

# ACADEMIC RULES

## J.D. PROGRAM

The academic rules at the date of publication are listed below. From time to time the faculty may promulgate new rules or alter the present rules. Students are considered to be on notice of changes or additions to these rules when they are approved by the faculty and posted on the academic bulletin boards as well as on the Web site of The Catholic University of America Columbus School of Law. To the extent permitted, in extraordinary cases, exceptions to these rules may be granted by the dean for good cause shown.

### I. DEGREE REQUIREMENTS

To be eligible for the degree of Juris Doctor, a student must complete the following requirements during a course of study not to exceed 84 months after the student has commenced law study:

- a. earn at least 84 semester hours of credit while maintaining a cumulative average of 2.15;
- b. satisfactorily complete the Upper-Division writing requirement;
- c. satisfactorily complete a Professional Skills course;
- d. satisfactorily complete Professional Responsibility;
- e. meet the minimum residency requirement. Students enrolled in the full time (day division) program must attend 6 semesters. A semester is defined as a fall or spring academic term. Full time students who attend one CUA summer session of 3 or more credits may switch to part-time status in their final semester. Students enrolled in the part-time (evening division) program must attend eight semesters. A semester is defined as a Fall or Spring academic term. Part-time students who attend two (2) CUA summer sessions of four or more credits may accelerate their graduation by one semester (i.e. complete coursework at the end of Fall semester of the fourth year.) A part-time student who transfers to the full time division at the end of the first year of law school may graduate after 6 semesters only if the student completes at least one CUA summer session of at least three credits.

Day-division law students must take at least 80 percent of their courses during the day. Day-division students are expected to register for the day section of any course offered in both day and evening divisions unless otherwise notified by the registrar's office.

### II. REGISTRATION, COURSE LOADS AND WITHDRAWAL

1. Registration is held at the beginning of each semester, following a required preregistration during the previous semester. A day-division student may not enroll for more than 16 nor fewer than 12 semester hours; an evening-division student may not enroll for more than 11 semester hours nor fewer than eight hours.
2. Late registration is permitted only for good cause. Students who register after the deadline may incur a late registration fee. No course may be added after the add/drop deadline.
3. The program of every registrant must be approved by the dean's office. Permission to deviate from the normal program and schedule, or to withdraw from any course, also must be sought from the dean.
4. Withdrawal from a course after the drop/add period requires the

approval of the dean. Approval will not be given if the student's amended course load would be less than the minimum number of hours specified in paragraph II, 1. *supra*. After mid-semester a withdrawal may be authorized by the dean only with the concurrence of the instructor in the course.

In no event will withdrawals be authorized after the beginning of the official examination period for that semester. Changing from credit to audit must be done before the eighth week of the semester.

5. Transfers between the evening and day divisions are permitted only for good cause and with written application to the dean. Normally a student will be permitted to transfer only once during his or her law school career.

### III. GRADING AND GOOD STANDING

#### 1. Grades

Grades for all first-year students entering in the 1999 fall semester and subsequent years will be based on the following letter-grade scale:

A+	Exceptional
A, A-	Excellent
B+, B, B-	Good
C+, C	Competent
C-, D	Unsatisfactory
F	Failing

Letter-based grades will be converted to numerical values for the purposes of calculation of grade point average, to determine class rank and to determine academic status as follows: A+=4.33; A=4.0; A-=3.67; B+=3.33; B=3.0; B-=2.67; C+=2.33; C=2.0; C-=1.67; D=1.0; F=0.2.

#### 2. Good Standing

Students who entered prior to fall of 2003 must:

- a. maintain a cumulative average of 2.0, and
- b. attain a semester average of at least 1.67 during each semester.

A student whose cumulative average falls below 2.0, or who attains an average of less than 1.67 for any semester, is placed on probation. See section IV, Probation, Exclusion and Readmission.

Students who enter fall 2003 and thereafter must:

- a. maintain a cumulative average of 2.15, and
- b. attain a semester average of at least 1.82 during each semester.

A student whose cumulative average falls below 2.15, or who attains an average of less than 1.82 for any semester, is placed on probation. See section IV, Probation, Exclusion, and Readmission.

Summer school grades are computed with grades for the succeeding regular semester.

#### 3. Standards of Grade Distribution

- a. The faculty acknowledges the importance of applying grading standards consistently, particularly in required courses, to protect the integrity of those standards as a reliable measure of student performance, and to assure that academic average and students' class rankings are truly comparable.
- b. Where the credentials of entering students have been balanced

across sections, as in the first year, or where there is a sufficiently large sample of students in a class, there is no empirical basis to justify widely divergent medians, averages, or distributions of grades among those sections and classes. The law school, therefore, prescribes mean/median ranges for its courses. The distribution of grades is formulated according to the following categories of courses: first-year courses, upper-division courses; and seminars and clinics. The law school prohibits the submission of grades that are widely divergent from these prescribed ranges, and it restricts the submission of grades that are marginally, as opposed to widely, divergent from them. Because of the smallness of the sample, the grade ranges become merely advisory in small classes, i.e., classes in all categories in which the number of students is 16 or fewer (See Rule III.3.c.v.).

