



UNIVERSITY OF  
SAN FRANCISCO

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School of Law

# Academic Policies

Juris Doctor and Graduate Tax Programs  
2023 – 2024

*The University and the School of Law expressly reserve the right to modify the curriculum, including the offering, timing and content of courses, and/or to change any requirement for admission or graduation. The University and the School of Law also expressly reserve the right to change any rule, regulation, requirement and/or procedure affecting the student body including any rule, regulation, requirement and/or procedure relating to grading, academic standing, and disqualification. Such changes shall become effective whenever the administration may determine and may operate retroactively.*

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# **ACADEMIC POLICIES for the JD and Graduate Tax Programs**

## **I. ACADEMIC PROGRAMS**

### *Juris Doctor Programs*

The School of Law offers both full-time and part-time programs leading to the Juris Doctor (JD) degree. It also offers three full-time dual degree programs leading to a Juris Doctor (JD) and a degree in one of the following: a Master of Business Administration (MBA), a Master of Urban and Public Affairs (UPA), or a Master of Laws in Taxation (LLM).

#### **1.1 Full-Time Program**

A three-year curriculum is offered in the full-time program. Full-time students must take all courses in the required curriculum in the first year and an average of 15 units per semester during the remaining two years. Required courses are offered during a five-day week, commencing on Monday and ending on Friday, and are usually scheduled between the hours of 8:00 a.m. and 6:00 p.m. Students in the full-time program may be required to take a course and/or examination during evening hours (6:00 p.m. to 10:00 p.m.) and/or on Saturday. Elective courses are offered during both day and evening hours.

#### **1.2 Part-Time Program**

A four-year curriculum is offered in the part-time program. Part-time students must take all courses in the required curriculum during their first and second years and an average of 11 units per semester during the remaining years. Part-time students often elect to take one or more courses during summer sessions in order to lighten their course load during the fall and spring semesters. Required courses are offered during a five-day week, commencing on Monday and ending on Friday, and are usually scheduled between the hours of 8:00 a.m. and 6:00 p.m. Students in the part-time program may be required to take a course and/or examination during evening hours (6:00 p.m. to 10:00 p.m.) and/or on Saturday.

#### **1.3 Dual Degree Programs**

The School of Law offers three dual degree programs that allow students to obtain their Juris Doctor and an additional graduate degree in four years. Unless noted, students enrolled in a dual degree program are charged the equivalent of law school tuition, regardless of which program a majority of their classes are in during any given semester.

## **Juris Doctor/Master of Business Administration**

The Juris Doctor/Master of Business Administration (JD/MBA) Dual Degree Program is a full-time, four year program of study leading to receipt of both a JD degree and an MBA degree. The JD degree is awarded by the School of Law and the MBA degree is awarded by the USF School of Management. Participation in the program requires acceptance by both schools, and acceptance by one does not guarantee acceptance by the other or eligibility to participate in the program. Law students not previously admitted by the School of Management may apply for admission to the program during their first or second year in the JD program.

JD/MBA candidates take their first and second year exclusively in the law school, their third year exclusively in the business school, and their fourth year will be a combination of courses from both schools. Students enrolled in their exclusive year in the business school may not enroll or participate in credit-bearing activities at the law school.

Law students interested in the JD/MBA Program must complete Corporations as well as the required first-year and second-year JD curriculum and must meet the following academic thresholds:

Students must be in good academic standing at the end of the spring semester of their second year to be eligible to participate in the concurrent degree program. Good standing requires both a semester GPA and a cumulative GPA of 2.30.

Students who complete their first year of study in the part-time JD program, and who are otherwise eligible, may participate in the JD/MBA program by transferring to the full-time JD program at the conclusion of the first year JD program and completing 6 JD units in a USF summer law program immediately following the first year.

Except as specifically modified for the JD/MBA program, in order to earn the JD degree, a student in the JD/MBA program must complete all JD degree, residence, and curricular requirements. In order to satisfy the degree and residence requirements, a JD/MBA Program student must complete four full-time years in residence. (A student who begins the JD program as a part-time student and who transfers to the full-time division immediately upon completion of the first-year must complete the remaining three years as a full-time student.) JD/MBA students are subject to all of the requirements, restrictions and limitations set forth in the law school's academic policies, including course load limitations. The curricular requirements are listed in Appendix A.

A student intending to enter a dual degree program must file a notice with the Law Registrar at the end of their second year of study and no later than June 1. Filing a timely notice of dual degree enrollment is mandatory for program participation.

## **Juris Doctor/Master of Urban and Public Affairs**

The Juris Doctor/Master of Urban and Public Affairs (JD/UPA) Dual Degree Program is a full-time, four year program of study leading to receipt of both a JD degree and a Master's degree in Urban and Public Affairs (UPA). The JD degree is awarded by the School of Law and the UPA degree is awarded by the USF College of Arts & Sciences. Participation in the program requires acceptance by both schools, and acceptance by one does not guarantee acceptance by the other or eligibility to participate in the program. Students are eligible to apply for the dual degree program after completion of their first year of law school studies or their first year in the Master of Urban and Public Affairs program.

Law students desiring to participate in the JD/UPA Program take their first year exclusively in the law school; their second year exclusively in the master program, and their third and fourth years primarily in the law school. While enrolled in their exclusive year in UPA, they may not enroll or participate in credit bearing activities at the law school.

JD/UPA candidates must complete the required first-year JD curriculum in good academic standing with a cumulative grade point average greater than 2.50 at the end of the spring semester of their first year to be eligible to participate in the concurrent degree program. A student who completes the spring semester of the first year JD program with a cumulative grade point average of 2.50 or below may not thereafter participate in the JD/UPA concurrent degree program even if their cumulative grade point average increases to greater than 2.50.

Students who complete their first year of study in the part-time JD program, and who are otherwise eligible, may participate in the JD/UPA program by transferring to the full-time JD program at the conclusion of the first year JD program and completing 6 JD units in a USF summer law program immediately following the first year.

Except as specifically modified for the JD/UPA program, in order to earn the JD degree, a student in the JD/UPA program must complete all JD degree, residence, and curricular requirements. In addition to the required JD curriculum, a JD/UPA student must also take Administrative Law and enroll in a legal externship with a public agency/organization or in a legal clinic. In order to satisfy the degree and residence requirements, a JD/UPA Program student must complete four full-time years in residence. A student who begins the JD program as a part-time student and who transfers to the full-time division immediately upon completion of the first-year must complete the remaining three years as a full-time student. JD/UPA students are subject to all of the requirements, restrictions and limitations set forth in the law school's academic policies, including course load limitations. See Appendix B for the curricular requirements.

Law students who intend to enter the JD/UPA program must submit the appropriate petition to the Law Registrar at end of their first spring semester (by June 1).



## **Juris Doctor/LL.M. in Taxation Dual Degree**

The Juris Doctor/LLM in Taxation Dual Degree Program is a 3 ½ -4 year degree program of study (for full time JD students) or 4 ½ -5 year degree program of study (for part-time JD students) leading to the receipt of both a JD degree and an LLM in Taxation degree. Both degrees are awarded by the USF School of Law. Students who are in good academic standing may apply for admission to the LLM in Taxation Program during their second year of JD studies. Continued participation in the dual degree program, if a student is no longer in good academic standing, will be determined by the Associate Dean.

The LLM in Taxation is a 24 unit degree. Candidates for JD/LLM in Tax can take Graduate Tax Program courses that will count exclusively toward their LLM in Tax degree in the summer semesters following their second year of JD study. Tax courses taken in the JD program during the fall or spring semesters will count toward the JD degree. Up to 12 units of successfully completed tax coursework taken as a JD student can be transferred toward the LLM in Tax.

Conferral of the LLM in Taxation degree requires a previously earned JD degree.

JD/LLM in Tax candidates are charged JD tuition until the conferral of the JD degree. LLM in Tax courses taken thereafter incur the Tax LLM tuition charges. See Appendix C for the curricular requirements.

## *Graduate Tax Programs*

### **1.4 The Master of Laws in Taxation**

The LLM in Taxation is a part-time program focused on tax law and policy that requires 24 degree units. Entry into the program occurs after a student has earned a JD from an ABA accredited law school. JD students may take LLM in Taxation courses while earning their JD, and may transfer up to 12 units from an ABA-accredited school for tax courses in which the student earned a grade of C+ or higher subject to the transfer of units policy. Most courses are offered online. Some courses are in the evening, Monday through Thursday, at the Downtown Campus at 101 Howard Street. There are six required courses that may be taken any time during the program. The degree must be completed within five years of matriculation.

### **1.5 The Master of Legal Studies in Taxation**

The Master of Legal Studies in Taxation (MLST) is a part-time program focused on tax law and policy that requires 24 degree units. Entry into the program occurs after a student has earned a BA, BS or Master-level degree in accounting, finance, or a related field from an accredited U.S. school. MLST students may transfer up to 12 units from an accredited school for tax courses in which the student earned a grade of C+ or higher subject to the transfer of units policy. Most

courses are offered online. Some courses are in the evening, Monday through Thursday, at the Downtown Campus at 101 Howard Street. Students must complete the Legal Principles of Federal Income Taxation course in their first semester. Thereafter the six required courses may be taken any time during the program. The degree must be completed within five years of matriculation.

## **II. Degree Requirements**

### *Juris Doctor Program*

**2.1 In order to earn a JD degree, a student must satisfy all of the following academic requirements:**

- (a) the minimum number of degree units.

Students must complete 87 course units, including at least 64 units in regularly scheduled law school classroom courses (non-classroom courses include Directed Research, Moot Court, clinical and externship courses or programs, and certain co-curricular programs for which academic credit is awarded, such as Moot Court Board or Case Counsel, advocacy competitions, academic tutoring, IP & Technology Law Journal, and USF Law Review);

- (b) all curricular requirements of the School of Law:

- (c) the required time in residence;

- (d) attain a 2.30 or higher cumulative grade point average as well as attain a 2.30 or higher grade point average in at least one of the last two regular semesters prior to completing the degree requirements; and

- (e) file a notice of candidacy for the Juris Doctor Degree on or prior to the date designated in the official law school academic calendar for the year of graduation.

## **III. Residence Requirements**

### *Juris Doctor Program*

In addition to curricular and other requirements, a student must complete the required time in residence to earn a JD degree.

### **3.1 Full-Time Program**

Full-time JD students must complete 6 regular (fall or spring) semesters in which they enroll in a minimum of 12 and a maximum of 16 academic units of credit. The average full-time load needed to complete the unit requirements in 6 fall and spring semesters is 14-15 units per semester. A full-time student who fails to satisfactorily complete the requisite number of units in any semester will be required to attend one or more additional semesters to meet the residence requirement. Full-time students may not accelerate the date of their graduation or carry less than 12 units of credit during a fall or spring semester by taking classes during a summer session.

