited to electronic chain letters]; initiating denial of service attacks; printing excessive copies of documents, files, data, or programs; modifying system facilities, operating systems, or disk partitions; attempting to crash or tie up a university computer; damaging or vandalizing university computing facilities, equipment, software, or computer files; causing an inordinately large number of requests for files; spamming; sniffing; running scans; reconfiguring; or using an inordinately high percentage of bandwidth.
5. University computing resources and network facilities shall not be used for commercial purposes without specific authorization from the Dean or his or her duly authorized designee.
6. Passwords to any computing resource shall only be issued to authorized users. Password recipients are responsible for the integrity of their password and shall not distribute it to unauthorized users.
7. Misrepresenting a person's identity or relationship to the School of Law when obtaining or using School of Law computer or network privileges is prohibited.
8. Accessing, reading, altering, or deleting any other person's computer files or electronic mail without specific authorization is prohibited.
9. Copying, installing, distributing, infringing, or otherwise using any software, data files, images, text, or other materials in violation of copyrights, trademarks, service marks, patents, other intellectual property rights, contracts, or license agreements is prohibited. All usage of computing resources shall be in compliance with federal and state copyright laws.
10. Creating, installing, or knowingly distributing a computer virus, "Trojan horse," or other surreptitiously destructive program on any School of Law computer or network facility, regardless of whether any demonstrable harm results, is prohibited.
11. Only those persons with proper authorization shall modify or reconfigure any School of Law computing resource or network facility.

12. Users of the School of Law computing resources shall have no expectation of privacy for materials downloaded, used, viewed, or stored on those resources. The School of Law reserves the right to access any of its computer resources **AT ANY TIME FOR ANY REASON OR FOR NO REASON, WITH OR WITHOUT NOTICE**. Furthermore, the School of Law makes no representation or guarantee that information transmitted on its network will not or cannot be accessed by third parties. By using the School of Law's computer resources, students release and hold the University and the School of Law harmless for any unauthorized access to information transmitted.
13. Authorized computer users shall take full responsibility for messages that they transmit through the School of Law's computing resources. The School of Law's computing resources shall not be used to transmit any communications prohibited by law, including but not limited to fraudulent, harassing, obscene, or threatening messages.
14. **STUDENTS ARE PROHIBITED FROM DOWNLOADING ANY SOFTWARE PROGRAMS ON THEIR COMPUTERS WITHOUT EXPRESS, WRITTEN PERMISSION FROM THE ASSOCIATE DEAN FOR ACADEMICS.**
15. **VIOLATION OF ANY RULE CONTAINED WITHIN THIS SECTION SHALL CONSTITUTE A SUFFICIENT BASIS FOR DISCIPLINARY ACTION(S) BY THE UNIVERSITY AND/OR THE SCHOOL OF LAW. ADDITIONALLY, VIOLATIONS OF ANY RULE CONTAINED WITHIN THIS SECTION SHALL CONSTITUTE A VIOLATION OF THE CODE OF ACADEMIC INTEGRITY.**

Lincoln Memorial University School of Law

Five-Year Academic Calendar

Fall	2009	2010	2011	2012	2013
Orientation for New Students	August 15-16	August 14-15	August 13-14	August 11-12	August 17-18
Classes Begin (Day)		August 16	August 15	August 13	August 19
Classes Begin (Evening)	August 17	August 16	August 15	August 13	August 19
Last Day to Add Classes	August 24	August 23	August 22	August 20	August 26
Last Day to Withdraw without "WD"	August 31	August 30	August 29	August 27	September 3
Labor Day (offices closed)	September 7	September 6	September 5	September 3	September 2
Fall Break	October 8-9	October 7-8	October 13-14	October 11-12	October 10-11
Mid-Term Reading Day	October 12	October 11	October 17	October 15	October 14
Mid-Term Examinations Begin	October 13	October 12	October 18	October 16	October 15
Mid-Term Examinations End	October 16	October 15	October 21	October 19	October 18
Last Day of Classes	November 25	November 24 November 25-	November 23 November 24-	November 22 November 22-	November 27 November 28-
Thanksgiving holiday (no classes)	November 26-27	26 Nov. 29 - Dec.	25	23	29
Final Exam Reading Days	Nov. 30 - Dec. 2	1	Nov. 28 - 30	Nov. 26 - 28	Dec. 2 - 4
Final Exams Period (excluding Sundays)	Dec. 3 - 12	Dec. 2 - 11	Dec. 1 - 10	Nov. 29 -Dec. 8	Dec. 5 - 14
Christmas holiday (offices closed)	December 25	December 25	December 25	December 25	December 25
New Year's Day (offices closed)	January 1	January 1	January 1	January 1	January 1
Spring	2010	2011	2012	2013	2014
Classes Begin (Day)		January 10	January 4	January 2	January 6
Classes Begin (Evening)	January 11	January 10	January 4	January 2	January 6
Last Day to Add Classes	January 19	January 18	January 11	January 9	January 13
Martin Luther King Day (no classes)	January 18	January 17	January 17	January 21	January 20
Last Day to Withdraw without "WD"	February 25	February 23	January 18	January 23	January 20
Spring Break	March 15-19 Feb 26-Mar 1 & 3	March 21-25	March 19-23	March 18-22	March 17-21
Mid-Term Reading Days	March 2	Mar 24 & 25	March 1	February 28	March 3
Mid-Term Examinations Begin	March 4	March 4	March 2	March 1	March 4
Mid-Term Examinations End	April 2	April 22	April 6	March 29	March 7
Good Friday (offices closed)	April 29	April 27	April 20	April 19	April 18
Last Day of Classes	Apr 30-May 3 & 5	April 28 & 29	April 23-25	April 22-24	April 23-25
Final Exam Reading Days	May 4-6	May 2 - May 13	Apr. 26 - May 5	Apr. 25 - May 4	Apr. 26 - May 7
Final Exams Period (excluding Sundays)	May 31	May 30	May 28	May 27	May 26
Memorial Day (offices closed)		May 30	May 28	May 27	May 26
Maymester	2010	2011	2012	2013	2014
Classes Begin		May 16	TBD	TBD	TBD
Last Day to Add Classes		May 16	TBD	TBD	TBD
Last Day to Withdraw without "WD"		May 17	TBD	TBD	TBD

Last Day of Classes		May 27	TBD	TBD	TBD
Final Exams		May 28	TBD	TBD	TBD
Summer	2010	2011	2012	2013	2014
Classes Begin		June 6	TBD	TBD	TBD
Last Day to Add Classes		TBD	TBD	TBD	TBD
Last Day to Withdraw without "WD"		TBD	TBD	TBD	TBD
Last Day of Classes		July 11	TBD	TBD	TBD
Final Exams		July 13-15	TBD	TBD	TBD
Independence holiday (offices closed)		July 4	July 4	July 4	July 4