- c. With the affectivity of the letter-based grading system starting with the fall 1999 entering class, the distribution of grades shall be as follows:
  - i. In all first-year courses, except LSP, it shall accord with a mean falling within a range of 2.80–3.00 and a median of B/B-. Beginning with the fall 2004 entering class, the course in Catholic Social Teaching will be graded on the same scale as other first-year courses, with the same mean and median ranges. LSP shall accord with a mean falling within a range of 3.0–3.3 and a median of B/B+.
  - ii. In upper-division courses, other than in seminars, clinics and small classes, covered by Rule V. below, it shall accord with a mean falling within a range of 2.90–3.20 and a median of B.
  - iii. In seminars and clinics, except those covered in Rule v. below, it shall accord with a mean falling within a range of 3.00–3.60 and a median of B/B+. A seminar is a course, ordinarily of not more than 20 students, in which students have substantial responsibility for class presentations and discussion. With respect to courses in which credit is based on the submission of a supervised paper or on a supervised clinical performance, the median and mean grades shall fall within the same range prescribed for seminars and clinics. Where papers are written according to standards and procedures equivalent to those governing directed research papers and where clinical performances occur under close and continuous faculty supervision, there may be a special reason for the mean and median grades to fall within the higher part of that range.
  - iv. In all courses, grades should be distributed around the median in a reasonable manner. Normally, a reasonable distribution would differentiate grades across the full spectrum from A through C, i.e., there would be grades at each of the levels from A to C. Statistically, in most classes, a reasonable distribution would tend to be a more or less symmetrical bell curve with the bulk of the grades clustered near the median. Greater variations in the range of grades, and their distribution pattern, might be expected in seminars and smaller classes. While grades at the level of unsatisfactory or failure (C-, D, F) may be uncommon, those grades will be awarded when the student's work product fails to reflect minimally competent law school work for the course. Likewise, grades at the level of exceptional (A+) will be awarded only when the student's work for the course is of unusually high quality compared to that expected generally of law students.

- v. In any course where actual student enrollment is 16 or fewer or where the course enrollment cap is 16 or fewer, the grade ranges above become merely advisory.

d. The Enforcement of Distributional Ranges

- i. Faculty members are responsible for calculating and verifying (with faculty support staff assistance, if necessary), the mean and median grade for each course (excluding delayed examinations/papers), and for including such information in their submission of grades. The mean and median for each course must fall within the applicable published range appearing in the law school Announcements, with the exceptions provided in paragraphs 3 and 5 below. For purposes of computing the mean and median only, faculty members should calculate all grades of D or F as a 1.67/C-. (However, this has no effect on the calculation of individual student GPA. See Rule III.1.a.) In assessing compliance, the top and bottom of the range is the number taken to one decimal point, e.g., 3.0, and not some fraction subject to being rounded off thereto. Whether a mean and median falls within the published range is to be determined after the addition or subtraction of any discretionary steps. If, notwithstanding the faculty member's good faith effort, a median falls outside the range, after such additions and subtractions, the grades for the course are not to be considered divergent.
- ii. After certification, the Office of the Dean shall post the mean and median with the grades for all courses.
- iii. The Office of the Dean shall enforce faculty compliance with the published mean/median ranges. Such enforcement applies equally to all categories of courses, including electives, as well as staples and first-year courses, with the exception of small classes, covered by Rule III.3.c.v. For classes falling within this exception, ranges are advisory rather than mandatory.
- iv. If a faculty member submits widely divergent grades, the Office of the Dean will automatically return them for appropriate adjustment. Grades are widely divergent if the mean or median is more than one decimal point above or below the prescribed range. Grades not adjusted will not be posted and will not be entered into the record.
- v. As an exceptional matter, a faculty member may submit, and the Office of the Dean shall post, grades diverging from the published range for a course, but to an extent that is not widely divergent, on condition that the faculty member submit, with the grades, a written justification for the deviation. Such divergence within written justification will, however, not be permitted more than once every two years for any given course. If a faculty member submits grades outside of the published range without the required justification, or in any event, more often than once for a given course within any two academic years, the Office of the Dean will return the grades for adjustment. Grades not adjusted will not be posted and will not be entered into the record.
- vi. When the Office of the Dean posts divergent grades based on written justification, it will circulate the justification and divergent mean and median to the faculty.

4. *Required Courses.* If a student's grade in a required course is an F, the course must be repeated the next time it is offered in the student's division. In determining which section of the course should be taken, consideration will be given to the student's preference but the final decision will be made by the dean. Both grades will show on the student's transcript and both grades will be included in the computation of the cumulative average.

5. *Elective Courses.* A student may retake a failed elective course. However, both grades will show on the student's transcript and both grades will be included in the computation of the cumulative average.

#### 6. *Requirements for Graduation*

- a. Students who entered law school prior to fall 2003: To graduate, a student admitted prior to fall 2003 must maintain a cumulative average of 2.0. In addition, an average of at least 1.67 must be attained in the semester immediately preceding graduation.
- b. Students who enter law school, in fall 2003 and subsequently: To graduate, students who are admitted fall 2003 and subsequently must maintain a cumulative average of 2.15. In addition, an average of at least 1.82 must be attained in the semester immediately preceding graduation.