### **3.2 Part-Time Program**

Part-time JD students must complete 8 regular (fall or spring) semesters in which they typically enroll in a minimum of 8 and a maximum of 12 academic units of credit. The average part-time load needed to complete the unit requirements in 8 fall and spring semesters is 11 units per semester. In consultation with the Law Registrar, a part-time JD student may enroll in 6-7 units in a fall/spring semester, but may not enroll in more than 12 units. A part-time student who fails to satisfactorily complete the requisite number of units in any semester will be required to attend one or more summer sessions or additional semesters to meet the residence requirement.

### **3.3 Accelerating the Part-Time Program**

Part-time JD students may accelerate their graduation and complete the JD degree program residence requirement in 3½ academic years, provided they are in good academic standing. In order to satisfy the residence requirements, part-time students wishing to accelerate must complete 7 regular session (fall and spring) semesters and at least 8 units taken in 2 or more summer sessions. At least 6 of the summer units must be taken in a USF summer program. Part-time students wishing to accelerate their graduation must file a notice of intention to accelerate with the Law Registrar at the earliest possible date, but in no event after the last date to add classes during the fall semester of their third year.

### **3.4 Transfer from Part-Time to Full-Time Program**

A JD student who enters and completes the first year in the part-time division may transfer to the full-time division upon completion of the first year of study. This makes it possible to complete degree requirements in three academic years.

A student who elects to transfer to the full-time division must:

- (a) take a full-time course load during every fall and spring semester in the second and third academic years;

- (b) attend one or more USF summer sessions and aggregate a total of at least 6 units of credit. All of these units must be taken in a USF summer program;
- (c) meet all other USF degree requirements including completion of the requisite number of course units and completion of all courses required by the School of Law;
- (d) complete all courses required for second year part-time students in the appropriate section; and
- (e) file a notice with the Law Registrar of intention to transfer to the full-time division at the earliest possible date, but in no event later than the last day of classes of the spring semester of the first year. Filing the notice of transfer is mandatory; failure to file the notice as required precludes transfer to the full-time division.

Only students who complete the spring semester of their first year with a cumulative grade point average above 2.50 and are in good academic standing are permitted to transfer to the full-time division. Any election to transfer is subject to meeting these requirements. Once effective, the transfer is irrevocable and thereafter, except as noted, a student who has filed a notice of intention to transfer will be treated as a full-time student for purposes of applying academic policies, awarding residence credit, determining tuition charges, etc.

### **3.5 Transfer from Full-Time to Part-Time Program**

JD students who enter the full-time division may for compelling reasons transfer to the part-time division with approval of the Law Registrar. Once effective, the transfer is irrevocable and thereafter a student who has transferred will be treated as a part-time student for purposes of applying academic policies, awarding residence credit, determining tuition charges, etc.

In order to satisfy residence requirements, a student who transfers from the full-time to the part-time division must attend law school for no fewer than 7, and possibly as many as 8, regular (fall or spring) semesters, depending on the number of full-time semesters completed before the transfer. Students making a transfer should consult with the Law Registrar regarding the number of semesters in residence required to complete the JD degree.

### **3.6 Residence Requirement for Students Transferring to USF**

JD students who transferred to the School of Law with advanced standing after completing first year course work at another institution may typically transfer no more than 30 units of credit toward the JD degree and must complete not less than 57 units of credit and the remainder of their course work in residence at USF. In extraordinary circumstances, the Associate Dean may approve the transfer of more than 30 units. For purposes of this requirement, USF course work may be taken on campus, in a USF externship program, in a USF international summer program and/or through the Bay Area Consortium.

At the time of admission of a student with advanced standing, the Associate Dean for Academic Affairs will evaluate the student's previous law school work and determine the amount of credit, if any, that will transfer and be applied toward the JD degree and, at the same time determine which degree requirements have been satisfied by the prior work. The student will be notified of these determinations at the time they receive an offer of admission.

The determination of transfer credit is based on an evaluation of the quality of the student's prior course work. In no event will credit transfer for any course in which the student has earned a grade below "C".

## IV. Curricular Requirements

### *Juris Doctor Program*

In addition to all other requirements, to earn a JD degree, a student must complete all of the law school's curricular requirements.

#### 4.1 Required Courses

JD degree candidates must satisfactorily complete these specific required courses:

- Advanced Legal Analysis (taken during last two semesters)
- Civil Procedure (6 units)
- Contracts (6 units)
- Constitutional Law (6 units)
- Criminal Law (3 units)
- Criminal Procedure (3 units)
- Evidence (4 units)
- Legal Ethics or Professional Responsibility (3 units)
- Legal Drafting (2 units)
- Legal Research, Writing and Analysis (6 units)
- Property (6 units)
- Skills for Future Lawyers (1 unit) – *applies to those who began law study Fall 2021 and after*
- Torts (4 units)

The required courses listed above are concentrated in the first two years of the full-time and the part-time programs.

#### 4.2 Bar Course Unit Requirement

JD degree candidates must satisfactorily complete at least **three of the following bar courses** before they graduate: Community Property (2-3 units); Corporations (3 units); Remedies (3 units); Wills and Trusts (3 units).

### **4.3 Upper Level Legal Writing Requirement**

JD degree candidates must satisfactorily complete an Upper Level Research and Writing project which involves “writing in a legal context,” and must include “legal analysis and reasoning, legal research, and problem solving.” See Appendix D for a detailed description.

### **4.4 Experiential Unit Requirements**

JD degree candidates must satisfactorily complete one or more experiential course(s), which total at least six (6) credit hours. The units must be completed through simulation courses, law clinics or field placements which are identified in the class schedule. The same course cannot be used to satisfy more than one of the following curricular requirements: Legal Ethics/Professional Responsibility, the Upper Level Research & Writing Requirement, or the Experiential Unit Requirement.

## *Graduate Tax Programs*

### **4.5 LLM in Taxation Course Requirements**

The LLM in Taxation is a 24 unit degree program for both U.S. educated and non-U.S., foreign educated students. Degree candidates must satisfactorily complete the following required courses:

- Federal Taxation of Property Dispositions (2 units)
- Federal Tax Accounting & Timing Issues (2 units)
- Federal Tax Procedure & Professional Responsibility (2 units)
- Graduate Corporate Taxation (3 units)
- Graduate Partnership Taxation (3 units)
- Tax Research (1 unit)
- \*Legal Principles of Federal Income Taxation (3 units) – *required in the first semester for Non-U.S., Foreign-Educated LLM in Taxation students only*

\*“U.S. educated” refers to students who received a first degree in law at a U.S. based academic institution. “non-U.S., foreign educated” refers to students who received a first degree in law at an academic institution not based in the United States.

Students can complete the remaining unit requirements by taking Graduate Tax Program electives.

If approved by the Academic Director or the Associate Director of the Graduate Tax Program, USF School of Law may transfer up to 12 units of tax coursework taken at an ABA approved law school for tax courses in which the student earned a grade of C+ or higher, subject to the

transfer of units policy. Students may apply a maximum of 5 non-classroom units toward the degree.

#### **4.6 MLST Program Course Requirements**

The Master of Legal Studies in Taxation is a 24 unit degree program. Candidates must satisfactorily complete all of the following required courses:

- Legal Principles of Federal Income Taxation (3 units) - required in the first semester
- Federal Taxation of Property Dispositions (2 units)
- Federal Tax Accounting & Timing Issues (2 units)
- Federal Tax Procedure & Professional Responsibility (2 units)
- Graduate Corporate Taxation (3 units)
- Graduate Partnership Taxation (3 units)
- Tax Research (1 units)

Students can complete the remaining unit requirements by taking Graduate Tax Program electives.

If approved by the Academic Director or the Associate Director of the Graduate Tax Program, USF School of Law may transfer up to 12 units of coursework taken at an accredited U.S. undergraduate or graduate school, for tax law courses in which the student earned a grade of C+ or higher, subject to the transfer of units policy. Students may apply a maximum of 5 non-classroom units toward the degree.

## **V. Determination of Credit Hours (Course Units)**

### **5.1 Classroom Units**

Each unit of classroom credit requires a student to complete an amount of work which approximates a minimum of fifteen, fifty (*50 minute*) hours of direct faculty instruction and thirty, *60 minute* hours of student preparation, study, assignment time, etc.

### **5.2 Non-Classroom Units**

Each unit of non-classroom credit requires a student to complete a total amount of work which reasonably approximates a minimum of forty-three, 60 minute hours of coursework.

## VI. Grading, Evaluation and Credit

### 6.1 Grading System

Students receive letter grades in almost all required and many elective JD courses. Certain elective courses are graded on a credit/credit unsatisfactory/no-credit basis. In some elective courses, students have the option of being graded on a credit/no-credit basis in lieu of receiving a letter grade.

### 6.2 Letter Grading

Letter grading of student work is based on a 12 category letter system with numerical grade point equivalents as follows:

A+ = 4.300	C+ = 2.300
A = 4.000	C = 2.000
A- = 3.700	C- = 1.700
B+ = 3.300	D+ = 1.300
B = 3.000	D = 1.000
B- = 2.700	F = 0.000

These letter designations represent academic achievement as follows:

- “A” - Outstanding Scholarship
- “B” - Above Average Work
- “C+” - Work Demonstrating Minimal Competence
- “C” - Work Demonstrating Lowest Minimal Competence
- “C-/D” - Unsatisfactory Work Sufficient for Residence and Scholastic Credit
- “F” - Failing Work Insufficient for Residence Credit or Scholastic Credit

### 6.3 Credit/No-Credit Optional Grading (JD program only)

In letter graded JD elective courses, except electives designated as covering subjects included in the California Bar Examination, the instructor may give students the option to be graded on a credit/no-credit basis.



When a course is offered on a “credit optional” basis, the instructor does not know which students, if any, have elected to be graded on the optional basis. Course work is evaluated by the instructor in the usual manner and a letter grade is assigned. The grades are thereafter converted by the Law Registrar to the credit/no-credit designations. A grade of “C+” or above becomes a “credit” and a grade of “C” or below becomes a “no-credit.”

A student is presumed to be taking a credit optional course for a letter grade unless the student elects to be graded on the credit/no credit optional basis. A student makes the election by completing and filing a Change of Schedule form with the Registrar’s Office. Once made, the election is irrevocable. The election must be made by a deadline noted in the official academic calendar for the semester in which the course is taken.

The academic record (and transcript of the academic record) of a student who receives a “credit” shall only reflect the designation “credit” and shall not, under any circumstances, have a letter grade designation entered for the course. The Law Registrar shall not inform any student who earns a “credit” of the letter grade assigned by the instructor. The academic record (and transcript of the academic record) of a student who receives a “no-credit” shall only reflect the designation “no-credit.” However, a student receiving a “no-credit” in a credit optional course may elect to receive the grade actually earned instead of the “no-credit” designation, in which event the letter grade shall be entered into the academic record and be reflected on the student’s transcript.

Classes in which a student has received a credit/no-credit optional grade do not enter into the calculation of the student’s grade point average. A class in which a student has received a grade of “no-credit” is not counted toward the unit requirements for residency or graduation. A student may elect credit optional grading in only one course per semester.

