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Hoynes Code, The

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Hoynes Code

A Compilation of Faculty Resolutions and Administrative
Regulations Governing the Internal Lives of Students and
Faculty of the Notre Dame Law School.

Compiled by James E. Farrell, Jr. and
Thomas L. Shaffer of the Hoynes Bar

August 1, 1971

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May 17, 1974

Thomas L. Shaffer, Dean
Notre Dame Law School
Notre Dame, Indiana

Dear Tom:

Please refer to your May 15 letter in which you indicate that you may disapprove continued funding for our environmental programs on the grounds that they do not provide support for our students in London. I fail to see why this factor is so significant, since most of our clinical programs which carry economic benefits are available only if pursued at the home campus.

Be advised that we are now in the process of applying for renewal funds for these programs for academic year 1974-75. The total amount of this support is in excess of \$90,000, and will support 10 law students with full tuition plus a stipend. As you recall, the programs were approved by the faculty.

In fairness, if you are disposed to refuse approval of these renewal applications, I request that you convene a faculty meeting immediately to discuss this matter. Time is of the essence, since we are already two days overdue on our deadline for renewal of one of the programs.

Please advise me promptly of your intentions.

Sincerely,

Michael V. McIntire
Associate Professor of Law

MVM/ae

Article I. Introduction

Sec. 1.1. Purpose of the Code. This Code was compiled to afford ready access and convenient updating to those responsible for legal education at the University of Notre Dame.

Sec. 1.2. Copies. The Code is originally prepared in five copies, two in the reserve section of the Law Library, and one each in the Dean's Office, the Assistant Dean's Office, and the Law School Administrator's Office.

Sec. 1.3. Updating. The Code as originally compiled is as of August 1, 1971. The copy of the Code in the Dean's Office will be updated monthly. Other copies will be updated no less often than twice a year.

Sec. 1.4. Sources. Sources are indicated at the end of each section or series of sections, abbreviated as follows:

A.A.L.S. - Association of American Law Schools, Articles of Association or Regulations of the Executive Committee.

A.C.M. - Minutes of Academic Council Meetings, University of Notre Dame.

A.R. - Administrative Regulations promulgated by the Law School Dean.

F.M. - Law School Faculty Minutes.

L.S.B. - Bulletin of Information, University of Notre Dame Law School, 1971/1972.

U.A.C. - Minutes of the Academic Council, University of Notre Dame.

U.F.M. - University of Notre Dame Faculty Manual.

S.B.A. - Resolutions and other official acts of the Notre Dame Law School Student Bar Association.

Sec. 1.5. Amendments. The Code may be amended by the Body having authority over the subject matter of the section involved.

Sec. 1.6. Exceptions. Exceptions to the Code may be granted to the body having authority to amend the section at issue. The general authority of the Dean to grant exceptions is encompassed by his responsibility for the administration, well-being, and development of the Law School, its faculty, courses of study, and diverse activities. (U.F.M., Art. II, Sec. 5.)

Sec. 1.7. Citation. The Hoynes Code is named in honor of Colonel William James Hoynes, first Dean of the Notre Dame Law School, is referred to here as "the Code," and may be cited as "H.C."

Sec. 1.8. Cross References. Cross references to other governing documents are listed in Art. X.

Sec. 1.9. Appendices. Appendices to the Code are indexed at the beginning of Article XI.

Sec. 1.9A. Organization.

Art. I.	Introduction
Art. II.	Faculty and Administration
Art. III.	Committees
Art. IV.	Degree Requirements
Art. V.	Courses
Art. VI.	Examinations
Art. VII.	Academic Performance
Art. VIII.	Financial Aid
Art. IX.	Readmission
Art. X.	Cross References
Art. XI.	Appendices

Article II. Faculty and Administration

Sec. 2.1. Faculty. The Law School Faculty is composed of those members of the Faculty approved by the Provost of the University of Notre Dame upon the recommendations of the Law School Dean and the Law School Committee on Appointments and Promotions. (Adapted from U.F.M. Art. IV, §6(a))

Sec. 2.2. Dean. The Dean of the Law School is appointed by the President of the University. When such an appointment is to be made, the Provost consults formally with all Professors and Associate Professors of the School and reports their recommendations to the President along with his own. (U.F.M., II, §5.)

Sec. 2.3. Assistant Dean. The Dean of the Law School is assisted in the duties of his Office by the Assistant Dean of the Law School, who is appointed by the President and who performs such duties and exercises such authority as may be delegated to him by the Dean. (Ibid.)

Sec. 2.4A. Law School Administrator. The Law School Administrator is appointed by the Dean to perform duties of administration delegated by the Dean. (A.R., July 1, 1971.)

Sec. 2.5. Faculty Meetings. The Law School Faculty meets at least once each semester, at a time fixed by the Dean. Additional regular or special meetings may be called at the Dean's discretion. The Dean presides as Chairman at such meetings, or he may choose to appoint a chairman or have the faculty elect a chairman in his absence. Meetings may also be called or items placed on the agenda upon the written petition of at least twenty-five percent of the Law Faculty. Suggestions for addition to the agenda may be made to the Dean at least one week in advance of the date for a Faculty Meeting. (U.F.M., Art. IV, Sec. 2.)

Sec. 2.6. Attendance at Faculty Meetings.

Sec. 2.61. The Faculty admits to voting membership only those of its members who are also members of the University's Teaching and Research Faculty. Part-time members of the Faculty attend by invitation but do not vote. Students may request attendance at Faculty meetings in order to present their position on matters of concern. Members of the professional library staff attend and participate, but do not vote in Faculty Meetings. (A.A.L.S., Articles, Art. 6, §8; U.F.M. Art. III, §1(a); A.R. July 16, 1971; Informal Ruling of the Provost, Nov. 10, 1970).

Sec. 2.62. Law students are allowed to attend Faculty meetings, except for those meetings, or portion thereof, which are for good reason closed. If a meeting, or portion thereof, is to be closed, advance notice to that effect should normally be given by the Dean. (F.M., Jan. 17, 1972.)

Sec. 2.63. Minutes of Faculty meetings are recorded and distributed to members of the Faculty who were not present at the meeting, and to other members of the Faculty who request them; and to the President, the Provost, and the Dean. (U.F.M., Art. IV, Sec. 2.)