#### 7. *First-year Students Entering Fall 2003 and Thereafter*

- a. A student whose cumulative average for the first year is below 1.82, and whose average for the spring semester is less than 2.15, will be excluded from school.
- b. A student whose cumulative average for the first year is below 1.82 but who attains an average of at least 2.15 in second semester courses will be placed on probation and must then attain an average of at least 2.15 for each semester thereafter and must raise his or her cumulative average to 2.15 by the end of the school year or be excluded.
- c. A student whose cumulative average for the first year is below 2.15, but not below 1.82, is placed on probation.
- d. Academic standing and class rank for first-year day- and evening-division students will be based on all work completed in the first two semesters.
- e. Pass/unsatisfactory/fail: First-year students may elect to have their grades from either first or second semester, or both, officially recorded on a pass/unsatisfactory/fail basis. If a student chooses the latter option, the dean's office must be notified prior to the eighth week of the semester to which it applies. Students who choose the pass/unsatisfactory/fail option shall be provided with a written statement analyzing their final examination performance, their classroom performance when the instructor assesses classroom performance in determining a student's final grade (see section VI.4), and their performance on non-examination components of final grade (Rule VI.3), if any. A student who elects the pass/unsatisfactory/fail option will not be told his or her grade in any course. However, the dean's office will maintain a record of the student's letter grade, for purposes of computing the student's academic standing and graduating class rank (see section III, 2 and 6a, b).

8. *Transfer Students.* Transfer students will be subject to the normal academic standing requirements based on work at this law school. However, transfer students will be given a class rank only if they complete two-thirds of their work at this law school.

9. *Procedure for Appealing Failing Grade.* The procedure is described on the university Web page <http://policies.cua.edu/academicundergrad/appealfailinggrades.cfm>.

## IV. PROBATION, EXCLUSION, AND READMISSION

### Students Entering Prior to Fall 2003:

#### 1. *Probation: Cumulative Average Less Than 2.0*

- a. A student placed on probation for failure to maintain a cumulative average of 2.0 must attain an average of at least 2.0 in the following semester courses or be excluded from school. Students graded under the letter-based scale will be placed on probation when the student's cumulative average becomes less than 2.0, but not below 1.67.
- b. Such student also must raise his or her cumulative average to 2.0 to remove himself or herself from probation. A student whose cumulative average is below 2.0 at the end of two successive semesters on probation will be excluded from school.

#### 2. *Probation: Semester Average Below 1.67*

A student placed on probation for attaining a semester average below 1.67 must attain an average of at least 2.0 in the following semester to remain in school.

3. *Required Participation in Academic Excellence Program, see below.*

#### 4. *Students Restored to Good Standing*

A student who has once been placed on probation and restored to good standing will not be placed on probation a second time. A student who has been restored to good standing and who thereafter attains an average of less than 1.67 for any semester of whose cumulative average falls below 2.0 will be excluded.

### Students Entering Fall 2003 and thereafter

#### 1. *Probation: Cumulative Average Less Than 2.15*

- a. A student placed on probation for failure to maintain a cumulative average of 2.15 must attain an average of at least 2.15 in the following semester courses or be excluded from school. Students graded under the letter-based scale will be placed on probation when the student's cumulative average becomes less than 2.15, but not below 1.82.
- b. Such student also must raise his or her cumulative average to 2.15 to remove himself or herself from probation. A student whose cumulative average is below 2.15 at the end of two successive semesters on probation will be excluded from school.

## 2. Probation: Semester Average Below 1.82

A student placed on probation for attaining a semester average below 1.82 must attain an average of at least 2.15 in the following semester to remain in school.

## 3. Required Participation in Academic Excellence Program

### a. First-Year Students

Following the fall semester of the first year, the following students are required to participate in the Academic Excellence Program:

a) any first-year student whose cumulative average for the first-year fall semester falls within the lower 15% of the class; b) any student who has received the grade of D or F in any course; or c) a student referred by the Office of Academic Affairs based on pertinent information which may include a faculty member recommendation. Each student must develop and implement a written individual academic plan approved by the Director. No first-year student required to participate in the Academic Excellence Program by this rule will be permitted to register for subsequent fall semester courses until the student provides the Office of Academic Affairs with a statement, signed by the Director of the Academic Excellence Program confirming that the requirements of this rule have been satisfied.

### b. Upper-Division Students

A student placed on probation is required to participate in the Academic Excellence Program. Students must develop and implement a written individual academic plan approved by the Director of Academic Excellence Program. No student required to participate in the Academic Excellence Program by this rule will be permitted to register for subsequent semester courses until the student provides the Office of Academic Affairs with a statement, signed by the Director of the Academic Excellence Program confirming that the requirements of this rule have been satisfied.

## 4. Students Restored to Good Standing

A student who has once been placed on probation and restored to good standing will not be placed on probation a second time. A student who has been restored to good standing and who thereafter attains an average of less than 1.82 for any semester or whose cumulative average falls below 2.15 will be excluded.