#### **6.4 Credit/Credit-Unsatisfactory/No-Credit Grading**

In certain courses or programs, including directed research projects, clinical programs, externships and co-curricular activities, like advocacy teams, law journals, tutoring, etc., letter grades are not awarded and student work is designated “credit,” “credit-unsatisfactory” or “no-credit”. These grades do not affect a student’s grade point average. The “credit-unsatisfactory” designation indicates that the work is sufficient for residence credit but is below minimum acceptable academic standards. A course in which a student receives a “no-credit” is not counted toward the unit requirement for residency or graduation.

A student may take any number of credit only courses or programs in a semester.

#### **6.5 Evaluation Factors**

In some courses each student’s grade is based on an anonymously graded final exam administered after the semester’s course work is completed.

Instructors may, in their discretion, determine the final grade in a course on the basis of an examination, a seminar paper, or written work of comparable difficulty, or may use a combination of any one or more of the above with other written assignments, special research projects to be presented orally in class, quizzes, class participation, or any other form of specific assignment. The instructor may decide on the percentage of the final grade to be assigned to each of these specific projects provided the entire class is given the opportunity to participate.

### 6.6 Discretionary Grade Adjustments

An instructor teaching a course in which the grade is otherwise determined solely on the basis of an anonymously graded examination has discretion to adjust student grades on the basis of subjective evaluation (e.g., class participation), subject to the following conditions:

- (a) a grade may be raised or lowered only one grading step (e.g., B to B+ or B to B-);
- (b) notice of the instructor’s intention to adjust grades on the basis of subjective evaluation must be given to the class at the beginning of the semester; and
- (c) an instructor making grade adjustments on the basis of subjective evaluation must maintain reasonable documentation to support the adjustments.

Discretionary adjustments will be made to an individual student’s grade by the Registrar after the instructor has assigned and submitted unadjusted grades for the entire class on an anonymous basis. The course is subject to the applicable grading guideline even after the discretionary adjustments are made. The Registrar’s office shall not inform a student whether a discretionary adjustment was made.

### 6.7 Grade Distribution Guidelines

#### *Juris Doctor Program*

**For the JD Program**, the faculty has adopted the following grade distribution guidelines applicable to all courses except those graded solely on a credit/credit-unsatisfactory/no-credit basis:

First Year Courses: (applying to all first-year letter-graded courses):

Category	Minimum	Maximum
A+	0%	2%
A- and above	10%	20%
B- and above	55%	70%
C and below	8%	30%
C- and below	8%	12%
D and below	0%	10%

Upper Level Required Courses: (applying to Constitutional Law I & II, Evidence and Property I & II, but not to Legal Ethics or Professional Responsibility):

Category	Minimum	Maximum
A+	0	2 students
A- and above	10%	25%
B- and above	55 %	75%
C- and below	0 %	5%

Bar Elective Courses (applying to Community Property, Corporations, Professional Responsibility, Remedies, and Wills & Trusts):

Category	Minimum	Maximum
A+	0	2 students
A- and above	10%	25%
B- and above	55 %	75 %
C- and below	0 %	10 %

Large Non-Bar Electives Courses: (applying to all non-bar elective courses taken after the first year, except seminar courses, with enrollments of 21 or more students):

Category	Minimum	Maximum
A+	0	2 students
A- and above	15%	40%
B- and above	50%	100%
C- and below	0%	10%

Seminar and Small Elective Courses: (applying to all seminar courses, including Legal Ethics, and to all other non-bar elective courses with an enrollment of 20 or fewer students):

Category	Minimum	Maximum
A+	0	2 students
A- and above	15 %	50%
B- and above	50%	100%
C- and below	0%	10%

Each instructor retains the right to determine the grade distribution in an individual course. However, the grades for a course shall not be accepted by the Law Registrar if they vary from the grading guidelines until (1) the instructor has submitted a detailed explanation of the variance(s) to the Dean's office (with the level of detail depending upon the degree of variance), and (2) the Dean or Associate Dean for Academic Affairs has approved the variance(s) sought. If a variance is not approved, and the instructor does not adjust grades to fall within the guidelines, the Committee on Academic Standards shall adjust the grades to fall within the guidelines and then have them recorded by the Law Registrar.

Grades must fall within the guidelines after any adjustment(s) made by the instructor pursuant to the provisions permitting discretionary grade adjustment.

### *Graduate Tax Programs*

**The Graduate Tax Program** adheres to the following grade distribution guidelines for all courses unless otherwise designated.

Category	Minimum	Maximum
A+	0	2 students
A- and above	15 %	50%
B- and above	50%	100%
C- and below	0%	10%

### **6.8 Posting Grades to Student Records**

Grades are typically posted to student records within 25 days after an examination is administered. There are occasional exceptions to this timeframe. The Law Registrar publishes the expected grade posting deadline each May and December.

### **6.9 Grade Changes**

After a grade is submitted to the Law Registrar, it may be changed at the instructor's request only on a clear showing of computational error by the instructor in the grading of the examination. The Committee on Academic Standards must approve any such requested grade change before it may be accepted by the Law Registrar.

In accordance with the School of Law's Student Honor Code, the Associate Dean for Academic Affairs may administratively change a grade in the event such a change is imposed as a sanction for a violation of the Code.

Grade reductions may also be imposed by the administration or the instructor if a student fails to take or submit an exam in a timely manner.

## 6.10 Credit for Courses

Students shall receive no unit credit for any course in which they are given a grade of “F” or “no credit”. A student who receives a failing grade in a required course must retake the course. If a student retakes a course for which they previously received unit credit, the student shall not receive additional unit credit for the course.

## VII. Scholastic Standards and Academic Honors

### 7.1 Good Academic Standing

#### *Juris Doctor Program*

##### General Rule

Good academic standing requires a student to attain at least a 2.30 grade point average (“GPA”) for all letter graded course work taken in each semester and maintain a cumulative GPA of at least 2.30 for all letter graded course work taken at the School of Law. A student who fails to meet either of these standards is not in good academic standing.

##### Calculating the GPA

The GPA is calculated by dividing the number of grade points earned in letter graded courses by the number of units of course work attempted for a letter grade. In making this calculation, the GPA is rounded off to the nearest one-hundredth of a grade point. The number of grade points earned in a letter graded course is determined by multiplying the number of units of credit a student earns for completing the course by the numerical equivalent of the letter grade awarded to the student in that course. The GPA is based on the number of units attempted for a letter grade rather than on the total number of units successfully completed. If a student is required to repeat a course, both grades in the course are included in the GPA, but the repeated units may not be applied toward the number of units required for graduation. Courses graded on a credit/no credit or credit/credit-unsatisfactory/no-credit basis are not computed in calculating the GPA.

##### Consideration of Summer Sessions

For purposes of determining compliance with the School of Law’s scholastic standards, grade point averages are computed at the end of the fall and spring semesters. Grades in summer sessions are not counted to either raise or lower a previous cumulative or semester GPA. For purposes of determining compliance with the law school’s scholastic standards, summer session grades are computed as part of a student’s cumulative GPA following completion of the next succeeding regular semester.

## *Graduate Tax Programs*

**For LLM in Tax and MLST students**, good academic standing requires students to attain both a semester grade point average and a cumulative grade point average (GPA) of 2.30 or higher for all letter-graded coursework each fall, spring and summer semester.

### **7.2 Academic Honors**

#### *Juris Doctor Program*

##### McAuliffe Honor Society

**Students in the JD program** who complete their fall or spring semester in the top of their first-year class, based primarily on class rank, as well as professionalism, are invited to join the McAuliffe Honor Society. Students are only invited to join the society at the conclusion of the fall or spring semester of their first year. Membership is renewable each semester, provided students maintain a 3.30 cumulative GPA and abide by the Student Handbook.

##### Dean's List Honors

**JD students** with a cumulative grade point average within the top 10% of their percentage group will be placed on the Dean's List each regular (fall/spring) semester. The designation will be recorded on the transcript.

To be eligible for the Dean's List, a student in the full-time program must complete at least 12 academic units of credit per semester, and a student in the part-time program must complete at least 8 units of academic credit per semester at the School of Law.

Students in a USF Dual Degree Program are eligible for academic honors based solely on their JD courses, if they carry at least 8 JD units of credit each regular semester and maintain full-time status in the concurrent degree program.

Courses taken at the School of Law in the summer session are not included in the calculation of the required minimum number of academic units of credit for academic honors eligibility.

## *Graduate Tax Programs*

##### Dean's List Honors

As of Fall 2016, **LLM in Tax and MLST students** whose Cumulative GPA is in the top 25% of their program will be placed on the Dean's List. The designation will be recorded on the transcript for each qualifying fall, spring and summer semester.

### **7.3 Graduation Honors**

#### *Juris Doctor Program*

Students who meet the academic standards set by the faculty may be awarded the JD degree with honors and their diplomas will be marked *cum laude*, *magna cum laude*, or *summa cum laude*, as appropriate.

The faculty retains sole discretion to determine each year the criteria for graduation honors.

To be eligible for the award of *summa cum laude*, a graduate must have completed at least 70 academic units of credit at the School of Law.

Students who transfer to the School of Law following their first year are not eligible to receive the award of *summa cum laude*. However, they are eligible for other graduation honors provided they complete 30 or more letter graded units of classroom work at the School of Law.

Graduation honors for students who transfer to USF after their first year of law school or for USF students who visit another institution will be based solely on grades earned at USF.

#### *Graduate Tax Programs*

The LLM in Tax and MLST students who earn the highest cumulative grade point average among their graduating class will be designated “Summa Cum Laude” graduates.

The LLM in Tax and MLST students whose cumulative grade point averages fall within the top 25% of their graduating class will be designated “Honors” graduates.

### **7.4 Class Rank in JD Program**

Individual numerical class ranking is not computed. However, the law school does provide to students statistical information concerning the performance of each class.

For purposes of providing this statistical information, the following groupings of JD students are used:

- (a) students in or completing the first year (both full and part-time);
- (b) students in or completing the second year (both full and part-time) and students in or completing the third year part-time; and

(c) students in or completing the third year full-time and students in or completing the fourth year.

At the conclusion of each semester the Law Registrar determines and provides to students information about the cumulative grade point average “cut-off” for the following percentages of each of the foregoing class groupings: the highest 5%, 10%, 15%, 20%, 25%, 33%, 40%, 50%, 60%, and 80%.

If available, statistics showing bar examination pass rates for each quintile (top 20%, 40%, 60%, 80%, as well as the lowest 20%) of the graduating class in previous years is also provided.

This information is posted online and made available to students at the conclusion of each semester’s grading period.

No individual ranking either for an entire class or within any percentage group is permitted and no notation of class ranking or percentage may be entered on any student’s transcript.

## **VIII. Supervised Study in the JD Program**

### **8.1 First Year**

A student who completes the fall semester of the first year with GPA between 2.50 and 2.30 (inclusive) shall be sent a notification of the law school’s academic policies, including identification of the applicable course requirements, and the consequences of completing the first year with a cumulative grade point average of 2.50 or below.

### **8.2 Second Year**

A student who completes the first year in good standing with a cumulative grade point average of 2.50 and below is automatically selected for a program of supervised study for the fall semester of their second year. A student on supervised study is provided with academic support and must adhere to all program requirements.

