

University of
Georgia[®]
Law



Student Handbook

2016 - 2017

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Part 1 J.D. PROGRAM

General Requirements for the Juris Doctor Degree

Requirements for the Juris Doctor (J.D.) degree are:

1. successful completion of at least 88 credit hours, including the full 1L curriculum, the 1L Richard B. Russell oral argument competition and all additional required courses;
2. six resident academic (Fall and Spring) semesters as a full-time student;
3. cumulative grade point average of at least 2.0, according to the grading system utilized by the Law School;
4. satisfaction of the Law School's Writing Requirements (2L drafting and Capstone Writing Project for students entering in or after Fall 16);
5. satisfaction of the Practical Skills training requirement (6 cr hours for students entering in or after Fall 16; 3 for all other students);
6. completion of JURI 4300, The Law and Ethics of Lawyering;
7. completion of JURI 4180, Constitutional Law I; and JURI 4090, Property (for students entering before Fall 16).

To be eligible to participate in the Law School Commencement during the spring semester, students must be within 15 credit hours of completing their degree requirements at the conclusion of spring semester. No student shall graduate or participate in commencement if a disciplinary action or hearing is pending, or if the Associate Dean for Academic Affairs finds such participation inappropriate.

Degree with Honors

The Law School recognizes scholastic attainment of genuine distinction by awarding the degree of Juris Doctor summa cum laude, magna cum laude, or cum laude based on cumulative grade-point average.

Honors are bestowed on the following basis:

1. top 2% of each graduating class will be awarded the J.D. degree summa cum laude;
2. the next 8.5% of the class will be awarded the degree magna cum laude;
3. the next 37.5% of the class will be awarded the degree cum laude.

Academic Courseload

The normal full-time credit load is 12 to 18 semester credit hours in the fall and spring semesters and 3 to 8 credit hours in the summer term. A semester requires enrollment in at least 12 semester hours, but under unusual circumstances, the Associate Dean for Academic Affairs may grant permission for a student to undertake fewer hours. In the final semester of study, enrollment in at least 10 semester credits qualifies for full-time resident status. Students may not enroll in more than 18 hours in any fall or spring semester, or more than 8 hours in the summer term.

Required Courses

FIRST YEAR COURSES

Fall Semester	Credit Hours
Torts	4
Contracts	4
Civil Procedure	4
Legal Writing I	2
Legal Research I	.5
	Total = 14.5
Spring Semester	Credit Hours
Property	4
Con Law I	3
Criminal Law	3
Legal Writing II	3
Legal Research II	.5
Elective	3
	Total = 16.5

First Year Students must enroll in and successfully complete all first year courses, including the Spring Elective, in order to continue to their second year. Selective enrollment or withdrawal from first year courses is not permitted.

Civil Procedure: 4010. 4 hours.

This course covers the lifecycle of a lawsuit in federal court, including the scope and nature of the federal courts' constitutional and statutory authority to decide cases. Topics include statutory and constitutional constraints on judicial power to render an enforceable judgment against a defendant, subject-matter jurisdiction, venue, pleading, joinder, discovery, summary judgment, trial and post-trial motions, and the preclusive effect of final judgments. The course also touches on choice of law, separation of powers, federalism, forum shopping, and the interpretation of rules, statutes, and constitutional text.

Criminal Law: 4050. 3 hours.

This course examines the historical development of criminal law as well as analyzing the necessary elements of crimes and considering the principal classes of crimes.

Contracts: 4030. 4 hours.

Contracts provides an introduction to the law of legally enforceable promises under Article 2 of the Uniform Commercial Code (UCC) and the common law. Topics covered include offer acceptance, and consideration; formalities and promissory estoppel; the parole evidence rule and the statute of frauds; third-party enforcement; material breach of contract; and damages. Students are expected to be able to explain in writing how these and other legal issues under the UCC and the common law apply to various complex factual scenarios.

Property: 4090. 4 hours.

This course addresses the recognition, development and regulation of rights in real property and personal property, including the nature and function of possession and title, shared ownership, private and public rights, and transfers of property.

Constitutional Law I: 4180. 3 hours.

This course addresses the meaning and impact of the Constitution of the United States, particularly with regard to federalism, separation of powers, the judicial function, and due process of law.

Legal Writing I and II: 4071, 4081. 2 hours and 3 hours, respectively.

Legal Writing I: Introduces the process of legal analysis and reasoning and teaches students to produce written documents in the style and format appropriate for the audience and purpose, with an emphasis on objective analysis and writing. Legal Writing II: Develops advanced skills of legal analysis and reasoning within the context of both objective analysis and legal argument. Students will produce written documents in the style and format appropriate for the audience and purpose. Also covered are basic concepts, conventions, and formats for drafting legal documents.

Legal Research I and II: 4072, 4082. .5 Credit hours, each.

Introduces students to the sources and strategies for basic legal research including finding cases, statutes, regulations, and secondary authorities.

Torts: 4120. 4 hours.

Covers intentional torts, which may include battery, assault, and possibly false imprisonment, trespass to land, and others. Certain defenses to intentional tort, such as consent and self-defense, may also be covered. The bulk of the course is devoted to the tort of negligence, including the content of the duty of reasonable care, issues bearing on whether the defendant has breached that duty, the requirement that the plaintiff establish a causal connection between the breach and the plaintiff's harm, and proximate cause limits on liability.

First-Year Elective:

In the spring semester, 1L students will select a 3 credit hour elective from a list of approved electives.

ADDITIONAL REQUIRED COURSES

The Law and Ethics of Lawyering: 4300. 3 hours.

This course deals with the ethical and legal principles that govern the legal profession. Topics covered include, among others, the attorney-client relationship, the duty of confidentiality, the attorney-client privilege, conflicts of interest, ethics in advocacy, ethical issues in representing organizational clients, admission to practice, and advertising and solicitation. Particular emphasis is given to the Model Rules of Professional Conduct and the Restatement of the Law Governing Lawyers.

Practical Skills Requirement

The law faculty has designated the following courses as satisfying the practical skills requirement. Students entering Law School before Fall 2016 must successfully complete 3 practical skills credit hours. Students entering Fall 2016 or later must complete 6 practical skills credit hours.

- Advanced Trial Practice
- Advanced Writing Seminar: Appellate Practice
- Alternative Dispute Resolution Seminar
- Atlanta Externship Clinic
- Anatomy of an M&A Deal
- Appellate Advocacy
- Appellate Litigation Clinic (Summer Semester)
- Appellate Litigation Clinic I
- Appellate Litigation Clinic II
- Business Law Clinic
- Business Negotiations
- Business Reorganization in Bankruptcy
- Capital Assistance Project
- Child Endangerment and Sexual Exploitation Clinic (CEASE)
- Civil Externship I
- Civil Externship II
- Community Health Law Partnership Clinic
- Corporate Counsel Externship
- Criminal Defense Clinic I
- Criminal Defense Clinic II
- D.C. Externship Clinic
- Document Drafting: Contracts
- Document Drafting: Litigation
- Document Drafting: Survey
- Environmental Law Practicum
- Estate Planning
- Family Violence Clinic
- Hulsey-Gambrell Moot Court Competition
- Labor Arbitration
- Life Cycle of a Corporation
- Mediation Practicum I
- Mediation Practicum II
- Mock Trial Competition
- Moot Court Competition
- Negotiation Competition
- Patent Prosecution & Procedure
- Pre-Trial Civil Litigation
- Prosecution II
- Public Interest Practicum
- State and Local Government (Fall 2016 and later)
- Summer Externship
- Transactional Law Competition
- Trial Practice
- White Collar Prosecution
- Writing for Judicial Clerkships

Distance Learning Course Credits

Under ABA rules, no more than a total of 15 distance learning credit hours may be counted toward the JD degree. Students may not enroll in distance learning courses until they have successfully completed 28 JD credit hours. For most students, this means they cannot enroll in distance learning courses until the summer following their 1L year.

Courses outside the Law School

Up to six hours of credit for graduate-level courses outside the Law School may be applied toward the J.D. degree. Registration for such courses requires permission of the Associate Dean for Academic Affairs. Students must demonstrate the relevance of an outside course to their legal education and/or career plans. This privilege is not granted to first-year students. Student requests must be made to the Associate Dean in writing or by email no later than 21 calendar days before the end of the late registration/schedule adjustment period each semester. The request must include the course name, number, and description, as well as an explanation of why the student wishes to take the course and how it relates to his or her legal education and/or law career objectives.

Coursework Expectations

Law students should expect to spend no less than 2 hours per week of course-related work outside the classroom for each credit hour of coursework. So, for a 3 credit course students should expect to spend six hours studying each week.

Upper Level Writing Requirements: Students entering Law School Fall 16 or Later

In addition to the mandatory first year legal research and writing curriculum, all students matriculating at Georgia Law in **Fall 2016 or later** must successfully complete both the 2L Writing Requirement and the Capstone Writing Requirement. Before the conclusion of their second year, students must take a one semester class (for a minimum of two credit hours) that has been designated as meeting the criteria for the 2L Writing Requirement. A list of qualifying courses will be published prior to the Fall registration period. The Capstone Writing Requirement requires each student, prior to graduation, to complete an additional analytical writing project of at least 20 double-spaced pages. The project, which may consist of a single writing or be comprised of a series of shorter writings on related topics, must meet the following criteria: 1) be written in a professional style; and 2) require that the student engage in research and creative analytical thinking; and 3) be developed and revised based on faculty input and comments. A list of qualifying courses will be published prior to the Fall registration period.

Advanced Writing Requirement: Students entering Law School Prior to Fall 16

The Law School requires, as a condition for graduation, that each student complete a substantial, traditional research paper in a style similar to a law review article. The research paper must be **at least 30 pages in length**, double-spaced, with single-spaced footnotes and one-inch margins typed in 12 pt. Times New Roman font. Different spacing, font, and margin parameters may be established by the faculty member for whom the paper is being written, but those parameters must translate to the required specifications previously noted. The faculty member certifying a student's satisfaction of the Advanced

Writing requirement must complete a certificate available from the Law School Registrar, stating the method by which it was satisfied and the grade earned. A copy of the signed certification will be placed in the student's file, and an electronic copy of the paper must be provided to the law school registrar. Completion of the Advanced Writing requirement is necessary before graduation certification can be provided to any State's Bar. The requirement may be satisfied in any of three ways:

1. Completion of a research paper (consistent with the requirements noted above) in connection with a class or seminar of 20 J.D. students or fewer taught by a full-time Law School faculty member in which the predominant evaluation mechanism is the writing of a paper, on which a grade of not less than a B- is received. The Associate Dean for Academic Affairs, in consultation with the relevant faculty member, may make an exception to the class size limitation. If a student is interested in using a class paper for satisfaction of the writing requirement, he or she should meet with the faculty member to discuss this option and obtain approval. An adjunct professor may not oversee a qualifying research paper without express authorization from the Associate Dean for Academic Affairs.
2. Completion of a research paper (consistent with requirements noted above) produced in the Supervised Research course with a Law School faculty member for 2 credit hours, on which a grade of at least B- is received. Without express authorization from the Associate Dean for Academic Affairs, an adjunct professor may not oversee a Supervised Research paper. Further information regarding Supervised Research is set forth below.
3. Satisfactory completion of the writing task assigned by either the Georgia Law Review, the Georgia Journal of International and Comparative Law, or the Journal of Intellectual Property Law. If a student chooses to use this method of satisfying the advanced writing requirement, the writing project for the Georgia Law Review, Georgia Journal of International and Comparative Law or the Journal of Intellectual Property must be written under the supervision of a Law School faculty member. This supervision must involve the faculty member's feedback on the review of the writing project, which shall include faculty comments on draft(s) of the writing project. Certification of a student's final work product by the supervising faculty member is required.

Supervised Research and Independent Project

A student may not receive more than 4 hours total credit toward the J.D. degree for any combination of Supervised Research and Independent Project. No more than 2 hours credit for Supervised Research or Independent Project or any combination thereof can be earned in any semester without permission of the Associate Dean for Academic Affairs. Supervised Research and Independent Project assignments should be completed by the end of the semester in which credit is sought. Occasionally, additional time beyond the semester may be required. In such cases, a professor may enter a grade of I (Incomplete) and grant a one-semester extension for completion of the work. After one semester, a grade of I will convert to an F. To enroll in Supervised Research or Independent Project, the student must obtain a form from the Law School Registrar to be completed by the student and signed by the supervising professor. Upon returning the form to the Registrar, the student will register in Athena at <http://athena.uga.edu> for the appropriate course: Supervised Research (JURI 5190) or Independent Project (JURI 5510).