## 5. Readmission Following Exclusion

- a. As a general policy, students excluded for academic deficiency will not be readmitted to the law school. However, the faculty will consider an excluded student's petition for readmission upon a showing of circumstances affecting his or her academic performance while here or substantially changed circumstances since his or her exclusion.
- b. An excluded student will be considered for readmission only once and normally will not be considered within the first year following exclusion. Any student who wishes the faculty to waive the one-year waiting period must request such waiver in writing and give reasons therefore.
- c. As a rule the faculty excludes the votes of student representatives to the faculty and to the Student Affairs Committee on matters

pertaining to a student's petition for readmission. However, upon written request of the student seeking readmission, student representatives will be permitted to vote on the petition.

- d. A student who is readmitted following exclusion must, in the first year of readmission, repeat all required courses in which he or she did not receive satisfactory grades (of C or better) during his or her previous attendance at the law school. Only satisfactory prior work (grades of C or better) will be applied toward degree requirements. The student's average for the first semester after readmission will be based only on work taken in that semester. A student's cumulative average after the first semester following readmission shall include earlier work (work completed prior to exclusion) in which the student earned a grade of C or better.
- e. Required standards of performance following readmission.
  - i. A readmitted student after one year of law school work must earn an average of 1.67 (if student admitted prior to fall 2003) or 1.82 (if student admitted fall 2003 or thereafter) in the first semester following readmission and must earn a cumulative average of at least 2.0 (pre-fall 2003 admittees) or 2.15 (fall 2003 or thereafter) by the end of the second semester following readmission. A readmitted student will not be placed on probation at any time following readmission.
  - ii. A student readmitted to the law school who has accumulated academic credit beyond the first year of law school work must earn an average of at least 2.0 (pre-fall 2003 admittees) or 2.15 (fall 2003 or thereafter) in the first semester following readmission and must maintain a cumulative average of at least 2.0 (pre-fall 2003 admittees) or 2.15 (fall 2003 or thereafter). Readmitted students will not be placed on probation following readmission.

## V. CLASS ATTENDANCE AND COURSE REQUIREMENTS

### 1. Class Attendance

Regular and punctual attendance at class meetings or equivalent course exercises is a condition of receiving credit in all courses. If a student misses more than two hours of coursework for each credit hour assigned to the course the instructor may direct the dean's office to exclude the student from the course. Instructors in limited-enrollment courses (seminars, clinics, simulations, etc.) may set stricter attendance rules for those courses, including required attendance at the first or other specified class meetings; if a student fails to meet these requirements the instructor may direct the dean's office to exclude the student from the course. Each instructor is responsible for announcing and enforcing the specific attendance policy for that course. Chronic, repeated or general lack of attendance in violation of these rules shall be grounds for dismissal from the school upon a vote of the faculty.

### 2. Course Requirements

Individual instructors are free to determine their own teaching method and materials and whether their course grade will be based on examination, a research paper, or a combination of the two, or pursuant to Rule VI. Individual instructors also may designate pre-requisites for their courses.

## VI. COMPONENTS OF GRADE

1. Except as provided below in sections 2–4, each student’s grade shall be based solely on an anonymous written examination administered at the end of the course pursuant to Rule VII.

### 2. *Courses Exempt by Category*

Clinical courses, externship courses, simulated lawyering skills courses, seminars, and all courses that satisfy the Writing Requirement pursuant to Rule X are not governed by paragraph 1. Instructors in those courses may base their grades on criteria established by the individual instructors. The criteria must be set forth in writing and distributed to the students in the course at or before the first class meeting.

### 3. *Instructor Option re Student Work Product*

- a. In any course other than those listed in paragraph 2, at the instructor’s option up to 30 percent of the final grade may be based on student work product other than the final examination.
- b. The student work product that comprises the nonexamination portion of the final grade may consist of answers to written problems; research or drafting assignments; periodic quizzes; a mid-semester test; classroom demonstrations, presentations or reports; individual or team exercises such as simulations of interviews, depositions, arguments, hearings, negotiations, or the like; or any other activity during the semester that can be objectively assessed and compared from one student to another.
- c. Any instructor intending to base a portion of the grade on student work product other than a final examination must make that election, set forth the criteria for the grade in writing, and distribute it to the students in the course at or before the first class meeting. No nonexamination grading component criteria may be added by the instructor after the initial distribution of the criteria to the students. Previously announced nonexamination grading criteria may be eliminated or changed by the instructor so long as the change is made in writing and distributed to the students before the last day of classes.
- d. When the final grades are submitted to the dean’s office, the instructor must submit a written worksheet or compilation that identifies the nonexamination component(s) for each student.
- e. The instructor should grade the nonexamination components on an anonymous basis, whenever feasible, especially in first year courses.

### 4. *Instructor Option re Classroom Performance*

At the instructor’s option, assessment of classroom performance, which includes participation in class discussions and in-class exercises other than those listed in Paragraph 3, may raise or lower a student’s grade for the course by a single letter-grade step. A single letter-grade step change is a change from an A to an A+ or A-, from a B+ to an A- or B, etc. No grade of D or F may, however, be created or altered though an addition of or subtraction of a step as provided in this section.