#### Full-time students

During the fall semester of the second year, a full-time student in the supervised study program must enroll in and satisfactorily complete Constitutional Law I, Property I, Evidence and Academic Foundations.

#### Part-time day students

During the fall semester of the second year, a part-time day student in the supervised study program must enroll in and satisfactorily complete all courses in their required second year part-time curriculum (Constitutional Law I, Property I, Contracts I) and Academic Foundations.



## **IX. Academic Probation**

### *Juris Doctor Program*

#### **9.1 Academic Probation**

**9.11** A JD candidate who fails to attain at least a 2.30 semester grade point average for letter graded work taken in any fall or spring semester is automatically placed on academic probation. The academic probation continues through the next succeeding fall or spring semester. A student on academic probation is not in good academic standing.

To be removed from academic probation and returned to good standing, a student must attain both a semester grade point average and a cumulative grade point average of 2.30. If a student completes both semesters (fall and spring) on probation in one academic year or fails to attain a cumulative grade point average of 2.30 in the spring semester, they are academically disqualified and ineligible to continue at the School of Law.

#### **9.2 Requirements for First-Year Students on Academic Probation**

A student who completes the fall semester of the first year with a grade point average below 2.30 is automatically placed on academic probation. The student shall be sent a notification of the law school's academic policies, including identification of applicable course requirements and the consequences of completing the first year with a cumulative grade point average below 2.30. To be removed from academic probation the student must complete the first year in good academic standing (defined as a cumulative GPA of 2.30).

#### **9.3 Requirements for Students on Academic Probation at the End of First-Year**

Students on academic probation at the end of the first year are subject to the following requirements and restrictions during the fall semester of their second year:

##### *Full-time students*

Full-time students placed on academic probation at the end of the first year must, during the fall semester of the second year, enroll in and satisfactorily complete Constitutional Law I, Property I, Evidence, and Academic Foundations.

In addition, students on academic probation may not participate in any externship or clinic programs.

To be removed from academic probation and returned to good standing, a student must attain both a semester grade point average and a cumulative grade point average of 2.30. If a student

completes both semesters (fall and spring) on probation in one academic year, or fails to attain a spring semester cumulative grade point average of 2.30, they are academically disqualified and ineligible to continue at the School of Law.

#### Part-time day students

A part-time day student placed on academic probation at the end of the first year must, during the fall semester of the second year, enroll in and satisfactorily complete all courses in their required second year part-time curriculum (Constitutional Law I, Property I, and Contracts I) and Academic Foundations.

In addition, students on academic probation may not participate in any clinic or externship programs.

To be removed from academic probation and returned to good standing a student must attain both a semester grade point average and a cumulative grade point average of 2.30. If a student completes both semesters (fall and spring) on probation in an academic year, or fails to attain a spring semester cumulative grade point average of 2.30, they are academically disqualified and ineligible to continue at the School of Law.

### **9.4 Requirements for Students on Probation after Beginning the Second Year**

**9. 41** A JD candidate who fails to attain a grade point average of at least 2.30 in all letter graded courses taken during any semester after beginning the second year (except the semester in which all degree requirements are completed) is automatically placed on academic probation. The academic probation continues through the next succeeding regular semester. A student on academic probation is not in good academic standing.

Students on academic probation at the end of the fall semester of their second year must, during the next succeeding regular semester, enroll in and complete Evidence and Legal Drafting. If either or both have already been completed the student must replace the course(s) already taken with the following bar courses (Community Property, Corporations, Remedies, or Wills & Trusts).

Students on academic probation at the end of the spring semester of their second year must, during the next succeeding regular semester, enroll in and complete Evidence and Advanced Legal Analysis. If either or both have already been completed the student must replace the course(s) already taken with the following bar courses (Community Property, Corporations, Remedies, or Wills & Trusts).

To be removed from academic probation and returned to good standing a student must attain both a semester grade point average and a cumulative grade point average of 2.30. If a student completes both semesters (fall and spring) on probation in an academic year, or fails to attain a

spring semester cumulative grade point average of 2.30, they are academically disqualified and ineligible to continue at the School of Law.

### *Graduate Tax Programs*

**A tax program student** (LLM in Tax and MLST) who fails to attain a least a 2.30 semester grade point average for letter graded work taken in any fall, spring or summer semester will be placed on academic probation.

To be removed from academic probation and returned to good standing a student must attain both a semester grade point average and a cumulative grade point average of 2.30 in the next semester of enrollment.

If a student completes two consecutive semesters on probation, they will be academically disqualified and ineligible to continue in the tax program.

## **X. Academic Disqualification and Readmission for the JD Program**

### **10.1 Academic Disqualification**

#### *Upon completion of the spring semester of the first year*

Upon completion of the spring semester of the first year a student is automatically academically disqualified from the School of Law if their cumulative grade point average is below 2.30.

Unless readmitted, academically disqualified students are ineligible to continue their studies at the law school. Notwithstanding the foregoing, a student notified of academic disqualification while enrolled in a USF summer session or program may continue in the course(s) already started and receive credit for any course(s) satisfactorily completed. In the alternative, the student may withdraw from the summer session or program within five days of the date on the notice of disqualification and before taking exams and receive a partial tuition refund. The option to withdraw applies to the session or program in its entirety and does not permit reducing course loads or portions of the program.

For purposes of determining compliance with the School of Law's scholastic standards, grade point averages are computed at the end of the fall and spring semesters and grades received in summer sessions or programs are not counted to either raise or lower a previous cumulative or semester grade point average. Thus, grades in courses taken during a summer session or program do not affect the disqualification and are not considered in reviewing a petition for readmission.

### After the beginning of the second year

After the beginning of the second year, a student is automatically academically disqualified from the School of Law if either (1) their cumulative grade point average falls below 2.30 at the end of an academic year (i.e., at the end of a spring semester) or (2) their semester grade point average falls below 2.30 for both semesters (fall and spring) in one academic year (in which case the student is disqualified even if the cumulative average is 2.30 or better).

Unless readmitted, academically disqualified students are ineligible to continue their studies at the law school. Notwithstanding the foregoing, a student notified of academic disqualification while enrolled in a USF summer session or program may continue in the course(s) already started and receive credit for any course(s) satisfactorily completed. In the alternative, the student may withdraw from the summer session or program within five days of the date on the notice of disqualification and before taking exams and receive a partial tuition refund. The option to withdraw applies to the session or program in its entirety and does not permit reducing course loads or portions of the program.

For purposes of determining compliance with the School of Law's scholastic standards, grade point averages are computed at the end of the fall and spring semesters and grades received in summer sessions or programs are not counted to either raise or lower a previous cumulative or semester grade point average. Thus, grades in courses taken during a summer session or program do not affect the disqualification and are not considered in reviewing a petition for readmission.

## **10.2 Readmission of Students Disqualified at the end of their First Year**

### Readmission by Petition

- (a) A student who completes the first year of study with a cumulative grade point average of less than 2.30 at the end of the spring semester is academically disqualified from the School of Law. Any such academically disqualified student may petition the Committee on Academic Standards for readmission on probation.
- (b) The Committee may approve probationary readmission of a student disqualified at the completion of the first year only if concludes that (1) their disqualifying grades were the result of truly extraordinary and compelling circumstances and (2) the circumstances have changed such that there is a strong basis to conclude that the student will be able to perform well in law school (not merely competently), graduate successfully from law school, and pass a bar examination. Readmission by petition is meant to address extraordinary circumstances and in most years, readmission will occur only by reexamination.

The Committee shall consider petitions for readmission in accordance with the policies and procedures set forth below in the section on Policies Governing Petitions for Readmission.

#### Readmission by Reexamination

- (a) A student who completes the first year of study with a cumulative grade point average of less than 2.30 may seek readmission by re-examination. The option to seek readmission by re-examination is available as an alternative to seeking readmission by petition to the Committee on Academic Standards. It is also available to a student disqualified at the end of the first year whose petition for readmission is denied by the Committee.
- (b) The purpose of re-examination is to provide a disqualified student a second opportunity to examine in and successfully complete the basic first-year law courses. A disqualified student who previously attempted basic first-year course work at any law school is ineligible to re-examine.
- (c) A student seeking readmission by re-examination is subject to all of the policies, requirements and limitations set forth below in Section 10.4.

### **10.3 Readmission of Students Disqualified after Beginning the Second Year**

#### Readmission by Petition

- (a) Students who are academically disqualified from the law school after commencement of their second year of study may petition the Committee on Academic Standards for readmission on probation.
- (b) The Committee may approve probationary readmission of a student disqualified after commencement of the second year only if it concludes that (1) their disqualifying grades were the result of truly extraordinary and compelling circumstances and (2) the circumstances have changed such that there is a strong basis to conclude that the student will be able to perform well in law school (not merely competently), graduate successfully from law school, and pass a bar examination.
- (c) The Committee shall consider petitions for readmission in accordance with the policies and procedures set forth below in the section on Policies Governing Petitions for Readmission.

### Readmission by Reexamination

Second-year part-time students who have not previously been disqualified prior to commencement of their third year of study may seek readmission by re-examination. A second-year part-time student seeking readmission by re-examination hereunder is subject to all of the policies, requirements and limitations set forth below.

#### **10.4 Policies Governing Re-Examination**

10.41 A disqualified student seeking readmission by re-examination must reexamine in all of the courses identified below. For the purpose of these re-examination provisions, each semester of a subject offered in both semesters shall be a “course”.

- (a) if the re-examinee was disqualified at the end of the first year they must re-examine in every required course, except Legal Research, Writing and Analysis in which they received a final grade below “C+”; or
- (b) if the re-examinee is a second year part-time student eligible to re-examine pursuant to Section 10.3, they must re-examine in every first-year and second-year required course, except Legal Research, Writing and Analysis, in which they received a final grade below “C+”.

10.42 A disqualified student intending to seek readmission by re-examination must complete and file the prescribed forms, which may be obtained from the Law Registrar’s Office, and pay applicable re-examination fees. Such forms must be filed and fees paid as instructed by the Law Registrar.

10.43 All re-examinations must be taken within one year after the date of the disqualification. It is the re-examinee’s responsibility to determine when the required examinations will be given and to make certain that their forms are properly filed and fees paid.

10.44 All re-examinations shall be taken at the time of the regularly scheduled final examination in the course during the academic year following disqualification. The Law Registrar will notify re-examinees of section assignments for re-examinations. These assignments are final and will not be changed. Inability to attend class meetings of a course in which re-examination is required is not sufficient to postpone the re-examination or to warrant an exception from the course section assignment.

10.45 It is the re-examinee’s responsibility to determine assignments and requirements for each course in which re-examination is being attempted. It is also the re-examinee’s responsibility to complete all the separate components which will be calculated into the final grade.

10.46 A disqualified student seeking readmission by re-examination is not enrolled in and may not earn residence or degree credit at the law school unless readmitted and then only for work completed prior to disqualification or after readmission. However, a readmitted student may be excused from repeating a required course in which no credit was earned originally but a passing grade was received in the same course during re-examination.

