

**RULES OF THE**  
**SOUTHERN ILLINOIS UNIVERSITY SCHOOL OF LAW**  
**ACADEMIC YEAR 2018-2019**

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## REVISION HISTORY, AY 2003–04 TO PRESENT

Date	Rule/Subject Matter
May 4, 2004	II.1(a)(I), Grading Scale (mandatory median for all upper level classes; application to senior writing classes; seminar enrollment requirement)
December 15, 2004	Art. I, Admissions (requiring Admissions Comm. to adopt policies & requirements on annual basis)
April 6, 2005	II.1(d), Grading in Clinic Courses
May 10, 2005	III.5(b), Advanced Appellate Court Satisfies Senior Writing Requirement; III.1(e), Expanded Maximum Credit Hours for Legal Clinic to Nine
November 28, 2005	I.3, Requirements for Transfer Students; I.2(c)(v), Dismissal and Readmission; Art. II (new provision re exam conflicts and rescheduling exams)
January 23, 2006	III.1, Pre-Requisites for Domestic Violence and Summer Judicial Extern Clinics; III.5(d), Senior Seminar (allowing student with 31 credits to enroll)
March 20, 2006	II.1(a)(I), Median Grade
November 27, 2006	II.3(a), Methods of Evaluation; III.4, Moot Court Board
February 20, 2007	II.1(j), Grades Assigned to Graduate Students
March 27, 2007	Satisfactory/Unsatisfactory Option
October 17, 2007	II.1(d), Satisfactory/Unsatisfactory Grading; II.1(e), Incomplete; II.1(g), Non-Credit Courses and Requirements; II.1(h), Release of Grades; II.1(k), Changing Grades After Submission to Registrar
December 5, 2007	III.4, Advanced Appellate Moot Court and Mock Trial; III.5(b)(iv), Senior Writing Requirement
April 15, 2008	II.1(b), Median Grades (and other rules that include references to GPAs); II.1 <sup>o</sup> , Grade Distribution
February 17, 2009	III.1(b), Clinic Prerequisite Rules (allowing 2L students to enroll in clinics)
April 14, 2009	Art. I, Definitions (new); Art. II, Admissions (renumbered and revised)
February 16, 2010	Art. I, Definitions; Art. VI, School of Law Governance (general revision)
April 20, 2010	Art. I, Definitions; III.2, Good Standing, Probation, Dismissal, and Voluntary Withdrawal (eliminating readmission provision)
May 11, 2010	IV.6, Non-School of Law Courses at SIUC and SIUE; Art. III, Academic Regulations (general revision)
February 22, 2011	Art. V, Student Affairs (general revision)
April 19, 2011	IV.1(b)(iii), Requirements for Judicial Extern Clinic; III.5(f)–(g), Regular Attendance & Sanctions for Failure to Attend; Art. IV, Special Rules Regarding Curriculum (general revision)
May 5, 2011	III.1; III.5(c)(viii); IV.1 — Legal Clinics and Field Placements

<b>Date</b>	<b>Rule/Subject Matter</b>
December 2, 2011	V.4 – Student Complaints Concerning the Program of Legal Education (new) [March 23, 2012: approved by Associate Provost for Academic Administration]
October 25, 2013	III.5(c)(ix) – Pro Bono Graduation Requirement (new)
December 10, 2013	V.9 – Emails from the School (new)
April 18, 2014	III.5(c)(iii) – Other Requirements for Graduation (revision); III.5(c)(iv) – Other Requirements for Graduation (revision); IV.6 – Academic Advising (Experiential Education) Menu Courses (new); renumber former Rules IV.6, IV.7, IV.8, IV.9, and IV.10
February 27, 2015	III.5(j) – Timing of Required Courses (amendment)
May 6, 2016	III.1(d) – Satisfactory/Unsatisfactory Grading (amendment)
November 18, 2016	II.3(c)(I) – Number of credit hours transferred
May 1, 2017	III.1.(a) – Grades & Grading System (amendment) ; III.5(a) – Required Courses; III.5(b) – Passing Grade in Required Courses; III.5(c) – Other Requirements for Graduation; IV.5 – Senior Writing Requirement; IV.12 – Limits on Legal Globalization & Comparative Law Courses; IV.13 – General Policy on Credit Hours; V.8 – Federal Financial Aid Eligibility; Satisfactory Progress Preamble.
September 15, 2017	II.2 <sup>©</sup> - Special Admission (amendment)
May 9, 2018	II.7 - Academic Honors Program; IV.14 - Academic Honors Program

## ARTICLE I - DEFINITIONS AND GENERAL PROVISIONS

[added 4/14/09; amended 2/16/10]

### 1. **Definitions** [amended 4/20/10]

Unless the context otherwise requires, in these Rules the following terms shall have the following meanings, whether or not capitalized:

“Act of admission misconduct” means submitting materially false information or omitting material information, on or in connection with the person’s application for admission, readmission, or transfer to the School of Law, including any supporting documents or oral statements pertinent to the application, or committing any act of moral turpitude in conjunction with such application. For purposes of this definition, information is “material” if it would likely affect a decision regarding the application.

“Applicant” means a person who has applied for admission to the School of Law in the J.D. program.

“Associate Dean” means the person who has primary responsibility for overseeing academic affairs at the School of Law, regardless of the person’s title.

“Day,” when used to measure time, means a day other than a Saturday, Sunday, a holiday recognized by the University, or a day on which SIUC is closed.

“Dean” means the Dean of the School of Law.

“Director of Admissions” means the person who has primary responsibility for overseeing admissions to the School of Law, regardless of the person’s title.

“Faculty member” means any tenured or tenure-track faculty member in the School of Law or the School of Law Library (including any faculty member cross-appointed to the School of Law faculty whose primary work responsibilities are in another unit within the University), any non-tenure-track faculty member in the School of Law (including visiting and adjunct faculty members) and any retired faculty member.

“First-year student” means a student who has successfully completed 24 or fewer hours of academic credit at the School of Law.

“Full semester” means any fall or spring semester in which a student receives at least twelve credit hours counted toward the credit hours required for graduation.

“GPA” means grade point average.

“Instructor” means any faculty member responsible for teaching a class.

“LSAC” means the Law School Admission Council.

“LSAT” means the Law School Admission Test.

“LSDAS” means the Law School Data Assembly Service.

“SBA” means the Student Bar Association.

“School of Law” or “Law School” means the Southern Illinois University School of Law.

“Second-year student” means a student who has successfully completed more than 24, but fewer than 54, hours of academic credit at the School of Law.

“Send,” in connection with a writing or notice means to deposit in the mail or deliver by any other usual means of communication, properly addressed with any necessary postage or cost of transmission provided Any writing or notice actually received by the intended recipient will be deemed to meet this definition if it is received within the time it would have arrived if properly sent.

“SIU” or “University” means Southern Illinois University.

“SIUC” means Southern Illinois University Carbondale.

“SIUE” means Southern Illinois University Edwardsville.

“Student” means a student who has matriculated at the School of Law in the J.D. degree program.

“Third-year student” means a student who has successfully completed at least 54 hours of academic credit at the School of Law, but has not yet been awarded a J.D. degree.

“Writing” includes printing, typewriting, any other intentional reduction to tangible form, or any electronic or other medium for storage of information that is retrievable in perceivable form. “Written” has a corresponding meaning.

## **2. General Provisions [amended 4/20/10]**

- (a) Notice. Whenever these Rules require a person to “notify” another or to “give” or “send” a notice or notification, the person satisfies that requirement if the person takes such steps as may be reasonably required to inform the other in ordinary course. Provided, however, that if a specific method of conveying the notice or notification is required in these Rules, the person must use that more specific method; but a failure to use the more specific method of conveying the notice or notification shall not affect the validity of the person’s actions if the other actually learns of the content of the notice or notification within the time provided in these Rules or, if no time is provided, within a reasonable time.



- (b) Number and Gender. Whenever required by the context in these Rules, the singular number shall include the plural and vice versa, and the masculine gender shall include the feminine and the neuter and vice versa.
- (c) Grant of Permission or Absence of Prohibition Does Not Create Right; Associate Dean Authority. A grant of permission under these Rules does not create a right to take such action. Further, an absence of prohibition does not create a right to take an action. The Associate Dean shall have the authority to make reasonable interpretations of these Rules as they apply to ambiguous or novel matters and may consult with the Faculty as the Associate Dean considers appropriate. The Associate Dean is additionally authorized to excise periodically from these Rules any provisions that by their terms no longer apply to any students enrolled in the Law School.

## **ARTICLE II - ADMISSIONS (J.D. Degree)**

[amended 4/14/09; amended 8/12/18]

### **1. Regular Admission**

By September 1 of each year and as needed during the year, the Dean shall send the Admissions Committee a written charge setting targets for the size, LSAT and undergraduate GPA statistics, and other characteristics of the entering class for the following academic year. The Admissions Committee shall adopt admissions policies and requirements for the application cycle for that entering class, including standards to ensure that students who do not speak English as a native language have sufficient proficiency in English such that they are likely to succeed in their classes at the School of Law. [moved and amended from Art. V, 2/22/11]

- (a) Requirements for Admission. In order to be considered for admission to the School of Law, an applicant must have:
  - (i) received a bachelor's degree, or the equivalent, prior to matriculation;
  - (ii) taken the LSAT;
  - (iii) registered with LSDAS; and
  - (iv) submitted a complete application, including required documentation.
- (b) Criteria for Admission. In order to be admitted to the School of Law, the applicant must have demonstrated a capacity for the study of law by a satisfactory undergraduate record and satisfactory performance on the LSAT. While admissions decisions will be based primarily on these criteria, the School of Law, in seeking to obtain a diverse, intelligent, and highly motivated student body, may also consider all special circumstances which are brought to the attention of the Admissions

Committee. These special circumstances are of particular importance whenever there are more qualified applicants than there are positions available.

- (c) Fee. Applications for admission to the School of Law must be accompanied by an application fee in an amount set by the Dean. The application fee may be waived if the applicant has been granted a fee waiver through LSAC.
- (d) Application Period. Applications may be filed any time after September 1 of the calendar year preceding the year in which the applicant seeks admission.

## **2. Special Admission**

The Admissions Committee may admit a very limited number of exceptional students to the School of Law upon the completion of their junior year of undergraduate study. These exceptional students must meet the following criteria to be considered for early admission:

- (a) be enrolled as an undergraduate student at SIUC or SIUE;
- (b) be recommended and approved by the dean of their undergraduate college, or chair of their department, or the equivalent thereof;
- (c) have an outstanding undergraduate grade-point average and an exceptional LSAT score (or in the case of a student otherwise qualifying under the SIUC Joint Criminology and Criminal Justice B.A./JD program, have a cumulative undergraduate grade-point average and a LSAT score equal to or greater than the median for the previous year's cohort); and
- (d) comply with the requirements for regular admission in Rule II.1, other than section II.1(a)(i).

## **3. Transfer**

Applications for admission with advanced standing (transfer) will be considered by the Associate Dean if and to the extent that there is space in the second-year class. [amended 11/2005; 4/14/09]

- (a) Requirements for Admission of Transfer Student. In order to be considered for admission to the School of Law by transfer, the applicant must meet the following requirements.
  - (i) Current Admission Requirements. The applicant must meet all current admission requirements set forth in Rule II.1(a).
  - (ii) Minimum One Year. [amended 10/20/09] The applicant must have been enrolled at a school that satisfies the American Bar Association standard for admission with advanced standing, and must have completed at least:

- (A) one full year of law study at a school which operates on the semester system; or
  - (B) two quarters or trimesters at a school which does not operate on the semester system.
- (iii) Good Standing. The applicant must be in good standing at the school from which the applicant is transferring. [amended 11/2005; 4/14/09]
- (iv) Documentation. The applicant must provide to the law school the following documents: official transcripts of all undergraduate studies and certification of a degree; an LSDAS report; official transcripts of all law work previously undertaken; a statement of class rank, if available, from the applicant's original law school; a letter from the office of the dean of the applicant's original law school stating that the applicant is in good academic standing and is eligible unconditionally to continue as a law student at that school; and other materials as requested.
- (b) Criteria for Admission of Transfer Student. Approval of transfer applications is discretionary. Transfer applicants may be admitted if it appears that the applicant is likely to successfully complete the requirements for graduation from the School of Law. In making this assessment, the Associate Dean will give primary consideration to the applicant's law school record including, particularly, class rank, GPA, law school attended, and whether the law school attended was approved by the American Bar Association; LSAT; undergraduate GPA, undergraduate school attended and subjects taken; and may consider other relevant factors.
- (c) Effect of Admission of Transfer Student. Admission as a transfer student is subject to the following limitations.
- (i) Number of Credit Hours Transferred. Except in unusual circumstances, an applicant may transfer no more than 30 semester hours from an ABA approved law school. An applicant may transfer no more than 30 semester hours from a non-ABA approved law school. [amended 11/2005; 10/20/09]
  - (ii) Grade Needed for Transfer of Academic Credit. The School of Law will grant credit only for a course from another law school in which an applicant has earned a grade that is equal to or better than the GPA required by the other law school for graduation from that school. Provided: Credit may be awarded in the discretion of the Associate Dean for courses graded "credit/no-credit" or the equivalent, subject to the limitations for receiving credit for non-graded courses at the School of Law. [amended 4/14/09]
  - (iii) Graduation Requirements. After admission, the transfer student must

satisfy all graduation requirements of the School of Law; this may require taking one or more first-year or other required courses which the transfer student did not take at the student's original school, or which the Associate Dean determines are not equivalent to courses taken at the student's original school. [amended 4/14/09]

- (d) Application Period. An applicant may apply for transfer at any time, but the application will not be acted upon until the applicant has satisfied all the requirements of Rule II.3(a).