1. Supervised Research

Supervised Research, JURI 5190 (2 credits), involves an in-depth written analysis of a legal issue under close faculty supervision. It requires significant legal research and original thinking and analysis. Students must produce a final paper of a kind and quality similar to that found in law review articles. Completion of this course should involve: (1) thesis description of topic and scope; (2) general outline of approximately two pages; (3) detailed outline with citations to each major point, including preliminary bibliography listing of all sources searched to this point; (4) textual draft with bibliography of sources consulted, whether or not cited in text; and (5) final paper including footnotes.

Supervision of the paper in Supervised Research generally should be undertaken by a full-time faculty member. On rare occasions, the Associate Dean for Academic Affairs may authorize an adjunct or visiting professor to supervise such a paper.

The thesis description should be approved by the professor prior to enrollment in Supervised Research. Once the project has been approved and the student is enrolled, the balance of the steps should be completed according to a schedule established by the faculty member.

The final paper must be submitted to the supervising professor no later than the last day of the semester, unless other arrangements have been made with the supervising professor.

Supervised Research cannot involve a topic significantly explored or researched by the student previously in another context such as legal journals, moot court, paid research, law office work, or previous seminars. A student is free to use the completed project in any manner the student desires.

A professor will not supervise research outside of the area of his/her expertise, unless there is no faculty member possessing that expertise. Normally, Supervised Research will not be undertaken on a topic covered by a seminar currently being offered. A professor may not supervise more than 7 students per academic year in Supervised Research. No faculty member may grade a Supervised Research paper where the paper was originally supervised by another faculty member, except in extraordinary circumstances with the approval of the Associate Dean for Academic Affairs.

2. Independent Project

Independent Project, JURI 5510 (1 or 2 credits), provides a flexible opportunity for independent exploration of legal issues or questions sometimes not found in any course or seminar, without following the format of a formal research paper. Projects must involve significant legal, social, or empirical research or experiences.

The supervisor of an Independent Project should be a full-time faculty member. To enroll, the student must present to a faculty member a prospectus describing in detail the project, the resources to be consulted, and the final product, if any, that will result from the student's project. The faculty member must review and approve the proposal prior to the student's enrollment. The Independent Project must culminate in the production of a written document that is placed in the student's file. The document may be the work product itself or a description of or reflection on the Independent Project. The

written product must reflect the nature of the work and document sufficient student work to warrant the credit hours awarded.

The grade for Independent Project will be based upon the originality and creativity of the project, the amount of effort expended, the extent of the learning experience, and the quality of any written work prepared by the student in connection with the project. The work must be completed and any product submitted no later than the last day of scheduled classes for the semester.

A faculty member normally will not grade Independent Projects in fields outside of his/her expertise, unless no other faculty member possesses that expertise. Faculty members are not permitted to grade an Independent Project that was originally approved by another professor. A faculty member may not supervise more than 9 independent projects per academic year.

Independent Project credit cannot be given for work previously done in connection with law review, legal journals, moot court, paid research, law office practice, or a course or seminar.

Independent Project credit **does not** satisfy the Advanced Writing Requirement for graduation.

Clinic Hour Limitation

No student may apply more than 16 hours of credit toward the J.D. degree with credits earned in any combination of clinic or externship courses. Credits allocated to seminar time in a clinic or externship course are not subject to this limitation. Clinic and externship courses include: Appellate Litigation Clinic, Atlanta Externship Clinic, Business Law Clinic, Civil Externship I, Civil Externship II, Community Health Law Partnership Clinic, Corporate Counsel Externship, Criminal Defense Clinic I, Criminal Defense Clinic II, D.C. Externship Clinic, Environmental Practicum, Family Violence Clinic, Mediation Practicum II, Prosecution II, the Summer Externships, and the Wilbanks CEASE Clinic. The Law School may offer additional clinic or externship courses from time to time. Any question about whether a course counts against the clinic-hour limitation or about the number of credits allocated to seminar time in a clinic or externship course should be addressed to the Law School Registrar.

Remunerative Employment

Full-time law students are strongly advised that they should not work during their first year and they should not work more than 20 hours per week during their second or third years.

Academic Performance Standards for J.D. Students

1. Minimum Standard for Graduation and Good Standing

The minimum standard of academic performance during attendance is 1.90. Any student whose cumulative grade point average falls below 1.90 is not in good standing and is subject to academic exclusion according to the procedures set forth below.

2. Standards of Performance for First-year Students

Any student whose cumulative grade point average at the end of the first year is below 1.58 will be dismissed from the Law School with no right to petition to repeat the first-year courses. Any student whose grade point average at the end of the first year is at least 1.58 but less than 1.90 will be placed on probation and required to repeat all of the first-year courses. The student may choose to repeat the first-year courses immediately or may remain out of school for one academic year and then repeat the first-year courses. The student will have only one opportunity to successfully repeat the first-year courses and earn a grade point average of at least 1.90. Upon successful completion of the first-year courses with a grade point average of at least 1.90, the grades from the initial attempt at the first year will be expunged from the student's record and not included in calculating the student's grade point average. Students who enroll in summer courses after the first year whose cumulative grade point average is less than 1.90 will be withdrawn and will receive a refund of summer tuition and fees.

3. Standards of Performance for 2nd and 3rd year Students

- a) A student whose cumulative grade point average after the first two semesters is above 1.90 is in good standing.
- b) If at any time after the first two semesters a student's cumulative grade point average falls below 1.90, the student will be notified by mail that he or she is dismissed from the Law School.
- c) Upon receipt of the notice, the student will not be allowed to enroll in the next semester following the receipt of notice of dismissal unless that student is readmitted (see Readmission Standards below). If the notice of a grade point average of less than 1.90 is given while the student is enrolled in a semester or summer term, the student will be withdrawn from his or her courses and receive a refund for summer tuition and fees.
- d) Any student readmitted as described herein will be on academic probation for the first semester of attendance after readmission. During that semester, the student must raise his/her cumulative grade point average to 1.90. Failure to do so will result in permanent academic exclusion from the Law School.

Continuous Enrollment Requirement

First year J.D. students must complete the full first year curriculum in their first academic year (Fall and Spring semesters).

All upper level students pursuing J.D. degrees at Georgia Law are expected to maintain continuous full-time enrollment during the academic year (excluding summer terms), from matriculation until completion of all degree requirements. Failure to maintain continuous enrollment may result in permanent expulsion from the J.D. program. Students enrolled in recognized joint degree programs will meet this requirement as long as they are complying with the course schedules set out in those programs and agreed to by the joint degree advisor.

Upper level students facing unusual and exceptional circumstances may request permission to be temporarily exempted from this continuous enrollment policy. Such exceptions require advance approval from the Associate Dean for Academic Affairs, and will be granted only for good cause. Good cause

constitutes things such as serious medical and health-related issues, major financial and employment issues, pregnancy, childbirth, child care, elder care, and other significant family issues, and other major personal circumstances that significantly and unusually interfere with the ability to undertake J.D. study.

Exemptions from the continuous enrollment policy will not be granted after the course withdrawal deadline for the semester for which the exemption is sought. Students seeking permission to withdraw from Law School after this deadline must contact the Associate Dean for Academic Affairs and must comply with the University of Georgia's hardship withdrawal policy. Exemptions and hardship withdrawals may be conditioned as deemed appropriate by the Associate Dean of Academic Affairs.

A student who fails to maintain continuous enrollment without receiving advance permission as set out above will be allowed to return to the J.D. program only if granted readmission by the Dean. In readmission cases, the applicant has the burden of justifying readmission by establishing specific, unusual and unique circumstances, not common to a large number of students or inherent in the academic process, that resulted in the student's failure to comply with this policy, including the failure to request and receive advance permission for the student's absence.

All J.D. students, including but not limited to those exempted from the continuous enrollment policy, those allowed to withdraw under the hardship withdrawal policy, those granted readmission by the Dean, and those enrolled in joint degree programs, are expected to complete all graduation requirements no more than five academic years after the student's matriculation.

Dual Degrees

The Law School offers dual degree programs that enable students to earn both their J.D. and graduate degrees in less time than it would take to earn them individually. Applicants must apply separately to both programs. Transfer students interested in our Dual Degree program should contact Shannon Hinson at shinson@uga.edu.

Dual degree students must satisfy all Law School requirements, though the number of credit hours required for the J.D. portion will vary among the programs. Students interested in a dual degree program should contact the non-Law School graduate program's Admissions Office directly for information about that program. Dual degree students must typically complete their first and second years of Law School study consecutively, with the exception of those students who participate in the three year J.D./M.B.A. program. Participants in the four-year programs will pay three years of Law School tuition and one year at the Graduate School rate and will only be eligible for a graduate assistantship during their one full academic year in the non-Law School graduate program. For more information regarding dual degree programs, please see <http://www.law.uga.edu/dual-degrees>.

J.D./M.B.A.

Four Year Program

The J.D./M.B.A. provides preparation for students interested in careers combining law and banking, entrepreneurship, finance, international business, or other business and commercial interests. Applicants should have two years of work experience in business and have taken the Graduate Management Admission Test (GMAT) or the Graduate Record Examination (GRE). The degree requires 74 Law School credits.

Three Year Program

This accelerated program is much like the four-year program described above, but it is very fast-paced. This program is better-suited for students with more than two years of work experience in business, and it also requires that students take either the Graduate Management Admissions Test (GMAT) or the Graduate Record Examination (GRE). Students in this program will pay Law School tuition during the first year, Business School tuition during the second year, and Law School tuition during the third year. This degree requires 71 Law School Credits.

J.D./M.H.P.

The J.D./M.H.P. program, which includes an internship and thesis, is designed for students interested in the historic preservation field. Students with wide varieties of academic backgrounds and experiences are accepted for the program. Applicants must take the Graduate Record Examination (GRE). The degree requires 79 Law School credits.

J.D./M.P.H.

The J.D./Masters in Public Health dual degree will prepare graduates to address the legal needs of public health organizations and private healthcare providers at the local, state, national, and international levels while preparing them to interpret and create policies that govern and direct these same organizations through four total years of study. The program includes a required 6 credit hour field placement or externship between the third and fourth year and a 3 hour Capstone MPH course that can be completed only during the final semester of the program. Applicants must take the Graduate Record Examination (GRE). The J.D. requires 88 credit hours, which includes J.D. coursework as well as courses completed in the M.P.H. program but given dual credit by the Law School.

J.D./M.P.A.

The J.D./M.P.A. attracts students who desire careers in public administration, including not-for-profit sectors. Graduates may have careers as attorneys in local, state, or federal agencies and/or be administrators in the agencies. The program accepts students from various academic and experiential backgrounds. Applicants must take the Graduate Record Examination (GRE). The degree requires 74 Law School credits.

J.D./M.Ed. in Sports Studies

This dual degree provides the theoretical and practical background to pursue career opportunities as a lawyer concentrating on sports issues. It is restricted to students in the Sports Management program. Applicants must take the Graduate Record Examination (GRE). The degree requires 76 Law School credits.

J.D./M.S.W.

Graduates of the J.D./M.S.W. program are prepared for careers as social service administrators, juvenile court representatives, family court judicial personnel, mediators, public policy officials, guardians ad litem, family law attorneys, and child support enforcement administrators. Students will participate in both legal and social work internships. Applicants must take the Graduate Record Examination (GRE). The degree requires 76 Law School credits.

Part 2 TRANSFER AND VISITING STUDENTS

Transfer Students

Law students at other institutions who are interested in completing their studies at the Law School are encouraged to apply for admission as transfer students. Transfer students are welcomed to Georgia Law by our students and faculty and have opportunities to join student organizations, journals, advocacy teams, clinics, externships, and social activities. A student who has completed the first year of full-time studies in a Juris Doctor degree program at an ABA-approved Law School may be considered for transfer admission. Transfer applications from Law Schools awarded provisional ABA accreditation will not be considered.

