

Florida State University College of Law

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### Student Handbook (1987-88)

Florida State University College of Law

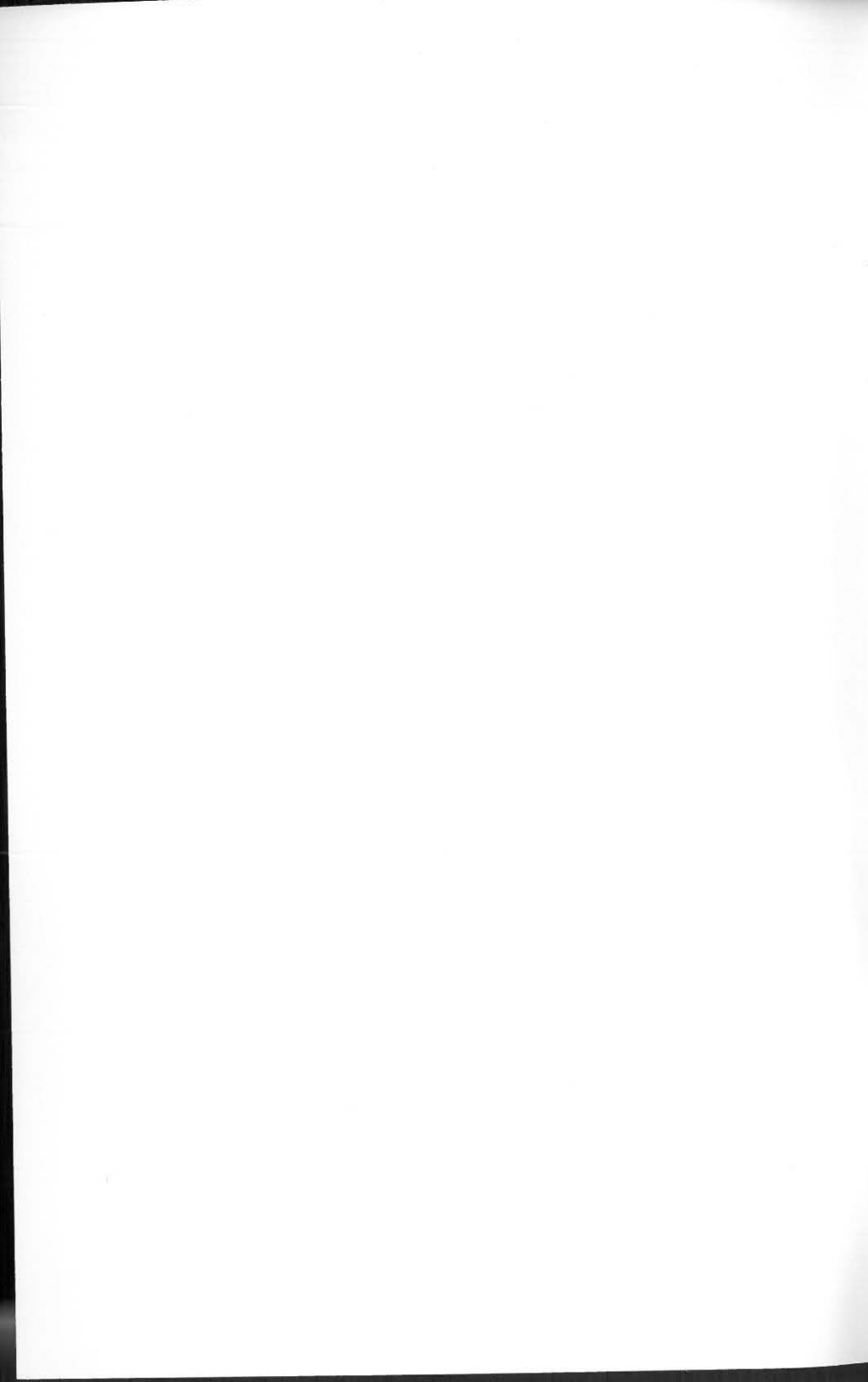
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**The  
Florida  
State  
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LAW**

**1987-1988  
STUDENT  
HANDBOOK**





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# **I. INTRODUCTION**

Welcome to the Florida State University College of Law.

This Handbook brings together all the various rules and regulations that pertain to students at this College. Academic policies, rules, regulations, curriculum and degree requirements as set forth in this Handbook are subject to modification by action of the faculty of the College of Law and administration of Florida State University.

Students should read the material in this Handbook carefully. Students are on notice of what is contained here. It is the students' responsibility to acquaint themselves with such modifications as posted on official College of Law bulletin boards and in the administrative offices of the College.

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## II. THE LAW BUILDING COMPLEX

A. The College of Law building complex consists of the Law Library, B.K. Roberts Hall, and the Village Green. The Law Library is located on the west side of the College and is connected to B.K. Roberts Hall. B.K. Roberts Hall contains classrooms, faculty offices, and administrative offices. The Village Green, a cluster of restored Victorian homes, is located on the east side of the complex. The Village Green houses additional offices and clinics, as well as meeting and conference rooms for use by the College, the University, and the Tallahassee community.

### B. *Building Use Policies*

1. **Smoking:** Smoking is prohibited in all public areas of all College of Law buildings unless posted to the contrary. Smoking is permitted in the northwest corner of the student lounge, the south ends of the 2nd and 3rd floor central corridors of B.K. Roberts Hall, and in private offices.

2. **Eating and Drinking:** Eating and drinking are prohibited in the Court Room and in the Law Library.

3. **Trash Receptacles and Ash Trays:** Trash receptacles and ash trays are located throughout all buildings.

4. **Motorcycles and Bicycles:** Parking of motorcycles under the covered walkways of any College of Law building is strictly prohibited. Motorcycles must be parked in the marked off areas of the College of Law parking lot.

Parking of bicycles within any College of Law building is strictly prohibited. Bicycles should be parked at bicycle racks located at the northwest corner of B.K. Roberts Hall.

5. **Posters and Notices:** Posters and notices should be placed in the appropriate spaces of the Student Lounge Bulletin Boards. Posters, notices, etc., should not be taped, tacked, or in any other manner attached to the walls of the College of Law building. Posters, notices, etc., placed on doors, walls and other non-bulletin board space are subject to removal without notice.