#### **4. Special Students**

The following individuals may enroll in law school classes with the permission of the Associate Dean and the instructor in the class, even though they are not candidates for the J.D., M.L.S., or LL.M. degree:

- (a) a student enrolled as a graduate student in another department of the University or as an unclassified graduate student;
- (b) any person who holds a J.D. or equivalent degree from an accredited law school, but such person may not be awarded academic credit at the law school and is to be classified as a non-degree, unclassified student; and
- (c) a student in good standing at another law school who will take 30 or fewer hours of courses at the law school as a visiting student and apply the academic credit earned at the law school toward the graduation requirements at the student's home school.

#### **5. Part-Time Students**

Applicants who expect regularly to enroll for fewer than 12 credit hours per semester may apply for admission as part-time students. Part-time students may be admitted provided that the Associate Dean is convinced that the circumstances justify it. Only in exceptional circumstances should the number of part-time students exceed five percent of the regularly enrolled students in the law school.

#### **6. Misconduct in the Admissions Process [amended 4/14/09]**

Any information indicating that a matriculated student or an applicant who has been admitted but not yet matriculated has committed an act of admission misconduct shall be promptly referred, along with any supporting evidence, to the Associate Dean, in the case of a matriculated student, or to the Director of Admissions, in the case of an applicant who has been admitted but not yet matriculated. Upon receipt of such information, the following procedures apply.

- (a) Matriculated Students

- (i) The Associate Dean may conduct any necessary investigation to determine the relevant facts. If the Associate Dean determines that there is no substantial evidence that the student committed an act of admission misconduct, that determination shall be conclusive and nonreviewable. If appropriate, the Associate Dean shall place a copy of the determination in the student's permanent file.
- (ii) If the Associate Dean determines that there is substantial evidence that the student committed an act of admission misconduct, the Associate Dean shall notify the student in writing of the allegation of admission misconduct and shall inform the student of the procedures of this rule. Such notice and information shall be sent by certified mail, return receipt requested, or other method of transmission that provides comparable proof of delivery, to the student's last known mailing address, as reflected in the law school records.
- (iii) Within 14 days of the date of mailing of the Associate Dean's notice, which period may be extended by the Associate Dean for good cause, the student may file with the Associate Dean a statement, together with such evidence as the student may choose to present, to rebut, explain, excuse, or justify the alleged misconduct. The student may also request the opportunity to appear in person before the Associate Dean in support of the student's defense, and any such request shall be granted unless to do so would unreasonably delay the determination of the matter or be impractical for some other reason.
- (iv) After receipt of the student's response (if any) and the meeting (if any), the Associate Dean shall make a final determination, based on a preponderance of the evidence standard, as to whether the student committed an act of admission misconduct. In making this determination, the Associate Dean may consult with the Academic Standards Committee or the Admissions Committee.
  - (A) If the Associate Dean finds that the student did not commit an act of admission misconduct, the Associate Dean shall prepare a written report including the Associate Dean's findings, send the report to the student, and place a copy of the report in the student's permanent file.
  - (B) If the Associate Dean finds that the student did commit an act of admission misconduct, the Associate Dean shall prepare a written report including the Associate Dean's findings and a recommended sanction or sanctions, which may include a formal reprimand, suspension from the law school for a fixed period of time, or dismissal from the law school and revocation of the student's admission. The Associate Dean shall send a copy of the report to the

student and shall send the report and the record, including a recording of the meeting with the student, if any, to the Dean. The Dean shall affirm the Associate Dean's findings if supported by substantial evidence in the record and will make the final determination as to the appropriate sanction and administer the sanction. A copy of the Dean's decision shall be given to the student and a copy shall be placed in the student's permanent file. The Dean shall report orally the disposition and sanction imposed to the faculty at the next regular faculty meeting, in executive session.

- (b) Non-Matriculated Applicants. The Director of Admissions shall resolve the matter in consultation with the Dean or Associate Dean and the Admissions Committee. The Director of Admissions' resolution shall be conclusive and nonreviewable.

## 7. **Admission to the Academic Honors Program**

(a) Pre-matriculation: An applicant (otherwise offered admission to the School of Law) will be offered admission in the Academic Honors Program if the student's LSAT score is within the top 10% of LSAT scores among matriculated students for the prior year. A student cannot be admitted into both the Academic Honors Program (a three-year program) and the Two-Year Honors Program.

(b) Post-matriculation: Students who were not originally admitted to the Academic Honors Program but whose cumulative GPA is 3.5 or higher at the end of two full semesters are eligible to join the Academic Honors Program. Students who were not in the Academic Honors Program during their first two semesters but whose cumulative GPA after completing their fourth full semester is 3.5 or higher are eligible to join the Academic Honors Program. The Associate Dean or designee will be responsible for communicating with students about their eligibility to join the program.

(c) Further rules governing the Academic Honors Program after initial admission are found in Rule IV.14.

## **ARTICLE III - ACADEMIC REGULATIONS**

### 1. **Grades and Grading System**

(a) Grading Scale. Except when specifically provided otherwise in these Rules, grades at the School of Law shall be awarded on a scale of 0.0 to 4.0 (including the use of tenths). Students will not receive credit toward the 90 hours required for graduation in a course in which they receive a grade lower than 1.8 (for students matriculating or taking first-year courses on or after August 2017), or 1.3 (for students matriculating on or prior to August 2016). [amended 2/20/07; 4/15/08; 5/1/17]

(b) Median Grade. When awarded on the scale set forth in subsection (a), grades at

the Law School shall conform to the medians set forth in this subsection (b), except that there is no required median for any section of any course in which six (6) or fewer students are enrolled for graded credit. [amended 2/20/07; 4/15/08]

- (i) Instructors Teaching Multiple Sections. An instructor who has more than one section of the same course may combine those sections for purposes of setting the median.
  - (ii) Graduate Students. An instructor shall exclude any graduate student(s) taking the course for credit in the Graduate School when: (A) setting the median for a course or section of a course, or (B) calculating the size of the course (or section of the course) for purposes of selecting the proper median range.
  - (iii) Required First-Year Courses. The median grade in each section of each required first-year course shall be no lower than 2.85 and no higher than 2.95.
  - (iv) Other than Required First-Year Courses. Except as otherwise provided in this subsection (b), the median grade in all sections of all courses not covered by subsection (iii) shall be no lower than 2.9 and no higher than 3.1.
  - (v) Courses with Smaller Enrollment. In any course, including seminars, in which more than six (6) but fewer than thirteen (13) students are enrolled, the median shall be no lower than 2.8 and no higher than 3.4.
  - (vi) Courses or Sections with GPAs Outside the Median Range. In any upperclass course, or section of a course, in which the median cumulative GPA of students enrolled in and examining in such course is above or below the prescribed range noted above, the permissible median grade range in such course may be expanded upward or downward to include the grade number closest to the median cumulative GPA for students enrolled in and examining in such course.
- (c) Grade Distribution. Grades at the Law School shall conform to the grade distributions set forth in this subsection (c), except when (i) fewer than thirteen (13) students are enrolled for graded credit in a course (or any section of a course), or (ii) the instructor provides the Dean with a written explanation of the reason(s) for deviating from the expected distribution. After grades are posted, the Dean shall make all written explanations available to the faculty.

Percentage of Students Expected to Fall in Each Grading Range for First-Year Courses:

3.7–4.0

5–20%

3.2–3.6	10–40%
2.7–3.1	15–55%
2.3–2.6	15–40%
< 2.3	5–30%

Percentage of Students Expected to Fall in Each Grading Range for Second- and Third-Year Courses:

3.8–4.0	5–20%
3.3–3.7	15–40%
2.8–3.2	20–50%
2.3–2.7	15–35%
< 2.3	5–20%

- (d) Satisfactory/Unsatisfactory Grading. [amended 10/17/07; 5/11/10; 5/6/16] Students may earn academic credit for a grade of “S” in courses graded on a Satisfactory/Unsatisfactory (“S/U”) basis only in one or more of the following circumstances. A student who matriculates at the School of Law on or after August 1, 2016, may earn no more than a total of 22 hours of academic credit for courses described in subsections (d)(i)–(d)(v) and for “credit/no credit” courses transferred under Rule II(3)(c)(ii); a student matriculating before August 1, 2016, may earn no more than 30 hours of such academic credit. All credit awarded for courses graded on an S/U basis shall be excluded in calculating the student’s semester and cumulative GPAs.
- (i) Courses Approved for S/U Grading. Except as otherwise provided in subsections d(ii)–(d)(v), a student may only enroll in a course for S/U grading if the faculty has approved the course for S/U grading for all students prior to the beginning of the registration period for that course. [amended 5/5/11]
- (ii) Limited S/U Grading at Instructor’s Option. [amended 5/5/11] In non-required courses with the exception of Independent Research and Writing, an instructor may, but is not required to, allow a specified number of students, not to exceed five, to register for S/U grading, even though the remainder of the students in the course will be graded on the scale described in subsection (a). The instructor must inform the Registrar and



Associate Dean of the instructor's election of this option at least one week prior to the beginning of the registration period for the course. A student may not elect S/U grading under this subsection (d)(ii) if:

- (A) the student is taking the course in partial satisfaction of the Academic Advising Menu (Substance) or the Academic Advising Menu (Skills); or
- (B) the student has not successfully completed at least 32 hours of credit prior to the semester in which the course is offered.

A student may not receive more than six hours of credit for courses with S/U grading under this subsection (d)(ii). If an instructor allows students to register for a course under this subsection (d)(ii), the students taking the course for S/U grading shall not be identified in any examination or other assessment and are to be evaluated by the instructor according to the grading scale described in subsection (a). After the instructor has submitted final course grades calculated on the scale described in subsection (a), the Registrar shall convert the grades of students who have elected S/U grading under this subsection (d)(ii) according to the following scale:

2.1 or greater	=	Satisfactory
below 2.1	=	Unsatisfactory

In determining whether the median grade for any such course complies with the requirements of subsection (b) and whether the distribution of grades conforms to the expectations of subsection (c), such determinations shall be made prior to the conversion of any grades on the scale described in subsection (a) to S/U grading and shall be made based on the grades of all law students enrolled in the course, including students taking it for S/U credit.