In making transfer decisions, the Admissions Committee relies heavily upon three criteria: (1) the applicant's academic record at all schools attended, including law schools and the applicant's Law School Admission Test score(s); (2) the reasons for seeking transfer; and (3) the number of places available in the class. Transfer applicants are eligible for admission only in the fall semester of their second year of Law School. No transfer applicants are admitted for the summer or spring terms.

Credit for first-year courses completed by an admitted transfer student at his/her home school will be awarded in the discretion of the Associate Dean for Academic Affairs upon evaluation of the transfer student's grades and courses. Transfer credit will not be awarded for courses taken pass/fail or on any other ungraded basis or for any course completed with a grade lower than a C or its equivalent. The Law School will accept no more than 30 hours of credit from another Law School.

The Law School may require transfer students to take particular courses in order to meet graduation requirements even if the student has had a similar course at his/her previous law school. While transfer students may receive credit for courses completed at another law school, students' actual grades will not be used in calculating their grade point averages at the Law School. In addition, transfer students will not have class ranks until the end of their second year.

All transfer students are eligible to participate in the write-on competition for journal membership. The Law School has three academic journals: Law Review; Journal of International & Comparative Law; and Journal of Intellectual Property Law. The write-on competition is used for all three publications. In mid-May, the write-on materials will be available upon request to all rising 2nd year students following the completion of their last final exam. On that date, write-on packets will be emailed to all potential transfer students who have requested one. **Students considering transferring to Georgia Law should contact the Law Journal office and request a write on packet even if they have not yet received an admissions decision.**

Transfer students wishing to be a part of the Law School's Advocacy Program can email the Director of Advocacy for information about tryouts. Moot court tryouts begin at the end of August and mock trial tryouts begin in September. An informational meeting will take place at a mandatory orientation program held prior to the commencement of classes.

Visiting Students

Students in good standing at an ABA-approved Law School may be admitted as visiting students. Visiting students are eligible to participate in our Oxford, Washington, D.C., and Atlanta semester programs, and may request visiting status for this purpose. Admission is granted for one academic term at a time. Current Law School students seeking visiting status at other law schools must obtain permission from the Associate Dean for Academic Affairs. Petitions to be a visiting student elsewhere must include an explanation of the reasons for the visit and a description of courses in which the student plans to enroll.

Part 3 SPECIAL EDUCATIONAL OPPORTUNITIES

Georgia Law at Oxford

This program is one of the few semester-long study abroad opportunities offered by an American law school. It involves 3 traditional courses on various international and comparative law topics, as well as an intensive research and writing project on a comparative or international law topic of choice. Students receive 12 semester hours of credit toward their degree upon completion of the program.

Washington, D.C. Semester in Practice

The D.C. Semester in Practice program provides up to 15 students the opportunity to have a full-time externship experience in the nation's capital. Student placements include federal governmental agencies, headquarters of national non-profits, the judiciary and Capitol Hill. In addition to externing at their placements for 32 hours weekly, students participate in a two-credit externship seminar and a three-credit non-externship course: Lawyering in the Nation's Capital. Students earn a total of 13 credits. This program operates each fall and spring.

Summer Study in Belgium/Europe

Offered in partnership with the prestigious Leuven Centre for Global Governance Studies, our summer study opportunity continues a four-decade tradition of summer study in Belgium. Participating students will have the opportunity to participate in coursework at the Centre, located at Leuven University, one of Europe's top research universities. Summer students explore global legal practice issues, such as trade and sustainable development, peace and security, trafficking and other crimes, intellectual property, the environment, human rights and the rule of law, and migration. Also featured are professional development trips to leading legal institutions in Europe.

For more information, see the Dean Rusk International Law Center website at law.uga.edu/RuskIntl, or e-mail the Center at ruskintl@uga.edu.

Atlanta Semester in Practice

The Atlanta Semester in Practice offers students the opportunity to have a full-time externship experience in the State capital while earning a full semester's worth of credits. Externship placements include federal and state governmental agencies, nonprofits, judges, prosecutors, legal aid, and corporate counsel. Students work at their placements between 30 and 35 hours weekly and participate in a two-credit externship seminar. Students will also take between one and three non-externship courses in Atlanta, and may also participate in any distance learning courses offered by the law school. Non-externship courses offered in Atlanta will typically include a mix of high-demand doctrinal courses, practical skills courses, and specialized seminars. In addition, students in the program are offered special networking opportunities and in-person career development services. This program operates each fall and spring semester.

ABA-Approved Summer Study

Many American law schools sponsor American Bar Association-approved educational programs either on their campus or in other countries. The Law School normally will accept transfer credits (but not grades) for courses taken in such programs in which students earn the grade of C or better. Prior approval of the Associate Dean for Academic Affairs is necessary. A Study Abroad Credit Approval form, necessary for international study and student financial aid, is available either online or at the Law School Registrar's

Office. Students must pay a study abroad fee and complete the credit approval form only for programs sponsored by Law Schools other than Georgia Law. Please note that there is a program fee for Georgia Law study abroad programs. All forms and study abroad fees must be submitted and paid before course registration and financial aid can be completed.

Global Externships

Georgia Law students benefit from an array of opportunities for on-the-job global practice training, including:

- Global Externship Overseas (GEO). During summers for the last 15 years, students have undertaken 4-to-12-week funded placements abroad, at more than 70 law firms, corporate legal departments, nongovernmental organizations, and government agencies, in more than 30 countries on 5 continents.
- Global Externship At-Home (GEA). Complementing the GEO are externships in the United States that train students in legal practice involving international, comparative, transnational, and foreign affairs law. GEAs often occur in tandem with experiential learning opportunities like Georgia Law's Atlanta Semester in Practice, D.C. Semester in Practice, and Corporate Counsel Externships.

For more information, see the Dean Rusk International Law Center website at law.uga.edu/RuskIntl, or e-mail the Center at ruskintl@uga.edu.

Dean Rusk International Law Center Student Ambassadors

Law students interested in international, comparative, transnational, or foreign affairs law may be invited to apply to serve as paid Dean Rusk International Law Center Student Ambassadors, who support the Center through research and administrative assistance.

For more information, e-mail the Center at ruskintl@uga.edu.

Environmental Ethics Certificate

Law students may enroll in the Environmental Ethics Certificate Program for the graduate-level certificate. For a law student to receive the certificate, the student must complete, with permission of the Associate Dean for Academic Affairs, two required courses outside of the Law School, namely Ecological Concepts (EETH/ECOL 6200) and Environmental Ethics (EETH/PHIL 6220). A candidate for an environmental certificate must also enroll in an additional course in environmental ethics; law students can satisfy that requirement by taking the Environmental Dispute Resolution course (EETH/JURI 7870). The student must also attend a series of Tuesday evening seminars (EETH 6000), which is an ungraded weekly seminar and will not count as credit toward the J.D. Finally, the certificate recipient must complete two additional courses and a substantial paper about an environmental subject. Most of the classes in the Law School's environmental curriculum qualify as EECF electives, and students may choose to satisfy the EECF required paper with the same paper that they use to satisfy the Law School's Advanced Writing Requirement. For further information about the EECF, please call its office at (706) 542-0935, e-mail eecf@uga.edu or visit <http://www.uga-eecf.com/>

Student Practice Rule

The Law School offers second-year and third-year law students the opportunity to learn through experience in law clinics and externships. Georgia Supreme Court Rules 92 – 95 permit second-year and third-year law students to practice law in specified law settings when appropriately supervised by a licensed attorney. In part, Rule 92 says the following:

An eligible law student registered for student practice pursuant to this Rule, when under the supervision of a member of the State Bar of Georgia, may, as if admitted and licensed to practice law in Georgia, advise, prepare legal instruments, appear before courts and administrative agencies and otherwise take action on behalf of:

- (1) any state, local, or other government unit or agency;
- (2) any person who is unable financially to pay for the legal services of an attorney; or
- (3) any non-profit organization the purpose of which is to assist low or moderate income persons.

To be admitted to practice in Georgia, the Georgia Office of Bar Admissions must receive three certifications, pursuant to Rule 94:

- (1) the Dean must certify that the student satisfies the requirements of the rule.
- (2) The student must certify that the student has read and will comply with the Georgia Rules of Professional responsibility.
- (3) the student must take an oath in a form prescribed by the rule and submit written documentation thereof.

Any student engaging in student practice should read the full text of the Supreme Court rules.

Under the rule, the Dean has the discretion not to certify a student for any of the reasons listed in Rule 94. Students with questions about the certification process should contact the Law School Registrar.

Students who plan to enroll in one of the clinics or externships may contact the faculty member who teaches that course for more information about student practice and certification.

First-year students (including rising 2Ls pursuing summer work) interested in student practice under the supervision of a Georgia attorney but not in a Law School clinic or externship must contact the office of the Law Registrar or the Associate Dean for Clinical Programs and Experiential Learning for more information regarding certification.

The federal student practice rules are similar, but not identical, to the Georgia student practice rules. The clinical professor or supervising attorney in a federal practice setting will advise students as to certification under the appropriate federal rule.

Part 4 CLASSES

Upper level elective courses and their descriptions can be found on the Law School's web site. <http://law.uga.edu/course-offerings>.

Course Registration

All information pertaining to course schedules, registration dates, drop/add schedule adjustment, and registration guidelines are available online at <http://www.law.uga.edu/class-schedules-registration>. Students may access the University's Athena online registration system at <http://athena.uga.edu>. Students who have unpaid parking fines, library fines, health service fees, etc. will have a "flag" placed on their registration by the University. Students cannot register while a flag is on the student's record. Information regarding loan disbursements, tuition, and fee deadlines is available on the University Bursar's website at <http://www.bursar.uga.edu/>.

Class Attendance

Regular and punctual class attendance is an integral part of the learning process. Under Standard 311(f) of the ABA Standards for Approval of Law Schools, all schools must "adopt, publish and adhere to a written policy requiring regular class attendance." In compliance with this Standard, it is Law School policy that students must attend classes regularly. Specifically, a student should not incur during a semester a number of absences in excess of twice the number of times a particular course is scheduled to meet per week. Absences in excess of this number may result in an administrative withdrawal and/or entry of an automatic "F" in a course.

An instructor may, but is not required to, establish his or her own more demanding attendance policy at the beginning of a particular course. Any such policy must be clearly communicated and enforced by the instructor.

Auditing Courses

Full-time students at the Law School may audit any law course, with the permission of the Associate Dean for Academic Affairs and the professor teaching the course. No additional tuition charge will be assessed. Others within or outside of the University may audit a course only if the Associate Dean for Academic Affairs, in his or her discretion, determines that there is sufficient reason for such audit commensurate with the general purposes of the Law School and then only with agreement of the professor teaching the course. Tuition will be charged for such an audit.

Withdrawal from a Course/Withdrawal from Law School

A student may withdraw from a course without penalty during the first half of each semester. A grade of "W" is assigned if the student adheres to the requirements for withdrawal. Grades of "Withdraw-Pass" and "Withdraw-Fail" are not permitted. Until the withdrawal deadline for a semester, withdrawal from a course is accomplished online through the University's Athena e-withdrawal system at <http://athena.uga.edu>. Withdrawal after the withdrawal deadline is permitted only in exceptional

circumstances. For information regarding the procedure for requesting permission to withdraw from courses after the withdrawal deadline, see <http://athena.uga.edu>.

Tuition and Fee Refund Schedule

<https://busfin1.busfin.uga.edu/bursar/schedule.cfm>.

Drop/Add Schedule Adjustment

A drop/add period is provided early in each semester. Courses dropped during this period will not appear on a student's academic record. Drop/add is accomplished through the Athena online course registration system at <http://athena.uga.edu>.

Any course dropped after the drop/add period but before the withdrawal deadline will result in a "W" on the transcript.

Class Cancellation

In the event a class session must be cancelled or postponed, a notice will be posted on the door of the room in which the class is regularly taught and sent via official UGA e-mail to the students.

Inclement Weather

The Law School does not conduct classes when the University closes due to inclement weather. Announcements of closings are made on Athens radio stations, Atlanta media, and on the University and Law School webpages.

Law School Computer Use Policy

Instructors may restrict or prohibit the use of computers in class subject to any requirements imposed by state or federal disability law.

Recording of Classes

Unless a contrary policy is announced in a particular course, electronic recording of class discussions is not permitted without the express and written permission of the instructor. Students given permission to record a class will be required to sign an Agreement for Use of Electronic Recordings.