6. **Space Reservation:** Use of facilities is normally limited to College of Law related activities.

a. Reserve space in B.K. Roberts Hall through the Staff Assistant or Library Director, Room 207L.

b. Reserve Law Library space at Circulation Desk through Circulation head.

c. Rooms such as the Court Room and the large classrooms can be reserved on a tentative basis only and are subject to preemption for official College of Law purposes with little notice.

### C. *Law Library*

#### 1. *Hours During Fall and Spring Terms:*

Monday–Thursday 7:30 am–2:00 am

Friday 7:30 am–midnight

Saturday 9:00 am–midnight

Sunday 10:00 am–2:00 am

(Changes in schedule for holidays, breaks, and summer term are posted in advance.)



## 2. **Circulation Rules:**

a. Automated Circulation System: Students, faculty, staff and all other borrowers must use Law Library validated identification cards. Cards are validated at the Law Library Circulation Desk.

## 3. **Circulation Policy:**

a. *Books on Reserve*—may be used for two hours in the Law Library or borrowed overnight at 11:00 pm or one (1) hour before closing, whichever is earlier.

b. *Overnight Books*—books stamped “for one day only” or marked in green may be checked out overnight.

c. *Library Use Only*—microforms, videotapes, unbound periodicals and books stamped “for use in Library only” may not be checked out.

d. *Three Weeks Books*—most other books may be checked out for three (3) weeks.

4. **Eating, Drinking or Smoking** is prohibited in the Law Library.

5. **Carrel Usage:** Consult with the Reference Librarian or Circulation staff for reservation of study carrels.

## 6. **Photocopiers:**

a. Coin- and card-operated photocopiers are located across from the Circulation Desk.

b. Copycards may be purchased at the Circulation Desk.

c. Change machine—a dollar bill change machine is located in the Photocopy Room. Circulation staff may not make change.

7. **Study, Typing and Conference Rooms:** Five study rooms, five typing rooms and two conference rooms exist for student and other use. Check at the Circulation Desk for information about reserving these spaces. Four group study rooms and three typing rooms are temporarily set aside for non-library use.

## 8. **LEXIS/WESTLAW Training and Usage:**

a. LEXIS terminals are located in Rooms L240B and L305 of the Law Library.

b. WESTLAW terminals are located in Room L204A of the Law Library.

c. Use of the LEXIS and WESTLAW terminals is limited to academic research and subject to the terms of contracts with Mead Data Central, Inc. and West Publishing Company. *Neither system may be used for governmental or private practice.* For information or training on either system contact the Reference Librarians, Rooms L204C and L204D.

## 9. **Microcomputer Lab:**

a. Personal Computers—eight dual disk IBM PC's are available for law student use.

b. Programs—the Law Library maintains word processing, computer-assisted legal instruction and an array of public domain programs for law student use.

c. Information/check-out of PC's and programs is at the Circulation Desk.



10. **Reference Librarians:**

- a. Hours: Fall and Spring semesters
  - Monday–Thursday 8:00 am–10:00 pm
  - Friday 8:00 am– 6:00 pm
  - Saturday 9:00 am– 5:00 pm
  - Sunday 2:00 pm–10:00 pm
  - Summer and breaks
- Monday–Friday 8:00 am– 6:00 pm

- b. Offices: Rooms L204C and L204D

11. **Newspapers and Popular Magazines:** Current issues of state/national newspapers and popular magazines are available at the north corner of the 2nd floor stack and carrel area. Back issues are retained subject to available space.

12. **Microforms and Video Viewing:**

- a. Microforms, audiotapes and videotapes are located in Room L206.
- b. Video viewing is possible in Rooms L204E and L204F.
- c. For assistance, consult the Special Media Librarian, Room L206A, the Reference Librarians, Rooms L204C and L204D, or Circulation staff at the Circulation Desk.

13. **On Line Catalog—LUIIS:** LUIS terminals are located on the 2nd and 3rd floors of the Law Library. LUIS contains entries for all Law Library holdings and most holdings of other FSU libraries. Law Library entries are designated FL on index and guide screens and Law on call numbers. Searches may be made by author, title or subject. For assistance in using the catalog or in determining the holdings of other State University System libraries, contact the Reference staff.

14. **Law Library Room and Telephone Numbers:**

- a. Library hours 644-2448
- b. Administration Room L207, 644-4578
- c. Circulation Room L205, 644-3405
- d. Microcomputer lab/  
A/V, Microforms Room L206, 644-3405
- e. Reference Rooms L204C, L204D, 644-4095
- f. Technical services Room L208, 644-1004

*More detailed information may be found in the Law Library Handbook and annual information sheet.*

### III. THE LAW SCHOOL CURRICULUM— AN OVERVIEW

A. **The First Year Curriculum:** The first year curriculum introduces the student to the various fundamental areas of the law. The courses taken during the first year provide the foundation on which most second and third year courses are based. The first year curriculum is mapped out for the student. Entering students are assigned to sections of the first year classes by the Admissions and Records Office. In cases where one or more of the first year electives are oversubscribed, students may be assigned to their second class choice. The first year curriculum is as follows:

<i>Fall semester</i>		<i>Spring semester</i>	
Contracts	4 hrs.	Criminal Law & Procedure	4 hrs.
Civil Procedure	4 hrs.	Property	4 hrs.
Torts	4 hrs.	Constitutional Law I	3 hrs.
Legal Writing & Research I	2 hrs.	Elective	3 hrs.
		Legal Writing & Research II	2 hrs.
	14 hrs.		16 hrs.

B. **The Second and Third Year Curriculum:** The second and third year curriculum consists mainly of electives, with only three required courses: Constitutional Law II, Professional Responsibility, and a course which fulfills the upper-level writing requirement. Courses fulfilling this requirement vary from term to term; listings are posted in the Admissions & Records Office prior to the registration period for that term.

The Florida Bar does not mandate any additional course work in specialized areas or subject matters. Students interested in applying to the Bars of other states should contact that state's Bar examining authorities for information regarding specific curricular requirements.