Sec. 2.7. Student Membership on the University Academic Council. Students are added to the Academic Council for a two year period with full speaking and voting privileges. These student members will be selected annually from the following constituencies, in a manner determined by a special Committee of the Academic Council appointed for this purpose by the Chairman:

- 1) four students, one from each of the undergraduate colleges;
- 2) one student from the combined Law School and MBA Program student population;
- 3) one student from the Graduate School;
- 4) the Academic Commissioner of Student Government will be an ex officio member. (A.C.M. Sept. 21, 1970)

Sec. 2.8. Student Participation on Academic Committees and Councils of the University. Student participation should be encouraged on those academic committees and councils of the University where such participation would benefit the total community. The appropriateness, nature and extent of such participation should be studied by the committees and councils, and recommended changes should be proposed to the authority which establishes said committees and councils. Where the recommendation involves a change in the wording of the Faculty Manual such change should be considered by the Academic Council. Inter alia, committees for admissions, appointments and promotions, and for awarding scholarships and fellowships are inappropriate for student membership, but such committees may benefit from other forms or participation such as receiving student opinions of faculty teaching and the like. (A.C.M. Mar. 5, 1970.)

Sec. 2.9. Other Policies

Sec. 2.91. The Law School Placement Service is not available to employers who discriminate because of race, color, religion, national origin, or sex. "Discriminate" includes denial of equal opportunity in hiring, promotion, salary scales, or assignment. (A.A.L.S., Articles, Art. 6, Sec. 3; A.B.A.)

Sec. 2.92. The Law School Faculty reserves its right to assert jurisdiction in the first instance in disciplinary cases involving law students. (F.M., Mar. 20, 1972.) (A.R., June 25, 1974.)

Sec. 2.10. Equal Opportunity in Placement. The Law School Placement Service is not available to employers who discriminate because of race, color, religion, national origin, or sex. "Discriminate" includes denial of equal opportunity in hiring, promotion, salary scales, or assignment. (A.A.L.S., Articles, Art. 6, Sec. 3.)

Article III. Committees

Sec. 3.1. Faculty Committee on Appointments and Promotions.

Sec. 3.11. The Faculty Committee on Appointments and Promotions consists of all members of the full-time teaching staff who enjoy tenure in their positions, and who are not on leave of absence. The Dean shall be ex officio chairman. The Committee shall be formally consulted on all faculty appointments, temporary or permanent, full-time or part-time, including appointments to the professional staff of the Law Library.

Sec. 3.12. The Committee shall elect by ballot a Vice-Chairman, who shall preside in the absence of the Chairman, and shall perform such other duties as may be delegated to him by the Chairman or by the Committee.

Sec. 3.13. The Chairman shall promptly call a meeting of the Committee upon hearing of any situation that may call for appointment to the Faculty, or other exercise of the powers of the Committee.

Sec. 3.14. The Chairman may call a meeting at any other time at his discretion, and shall do so on the written request of the Vice-Chairman or any two or more other members.

Sec. 3.15. The Committee may by resolution provide for the election by ballot of not less than two nor more than four other members to assist the Vice-Chairman in the performance of any duties delegated to him pursuant to §3.12.

Sec. 3.16. A majority of the members of the Committee shall constitute a quorum.

Sec. 3.17. The Committee shall prepare a written report of its recommendations. The Chairman shall transmit this report to the Provost, together with his own recommendations.

Sec. 3.18. In case of an emergency requiring an appointment to the faculty before a meeting of the Committee can be held, the Chairman shall promptly notify the Vice-Chairman, who shall ascertain the sense of the Committee by contacting the members as far as is practicable, and shall report to the Chairman. The sense shall be submitted to the Provost in the same manner as is provided in the Faculty Manual for submitting the sense of the Committee as ascertained in a meeting.

Sec. 3.19. This provision may be amended by the Faculty of the Law School at a meeting duly called for that purpose. (F.M., Aug. 15, 1967) [Note: Sec. 3.1 was approved formally as an interpretation of the Faculty Manual, by the Vice President for Academic Affairs.]

Sec. 3.2. Other Committees. Other committees are created by the Dean, or by a majority of the Faculty, permanently or temporarily, as he or the Faculty determine a necessity for them. (U.F.M. Art. IV, Sec. 6(b).)

Sec. 3.3. Voting by students on Faculty Committees.
The Faculty authorizes student voting membership on each committee. The Faculty members of the committee shall decide, by majority vote, whether and on what business a student member shall vote, and no more than one student member shall vote. (F.M., September 28, 1968; October 4, 1971.)

HOYNE CODE LAW LIBRARY

Sec. 3.4. Attendance at Meetings of Faculty Committees.
The Faculty members of the committee shall decide, by majority vote, whether and on what business to invite one or more student members. (F.M., Sept. 28, 1968; October 4, 1971.)

(substitute page for Hoynes Code, 9/26/74)

ARTICLE IV Degree Requirements

Sec. 4.1. Credit Hours

Sec. 4.11. The minimum total credit hours required for graduation shall be 84.

Sec. 4.12. Each student shall be required to take at least 14 hours in every semester, exclusive of summer sessions, except that students in the third year shall be required to take on each semester either 14 hours or five courses totaling 12 hours or more. "Third year" in this section means students who have satisfactorily completed 56 semester hours or more. "Courses" in this section includes co-curricular activities approved under Sec. 4.13. (F.M., April 3, 1970; F.M., Feb. 25, 1971; F.M., May 8, 1972; F.M., April 24, 1973; A.R., Feb. 8, 1974; F.M., Sept. 17, 1974.)

Sec. 4.13. Academic credit, on a "pass-fail" basis, may be awarded to students participating in co-curricular activities which comply with plans which have been approved by the faculty prior to the commencement of the activity for which credit is awarded, provided that no more than 2 hours per semester be applied to the minimum semester hour requirement as provided in Section 4.12 above, and further provided that no more than 4 credit hours so earned may be applied toward the minimum credit hours required for graduation as provided in Section 4.11 above. In determining whether to approve plans pursuant to which credit will be awarded for co-curricular activities, the faculty shall consider, (1) The educational value of the activity, (2) The extent and type of supervision and direction of activity, (3) The extent and manner of periodic evaluation and review of the performance of students participating in the activity, (4) The amount of time required to earn the credit. (F.M., April 3, 1970; F.M., February 25, 1971; F.M., May 8, 1972.)

Sec. 4.14. Students who would have graduated before June 1, 1973, if this resolution has not been passed, may graduate. (F.M., May 9, 1972.) (Sec. 4.11 required 80 hours, prior to the amendments of May 8, 1972; and Sec. 4.13 read as follows: The minimum number of credit hours required during each semester of the third year shall be 10 for a student who actively participates during the entire semester, in work of the Lawyer, Moot Court, Legal Aid and Defender, or Legislative Bureau.) (F.M., April 3, 1970; F.M., February 25, 1971; A.R., March 20, 1973.)

Sec. 4.15. Implementation regulations under Sec. 4.13 are in Appendix E of this Code. (A.R., February 1973.)

Sec. 4.16. Audited courses in the Law School are permitted for law students without administrative permission; however, auditors must obtain the permission of the instructor in the course being audited. No record of audited courses will be kept by the Law School, and audited courses will not appear on transcripts. (F.M., March 20, 1973.)