## VII. EXAMINATIONS

Anonymous written examinations are conducted in all courses at the end of each semester, except as provided in Rule VI.

### 1. *Time and Place for Examinations*

Examinations will be administered, according to a posted schedule, in a special period following the end of all regular class meetings. All exams must be taken during that period unless incompletes are entered for good cause. The posted schedule designates specific starting times for exams and will be issued in draft form no later than the beginning of the semester. Examinations that deviate from the time limits set in paragraph 3 below must be identified at that time. Exam questions are distributed by proctors. Students will be assigned to specific rooms, must take every other (alternate) seat in the classroom assigned, and must write the examination in that room.

### 2. *Proctors*

Faculty members or others hired for the purpose will be assigned as proctors for each room in which examinations are being taken. Proctors will distribute and collect exams in the assigned room and will remain in the room during the exam.

### 3. *Time Limits*

Examinations may be one to four hours’ duration, at the instructor’s discretion. Except in required courses, if an examination will exceed the four-hour limit, students must be advised of that fact no later than the inception of registration. The amount of time allowed will be stated on the examination itself, and this time is absolute. At the stated expiration time, all students must turn in their exams promptly to the proctor. The proctor is instructed to notify the Office of the Dean regarding the examination papers of students who continue to write past the time limit.

Any student who is unavoidably late for the beginning of an examination may see the dean or the dean’s designee, who may extend the deadline for that student for sufficient reason. Otherwise, a late-arriving student is limited to the original deadline set for the exam. Similarly, students who become ill during an exam should report the illness to the proctor. The proctor will collect that student’s examination materials and will report the illness to the dean, who may extend the deadline or reschedule the exam.

### 4. *Rescheduling of Examinations*

- a. Students may request rescheduling of examinations on account of personal or family illness or emergency or an exam conflict. Any rescheduling will be to the nearest possible time at which all other rescheduled students will be available to take the examination. No examination will be rescheduled to a time prior to the time at which the examination period starts. With regards to any exam rescheduled in advance of a regularly scheduled exam, faculty members will be consulted prior to the Office of Academic Affairs making such accommodations.
- b. If a student has examinations on three consecutive days, the middle exam may be rescheduled.
- c. If a student has two exams in one day, he or she may reschedule one.
- d. If a student has two exams in less than 48 hours (the 48-hour period is computed from the starting time for each exam), one

exam will be rescheduled so that the exams will be at least 48 hours apart.

- e. Reasons of personal convenience, including matters relating to employment, do not warrant rescheduling examinations.
- f. The instructor will be advised whenever a student takes his or her exam at a rescheduled time, and the instructor may prepare a special exam for that purpose.

#### 5. *Failure to Appear for Scheduled Examination*

Any student who, without approved rescheduling, fails to appear for an examination at the time scheduled will receive an F for that exam.

#### 6. *General Examination Format*

Examinations in the law school will consist of a series of questions or problems dealing with the subject matter of the course. In preparing such examinations, instructors may designate the weight- or time-allocation for each question or problem.

#### 7. *Take-Home Examinations*

An instructor may give a take-home examination in any course. Take-home exams should be distributed and returned at fixed times, and the time allotted should be neither so short nor so long as to interfere with other examinations being administered. Policies stated above with respect to deadlines, rescheduling, and failure to appear apply to take-home exams as well as to regular exams. In giving take-home exams, instructors should appreciate the limited resources of the law library, should avoid using the take-home format as a substitute for a term research paper, and should presume that the exam can be answered from required course materials.

Take-home exams should be in the same format as regular exams and should be returnable within a maximum of 48 hours after distribution. The instructor should specify appropriate amounts of time for preparing and writing exam answers and should set maximum page or word limits for the exam.

#### 8. *Materials in Examination Rooms*

Instructors should announce in class, advise the proctor, and indicate on the examination questions what (if any) materials students may bring into the examination room. Any other notes, books, or materials must be left outside the room during the exam.

#### 9. *Anonymity of Examinations*

Examinations are taken and graded anonymously. Students are responsible for obtaining exam numbers according to procedures set by the dean's office. Students must identify their exams only with their exam number.

#### 10. *Review of Exams C or Below*

Every student who has received the grade of C or less in any course is required to review the examination and the model answer the professor has prepared for that examination and discuss the review with the professor. No student obligated to review an examination by this resolution will be permitted to register for courses taken in the semester subsequent to the semester when the grade was posted

unless the student provides the Office of the Associate Dean of Academic Affairs a statement, signed by the professor assigning the grade of C or less, confirming the obligation created by this resolution has been satisfied. The limitation on registering for courses shall apply up to, but not including, the registration period for courses to be taken in the last semester of the students' legal study.