## IV. CURRICULUM REQUIREMENTS

### A. **Graduation Requirements:**

1. **Eligibility:** Students are eligible for the Juris Doctor (JD) degree when they have:
  - a. taken all the required courses;
  - b. successfully completed the first-year Legal Writing and Research series and the Professional Responsibility course (Law 7750 or its equivalent);
  - c. successfully completed 88 hours of approved credit work under the semester system, of which at least 66 credit hours were for graded courses (not more than 22 of the 88 required hours can be "S" hours from S/U courses), with a final cumulative grade point average of 65 or better;
  - d. satisfied the residence requirement; and
  - e. satisfied the upper-level writing requirement.
2. **Reliability and Character:** In view of the professional responsibility of lawyers, the Faculty will take into account character and general reliability in the determination of the right of a candidate to a degree.
3. **Degree Conferred:** The degree of Juris Doctor is conferred upon all graduating students.
4. **Honors:** Honors recognition is extended to outstanding graduates. Students with averages from 75 to 79 shall receive "Honors"; those with averages of 80 to 84 shall receive "High Honors"; and those with averages from 85 up shall receive "Highest Honors".
5. **Successful Completion:** A course or seminar is successfully completed if a passing grade (60D or better) is awarded. "Pass-Fail" programs are successfully completed only if a Pass ("S") is awarded. Students should not retake failed courses unless successful completion is a graduation requirement or the Faculty requires retaking. Students may retake a failed upper-class course once. In no case will a failed grade be "forgiven": all attempted hours will be used in computing the cumulative grade point average. However, in any readmission case the Faculty may require that an academically dismissed student retake a course in which a failing grade was received.
6. **Residence Requirement:** Residence involves the equivalent of not less than 90 weeks in residence at the law school. To meet this requirement, a student must have a minimum of 6 semesters of 15 weeks each of law study, each consisting of 12 or more credit hours. All requirements must be completed within 4 calendar years of the matriculation date. If a student takes less than 12 hours of work during a semester, the residence credit earned will be in proportion to the number of hours successfully completed over 12 ( $x/12$ ). A student does not receive increased residence credit by taking more than twelve hours of work in a semester. A student taking twelve or more hours of work in a semester receives full residence credit provided (s)he passes at least nine of the hours. If (s)he passes less than nine hours of work during that semester, (s)he receives residence credit in the proportion of hours passed over nine ( $x/9$ ).

## CURRICULUM REQUIREMENTS *continued*

Upon good cause shown, the Dean or his designee may waive up to two-twelfths ( $\frac{2}{12}$ ) of a semester residence credit.

7. **Required Courses:** The following courses must be taken: Contracts; Constitutional Law I & II; Torts; Civil Procedure; Property; and Criminal Law and Procedure. In addition, the following courses must be *successfully completed*: the first-year Legal Writing and Research series; and Professional Responsibility.

8. **Upper-Class Writing Requirement:** To obtain a degree, a student must satisfy the upper-class writing requirement by successfully completing a course, seminar or DIS which has a paper and involves at least one critique of a rough draft. If this writing requirement is satisfied by a DIS, it must be concluded prior to the student's final semester in law school.

9. **Transfer Students:** To obtain a degree, a transfer student must complete a minimum of 45 semester hours of approved credit work at the College, not more than 15 credit hours of which can be S/U (pass/fail) hours. The Associate Dean gives final approval on acceptable transfer credit, provided no credit will be given for work below the grade of "C". Transfer students must take or have taken all required courses and meet all other graduation requirements.

10. **Transient Status at Another ABA Approved Law School:** Florida State students may be given credit for up to 30 semester hours of approved course work taken at another ABA approved law school. (Though not required, it is recommended that the other school also have AALS accreditation.) All such course work must be approved by the Associate Dean in advance of Registration for such work. One half ( $\frac{1}{2}$ ) of the course hours so taken will be counted against the S/U (pass/fail) hours limitation.

11. **Enrollment in Summer Semesters:** Enrollment in the Summer term earns residency credit in proportion to that of the Fall and Spring semesters. Only students participating in a 12-hour internship program may earn a full semester residency for the Summer term. Students enrolled in the eight-week Summer term may earn  $\frac{1}{2}$  semester residency provided they are enrolled for a minimum of 6 semester hours. Less than 6 hours of coursework results in residence credit in proportion to the number of hours successfully completed over 12 ( $\times/12$ ).

*NOTE: It is the student's responsibility to ensure that (s)he is enrolled for the minimum number of credit hours each Fall and Spring semester. (Summer attendance is not required, nor is a specific credit hour load required for enrolled students.) It is the student's responsibility to ensure that all graduation requirements have been met. The Registrar's Office does not maintain a "running audit" of students' progress through law school; deficiencies may not be caught by Registrar personnel until they begin checking records of would-be graduating seniors.*

## V. CLINICAL PROGRAMS

### A. **Rules Governing**

#### 1. **Credit:**

- a. Full-time internships (Public Defender, State Attorney, Legal Services) receive 12 semester hours pass/fail credit.
- b. Part-time internships (all other) receive six semester hours pass/fail credit. All part-time programs will require a minimum of twenty hours per week in the internships.

2. **Limitation on Intern Programs:** Only two internship experiences may be taken. No student may receive more than 18 hours of credit in clinical programs.

#### 3. **Part-Time Internships—Procedures:**

- a. Students enrolled in part-time programs must have their law school courses and work experience during that semester approved in advance by the program's supervisor.
- b. Each part-time internship and the participation of each student therein must be periodically reviewed by a member of the Faculty to ensure that educational objectives are being achieved and that the credit allowed is, in fact, commensurate with the time and effort expended by and the educational benefits to the participating student.
- c. Students when participating in part-time internships will not be on the job when any announced examination is scheduled, unless there is a compelling reason, which reason must be approved by the faculty supervisor.

#### 4. **Restrictions on Full-Time Program:**

- a. No student may take any full-time (12 hour) internship during the student's last semester of law school.
- b. No student may take any other courses during the semester the student is enrolled in a full-time internship, except Tallahassee interns may receive Law Review credit.

5. **Credit Granted Only for Approved Programs:** No student may receive any credit for any clinical work unless it is in an approved program.

6. **Limitation on S/U Graded Credit Hours:** Every student must successfully complete 66 semester hours of graded courses to graduate; not more than 22 of the 88 required hours can be "S" hours from S/U courses.

### B. **Student Petitions Concerning Clinical Programs (Internships)**

1. **Waiver of Program Prerequisites:** Petitions for waiver of program prerequisites are to be left to the discretion of the Faculty director for the internship involved.

2. **Courses in Addition to Full-Time Internships:** The rule against taking courses in addition to a full-time internship is non-waivable in all circumstances.

3. **Other:** All other petitions concerning internship programs will be delegated first to a committee composed of the program directors for consideration. A negative vote by the Committee would be final. A favorable vote would place the issue on the faculty agenda for consideration by the Faculty.