Sec. 4.2. Semesters in Residence.

Sec. 4.21. In order to qualify for the juris doctor degree, a student must engage in full time law study for six semesters, or for five semesters in addition to two approved summer sessions.

Sec. 4.22. The Faculty's recommended standards respecting approval of summer sessions are: (1) that the student carry at least six semester hours of academic credit in each session, (2) that the sessions be at least five weeks in duration, and (3) that the session be conducted at a law school approved by the American Bar Association. These standards will permit two summer sessions conducted in a single summer, if the conditions stated here are met. However, no more than two summer sessions will be accepted toward the juris doctor degree, except that the Dean may waive this restriction, as to a third summer session, in cases of extreme hardship. A summer session held prior to September 1, 1974, meets these standards if the student carried at least five semester hours of academic credit in that session.

Sec. 4.23. The semesters in residence required by Sec. 4.21 must be pursued on a Notre Dame campus, except in the case of students who are transferred from another law school, in which case four semesters or three semesters and two approved summer sessions must be pursued on a Notre Dame campus.

Sec. 4.24. The semester prior to graduation must be spent on the Notre Dame campus in Indiana.

Sec. 4.25. The full semester (not including a summer session) prior to the last must be spent on the Notre Dame campus in Indiana unless the requirement of this Sec. 4.25 is waived by the Dean upon a finding that the predominant part of the student's professional preparation has been obtained on the Notre Dame campus in Indiana, and that the reasons are educationally compelling for spending the full semester prior to the last elsewhere. (F.M., Feb. 21, 1971; F.M., March 13, 1972; A.R., Feb. 8, 1974; A.R., July 1, 1974; F.M., November 12, 1974.)

Sec. 4.3. Part-Time Law Students. Students may enroll on a part-time basis, subject to the same admission requirements as students who study on a full-time basis. Students enrolling without firm plans to qualify for the J.D. degree may enroll as special students. Students who plan to qualify for the degree will be enrolled as regular students and will be subject to the requirement that they complete work on the degree within five academic years. Special students who begin a degree program within one calendar year of their first enrollment as special students will receive credit for work successfully completed as special students. This policy will not be published in the Law School bulletin. (F.M., Aug. 19, 1969.)

Sec. 4.4. Weeks and Hours. Degree requirements for the juris doctor degree include the successful completion in residence of at least ninety full weeks of work consisting of at least 1,080 class hours of at least 50 minutes each. (A.A.L.S., Regulations, Sec. 2.1.)

Sec. 4.51. Graduate School Courses. It is the policy of the Vice President for Advanced Studies that law students may enroll for three credit hours of graduate work concurrent with and in addition to the normal credit hour load in the Law School. In exceptional cases, involving superior students, an additional three credit hours of graduate work may be taken, but no more than a total of six credit hours may be carried with a normal load in the Law School.

November 22, 1971

Sec. 4.51 Graduate School Courses

It is the policy of the Vice President for Advanced Studies that law students may enroll for three credit hours of graduate work concurrent with and in addition to the normal credit hour load in the School of Law. In exceptional cases, involving superior students, an additional three credit hours of graduate work may be taken, but no more than a total of six credit hours may be carried with a normal load in the School of Law.

Sec. 4.52 Tuition

No additional tuition charge shall be made to the student while he is enrolled in the School of Law for the graduate work he may pursue.

Sec. 4.53 Multiple Degrees

In accord with University and Graduate School regulations, a law student seeking a degree in the Graduate School [that is, a degree other than the J.D.]:

- a. must apply for admission to the Graduate School and be accepted by the appropriate department;
- b. must spend at least one semester after (preferably contiguous with) his residency in the Law School in residence in the Graduate School; and
- c. cannot receive both his Law degree and a Graduate degree at the same commencement. [Vice President for Advanced Studies, November 21, 1971.]

Sec. 4.54 J.D. Degree Credit

Up to three courses of satisfactory graduate work, in compliance with Sec. 4.51, may be credited toward the J.D. degree. (A.R., November 22, 1971.)

Article V. Courses

Sec. 5.1. Elective Courses. (a) It is the policy of the Law School that all second and third-year courses be elective, with the following provision as to implementation and administration: core courses and model programs are to be recommended by the Faculty and an intensive system of Faculty counseling is to be established for student guidance. [Core Courses and model programs are contained in appendices A - C.]

(b) All courses in the first year shall be required. (F.M., Mar. 5, 1971.)

Sec. 5.2. Professional Responsibility.

Sec. 5.21. Each third-year student, as a condition to graduation but not for credit, is required to submit a relatively short paper dealing with a matter of professional ethics covered in the Code of Professional Responsibility. This paper will be prepared under the supervision of a member of the Faculty. It must be submitted no later than the first class day of the student's last semester and, if unsatisfactory, must be revised until it is satisfactory.

Sec. 5.22. In addition to the requirements of Sec. 5.21, each third-year student must certify that he has read and understood the Code of Professional Responsibility. (F.M., July 6, 1971.)

Sec. 5.3. Course Withdrawals. Any course may be dropped or added routinely during the first five class days of the semester. A course may be dropped without penalty only during the first five full weeks of the semester with the permission of the instructor involved, or with the permission of the Dean, provided that:

- a) the student's course load does not fall below fourteen hours; or
- b) the minimum hour requirement is relaxed by the Dean for good cause shown.

Upon withdrawal the student is to receive a grade of W (withdrawal). Students who drop classes after the first five full weeks of the semester will receive a grade of "Incomplete." (F.M. Aug. 12, 1970.)

Sec. 5.4. Limit on Directed-Readings Programs. It is the administrative practice of the Dean and Assistant Dean to deny approval to more than one directed readings program per semester for each student. Directed readings programs carry one or two semester hours of credit, in the discretion of the member of the Faculty offering the program. (A.R., August 30, 1972.)

Article VI. Attendance and Examinations

Sec. 6.1. Eligibility to take Examinations.

Sec. 6.11. To be eligible to take examinations a student must attend classes regularly and punctually, and his class performance must be satisfactory. (F.M., April 1, 1969)

Sec. 6.12. A student enrolled in the Practice Court program is required to attend trials held during the semester in which he is enrolled. Students who fail to do so will not receive credit for the course. This requirement will be satisfied if the student attends at least three-quarters of the trials held in the semester, for at least three-quarters of the time taken by the trial. (A.R., 3/16/72.)

Sec. 6.13. First year students are required to serve, when summoned, as jurors in the Practice Court. Failure to respond to a juror summons renders the student ineligible to enroll for the Practice Court program. (A.R., 3/16/72.)

Sec. 6.2. The Honor Code.