- (iii) Required S/U Grading of Students with Special Relationship to Instructor. S/U grading of a student shall be required if the instructor has an extremely close personal or family relationship with the student. This provision is to be invoked sparingly and only in cases where the relationship is of such nature that the awarding of a high grade in the course may give the appearance of impropriety or an unfair competitive advantage. This rule should not be construed to apply to the normal student-faculty friendship that frequently develops through a course of communication over a three-year period of time.
- (iv) Special S/U Grading in Legal Clinic and Field Placement Courses. [amended 5/5/11] Legal Clinic and Field Placement courses shall be graded according to the following special grade scale:

Satisfactory+	Outstanding Work
Satisfactory	Meets all Requirements Satisfactorily
Satisfactory-	Meets Requirements Minimally
Unsatisfactory	Does Not Meet Minimal Requirement

- (v) Courses Outside the School of Law. The student may receive S/U credit for one or more courses taken in the Graduate School or at the undergraduate level at SUIC or SIUE satisfying all the requirements of Rule IV.7.
  - (vi) Transfer Students. The Registrar shall assign students who have been admitted to the Law School as transfer students a grade of “S” for courses taken at another law school for which the student receives academic credit at this Law School in accordance with Rule II.3.
  - (vii) Summer School/Transient Students. The Registrar shall assign students who have been approved to take summer school courses at another ABA/AALS approved law school, or are transient students, a grade of “S” for courses taken at another law school for which the student receives academic credit at this Law School in accordance with Rule III.5(b).
  - (viii) Extraordinary Circumstances. The Dean, after appropriate consultation, may approve a course for S/U grading in extraordinary circumstances, including but not limited to, the death, disability, or discharge of the instructor in the course.
- (e) Incomplete. [amended 10/17/07] An instructor may, but is not required to, award a grade of Incomplete in a course where a student fails to complete all course requirements prior to the end of the semester in which the course is offered. When an incomplete is given to a student, the student must satisfactorily complete all course requirements within one year from the last day of the semester in which the student received the Incomplete grade, and the instructor shall submit a grade change card assigning the student a grade in the course to remove the Incomplete grade. If the student fails to satisfactorily complete all course requirements within such time, the Registrar shall enter a grade of 0.0 for the student in the course. This one-year period may only be extended with prior approval of the faculty for good cause shown.
- (f) Withdrawal. [amended 10/17/07] W is to be used to designate withdrawal from a course.
- (g) Release of Grades. [amended 10/17/07; 5/11/10] The Registrar shall make grades available to the students enrolled in a course in such manner as required by University rule or as otherwise approved by the Associate Dean after consultation with the faculty. The Registrar shall not make grades available to students prior to

the end of the examination period, unless the Associate Dean approves, for good cause shown, earlier release of such grades.

- (h) Timely Submission of Grades. [amended 10/17/07; 5/11/10] The timely submission of grades in all Law School courses is important to the Law School's educational endeavors. To this end, and subject to any waiver as deemed necessary and appropriate by the Dean, all grades shall be submitted to the Office of the Registrar for all courses taken in the School of Law on or before the earlier of the following: four weeks from the date of the scheduled examination or the due date of the last graded exercise or activity in the course or the Wednesday immediately preceding the first day of regularly scheduled classes for the next semester. For summer courses, grades must be submitted no later than the latter of three weeks from the date a final was given, three weeks from the due date of the last graded exercise or activity in the course, or the first day of fall classes.
- (i) Grades Assigned to Graduate Students. [added 2/20/07; amended 10/20/09] A faculty member teaching a law school course may determine the grade of a graduate student taking the course for Graduate School credit by a method of assessment that is the same as, different from, or additional to the method of assessment used by the faculty member to determine the grade of law students enrolled in the course. Regardless of the method of assessment, the faculty member shall either: (i) report the graduate student's grade to the Registrar using the Graduate School grading scale listed below, which grade the Registrar shall then report to the Graduate School; or (ii) report the graduate student's grade to the Registrar on the same grade scale as for law students enrolled in the course, in which case the Registrar shall report the grade to the Graduate School according to the conversion listed below:

Grade on Law School 4.0 Scale	Grade Reported to the Graduate School		
2.8 – 4.0	A	Excellent	4 grade points
1.8 – 2.7	B	Good	3 grade points
0.8 – 1.7	C	Conditional	2 grade points
0.1 – 0.7	D	Poor	1 grade point
0.0	F	Failing	0 grade points

- (j) Changing Grades After Submission to Registrar. [added 10/17/07; amended 5/11/10] After an instructor has submitted final course grades to the Registrar and the Registrar has confirmed that the instructor's course grades conform to the requirements of subsections (a)–(c), the instructor may change a student's grade only if all the requirements of subsections (j)(i)–(j)(iii) are satisfied.
- (i) An instructor may change a grade only if the instructor made an arithmetic or clerical error in calculating a student's grade or if the instructor failed to read a substantial portion of a student's answer. An instructor may not change a grade based on a reassessment of the quality of all, or any part, of

the student's answer.

- (ii) The instructor must submit a written explanation of the nature and effect of the error (or failure to read an answer) to the Associate Dean. Absent compelling circumstances, the written explanation must be submitted to the Associate Dean no later than the first Monday in April with respect to a grade awarded in a course held in the preceding fall semester and no later than the first Monday in November with respect to a grade awarded in a course held in the preceding spring semester or summer session. The written explanation shall be accompanied by all available documentary evidence of any arithmetic or clerical error, such as spreadsheets, grading sheets, etc.
- (iii) The Associate Dean must find clear evidence that the instructor made a mistake of the type described in subsection (j)(i) and that the error can be corrected only by a change in the grade. Upon a finding of such clear evidence, the Associate Dean shall instruct the Registrar to change the grade.

The Associate Dean shall annually report to the faculty about all grade changes made pursuant to this subsection (j).

**2. Good Standing, Probation, Dismissal, and Voluntary Withdrawal** [amended 4/15/2008, effective June 1, 2008; amended 4/20/10]

- (a) Good Standing and Dismissal at the End of the Second Full Semester. At the end of the second full semester (or the equivalent for a part-time student), a student with a cumulative GPA of 2.300 or above shall be considered to be in "good standing" and eligible to continue studies at the School of Law. A student whose cumulative GPA is less than 2.200 shall be dismissed from the School of Law, without right of petition or appeal.

Good standing will be determined based on all courses in which a final grade has actually been assigned.

- (b) Academic Probation at the End of the Second Full Semester.
  - (i) At the end of the second full semester (or the equivalent for a part-time student), a student whose cumulative GPA is at least 2.200 but less than 2.300 is eligible to continue studies at the School of Law, but is not in good standing. Such student shall be placed on academic probation and shall be promptly notified of such action, which notice shall include a copy of this rule.
  - (ii) A student on academic probation must:

- (A) prior to the start of the next full semester, meet with the Associate Dean;
- (B) prior to the start of the next full semester, meet with the Director of Academic Success to develop a plan of remediation;
- (C) achieve a GPA of at least 2.300 in each of the next two full semesters;
- (D) achieve a cumulative GPA of at least 2.300 at the end of the student's fourth full semester; and
- (E) take at least 12 hours per semester.

(iii) A student who fails to meet any of the conditions set forth in the preceding subsection (ii) shall be dismissed from the School of Law without right of petition or appeal.

(c) *Good Standing and Dismissal at the End of the Fourth Full Semester.* At the end of the fourth full semester, a student with a cumulative GPA of 2.300 will be considered in "good standing" and eligible to continue their studies at the School of Law. A student whose cumulative GPA is less than 2.250 shall be dismissed from the School of Law, without right of petition or appeal.

Good standing will be determined based on all courses in which a final grade has actually been assigned.

(d) *Academic Probation at the End of the Fourth Full Semester.*

(i) At the end of the fourth full semester, a student whose cumulative GPA is at least 2.250 but less than 2.300, and whose GPA was 2.300 or above at the end of the second full semester, is eligible to continue studies at the School of Law, but is not in good standing. Such student shall be placed on academic probation and shall be promptly notified of such action, which notice shall include a copy of this rule.

- (ii) A student on academic probation must, prior to the start of the next full semester:
  - (A) meet with the Associate Dean; and
  - (B) meet with the Director of Academic Success to develop a plan of remediation.
- (iii) A student who fails to meet either of the conditions set forth in the preceding subsection (ii) shall be dismissed from the School of Law without right of petition or appeal.
- (e) Voluntary Withdrawal from the Law School.

*Only students who meet the following requirements may withdraw voluntarily from all courses at the School of Law and return without having to reapply for admission to the School of Law. Voluntary withdrawal is also subject to all University requirements and deadlines, as well as Rule III.5(f)(iv) (Deadline for Program Changes).*

- (i) Students Who Have Not Yet Completed Two Full Semesters
  - (A) General Rule. A student who has not yet completed two full semesters may voluntarily withdraw from the School of Law and may return without petition if the student does so within 15 months following the date of withdrawal. If more than 15 months have elapsed since the student's withdrawal, the student may return only by petitioning the Dean, which petition shall be freely granted if justice so requires.
  - (B) Completion of All First-Year Courses Required. A student who voluntarily withdraws from the Law School before completion of two full semesters must, upon readmission, complete all required first-year courses before being permitted to take upper-level courses.
  - (C) Retaking First-Year Courses after Withdrawal. If a student withdraws from the Law School prior to completing two full semesters and has been assigned a final grade in any first year

course, or all assignments in the course have been completed but a final grade has not been assigned, the student may not, upon readmission, re-take any such course prior to completing two full semesters.

(ii) Students Who Have Completed at Least Two Full Semesters

(A) Students in Good Standing. A student who has completed at least two full semesters and who is in good standing at the time of withdrawal may voluntarily withdraw from the School of Law and may return without petition if the student does so within 15 months following the date of withdrawal. If more than 15 months have elapsed since the student's withdrawal, the student may return only by petitioning the Dean, which petition shall be freely granted if justice so requires.

(B) Students on Academic Probation at Time of Withdrawal. A student who has completed at least two full semesters and who is on academic probation under either Rule III.2(b) or III.2(d) at the time of withdrawal may voluntarily withdraw from the School of Law and may return without petition if the student does so within 15 months following the date of withdrawal. If more than 15 months have elapsed since the student's withdrawal, the student may return only by petitioning the Dean, which petition shall be freely granted if justice so requires. Any student who is on academic probation at the time such student voluntarily withdraws must, upon readmission, continue to satisfy the conditions of probation to which the student was subject prior to withdrawal.

(f) Students Matriculating at the School of Law Before August 1, 2010. For all students who matriculated at the School of Law before August 1, 2010, academic good standing, eligibility to continue study at the School of Law, graduation eligibility, withdrawal, and any other related matters not addressed by these Rules shall be determined under the Rules of the Southern Illinois University School of Law for Academic Year 2009-10

*last amended February 16, 2010.*

**3. Examinations and Other Forms of Evaluation** [amended 11/2006; 5/11/10]

- (a) Methods of Evaluation. The instructor shall evaluate student academic achievement by examinations of suitable length and complexity, papers, projects, or assessment of performances of students in class or in the role of lawyers. The instructor must specify the method(s) of evaluation in the course syllabus. Except for first-year courses whose focus is legal writing and legal research, each first-year course must involve at least one “regular” examination—that is, a graded, timed, written, non-take-home examination, and, in each such course, at least 50% of the course grade must be based on one or more such examinations.
- (b) Anonymous Grading of Written Examinations. The Associate Dean, in consultation with the faculty, shall establish and maintain such policies and procedures as necessary to ensure student anonymity when grading written examinations.
- (c) Saving Written Course Work. Unless the instructor returns examination answers, papers, or other written, graded course work to the students, the instructor must retain all such materials, and any written grading records, for one year following the date the instructor submits a grade in the course.
- (d) Examination Conflict and Reschedule Policy. Students must take all examinations, whether in-class or take-home, at the time and place announced either on the examination schedule or by the instructor, unless the examination is rescheduled by the Registrar for one of the following reasons:
  - (i) a student has two examinations scheduled on the same day;
  - (ii) a student is prevented from taking the examination(s) because of the student’s illness or a death in the student’s immediate family; or
  - (iii) the Associate Dean has determined that a student is faced with other exceptional circumstances that justify rescheduling one or more examinations, which determination is not subject to review by grievance or otherwise.

A student may not reschedule an examination solely because the student has examinations on consecutive days. Any examination that is rescheduled shall be administered, if possible, on the reading day prior to the examination period. If rescheduling on the reading day is not possible, the examination will be rescheduled at such time as the Registrar shall determine.

- (e) Student Honor Code. Students must comply with the Southern Illinois University



School of Law Honor Code during all examinations and other evaluations. The Associate Dean, in consultation with the faculty, shall establish and maintain such policies and procedures as necessary to provide for proctoring or monitoring of examinations and evaluations.

- (f) Timely Submission of Final Examinations. Instructors shall submit their final examinations to the Registrar each semester by the deadline(s) established by the Associate Dean. The deadline(s) shall be set with due regard for the time needed for instructors to adjust and finalize final examinations as the semester concludes and for the Registrar to prepare and distribute final examinations, including any need for them to be made available in alternative formats.
  