### VIII. COMPLETION OF COURSES: INCOMPLETES

1. Students in all courses are expected to complete their course work within the semester in which the course is offered. In examination courses this means taking the exam at the time scheduled. In courses in which research papers comprise all or part of the course work, such papers must be submitted at the times fixed by the instructor but in no event later than the last day of scheduled exams for the semester.
2. When a student is unable, because of illness or other hardship, to complete course work (other than the examination) on the due date(s), the student should advise the instructor promptly. The instructor may then direct the entry of a grade of incomplete in the course. Incomplete grades must be made up at a time determined by the instructor and, in any event, no later than the middle of the following semester. Incomplete grades will be used rarely and only in extraordinary cases and will not be used when the student simply has failed to complete course work. A student whose transcript reflects a grade of incomplete following the second semester may not be officially ranked.

No incomplete may be entered in the summer session.

Failure to complete course work on the due date or, in the case of an incomplete, by the middle of the following semester, will result in the entry of an F.

### IX. AVAILABILITY OF GRADES AND CLASS RANKS

#### 1. *Availability of Grades*

Final coursework grades are available through Cardinal Students.

#### 2. *Class Rank*

Class ranks for J.D. students will be computed after each second semester and upon graduation. Students completing their degrees in summer or mid-year will be ranked with J.D. students finishing in the following May. Transfer students will be given a class rank only if they complete at least two thirds of their academic credits at this law school.

#### 3. *Grade Changes*

Grades in any course are considered final once submitted to the Office of the Dean. The Office of the Dean may change an otherwise final grade only on written certification from the faculty member either (1) that the final grade reflects an incorrect mathematical computation or recordation or (2) that, in determining the particular exam or paper grade, the faculty member evaluated the student's work differently from that of all others in the course. (The latter criterion does not contemplate changes in the classroom performance

(Rule VI.4) portion of any final grade.)

No final grade will be changed merely to restore a student to good standing, to assure academic credit for the course, or to improve class rank at this institution or any other; nor will a grade be changed because, on review, the faculty member is persuaded the student had a better (or worse) grasp of the course material than the exam or paper evidenced on its face.

In no event may any final grade be changed unless the faculty member's written certification reaches the Office of the Dean by the middle of the semester following that for which the grade was entered.

#### 4. *Submission of Grades by Faculty*

Faculty members are expected to submit grades as soon as possible. Absent an extension from the dean, grades are to be submitted no later than four weeks from the conclusion of the examination period. In order to award honors at graduation, grades of graduating students in their last semester must be submitted at a time to be designated by the dean.

## X. WRITING REQUIREMENT AND DIRECTED RESEARCH

### 1. *Introduction*

Each upper-level student must complete at least two substantial writing projects after the first year of law school. These projects usually involve legal research and analysis as well, but the instructor supervising a writing project that satisfies this requirement is expected, to the extent practicable, to critique the student's writing apart from the research and analysis, discuss these critiques with the student, and base a significant portion of the grade on the writing itself.

### 2. *Writing Requirement*

- a. Each upper-level student must complete the two writing projects with a grade of C or better. In a qualifying course where the course grade is not the same as the grade for the writing component, the writing component grade must be a C or above to satisfy this requirement.
- b. To satisfy the Writing Requirement a project must include three basic elements: (1) close faculty supervision of the writing process; (2) submission of at least one substantially complete draft in addition to the final product; and (3) feedback on interim drafts in the form of written comments, regular conferences, or both. In addition, each writing project must include a research component appropriate to its scope and genre.
- c. Each project must be from a different one of the six categories below.
  - Directed Research
  - Qualifying Course Paper
  - Law Journal Writing and Editing Project
  - Appellate Court Brief
  - Advanced Legal Writing Course
  - Applied Legal Writing Portfolio

It is highly recommended that students complete one project in their second year and the other in their third or fourth. .

### 3. Writing Project Categories and Specifications

- a. Directed Research Project. Directed Research is a two-credit course.
  - i. A student may register either for two consecutive semesters (i.e., fall/spring; spring/fall; spring/summer; summer/fall) or for a single semester. In a two-semester project, the first semester should be devoted primarily to conducting research; the second semester should be devoted primarily to writing; and the grade and credits will be awarded only upon the completion of the second semester. Note that both credits will be awarded for the same semester and will not be split between semesters.
  - ii. Reworking or extending prior papers, modifying work done for employers, or compiling research done by others is not acceptable. Although the page number requirement is left to the supervising instructor's discretion, it is unlikely that a paper of acceptable quality could be done in less than forty 40 pages.
  - iii. To register for Directed Research the student must submit a statement of topic signed by the supervising instructor, including the tentative research and writing schedule agreed to by the student and the instructor. At a minimum, this schedule should include dates for (1) the submission of a research bibliography; (2) submission of at least one substantially complete draft; (3) the return of the first draft to the student with extensive written comments; and (4) a final paper which responds to the written comments. These stages, and any additional interim deadlines required by the supervising instructor, should be spread out over the semester or semesters for which the student is registered for the course.
  - iv. The customary due date for the submission of the final paper is the first day of the examination period for the semester in which the paper is due. Individual faculty members may, however, set an alternative deadline for any time up to but not past the last day of the examination period. Within this time period, each faculty member has the discretion to waive deadlines or to impose penalties for missed deadlines. If the final paper is not submitted by the end of the examination period, the instructor must enter a failing grade unless an incomplete is justified under Rule VIII.
- b. Qualifying Course Paper.
  - i. A qualifying course paper is one that satisfies the criteria in paragraph 2.b. above, written in conjunction with a seminar or other course with an enrollment of no more than twenty-four (24) students. The instructor should publish to prospective students before commencement of the course the procedures to be followed and the criteria for the course paper. The student must submit a written statement of topic within the time designated by the instructor teaching the course (normally, within the first two weeks of the semester). The student and instructor shall then agree on a tentative schedule for submission of drafts and provision of feedback.
  - ii. An instructor may choose to require more than one paper to satisfy the course requirements. Although the page number requirement is left to the supervising instructor's discretion, it is unlikely that a single paper of acceptable quality could be done in less than 25 pages, or a similar combined page count