## **VI. SUMMER PROGRAMS**

### ***Oxford Program:***

The Florida State University College of Law annually sponsors a special summer semester legal studies program at Oxford University, Oxford, England. Students may earn up to  $\frac{1}{3}$  semester residency credit and 6 semester hours of course credit from their participation in this program. The program includes formal course work and visitations to places in England having traditions related to the development of American law. A combined faculty drawn from Oxford University and the Florida State University College of Law provide instruction for the program. To be eligible for this program applicants must have successfully completed at least one year of legal studies at an accredited law school.

### ***Barbados Program:***

The College of Law annually sponsors a summer legal studies program at the University of West Indies, Barbados. Students may earn up to 6 semester hours of credit and up to  $\frac{1}{3}$  semester residency credit from participation in this program. The program concentrates on topics relating to the law of the Caribbean and the relationship between the Caribbean countries and the United States.

### ***Center for Yugoslav/American Studies:***

In conjunction with the Center for Yugoslav/American Studies, the College of Law offers a summer program in Belgrade, Yugoslavia. Students may earn up to 6 semester hours of credit and  $\frac{1}{5}$  semester of residency for participation in the program.

## VII. EXAMINATIONS AND GRADING

A. **Grading System:** The following grading system will be utilized:

85-93	A	72-74	C+	64	D+
82-84	B+	68-71	C	61-63	D
78-81	B	65-67	C-	60	D-
75-77	B-			50-59	F

Other symbols include:

I — Incomplete (excused absence from examination)

S — Satisfactory (65 or better)

U — Unsatisfactory (no credit)

WD — Withdrawn from class

W — Withdrawn from College of Law

W\* — Disenrolled by instructor (no grade)

In addition to the letter grades recorded by the Registrar's Office in individual courses, the student's numerical grades will be distributed by the College of Law Faculty.

B. **S/U Option:** Law students will be permitted to elect to take a graded course on an S/U basis subject to the following limitations.

1. A student electing the course on an S/U basis shall count toward the 35 student minimum triggering the curve;

2. Professors will not know the identity of students electing S/U.

Examinations will be graded on the same basis as all students. The grades awarded students electing the course on an S/U basis will be taken into account regarding compliance with the curve;

3. Any grade of 64 or below ("D" or below) shall be a "U";

4. The required courses, the first-year elective, and the basic second-year courses of Income Tax (6600), Gratuitous Transfers (6430), Business Associations (6060), Evidence (6330), Commercial Law (6010, 6020, 6030) and Land Transfer and Finance (6420) are excluded;

5. A student may elect only one S/U course per semester;

6. A student must elect the S/U option by the end of the regular drop/add period. Credits earned pursuant to the exercise of this option will be counted toward the S/U cap of 22 hours. Students wishing to exercise this option must complete the appropriate form and submit it to the Admissions & Records Office.

C. **Grading Regulations:** Grade curve and application:

1. From 25% to 45% of grades be 75 or better, with the following distribution:

85-93 — 0 to 10%, norm of 7%

80-84 — 5 to 20%, norm of 14%

75-79 — 10 to 25%, norm of 20%



## EXAMINATIONS AND GRADING *continued*

2. From 35% to 60% of grades be between 65 and 74, with the following distribution:

70–74 — 15 to 35%, norm of 31%

65–69 — 10 to 25%, norm of 18%

3. From 5% to 20% of grades be between 50 and 64, with a norm of 10%.

This single curve will apply to all graded classes. It will be a guideline for classes under 35 students. However, in classes of 35 or more students, the curve can be departed from only in cases of extraordinary circumstances justified by the Faculty member to the Faculty.

**D. Awarding Grades in the 50–55 Range:**

1. No grade below 50 may be awarded;

2. A 50–F will be awarded when a student, without instructor permission based on good cause, fails to take an examination or turn in equivalent work;

3. An Incomplete, upon expiration without further extension, becomes a 50–F;

4. Grades of 55 or below should be awarded only in exceptional circumstances in cases in which examinations or equivalent work are actually turned in. When examinations or equivalent work are turned in, a grade of 50 should not be awarded. This policy statement assumes good faith in turning in work. The policy authorizes awarding a 51–55 “F” only when the examination or other work turned in is *substantially below* the expected minimum performance level for the course or seminar.

**E. Grading Graduate Students:** A graduate student taking a law course should receive a grade of “S” if (s)he received a numerical grade of 60 or better. Faculty members should report a numerical grade for every graduate student to the Records Office, which in turn reports to the University Registrar’s Office the “S” or “U” grade as is appropriate.

**F. Grades—When and How Released:** Numerical grades are posted in the College of Law when they are available. Students are not authorized to obtain partial or individual release of grades. Neither faculty nor staff members will release grades in advance of the consolidated posting for each course. Grades are not furnished over the telephone or to messengers.

**G. Class Rank—How Determined:**

1. Final class rank is to be determined by taking into account all graduates between September of one year and August of the following year.

2. Grades for work taken after the semester in which graduation requirements are completed will be recorded, but will not be used in determining grade point average or class standing.

3. Class ranks for first- and second-year students will be computed at the end of the Spring semester.

## H. **Class Rank—Distribution:**

1. The law school will not publish or display class ranking although it will be computed;

2. Rank in class will not be released to anyone without student authorization, except Bar authorities and the Florida Supreme Court.

I. **Grade Turn-In Deadline:** Grades for each course are due by 5 pm on the 35th day after the examination for *that course is given*.

## J. **Blind Anonymous Grading System (BAGS):**

1. **The System:** In brief, the system is:

a. Students obtain a BAGS number each semester in the Admissions and Records Office, the number to be used on all exams and quizzes during that semester;

b. Grade adjustments will be turned in to the Records Office separately, by student name. The Records Office will post *all* grades (including adjustments) by BAGS number only, and will thereafter furnish a standard grade roster to the instructor;

c. BAGS numbers will remain confidential and will be furnished to Faculty only upon authorization of the Dean or Associate Dean for some emergency reason;

d. In courses covered by BAGS, faculty members have authority to decline to grade papers not having an issued BAGS number.