Faculty and Course Evaluations

Near the conclusion of each course, students have the opportunity to evaluate the course and instructor. Evaluations are completed anonymously. The primary goal of this process is improvement of instruction. To this end, evaluations are available to the instructor only after grades have been submitted for the class.

Part 5 EXAMINATIONS

Exam Rescheduling and Emergencies

Because final exam schedules are available during registration, students are expected to take their exams as scheduled. Compliance with exam rescheduling procedures is not required if the instructor has announced an alternative exam time available to all students regardless of their circumstances.

Exceptional circumstances, however, are to be handled as follows:

- 1. Conflicting Exam or Other Obligation.** Students may request to reschedule an exam because of a conflict with another exam. Such a conflict exists only when a student has two exams scheduled on the same calendar day (not within 24 hours of each other). In such a situation, the student may seek to reschedule one exam to another time.

The following procedures shall be followed:

- (a)** The student must inform both instructors of the conflict and ask one professor for relief. If one instructor refuses permission, the student may ask the other. If neither instructor authorizes rescheduling, the student should consult the Associate Dean for Academic Affairs immediately.

If an instructor has granted permission to reschedule, the student must obtain an exam change form in the Registrar's office or online, and complete and submit the form to the Associate Dean for Academic Affairs, who will authorize and arrange the rescheduling. Exams will be rescheduled for the first available makeup day after the regularly scheduled exam time. In exceptional circumstances the Associate Dean for Academic Affairs may schedule makeups at alternative times.

The fact that a student has multiple exams on consecutive days does not justify an exam change. Likewise, the fact that a student has an exam on one afternoon and another the following morning does not justify an exam change.

- (b)** A student may seek relief if a scheduled exam conflicts with other very important and atypical obligations (e.g., family weddings, unique job responsibilities, etc.). The procedure to be followed is the same as in 1(a) above, and should include the details of the important obligation that prompted the request for relief. Each case will be considered on its merits, and rescheduling will be permitted only in truly exceptional situations.

- 2. Rescheduling for Emergencies.** When emergencies arise during the exam period, such as personal illness, severe family illness, death in the family, etc., a student should contact the Associate Dean for Academic Affairs immediately in order to make arrangements for rescheduling, if appropriate. Because of the anonymous grading system, the student should not contact the instructor.
- 3. Emergencies Arising During an Exam.** If an emergency arises during an exam, a student should notify the Dean's Office immediately. Arrangements will be made for rescheduling, if appropriate. To preserve the anonymity of the grading process, the student should not contact the instructor.

Part 6 GRADES

Anonymous Grading Numbers

All J.D. exams, whether take-home or timed in a classroom, will be graded anonymously. Students may access their “Blind Grading ID” number either online through Athena at <http://athena.uga.edu> or in their [MyGALaw student portal](#). Students are assigned a new anonymous exam number at the beginning of each semester and that Grading ID should be used for every course during that term to identify the student. Blind Grading ID’s will be different for each student and will be confidential. No professor will have any knowledge of a particular student’s Grading ID number.

Law School Grading Policy

To ensure a measure of uniformity in grading policies, the faculty has instituted the following regulations:

1. First-Year Grades

The average grade in each first-year course must fall within the range of 2.90-3.10 based on the Law School's grading system (A+ = 4.3; A = 4.0; A- = 3.7; B+ = 3.3, etc.). The grades of non-J.D. students will be disregarded for purposes of this policy. Variation from this rule is permissible only in extraordinary circumstances, which must be outlined by the instructor in a letter to the Dean.

Suggested guidelines, which are not mandatory, are:

- Maximum 33% "A" grades (including A+ and A-)
- Maximum 33% grades of C+ or lower
- Maximum of two A+ grades

2. Upper-Level Grades

Except as set forth below, the average grade in all upper-level courses must fall within the range of 2.90-3.20. The grades of non-J.D. students will be disregarded for purposes of this policy. Variations are permissible only in extraordinary circumstances, which must be outlined in a letter from the instructor to the Dean. All courses and seminars with 20 or fewer students are not subject to this policy.

Suggested guidelines, which are not mandatory, are:

- Maximum 33% "A" grades (including A+ and A-)
- Maximum 33% grades of C+ or lower
- Maximum of two A+ grades

Faculty Policy stipulates that grading must be completed and course grades submitted to the Law School Registrar within 25 days after the date of the last scheduled exam. If the 25th day falls on a Saturday, Sunday or holiday, faculty must submit grades on the next business day after the 25th day. This policy applies to fall, spring, and summer terms.

Class Rank

Individual class ranks are calculated for those in the top 25% of the class only. Ranking letters are emailed to each student in the top 25%. Grading distributions are posted online for students with the GPA distribution for the top 10%, 25%, 33%, 50% or 75% of each class.

Grade of Incomplete

Students are expected to complete all coursework in the semester in _____ they are enrolled in the course. In exceptional circumstances a student may receive authorization not to complete work in a course within the regular semester. In such cases, the student will be given a grade of “I” (Incomplete) instead of an “F.” A student can remove the “I” from the student’s record by completing the required work within the time period specified by the instructor, which time period will not extend beyond the last day of the next regular semester. If a student fails to remove an “I” within the prescribed time, the “I” automatically will be changed to an “F.” A student may not withdraw from a course in which the student has received a grade of “I.”

Grade Changes and Appeals

A grade change (other than a change from an Incomplete) will be approved by the Associate Dean for Academic Affairs only in situations where the instructor has discovered a ministerial error such as mistaken computation or transcription. A re-reading of a single paper or small subset of papers by the instructor will not justify a grade change. After discussing the grade with the instructor, a student dissatisfied with a course grade may file an appeal in writing with the Dean of the Law School within 30 days of entry of the grade. The assignment of grades for a course is within the broad discretion of the instructor. Accordingly, for an appeal to be successful the student must demonstrate that the grade was produced by: 1) a ministerial error by the instructor; or 2) improper or unprofessional bias of the instructor against the particular student.

Law School Transcripts

Students can access and print their unofficial law school transcripts in Athena. Official transcripts are available only through the UGA Registrar’s Office. Information and links regarding transcript requests can be found at <http://www.reg.uga.edu/transcripts>. Grades and other personally identifiable academic information will not be communicated by telephone.

Part 7 HEALTH AND COUNSELING

The University Health Center provides medical, counseling, and prevention services. All UGA students and their spouses/partners may use the health center services. Full-time students pay a health fee each semester and are automatically assigned primary care provider upon enrollment. Students can call (706) 542-8617 to identify their assigned primary care provider. See the University Health Center website at www.uhs.uga.edu for more information, including services provided and financial/insurance information.

The Associate Director of Student Affairs is available to discuss personal issues, challenges, and events that arise during law school. The Associate Director of Student Affairs can provide advisement and references regarding academic issues, financial assistance, and counseling services. The Associate Director of Student Affairs is located in Hirsch Hall 109-C, via email at asklut@uga.edu, and by phone at (706) 542-5167 during normal business hours.

The University Health Center Counseling and Psychiatric Services (CAPS) provides mental health and counseling services for UGA students. The first step towards making an appointment with CAPS is to call CAPS at (706) 542-2273 for a telephone screening appointment between 10:00am and 4:00pm, Monday through Friday. Following the telephone screening, if you and the CAPS clinician decide that services at CAPS are appropriate, an initial consultation appointment will be scheduled for you during regular working hours Monday through Friday. If you are experiencing a mental health crisis, you can walk-in to CAPS during normal business hours for services on the second floor of the University Health Center, on the corner of College Station and East Campus Roads. After hours you may reach the on-call clinician by calling the UGA police (706) 542-2200. Follow-up counseling or psychiatric appointments can be made by calling CAPS at (706) 542-2273.

Part 8 LL.M. PROGRAM

Application Requirements

Individuals who have earned a law degree equivalent to a J.D. or LL.B. from a foreign university are eligible to apply to study for a Master of Laws (LL.M.) degree. Applicants must meet both the educational requirements to be admitted to practice law in the country where the law degree was earned and Georgia Law's English proficiency requirement.

Complete application requirements are published online on the LL.M. web page, which can be accessed at: www.law.uga.edu/RuskIntl.

Curriculum

The LL.M. degree is awarded upon successful completion, typically over one academic year, of 26 credit hours. All LL.M. students are required to take three courses – Legal System of the United States, Legal Research, and Legal Writing – totaling 5 credit hours. They have several options for completing the remaining 21 credit hours.

Some LL.M. students will pursue a flexible plan of study. Others will choose to focus on an area of concentration, such as:

- 1) Public Institutions and the Law
- 2) Business Law and Dispute Resolution
- 3) Family Law and Migration Law
- 4) Transnational, International and Comparative Law
- 5) Preparation for a U.S. Bar Exam

Students pursuing areas of concentration numbered 1 to 4 above will be required to earn at least 12 credit hours in the chosen area. A list of course offerings that count towards these areas of concentration will be made available to all LL.M. students.

Students who pursue area of concentration number 5, Preparation for a U.S. Bar Exam, will undertake a curriculum designed to meet the bar admissions requirements of a U.S. state. The Director of International Professional Education will assist interested students in planning their course of study, but students are responsible for informing themselves about bar admissions requirements.

In exceptional circumstances, and provided that course offerings permit, an LL.M. student may pursue up to two – but no more than two – areas of concentration. With regard to courses that appear on lists for two different concentrations, no more than 3 qualifying credit hours may be double-counted and thus allotted to fulfillment of requirements in both areas of concentration.

Students pursuing areas of concentration numbered 1 to 4 above may seek to complete an LL.M. essay – entailing a minimum of 60 pages, for 6 credit hours – on two conditions: 1) that the subject of the essay falls within the area of concentration, and 2) that the student is matched, at the point of admission, with a

faculty supervisor. Approval must be given by the Associate Dean for International Programs & Strategic Initiatives. The essay option is not available to students pursuing the Preparation for a U.S. Bar Exam concentration.

LL.M. students may enroll in classes offered at University of Georgia units other than the law school, for up to 6 credit hours, in order to attain an interdisciplinary perspective on issues of interest to them. In order to exercise this option, students must secure approval from both the Associate Dean for International Programs & Strategic Initiatives and the Associate Dean for Academic Affairs.

LL.M./M.B.A. degree

Students interested in a business law career may pursue a dual Master of Laws/Master of Business Administration (LL.M./M.B.A.) degree. Georgia Law offers this two-and-a-half-year dual degree in partnership with the University of Georgia Terry College of Business. An applicant thus must apply to, and be accepted into, both university units in order to study as an LL.M./M.B.A. candidate. Students interested in pursuing this dual degree should inform the Director of International Professional Education, so that the Director can aid in course selections.

Registration Guidelines

Admitted LL.M. students should speak with the Director of International Professional Education for counseling and assistance regarding course registration.

LL.M. Graduates' Transfer to J.D. Studies

LL.M. students at the University of Georgia School of Law may apply for admission into the Georgia Law J.D. program as transfer students.

To request admission, an applicant must submit the following information to the Office of Admissions. Applications may be submitted at any time after the student requesting the transfer has received all of his or her grades from the most recently completed semester.

This application process applies only to students who seek to have the transfer take effect after they have successfully completed the Georgia Law LL.M. degree.

Required materials:

1. A personal essay of no more than 500 words, explaining why the applicant wishes to transfer into the J.D. program, is capable of completing the J.D. program and can be admitted to the bar.
2. A copy of the applicant's University of Georgia LL.M. transcript (available at no cost from the Georgia Law registrar). Applicants will have a strong record of prior academic success in rigorous programs of legal education, including the Georgia Law LL.M. curriculum.
3. A letter of recommendation from a member of the Georgia Law faculty who has instructed the applicant in a course at the University of Georgia School of Law. This letter must address the applicant's potential for success in J.D. studies and likelihood of being admitted to the bar. A second letter of recommendation may be submitted, if the applicant believes that such a submission would assist the law school in making the admissions decision.

Decision and Credit Transfer

Decisions on LL.M.-to-J.D. transfer applications will be made by the Georgia Law Dean or the Dean's designee, which may include a committee composed of faculty members and/or admissions personnel.