Sec. 6.21. Preamble. We, the students of The Law School of the University of Notre Dame, enrolled as candidates for admission to the privileges and responsibilities of the practice of law, do ordain and establish this Honor Code. This Code is based upon the assumption that a student at the Notre Dame Law School is aspiring to enter an honored profession, and that his character and conduct while attending this Law School will at all times be a favorable reflection upon his future profession, his School, and himself.

Sec. 6.22. Scope and Jurisdiction. This [Honor] Code shall become effective immediately upon its adoption by a two-thirds vote of the student body with respect to all students presently in The Law School and to all students who enter The Law School thereafter. [Note: The Honor Code was adopted December 10, 1962.]

Sec. 6.23. Conduct During Examinations.

Sec. 6.231. A student shall be on his honor not to give or receive aid during an examination. "Aid" shall be construed to mean information or help of any nature not specifically permitted by the instructor, from whatever source derived. "Give and receive" shall be construed to mean the voluntary transmission or receipt of aid in any manner whatever.

Sec. 6.232. A student shall not discuss an examination with anyone either in the Law Building, or elsewhere, during its progress.

Sec. 6.233. A student shall engage in no discussion whatsoever of an examination with a professor after the papers have been handed in and prior to the posting of grades.

Sec. 6.234. No numbers used by students for the examinations are to be revealed or any grades asked of any member of the faculty or administration until the final grades are released by the appropriate office.

Sec. 6.24. Incorporations. This Code shall include all regulations regarding the examinations issued by the Dean and his authorized personnel.

Sec. 6.25. Research Papers. A student shall be on his honor not to submit as his own research papers prepared by another.

Sec. 6.25. Misappropriation of Academic Property. A student shall be on his honor not to appropriate for his own use the academic property of a fellow law student. "Misappropriation" shall be construed to mean wilfully and knowingly taking and keeping for any period of time the academic property of a fellow student under facts and circumstances which indicate that there was a conscious intent to deprive another or others of their rights in such property for that time.

Sec. 6.26. Procedure.

Sec. 6.261. Every law student has the duty to report promptly either to the Dean or to the President of the Student Bar Association all circumstances which constitute reasonable ground to believe that a violation has occurred, and wilful failure of any student to report such circumstances shall be a violation of the Code and a dishonest act within the scope of Sec. 6.21.

Sec. 6.262. If the President of the Student Bar Association, after receiving the report, is of the opinion that the matter warrants the attention of the Dean, he shall promptly notify the Dean of the alleged violation.

Sec. 6.263. Sec. 6.26 is intended as an application to the Law School student body of the principle embodied in Canon 29 of the Canons of Legal Ethics of the American Bar Association, which states: "Lawyers should expose without fear or favor before the proper tribunals corrupt or dishonest conduct in the profession...." [Canon 29 is now covered by Sec. DR-103 of the Code of Professional Responsibility.]

Sec. 6.27. Amenments. This [Honor] Code may be amended by a two-thirds vote of the student body. Rules, other than those permitted by Sec. 6.24, pertaining to the discipline of students issued by members of the faculty or the administration, or by student organizations shall not be considered a part of this [Honor] Code, unless such rule has been incorporated into this [Honor] Code by means of the amendatory procedure stated herein. (S.B.A. Dec. 10, 1962.)

Sec. 6.3. Honor Code Violation Procedure.

Sec. 6.31. Pursuant to the Honor Code [H.C. §6.21], professors who believe they have discovered an Honor Code violation, or any other member of the Law School community who so believes, will refer the facts in their possession to the President of the Student Bar Association.

Sec. 6.32. The President of the Student Bar Association will then determine, by whatever procedural means he deems appropriate, whether there is substance to the charge. If substance is found, the President of the Student Bar Association will refer the matter to the Dean.

Sec. 6.33. Upon receiving this referral, the Dean will offer the accused person the option of a hearing before an ad hoc investigating committee made up of students and faculty (in equal numbers), or a similar hearing before the Dean. In either case, the hearing will encompass guilt as well as penalty. The committee's role will be advisory to the Dean.
(A.R. July 7, 1971.)

Sec. 6.4. Student Examination Numbers. To insure impartiality, written examinations are taken anonymously; prior to each examination the student draws a number and it is his number, not his name, which appears on his examination papers. Examinations may be either written or typed but must be typed if a student's handwriting is (1) illegible or (2) so distinctive as to betray his identity. (L.S.B. p. 18)

Sec. 6.5. Examination Period. The Bulletin Committee will provide for an adequate reading period followed by a five day examination period. (F.M., Nov. 26, 1969)

Sec. 6.6. Confidentiality. The records of students at the Law School, including grades and class rank, are confidential and are not open to anyone except the student himself and the Faculty and Staff for internal administrative purposes. (F.M., Sept. 30, 1969.)

Sec. 6.7. Administration of Examinations.

Sec. 6.71. A locked box will be used for examination numbers. The box will be locked before any numbers are put in it. The only key to the box will be held by the President of the Student Bar Association. The Law School Administrator will supervise the number assignment system. Numbers may be assigned during the semester to accommodate special examination schedules.

Sec. 6.72. Before the first examination is finished (after it begins), the box will be taken to the Dean's office and locked in his closet.

Sec. 6.73. The box will not be removed from the Dean's closet, and the key will remain with the S.B.A. President, until all grades are in.

Sec. 6.74. Each faculty member, as he finishes grading, will turn in his grade report (by number) to the Law School Administrator, who will immediately make a xerox copy of the report and post it. These grade reports will be posted on a locked bulletin board, cleared for that purpose.

Sec. 6.75. Individual grade reports to students will be made by the University. The Law School will not make grade reports directly to students, except in cases of dismissal for academic deficiency.

Sec. 6.76. Faculty members are expected to report all grades within two weeks of the last day of the examination period. This duty normally takes precedence over all other University duties. In the spring semester, a somewhat earlier deadline will be required as to courses with graduating students. (A.R., July 13, 1971.)

Sec. 6.77. All grades will be final when filed with the Law School Administrator and may not be changed thereafter except for clerical or administrative errors. (F.M., Aug. 18, 1970)

Sec. 6.8. Review of Grades. The Faculty approves the views concerning the review of grades as expressed in the Report of the Committee on Grades and Examinations of Jan. 27, 1970. [This report is contained in appendix D of the Code. F.M., Jan. 27, 1970.]

NOTICE DAME LAW LIBRARY

Sec. 6.9 Ranking and Grades.

6.91. All ranking is abolished, both internally and externally.
(F.M., Mar. 24, 1969.)

6.921. Grades are not calculated on a numerical basis.

6.922. Students whose initial entry into the Law School was in or before the fall semester 1971 shall be graded in four categories: Honors, High Pass, Pass, and Fail.

6.923. Students whose initial entry into the Law School is in or after the fall semester 1972 shall be graded in five categories: A, B, C, D, and F.