for multiple shorter papers.

- c. Law Journal Writing Project or Law Journal Editing Project. The law journal writing project must be completed in the course in Law Journal Writing, and the law journal editing projects must be completed in the course in Law Journal Editing. Both courses are open only to members of the school's law journals. The requirements for these courses are specified in the respective course descriptions and include the following:
- i. Law Journal Writing is open only to students selected for one of the school's law journals and engaged in a writing project for the journal. The course is not mandatory for those journal members, but a student may not count a law journal writing project toward fulfillment of the writing requirement unless the student has enrolled in and completed all course requirements including completion and submission of the journal writing portfolio.
  - ii. Law Journal Editing is mandatory for third- and fourth-year law journal members who have responsibilities for supervising student writing projects, and only journal members enrolled in this course may supervise second- or third-year members who are enrolled in Law Journal Writing.  
A student may apply one or the other of these courses, but not both, toward fulfillment of the writing requirement.  
Each journal's faculty adviser(s) must certify to the dean's office students who have successfully completed writing or editing projects that meet the course requirements.
- d. Appellate Court Brief. The brief writing project must satisfy the criteria in paragraph 2.b. above. Briefs completed in the Appellate Advocacy course may satisfy this requirement. An appellate brief (extra- or intramural) does not qualify to satisfy the writing requirement when the rules of the competition prohibit faculty involvement.
- e. Advanced Legal Writing Course. This includes Advanced Legal Writing and Research, Legal Drafting, and similar courses that may be identified in the future, where the primary focus is the development of legal writing skills and the process of legal writing and where the writing projects meet the criteria in paragraph 2.b., above.
- f. Applied Legal Writing Portfolio. This writing project option recognizes that writing skills may be developed by experience in creating legal documents as part of a law school course.
- i. In conjunction with one or more courses the student must produce a portfolio of at least three (3) original written projects, each of which satisfies the criteria in paragraph 2.b., above. The written products may be a variety of documents, such as: (1) a legal opinion letter to a client; (2) a demand letter or similar communication to an opposing party or attorney; (3) a pleading; (4) a memorandum of points and authorities; (5) a proposed order of settlement; (6) a contract, lease, license, or similar agreement; (7) an appellate brief; (8) comments on draft legislation or a proposed agency rule; (9) a will or trust agreement; (10) a proposed statute or agency rule; (11) or any other legal writing that is neither boilerplate nor substantially rewritten by an instructor.
  - ii. Each written product submitted as part of the applied legal writing portfolio must be of high quality and reflect substantial analytical and writing work, but need not be of any

particular length. The three products may (but need not) be written in the same semester.

- iii. Each writing included in the portfolio must be accompanied by a certification from the supervising instructor that it satisfies these requirements. The completed portfolio and accompanying certificates must be submitted to the law school registrar in order to receive credit toward the upper-level writing requirement.

## XI. STUDENT RECORDS AND TRANSCRIPTS

Each student's file, containing material from application through graduation, is maintained in the law school. Information in the file is available to the student upon written request, consistent with the requirements imposed on the law school by the university and by the Family Educational Rights and Privacy Act of 1974 (Buckley Amendment). The student record policy is online at <http://policies.cua.edu/StudentLife/studentrecords.cfm>.

Student education records will not be disclosed without written permission of the student unless the release fits one of the exceptions in the CUA Student Records Policy, online at <http://policies.cua.edu/studentlife//studentrecordsfull.cfm>.

Permanent and official transcripts of law school work are maintained in the university registrar's office in McMahan Hall. All requests for transcripts should be made to that office.

## XII. COURSES OUTSIDE THE LAW SCHOOL DURING THE REGULAR SCHOOL YEAR

Matriculated students are ordinarily expected to take all law school courses while in residence at this law school. In extraordinary circumstances related to family, health, and other unusual personal situations, the associate dean for academic affairs may permit a student to visit at another law school for a total leave for any reason of not more than two semesters. Upon timely application to the associate dean for academic affairs, a student may be permitted to visit away for no more than one semester to participate in a structured program of unusual academic and professional enrichment at another institution, on condition that the program for which leave is taken is not available at this law school and is of demonstrated academic rigor, and that the total time visiting at other institutions, for any reason, does not exceed two semesters.