Following a positive admissions decision, the Associate Dean of Academic Affairs shall make a preliminary – and provisional – determination of the credit hours to be awarded as transfer credits. This preliminary determination will be finalized upon receipt of any additional information requested by the Associate Dean for Academic Affairs. Information requested typically will involve details about previously completed coursework, as well as certification by each relevant Georgia Law instructors that the coursework completed by the applicant in the instructor's courses met or exceeded the performance standards required of a Georgia Law J.D. student in good standing.

Transferrable credit hours may include courses taken in the Georgia Law LL.M. program, as well as courses completed at a law school outside the United States. The assessment of credit for courses taken outside the United States shall occur in a manner required by the American Bar Association (currently, {Standard 505(b)[http://americanbar.org/content/dam/aba/publications/misc/legal_education/Standards/2014_2015_aba_standards_chapter5.authcheckdam.pdf]}).

Transferred credits may not exceed 30 credit hours. All transferred credits will be entered in the applicant's J.D. transcript on a Satisfactory/Unsatisfactory basis. The LL.M.-to-J.D. transfer student will not be assigned a class rank until the student has completed a full year of J.D. study.

Good Standing Requirement

A LL.M. student whose cumulative GPA is above 1.9 is in good standing. If at any time a LL.M. student's cumulative GPA falls below 1.9, the student will be notified that he or she is dismissed from the Law School. Upon receipt of the notice, the student may petition the Dean for readmission.

Graduation GPA Requirement

LL.M. students must obtain a cumulative GPA of 2.0 to be certified for graduation.

Part 9 M.S.L. PROGRAM

Candidates who have earned a bachelor's degree from an accredited institution are eligible to apply to study for a Masters in the Study of Law degree. Complete application requirements are published online on the M.S.L. webpage, which can be accessed at www.law.uga.edu/MSL.

The M.S.L. degree is awarded after successful completion of 30 credit hours of course work. All requirements for the degree must be completed within 3 years; in exceptional circumstances, an extension of time may be granted at the discretion of the Associate Dean for Academic Affairs.

A full-time course load is nine hours per semester during the academic year and six hours during the summer semester. The maximum semester course load for any student is 18 hours per semester.

Part-time students must enroll for a minimum of 3 credit hours in at least two semesters per academic year (fall, spring, summer). Temporary exemption from this policy is available, with the approval of the Associate Dean for Academic Affairs, to students experiencing unusual circumstances. A student who fails to comply with the minimum hour requirement without the permission of the Associate Dean will be classified as inactive and must apply for readmission to the program.

The M.S.L. degree is awarded and without reference to honors and without reference to specialization, though such specialization may be apparent from the student's course selections.

Curriculum

All entering M.S.L. candidates must take the M.S.L Introduction the American Legal System course during their first semester of study. This three-hour introductory course, which is available only in the fall, begins approximately two weeks prior to the beginning of each fall semester and continues to meet throughout the semester. This course is designed to introduce M.S.L. candidates to the basics of U.S. law and to acclimate them to the study of law.

Students choose the remaining required 27 credit hours from the Law School's course offerings. (Note that the vast majority, but not all, Law School courses are open to M.S.L. students). This course work should consist of classes relevant or complementary to the student's profession or area of interest and is chosen in consultation with the M.S.L. advisor. Students also have the option of obtaining credit toward the degree through completion of a substantial piece of written research conducted under faculty supervision.

Up to 3 hours of credit for University of Georgia graduate-level courses outside the Law School may be applied toward the M.S.L. degree. Registration for such courses requires permission of the Associate Dean for Academic Affairs. Student requests must be made to the Associate Dean in writing or by email no later than 21 calendar days before the end of the late registration/schedule adjustment period each semester; the request must include the course name, number, and description, as well as an explanation of how the course is relevant to the student's area of interest or profession.

Successful Completion of M.S.L. Degree

Upon successful completion of the 30 credit hours of course work, graduation is authorized by the Dean of the Law School.

M.S.L. degree recipients are not eligible to sit for the Bar Examination, nor does the degree qualify them to practice law. *M.S.L. credits are not transferrable into the Law School's J.D. program.*

Part 10 PLANNING FOR THE BAR EXAMINATION

Bar Examinations

In addition to a bar examination, there are character, fitness, and other qualifications for admission to the bar in every U.S. jurisdiction. Applicants are encouraged to determine the requirements for any jurisdiction in which they intend to seek admission by contacting the jurisdiction. Addresses for all relevant agencies are available through the National Conference of Bar Examiners.

Bar examination fees must be paid as and when required by the relevant state's Board of Bar Examiners. A failure to pay such fees as required will result in your exclusion from the exam.

The Multistate Bar Examination (MBE) is a component of the bar exam in almost every jurisdiction. The Multistate Professional Responsibility Exam (MPRE) is also a requirement in most jurisdictions, including Georgia. The Multistate Essay Exam (MEE) has currently been adopted for use by some jurisdictions, and the Multistate Performance Test (MPT) has been adopted for use by some jurisdictions. In addition to the successful completion of the bar exam, the Georgia Board of Bar Examiners requires a passing grade on the MPRE. The forms to register for this examination are available online at <http://www.ncbex.org>.

The subjects tested on the MBE are Contracts, Civil Procedure, Torts, Evidence, Real Property, Criminal Law, and Constitutional Law. Criminal Law includes criminal procedure questions. A number of upper-level courses are subjects frequently tested on bar exams throughout the country. In planning their schedules, students should consult the bar requirements of their state. A good source of information concerning the subjects tested on a particular state's bar exam is the National Conference of Bar Examiner s' website: <http://www.ncbex.org/>.

Continuing Duty of Disclosure

All law students have a continuing duty to promptly disclose information that is responsive to the questions on their application for admission to Law School. This continuing duty extends to periods between semesters when classes are not in session. Disclosure should be made to the Associate Director of Student Affairs. Failure to disclose post-admission conduct that is responsive to the questions on the application for admission may result in revocation of admission, suspension or dismissal after matriculation, denial of certification of graduation, or revocation of a degree. Failure to disclose post-admission conduct that is responsive to application questions may also adversely affect a student's ability to obtain Bar admission. The current duties of disclosure form is provided on the Students page under "Forms."

Registration for Bar Examination

Students intending to practice in Georgia are encouraged to file an Application for Certification of Fitness to Practice Law in the second semester of their second year. Application information is available at <http://www.gabaradmissions.org>. Each Georgia Bar Exam applicant must provide proof to the Bar that degree requirements have been met. The Law School Registrar's Office certifies this to the Georgia Bar automatically. Students taking a bar examination outside of Georgia must request certification by the Law School Registrar via email or letter. Requests must include the address of the bar and any required forms. Law students are responsible for requesting an official transcript to be sent to the state bar following graduation. The law school cannot send or request an official transcript for a student.

Part 11 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. Information regarding FERPA may be accessed at <https://apps.reg.uga.edu/FERPA/>. Students must sign a FERPA release form in order to disclose directory information. Without a signed release form, the Law School generally cannot confirm enrollment information to employers or family, list a student's name in the graduation program, etc. The FERPA release form is provided on the Students Page under "Forms."

Part 12 RESOURCES FOR PEOPLE WITH DISABILITIES

Consistent with its obligations under federal and state law, the Law School makes reasonable accommodations in the academic program for students with disabilities. To obtain accommodations, a student should first contact the Disability Resource Center (DRC) at the University of Georgia.

The Disability Resource Center is located in Clark Howell Hall.

Phone: (706) 542-8719 TTY: (706) 542-8778 Fax: (706) 542-7719

The mission of the Disability Resource Center is to promote equal educational opportunities and a welcoming academic, physical, and social environment for students with disabilities at the University. It seeks to eliminate both physical and attitudinal barriers that may exist on campus and to promote inclusion for students with disabilities in accordance with the Americans with Disabilities Act of 1990 and Section 504 of the Rehabilitation Act of 1973, and Section 508 of the Rehabilitation Act, as amended in 1998.

To qualify for services, students need to complete an intake packet and provide current documentation supporting their disability related accommodations from a qualified professional (see specific criteria on website). For more information on eligibility and services, please call or visit the DRC webpage at www.drc.uga.edu. This process can take some time, so please contact the DRC as soon as possible to begin the process.

Once a student is registered with the DRC and is eligible for specific accommodations, then the student will work with the Associate Director for Student Affairs at the Law School regarding the accommodations. Questions should be directed to the Office of Student Affairs (asklut@uga.edu).

Part 13 UNIVERSITY OF GEORGIA NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY (NDAH)

All students are subject to the University's Non-Discrimination and Anti-Harassment Policy (NDAH) and are expected, as a condition of enrollment, to conduct themselves in accordance with this policy. It is important that you familiarize yourselves with the University's policy, which can be accessed at <http://eoo.uga.edu/policies/non-discrimination-anti-harassment-policy>.

Part 14 UNIVERSITY OF GEORGIA STUDENT CODE OF CONDUCT

All students, including law students, are expected to adhere to the University of Georgia Student Code of Conduct. The full Code can be found online at <http://conduct.uga.edu/>.

Part 15 FINANCIAL ASSISTANCE

University of Georgia Short Term Loan

Short term financial assistance of up to three hundred dollars is available in emergency situations to Law School students. Applications are available from the Office of Student Affairs. Students with extraordinary and unanticipated financial needs should contact Alex Sklut (asklut@uga.edu) for additional information. This assistance is provided at the discretion of the Associate Dean for Academic Affairs and is subject to availability. It is intended for situations of hardship only, and will not be provided for routine or anticipatable needs.

Part 16 CLASSIFICATION OF STUDENTS FOR TUITION

Georgia Residency

Classification as In-State for Law School Tuition Purposes*

An independent student enrolled at the Law School as a non-resident may be classified as in-state for tuition purposes upon demonstration by clear and convincing evidence that the out-of-state domicile has been abandoned and legal residence has been established in Georgia.

There is no exact formula to ensure reclassification for independent students. Each case is evaluated according to its particular facts. The following actions, although not exhaustive or necessarily conclusive, support a claim for in-state status.

1. Living in Georgia for at least 12 months immediately preceding the first day of classes in the term for which in-state classification is sought.
2. Remaining in Georgia during periods when not enrolled as a student. For law students, this means that remaining in Georgia for the summer after the first year of Law School strengthens the case for reclassification. Summer legal employment outside of Georgia does not automatically mean that a reclassification petition will be denied.
3. Demonstrating financial independence by relying on sources of financial support from within the state of Georgia for more than 50% of the total cost of attendance is helpful to the petition for reclassification. Scholarships, including Tuition Equalization Scholarships and Tuition Reduction Scholarships, and law student loans in the student's name are independent financial support within the state of Georgia for purposes of determining legal residency. Financial support from someone outside of Georgia, from loans based on the credit of others or from trust funds created by others for the student's support are not normally included as independent financial support.
4. Paying income and property taxes as a Georgia resident, including taxes on income earned outside of Georgia. A student is not independent and, except in rare cases, will not be able to establish Georgia residency if he or she is claimed as a dependent for income tax purposes by parents or any other individual for the tax year preceding the term for which the student seeks reclassification.
5. Obtaining a Georgia driver's license and registering a vehicle in Georgia at least 12 months prior to the first day of classes for the term in which reclassification is sought.
6. Registering to vote in Georgia.
7. Opening a bank or savings account in Georgia in the student's name. (i.e. not a joint account with someone out-of-state).
8. Leasing or purchasing living quarters in Georgia in the student's name.

Petition for Classification as In-State

Law students who intend to remain in Georgia upon completion of their legal studies should complete and submit a Petition for Classification as In-State for Tuition Purposes. The petition should be submitted to the School of Law Admissions Office by July 1 for the fall semester and November 1 for the spring semester.

Appeals Process

If a petition for classification as an in-state student is denied, an appeal can be made to the Residency Appeals Committee at the address below. The appeal must be received within 30 days from the date of the denial notification. A copy of the denial letter as well as a postal address, telephone number, and/or email address at which the student may be reached must be included, along with a clear statement of why the decision is incorrect.

Residency Appeals Committee/UGA/102 Lustrat House/Athens, GA 30602-1693. Fax: 706.542.3248

Following administrative review and/or hearing, the Residency Appeals Committee will make a recommendation to the President who will review the Committee's findings and recommendations, decide the case, and communicate his decision. The President's decision in residency matters is final. The School of Law Admissions Office will not be able to assist in the appeal process. Should you have questions, please call the Residency Appeals Committee at 706.542.0006.