- (g) Student Grievances of Grades. Individual student grades, the content of examinations and other assessments, and the internal control and conduct of a particular course are considered matters within the academic judgment of the faculty member. The person best able to evaluate the student's performance is the faculty member who taught the course, because evaluation is affected by participation in the course, by the course objectives, by the materials covered in the course, by the method of presentation, and by reference to the general performance of the students in the course as a whole. A student may only file a grievance about a final course grade awarded to the student and only according to the following standards and procedures.
  - (i) Standard for a Grade Grievance. In order to prevail in such a grievance, a student must prove by demonstrable evidence that the grade was awarded due to prejudice or arbitrary and capricious conduct by the faculty member. A grade grievance may not be based solely on a claim that the faculty member exercised allegedly erroneous academic judgment—e.g., a student may not file a grievance that complains that the class standards were too high, the course load was too heavy, the grades were too low, too much (or too little) weight was allocated to a particular exercise, question, or examination, etc.
  - (ii) Meeting with Faculty Member. Before filing a written grievance, the student must make reasonable efforts to meet with the faculty member to discuss the grade.
  - (iii) Filing of Written Grievance; Deadline to File. If the matter is not settled during the meeting with the faculty member or if the faculty member fails to meet with the student after the student has made reasonable efforts to schedule a meeting, the student may file a written grievance with the Associate Dean. The written grievance must allege that the grade awarded was the result of prejudice or arbitrary and capricious conduct by the faculty member and must include the evidence reasonably available to the student which the student believes substantiates that allegation. Absent compelling circumstances, the written grievance must be filed with the Associate Dean no later than the first Monday in April with respect to a

grade awarded in a course held in the preceding fall semester and no later than the first Monday in November with respect to a grade awarded in a course held in the preceding spring semester or summer session.

- (iv) Associate Dean's Determination; Dismissal or Referral to Academic Standards Committee. If the Associate Dean determines that the student's written grievance creates a reasonable suspicion that the faculty member awarded the grade as a result of prejudice or arbitrary and capricious conduct, the Associate Dean shall refer the matter to the Academic Standards Committee ("the Committee"). If the Associate Dean determines that the student's written grievance does not create reasonable suspicion that the faculty member has given a grade as a result of prejudice or arbitrary and capricious conduct, then the Associate Dean shall dismiss the grievance without further right of appeal in the law school. The Associate Dean shall make such determination no later than ten days after the date on which the written grievance was filed with the Associate Dean.
- (v) Committee Investigation. The Committee shall make an appropriate investigation into the circumstances surrounding the award of the grade and shall provide an opportunity for the grievant and the faculty member to present relevant evidence; provided, however, that neither the grievant nor faculty member is entitled to have counsel or other representative present at any hearing or other proceeding that the Committee may conduct.
- (vi) Committee Report. The Committee shall submit a written report to the Dean not later than 60 calendar days after the date on which the Associate Dean referred the grievance to the Committee, unless the Dean shall grant the Committee's request for additional time for good cause shown. The report shall contain: the Committee's findings of relevant facts; the Committee's conclusion whether the faculty member assigned the grade as a result of prejudice or arbitrary and capricious conduct; and, if the Committee recommends a decision in favor of the grievant, the remedy to be awarded to the grievant. The Committee may include in the report any additional materials it deems relevant.
- (vii) Dean's Decision. The Dean shall defer to the Committee's findings and may reject those findings only if they are not clearly supported by the evidence. If the Dean determines a grievance in favor of the grievant, the Dean shall award the remedy recommended by the Committee, unless the Dean concludes that the remedy is impracticable or inconsistent with University policy, in which case the Dean shall award an appropriate remedy. If the remedy awarded would cause the grades for the course to violate the mandatory median rule or any other law school rule relating to grades, the Dean shall have the authority to allow a deviation from the mandatory median rule or other rule. The Dean shall make such determination no later than ten days after the date on which the Dean

received the Committee's report. The Dean's determination may not be further appealed in the law school.

- (viii) If a student files a grievance against a faculty member who at the time is serving as the Associate Dean, the Dean, or a member of the Committee, then the Associate Dean (or the Dean if the Associate Dean is the faculty member involved) shall appoint another faculty member to act in connection with the grievance.

#### **4. Auditing** [amended 5/11/10]

Any student may audit a course with the permission of the instructor. An auditor shall not be required to take the final examination, but must satisfactorily complete the course, including any requirements by the instructor that an auditor adhere to rules applied to regular students such as class participation and attendance. [Transferred without change from Article I.7, 4/15/08]

#### **5. Course and Degree Requirements** [amended 5/11/10; 5/5/11]

- (a) Required Courses. Required courses are Contracts I and II, Property I and II, Lawyering Skills I and II, Torts, Criminal Law, Professionalism and the Law, Legislative and Administrative Process, Civil Procedure I and II, Constitutional Law, Evidence, Legal Profession, and a course satisfying the senior writing requirement (see Rule IV.5). [amended 4/15/2008, effective June 1, 2008]
- (b) Passing Grade in Required Courses.
  - (i) Except as provided in paragraph (ii) below, in order to obtain a Juris Doctor (J.D.) degree, a student must receive a passing grade (1.8 or higher on the 0.0 to 4.0 scale for students matriculating or taking first-year courses on or after August 2017; 1.3 or higher on the 0.0 to 4.0 scale for students matriculating on or before August 2016) in all required courses. [amended 5/1/2017]
  - (ii) A student must receive an "S" in the following required courses graded on a Satisfactory/Unsatisfactory scale:
    - (A) Professionalism and the Law, and
    - (B) Moot Court or Law Journal activities satisfying the senior writing requirement.
- (c) Other Requirements for Graduation. In order to obtain a J.D. degree, a student must also:
  - (i) satisfy all admission requirements;

- (ii) participate as required in the first-year Academic Success Program unless the student is a transfer student who did not enroll at the Law School as a first-year student;
- (iii) comply with the course selection menu(s) approved by the faculty, and receive either (a) a passing grade (1.8 or higher on the 0.0 to 4.0 scale for students matriculating or taking first-year courses on or after August 2017; 1.3 or higher on the 0.0 to 4.0 scale for students matriculating on or before August 2016) in a graded menu course or (b) a grade other than “Unsatisfactory” in a menu course where all students receive a non-numeric grade. See also Rule III.1(d)(ii) which prohibits students from selecting Satisfactory/Unsatisfactory grading to satisfy menu requirements in a course offering “Limited S/U Grading at Instructor’s Option”; [amended 4/18/14; 5/1/17]
- (iv) complete at least five full semesters while enrolled at the School of Law, except for students admitted under the two-year J.D. program who maintain a GPA that is at or above the median for that student’s first-year class, and except as provided in Rule II.3(c)(i), regarding transfer students, and in Rule III.9, regarding transient students and summer classes at other law schools; [amended 4/18/14]
- (v) maintain a cumulative GPA of at least 2.300 in all work completed after the student becomes a third-year student;
- (vi) have an overall cumulative GPA of at least 2.300;
- (vii) receive credit for at least 90 hours;
- (viii) receive credit for no more than 25 hours of the 90 hours required by Rule III.5(c)(vii) in courses outside “regularly scheduled class sessions at the law school.” Courses that count against this 25 credit hour limitation are those ABA Standard 304 indicates may not be counted as attendance in regularly scheduled class sessions, including Field Placements, Advanced Appellate Moot Court, Advanced Mock Trial, Law Journal, Journal of Legal Medicine, Independent Research and Writing, graduate school courses and other courses taken in departments outside of the law school for which credit toward the J.D. degree is granted, and any other courses determined by the Associate Dean as falling within ABA limitations. Legal Clinic courses do not fall within the 25 credit hour limitation. [added 5/5/11]; and
- (ix) for students matriculating after August 2014, perform no less than thirty-five hours of approved pro bono work prior to graduation. The work must be law related, uncompensated, supervised by an attorney, and not for academic credit. [added 10/25/13]

- (d) Time Limitation for Completion of J.D. All the requirements for the J.D. degree must be completed within a maximum of six years from the time of first registration as a J.D. student at this Law School, except that in the case of transfer students, the maximum period shall be the lesser of: (i) five years from the time of first registration as a J.D. student at this Law School, or (ii) six years less the number of years already spent by the transfer student in another law school.
- (e) Credit Hour Limit. No student may register for more than eighteen credit hours during the fall or spring semester, or more than nine credit hours during the summer term. [amended 10/20/09]
- (f) Regular Attendance. Regular attendance to class meetings in all courses is expected and required of all students in accordance with the rule to be announced by the Instructor at the beginning of each course. Unless the instructor has announced a rule allowing fewer absences, or except for extraordinary circumstances, however, a student enrolled in a first-year course may not accumulate class hour absences in excess of twice the credit hours in any particular course during the term, and a student enrolled in any other course may not accumulate class hour absences in excess of three times the credit hours in that course during the term. Class hours will be calculated on a fifty minute basis. Absent agreement of the instructor, missing all or part of a class counts as missing all of the class minutes for that class. Attendance will be taken in class and attendance records will be kept for one year. Violation of this attendance rule shall subject the student to the penalties of section (g) below. Upon the recommendation of the Instructor involved, the Dean or Associate Dean may waive violation of this rule for extraordinary circumstances. [amended 4/19/11]
- (g) Sanctions for Failure to Attend
- (i) Non-required Courses. Upon the student's failure to attend class in accordance with the attendance rules in a non-required course the Instructor will advise the Associate Dean of this fact. The Associate Dean will then withdraw the student from that course, except as provided in (iii) below.
- (ii) Required Courses. Upon a student's failure to attend classes in accordance with the attendance rules in a required course the Instructor will advise the Associate Dean of this fact. In the discretion of the Associate Dean, upon the recommendation of the Instructor, the student will be given either a "W" or the lowest possible grade, except as provided in (iii) below.
- (iii) Optional Sanction for Failure to Attend. Notwithstanding sections 5(g)(i) and 5(g)(ii), a student who has accumulated absences in excess of the allowable number shall have the option, with the consent of the Instructor, of remaining in the course and having the student's final grade for that course reduced by three tenths of a point (on the 0.0 to 4.0 grading scale), for each additional absence in excess of the allowable number. These

additional absences may not exceed the number of credits of that course. In the event the student accumulates an excess additional absence, the sanctions of section 5(g)(i) or 5(g)(ii) shall apply. Exercise of this option may result in a failing grade.

Examples of sanctions for additional absences:

- a. John Smith is enrolled in Contracts I, a required three-hour class that meets for fifty minutes three times a week. The Instructor announces that the maximum number of allowable class hour absences in the class is six. [amended 4/19/11]
  - i. John Smith misses seven classes. If Smith obtains the consent of the Instructor, he may accept a reduction in his final grade of three tenths of a point. If he does not choose to accept such a reduction in grade or the Instructor does not consent, he will be withdrawn from the class or will be given the lowest possible grade pursuant to section 5(g)(ii).
  - ii. John Smith misses nine classes. If Smith obtains the consent of the Instructor, he may accept a reduction in his final grade of nine tenths of a point. If he does not choose to accept such a reduction in grade, he will be withdrawn from the class or receive the lowest possible grade in the class pursuant to section 5(g)(ii).
  - iii. John Smith misses ten classes. At this point, Smith loses his opportunity to accept a grade reduction sanction and he will be withdrawn from the class or receive the lowest possible grade in the class pursuant to section 5(g)(ii).
- b. John Smith is enrolled in Contracts I, a required three-hour class that meets for fifty minutes three times a week. The Instructor announces that the maximum number of allowable class hour absences in the class is three. [amended 4/19/11]
  - i. John Smith misses four classes. If Smith obtains the consent of the Instructor, he may accept a reduction in his final grade of three tenths of a point. If he does not choose to accept such a reduction in grade or the Instructor does not consent, he will be withdrawn from the class or receive the lowest possible grade in the class pursuant to section 5(g)(ii).
  - ii. John Smith misses six classes. If Smith obtains the consent of the Instructor teaching the course, he may accept a

reduction in his final grade of nine tenths of a point. If he does not choose to accept such a reduction in grade, he will be withdrawn from the class or receive the lowest possible grade in the class pursuant to section 5(g)(ii).

iii. John Smith misses seven classes. At this point Smith loses his opportunity to accept a grade reduction sanction and will be withdrawn from the class or receive the lowest possible grade in the class pursuant to section 5(g)(ii).

c. John Smith is enrolled in Family Law, a non-required three-credit class that meets twice a week for 75 minutes. The Instructor announces that the maximum number of allowable class hour absences in the class is nine, which translates into six 75 minute classes. [added 4/19/11]

i. John Smith misses seven 75 minute classes. If Smith obtains the consent of the Instructor, he may accept a reduction in his final grade of three tenths of a point. If he does not choose to accept such a reduction in grade or the Instructor does not consent, he will be withdrawn from the class or receive the lowest possible grade in the class pursuant to section 5(g)(ii).