10.47 A disqualified student preparing for re-examination may attend unofficially any course in which they are re-examining on a space available basis and on such conditions as may be imposed by the instructor. Otherwise, a person re-examining is not permitted to attend classes and is not eligible to participate in any law school supported programs, including co-curricular activities.

10.48 Only one re-examination in any course is permitted.

10.49 A disqualified student who completes re-examination shall be readmitted to the School of Law if they receive no re-examination grade below "C+" and the cumulative grade point average on re-examination in the courses in which they are required to re-examine is 2.60 or higher. If the re-examinations are taken in two semesters, the cumulative re-examination average will be computed only after all required re-examinations have been taken and graded.

10.491 If a person successfully re-examines, their record shall be as follows:

- (a) Each re-examination grade shall be entered in the permanent record separately from the original grade in the course. Each semester's cumulative grade point average for re-examinations shall also be entered.
- (b) A new cumulative grade point average shall be computed and recorded. It shall include all the original grades and all re-examination grades. This cumulative grade point average shall be reflected in the student's permanent record and on the student's transcript.
- (c) An adjusted cumulative grade point average shall be computed and maintained in the law school's records. It shall include only the grades in courses in which no re-examination was required and the re-examination grades. The adjusted cumulative grade point average shall thereafter be used for assessing the student's compliance with the School of Law's scholastic standards. The (unadjusted) cumulative grade point average shall be used for all other purposes. The adjusted cumulative grade point average shall not be recorded in the student's transcript.

10.492 Unless exempted by the Associate Dean, a person readmitted after re-examination must retake each semester of Legal Research, Writing and Analysis in which the grade originally received was below "C+".

## 10.5 Policies Governing Petitions for Readmission

Petitions for readmission of students academically disqualified from the School of Law shall be considered by the Committee on Academic Standards pursuant to the policies and procedures set forth in this section.

10.51 Students academically disqualified shall be notified in writing of their dismissal from the law school. The notice shall set forth the deadline for filing a petition for readmission which shall not be less than 7 days from the date the notice is sent. Normally, the notice will be sent via e-mail to the student's USF email address. It is the responsibility of each student to regularly check their USF email account.

10.52 The Committee shall meet during the last two weeks of July or the first week of August to consider petitions from students disqualified following the spring semester of each academic year unless unusual circumstances necessitate an alternative meeting date.

10.53 Any person petitioning for readmission **must submit a written petition** to the Committee on Academic Standards.

- (a) There is no required form or format for a petition, except the petition **must** set forth on the first page an address, telephone number and e-mail address at which the petitioner may be contacted. The petition may be in the form of a letter to the Committee.
- (b) The petition **must** set forth **all** extraordinary and compelling circumstances which the petitioner asserts were factors contributing to their unsatisfactory performance. It must also state **all** reasons which, in the opinion of the petitioner, should cause the Committee to conclude that the petitioner will be able to raise their grade point average to the required level and that the petitioner will thereafter perform in an academically satisfactory manner. **Circumstances and/or reasons not set forth in the petition may not thereafter be raised in support of a request for readmission.**
- (c) The petition **must be accompanied by all** documents or other supporting materials that verify or substantiate the petitioner's circumstances. Where, for example, illness or other similar extraordinary circumstances form a basis for the petition, submission of supporting material (such as medical records, etc.) is required by the Committee.
- (d) Petitions for readmission should be addressed to the Committee on Academic Standards and should be sent or delivered in care of the Associate Dean for Academic Affairs.



10.54 The Committee shall notify the petitioner of the time of its meeting for consideration of petitions for readmission, and shall afford the petitioner an opportunity to appear personally to answer questions about the circumstances set forth in the written petition. An appearance is informal and is not a hearing or adversarial in nature. Petitioners may, if they desire, bring one person to accompany them during the appearance, but this person may not represent the petitioner or otherwise address the Committee on the petitioner's behalf. Notwithstanding a personal appearance, a written petition is required and the grounds for readmission must be set forth in the petition.

10.55 In the event a petition for readmission is granted, the disqualified student is readmitted to the law school on academic probation subject to such conditions the Committee determines are necessary or appropriate. If readmission is granted to a student academically disqualified at the end of their first year of study, the conditions of the probationary readmission shall require that the readmitted student:

- (a) obtain a cumulative grade point average of at least 2.30 by the end of the spring semester of the second year. If the student obtains a cumulative grade point average of at least 2.30 by the end of the fall semester of the second year, that student, with approval of the Committee on Academic Standards, may be removed from probation (note that the reference here is to the cumulative and not the adjusted cumulative grade point average); and
- (b) secure approval for their program of study from the Associate Dean for Academic Affairs or the Law Registrar; and
- (c) meet with an Academic and Bar Exam Success administrator to formulate a plan for achieving and maintaining satisfactory academic performance; and
- (d) retake any required first year course in which a final grade was "C-" or below; and
- (e) may not enroll in a clinic or externship;
- (f) restrict extra-curricular activities and give priority to their studies, and not run for or hold office in the Student Bar Association or serve as a student representative to faculty meetings, to any faculty committee, or serve on a student advisory committee to the Admissions Committee or as President or Vice President of a USF student organization; and
- (g) meet such other conditions on the probationary readmission that the Committee determines to be necessary or appropriate.

Failure to meet any of the conditions of probationary readmission results in automatic academic disqualification.

10.56 If a student is required to retake a course as a condition of probationary readmission, the permanent record shall be as follows:

- (a) Each re-take grade shall be entered in the permanent record separately from the original grade in the course.
- (b) A new cumulative grade point average shall be computed and recorded. It shall include all the original grades and all re-take grades. This cumulative grade point average shall be reflected in the student's permanent record.
- (c) An adjusted cumulative grade point average shall be computed and maintained in the law school's records. It shall include only the grades in courses in which no re-take was required and the re-take grades. The adjusted cumulative grade point average shall thereafter be used for assessing the student's compliance with the School of Law's scholastic standards. The (unadjusted) cumulative grade point average shall be used for all other purposes. The adjusted cumulative grade point average shall not be recorded in the student's transcript.

## **XI. Completion of Courses**

Every student who registers for academic credit in a course and who does not officially withdraw from that course shall receive a grade.

### **11.1 Dropping or Withdrawing from Upper Division Courses**

The last date to "drop" an individual course is set forth in the official academic calendar for each semester or other academic period. Prior to that deadline, students may drop individual courses online. After the deadline, a course may not be dropped, but the student may be permitted to withdraw from the course with permission of the instructor. In the event a student withdraws from a course after the drop deadline, the course will appear on the transcript with the neutral indication of "W". (In order to withdraw from a course after the drop deadline, a student must file a Change of Schedule form with the Law Registrar's Office.) The term "course" is used here in its most inclusive sense and refers to a class, seminar, clinical program, independent research project, the Upper Level Writing Requirement and any other undertaking in which a student is enrolled for academic credit. Students may not reduce their course load below the minimum unit requirements for their division without prior consultation and approval by the Law Registrar or Associate Dean for Academic Affairs.

### **11.2 Completing Course Requirements**

Students in all courses are expected to complete their course work within the semester or other academic period in which the course is offered. In examination courses this means taking the exam at the time scheduled. In courses in which research papers or other work comprise

all or part of the course work, such papers and or other work must be submitted at the times fixed by the instructor but in no event later than the last day of scheduled exams for the semester.

If a student does not complete the requirements for a course in which they are enrolled, and has not been granted an “incomplete”, the instructor will not report a grade for that student and the Law Registrar’s office will automatically enter a grade of “F” (or “NC” if the course is a credit only course or a credit optional course in which the student had made a timely election for credit optional grading).

### **11.3 Incompletes**

Where unusual circumstances arise that create hardship and prevent a student from fulfilling course requirements in a timely fashion, it may be possible for the student to receive an “incomplete” and thereby to extend the deadline for completion of course work. An incomplete is not available unless the student meets the law school’s attendance requirements.

In order to receive an incomplete, a student must file a petition, on a form available in the Registrar’s office, securing approval first from the instructor and then the Law Registrar. In order to be considered, any petition must be approved and filed on or before the official last day of classes of the semester in which the incomplete is taken. Failure to file the petition will result in a grade of “F” (or, where applicable, “NC”) being recorded by the Law Registrar even when a verbal agreement has been made between the student and the instructor.

If the petition is granted, the designation “incomplete” will be entered on the student’s official transcript of record in lieu of a grade for the course. The student shall not receive unit credit, for any purpose, unless and until the course is satisfactorily completed.

To remove the incomplete and receive credit for the course, the student must complete all work to the instructor’s satisfaction and the grade for the course must be received by the Law Registrar’s office no later than the last official day of the grading period for the next succeeding fall or spring semester following the semester in which the incomplete is taken. The instructor and/or the Law Registrar may impose an earlier deadline. In the event that a grade is not reported to the Law Registrar for any reason by the required date, a grade of “F” (or, where applicable, “NC”) shall be entered for the course on the official transcript of record.

Except in unusual circumstances, a student will not be permitted to take an incomplete in more than one course in a single semester.

## **XII. Leave of Absence**

### *Juris Doctor Program*

JD students are expected to complete the course of study without interruption except for usual academic vacations. If a student is unable to complete a semester's work, or is unable, after completion of a semester, to return for the next regular semester, they must apply for and obtain a leave of absence in order to retain the right to return for a subsequent term.

A student who withdraws during any semester or who fails to enroll in the next succeeding semester without first obtaining a leave of absence, or who fails to return within the time specified in their leave, will be deemed to have withdrawn. To be considered for readmission, any such student must reapply through the ordinary admissions process. In each such instance, the applicant must repeat the entire application procedure and will be evaluated relative to all other applicants for admission then being considered.

No leave of absence will be granted for longer than one year, except as otherwise required by law. Except for compelling reasons, a leave of absence will not be granted to students during their first year or to a student on academic probation. Such students must petition and be granted a leave by the Committee on Academic Standards.

A student on a leave of absence from the School of Law is not permitted to participate or enroll in or receive credit for work in any other educational program or school. Any such participation, enrollment or receipt of credit automatically terminates the leave of absence and the right to return to the School of Law.

### *Graduate Tax Programs*

Graduate Tax Program students are expected to have continuous enrollment each semester (including the summer term). Graduate Tax Program students are required to have a "student status" each semester, which can include registration for a minimum of at least one course, an approved Leave of Absence Petition, or an approved Incomplete Petition. Graduate Tax Program students may take up to three leaves of absence (three semesters total). A leave of absence may be approved for up to one academic year, but can be extended under special circumstances by approval of the Director of the LLM & Masters Programs. Graduate Tax Program students must complete the program within five years of matriculation.

## **XIII. Attendance and Class Participation**

The School of Law requires students to attend classes regularly, complete assignments in a timely manner, and be prepared for and participate in class.

Students are subject to dismissal from the law school whenever their attendance becomes so irregular that the faculty deems it unwise to permit them to continue.

A student may be administratively withdrawn from a course and refused permission to take the final examination or to otherwise complete a course, or be assigned a failing grade for any of the following reasons:

- (a) an excessive number of absences;
- (b) an excessive number of instances of not completing class assignments or not completing them in a timely manner; or
- (c) an excessive number of instances of not being prepared for class.