*In-state classification for tuition purposes is governed by the Board of Regents of the University System of Georgia. The information contained in this Handbook is for independent students enrolled in the School of Law only. It is subject to change. Refer to the Board of Regents Policy Manual for current complete information regarding Georgia residency for tuition purposes at the University of Georgia.

Part 17 FACILITIES

Building Hours

With the exception of the Law Library, the Law School buildings (Hirsch Hall and Rusk Center) are open daily from 7:00 a.m. until 6:00 p.m., Monday through Friday. After 6:00 pm and on weekends, the doors of Hirsch Hall are locked and alarmed, but the building is generally accessible to law students with their UGA card utilizing the Law Library entrance door. Law students do not have access to Rusk Hall after 6:00 pm weekdays and weekends unless prior arrangements have been made through Mary Beisswenger, Law School Facility Manager.

Any access questions or problems should be reported to Mary Beisswenger, 199 Hirsch Hall, 706-542-0335, marybeis@uga.edu.

Room Reservations

Law School facilities are available for use by student organizations. To coordinate special activities, guidelines for facilities use have been developed. The Room Scheduling Form is available on the Student Resources page on the Law School website. Submit requests during regular business hours at least 48 hours in advance to ensure the reservation can be processed. To arrange building access for after-hours or weekends, consult with Mary Beisswenger, 199 Hirsch Hall, 706-542-0335, marybeis@uga.edu.

Student Lockers

Lockers are available for all students during each term the student is registered for classes. Members of student journals are encouraged to use the journal offices for book storage to make locker space available to other students.

Students must provide their own locks. Lockers are assigned by the Law School's Student Affairs Office. Locks will be removed from lockers at the end of the spring term for cleaning. Students can request summer term lockers from the Student Affairs office.

Cash, jewelry, and other valuable items should not be stored in lockers. The Law School is not responsible for items stored in lockers.

Smoking and Tobacco Use Prohibited

Smoking and tobacco use is prohibited on the entire campus. For more information on the University's policy, see uga.edu/tobacco-free/.

Part 18 COMMUNICATIONS

In accordance with University of Georgia policy, every student is required to have an email address to which official University and Law School communications are sent. In the best interest of effective communications management, this address must reside on the University-maintained UGAMail email system. If a student chooses to forward email from his or her UGA account to another account, it is the student's responsibility to ensure that the UGA account not become full and, thus, fail to forward emails. It is also the student's responsibility to check email daily.

Listserves are established for the 1L class (and one for each 1L section), the 2L class, the 3L class, the LL.M. students, the M.S.L., and dual degree students. While students are not authorized to post to official listservs or unsubscribe from them, two voluntary student listservs exist for special purposes. LAWORG-ANNOUNCE, ANNOUNCE-TO-1Ls, ANNOUNCE-TO-2Ls, and ANNOUNCE-TO-3Ls are designed to provide an outlet for student organizations to communicate with their members and the Law School community and also is an outlet for lost and found notices from students. Lawstu-trade serves as a forum for the exchange of information on such matters as housing. Both student listservs are moderated.

Part 19 ADDITIONAL POLICIES AND PROCEDURES

In the absence of a governing law school policy as set out in this Handbook, the Law School reserves the right to apply the policies and procedures of the University of Georgia Graduate School. All students enrolled at the University of Georgia also are subject to all applicable University rules.

Part 20 HONOR CODE AND PLAGIARISM POLICY

HONOR CODE CONSTITUTION AS AMENDED SEPTEMBER 26, 2001

In keeping with the spirit of the legal profession, knowing that upon every student at the Law School rests the duty to maintain a Code of unimpeachable conduct, and that there is a need for a system which will enable students not to condone other conduct that detracts from the integrity of our Law School, this Honor Code Constitution is hereby ordained and established.

ARTICLE I. JURISDICTION

The jurisdiction of the Honor Court extends to all students of the University of Georgia Law School. The Honor Court has jurisdiction to determine whether a student defendant has violated the Honor Code in any instance in which a complaint is filed by any member of the Law School community with the Honor Court Investigators or their advisor.

ARTICLE II. HONOR COURT

Section 1. Purpose. There shall be a body known as the Honor Court. The Honor Court shall serve as a court for the trial of violations and the determination of punishment in cases of guilt.

Section 2. Membership. The Honor Court consists of a Hearing Panel and a Hearing Officer, and shall be assisted by an Investigators Committee.

- a. Hearing Panel.** The Hearing Panel consists of five student justices, two of whom shall be chosen from the second-year law class, and three from the third-year class. In cases involving students of the first-year class, one member of the Hearing Panel must be a first-year student from a section other than that of the accused. The first-year representative shall be selected from the panel described in Article II, Section 4(a). The justices shall be nominated by the members of their respective classes, and shall be elected by a majority of those persons voting in their respective class elections by secret ballot. All justices shall serve a term of one year, and may be reelected to a second term.
- b. Hearing Officer.** A member of the faculty appointed by the Associate Dean for Academic Affairs of the Law School shall serve as the Hearing Officer. The Hearing Officer shall serve a term of two years, during which time (s)he shall manage investigative and hearing procedures under Article IV. The Hearing Officer is not a member of the Hearing Panel, does not vote to determine guilt or innocence and does not participate in the private deliberations of the Hearing Panel. The Hearing Officer shall determine all procedural questions presented during Article IV proceedings. The Hearing Officer, however, cannot rule upon motions regarding probable cause determinations by the Associate Dean for Academic Affairs or upon any motions that require rulings on the merits of the case.
- c. Investigators Committee.** Five students shall comprise an Investigators Committee, two of whom shall be chosen from the second-year class, and three from the third-year class. In cases

involving first-year students, one member of the Investigators Committee must be a first-year student from a section other than that of the accused. The first-year representative shall be selected from the panel described in Article II, Section 4(b). The investigators shall be nominated by the members of their respective classes, and shall be elected by a majority of those persons voting in their respective class elections by secret ballot. Each investigator shall serve a term of one year, and may be reelected to a second term.

- 1) **Chief Investigator.** One of the third-year investigators shall be Chief Investigator. The nominations for Chief Investigator shall be the three investigators elected by the rising third-year class. The Chief Investigator shall be elected by a plurality of all votes cast by an electorate comprised of the rising second and rising third-year classes.
- 2) **Prosecutor.** In the event of a formal adjudication under Article IV, one investigator shall be selected by the Chief Investigator to serve as Prosecutor.

Section 3. Powers. The Honor Court shall hear cases alleging violations of the Honor Code; determine guilt or innocence; determine penalties; promulgate any and all regulations and procedures necessary for the efficient and fair operation of Honor Court matters; and publish such of its conclusions and proceedings as it determines to be advisable and wise, consistent with the student's right to confidentiality if the student should elect that the trial be secret.

Section 4. Elections and Nominations of First-Year Representatives.

- a. **Hearing Panel.** No later than the third week in October, members of the first-year class will submit nominations for membership on the Hearing Panel. In order to be considered, a first-year student must provide the signatures of fifty classmates that support, not necessarily exclusively, the student's nomination. Those applying to the Hearing Panel are not prohibited from also applying to the Investigators Committee, and the collected fifty signatures satisfy the nomination process for both Committees. The Hearing Panel will interview those who received the necessary signatures. Criteria that may be used by the Hearing Panel in choosing are seriousness of candidate, previous experience, and availability for meetings. The interviews will conclude within one week of their commencement. The Hearing Panel shall then select one, properly nominated, first-year student from each section to serve as a first-year representative to the Hearing Panel. If a section produces no properly nominated first-year representatives for the Hearing Panel, the Hearing Panel will have the discretion to select a representative from such section.
- b. **Investigators Committee.** No later than the third week in October, members of the first-year class will submit nominations for membership on the Investigators Committee. In order to be considered, a first-year student must provide the signatures of fifty classmates that support, not necessarily exclusively, the student's nomination. Those applying to the Investigators Committee are not prohibited from also applying to the Hearing Panel, and the collected fifty signatures satisfy the nomination process for both Committees. The Investigators Committee will interview those who received the necessary signatures. Criteria that may be used by the Investigators Committee in choosing are seriousness of candidate, previous experience, and availability for meetings. The interviews will conclude within one week of their commencement. The Investigators Committee shall then select one, properly nominated, first-year student from each section to serve as a first-year representative to the Investigators Committee. If a section produces

no properly nominated first-year representatives for the Investigators Committee, the Investigators Committee will have the discretion to select a representative from such section.

ARTICLE III. HONOR CODE

Section 1. Definitions

- a. "Academic matter"** means all matters that relate to:
 - 1) Any Law School course;
 - 2) Any Law School examination;
 - 3) Any matter for which Law School credit is given or sought;
 - 4) Any non-electoral competition for membership in any law journal or other student organization; or
 - 5) Material submitted for publication in any law journal.

- b. "Person in authority"** means all faculty of the law school (including visiting and adjunct faculty), all employees of the Law School with responsibility in connection with any academic matter, and all professional library staff members.

- c. "Associate Dean"** means the Associate Dean for Academic Affairs for the Law School.

Section 2. A student Violates the Honor Code if he/she:

- a.** Knowingly makes a materially false or deceptive statement to a person in authority in connection with an academic matter; or
- b.** Engages in conduct in connection with an academic matter either:
 - 1) For the purpose of gaining an unfair advantage over another student, or
 - 2) Under circumstances such that a reasonable law student would know that the conduct was likely to result in an unfair advantage.

Section 3. Examples of Honor Code Violations

As illustrations of conduct which violates the provisions in Section 2, the following specific forms of conduct by students are violations of the Honor Code:

- a.** Violation of any procedure adopted by any person in authority for an examination or any other graded material, including but not limited to:
 - 1) Use of unauthorized materials;
 - 2) Writing beyond the time limit of the examination;
 - 3) Communication with any unauthorized person during the examination or the preparation of the graded material; or
 - 4) Communication concerning the examination or preparation of the graded material with any student who already has taken or who has yet to take the examination.

- b. Purposeful destruction, mutilation, secretion, or unauthorized removal of any Law School property, including library material.
- c. Purposeful invasion, including by computer, of the security maintained for the preparation or storage of examinations or other confidential information retained by the Law School.
- d. Submission, except by permission of the relevant person in authority after full disclosure, of any work prepared, used, or submitted in another course or for a law journal, clinic, externship, employer, or any other organization.
- e. Agreeing, soliciting, attempting or agreeing to commit, assist, or facilitate a violation of this Article.
- f. Failure to report a known violation of this Article within a reasonable time.
- g. Failure to provide information or testimony when requested by the Honor Court, except upon a showing of good cause.
- h. Making a false representation about one's academic record or Law School activities to a prospective employer or to another academic institution;
- i. Unauthorized use of academic materials, such as library books;
- j. Unauthorized taking of another student's books, class notes, outlines, study materials or computer;
- k. Violation of the confidentiality rules created by the Honor Code Constitution.

Nothing in this section shall be construed to limit in any way the provisions of Section 2 of this Article.

Section 4. This Article does not apply to plagiarism. Conduct alleged to constitute plagiarism remains within the authority of the faculty.

Section 5. All incoming students shall sign the following pledge on matriculation.

I, the undersigned, have read the School of Law Honor Code Constitution, and understand what is expected of me as a student, including my obligation to report violations to which I am a witness or of which I am aware.

Signature

The pledge remains in effect until (a) graduation or (b) termination of education prior to graduation.