6.924. No numerical values shall be assigned to the categories in this Sec. 9.2.

6.925. In elective courses other than core courses, and only with the permission of the professor teaching the particular course, each student may choose one course per semester which will be graded on a pass/fail basis. (F.M., Mar. 25, 1969; F.M., Sept. 1971).

Sec. 6.9. Class Rank. All ranking is completely abolished,
both internally and externally. (F.M., Mar. 25, 1969.)

Sec. 6.9A. Calculation of Grades. Grades are not calculated on a numerical basis but are divided into four categories as Honors, High Pass, Pass, and Fail. No numerical value is assigned to these categories. (F.M., Mar. 25, 1969.)

Hoynes Code Amendment, October 11, 1971

6.9B. It is the declared policy of the Faculty that in courses requiring submission of a paper, the paper must be specially prepared by the student for that course. Incorporation of any material prepared by the student earlier shall be first cleared with the professor.

Article VII. Academic Performance

Sec. 7.1. Failures of Second- and Third-Year Courses.

Sec. 7.11. Failure of a required course requires a student to repeat the course and obtain a passing grade, unless for good cause shown the faculty votes to relax that requirement in a particular case (e.g. if in the last semester of Law School and the failure is counterbalanced by excellent grades). (F.M., Mar. 25, 1969.)

Sec. 7.12. Required courses which were failed by second-year students [Class of 1972] during the 1970-71 scholastic year need not be repeated. (F.M., July 6, 1971.)

Sec. 7.13. Failure of an elective course does not require the student to repeat it; however it earns no credit for graduation. (F.M., Mar. 25, 1969)

Hoynes Code Amendments

5/23/72

Sec. 7.14. If a student fails a course, whether or not it is a required course, the student may, if otherwise eligible to continue, retake the course, and his grade upon retaking the course shall be recorded along with his original grade in the course. If a student retakes a course, the professor teaching that course shall have the option of requiring that the retaking be by means of repeating the course, taking directed readings, or re-testing, or any combination of these options. Nothing herein shall be interpreted as affecting the rule that required courses must be passed. (F.M., Nov. 1971.)

Sec. 7.15. A repeated course shall be registered for by the proper name of the course and its regularly assigned credit hours. (A.R., 5/23/72.)

Sec. 7.16. A repeated course does not count toward compliance with the minimum course load requirements under Hoynes Code Article 4. (A.R., 5/23/72.)

Sec. 7.17. A failure which is successfully cured under this section does not count under the cumulative failure rule of Section 7.3. (A.R., 5/23/72.)

Sec. 7.2. Failures of First-Year Courses. A failure in Contracts I, Procedure I, Property I, or Torts I, in accordance with the general rule in regard to failed required courses, shall require repeating the course, except that if the student passes Contracts II, Procedure II, Property II or Torts II, the professor in that course shall have the discretion to waive that requirement. Such waiver shall not change the student's record and shall not give any point credit hours toward graduation. (F.M., Oct. 27, 1970.) This section is interpreted by the Dean to apply to whatever courses become part of the required first-year curriculum. (A.R., July 21, 1971.)

12/15/71

Sec. 7.3. Dismissal on Academic Grounds.

7.31. Dismissal. Two failures totaling four or more credit hours beyond the first semester of the first year, or three failures totaling six or more credit hours during the student's law school career, subsequent to the first semester, render the student ineligible to continue. However, if he has failed six credit hours or more during the first semester, he will be ineligible to continue into the second year if he fails three or more credit hours in the second semester of the first year. This section applies to all students presently and hereafter enrolled in the Law School. (F.M., Nov. 23, 1970; July 6, 1971.)

7.32. In addition to the requirements of Sec. 7.31, four grades of D or worse totaling eight or more credit hours in any one semester beyond the first semester of the first year, or ten grades of D or worse totaling twenty or more credit hours during the student's law school career subsequent to the first semester, renders the student ineligible to continue. This Sec. 7.32 applies only to students whose initial entry into the Law School is in or after the Fall Semester 1972. (F.M., Nov., 1971.)

Sec. 7.3. Dismissal. Two failures totaling four or more credit hours beyond the first semester of the first year, or three failures totaling six or more credit hours during the student's law school career, subsequent to the first semester, render the student ineligible to continue. However, if he has failed six credit hours or more during the first semester, he will be ineligible to continue into the second year if he fails three or more credit hours in the second semester of the first year. This section applies to all students presently and hereafter enrolled in the Law School. (F.M., Nov. 23, 1970; July 6, 1971.)

1/3/72

Sec. 7.3. Dismissal on Academic Grounds.

7.31. Dismissal. Two failures totaling four or more credit hours in any one semester beyond the first semester of the first year, or three failures totaling six or more credit hours during the student's law school career, subsequent to the first semester, render the student ineligible to continue. However, if he has failed six credit hours or more during the first semester, he will be ineligible to continue into the second year if he fails three or more credit hours in the second semester of the first year. This section applies to all students presently and hereafter enrolled in the Law School. (F.M., Nov. 23, 1970; July 6, 1971.)

7.32. In addition to the requirements of Sec. 7.31, four grades of D or worse totaling eight or more credit hours in any one semester beyond the first semester of the first year, or ten grades of D or worse totaling twenty or more credit hours during the student's law school career subsequent to the first semester, render the student ineligible to continue. This Sec. 7.32 applies only to students whose initial entry into the Law School is in or after the Fall Semester 1972. (F.M., Nov., 1971.)

Sec. 7.4. Eligibility for Second Year Abroad Program.

No student is eligible to participate in the Second Year Abroad Program unless he has successfully completed all first-year courses. (F.M., Sept. 29, 1970.)

Hoynes Code Amendments
3/20/72

Sec. 7.4. Eligibility for Second Year Abroad Program.

Sec. 7.41. No student is eligible to participate in the Second Year Abroad Program unless he has successfully completed all first-year courses. (F.M., Sept. 29, 1970.)

Sec. 7.42. The Dean may in his discretion waive one first-semester failure, for purposes of eligibility for the London Program. (F.M., March 20, 1972.)

Sec. 7.5. Requirements for Graduation with Honors.

Sec. 7.51. In addition to meeting the regular requirements for graduation, a candidate for a cum laude [with honors] degree must present at least 80% of his total credit hours with the grades of Honors or High Pass, of which not less than 50% of his total credit hours must be with the grade of Honors. In addition, the candidate may not have failed in more than 5% of his total credit hours undertaken.

Sec. 7.52. In addition to meeting the regular requirements for graduation, a candidate for a magna cum laude [with high honors] degree must present at least 85% of his total credit hours with the grades of Honors or High Pass, of which not less than 65% of his total credit hours must be with the grade of Honors. In addition, the candidate may not have failed in more than 5% of his total credit hours undertaken.