Absences in excess of twenty percent (20%) of the regularly scheduled classes in a course shall be considered an excessive number of absences unless an individual instructor adopts a more stringent policy on class attendance. In the event a more stringent attendance policy is adopted for a class, the instructor must give students notice of the policy in the course syllabus. Additional attendance requirements are noted for certain courses in the Schedule of Classes.

Attendance is computed from the first meeting of the class, not from the first date of the student's enrollment. It is within the discretion of each instructor when tardiness shall be charged as an absence.

Except in the case of a course a student is required to take, if a student is administratively withdrawn from an individual course before the drop deadline, the course will be deleted from the student's record. When a student is administratively withdrawn, or refused permission to take the final examination or otherwise complete the course, after the drop deadline, a "W" shall be entered on the student's record, except for required courses. If, at any time, a student is administratively withdrawn from a course they are required to take, a failing grade will be entered on the student's record. If excessive absences occur in any first year class or in an upper division required class, an "F" will be issued; if the absences occur in an upper division required course without letter grading, a "No Credit" (NC) will be issued.

#### **XIV. Employment Limitation for Full-Time Students**

A full-time student may not engage in employment more than twenty (20) hours per week in any regular (fall/spring) semester.

## **XV. Directed Research**

### *Juris Doctor Program*

A JD student may undertake an independent directed research project as an elective course under supervision from a full-time faculty member of the School of Law. Enrollment in directed research must be approved by the instructor prior to registration. Petitions to enroll in Directed Research are available in the Law Registrar's Office.

Students enrolling in directed research are expected to complete a substantial written research project. The subject matter is determined by the student and the supervising faculty member. A student may not receive directed research credit for Law Review notes or comments, or Intellectual Property & Technology Law Journal work, Moot Court problems, advocacy competition briefs, or the like. Students shall not be paid as research assistants for their directed research work.

The supervising faculty member and student are expected to meet regularly throughout the semester to review the student's progress, and the student shall submit for the faculty member's evaluation a substantial written product evidencing work completed over the semester.

The student shall receive one or two units of credit for directed research, at the instructor's discretion, and is required to work a minimum of forty-three (43) hours for each unit of directed research credit. A student may take only one directed research per semester and only two during the student's law school career. In the event the directed research is for the purpose of expanding work done for an already completed course, the student shall receive only one credit. Directed research may be taken only on a credit/credit-unsatisfactory/no credit basis.

### *Graduate Tax Programs*

Students in the graduate tax programs are not permitted to enroll in and will not be awarded credit for directed research.

## **XVI. Distance Education Courses**

Students may earn credit for distance education or online courses that separate the student from the faculty member or other students for more than one-third of the instruction, and employ technology to support the regular substantive interaction.

The determination of units and designation as "classroom" or "non-classroom" credit for distance education courses is based on the same standard as non-distance courses and coursework, described in Section V.

## **16.1 Maximum Units**

JD candidates may not earn more than 28 distance education units for their degree.

## **XVII. Summer Sessions for JD Program**

### **17.1 USF Summer Sessions**

The School of Law may conduct summer sessions on-campus and online as well as one or more international summer programs. Credits earned in courses taken during the on-campus or online summer session or in an international summer program are applied toward the JD degree requirements. Students may find it advantageous to take one or more courses offered in the summer so they may lighten their course load during succeeding fall or spring semesters and/or elect advanced or specialized courses in the third or fourth years. However, full-time students may not, as a result of earning units in a summer session, take fewer than the minimum number of units required for their division nor advance the date of their graduation. Part-time students may advance their graduation date by transferring to the full-time division or accelerating their graduation as described in Section 3.3 of the policies. Students also may not make up any deficiency in residence units by attending summer session or international summer program courses.

The USF international summer externships are open to JD students who have completed one year of full-time study or three regular (fall/spring) semesters of part-time study at the law school and who are not subject to academic probation or supervised study.

Students may enroll in a maximum of 7 units during the summer, including clinical, externship and/or internship placements and/or participation in the Intensive Advocacy Program.

Grades earned in on-campus summer sessions or international summer programs are not used in calculating a student's cumulative grade point average for purposes of academic standing at the end of the immediately preceding academic year.

### **17.2 Intersession or Summer Session Programs at other Institutions**

Subject to the limitations set forth here, a JD student in good academic standing may participate in and may count toward the units required to graduate no more than a cumulative total of 4 units successfully completed during one or more intersession and/or summer session law courses/programs offered by another ABA-accredited law school (whether offered in the U.S. or abroad).

Credit will not be granted for any intersession or summer course taken elsewhere covering substantially the same subject matter as a course "required" by the School of Law for the JD

degree, or which is substantially similar to or duplicates a course offered in a USF intersession, summer session or program and/or if that course is substantially similar to or duplicates a course previously taken.

Credit will not be given for internships, clinical programs, externships, or any other non-classroom courses, or for any course that is not letter graded, or a course in which a grade below "C" or is received. Credit will also not be granted for any course taken elsewhere unless prior written approval is given by the Law Registrar.

Credit granted for approved intersession or summer courses taken at another institution will be applied toward USF JD degree requirements. The grade earned will not be transferred. The USF transcript will only reflect a "credit" or "no credit". Such courses will not be used in computing a student's grade point average. It is the student's responsibility to ensure that a transcript of intersession or summer work taken at another institution is sent promptly to the Law Registrar at USF.

## **XVIII. Enrollment Agreements with Local Law Schools**

### **18.1 Bay Area Consortium (JD students only)**

The School of Law cooperates with the law schools at UC Berkeley, UC Davis, Golden Gate University, and Santa Clara University to allow USF students to take courses at these institutions in the fall and spring semesters. Courses taken through the consortium are applied toward the USF JD degree subject to the following conditions:

- (a) a student must be in good academic standing to participate;
- (b) only JD classroom courses may be taken (internships, clinical courses, etc., are not permitted);
- (c) the course(s) must be taken for a letter (or number) grade only and the student must earn at least a "C" or its numerical equivalent;
- (d) the course must not substantially duplicate any course previously taken for credit;
- (e) the course must be an elective course. All courses required for the USF degree must be taken at USF;
- (f) the course taken cannot be offered during the same semester at USF;
- (g) only one consortium or partnership course is permitted in any semester; and



(h) prior approval to take the course through the consortium must be obtained from the Law Registrar.

Students participating in the consortium pay tuition to their home school.

When receiving credit for a consortium course at another school, the grade earned will not be transferred. The USF transcript will only reflect a “credit” or “no credit” and the course will not be used in computing a student’s grade point average. It is the student’s responsibility to ensure that a transcript of consortium work taken at another institution is promptly sent to the Law Registrar at USF.

### **XIX. Semester in Residence at Other Institutions for JD Students**

In extraordinary, unforeseen circumstances related to family, health or other unusual personal situations, JD students may be granted permission to attend another ABA/AALS-approved law school for their final semester or year of law school, while still earning the USF degree. Permission will not be granted solely to reduce the costs of attending law school or to provide an opportunity for students to be enriched by experiencing another law school’s general academic, cultural, or geographic environment.

To obtain approval, students must submit a petition to the Associate Dean for Academic Affairs identifying the school at which the student desires to visit, the student’s proposed course of study, the unit value of the course of study, the dates of the visit, the student’s reason for seeking approval, and any other information the Associate Dean for Academic Affairs deems necessary or appropriate. No student will be permitted to visit away unless they are in good academic standing, and the student’s academic record will be considered in making the decision.

No course or other requirement for the USF degree may be taken at another institution. Credits earned during the visit will be accepted only if earned in letter graded “classroom” courses in which the student receives a letter grade of “C” or better. Clinical programs, judicial or clinical externships, directed research, independent study, and the like are not classroom courses.

It is the student’s responsibility to ensure that transcripts of grades are submitted to the Law Registrar in a timely fashion. Students visiting away during their last semester must ensure that official transcripts are submitted to the Law Registrar’s Office as soon as possible to so that the JD degree may be posted in time to certify the student for the bar exam. Only the credit earned for a course taken at another institution will transfer. The actual grade received will not be reported on the USF transcript, which will report only the course title and either “credit” or “no credit” for the course.

Students desiring to attend another institution must make their own arrangements, including financial, with the other institution. Students visiting at another law school must pay an administrative fee.

## **XX. International Exchange Programs for JD Students**

The School of Law participates in semester study abroad student exchange programs with the law schools of a number of universities in other countries. These programs give participating students the opportunity to gain a deeper understanding of international law and to have first-hand experience in a global legal environment. Students interested in participating must file an application and be selected by the Program Director.

Participation in a semester study abroad exchange program is open to selected JD students who have completed two years of study. Students must be in good academic standing. A student may participate in only one exchange program for credit toward the JD degree.

A participating student's course selection must be approved in advance by the Program Director. No course or other requirement for the USF degree may be taken during the exchange, and no course may be taken which substantially duplicates one already taken. Credits earned will be accepted only if earned in "classroom" courses in which the student receives the equivalent of a letter grade of "C" or better. Clinical programs, judicial or clinical externships, internships, directed research, independent study, and the like are not classroom courses. A participating full-time student must enroll in 12- 16 units and a participating part-time student must enroll in 8 -12 units.

It is the student's responsibility to ensure that transcripts are submitted to the Law Registrar in a timely fashion. Students participating during their last semester must ensure that official transcripts are submitted to the Law Registrar's Office as soon as possible to so that the JD degree may be posted in time to certify the student for the bar exam. Only the credit earned for a course taken at another institution will transfer. The actual grade received will not be reported on the USF transcript, which will report only the course title and either "credit" or "no credit" for the course.

## **XXI. Examinations**

### **21.1 Evaluation of Student Work**

Evaluation of student work in many courses is based, entirely or partially, on a written examination at the end of the semester. Such examinations are identified by a student's examination number rather than name, and therefore are anonymously reviewed and graded.

Each student is assigned a random examination number which is changed every semester. Students must obtain their individual examination number prior to the examination period.

Papers, projects, or other work may be required in some courses at the discretion of the instructor, either in addition to or in lieu of an examination. Papers and other similar projects, seminar courses, and other appropriate circumstances may warrant departure from the anonymous grading system.

### **21.2 Examination Schedule**

Students must take examinations at the assigned, published times, except in the case of “take home” examinations, which are due as designated by the Law Registrar’s Office.

The schedule of classes indicates the time and date of the final examination in each course. Students are advised to consider this information, if they deem it important, in planning their schedules for the semester.

Students are responsible for noting and adhering to the schedule. Students must be available to take their examinations at the time indicated on the schedule. Personal conflicts, such as work or travel or family obligations, are not sufficient for rescheduling an examination. Failure to complete an examination at the scheduled time will result in academic sanctions up to and including receiving a grade of “F” in the course.

Students should not contact or otherwise discuss rescheduling an examination with the instructor or with another student.