- (h) Minimum Hours Enrollment per Semester. Full-time students must enroll for a minimum of 12 hours each semester except the semester of their graduation. If for any reason the student withdraws or is withdrawn from a course that would cause the student to drop below 12 hours, the student will receive the lowest possible grade in that course unless the Associate Dean determines that the circumstances warrant a "W."
- (i) Deadline for Program Changes. Any program change initiated by the student (such as withdrawal from a course, or changing to an audit, etc.) must be made by the latest time authorized by the University.
- (j) Timing of Required Courses. A first-year student, unless admitted as a part-time student, must take all required first-year courses offered each semester. All law students must take Constitutional Law no later than their fourth full semester, except those students who intend to graduate after five full semesters, who must take Constitutional Law no later than their third full semester. If the Associate Dean determines that circumstances otherwise warrant, however, the Associate Dean may permit a student to deviate from this Rule III.5(j). [amended 2/27/15]
- (k) Retaking Courses. Except as provided in Rule III.2(e)(i)(C), a student who has failed a required course must retake that course in order to meet the degree requirements stated in Rule III.5(a) of these rules. The student must enroll in that

course no later than the next full semester it is offered. A student who has failed a non-required course may retake it. Except as provided herein, a student will not be permitted to repeat any course.

- (l) Prerequisites/Corequisites.
  - (i) Any prerequisites or corequisites to a course shall be indicated in the description of that course filed with the Registrar.
  - (ii) At the discretion of the instructor, a student may be allowed to take a course even though the student has not completed the prerequisite or enrolled in the corequisite.

6. *Class Ranking [amended 5/11/10]*

- (a) Class Ranking. *At the end of each semester, the Registrar shall rank students in each class according to their cumulative GPA. There are two categories of ranking: regular and index.*
- (b) Regular Ranking. *Students not described in subsection (c)(i)-(iv) shall be regularly ranked according to their cumulative GPA in relation to other regularly-ranked students in their class.*
- (c) Index Ranking
  - (i) Purpose of Index Ranking. *Index ranking is designed to reflect the relative academic performance of students who do not qualify for regular ranking, without displacing any regularly-ranked student. To this end, index ranking is a shadow ranking in that a student assigned an index rank is not included in the regular class ranking.*
  - (ii) Students Subject to Index Ranking. *Students shall be index ranked if:*



- (A) they have transferred to this law school from another law school;
- (B) they do not graduate in or before the third May following their date of entering law school;
- (C) at the end of their first year in law school, they have not completed every required course in the first-year curriculum; or
- (D) at the completion of their law school work, they have fewer than 69 graded credit hours earned at this law school.

(iii) Calculating Index Rank. Index-ranked students shall receive the rank of the regularly-ranked student in their class that their cumulative GPA equals or exceeds without equaling the cumulative GPA of the next highest regularly-ranked student. (See illustration below.)

(iv) Illustration of Class Ranking Rule

<u>Student's Name</u>	<u>GPA</u>	<u>Regular Ranked Students</u>	<u>Indexed</u>
<u>Students</u>			
A	3.8		First
B	3.6		
Second			
C	3.2		Second
D	3.0		Third
E	2.9		Fourth

Fifth	F	2.8	
	G	2.7	Fifth
	H	2.65	Sixth
Sixth	I	2.65	
	J	2.5	Seventh

(d) Graded Hours Only. Only graded hours earned at this law school shall be used in determining class ranking.

(e) Class Rank. An individual student's class rank may be given to that student at the student's request and will not be available until a reasonable time after release of grades under Rule III.1(g).  
[amended 2/22/11]

7. **Dean's List** [moved and amended 2/22/11]

The top 15% of students in their class in each semester who earned at least twelve credit hours during the semester shall be on the Dean's List. Students who have earned a minimum of eight hours are also eligible for consideration if they have a GPA no less than that of any student in the top 15% who earned at least twelve credit hours, but shall not displace any such student.

8. **Graduating Honors** [amended 5/11/10; renumbered and amended 2/22/11]

(a) Regularly-Ranked Students. The diploma, the university transcript, and the law school transcript shall reflect the following graduating honors:

(i) Summa cum Laude. The top 3% of the graduating

*students who are regularly ranked;*

(ii) Magna cum Laude. *The next 7% of the graduating students who are regularly ranked;*

(iii) Cum Laude. *The next 10% of the graduating students who are regularly ranked.*

(b) Indexed-Ranked Students. *Graduating seniors who are ranked in the indexed ranking list shall have their diploma, law school transcript, and university transcript reflect graduating honors if their cumulative GPA is equal to or higher than the cumulative GPA of a regularly-ranked student who has graduated with honors.*

9. **Credit Awarded by Other Law Schools (Students Other Than Transfer Students)**. [added 5/11/10]

Unless a student has been admitted to the School of Law as a transfer student in accordance with Section II.3, or as otherwise provided in this Section III.9, a student may not apply credit awarded by another law school toward satisfying the 90-hour requirement of Section III.5(c)(vii).

(a) Summer school. With prior approval of the Dean or Associate Dean, a student may receive credit at the School of Law for up to 12 hours earned in summer sessions offered by other law schools approved by both the ABA and the AALS, except as provided in III.9(b)(iii) below for transient students.

(b) Transient students. A transient student is one who first commenced study at the School of Law and who is allowed to apply credit awarded by another law school toward satisfying the 90-hour requirement of Section III.5(c)(vii), other than as allowed by Subsection III.9(a). A student may be a transient student only if all of the following requirements are satisfied.

- (i) The Dean or Associate Dean must approve an application to become a transient student prior to the student enrolling in the other law school. Such application will be approved upon a showing by the student that denial of transient status would constitute a hardship.
  - (ii) The other law school for which transient status is approved must be a law school approved by both the ABA and the AALS.
  - (iii) Except as provided in the next sentence, a transient student must complete 60 hours of credit awarded by the School of Law and is not allowed to apply more than 30 hours of credit awarded by the other law school toward satisfaction of the 90-hour rule of Section III.5(c)(vii). With approval of the Dean or Associate Dean, however, a transient student may apply toward the 90-hour rule up to an additional six hours of credit awarded in a summer school session at another law school approved by both the ABA and the AALS, for a maximum of 36 hours of credit earned at another law school. This may include credit previously approved under Section III.9(a).
  - (iv) The transient student must satisfy all requirements for graduation from the School of Law set forth in Section III.5, other than Section III.5(c)(iv). A transient student may satisfy the requirements of Sections III.5(a), III.5(b), and III.5(c)(iii) by taking courses at the other law school only if the Associate Dean determines that those courses are the substantial equivalent of School of Law courses that would satisfy those requirements.
- (c) Grade Required
- (i) Except as otherwise provided in paragraph (c)(i), the School of Law will grant credit only for a course from another law school in which a student has earned a grade that is equal to or better than the minimum GPA required by the other law school for graduation from that school.
  - (ii) In the discretion of the Associate Dean, a student may be awarded credit toward the 90-hour requirement of Section III.5(c)(vii) for a course at another law school that is graded S/U, pass/fail, credit/no credit, or the equivalent, but any such credit awarded

shall count against the maximum number of S/U hours specified in Section III.1(d).

## ARTICLE IV - SPECIAL RULES REGARDING CURRICULUM

### 1. Legal Clinic and Field Placements [amended 5/5/11]

#### (a) Legal Clinic Courses

- (i) Definition. Legal Clinic courses include skills training, work experience with real clients, and an introduction to the ethics of the legal profession. Students in these courses work under the direct supervision of a member of the law school faculty or instructional staff whose primary professional employment is with the law school.
- (ii) Available Courses. The following Legal Clinic programs are currently available:
  - (A) Juvenile Justice Clinic;
  - (B) Civil Practice Clinic; and
  - (C) Domestic Violence Clinic.
- (iii) Academic Standing. First-year students are not eligible to enroll in Legal Clinic courses.
- (iv) Credit Hour Limitations [amended 1/2006; 9/22/09; 5/11/11]
  - (A) Students may apply a maximum of twelve hours of Legal Clinic credit toward the 90-hour graduation requirement. The normal clinic experience is three credit hours in a single Legal Clinic course per semester. With written permission from the Faculty Supervisor, however, who will consider the student's semester class schedule and other obligations as well as overall enrollment limitations as provided by Rule IV.5(a)(vi), a student may enroll in fewer than or more than three credit hours in a single semester. No student may enroll in more than six credit hours per semester in a single Legal Clinic course. A student may not enroll in more than one Legal Clinic course per semester except with the written permission of all involved Faculty Supervisors.

- (B) No student may obtain more than six hours of academic credit in any one Legal Clinic course except with the written permission of the Clinic Director. A student seeking permission from the Clinic Director must demonstrate that the student will gain a substantially distinct educational experience as a result of enrolling in a Legal Clinic course for more than six credit hours. When making decisions about allowing a student to obtain more than six hours of academic credit in any one Legal Clinic course, the Clinic Director must take into account the overall enrollment limitations as provided by Rule IV.5(a)(vi), the requesting student's GPA, previous and future course selection, and other factors relevant at the time a student is making the request for additional credit. The decision to grant such permission lies in the sole discretion of the Clinic Director.
- (C) Students may not use Independent Research and Writing credit to extend participation in a Legal Clinic course beyond what is permitted by this rule.
- (v) Pay and Credit. No student may receive pay for work in a Legal Clinic course for which the student also receives academic credit. [amended 5/11/11]
- (vi) Enrollment Limitations. Enrollment in any of the Legal Clinic courses may be limited as necessary by the Clinic Director to ensure adequate student supervision by faculty and staff supervisors. [amended 1/2006; 5/5/11]
- (b) Field Placements [added 5/5/11]
  - (i) Definition. Field Placements include externships outside of the regular law school classroom that provide students with an opportunity to engage in skills training, work experience with real clients, and an introduction to the ethics of the legal profession. Although course grades are determined by a Faculty Supervisor who is a member of the law school faculty, direct supervision of a student's work is done by a Field Supervisor.
  - (ii) Available Courses.
    - (A) Judicial Externships;
    - (B) Public Interest Externships; and
    - (C) Semester Away Externships.
  - (iii) Prerequisites [amended 1/2006; 4/15/08; 2/17/09; 9/22/09; 4/19/11; 5/5/11]

- (A) Academic Standing. First-year students are not eligible to enroll in Field Placements.
- (B) Public Interest and Semester Away Externships. The Public Interest and Semester Away Externships are open to students who have a cumulative GPA of at least 2.6.
- (C) Judicial Externship. The Judicial Externship is open to students who have a cumulative GPA of at least 2.6, provided, however, that students with a GPA below 2.6 may be enrolled with the approval of the Faculty Supervisor after the Faculty Supervisor has consulted with the student and the proposed judicial supervisor to determine if the placement would be appropriate. [amended 4/19/11]

(iv) Credit Hour Limitations

- (A) Students may apply a maximum of fifteen hours of credit toward the 90-credit graduation requirement from Field Placements, subject to the limitations specified in Rule III.5(c)(viii).
- (B) Judicial Externships and Public Interest Externships. No student may enroll in more than six credit hours per semester in a single Judicial Externship or Public Interest Externship. A student may not enroll in more than one Judicial Externship or Public Interest Externship per semester except with the written permission of all of the involved Faculty Supervisors. No student may obtain more than six hours of academic credit in any one Judicial Externship or Public Interest Externship while pursuing a J.D. degree except with the written permission of the Faculty Supervisor for that externship. A student seeking permission from the Faculty Supervisor must demonstrate that the student will gain a substantially distinct educational experience as a result of obtaining more than six hours of academic credit in a single Judicial Externship or Public Interest Externship. When making decisions about allowing a student to obtain more than six hours of academic credit in any one Judicial Externship or Public Interest Externship, the Faculty Supervisor must take into account the overall enrollment limitations as provided by Rule IV.5(b)(vi), the requesting student's GPA and previous and future course selection, and other factors relevant at the time a student is making the request for additional credit. The decision to grant such permission lies in the sole discretion of the Faculty Supervisor.
- (C) No student may enroll in more than nine credit hours per semester in a Semester Away Externship. No student may enroll in a

Semester Away Externship and any other Field Placement in a single semester except with the written permission of all of the involved Faculty Supervisors. A student may obtain academic credit for no more than one Semester Away Externship while pursuing the J.D. degree.

- (D) Students may not use Independent Research and Writing credit to extend participation in Field Placements beyond what is permitted by this rule.
- (v) Pay and Credit. No student shall receive academic credit for participation in a Field Placement for which the student receives compensation. This does not prohibit reimbursement of reasonable out-of-pocket expenses related to the Field Placement consistent with ABA Standard 305, Interpretation 305-3.
- (vi) Enrollment Limitations. Enrollment in any of the Field Placements may be limited as necessary by the Faculty Supervisor to ensure adequate student supervision by faculty and other supervisors.