Sec. 7.53. In addition to meeting the regular requirements for graduation, a candidate for a summa cum laude [with highest honors] degree must present at least 90% of his total credit hours with the grades of Honors or High Pass, of which not less than 75% of his total credit hours must be with the grade of Honors. In addition, the candidate may not have failed any of his total credit hours undertaken.

Sec. 7.54. For purposes of computing percentages under Sec. 7.5, decimals are rounded to the nearest whole number; for example, 64.50% Honors grade shall be deemed 64%, and 64.51% Honors grade shall be deemed 65%, and so forth.
(F.M., June 27, 1969.)

Sec. 7.6. Grades Earned at the University of London.

Sec. 7.61. The Notre Dame Law School teacher in residence in London will give Notre Dame students taking the related University of London courses a separate grade for each supplementary course taught by him; this grade is to be expressed in Notre Dame Law School terms.

Sec. 7.62. A Notre Dame student's grade in each University of London course will be converted to a grade expressed in Notre Dame Law School terms, on the basis of:

<u>London</u>	<u>Notre Dame</u>
First Honors (140 and above)	Honors
Upper Second (120-139)	Honors
Lower Second (100-119)	High Pass
Third (90-99)	Pass
Pass (79-89)	Pass
Fail (78 and below)	Fail

In addition, the London verbal grade category earned by a student will be recorded as the Notre Dame transcript grade, with a legend reflecting the Notre Dame grade equivalencies herein adopted.

Sec. 7.63. All of a Notre Dame student's grades and converted grades in University of London courses and all of his grades in supplementary courses will be entered on his Notre Dame Law School record.

Sec. 7.64. A Notre Dame student will be awarded 6 credit hours by Notre Dame Law School for each University of London course successfully completed.

Sec. 7.65. A Notre Dame student will be awarded 1 or 2 credit hours (depending on the judgment of the Notre Dame teacher in residence as to the amount of work involved) for each supplementary course successfully completed.

Sec. 7.66. All of a Notre Dame student's converted grades in University of London courses and all of his grades in supplementary courses will be taken into account in determining his eligibility for graduation with honors from Notre Dame Law School.

Sec. 7.67. A Notre Dame student who fails two courses in London will be ineligible to continue in Notre Dame Law School; each University of London course will be considered one course and each supplementary course will be considered one-half course for the purpose of applying this rule.

Sec. 7.68. A University of London course will not be accepted as the equivalent of a Notre Dame required course until any failure in a supplementary course corresponding to that course has been suitably made up.

Sec. 7.69. The foregoing rules [Sec. 7.6] are without prejudice to the authority of the faculty member in residence in London to assign supplementary work not amounting to a course in cases where it is appropriate to do so. (F.M., Jan. 14, 1971.)

Article VIII. Financial Aid

Sec. 8.1. Need. No scholarships will be granted to any students who cannot demonstrate need. (F.M., Mar. 10, 1970.)

Sec. 8.2. Tuition Grants.

Sec. 8.21. A new category of financial assistance is established, to be called "Tuition Grants." The retention of such grants are based upon the student's ability to maintain a minimum passing average. The Scholarship Committee is authorized to review existing files to indicate those students who by virtue of the Committee's original judgment should be entitled to such tuition grants.

Sec. 8.22. The faculty will annually determine the number of "tuition grants" which are to be awarded for each succeeding year.

Sec. 8.23. The purpose of "tuition grants" is to provide opportunity for the educationally disadvantaged, particularly Black students.

Sec. 8.24. Approximately one-third of all individual allocations of aid shall be given as tuition grants, but not to exceed one half. (F.M., Mar. 10, 1970.)

Sec. 8.3 Scholarship Retention.

Sec. 8.31. The scholarship retention standard is a mid-point between High Pass and Pass, determined cumulatively at the end of each academic year. (F.M., Mar. 10, 1970; April 3, 1970; April 10, 1972).

Sec. 8.32. For students entering the Law School on or after the fall semester 1972, the scholarship retention standard is a mid-point between B and C, determined cumulatively at the end of each academic year. (F.M., April 10, 1972).

Mr. L...

Sec. 8.4. Students Who Withdraw from Law School. If a student is drafted, or if he volunteers for military service, his scholarship and/or cash grant is "frozen." If a student voluntarily withdraws for any reason, including that of procuring a draft-exempt status (e.g. teaching), the student will have abandoned his scholarship and/or cash grant, but will retain his academic standing. (F.M., Aug. 19, 1969.)

Article IX. Readmission

Sec. 9.1. Standards and Procedure for Readmission.

Sec. 9.11. Readmission to the Law School after exclusion for academic failure will be allowed only where that failure was caused by unavoidable and non-recurrent circumstances of an extraordinary nature.

Sec. 9.12. Application for readmission to a September term must be submitted to the Dean no later than the preceding July 1.

Sec. 9.13. The readmission of a student will be on condition that Sec. 7.21 apply to the first semester as well as all other semesters. (F.M., Dec. 18, 1970, June 7, 1974; A.R., July 1, 1974.)

Sec. 9.14. Students who are readmitted to the second year after academic dismissal receive credit for any courses they have completed successfully before readmission. The course failure requirements of Sec. 7.21 will be interpreted by the Dean not to apply to course failures prior to readmission. Required semesters in residence must be pursued according to the minimum hour requirements of Sec. 4.1; however, the Dean interprets Sec. 5.3 to permit waiver of such requirements to accommodate a specific and promising regimen of law study. (A.R., September 15, 1971.)

Sec. 9.15. When it is determined that a student is to be readmitted, a program will be established for the remainder of that student's career in the law school, with particular attention to that student's:

- (a) retaking, under Sec. 7.14, courses which were failed or in which the student received a grade of "D";
- (b) spending one or more additional semesters in residence, and being subject to a restriction on whether those semesters may be taken in summer sessions or in programs other than the Notre Dame program at the Indiana campus; and, among other considerations,
- (c) being subject to probationary restrictions such as the extension of the one-failure rule of Sec. 7.21 to semesters beyond the first year. (F.M., June 7, 1974.)

(Hoynes Code Amendments, 9/26/74)

Sec. 9.16. In exercising his discretion on whether to readmit students, the Dean will consider whether or not the student sought to remedy circumstances and conditions which contributed to his failure to pass courses. These considerations will be stated in more detail in a memorandum appendix to the Hoynes Code (Appendix G). (A.R., July 1, 1974.)

Sec. 9.17. Any student who, in the first semester of the first year, received grades of D or lower in three or more courses or grades of F in two courses must, within two weeks after the beginning of the second semester of the first year, meet with the Dean, Associate Dean or Assistant Dean for purposes of counseling and program planning. Any student whose record falls within the above sentence who does not attend to this counseling meeting or fails to adopt the recommendations after this counseling meeting, shall not be considered for readmission if such student is dismissed for academic reasons at the end of the second semester of the first year.