### **21.3 Examination Conflicts**

In the event of a conflict between examinations, one will be postponed by the Law Registrar. A conflict is deemed to exist when a student has two examinations that are scheduled for the same time and date; when there are four (4) or fewer hours between the scheduled end of one examination and the scheduled commencement of the next examination that a student must take; or when a student has three examinations scheduled on two consecutive calendar days. Two examinations on one day do not necessarily result in a conflict.

A student with a conflict must contact the Law Registrar’s Office and complete a petition for a rescheduled examination in a timely manner to arrange rescheduling of one of the examinations. The submission deadline is noted on each semester’s “Final Exam Schedule.”

In no event will a rescheduled examination be administered prior to the published examination date and time.

Students should not contact or otherwise discuss rescheduling an examination with the instructor or with another student.

#### **21.4 Illness or Emergency Circumstances**

In the event a student is unable to sit for a scheduled final examination because of illness or other emergency circumstances, the student must contact the Law Registrar's Office or the Assistant Dean for Student Affairs prior to the examination and as soon as the situation arises. In the event circumstances prevent a student from contacting either office prior to the scheduled commencement of the examination, the student must contact the office as soon as practicable thereafter. Any student who has not contacted the Assistant Dean for Student Affairs or the Law Registrar's Office within 24 hours after the scheduled start of an examination will not be permitted to make-up the examination.

Upon satisfactory demonstration of inability to sit for the examination as scheduled, the student will be permitted to make-up the examination without the imposition of any academic sanctions. Illness must be verified in writing by a physician and acceptable proof of other emergency circumstances may be required. In the event the student is unable to present an acceptable excuse for inability to complete the examination as scheduled, academic sanctions will be imposed and, under some circumstances, a student may be precluded from making-up the examination, resulting in a grade of "F" (or "no credit" in a credit only course).

In the event a sudden illness or personal emergency occurs during an in-class examination, the affected examinee must notify the proctor or a law school staff member immediately. Thereafter, the administration will consider the circumstances and review relevant medical documentation, submitted by the examinee, to determine what options may be available for course completion.

In the event a sudden illness or personal emergency occurs during a take-home examination, the affected examinee must notify the Law Registrar's Office immediately. The circumstances will be considered and relevant medical documentation will be requested and reviewed to determine what options may be available for course completion.

Students should not contact or otherwise discuss postponement of an examination with the instructor or with other students.

#### **21.5 Rescheduled Examinations**

A student who does not take an examination by reason of conflict, illness, or other approved reason will, subject to the preceding provisions, be permitted to reschedule the examination. Arrangements for rescheduling the examination are made by the Law Registrar's office. The Law Registrar determines the rescheduling of an examination, but in no event will a rescheduled examination be administered prior to the published examination date and time. Except in unusual circumstances, the Law Registrar will schedule the postponed examination as close as possible to the original date and time of the examination. At the discretion of the instructor, a make-up examination may be different from the original examination administered to the rest of the class.

If a student starts an exam and does not finish it, the student will not be permitted to take a make-up exam that semester.

### **21.6 Accommodated Examinations**

The University of San Francisco does not discriminate on the basis of disability. A student with a disability may seek special accommodations for taking examinations. Such accommodations are made on an individual basis, depending on specific information and professionally documented assessment data. If a basis for accommodation is established, an individual student will be given reasonable and necessary accommodation. A student seeking accommodations must contact the University's Office of Student Disability Services in a timely fashion. Requests sought too late may not receive accommodation.

Accommodated exams may not adhere to the same exam date or time as the published Exam Schedule. Accommodated students are advised of their individual exam schedule by the Law Registrar's Office.

### **21.7 Examination Rules and Procedures**

All students must adhere to the examination rules and procedures established by the Law Registrar's Office. These rules and procedures are available on the School of Law's website.

## **XXII. Exceptions for Illness or other Medical Conditions**

A student seeking a leave of absence, a rescheduled exam, or an exception to the School of Law's academic or administrative policies for illness or other medical reasons must submit documentation on letterhead, signed by a medical professional.

The documentation should indicate the nature and extent of the student's illness or condition. Medical documentation typically states a diagnosis, the effect of the illness or medical condition on normal activity, and other medical details relevant to evaluating the student's request. In the event of a leave of absence the law school also requires a medical professional's recommendation or clearance for the student's return to school at the conclusion of the leave.

## **XXIII. Length of Time to Complete Degree Requirements**

### *Juris Doctor Program*

All JD students must complete their degree requirements no later than 84 months after first commencing the study of law at USF or, in the case of a student admitted with advanced standing, the school at which the study of law was first commenced.

## *Graduate Tax Programs*

Graduate tax program students must complete their degree requirements within five years of matriculation.

## Appendix A

### JD-MBA Program Curricular Requirements

To earn the dual JD-MBA degrees, students must complete 87 law units, including 66-67 units in required coursework, and 36 business units, including 12 required courses, professional development seminars, and one of the following options: a) Career Accelerator Platform and four elective units; **OR** b) 12 elective units.

Full-time Program		Courses	LAW Units	BUS Units
1st Yr.	LAW	Civil Procedure I & II	6	
	LAW	Contracts I & II	6	
	LAW	Criminal Law	3	
	LAW	Criminal Procedure	3	
	LAW	Legal Research, Writing & Analysis I & II	6	
	LAW	Skills for Future Lawyers	1	
	LAW	Torts	4	
2nd Yr.	LAW	Constitutional Law I & II	6	
	LAW	Corporations (also a CA bar subject. See Floating Req'd. below)	3	
	LAW	Property I & II	6	
2nd/4 <sup>th</sup> Yr.	<b>FLOATING REQUIRED COURSES (taken in 2nd or 4th yrs.)</b>			
	LAW	At least two California bar subjects plus Corporations (JD/MBA req't.): Community Property, Remedies or Wills & Trusts	5-6	
	LAW	Evidence	4	
	LAW	Legal Drafting	2	
	LAW	Legal Ethics or Professional Responsibility	3	
	LAW	Advanced Legal Analysis	2	
	LAW	Upper Level Research & Writing Requirement	0	
	LAW	Experiential Unit Requirement*	6*	
	LAW	Law Electives (including crossover from MBA)	21-22	

### JD-MBA Program Curricular Requirements (Continued)

Full-time Program		Courses	LAW Units	BUS Units
3rd Yr	BUS	Financial Accounting		2
	BUS	Business Analytics		2
	BUS	Leadership Communication		2
	BUS	Building & Leading Effective Teams		2
	BUS	Financial Management		2
	BUS	Ethical Decision Making		2
	BUS	Marketing Management		2
	BUS	Technology Enabled Operations		2
	BUS	Business Modeling and Design Ideation		2
	BUS	Strategic Management		2
	BUS	Career Accelerator Platform ** (option a)		8
	BUS	MBA Electives (option a = 0 units, option b = 8 units)		0/8
	BUS	Career and Professional Development		0
	4th Yr.	BUS	Innovation Project	
BUS		Capstone		2
BUS		Advanced Career and Professional Development		0
BUS		MBA Electives (Option a = 0 units, Option b = 8 units)		4
<b>Total</b>			<b>75</b>	<b>36</b>

\*Experiential Units – 6 units of required experiential coursework includes the 2 units earned from Legal Drafting.

\*\* MBA Career Accelerator Platform (CAP): Students will select one of three CAP options: Customer Success and Insights; Business Finance; or Human Factors of Business Performance



## Appendix B

### JD/UPA Curriculum: Law School to UPA Pathway

To receive the JD/UPA dual degrees, students must earn at least 87 law units, including 66-67 units in required core courses, and 34 UPA units, including 8 units in required core courses, 14 units in elective courses, and 12 units of cross-over credits from approved law school electives.

First-Year Required Courses	Law Units	UPA Units
Civil Procedure I & II	6 Units	
Contracts I & II	6 Units	
Criminal Law	3 Units	
Criminal Procedure	3 units	
Legal Research, Writing & Analysis I & II	6 Units	
Skills for Future Lawyers	1 unit	
Torts	4 Units	

Second-Year Required Courses (UPA ONLY)	Law Units	UPA Units
<b>Total UPA Units in Second Year</b>		<b>16 units</b>

Third-Year Required Courses	Law Units	UPA Units
Administrative Law	3 Units	
Constitutional Law I & II	6 Units	
Property I & II	6 units	
Law Program Electives and/or Floating Required Courses (see notes below.)	Variable	<b>5 units accepted</b>

Fourth-Year Required Courses	Law Units	UPA Units
Externship in Public Agency or Organization	Variable	<b>4 units accepted</b>
Law Program Electives and/or Floating Required Courses (see notes below.)	Variable	
Upper Level Research & Writing Requirement	Variable	<b>3 units accepted</b>
ELECTIVES	Variable	

1. The legal externship in an appropriate public agency or organization may be used to simultaneously earn law units and satisfy the Urban Affairs four-unit internship requirement with joint approval of Law and Urban Affairs faculty.
2. Floating requirements for the law program include:
  - a) Evidence, Legal Drafting, Legal Ethics/Professional Responsibility and Advanced Legal Analysis.
  - b) At least three of the following California Bar Electives: Community Property (2-3 units), Corporations (3 units), Remedies (3 units), Wills & Trusts (3 units).
  - c) Six units or more of experiential coursework (includes units from Legal Drafting and the required Externship in Public Agency or Organization).
3. The law Upper Level Legal Research & Writing Requirement will satisfy the Urban and Public Affairs Masters Capstone Project requirement with joint approval of Law and Urban and Public Affairs faculty.
4. The dual degrees will be awarded after the conclusion of all required courses, presuming normal progress, after the completion of the fourth year of the program.

## Appendix C

### JD/LLM in Tax Curriculum

To receive the JD/LLM in Tax dual degrees, students must earn at least 87 JD law units, including 66-67 units in required core courses, and 24 LLM in Tax units, including 16 units in required core courses and 8 units in elective courses. Up to 12 units of cross-over credits from approved tax classes taken in the JD program during the regular (fall/spring) semesters may be applied to the LLM in Taxation degree.

First-Year Required Courses	JD Units	LLM in Tax Units
Civil Procedure I & II	6 Units	
Contracts I & II	6 Units	
Criminal Law	3 Units	
Criminal Procedure	3 units	
Legal Research, Writing & Analysis I & II	6 Units	
Skills for Future Lawyers	1 Unit	
Torts	4 Units	

Second-Year Required Courses	JD Units	LLM in Tax Units
Constitutional Law I & II	6 Units	
Federal Income Taxation ( <i>fall</i> )	3 Units	Cross-over
Corporate Tax <u>or</u> Partnership Tax ( <i>spring</i> )	3 units	Cross-over
Property I & II	6 Units	
Law Program Floating Required Courses (see notes below)	Variable	

Second Summer – 3 units	JD Units	LLM in Tax Units
Fed Tax Accounting & Timing Issues (Online)		2 Units
Tax Research (Online)		1 Unit

<b>Third-Year Required Courses</b>	<b>JD Units</b>	<b>LLM in Tax Units</b>
CA Tax Appeals Assistance Program (or JD Tax elective)	3 units	Cross-over
Corporate Tax <u>or</u> Partnership Tax ( <i>spring</i> )	3 units	Cross-over
Federal Tax Procedure/PR (Online) – special permission ( <i>spring</i> )	Cross-over	2 Units
Law Program Floating Required Courses (see notes below)	Variable	

<b>Floating JD Requirements</b>	<b>JD Units</b>
CA Bar Electives*	8-9 units
Evidence	4 units
Legal Drafting	2 Units
Legal Ethics / Professional Responsibility	3 units
Advanced Legal Analysis	2 units
Writing Requirement	0 units
Experiential Units**	6 units

<b>Fall semester (after JD earned)</b>	<b>LLM in Tax Units</b>
Federal Taxation of Property Dispositions (Online)	2 units
Tax Electives (Online)	5 units

\* Students must choose at least three of the following CA Bar electives: Community Property (2-3 units), Corporations (3 units), Remedies (3 units), Wills and Trusts (3 units).