Permission may not be granted solely to reduce the costs of attending law school nor to prove an opportunity for students to be enriched by experiencing another law school's general academic, cultural, or geographic environment. A student who visits away must pay a "transient student fee" to cover administrative expenses and will receive credit only for courses in which a satisfactory grade has been received. Such credits will satisfy degree requirements (credit hours and residency) but no grades will be entered on the student's permanent record and, therefore, the grades received will not be included in the calculation of the student's cumulative average and class rank. Students must earn a minimum of 56 credit hours at CUA to be included in the class ranking.

Except for students transferring from another approved law school, no credit toward the J.D. degree can be given for course work done prior to matriculation in the law school.

Within the limits of maximum course load, students may request

permission to take courses relating to the law in other schools or departments of the university for credit toward their J.D. degree. No more than three such courses will be approved, and in every case the student should verify the availability of the course and his or her admissibility in the pertinent school or department in advance of registration. Grades in such courses will be entered on the student's record but will not be computed into his or her academic average. Note: The limitation to three courses does not apply to joint-degree candidates.

Also within the limits of maximum course load, students may request approval to take courses at other law schools for credit toward their degrees here. Such approval will not be given unless the course is not historically offered at the law school or the student is unable to take, and could not reasonably have taken, the course at this school prior to graduation. Admissibility to specific courses is in all cases determined by the receiving school, and tuition charges are determined by that school. Only courses in which satisfactory grades (i.e., according to the scale at that school) are earned will be credited toward degree requirements here.

### **XIII. SUMMER COURSES AT OTHER LAW SCHOOLS**

1. Approval will not be given for students to take courses elsewhere that are required courses here or that will be offered here during the remainder of the student's program of studies.
2. Upon timely application to the associate dean for academic affairs, a student may be permitted to participate in another law school's structured summer program abroad where the program offers unusual academic, professional or cultural enrichment, even if the program includes nonrequired courses that are or may be offered here.
3. Students employed more than 20 hours per week in the summer will not be authorized to take at another school any combination of courses or credit hours which require more than 10 classroom hours per week.
4. No transfer credit will be given for summer coursework at another school unless the student earns a grade which is satisfactory according to the standards of that school. Students are responsible for seeing that transcripts of summer work are forwarded promptly to the associate dean.
5. Summer courses at other law schools will not count toward CUA residency requirements.
6. Approval will not be given for summer courses which will officially begin or conclude during the regular school year.

### **XIV. WITHDRAWAL FROM SCHOOL AND LEAVES OF ABSENCE**

A student should notify the Office of the Dean in writing if it is necessary that he or she withdraw from school at any time prior to graduation. Students will be given leaves of absence when their withdrawal is for good cause and are eligible to re-enroll within a reasonable time. The definition of "reasonable time" depends on the specific circumstances, but leaves for more than one calendar year are rarely approved. Students in their first year and students on probation are not permitted to take leaves of absence until they satisfactorily complete the first year or until they are restored to

good standing.

### **XV. AUDITS**

Within the limits of maximum and minimum course load, students may audit courses in the law school or in the university. Such audited courses are entered on the student's record but do not count toward either the academic credit or residency requirements. Auditors are not excused from class attendance requirements.

### **XVI. STUDENT CONDUCT AND DISCIPLINE**

Students in the law school are subject to the Standards of Student Conduct as set out in the University Policies and Procedures Affecting Students and to the jurisdiction of the Student Judiciary. All members of the law school community are subject to the provisions of the Rules of Professional Conduct for Law Students.

### **XVII. BAR EXAMINATIONS**

Students contemplating taking any bar examination should check the requirements carefully to ensure that their academic programs conform to any special rules. Some states require registration with the bar examiners while still a law student. Some states require specific course work before a law graduate may take the bar examination.

### **XVIII. CREDIT THAT MUST BE EARNED IN REGULARLY SCHEDULED LAW SCHOOL CLASS SESSIONS**

Students who elect to participate in approved studies or activities away from the law school, or in a format that does not involve attendance at regularly scheduled class sessions, may use such time spent to satisfy the school's residence and class hour requirements, provided the conditions of this section are met.

1. At least 65 credits of the total credited toward satisfying the "in residence" and "credit hour" requirements for graduation shall be in actual attendance in regularly scheduled class sessions in this law school or, with the dean's approval, at another law school.
2. The remaining hours may be earned for other studies or activities such as clinical fieldwork (see section XIX), directed research (see section X), participation in moot court and law review, and courses relating to law taken outside the law school (see section XII). (Students should be aware that state bars may have a more stringent requirement for credit hours earned in classes with regularly scheduled classroom sessions, and thus they should become acquainted with the specific requirements of any state in which they may wish to practice.)

### **XIX. CLINICAL COURSES**

With regard to clinical courses, the Announcements of the school shall designate how much credit is given for regularly scheduled classroom sessions and how much credit is given for other studies and activities including fieldwork. (See section XVIII on maximum credit that may be obtained for studies and activities outside regularly scheduled classroom activities.) No more than one course designated as a clinical offering may be taken per semester without specific approval of the coordinator of clinical programs. The coordinator of clinical programs also shall determine if a particular