Any student who, in the first semester of the first year, receives grades of D or lower in two courses or a grade of F in one course is advised to, within two weeks after the beginning of the second semester of the first year, meet with the Dean, Associate Dean or Assistant Dean for purposes of counseling and program planning. Failure by any student whose record falls within the sentence next above to attend to this recommended meeting, or to adopt the recommendation of such meeting, shall be considered as relevant to an application for readmission by the student if such student is dismissed for academic reasons at the end of the second semester of the first year. (F.M., Sept. 17, 1974.)

Sec. 9.18. Applicants seeking transfer from other law schools must make a written statement of previous attendance in law school. Admission on transfer from schools not accredited by the American Bar Association is usually denied. Exceptions may be made in extraordinary cases. (A.A.L.S. Regulations, Sec. 1.6; F.M., Sept. 17, 1974.)

Article X. Cross References

Articles of Association, and Regulations of the Executive Committee, Association of American Law Schools, available in the most recent annual Proceedings

Bulletin, Notre Dame Law School, September, 1971

Faculty Manual, University of Notre Dame (1968)

Minutes of the Academic Council, University of Notre Dame, filed in the Office of the Provost

Minutes of the Law Faculty, University of Notre Dame, filed in the Dean's Office

(Hoynes Code Amendments, 7/1/74)

Article XI. Appendices

- Appendix A - 1972-73 Curriculum
- Appendix B - Core Courses
- Appendix C - M.B.A./J.D. Curriculum
- Appendix D - Report of the Committee on Grades and Examinations - 27 January 1970
- Appendix E - Regulations for Awarding Academic Credit under Sec. 4.13
- Appendix F - Notre Dame Lawyer Statutes (F.M., Nov. 20, 1973.)
- Appendix G - Memorandum on Readmission

CURRICULUM 1971-1972 (Cont.)

Privacy & Defamation (Rice)	2	Modern Amer. Jurisp. (Chroust)	2
Church-State Relations (Rice)	2	Government Contracts (Murphy)	2
Local Government	3	Admin. of Crim. Justice (Dutile)	2
Land Use Planning	3	Products Liability (Rice)	2
International Law	3	Legal History (Rodes)	2
Legal Profession - non credit		Int'l. Bus. Trans. (Link)	3
seminar for 1st year (Link)	0	Tax Procedure (Thornburg)	2
Interdisciplinary course		Insurance (Dutile)	2
Directed readings	2	Law & Medicine	2
Seminar in School Law (Fagenda)	2	Accounting for Lawyers	2
		Professional Respon. (3rd yr.)	
		Interdisciplinary course	
		Directed readings	

CAVEAT: The above listed courses and assignment of professors are subject to change.

Courses projected for 1972-1973:

Community property
 Comparative Law
 International Trade and Investment
 Research Problems in International Law
 Law & Institutions of the Atlantic Area
 Admiralty
 Legislation

Faculty Suggestions in Regard to the Selection of Elective Courses

1. Core courses:

No courses after the first year are required. Many students will nonetheless choose to pursue a balanced curriculum. Others may desire to place emphasis upon particular areas in the courses they elect. Experience has shown, however, that many who concentrate their attention during law school in a special field do not eventually practice in that field. Furthermore, even if one does practice in his or her intended field, a broad and balanced program of legal education will ordinarily assist that individual in functioning more effectively as a lawyer. For example, a criminal lawyer may become involved in tax problems, a general practitioner with constitutional law, and a corporate lawyer with evidentiary matters. Moreover, those who are primarily interested in so-called "public law" areas may well benefit as much if not more from courses in the business law and related fields.

Accordingly, it is the faculty's judgment that the following core of courses are sufficiently important to a career as a lawyer that they should be taken regardless of a student's particular or special interests; all students are urged to elect them. Since all but Practice Court and a legal philosophy course are basic to other electives that a student might wish to take, it is suggested that (except for students who spend their second year in England) the other six courses be taken during the second year. The recommended core courses are:

- Business Associations
- Commercial Transactions
- Constitutional Law
- Evidence
- A federal taxation course
- A legal philosophy course
- Practice Court
- Property Settlement

2. In addition to the above courses recommended for all students, the following courses are recommended for those interested in the fields indicated.

a. Business Law
Advanced Corporations
Creditor's Remedies & Debtor's
Protection
Secured Transactions
Federal Income Tax

Corporate Tax
Securities Regulation
Anti-Trust Law
International Business
Transactions

b. General Practice
Real Estate Transactions
Creditor's Remedies & Debtor's
Protection
Practice Court
Local Government Law

Estate Planning
Family Law
Conflicts

c. Litigation
Criminal Practice
Federal Courts
Advanced Trial Practice

Constitutional Litigation
Administrative Practice

3. A number of courses are offered which fit generally into the field of public law -

Labor Law
Local government law
Administrative Law
Federal Jurisdiction
Criminal Procedure
Criminal Practice
Civil and Political Liberties
International Law
Land Use Planning
Environmental Law
Labor Arbitration

Social Legislation
Administrative Practice
Law and Poverty
Admin. of Criminal Justice
Church-State Relations
Legal History
Constitutional Litigation
Anti-Trust
Government Contracts
Securities Regulation
Conflicts

From this list several groupings of courses might be selected for those with the special interests indicated below:

a. Criminal Law --
Criminal Practice
Administration of Criminal Justice
Constitutional Litigation

b. Local government --
Local government law
Land use planning
Law and poverty

c. Poverty law --

Law and poverty
Consumer Credit
Social Legislation
Family Law
Administration of Criminal Justice
Political and Civil Liberties

d. Labor law --

Labor Law
Administrative Law
Labor Arbitration
Administrative Practice

e. International Law

International Law
International Business Transactions
(Note: in 1972-73, on the return of Father Lewers, a more elaborate sequence will be available).

f. Environmental Law --

Environmental Law
Seminar in Environmental Problems
Land Use Planning
Local Government Law
Administrative Law
Selected Interdisciplinary Courses

4. Additionally, and importantly, Accounting for Lawyers as well as the following courses are recommended for all of the areas in paragraph 2 above.

Administrative Law
Federal Courts
Conflicts
Social Legislation
Anti-Trust

5. There are a number of specialized courses which could profitably be taken in connection with the areas of interest listed in paragraphs 2 and 3 above.