ARTICLE IV: INVESTIGATIVE AND HEARING PROCEDURES

Section 1. Referral, Investigation, and Probable Cause Determination

a. Reporting Procedure

All students and faculty (full and part-time) who reasonably believe that a violation of the Honor Code has occurred have an affirmative duty promptly to report the violation to the Chief Investigator. A complaint may be made by any other person with knowledge of a violation, including staff members and administrators of the Law School. The complaint must be in writing, signed by the complainant.

b. Preliminary Investigation

Within three (3) days of receiving a complaint, the Chief Investigator shall assign an investigator to the case and the complaint. If the complaint alleges a violation by an upperclass student, only an upperclass student may serve as investigator. If the matter involves a first-year student, a first-year representative, not from the section of the accused, may serve as the investigator. The Investigator shall then commence an investigation within five (5) days. The inquiry shall be undertaken in a manner determined by the Investigator to be appropriate, based upon the nature of the charges, the confidentiality of the investigation, and the interest of the parties. The Investigator may interview the accused student and others. Those interviews may be tape recorded. The Investigator shall maintain the strict confidentiality of the investigation. Students, faculty, staff, and administrators have a duty to cooperate with the Investigator. The accused student may decline to be interviewed. At the beginning of an interview with the accused student, the Investigator shall advise the student of the allegations and of the student's right to decline to be interviewed and to have lay representation by anyone other than a member of the Law School faculty or staff.

c. The Investigators' Report

- 1) **Submission of Report.** Not later than fifteen (15) days after the commencement of the investigation, the Investigators Committee shall submit a written report to the Associate Dean for Academic Affairs. The report must contain a recommendation of any further action that the Investigators Committee believes to be warranted. If the matter involves a first-year student, a first-year representative, not from the section of the accused, will participate in the deliberation of the Investigators Committee. The Chief Investigator shall select one of the eligible first-year representatives as described in Article II, Section 4(b). When the Investigators Committee is required to vote on an accusation against a first-year student, the Chief Investigator shall preside, but not vote. If the Investigators Committee believes in good faith that a Hearing Panel could not reasonably find that the accused student committed an Honor Code violation, the Investigators Committee shall recommend dismissal.
- 2) **Nature of the proceeding before the Associate Dean.** Pre-hearing proceedings before the Associate Dean are strictly for the purpose of determining whether there is sufficient evidence (probable cause) to warrant a formal charge. The proceedings need not be conducted as formal hearings.
- 3) **Appeal.** A decision by the Associate Dean to dismiss the charge or proceed with the charge is not appealable within the Law School. If the charge is dismissed, a later charge may not be brought against the same student based on the same factual episode.

d. Actions Permitted

- 1) Declination.** If the Associate Dean concludes that there is not probable cause to believe that an Honor Code violation occurred or that the accused student committed the violation, the Associate Dean shall issue a declination to prosecute. If a matter is declined, the Chief Investigator shall notify in writing the complainant (and other persons interviewed by the Investigator who of necessity learned the identity of the accused student) of the action taken. The complainant and those who have learned the accused's identity must be warned of the confidentiality of the matter and admonished not to disclose to others the student's identity. If the accused student was contacted by the Investigator during the inquiry, or if the case Investigator reasonably believes that the student has become aware of the complaint or investigation, the Chief Investigator shall notify the student of the declination.
- 2) Referral to Honor Court for prosecution.** If the Associate Dean concludes that there is probable cause to believe that an Honor Code violation occurred and that the accused student committed the violation, he/she shall deliver a letter to the Hearing Officer and to the Chief Investigator, stating his/her probable cause determination. The letter must contain the name of the accused student and the specification of the Honor Code provision(s) violated, with a brief statement summarizing the specific acts or omissions constituting the violation(s).
- 3) Undertake further investigation.** When the interests of justice and the parties require, the Associate Dean may order further investigation by the Investigators Committee not to exceed fifteen (15) days, at which time the Committee shall submit a report to the Associate Dean. At that point, the Associate Dean will either decline or refer the matter for prosecution.
- 4) The case file.** In a matter closed without prosecution, a memorandum from the Associate Dean explaining this determination shall be placed in the case file. The case file containing the original complaint, tape recordings or other investigatory materials, the case Investigators' report, the memorandum decision, and copies of the notification letters sent to affected persons must be securely maintained in the office of the Associate Dean. The student's Law School file may not reflect that an investigation has taken place.

Section 2. Case Prosecution

a. Notification of Student

Unless a finding of good cause has been made by the Associate Dean to extend the period, within five (5) days of the Associate Dean's probable cause finding, the Chief Investigator shall hand deliver to the accused student ("respondent") notice of the probable cause determination, along with a copy of the Honor Code Constitution. The notice must inform the respondent of:

- 1) The nature of the charges against the student: the specific Honor Code section(s) alleged to have been breached and summary of the specific acts or omissions constituting the violation(s);
- 2) The rights the accused shall enjoy during all subsequent Honor Court proceedings in the case, including:
 - (A) the right to counsel, lay or professional. A professional counsel's role is limited to advising the accused or the accused's lay counsel and is not to participate in oral advocacy before the Honor Court. No "person in authority" [as defined in this Constitution] employed by the Law School can serve either as lay or professional counsel;
 - (B) the right to confrontation;
 - (C) the right to call witnesses on his/her behalf;
 - (D) the right to present evidence on his/her behalf;
 - (E) the right to remain silent and have no inference of guilt drawn from such silence;
 - (F) the right to cross-examine witnesses; and
 - (G) the right to a public hearing.
- 3) The burden of the prosecution to establish the charge(s) by clear and convincing evidence;
- 4) The sanctions available to the Honor Court, which include but are not limited to one or more of the following:
 - (A) written reprimand
 - (B) community service
 - (C) loss of privileges within the Law School
 - (D) failure of a course
 - (E) repeat of a failed course
 - (F) suspension of probated suspension
 - (G) expulsion.
- 5) The fact that any sanction imposed on the student will be noted in the student's permanent record/transcript, and;
- 6) The opportunity during the ten (10) days following delivery of the letter to contact the case prosecutor (identified by name) and consent to a stated discipline, subject to Honor Court approval, thereby avoiding trial.

b. Formal Adjudication

- 1) **Convening the court.** If the respondent does not respond to the invitation to consent to discipline or if no agreement is reached within the prescribed time limits, the case

investigator (now "prosecutor") shall promptly notify the Hearing Officer that the matter can be set for a hearing on the merits. Upon receipt of such notice, the Hearing Officer shall promptly convene the Honor Court. If the respondent is a first-year student, the upperclass members of the Hearing Panel shall select one first-year representative as described in Article II, Section 4(a) to join the Hearing Panel. The Hearing Panel may not select a first-year representative from the section of the accused. In matters involving first-year students, a senior member, chosen at the discretion of the upperclass members of the Hearing Panel, will not vote in the adjudication or sanction process.

- 2) **Notice.** The court shall set a hearing date, time, and place and hand deliver to the Chief Investigator and the respondent a conforming notice, which shall contain the names of the members of the court. Except for good cause, the hearing on the merits must be held within fifteen (15) days of the convening of the court.
- 3) **Disqualifications.** Any member of the Honor Court or member of the Investigators Committee may disqualify himself or herself from investigating or hearing any reported violation. The respondent shall have the right to challenge for cause members of the court. The Hearing Officer shall rule on any challenges. A vacancy created on the Committee may, if necessary, be filled by a temporary member, selected by the Chief Investigator in consultation with the Hearing Officer. A vacancy on the Hearing Panel may be filled if necessary, by a temporary member selected by the Dean, provided that the temporary member be a member of the same class as the disqualified member. In the event that the Hearing Officer must disqualify himself/herself from involvement with the case, the Dean shall select a member of the faculty to serve as a temporary Hearing Officer.
- 4) **Continuance.** The Hearing Officer may continue or adjourn the hearing without prejudice if essential evidence is unavailable, or for other good cause shown.
- 5) **Discovery.** Upon written demand by either the prosecutor or the respondent, he or she shall be provided a list of his witnesses and copies of any documentary evidence. The list may be amended up to but not later than twenty-four hours before the date and time of the hearing on the merits. Once the list is provided, no person may testify and no documentary evidence may be received into evidence unless the name or exhibit appears on the list, or the party seeking to admit the evidence can show good cause for its exclusion on the list provided to the opposing party.

The prosecution shall disclose to the respondent any evidence known to him or her that tends to exonerate the respondent or mitigate the degree of culpability.

- 6) **Adjudication by consent.**
 - a) Discipline by consent is an admission to one or more of the charges agreed to by the prosecutor and the respondent. The agreement must be in writing and approved by the Associate Dean and at least four (4) members of the Investigators Committee. The writing must contain the charge specifications, an

admission of the conduct signed by the respondent, the sanction to be imposed, and any factors in aggravation or mitigation as determined by the prosecutor, who shall, along with the Chief Investigator, sign the agreement on behalf of the Investigators Committee.

- b) The agreement must be submitted to the Hearing Officer, who shall promptly convene a pre-hearing conference to determine whether the Hearing Panel will accept the agreement and impose the stated discipline. The respondent (and lay advocate, if any) and the prosecutor shall attend the prehearing conference. After reviewing the proposal and the sanction guidelines and after considering arguments of the prosecutor and the respondent, the Hearing Panel shall deliberate in private and by majority vote either accept or reject the proposed discipline by consent. The Hearing Officer will announce the decision of the Hearing Panel.
 - c) If the agreement is accepted, the Hearing Officer shall sign a conforming order, provide copies to the parties and to the Dean, and deliver the Honor Court file and the original order to the Associate Dean to preserve the Honor Court case file and for prompt assistance, as needed, in implementing the sanction(s).
 - d) If the proposal is rejected, the respondent may admit the violation(s) and request a hearing on sanction only, or demand to have a hearing on the merits, which shall be heard on the hearing date previously set. At the hearing on the merits no evidence may be received or considered by the court regarding the proposed discipline by consent.
- 7) **Adjudication by admission.** If the Hearing Officer receives notice from the respondent that he or she intends to admit the violation(s) and requests a hearing only on the sanction, the Hearing Officer shall notify the prosecutor that witnesses may be excused from attendance at the scheduled hearing, except for witnesses that may be relevant to the sanction. The Hearing Officer shall also notify the respondent of the hearing date the court will accept the admission and proceed to the sanction hearing, and that any witnesses relevant to the sanction need be in attendance.

8) **Adjudication by a hearing on the merits.**

- **a) Preservation of the record.** The Associate Dean for Academic Affairs shall arrange for all adjudicative proceedings to be recorded (either on video or on audiotape) and for this purpose may employ a person outside the Law School to prepare such a record under a written agreement of confidentiality.
- **b) Nature of the proceedings.** The proceedings of the Honor Court shall not be conducted as a court of law. The court's goals are to determine the truth and to act justly. Except for statutory privileges, hearings need not conform to strict rules of procedure and evidence. Nevertheless, inherent in any judicial body are notions of fundamental fairness to the parties and due process for the respondent.

The Hearing Officer shall make rulings on the admissibility of evidence. The Hearing Officer shall assure that all parties have a fair chance to present their cases and that all witnesses are treated with respect. If the respondent requests a public hearing, observers may be present.

- **c) Presentation of evidence.** The prosecutor may make a brief opening statement setting forth the alleged violation(s) and the essential facts intended to be established at the hearing. The respondent or his or her attorney or lay advocate may make a brief responsive statement. The prosecutor shall then call witnesses and introduce exhibits and documentary evidence. The respondent or his or her advocate may ask questions of these witnesses and may present other evidence and witnesses. The Hearing Officer shall administer an oath to all witnesses. The respondent may testify but is not required to testify. The Hearing Panel may not draw inferences from the silence of the respondent. Members of the court may ask questions of witnesses following the examinations by the parties. The Hearing Officer may disallow questioning that is repetitive, irrelevant, cumulative, or harassing. Upon completion of the presentation of the evidence, the prosecutor and the respondent or his or her lay advocate may make closing statements.

- **d) Deliberation and verdict.** The Hearing Panel shall privately confer and deliberate upon their verdict, which shall be voted by a secret ballot. Four of the justices must find evidence of the respondent's violation(s) to have been proven by clear and convincing evidence before a verdict against respondent can be rendered.

- **e) Sanction hearing.** When the Hearing Officer reconvenes the hearing and announces the Hearing Panel's findings, the hearing is concluded and the proceedings ended if the charges were not proven. If the Hearing Panel finds one or more of the charges true, it shall then receive evidence in aggravation or mitigation of the presumptive sanctions. The prosecutor has the first opportunity to offer evidence in aggravation or mitigation. The respondent may then present his/her mitigation evidence. Both parties may make sanction recommendations to the court. Regardless of whether the respondent has remained silent throughout the proceedings, the respondent and his or her lay advocate may speak to the court regarding the sanction.