2. **Administrative Interpretations:** Because BAGS would, in some cases, clearly defeat or impinge upon other policies, educational goals and programs, the following additional guidelines are provided by the Office of the Dean:

a. BAGS is not required for any clinical or special programs.

b. BAGS is not required for any legal research or legal writing program.

c. BAGS is not required for any seminar or course in which the final grade depends upon term papers, research papers or class presentations and no examinations or quizzes are given.

K. **Grade Appeal System:** This system affords an opportunity for a student to appeal a grade considered inequitably awarded because it involved a gross violation of the instructor's own *specified* standards. The system is not a basis for appeal of the instructor's grading standards, nor does it cover situations in which the judgment of the instructor is questioned as to a borderline grade decision. A student who believes a grade was inequitably awarded on the basis of the instructor's own *specified* grading standards must follow this procedure:

Step 1. Contact the instructor to discuss the grade and attempt to resolve any differences. A student not in residence for the succeeding semester, or a student unable to resolve his/her differences with the instructor, must file a written appeal with the Dean within sixty (60) days following posting of the disputed grade. The student may file the written appeal *before* finally determining that differences with the instructor cannot be resolved. The appeal should contain the facts and circumstances on which the student's claim is based. A copy must be furnished to the instructor by the student.

## EXAMINATIONS AND GRADING *continued*

Step 2. A student who is still dissatisfied may then request an appearance before a board consisting of three students appointed by the Dean. This board acts as a screening body only; it determines only whether the appeal is consistent with the criteria indicated above. A negative decision by the board will end the appeal. A favorable decision will be referred to Step 3.

Step 3. A committee of three Faculty members and two students appointed by the Dean will review a favorable decision reached by the Step 2 board. A majority decision by this College-wide review committee shall be final.

### **Administration:**

- a. Student members of a board or committee will be appointed from nominees selected by the SBA President or the President's delegate, four nominees for a Step 2 board and six for a Step 3 committee.
- b. Notice of the appointment of all boards and committees will be given to the student and the instructor by the Dean's Office.
- c. Copies of material furnished to a board or committee by either student or instructor should, whenever practicable, be furnished to the other party. Both parties may appear at any step and be heard.
- d. Each board or committee will be headed by a Chairperson designated by the Dean. The Chairperson will select meeting times and places, furnishing notice to the parties. The Dean's Office will assist as may be required. A written report will be furnished to the Dean and to the parties at the conclusion of Step 2 and, where required, Step 3.
- e. In the case of successful appeal at any stage, the grade can be changed by the joint agreement of the student and Faculty member. In case of their failure to agree, the grade will be changed to "P" and so indicated on the transcript. The "P" grade carries the same implication as an "S" in quality points. It is not calculated in the academic grade point average, but it does carry credit hours towards graduation. Actual grade changes will be accomplished through the Dean's Office.

### L. **Examinations:**

1. **Examinations—General:** Many examinations in the College of Law are essay examinations. Most questions require answers involving anywhere from fifteen minutes to one hour's time. All essay examinations must be answered in the standard examination "blue book." Examination books are provided by the College for each examination. Students should supply their own No. 2 pencils for objective examinations.

#### 2. **Scheduling:**

- a. Final exams shall not be given at any time other than as scheduled without the prior approval of the Associate Dean.
- b. No *final* exams shall be given during the last week of regular classes; however, bona fide "quizzes" are permitted during the last week.

3. **Duration:** No final exam shall exceed five (5) hours in duration without: 1) the prior approval of the Curriculum Committee, and 2) notice thereof prior to the time the exam schedule is published.

## EXAMINATIONS AND GRADING *continued*

4. **Take-Home Exams:** Take-home exams given during the exam period shall not be given without the prior approval of the Associate Dean. Normally, take-home exams will not be approved if they exceed eight (8) hours in duration or unreasonably infringe on the student's other examinations.

5. **Postponement of Exam by Student Illness:** If a student, before or during an examination, believes he cannot take or complete the examination by reason of illness, he must immediately contact the instructor. Otherwise, permission to take a later examination is automatically denied. An unexcused absence from an examination is recorded as F and a grade of 50 entered on the student's record. The rule is not subject to Faculty discretion and shall be stated on each final exam schedule.

6. **Retention of Evaluative Materials:** All written materials, including, but not limited to, examinations, quizzes, papers and supervisor's evaluations upon which a student's course credit and grade is based, shall be retained for at least one calendar year from the date of the grant of credit for such course.

## VIII. ACADEMIC DISMISSAL/READMISSION

### VIII. ACADEMIC DISMISSAL/READMISSION OF ACADEMICALLY DISMISSED STUDENTS: WITHDRAWAL FROM THE COLLEGE/READMISSION OF WITHDRAWN STUDENTS

A. **Standards for Automatic Dismissal for Failure to Meet Academic Requirements:** Any of the following will result in academic dismissal:

1. **Failure to maintain a cumulative grade point average of 64** after the second semester in the College of Law. (For transfer students, this grade point average rule applies when their fourth final course grade is received.)

2. **Eight or more hours of "F" or "U" grades (including administrative "F" or "U" grades) from one faculty member in the first two semesters of law study;** or when any student receives grades of "F" or "U" in the first two semesters of law study in eight or more hours of work from the same Faculty member and subsequently receives a grade of "F" or "U" from another Faculty member in a course taken for law school credit.

3. **Eleven or more hours of "F" or "U" grades (including administrative "F" or "U" grades),** provided all such grades are not received from the same Faculty member; or when any student receives grades of "F" or "U" totalling eleven hours from the same Faculty member and subsequently receives a grade of "F" or "U" from another Faculty member in a course taken for law school credit.

4. **Four or more hours of Administrative "F" or "U" grades.** An administrative "F" or "U" grade, in the discretion of the Faculty member teaching the course for which the grade is to be awarded, may be given in any of the following circumstances:

- a. where a law student (other than one who has properly withdrawn from law school or one who has properly dropped the course) fails to complete previously announced course requirements;
- b. where a law student is disenrolled for chronic and unexcused absenteeism;
- c. where a law student fails to make a bona fide attempt to write an acceptable paper or examination;
- d. where a law student withdraws from courses from the College without valid clearance;
- e. where a law student permits a grade of Incomplete to expire.

5. **Additional Rules:**

- a. Extra courses—grades of "F" or "U" received by a law student in his/her final semester of law school for extra courses taken beyond those courses and hours required for graduation shall not be considered for purposes of applying the academic dismissal criteria in paragraph A.
- b. Transfer students—for students who have transferred from another accredited law school, only grades received after transfer shall be considered for purposes of applying the academic dismissal criteria in paragraph A.

c. No grade expunction—any law student having received a grade of “F” or “U” in a course who retakes the same course successfully, shall receive credit for the course but the initial “F” or “U” grade shall not be expunged for purposes of applying the academic dismissal criteria in paragraph A.