Commercial Paper
Consumer Credit
International Business Transactions
Tax Procedure

Minority Business Problems
Law & Technology
Labor Arbitration
Legal Counselling
Science of Judicial Proof

First Year (Business School)

<u>1st Semester</u>		<u>2nd Semester</u>	
Math. Foundations & Statistical Inference	3	Operations Research	3
Human Behavior and Commun.	3	Cost Analysis & Control	3
Economic Theory of the Firm	3	Marketing Management	3
Managerial Accounting	3	Management of Human Resources	3
Enterprise Workshop I	<u>3</u>	Enterprise Workshop II	<u>3</u>
	15		15

Second Year (Law School)

<u>1st Semester</u>		<u>2nd Semester</u>	
Torts I	3	Torts II	3
Contracts I	3	Contracts II	3
Criminal Law I	3	Criminal Law II	3
Procedure I	3	Procedure II	3
Property I	3	Property II	3
Legal Bibliography I	<u>1</u>	Legal Bibliography II	<u>1</u>
	16		16

Third Year (Law School)*

<u>1st Semester</u>		<u>2nd Semester</u>	
Business Associations	3	Federal Tax	4
Labor Law	3	Anti-Trust	3
Constitutional Law	4	Securities Regulation	3
Sales	2	Evidence	3
Secured Transactions	<u>2</u>	Commercial Paper	<u>2</u>
	14		15

Fourth Year (Combined)

<u>1st Semester (Business)</u>		<u>2nd Semester (Law)</u>	
Research, Manufacturing and Materials Control	3	Electives	12-15
Financial Management	3		
Macroeconomic Theory	3		
Social-Political-Economic Forces	3		
Enterprise Workshop III	<u>3</u>		
	15		

*N.B. All courses in the Law School after the first year of study are elective. However, the program set forth for the Third Year of study is strongly recommended.

First Year (Law School)

(Law Sch)

<u>1st Semester</u>	<u>1st Semester</u>	<u>2nd Semester</u>	
Torts I	3	Torts II	3
Contracts I	3	Contracts II	3
Criminal Law I	3	Criminal Law II	3
Procedure I	3	Procedure II	3
Property I	3	Property II	3
Legal Bibliography I	<u>1</u>	Legal Bibliography II	<u>1</u>
	16		16

Second Year (Law School)

<u>1st Semester</u>	<u>1st Semester</u>	<u>2nd Semester</u>	
Business Associations	3	Federal Tax	4
Labor Law	3	Anti-Trust	3
Constitutional Law	4	Securities Regulation	3
Sales	2	Evidence	3
Secured Transactions	<u>2</u>	Commercial Paper	<u>2</u>
	14		15

Third Year (Business School)

<u>1st Semester</u>	<u>1st Semester</u>	<u>2nd Semester</u>	
Math. Foundations and Statistical Inference	3	Operations Research	3
Human Behavior and Commun.	3	Cost Analysis and Control	3
Economic Theory of the Firm	3	Marketing Management	3
Managerial Accounting	3	Management of Human Resources	3
Enterprise Workshop I	<u>3</u>	Enterprise Workshop II	<u>3</u>
	15		15

Fourth Year (Combined)

<u>1st Semester (business)</u>	<u>1st Semester (business)</u>	<u>2nd Semester (Law)</u>	
Research, Manufacturing and Materials Control	3	Electives	12-15
Financial Management	3		
Macroeconomic Theory	3		
Social-Political-Economic Forces	3		
Enterprise Workshop III	<u>3</u>		
	15		

*N.B. All courses in the Law School after the first year of study are elective. However, the program set forth for the second year of study is strongly recommended.

First Year (Law School)

<u>1st Semester</u>		<u>2nd Semester</u>	
Torts I	3	Torts II	3
Contracts I	3	Contracts II	3
Criminal Law I	3	Criminal Law II	3
Procedure I	3	Procedure II	3
Property I	3	Property II	3
Legal Bibliography I	<u>1</u>	Legal Bibliography II	<u>1</u>
	16		16

Second Year (Business School)

<u>1st Semester</u>		<u>2nd Semester</u>	
Math. Foundations & Statistical Inference	3	Operations Research	3
Human Behavior and Commun.	3	Cost Analysis and Control	3
Economic Theory of the Firm	3	Marketing Management	3
Managerial Accounting	3	Management of Human Resources	3
Enterprise Workshop I	<u>3</u>	Enterprise Workshop II	<u>3</u>
	15		15

Third Year (Law School)

<u>1st Semester</u>		<u>2nd Semester</u>	
Business Associations	3	Federal Tax	4
Labor Law	3	Anti-Trust	3
Constitutional Law	4	Securities Regulation	3
Sales	2	Evidence	3
Secured Transactions	<u>2</u>	Commercial Paper	<u>2</u>
	14		15

Fourth Year (Combined)

<u>1st Semester (Business)</u>		<u>2nd Semester (Law)</u>	
Research, Manufacturing and Materials Control	3	Electives	12-15
Financial Management	3		
Macroeconomic Theory	3		
Social-Political-Economic Forces	3		
Enterprise Workshop III	<u>3</u>		
	15		

*N.B. All courses in the Law School after the first year of study are elective. However, the program set forth for the Third Year of study is strongly recommended.

Article XI. Appendices

Appendix D

REPORT OF THE COMMITTEE ON GRADES AND EXAMINATIONS

27 January 1970

The Committee has views regarding the review of grades, which may be summarized in this sense.

- FIRST: The grading of law school examinations, papers, and performance on projects, exercises, or clinical work, is an exercise of the judgment and discretion of the faculty member teaching the course. It would be highly undesirable for this committee, or anyone else, to review this.
- SECOND: The existence or creation of a committee, board, or other structure for the purpose of conducting such reviews would be equally undesirable.
- THIRD: The committee considered in its private deliberations the problem that it is theoretically possible for a student to be injured or disadvantaged in his grade by bias, prejudice, corruption, or incompetence on the part of a faculty member. Indeed, the members of the committee have in their collective experience known or heard of a few such cases over the course of the years in other places. It is noted that none of these places had a formalized structure for dealing with such matters specifically, but in each case relief seems to have been accorded.

The Committee does not believe it is desirable to create any additional formalized structure of procedures for the purpose of meeting such eventuality. The regular administrative officers and faculty would seem the appropriate apparatus should such a case arise.

IN SUMMARY: The committee considered and discussed this problem fairly exhaustively. We believe that an appeal to change an individual grade in a course, once it gets beyond the professor actually giving the grade, involves two possible types of questions:

1. Questions of judgment and discretion as to the quality of the student's performance. We believe extensive and powerful reasons exist for NOT reviewing such matters. We will be happy to supply these orally at the meeting of the faculty.

2. Questions touching the integrity or professional competence of a faculty member. Obviously, these are matters within the jurisdiction of the whole faculty or its permanent members, to whose attention such matters would ordinarily be brought by the Dean or his associate or assistant, to whom any such complaint could be expected to come, without need of any formal rule or structure. It is unrealistic to suppose that students would lack the intelligence or determination needed to bring such a matter adequately to our attention in the absence of formalized procedures.