## **2. Law Journal/Journal of Legal Medicine [amended 4/19/11]**

- (a) Faculty Advisor. The Dean shall assign a member of the SIU School of Law Faculty to advise the Law Journal and another member of the School of Law Faculty to advise the Journal of Legal Medicine.
- (b) Operating Rules. The respective Boards of Editors of each journal shall adopt operating rules that set out the requirements for academic credit as required by subsection (c) below. In addition to these rules, the Boards may adopt whatever other operating rules they deem necessary to govern the operations of their respective organizations in matters not otherwise addressed in this section. The operating rules, and any changes to them, require the approval of the Faculty Advisor.
- (c) Requirements for Academic Credit. The respective operating rules of the Law Journal and Journal of Legal Medicine shall specify the assigned work and criteria for determining its satisfactory completion necessary in order to receive academic credit.
- (d) Academic Credit for Second-Year Students. Second-year students will receive one hour academic credit per semester for satisfactory completion of the assigned work. A student who fails to complete satisfactorily the assigned work will be withdrawn from Law Journal or Journal of Legal Medicine, and will receive no academic credit.
- (e) Academic Credit for Third-Year Students. Third-year students will receive two



hours academic credit per semester for satisfactory completion of the assigned work. A third-year student who fails to complete satisfactorily the assigned work in a semester will receive no academic credit.

- (f) Maximum Academic Credit. A maximum of six credit hours toward the ninety-hour requirement is permitted for Law Journal or Journal of Legal Medicine.

### 3. **Writing Across the Curriculum**

- (a) Purpose. Lawyers in every type of practice must express their legal analysis in a wide variety of written forms. The skill is best acquired in an environment that provides not only multiple opportunities in which it may be used and practiced, but also substantial constructive comment on its execution. The requirements of the Writing Across the Curriculum program are designed to establish such an environment by ensuring that appropriate opportunities to use and assess this skill are provided in every course in the curriculum.
- (b) Satisfaction. With the exception of the Legal Clinic and Field Placement courses and courses satisfying the Senior Writing Requirement, every course offered in the School of Law shall provide at least one substantial writing exercise for which the student receives timely and effective feedback as explained more fully below. The instructor may require the writing exercise to be drafted by each student individually or by students working in groups. [amended 4/19/11]
  - (i) Types of Writing Exercises. The writing exercise required under this rule may include, but is not limited to: (1) legal memoranda; (2) trial briefs or notebooks or appellate briefs; (3) client letters; (4) opinion letters; (5) contracts or contracts clauses; (6) documents specific to the areas of practice covered by the course (e.g., wills, patent applications, leases, etc.); (7) legislation; (8) administrative regulations; (9) mediation summaries; (10) pleadings; (11) investigation plans; (12) discovery documents; (13) motions and briefs in support of motions; (14) closing arguments; (15) jury instructions; (16) judicial opinions; (17) case notes or comments; (18) essay-type mid-term or practice examinations; (19) Multistate Performance Test-type exercises; and (20) essays on legal topics relevant to the areas of practice covered by the course. A final examination in a course does not satisfy the requirements of this rule.
  - (ii) Evaluating the Exercise. The writing exercise required under this rule may be a graded or ungraded component of the course.
  - (iii) Feedback. The instructor shall provide timely and effective feedback on the writing exercise.
    - (A) Content of Feedback. In addition to commenting on the substantive content of the writing exercise, the instructor's feedback may

address the following matters, as applicable: (1) clarity of expression; (2) organizational scheme; (3) depth and quality of research; (4) format and other technical requirements for the particular type of document, such as headings, sections, word limit, signatures, etc.; (5) general writing mechanics, such as grammar, punctuation, and spelling; (6) placement and formats of legal citation; and (7) writing style and tone appropriate for the particular type of document.

(B) Form of Feedback. The instructor shall provide feedback in a form consistent with the size of the class and the nature and complexity of the writing exercise. Feedback may take the form of: (1) individual written comments on each written submission; (2) sample documents or answers; (3) students exchanging and critiquing each other's work; (4) leading class discussions on the components of an appropriate written submission; (5) individual conferences with students; and/or (6) any other effective method of feedback.

(iv) Timing. The writing exercise shall be completed and feedback provided to the students at a time sufficient to allow students to benefit from the feedback.

(c) Reporting. In order to evaluate the effectiveness of this rule in satisfying the purpose stated above: (1) student evaluations for the course shall provide an opportunity to comment on the assignment; and (2) the instructor's annual achievement reports to the Dean shall include a description of the writing assignments and feedback given in each course. [amended 10/20/09; renumbered 4/19/11]

#### **4. Advanced Appellate Moot Court and Mock Trial** [amended 12/5/07]

(a) Scope. All participation by SIU students in interschool appellate moot court and mock trial competitions shall be governed by these rules. Students are prohibited from competing in trial and appellate competitions unless all participants are members of either the Appellate Moot Court or Mock Trial boards.

(b) Appellate Moot Court

(i) Make-up of the Appellate Board. The Appellate Moot Court Board ("Appellate Board") shall consist of a maximum number of 24 students, selected as set forth in the Operating Rules Governing Appellate Moot Court. Students with at least 30 hours of credit who are enrolled in or who have completed the Advanced Appellate Advocacy course are eligible for Appellate Board membership.

- (ii) Faculty Advisor. The Dean shall assign a member of the SIU School of Law Faculty to advise the Appellate Board. The Faculty Advisor shall make the selection of which students are invited to join the Appellate Board. As a general rule, the Faculty Advisor shall be assigned to teach the Advanced Appellate Advocacy course.
  - (iii) Academic Credit. Appellate Board students may receive academic credit for participation on the Appellate Board, which shall be administered by the Faculty Advisor as the instructor for an Advanced Appellate Moot Court course. In order to receive academic credit, all Appellate Board members are required to participate in at least one interschool competition as well as perform intraschool administrative hours as required by the Faculty Advisor. In any semester in which a student both participates in an interschool competition and performs the administrative hours required by the Faculty Advisor, that student shall receive two hours of S/U credit. In any semester in which a student does not compete in at least one interschool competition, that student may receive one hour of S/U credit if that student satisfactorily completes the administrative hours required by the Faculty Advisor, which in this circumstance will not be less than twenty total hours. No student may earn more than six total hours of credit for membership on the Appellate Board or more than one total credit hour for performance only of administrative hours.
  - (iv) Minimum Grade Point Average. Membership on the Appellate Board requires a cumulative GPA of at least 2.6, both at the time of assuming initial Board membership and at all times during Board membership. Any Appellate Board member whose cumulative GPA falls below 2.6 shall be dropped from Board membership. [amended 4/15/08]
  - (v) Operating Rules. The Appellate Board shall adopt whatever operating rules it deems necessary to govern the operation of Appellate Moot Court in matters not otherwise addressed in this section. These operating rules require the approval of the Faculty Advisor.
- (c) Mock Trial Board.
- (i) Make-up of the Mock Trial Board. The Mock Trial Board (“Mock Trial Board”) shall consist of a maximum number of eight students, selected as set forth in the Operating Rules Governing Mock Trial. Students who are enrolled in or who have successfully completed Trial Advocacy and Evidence are eligible for Mock Trial Board membership.
  - (ii) Faculty Advisor. The Dean shall assign a member of the SIU School of Law Faculty to advise the Mock Trial Board. The Faculty Advisor shall make the selection of which students are invited to join the Mock Trial Board.

- (iii) Academic Credit. Mock Trial Board students may receive academic credit for participation on the Board, which shall be administered by the Faculty Advisor as the instructor for an Advanced Mock Trial course. To receive academic credit, all Mock Trial Board members are required to participate in at least one interschool competition as well as perform intraschool administrative hours as required by the Faculty Advisor. In any semester in which a student both participates in an interschool competition and performs the administrative hours required by the Faculty Advisor, that student shall receive two hours of S/U credit. No student may earn more than six hours of credit total for service on the Mock Trial Board. [amended 2/22/11]
- (iv) Minimum Grade Point Average. Membership on the Mock Trial Board requires a cumulative GPA of at least 2.6, both at the time of assuming initial Board membership and at all times during Board membership. Any Mock Trial Board member whose cumulative GPA falls below 2.6 shall be dropped from Board membership. [amended 4/15/08]
- (v) Operating Rules. The Mock Trial Board shall adopt whatever operating rules it deems necessary to govern the operation of Mock Trial in matters not otherwise addressed in this section. These operating rules require the approval of the Faculty Advisor.
- (d) Dual Participation. No law student may receive academic credit for both Advanced Appellate Moot Court and Advanced Mock Trial in the same semester.

## 5. Senior Writing Requirement

- (a) Purpose. The purpose of the Senior Writing Requirement is to further refine students' skills in legal research, legal writing, and legal analysis in a course that requires substantial legal research and an advanced legal writing project involving significant, sophisticated legal analysis and legal research.
- (b) Satisfaction. The Senior Writing Requirement may be satisfied in any one of the following ways:
  - (i) Senior Writing Seminar. *Satisfactory completion of a designated Senior Writing Seminar which requires the production of a paper or papers totaling a minimum of 7500 words in length, which must involve substantial research and analysis of one or more complex legal issues. The seminar shall include significant writing instruction.*

*Faculty supervision of the student writing shall include individual formative and summative assessments, which should include at least one opportunity for students to have an individual conference with the instructor to discuss their work product and then rewrite that work product.*[amended 5/1/17]

- (ii) Designated Elective Course. Satisfactory completion of an elective course of at least 3 credit hours offered at the School of Law designated, as provided in (c) below, as meeting the Senior Writing Requirement. [amended 4/19/11]
  - (iii) Law Journal/Journal of Legal Medicine. Satisfactory completion of two semesters (or in the case of a student graduating in December, one semester) as a member of the Law Journal Board of Editors or the Journal of Legal Medicine Commentaries Board of Editors may be used to fulfill the senior writing requirement. Satisfactory completion will be contingent on certification by the Faculty Advisors of the respective Boards that the student has met the research and writing standards set forth under Rule IV.5(a). [moved and amended former IV.2(d), 4/19/11]
  - (iv) Advanced Appellate Moot Court. Satisfactory completion of at least five hours of Advanced Appellate Moot Court. Satisfactory completion will be contingent on certification by the Appellate Moot Court Board Faculty Advisor that the student has met the research and writing standard set forth under Rule IV.5(a). [amended 5/2005; 12/5/07]
- (c) Course Designation. *Upon the written request of a faculty member, the Associate Dean may designate an elective course (of at least 3 credit hours) as meeting the Senior Writing Requirement. Such a designation requires a determination by the Associate Dean on an annual basis that the course involves significant writing instruction and assignment(s) that meet the standards for paper length and assessment as set out in Rule IV.5(b) . Examples of courses that may be so designated include, but are not limited to, advanced appellate advocacy, statutory or regulatory drafting, and transactional drafting.* [amended 4/19/11;

5/1/17]

(d) Miscellaneous

- (i) *All Senior Writing Seminars and elective courses designated under this rule as meeting the Senior Writing Requirement shall meet on a regular basis to focus on either the substantive law or the specific skills to be taught or both, with the opportunity to forgo up to four weeks of class meetings for intensive research, writing, and individual conferences on writing projects. Writing shall be a focal point of what is taught. The writing experience shall be substantial in nature and shall be essentially the independent work of one student. The Associate Dean shall annually review whether Senior Writing Seminars comply with the requirements set forth in these rules. [amended 4/19/11; 5/1/17]*
- (ii) *The maximum enrollment in a Senior Writing Seminar or in an elective course designated as meeting the Senior Writing Requirement shall be set by the faculty member in consultation with the Associate Dean, taking into account the nature of the substantive material and skills taught, as well as overall staffing needs. In no event shall the maximum enrollment be set at less than 12. In instances where enrollment is limited, priority will be given to senior law students. In all instances where enrollment exceeds 12, the provisions of Rule III.1(b) shall apply. Except in extraordinary circumstances recognized by the administration, no Senior Writing seminar will proceed if fewer than six students enroll in the seminar. [amended 5/2004; 4/19/11]*
- (iii) *Any student who has completed at least 31 semester hours and received a passing grade in both Lawyering Skills I and Lawyering Skills II (or their equivalent, in the case of transfer students) may register for a Senior Writing Seminar, provided that (a) no person may take more than one Senior Writing Seminar each semester; (b) no person*

*may take more than three Senior Writing Seminars during law school; and (c) enrollment priority in all Senior Writing Seminars shall be as follows (1) third-year students who have not fulfilled the Senior Writing Requirement; (2) second-year students who have not fulfilled the Senior Writing Requirement; (3) persons taking a second Senior Writing Seminar; and (4) persons taking a third Senior Writing Seminar. [amended 1/2006; 4/19/11; 5/1/17]*

- (iv) A student may, with the permission of the faculty member, take a Senior Writing Seminar or elective course designated as meeting the Senior Writing Requirement for academic credit alone and not for purposes of satisfying the Senior Writing Requirement, but only if that would not entail denying another student enrollment in the course if such other student is enrolling in the course for the purpose of satisfying the Senior Writing Requirement.