6. **Notification of Dismissal:** The dismissed student is notified by the Law Registrar’s Office as soon as academic dismissal is determined. There is no probationary period, no right to remain and complete a current semester, and no right to return.

B. **Readmission of Academically Dismissed Students:** Readmission of an academically dismissed student is not a matter of right. The discretionary authority to readmit or not to readmit an academically dismissed student is delegated to the Readmissions Committee, appointed by the Dean, except that any student who has been academically dismissed and who has been out of law school for three calendar years or longer, is required to seek readmission through the Admissions Committee.

1. **Procedure for Readmission:** Any academically dismissed student seeking readmission to the College of Law through the Readmissions Committee, shall file a Petition for Readmission with the University Registrar’s Office, and a separate Petition for Readmission with the Law Registrar. These forms are available in the College Admissions and Records Office. The Committee’s decision shall be made on the petition and the petitioner’s law school record. There is no right of personal appearance before the Committee, although the Committee, in its discretion, may permit a personal appearance or require additional information in writing from the petitioner or others. In all such cases, the petitioner shall be given a written copy of any information added to his/her file after the filing of the original petition. The decision of the Committee as to factual determination is final.

2. **Time When Petition for Readmission Will Be Considered:** An academic dismissal relates back to the end of the semester in which the student violated the academic dismissal criteria. The Readmissions Committee may consider a Petition for Readmission any time after academic dismissal. However, no academically dismissed student shall be permitted to return to law school until (s)he has layed out of school for at least one semester. In its discretion, the Committee may require a longer layout period up to one full year. Normally, the layout period shall comply with the following norms:

- a. two or three semesters for students academically dismissed in the first year of law school.
- b. one or two semesters for students academically dismissed in their second year of law school.
- c. one semester for students academically dismissed in their third year of law school.

Any deviation from the above norms shall be justified in writing by the Readmissions Committee and a copy of the justifications shall be given to the petitioner.

3. **Conditions Imposed on Readmission** by the Readmissions Committee will set forth the criteria which the readmitted student must meet in order to be eligible for continued enrollment. At the very least, a minimum grade point average for all post-readmission work will be required, which grade point will be that necessary to raise the petitioner's overall grade point average, including work prior to readmission, to the 65 required for graduation. Additional conditions may deal with alterations of the definition of academic dismissal as it is to apply to the readmitted student; with whether the student will be permitted to enroll in S/U courses, and, if so, under what circumstances; and with any required remedial work (including the retaking of previous courses) that might be warranted in the case.

4. **Reasons for Denial of Readmission** shall be justified, in writing, by the Readmissions Committee. A copy shall be attached to the Petition for Readmission and a copy shall be given to the petitioner.

5. **A Second Academic Dismissal Is Final:** Failure to meet the readmissions conditions will result in a second academic dismissal. Academically dismissed students who are subsequently dismissed for failure to meet readmission conditions will not be readmitted a second time.

### C. **Withdrawal:**

1. **Cancellation of Registration:** Students who do not pick up their schedules by the end of the regular registration period will have their schedules for that term cancelled by the University Registrar's Office. Students who have not paid their full registration fees by the date posted by the University Registrar will have their classes cancelled. No grades will be received. Students are not automatically granted reinstatement, even if full payment of fees is made.

2. **Withdrawal from Courses:** Except for first-year students, a student may withdraw from a course at any time prior to the start of the scheduled final examination, or if there is no examination, prior to the first week of final examinations. A student who has dropped a course may not re-enroll in that course, if it is taught by the same instructor, without the instructor's permission. Students who fail to formally withdraw prior to the deadlines specified must complete the course. Grades in courses from which the student has not properly withdrawn, and which are not completed, shall be recorded as administrative "F" or "U" and a grade of 50 shall be entered on the student's record.

Drop forms are available in the Admissions and Records Office. The following Drop/Add schedule is strictly adhered to by the University:

- a. The third day of classes is the last day to submit schedule changes and have fees adjusted. Students are liable for all fees for courses appearing on their schedules at 4:00 pm on the third day of classes for each term.
- b. The fifth day of classes is the last day to withdraw from the College and have all charges removed.



c. The end of the fourth week of classes is the last day to drop a course without special permission from the academic dean. Permission of the academic dean is required if the student is dropping below 12 hours.

d. All schedule change transactions after the fifth day of classes must have the instructor's signature on the Drop/Add form. All schedule changes after the fourth week of classes must have the instructor's signature and that of the academic dean.

3. **Withdrawal from the College of Law (University):** Any student may withdraw from the College of Law at any time. The withdrawing student must first clear with the College Admissions and Records Office, then contact the Dean of Students, Withdrawal Services, Bryan Hall, prior to withdrawal. Any student who withdraws without making proper arrangements shall receive administrative "F" or "U" grades in all courses in which the student is registered, and a grade of 50 will be assigned for the course.

D. **Readmission of Withdrawn Students:** Students who have withdrawn from the College of Law may be readmitted by the Associate Dean if readmission is sought for a term within one calendar year from withdrawal. The Associate Dean may refer any readmission application to the Readmissions Committee and shall refer all applications when the withdrawn student is seeking readmission for a semester more than one calendar year after the date of withdrawal. Any student who withdrew in good standing and who has been out of law school for two calendar years or longer is required to seek readmission through the Admissions Committee.

1. **Procedures for Readmission:** Students seeking readmission should submit a request for readmission to the Admissions and Records Office of the College. Students must also submit a Petition for Readmission to the University Registrar. Forms are available in the Admissions and Records Office of the College.

## **IX. STUDENT SERVICES**

### ***Placement:***

The primary objective of the Placement Office is to assist students in securing clerkships and permanent employment in the legal profession. This office provides career counseling, resume consultations, and an active on-campus recruiting program.

In compliance with Florida State University policy, all placement services provided by the University are to be administered in a manner which provides equal opportunities for the employment of individuals who are entitled to use such services. Therefore, Placement Office files and listings are not available to any organization which unlawfully discriminates against any person because of race, creed, sex, religion, national origin, age or physical handicap. It is expected that employers will take positive steps to assure that no such discrimination occurs in hiring, promotion, compensation or work assignment.