- **f) Deliberation and imposition of sanction.** In private deliberations the Hearing Panel shall determine the appropriate sanction(s), mindful of any presumptive sanctions and of any factors in aggravation or mitigation that warrant departure from them and which in their sound discretion they may do. The sanction imposed shall be appropriate in light of the gravity and willfulness of the violation. A combination of sanctions may be imposed. Four of the justices must concur in the sanction(s). When sanction(s) have been agreed upon, the hearing will reconvene and the sanction(s) will be announced and the hearing concluded. If the hearing was closed to the public, the complainant and witnesses may be informed of the decisions. The court, over the signature of the Hearing Officer,

shall promptly prepare a written report of its factual findings, its conclusions as to what violations of the Honor Code occurred, factors in aggravation and mitigation, if any, and the sanction(s) imposed. The original report shall be delivered to the Associate Dean, for prompt assistance, when needed, in implementing the sanction(s). A copy of the report shall be hand delivered to the respondent by the Hearing Officer. If the sanction arose from a consent to discipline, the sanction must be implemented forthwith. In all other cases no implementing action may be taken if a timely appeal is filed or until the time for filing an appeal has passed.

ARTICLE V: APPELLATE PROCEDURES

Section 1. Filing and the Appellate Panel.

Within fifteen (15) days of the receipt of the court's report, a respondent may file an appeal with Dean of the Law School. The respondent's appeal can be based on the inappropriateness of either: 1) the finding of guilty or 2) the sanction imposed. The prosecutor can file an appeal based on the inappropriateness of the sanction. The Dean shall appoint an appellate panel of three faculty members to decide the appeal. The appeal may include a supporting memorandum and/or a request for oral argument. Both the respondent and the prosecutor have a right to appear before the faculty appellate panel. Both the prosecutor and the respondent may file a responsive memorandum within fifteen (15) days of the filing of the other party's memorandum. Oral arguments are limited to twenty (20) minutes each.

Section 2. The Record on Appeal.

The appellate panel shall be provided with and shall review as necessary the record on appeal, which shall contain:

- a. the charging letter from the Associate Dean;
- b. all correspondence between the parties and the Honor Court or hearing court;
- c. all motions and memoranda filed by the parties;
- d. the videotape or audiotape of the hearing on the merits;
- e. all exhibits received into evidence;
- f. the written report of the court; and
- g. the appellate memoranda, except
- h. no documents related to a proposed discipline by consent that was refused by the hearing court may be part of the appellate record.

Section 3. Appellate Standard.

The appellate panel shall decide the appeal based upon its review of the pertinent portions of the record, any appellate memoranda received, the arguments of the parties, any presumptive sanctions, and the requirements of the Honor Code and its constitution and procedures and shall affirm the factual findings and conclusions unless they are clearly erroneous. The appellate panel may not disturb the recommended

sanction(s) unless it is convinced that the recommendation constitutes a clear abuse of discretion. If the appellate panel reverses the finding of a violation or the sanctions, it may order a new trial, dismiss the charge(s), modify the findings, conclusions, and sanction(s) imposed, or affirm the action of the hearing court. Two-thirds of the members of the appellate body must agree on the action to be taken, and the written opinion of the appellate panel shall be delivered to the Dean, Associate Dean, Hearing Officer, prosecutor and the respondent within ten (10) days of the panel's decision. The Associate Dean shall promptly facilitate implementation of the sanction(s) as no further appeal is available within the Law School. The respondent shall be notified, however, of the opportunity to appeal to the President of the University.

ARTICLE VI. MISCELLANEOUS PROVISIONS

Section 1. Records and Reports.

- 1) Regardless of the decision on the merits, the record of the case shall be maintained in the office of the Associate Dean after termination of the proceedings. The record may be consulted by the Dean, Associate Dean, the Honor Court, or the Investigators Committee, or the Prosecutor for any relevant purpose.
- 2) When a matter has been formally adjudicated and finally resolved, regardless of the decision on the merits, the Hearing Officer shall
 - a) Prepare a report of the matter containing the name of the student, the specific sections(s) of the Honor Code alleged to have been violated, a summary of the relevant facts, the final decision on the merits and, if a conviction was obtained, the sanction(s) imposed. This report shall be presented to the Dean for retention;
 - b) Prepare a redacted version of the report. The redacted version shall be identical to the report, except that it shall omit the name of the student;
 - c) Post the redacted version of the report in appropriate public places in the Law School and file a copy with the Law Library to be made available to the student body; and
 - d) Transmit the redacted version of the report to the Associate Dean for Academic Affairs for retention.
- 3) When a matter has been formally adjudicated and finally resolved and a student is found guilty of a violation of the Honor Code either after a trial or by a product of an adjudication by consent:
 - a) the report, with its findings and conclusion, shall be placed in the student's permanent file; and
 - b) the faculty shall be notified that a student has been adjudged guilty of a violation of the Honor Code. A copy of the report placed in the student's permanent file shall be made available in the Dean's Office for inspection by faculty members. Faculty members, upon inquiries from prospective employers, may reveal: a) the fact that a student has been found guilty of an Honor Code violation; b) the extent of the sanction imposed; and c) his or her recommendation on hiring the student.

Section 2. Record Disclosure.

Neither the content nor the existence of any disciplinary action may be disclosed, nor may the name of the accused or convicted student be disclosed, except as noted above and when required by law or order of a court; when required, consistent with law by the Dean or Associate Dean, by the Honor Court, or by the Investigators Committee; or when the student has signed a waiver of confidentiality.

Section 3. Calculation of Time Periods.

In the calculation of any time periods referred to in these rules, weekends, Law School holidays, and the day from which the time period begins to run may not be included in the calculation of the time period.

Section 4. Summer Session.

If a quorum of the Investigators Committee or Honor Court is unavailable to consider a case during the summer session, the matter may be postponed until such quorum is available.

Section 5. Finality and Exclusivity of Sanctions

Any sanctions imposed under this Honor Code Constitution (either through adjudication by hearing, by admission or by consent) shall constitute the final action of the Law School. The Faculty may not later refuse to graduate the respondent solely because of the sanctions or because of the events from which they arose. However, if the Faculty has other information relevant to its decision on graduation, the Faculty may consider the sanctions and the underlying events together with that other information in deciding whether to recommend the respondent for graduation.

ARTICLE VII. ENACTMENT

This Constitution shall become effective upon approval by a majority of those students voting in an election, with fifty percent of the student body being a quorum, and approval by a majority of those tenure-track faculty members voting at a called faculty meeting.

ARTICLE VIII. AMENDMENTS

This Honor Code Constitution may be amended in the following ways:

- a) by a majority of the Hearing Panel where this proposal is ratified by a majority vote of those members of the student body casting ballots in a called election and by a majority of the tenured and tenure-track faculty voting at a called faculty meeting; or
- b) by initiative petition signed by 100 students enrolled in the Law School and ratified by a majority vote of those members of the student body casting ballots in a called election and by a majority of the tenured and tenure-track faculty voting at a called faculty meeting; or
- c) by a majority of those tenured and tenure-track faculty members voting at a called faculty meeting and ratification by a majority of the student body casting ballots in a called election.

FACULTY POLICY ON PLAGIARISM

While the Honor Code is designed primarily to govern situations in which students observe or detect other students acting inappropriately, the Law Faculty has adopted the following policy to cover situations where a faculty member concludes that a student is guilty of plagiarism:

A. Plagiarism

Plagiarism is unacceptable and will not be tolerated at the University of Georgia Law School. Plagiarism is the submission of another's work as one's own. It includes: 1) use of another's exact words without use of quotation marks and acknowledgement of that use in a footnote or endnote; 2) use of another's organizational scheme without acknowledgement of that use in a footnote or endnote; 3) either close paraphrasing of the work of another without attribution or submission of a work which is largely a paraphrasing of another's work without attribution. Each student is obliged to be aware of the policy against plagiarism and lack of awareness of the policy does not excuse a violation of it. No student shall be permitted to graduate while charges of plagiarism are pending against that student.

B. Options for Faculty Member Who Believes Plagiarism Has Been Committed

Upon discovering what is believed to be plagiarism on written work submitted by a student in a course, a faculty member may:

1. Assign a grade to the written work based on the faculty member's determination of plagiarism. This determination and the explanation thereof shall be expressed in writing and transmitted to the student with a copy to the dean; or
2. Refer the matter to the Honor Court which will deal with the matter according to its Constitution. A student found guilty of plagiarism by the Honor Court may appeal to the dean for review of the penalty assessed.

C. Institutional Response to a Faculty Member's Finding of Plagiarism

1. Upon receiving notification from a faculty member of his or her determination of plagiarism, the dean, upon finding probable cause that plagiarism has been committed, shall appoint a committee of five tenure-track or clinical faculty members to conduct a hearing to determine whether plagiarism has been committed by the student. A faculty member who does not feel capable of rendering a fair decision in a particular case shall refuse to serve on the faculty committee.
2. At the hearing, the faculty member will introduce evidence relevant to the question of whether plagiarism has been committed. The student is entitled to be represented by counsel of his or her choice, to introduce relevant evidence and to confront and cross-examine any witnesses against him or her.
3. To support a finding of plagiarism at least four members of the committee must find plagiarism beyond a reasonable doubt. A finding of plagiarism by the committee in accord

with the procedures established by this policy shall be final and binding on the dean and the student.

4. The committee shall file with the dean a written report on its proceedings and its findings. If plagiarism has been found by the committee, the report shall include a recommended sanction. The presumptive sanction shall be a one- semester suspension, but the committee may recommend a different sanction, either more or less severe. Such sanctions include, but are not limited to, expulsion, suspension for a longer period, probation or remedial activity.
5. The final determination of the appropriate sanction for plagiarism shall be made by the dean. It may be more or less severe than any sanction recommended by the committee. This determination shall be expressed in writing and provided to the student within 14 days of the filing of the committee's report with the dean. The committee members and the complaining professor shall receive copies of the dean's determination of sanction. The dean's determination of sanction may be appealed to the provost of the University.
6. In response to appropriate inquiries, the Law School shall make available to appropriate bar officials the written committee report and the dean's final determination of sanction.

D. Decision in Favor of the Student

In situations where:

- 1) the dean finds insufficient probable cause to impanel a faculty committee; or
- 2) a faculty committee appointed under this policy fails to find plagiarism has been committed; or
- 3) the Honor Court fails to find plagiarism has been committed; the dean shall assign to another faculty member the task of entering a course grade for the originally accused student.

E. Definitions

1. "Faculty Member" means any individual assigned to teach a course offered by the University of Georgia Law School.
2. "Student" means any person enrolled in a course offered by the University of Georgia Law School.

Part 21 STUDENT COMPLAINTS

Student Complaints Related to ABA Compliance

As an ABA-accredited Law School, the School of Law is subject to the ABA Standards for Approval of Law Schools. (http://www.americanbar.org/groups/legal_education/resources/standards.html). Under ABA Standard 510, any student at the Law School may bring a formal complaint to the Law School administration “of a significant problem that directly implicates the school’s program of legal education and its compliance with the ABA Standards.”

Students seeking to file a formal complaint related to the program of legal education and compliance with the ABA Standards must do the following:

1. Submit the complaint in writing to the Associate Dean for Academic Affairs. The complaint may be made by email, U.S. mail, or personal delivery. The complaint must be signed.
2. Describe in detail the behavior, program, process or other matter that is the subject of the complaint, and explain how the matter implicates the Law School’s program of legal education and compliance with specific ABA Standard(s).
3. Provide the name, official Law School email address, and street address of the complaining student for further communication about the complaint.

When the Associate Dean for Academic Affairs receives a student complaint, the following procedures will be followed:

1. The Associate Dean will acknowledge receipt of the complaint in writing within 10 business days. Acknowledgment may be made by email, U.S. mail, or personal delivery.
2. Within two weeks of acknowledgment of the complaint, the Associate Dean, or his or her designee, will provide a written response to the substance of the complaint or informing the student that additional investigation is needed. If further investigation is needed, the student will be provided with information about what steps are being taken to investigate the complaint and an estimated date for the completion of the investigation by the Law School. The written response to the complaint will specify what steps are being taken to address the complaint.
3. After the student receives the written response to the complaint, a dissatisfied student may appeal the resolution of the complaint to the Dean of the Law School. Any decision made on appeal by the Dean will be final.
4. A copy of the complaint and a summary of the process and resolution of the complaint must be kept in the office of the Associate Dean for Academic Affairs for a period of eight years from the date of final resolution of the complaint.