\*\*Experiential Units – 6 units of required experiential coursework includes the 2 units earned from Legal Drafting.

## Appendix D

### UPPER LEVEL RESEARCH AND WRITING REQUIREMENT

#### A. Purpose and Goals

In order to be awarded a JD degree, a student must satisfactorily complete an Upper Level Research and Writing project. This requirement is mandated by accrediting regulations which provide that each student must complete “at least one rigorous writing experience after the first year.” This experience, which involves “writing in a legal context,” must include “legal analysis and reasoning, legal research, and problem solving.”

The Upper Level Research and Writing Requirement is intended to provide students with the opportunity to refine the research and writing skills learned in the first year, and to enhance the skills necessary to undertake writing projects on their own following graduation. Students choose topics, submit outlines, prepare and submit a first draft, and complete the final paper in consultation with faculty members in approved courses and co-curricular programs.

#### B. The Criteria

The upper level writing project should show the student’s mastery of the in-depth research undertaken and demonstrate how the student has organized, clarified, or advanced this body of knowledge in resolving the issues raised by the paper. When certifying that a student has satisfactorily completed the upper level writing requirement, the supervising faculty member is indicating that the student has produced a paper which evidences qualities of legal scholarship, writing ability and craftsmanship.

Each faculty member may establish particular procedures and technical requirements for an upper level writing project to be completed under their supervision, provided that the minimum standards set forth here are met.

1. Preparation of a paper used to satisfy the Upper Level Research and Writing Requirement must include the following steps:
  - a. Topic. The student must submit for approval a proposed topic for the project which includes a statement of a thesis for the paper. The topic must be approved by the supervising faculty member and in some classes, such as Appellate Advocacy and Advanced Legal Writing, may be chosen for the student by the faculty member.
  - b. Outline. After the topic has been approved, the student must submit a complete outline of the proposed paper which the supervising faculty member will review to provide necessary guidance on scope and/or direction.

- c. First Draft. The student must submit a complete first draft of the paper, including footnotes, for review and comment by the supervising faculty member.
  - d. Final Draft. The student must submit a final draft of the paper which is reasonably responsive to the comments, criticisms and suggestions received from the supervising faculty member.
2. The paper must exhibit substantial, careful and competent research, and it must demonstrate articulate, thoughtful, and well-structured analysis of the subject matter.
- a. The paper must be at least twenty-five pages in length, including footnotes. This assumes double spaced pages using a twelve (12) point Times Roman font with one inch margins all around.
  - b. The paper must include extensive footnotes. The footnotes must comply with either the ALWD or "Blue Book" citation system, as directed by the supervising faculty member. The paper should rely on multiple sources and on primary authority. It may include empirical or other research in addition to more traditional legal research, provided the supervising faculty member approves of the project, and provided the overall tenor of the paper is legal.

### C. Completing the Requirement

The Upper Level Research and Writing Requirement paper may be completed under supervision of a faculty member in the following ways:

1. Satisfactory completion of a paper meeting the criteria in a qualifying course designated in the schedule of classes.
  - a) If the Upper Level Research & Writing Requirement is completed in conjunction with a course, the same course cannot be used to satisfy any of the following curricular requirements: Legal Ethics/Professional Responsibility, Professional Skills or the Experiential Course Units.
  - b) Adjunct faculty may supervise no more than three students at a time in the upper level writing requirement.
2. Satisfactory completion of a paper meeting the criteria in conjunction with a directed research project under supervision of a full-time faculty member.
3. Satisfactory completion of a significant case brief or research memorandum in the USF Criminal & Juvenile Justice Law Clinic or USF International Human Rights Clinic.

4. Completing a publishable note or comment for the USF Law Review which a full-time faculty member Law Review advisor certifies evidences a significant amount of original legal research and analysis. (Note that editorial work, cite checking, and other work of editors or members does not satisfy the requirement.)
5. Satisfactory completion of a paper meeting the criteria in conjunction with 1) the courses Appellate Advocacy or Advanced Legal Writing or 2) Moot Court case counsel course work.

D. Completing the Upper Level Research and Writing Requirement involves a substantial amount of effort. It is often difficult to complete the project in a single semester, and extensions are available in appropriate circumstances with approval of the supervising faculty member and the Law Registrar. Because the project must be completed before a degree is granted, failure to finish the project in a timely fashion may delay graduation and certification of eligibility to sit for the bar examination. Students should be mindful that the supervising faculty member needs time to review the final submission before the project is certified to satisfy the requirement. For that reason, students are advised to begin and complete the requirement prior to the semester in which they plan to graduate.

E. No units or credits are earned by completing the Upper Level Research and Writing Requirement. (If the upper level writing requirement is fulfilled in conjunction with a course, including directed research, units may be earned for the course.) When satisfactorily completed, the upper level writing requirement will be noted on a student's transcript with the designation "credit" ("CR").

F. At the time a student begins an Upper Level Research and Writing Requirement, they must formally "enroll" in the project (in addition to any course or program in conjunction with which the project is undertaken). To enroll, the student must submit the Writing Requirement add form, signed by the supervising faculty member to the Registrar's office by the last day to add classes, as published in the relevant academic calendar. Upon completion of the project, the student must submit an electronic copy of the final draft of the paper to the Law Registrar's Office.

G. In order to receive credit for an Upper Level Research and Writing Requirement, student papers must meet the Competent Requirement in each of the following categories on the Upper Division Writing Requirement Rubric: Thesis / Core Argument; Organization; Argument, Analysis and Reasoning; Language and Mechanics; Support; Citation Format; and Subject Matter. Students will receive credit once the Law Registrar's Office receives both the completed rubric from the instructor showing competency in all areas and an electronic copy of the final draft from the student.

Professor Name \_\_\_\_\_

Student Name \_\_\_\_\_

Semester \_\_\_\_\_

Date Submitted \_\_\_\_\_

Date Graded \_\_\_\_\_

### Upper Division Writing Requirement Rubric

The following rubric has been created to assist all faculty supervising Upper Division Writing Requirements. Students must reach competent for each area described in order to receive credit for their Upper Level Writing Requirement. The rubric is intended as a touchstone for the instructor and as a reference for students while working on the writing requirement. The rubric should be used in tandem with individual feedback specific to the content of the paper

	<b>Below Expectations</b>	<b>Needs Improvement</b>	<b>Approaching Competent</b>	<b>Competent</b>	<b>Advanced</b>
<b>Thesis / Argument: statement, development, originality and insight</b>	There is no discernable thesis / argument.	The thesis / argument is weak, too broad, not clearly presented, or not developed, or is obvious or unimaginative.	The thesis / argument is identifiable but not fully developed or supported.	The thesis / argument is identifiable, developed, and supported.	The paper develops a clear, consistent thesis / argument that is novel or unique and develops fresh insight into the subject or argument.
<b>Organization: structure and flow</b>	The paper lacks a coherent structure, transitions, or unity within paragraphs, or the opening and closing do not match or support the thesis.	The paper's structure is only partially developed, paragraphs are inconsistently cohesive, transitions are sometimes missing or inappropriate, or the opening or closing fail to adequately support the thesis.	The paper's structure is nearing full development, paragraphs are becoming cohesive, many transitions are appropriate, and / or the opening and closing mostly support the thesis.	The paper's structure is developed, paragraphs are cohesive and logically sequenced, transitional words and phrases are used appropriately, and the opening and closing support the thesis.	The paper's structure is fully developed, paragraphs are cohesively and logically sequenced, transitional words and phrases are appropriately used throughout, and the opening and closing clearly support and connect to the thesis.
<b>Argument, analysis, and reasoning</b>	The paper does not lay out a logical argument or analysis in support of the thesis and includes serious deficiencies in reasoning or logic.	Parts of the paper do not adequately support the thesis in a reasoned or logical way. The paper contains material deficiencies in reasoning or logic.	The paper generally supports the thesis but the argument is still not cohesively and logically developed.	The paper generally supports the thesis in a reasoned and logical way, but includes some minor deficiencies.	The argument clearly supports all elements of the thesis.



<b>Language and mechanics: word choice, sentence structure, grammatical accuracy</b>	Word choice is inaccurate or inappropriate for the intended audience, sentence construction is inappropriate, and most sentences are grammatically incorrect or have serious mechanical errors.	Word choice is often wrong or inappropriate for the intended audience, sentence construction is simplistic, convoluted, or frequently inappropriate, many sentences are grammatically incorrect or contain many mechanical errors that in places make them difficult to understand.	Word choice is becoming generally appropriate for the intended audience, sentence structure is developing sophistication, and most sentences are grammatically correct with appropriate punctuation, spelling, and capitalization.	Word choice is accurate and appropriate for the intended audience, sentence construction is controlled and varied, and sentences are grammatically correct with minimal errors and only occasional errors in punctuation, spelling, and/or capitalization.	Word choice is precise and appropriate for the intended audience, sentence construction is controlled, varied, and appropriate, and sentences contain almost no grammatical or mechanical errors.
<b>Support: research, sources, and evidence</b>	The paper includes insufficient use of sources and / or citations to support ideas in writing, the sources have little or no relevance or credibility, or references are not cited.	The paper includes minimal credible and/ or relevant sources to support ideas that are appropriate, but overall evidence is inaccurate, irrelevant, or inappropriate.	The paper generally includes credible and reliable sources, but the sources are not complete, consistent across the paper, well-integrated, and/or appropriate.	The paper demonstrates consistent use of credible and relevant sources that support the argument / analysis appropriately.	The paper demonstrates skillful use of high-quality, credible, relevant sources to develop ideas that are appropriate, and citations are used thoughtfully to support and advance the analysis.
<b>Bluebook citation format</b>	Citations contain many errors.	Citations are inconsistently formatted and / or do not provide necessary information.	Citations are somewhat helpful but lacking in attention to detail.	Citations are largely well-crafted and useful to the reader.	Citations are virtually error free.
<b>Subject matter: mastery of relevant fields (e.g., areas of law, policy, theory)</b>	The paper demonstrates no understanding of the subject matter.	The paper demonstrates minimal understanding of the subject matter.	The paper demonstrates an intermediate understanding of the subject matter.	The paper demonstrates understanding of the subject matter.	The paper demonstrates a thorough and sophisticated understanding of the subject matter.