### ***Disabled Student Services:***

The Florida State University Office of Disabled Student Services is located in Room 309 of Bryan Hall, (904) 644-1741, TTY attachment available. Qualified staff members are available to assist disabled students in many different ways.

The law school will make special arrangements for disabled students taking examinations. Law students needing assistance should first contact professors individually and then contact the Law Registrar's Office prior to the beginning of the examination periods.

### ***Registrar, Admissions and Records:***

General law school policies and procedures, class schedules, course descriptions, registration information, orientation and graduation information, the law school catalog and handbook can be obtained from the Admissions and Records Office (Room 209).

The Law Registrar's Office maintains all student records, including grade reports and transcripts. Students should obtain official transcripts from the Law Registrar (Room 209) since the University transcripts do not note numerical grades nor class rank.

### ***Examination Booklets, Class Materials:***

The Faculty Secretaries Office provides examination booklets (when needed) to all law students. All booklets are stamped and identified and must be returned, whether used or not, with the rest of the examination materials.

Photocopied class materials required by the instructor may be picked up at the Copy Center, Room 240, off the Student Lounge. Payment for materials is due at the time they are picked up.

### **Law Partners:**

Law Partners, an auxiliary of the Student Bar Association, is a social and service organization for the spouses and "significant others" of FSU law students. The organization seeks to educate its members about the law profession and to provide a means of interaction with the law school and law school related activities.

Meetings and social activities are scheduled during Fall and Spring semesters. The organization keeps members informed of its activities and those of the law school through a monthly newsletter. Law Partners is supported entirely by the fund-raising activities of its membership.

### **National Lawyers Guild (NLG):**

NLG is an organization that believes that law and society are inseparable elements in American culture.

NLG started in the fifties in reaction to the repeated attacks on the constitutional rights of citizens during the McCarthy era. The organization's goal at Florida State University is to make law students aware of the depth and breadth of some of the important legal issues of the day.

### **Phi Alpha Delta:**

The purpose of this coed organization is to promote friendly social and business relationships among students and members of the fraternity. Each year, Phi Alpha Delta hosts a number of guest speakers. The fraternity also coordinates a police ride program which gives students the opportunity to experience the reality of law enforcement. Phi Alpha Delta members volunteer to clerk with lawyers involved in the legal aid program. The fraternity also organizes social events for students with lawyers in the community.

### **Phi Delta Phi:**

Phi Delta Phi is a coed organization dedicated to promoting the highest standards of ethics and culture. Founded in 1869, Phi Delta Phi is the oldest national association in the legal profession. Members of Phi Delta Phi have become prominent attorneys, law professors, and judges. Seven of the current U.S. Supreme Court Justices are members.

Membership in FSU's Mason Ladd Inn (chapter) is open to law students who have completed their first year of study. Phi Delta Phi sponsors speakers, community service activities, and social activities involving both students and practicing attorneys. The fraternity participates in the national organization's low-interest student loan program.

### ***Spanish-American Law Students Association (SALSA):***

SALSA functions primarily as a support group for Hispanic students. Recently, SALSA has broadened its perspective to include student recruitment, orientation, and leadership training. One of SALSA's goals is to raise the awareness in the legal community of the important contributions Hispanic lawyers have made to the legal landscape of Florida. SALSA schedules social and academic events during the school year and sponsors public discussions.

### ***Women's Law Society (WLS):***

Membership in this organization is open to anyone concerned with women's issues. One current major project of WLS is a student loan program. Interest-free loans of \$200 for 90 days are available to students regardless of sex. An annual auction of donated gifts from faculty creates this loan fund. WLS frequently invites speakers such as female attorneys, judges, and legislators to speak at noontime "brown-bag" sessions in the Student Lounge or at evening potluck dinners. WLS also coordinates a mentor program matching first-year students with local attorneys. Representatives of WLS attend the monthly meetings of Tallahassee Women Lawyers, and their members are invited to WLS events.

### ***Law Review:***

The Review has two primary purposes—to provide a forum for articles that will inform its Florida audience about state and federal legal issues and to promote student scholarship. Law Review members are chosen in the following manner:

1. The top 12 students at the end of the first semester of the first year are offered membership;
2. As many as 12 students are selected from the writing competition that is held between the Fall and Spring semesters;
3. Any first-year student who moves into the top 12 students of the class at the end of the second semester of the first year is offered membership;
4. Five second-year students are selected from the writing competition held during the summer after the first year.

Transfer students may become members of the Review in the following ways:

1. A student transferring to Florida State at the beginning of his/her second-year will have to compete in the second-year writing competition usually held from December through February.
2. Any student transferring to FSU in January of their second year will have to submit a paper by March 1st of the semester in which they begin at FSU.
3. Any student transferring in after the completion of their second year will be ineligible for membership.

Transient students are ineligible for membership.

### ***Moot Court:***

New members are chosen through an intramural competition open to all first-year students each spring. Contestants are judged by Moot Court team members on brief writing and oral argument skills, with each given equal value. Performance in these areas is the prime consideration in the selection process. Membership on Moot Court is not limited by grade point average or class standing. New members are selected after three elimination rounds. The top four members of this group go on to argue again before a panel of active judges, legal scholars and attorneys for the Maguire Voorhis and Wells Award.

A competition to select new members is also held each fall, which affords second-year and transfer students an opportunity to participate in Moot Court.

Members of Moot Court receive academic credit for their participation in intercollegiate competitions. Each member is required to participate in two competitions during their membership on Moot Court.

### ***Journal of Land Use and Environmental Law:***

The Journal was founded as a scholarly forum for the discussion of environmental and land use issues in Florida. The 12-member advisory board is made up of practitioners in land use, real property, zoning and environmental law. Members are selected by writing competitions held twice during the academic year.

## ***XI. STUDENT RECORDS***

The Florida State University College of Law is an institution within the coverage of the Family Educational Rights and Privacy Act of 1974. This policy statement is issued to provide guidelines for University personnel in the handling of student records to ensure that the students' privacy rights are guarded. A copy of the act is available in the Law Registrar's Office and in the Law Library.

## **XII. STUDENT CONDUCT CODE**

The Student Conduct Code has been implemented as an administrative rule governing the College of Law. It has been designed to provide a fair and speedy procedure for resolving accusations of misconduct related to the life of the law school community against students. A copy of the code follows. Please read it in its entirety.