## **6. Academic Advising (Experiential Education) Menu Courses [added 4/18/14]**

- (a) Purpose. The purpose of the Academic Advising (Experiential Education) Menu is to ensure that each student fulfills the minimum for experiential courses as required by ABA Standard 303(a)(3) and also receives substantial upper level instruction in professional skills generally regarded as necessary for effective and responsible participation in the legal profession, as required by ABA Standards 302(b) and (d).
- (b) Required Credit Hours. Every student must, by the time of graduation, have completed at least six credit hours of courses designated as Experiential Education Courses, in order to comply with the Academic Advising (Experiential Education) Menu.
- (c) Standards.
  - (i) Experiential Education Courses. To be designated an “Experiential Education Course,” the course must be a simulation course, a Legal Clinic (as defined in IV.1(a)(i)), or a Field Placement (as defined in IV.1(b)(i)). As defined by ABA Standard 304(a), a simulation course provides substantial experience not involving actual clients that is reasonably similar to the experience of a lawyer advising or representing a client or engaging in other lawyering tasks in a set of facts and circumstances devised or adopted by a faculty member, and includes:

- (A) direct supervision of the student's performance by the faculty member;
  - (B) multiple opportunities for performance, feed-back from a faculty member, and self-evaluation; and
  - (C) a classroom instructional component.
- (ii) Professional Skills Instruction. A majority of the course work in Experiential Education Courses must involve instruction in and graded or ungraded assessment of one or more of the following skills: trial and appellate advocacy; alternative methods of dispute resolution; counseling, interviewing; negotiating; problem solving; factual investigation; organization and management of legal work; transactional drafting; legal research; collaboration; cultural competency; self-evaluation; or other skills that satisfy ABA Standard 302(b) and (d). The phrase "ungraded assessment" means any exercise or task done by a student for which the professor does not assign a numeric grade but does provide some type of oral or written feedback.
- (d) Course Designation. Upon the written request of a faculty member, the Director of Experiential Learning may designate a course as an Experiential Education Course. Such a designation requires a determination by the Director each semester the course is taught that the course satisfies the standard of paragraphs (c)(i) and (c)(ii) above. The faculty member requesting the designation must provide the Director sufficient information that the Director can determine (1) how the requisite skills are instructed; the amount of class time spent on that instruction, including simulation exercises; and the form of feedback; and (2) what percentage of assessment is attributable to the skills that are instructed. If the Associate Dean designates a course as meeting the Senior Writing Requirement under Rule IV.5, however, that course may not be designated as an Experiential Education Course under this provision.
- (e) Temporary rule applicable to students who matriculated prior to August 15, 2014. Students who matriculated in the Law School prior to August 15, 2014, are not required to comply with Standard 303(a)(3) in the revised ABA Standards, but must complete six credit hours of Experiential Education Courses under the Academic Advising (Experiential Education) Menu. For these students, courses on the Academic Advising (Skills) Menu at the time of the passage of this rule, as well as any courses that are certified by the Director of Experiential Education as meeting the requirements of IV.6(c), may be used to fulfill the Experiential Education Courses requirement.

**7. Non-School of Law Courses at SIUC and SIUE [amended 5/11/10; 4/19/11]**



- (a) Credit Allowed (Graduate Classes). Up to six hours of academic credit for course work taken in the Graduate School at SIUC or SIUE may be applied, with permission of the Associate Dean, toward the number of hours required for the J.D. degree, except that students in concurrent degree programs may apply up to nine hours. The nine credit hours under the concurrent degree programs are determined as a part of the respective concurrent degree programs. A student must earn a grade of B or better in such work for School of Law credit to be given, but this letter grade is not used to compute the student's law school GPA.
- (b) Credit Allowed (Undergraduate Classes). Law credit may be allowed for an undergraduate course at SIUC or SIUE in lieu of a Graduate School course only if a suitable graduate level course is not available and there is a clearly demonstrated relationship between the undergraduate course and the student's law school work. The advice and recommendation of a law professor to whose field of endeavor the course relates is required. As with Graduate School courses, a student must earn a grade of B or better for School of Law credit to be given, and this letter grade is not used to compute the student's law school GPA.
- (c) Guidelines Determining Approval. The following guidelines are to be used by the Associate Dean in determining which non-School of Law courses taken at SIUC or SIUE may be approved toward the J.D. degree. Such courses:
  - (i) must require either a regularly scheduled written final examination or the production of a research paper;
  - (ii) must have a classroom or laboratory component during a substantial part of the semester;
  - (iii) must be offered for graded credit as the norm rather than for Pass/Fail or Satisfactory/Unsatisfactory;
  - (iv) may not offer essentially the same material as is available to the student in a law school course;
  - (v) may not constitute essentially a repetition of subject matter contained in a course the student has previously taken in undergraduate, graduate or law study; and
  - (vi) must advance the legal education of the student.

## **8. Independent Research and Writing [amended 4/19/11]**

- (a) Supervision, Proposal, Credit Hours and Approval. A student desiring to enroll for this course must find a full-time law faculty member to supervise the project and the student must present a written proposal to the Associate Dean which sets forth the project scope, the proposed credit hours, and which includes the faculty

supervisor's approval. This proposal must be approved by the Associate Dean before the student will be permitted to register for the course. The project cannot be approved when the student could conduct the project through a regularly offered law school course or Senior Writing Seminar. Any credit earned for such a project must be credited toward the six credit hours of graduate course work allowed to a student under Rule IV.7(a). A student must have completed 44 credit hours in law school to be eligible for the course. All approvals must be obtained before the semester begins. No faculty member is required to supervise any independent research and writing project and a faculty member shall not supervise more than two independent research and writing projects per semester.

**9. Eligibility for Law Journal, Journal of Legal Medicine, Independent Research, and Non-School of Law Courses**

No student shall be eligible to enroll for academic credit in Law Journal, Journal of Legal Medicine, Independent Research and Writing, or non-School of Law courses unless such student shall have a cumulative GPA of at least 2.6 at the beginning of the semester in which the student is enrolled in such class.[amended 4/15/08; 4/19/11]

**10. Course Selection—Consultation with Associate Dean**

Any second- or third-year student with a cumulative GPA of less than 2.4 shall review with the Associate Dean, before registering for courses, the student's proposed selection of courses. [amended 4/15/08; 4/19/11]

**11. Participation in Concurrent Degree Programs—Consultation with Associate Dean**

Except for the JD/MD program, which requires concurrent admission to both law school and medical school, students who wish to participate in a concurrent degree program while enrolled in law school must obtain the approval of the Associate Dean prior to matriculating in the non-law program. The Associate Dean has the discretion to allow or disallow a student's participation in the desired program based upon a review of the student's pre-law academic performance and the student's performance in law school. [amended 4/19/11]

**12. *Limits on Legal Globalization and Comparative Law Courses*** [added 5/1/17]

*A law student may only count the credits from one Legal Globalization and Comparative Law Course or other study abroad course or program towards the student's required credit hours for graduation, unless the student obtains approval from the Associate Dean to take a second such course or program. Factors to be considered when granting permission to take a*

*second Legal Globalization course shall include, but not be limited to: the requesting student's GPA, previous and future course selection, and other factors relevant to academic success and bar preparation at the time a student is making the request for an additional Legal Globalization course. In no circumstances will a student be allowed to take more than two Legal Globalization or other study abroad experiences during law school.*

### **13. General Policy on Credit Hours** [added 5/1/17]

The American Bar Association and Department of Education require that schools of law adopt, publish, and enforce written policies on the determination of credit hours. The ABA defines a "credit hour" as an "amount of work that reasonably approximates" one hour of classroom instruction per week for 15 weeks plus two hours of out-of-class work for the same period "or the equivalent amount of work over a different amount of time." Since the 15-week period may include one week for a final exam, the ABA/DOE rule contemplates 14 weeks of class meetings, consistent with the School of Law's academic calendar.

(a) Definition of a Credit Hour. A "credit hour" is an amount of work that reasonably approximates:

(1) not less than

- (i) one 50-minute hour of classroom or direct faculty instruction, and
- (ii) two (60-minute) hours of out-of-class student work

per week for fifteen weeks, or the equivalent amount of work over a different amount of time for a total of 42.5 hours per credit hour. In a class with a final exam, the exam week can be counted as one of the fifteen weeks; or

(2) an equivalent amount of work as required in subparagraph (1) of this definition for other academic activities as established by the School of Law, including

- (i) simulation activities,
- (ii) field placements,
- (iii) clinical activities,
- (iv) co-curricular activities, and
- (v) other academic work leading to the award of credit hours, including law journal.

(b) Credit Hour Policy Compliance

(1) Prior to each semester, each faculty member shall review these rules and ensure, based on review of their syllabus and other course materials, that each course he or she will

teach is in compliance with the requirements ABA Standard 310, as described above.

(2) After review pursuant to subparagraph (1) of this section, each faculty member shall complete and transmit to the Associate Dean for Academic Affairs a completed certification form. The certification form shall be provided to faculty by the Associate Dean for Academic Affairs prior to the start of each semester and include, at least, the following: (a) a certification that the faculty member has complied with this rule and that each course he or she will teach during the semester complies with the requirements of ABA Standard 310, (b) a concise, yet complete, narrative explanation of how and why the course complies with ABA Standard 310, (c) copies of the relevant course syllabi, and (d) copies of any draft reading or assignment schedules for the relevant courses, if available at that time.

14. **Academic Honors Program** [added 5/9/18]

(a) Continuing eligibility after Admission into the Program

(1) After Two Full Semesters: At the end of two full semesters, students admitted into the Academic Honors Program under Rule II.7(a) are eligible to remain in the Academic Honors Program if their cumulative GPA is a 3.5 or higher. Students admitted to the Academic Honors Program under that Rule who fail to attain a cumulative 3.5 or higher after two full semesters are no longer eligible to be in the Academic Honors Program but may return after completing their fourth full semester if their cumulative GPA is, at that point, 3.5 or higher. The Associate Dean or designee will be responsible for communicating with students about any change in their eligibility for the program.

(2) After Four Full Semesters: At the end of four full semesters, students who were either admitted to the Academic Honors Program under Rule II.7(a) or joined the program under Rule II.7(b) are eligible to remain in the Academic Honors Program if their cumulative GPA is 3.5 or higher. Students who were in the Academic Honors Program and fail to maintain a cumulative GPA of 3.5 or higher after four full semesters are no longer eligible to be in the Academic Honors Program and may not return to it in the future. The Associate Dean or designee will be responsible for communicating with students about any change in their eligibility for the program.

(b) Early Registration for Courses

Each semester that a student is in the Academic Honors Program, the student will be entitled to early registration for courses as set by the Registrar.

(c) Requirements to Receive Academic Honors Designation

At graduation, a student who meets the following three requirements will be entitled to have an honors designation on the student's transcript.

- (1) The student must have a cumulative GPA of 3.5 or higher.
- (2) The student must (i) complete two full semesters as a member of the SIU Law Journal followed by two full semesters as an editor of the Law Journal, or (ii) be selected for and compete on the SIU Moot Court or Trial Team for four full semesters, or (iii) complete a minimum of five credit hours in a public interest externship or in a law school clinic.
- (3) The student must complete a capstone honors project.
  - (i) The capstone honors project must be a substantial, primarily self-directed undertaking that relates to legal study or practice and that has a defined end result or work product by which completion of the project can be assessed. Examples of qualifying projects could include independent study projects, substantial *pro bono* legal projects, or significant practical legal skills training projects that produce a significant legal academic writing, a community resource program or guide related to the law, or a substantially equivalent end product. The scope of the capstone project and the proposed end product must be approved by the Associate Dean or designee prior to the student beginning the capstone project. Each capstone project must be supervised by a volunteer faculty advisor or attorney designated by the Associate Dean or his/her designee. Securing an advisor will be one of the student's requirements to complete the project. No faculty member will be required to advise a student on a project.
  - (ii) The student must register for the capstone project course in the fall or in the spring semester of the student's third year. Upon completion of the capstone project, a student will receive one hour of S/U credit.
  - (iii) To earn the one credit hour, students must work on the capstone project no fewer than the minimum number of hours required by the then-current ABA definition of a credit hour (as of May 2018, 42.5 hours of work). Students are required to track the time spent on their project and maintain sufficient records to show compliance with the ABA standard.
  - (iv) All students in the Academic Honors Program must give a presentation about their projects at an annual capstone project forum held at the law school or an equivalent public speaking opportunity approved by the Associate Dean or designee.

(d) Program Assistance

The Associate Dean will ask for one or more faculty volunteer(s) to assist students in identifying appropriate capstone projects and advisors to help keep track of the progress of Honors Program students as to the requirements for receiving the honors designation, especially paragraphs (c)(2) and (c)(3) above.

(e) A student who performs pro bono legal work to satisfy any requirements of this Honors Program is not allowed to count those pro bono hours towards the 35-hour pro bono graduation requirement of Rule III.5(c)(ix). The student must accumulate enough hours to separately fulfill both the graduation requirement and the Honors Program requirements.

(f) All students must comply with the rules and expectations of the Honors Program as established by the Associate Dean or designee to continue in the program and to receive program benefits.

**ARTICLE V - STUDENT AFFAIRS**

[amended 2/22/11; amended and renumbered 12/2/11]

**1. Copy of Rules and Honor Code**

The Associate Dean shall make available at a readily accessible location, such as the Law School website, a copy of the current School of Law rules, as well as the School of Law Honor Code.

**2. Information on Students**

The School of Law will comply with all federal and state laws and SIUC policies regarding the release of student educational records, including but not limited to the SIUC Policy on the Release of Student Information and Access to Student Records.

**3. Student Employment**

A student may not be employed (for pay or as a volunteer) more than 20 hours per week in any week in which the student is enrolled in more than 12 class hours. The Associate Dean shall require a student who undertakes more than 20 hours of employment to reduce their course load to 12 class hours or less, qualify as a part-time student, or withdraw. [amended 10/20/09]

**4. Student Complaints Concerning the Program of Legal Education [added 12/2/11]**

(a) The School of Law is accredited by the American Bar Association, which issues Standards for the Approval of Law Schools. Any student who wishes to allege a significant problem that directly implicates the School of Law's program of legal education and compliance with the ABA's Accreditation Standards should file a

written complaint with the Associate Dean.

- (b) The written complaint filed pursuant to (a) must identify the behavior, program, process, or other matter that is the subject of the complaint and should explain how the matter implicates the School of Law's program of legal education and its compliance with a specific, identified ABA Standard(s) in sufficient detail to permit the Associate Dean to investigate the matter. The complaint must include the student's contact information, including name, home and email addresses, and phone number.
- (c) Within three weeks after the written statement is received by the Associate Dean, the Associate Dean shall advise the student in writing of any action the School of Law is taking to address the matter or any further investigation into the matter.
- (d) Within ten days of being advised of any action the School of Law is taking to address the matter, the student may appeal that decision to the Dean. The decision of the Dean shall be final.
- (e) A copy of the complaint and a summary of the process and resolution of the complaint shall be kept in the office of the Dean until the next ABA Sabbatical Site Evaluation.

## **5. General Grievance Procedure for Students [amended 12/2/11]**

Except for cases governed by specific grievance procedures, such as grade grievances under Rule III.3(g) and complaints regarding the program of education under Rule V.4, the School of Law Honor Code, the SIUC Student Conduct Code, and any other University policies generally applicable to law students, the following general grievance procedures shall be abided by:

- (a) Student Bar Association. Initially, students with any grievance relating to the School of Law of whatever nature may, at their option take such a grievance to the governing board of the Student Bar Association so that organization may attempt to effectuate an informal resolution of the grievance.
- (b) Associate Dean. Should such an informal resolution fail, or should the student elect not to consult the Student Bar Association, then the student shall present the grievance to the Associate Dean for decision.
- (c) Dean/Committee. The student, as of right, may appeal the decision of the Associate Dean, to the Dean, who may, at his or her option, appoint an ad hoc committee to advise him/her or refer the matter to a standing committee, as appropriate.
- (d) Faculty. The student may appeal the decision of the Dean to the full faculty who shall serve as the ultimate arbiters of the matter.

- (e) Formal Complaint. At no stage in this general grievance procedure will the student be required to file a formal complaint or petition unless such a complaint or petition is requested by the Associate Dean, Dean, committee or full faculty.

**6. Accommodations for Students with English as a Second Language**

The Director of Student Affairs (or individual holding similar duties) or any faculty member may identify a student who appears to be in need of further assistance with English as a non-native language and request that the Associate Dean refer that student, if needed, to the SIU Center for English as a Second Language (CESL) for evaluation. If, as a result of this evaluation, recommendations are made for remedial steps, the Associate Dean shall offer such accommodations, if feasible, to the student, who may agree to them on a voluntary basis. A student who chooses not to participate either in the evaluations or in the remedial steps offered by the Associate Dean will not receive any accommodation from the School of Law based upon that student's oral or written English skills.

**7. Accommodations for Students with Disabilities**

The Law School will make reasonable accommodations for students with disabilities. A student seeking such accommodation must make a timely application to the Associate Dean in accordance with the Southern Illinois University School of Law Policy Concerning Applicants and Students with Disabilities. Under that policy, a student will be required to submit appropriate documentation of the disability sufficient to allow the Associate Dean to determine the reasonableness of the accommodation requested.

**8. Federal Financial Aid Eligibility: Satisfactory Progress Preamble**

The Department of Education requires that, in order for our students to be eligible for Title IV student financial aid, the School of Law establish and apply reasonable standards for measuring whether students are maintaining "satisfactory progress." This rule is promulgated in order to meet that requirement.

- (a) Satisfactory Progress. In compliance with Rule III.5(d), all requirements for the J.D. degree must be completed within six years from the time of a law student's first registration. If a student adheres to the time tables below, he/she will be deemed to be maintaining satisfactory progress:

Academic Year

Credit hours successfully completed

C  
o  
m  
p  
l  
e



	<u>Full-time</u>	<u>Part-time</u>
1	14	10
2	30	20
3	45	32
4	60	51
5	75	70
6	90	90

- (b) Successful Completion of Course. A minimum grade of “pass” or 1.8 for students matriculating or taking first-year courses on or after August 2017 or 1.3 for students matriculating on or before August 2016 is required for successful completion of a course. Where a course is allowed or required to be repeated, only the repeated course shall be counted toward credit hours successfully completed.

Incompletes and withdrawals do not count toward credit hours successfully completed. [amended 4/15/08; 5/1/17]

- (c) Notice of Failure to Make Satisfactory Progress. After all spring semester grades have been received, the Registrar of the School of Law shall report to the Financial Aid Office the names of all students who were enrolled at any time during that academic year and who are not maintaining satisfactory progress. The Registrar shall also give written notice to any student who completed the spring semester and failed to maintain satisfactory progress, except that no separate notification is required for a student who is otherwise given written notice of dismissal.
- (d) Appeal. Any student who has not maintained satisfactory progress shall have an opportunity to appeal in writing, explaining any mitigating circumstances. The appeal shall be submitted to the Dean or designee no more than thirty days after the Registrar mails the notice specified in section (c) above.
- (e) Decision on Appeal and Reinstatement. The Dean or designee shall review the mitigating circumstances documented in the appeal and render a written decision within twenty days after receipt of the appeal. If the appeal is granted, the Dean or designee shall notify the Financial Aid Office that the student's eligibility to receive Title IV student financial aid should be reinstated. If the appeal is denied, the student's eligibility to receive Title IV student financial aid will be reinstated when he/she has attained the level of satisfactory progress specified in the time tables in section (a) above.

**9. Emails from the School** [added 12/10/13]

All SIU School of Law students are responsible for checking their Southern Illinois University (SIU) student email account (i.e., \_\_\_@siu.edu) on a frequent and consistent basis. All official announcements and communications sent by email by the School of Law to students will be sent to the SIU student email address. Students have the responsibility to recognize that certain communications may be time-critical. Each student is required to read and respond, as appropriate, to all SIU messages sent to their SIU student email address. This rule does not restrict the ability of instructors to establish email or other communication policies for a particular class.

**ARTICLE VI - SCHOOL OF LAW GOVERNANCE**

**1. Dean and School of Law Faculty** [amended 2/16/10]

The Dean and faculty members shall have the responsibility for formulating and administering the program of the law school. The primary channels for formulating and expressing their decisions on the program of the law school are through deliberating and voting in faculty meetings and through committee work and reports.

**2. Attendance, Participation, and Voting at Faculty Meetings** [amended 2/16/10]

- (a) Attendance and Participation. Except as otherwise provided in section VI.2(b), all faculty members, administrative/professional staff of the law school, and the SBA President (or the President's designee) may attend and participate in faculty meetings.
- (b) Limitations on Attendance and Participation. Only faculty members eligible to vote under section VI.2(c) may be present and participate during discussion involving personnel matters, confidential student matters, or any other matter designated by the chair as confidential, unless the chair of the meeting determines that other faculty members or administrative/professional staff have information of particular relevance to the personnel or confidential matter to be discussed.
- (c) Voting. Except as otherwise provided in sections VI.2(c)(i)–(iii), all faculty members may vote on all issues at faculty meetings.
  - (i) Visiting and adjunct faculty members, cross-appointed faculty members whose primary work responsibilities are in another unit within the University, and retired faculty members who do not continue to teach a course or courses at the law school may not vote on any matter.
  - (ii) Only tenured and tenure-track faculty members in the School of Law may vote on appointments of tenure-track faculty in the School of Law.
  - (iii) Voting rights concerning promotion and tenure in the School of Law and the School of Law Library are determined by the documents governing promotion and tenure in the School of Law and the School of Law Library. Voting rights concerning promotion of Clinical Faculty and Lawyering Skills Faculty are determined by the documents governing promotion applicable specifically to those faculty.

The chair shall determine the manner of casting votes, except that voting shall be by secret ballot when so requested by any faculty member eligible to vote on the matter. Proxy or absentee voting is not allowed, except on matters involving promotion and/or tenure, where faculty members eligible to vote may submit written absentee ballots.

### **3. Calling Faculty Meetings [amended 2/16/10]**

Faculty meetings may be called by: (a) the Dean or the Dean's designee; or (b) any three members of the faculty, with notice to the Dean. Other than in emergencies, the person(s) calling the faculty meeting shall give at least 24 hours written notice to persons eligible to attend of the time, place, and agenda of the meeting, including identifying matters on the agenda that are confidential. If the meeting is not called by the Dean or the Dean's designee, the notice shall also include the names of the faculty members calling the meeting.

#### 4. **Procedures** [added 2/16/10]

The Dean (or the Dean's designee) shall chair faculty meetings. Meetings shall be conducted using the longstanding "motion, second, discussion, vote-on-the-motion" procedure, loosely based on Robert's Rules of Order, which shall not be technically binding, but may be consulted as advisory if necessary. Motions from a committee do not need a second.

#### 5. **Committees** [amended 2/16/10]

- (a) Appointments, Termination, Membership, and Voting Rights. The Dean shall create committees, and appoint the members thereof, with the approval of the faculty obtained at a faculty meeting. Absent unusual circumstances, committee appointments are effective for an academic year and shall be made prior to the conclusion of the spring semester of the preceding academic year. Except as otherwise provided in paragraphs VI.5(b) and VI.5(c):
  - (i) The Dean may terminate or re-constitute any committee with the approval of the faculty obtained at a faculty meeting.
  - (ii) Committees shall be chaired and staffed by faculty members. The Dean may appoint administrative/professional staff to committees when their expertise is valuable and may appoint law students to serve on appropriate committees from a list of students recommended by the SBA.
  - (iii) Each committee member may vote unless such committee member was appointed in an *ex officio* capacity.
- (b) Academic Standards Committee. The Academic Standards Committee shall consist of three members: two tenured law school faculty members appointed by the Dean with the approval of the faculty and one tenured law school faculty member selected by the SBA.
- (c) Faculty Evaluation Committees. Members of the Faculty Evaluation Committee, the Faculty Evaluation Committee for Law Librarians, the Clinical Faculty Evaluation Committee, and the Lawyering Skills Faculty Evaluation Committee shall be selected as provided in the documents governing promotion and tenure in the School of Law and the School of Law Library and hiring, retention, and promotion of Clinical and Lawyering Skills faculty members.