### ARTICLE 1: DEFINITIONS AND VIOLATIONS

This Code defines and prohibits:

a. **CHEATING**

Cheating is receiving or giving unauthorized aid or assistance in the completion of examinations or of any other work used in evaluating a student's academic performance.

b. **PLAGIARISM**

Plagiarism is representing the work of another as the student's own. Students are expected to know and employ accepted conventions of citation and attribution. Failure to indicate quoted or paraphrased sources constitutes plagiarism. More specific definitions of plagiarism for particular courses or in particular contexts may be supplied by a course instructor, editor, or faculty employer of a student. A student should request clarification in case of doubt. Any student charged under this section may prove by preponderance of the evidence that the misrepresentation of work resulted from mistake or inadvertence as a complete defense.

c. **LIBRARY OFFENSES**

Library offenses are sequestering, hiding or mutilating library materials, or using the library or library materials in a manner which violates official library rules on manner or length of use.

d. **DISRUPTION**

Disruption is disturbance of or interference with the scholarly pursuits of the College. It includes, but is not limited to interference with the conduct of an examination, defiance of rulings or instructions issued by an instructor or proctor in the course of an examination, and defacing or destroying class notes, drafts, or any other scholarly or administrative work product of faculty, fellow students, or other users of College facilities.

e. **FRAUD**

Fraud is material falsification of documents or any other form of deceit or misrepresentation committed in regard to the administrative or academic processes of the College of Law.



f. **OTHER SERIOUS MISCONDUCT**

Other serious misconduct is intentional and serious offenses involving acts for which criminal or other punitive sanctions are provided by federal, state, or local law, or ordinance that directly relate to a student's fitness to continue as a student at the College.

## ARTICLE 2: PROCEDURES

a. **INITIATION OF CODE VIOLATION INVESTIGATION**

Students, faculty and staff of the College are expected to inform the Dean of any facts constituting cause to believe a violation of this Code has been committed, or will be committed. Failure to report information is not a violation of this Code.

The information required under this section may be communicated in confidence, and the fact that such a communication has been received shall not be disclosed until the Dean determines that probable cause exists.

b. **INVESTIGATION**

The Dean shall appoint a faculty member as investigator upon determining that the reported facts constitute probable cause to believe a violation of this Code has occurred. The investigator should not be either an accuser or anticipated witness in the matter.

The investigator shall:

- (1) Notify the accused of the allegations, the investigation, and the accuser;
- (2) Interview all persons believed to have knowledge of the facts and circumstances surrounding the alleged offense, provided such persons are within the reach of the investigator without subpoena powers;
- (3) Interview the accused if considered appropriate and if the accused agrees, provided that the accused may terminate the interview at any time;
- (4) Report findings and recommendations to the Dean. A recommendation to proceed shall be supported by a complaint. A recommendation to terminate shall give reasons. In either case, a recommendation shall be supported by documentation as to the findings.

## **STUDENT CONDUCT CODE** *continued*

### **c. DEAN'S REVIEW OF RECOMMENDATION**

The Dean shall review the investigator's findings and recommendations. The Dean may accept or reject recommendations in whole or in part, and may adopt or revise a proposed complaint. The Dean may also initiate a complaint although the investigator has recommended a termination of proceedings, but the Dean must provide a statement of reasons and documentation explaining the decision to proceed.

### **d. PROCEEDINGS AFTER DEAN'S REVIEW**

After review, the Dean shall advise the accused in writing of a decision to terminate proceedings or to proceed with a complaint. A decision to proceed shall be accompanied by copies of the complaint, the investigator's findings and recommendations, and the documentation supporting them. The accused shall also be provided with a copy of this Code.

Unless the accused admits guilt in writing within fifteen school days after receiving a decision to proceed, the Dean shall appoint a panel to hear the case. The accused, upon admission of guilt, may also demand a hearing for the sole purpose of presenting matter in mitigation.

Every hearing panel shall consist of three permanent faculty members and two students, all of the College of Law. Student members shall be appointed after consultation with the Student Bar Association.

Notice of appointment shall be given to panel members and to the accused, with the notice designating the chair. The chair shall make arrangements for meetings, the attendance of witnesses, the reproduction of necessary documents, and the recording of proceedings.

Unless the Dean directs otherwise, the investigator shall present the case against the accused. The investigator shall also present any evidence tending to exonerate the accused. However, no accuser or potential witness may present the case.

### **e. HEARINGS**

Hearings shall be scheduled at the convenience of all participants, and upon notice to the accused. Unless the accused consents, the first hearing shall not be scheduled within ten school days of the appointment of the panel.

Hearings shall not be governed by formal rules of evidence. An accused is entitled to present evidence in person, or through an attorney or other counselor, or both. No faculty member shall represent an accused. Paid counsel must be supplied to the accused. An accused is entitled to present witnesses and documentary evidence, to cross-examine any witnesses, and to inspect and inquire concerning any evidence. Upon request, the chair shall make every reasonable effort to secure the presence of witnesses or documentary evidence for the accused.

## **STUDENT CONDUCT CODE** *continued*

In exercising any of these procedural rights, an accused may address both innocence and matter in mitigation.

### **f. PANEL PROCEDURE AFTER HEARINGS**

After final hearing the panel shall meet in closed session upon call of the chair to discuss and consider the case, to determine guilt or innocence, and to consider sanctions upon determination or admission of guilt. One or more sessions may be held.

The standard of proof for conviction is clear and convincing evidence. Findings of fact shall be based exclusively on evidence of record.

A vote to convict and a vote as to any sanction requires the concurrence of at least four members.

The panel shall submit to the Dean a written summary of its factual findings, its finding of guilt or innocence, and its recommendations as to sanctions. The panel may also recommend terms for suspension of any sanctions. This summary should be made within five school days of the final hearing. The Dean shall make available to the accused at least ten calendar days in which to submit written exceptions to the recommendation. When a case involves multiple charges and/or multiple accused persons, each charged and accused shall be separately covered in the findings and recommendations.

### **g. SANCTIONS**

A student convicted of a violation of this Code is subject to one or more of these sanctions:

- (1) Expulsion from the College of Law;
- (2) Suspension from the College of Law for a specified period of time;
- (3) Loss of privileges to participate in any non-required course, program or activity of the College of Law;
- (4) Replacement, repair or restitution for damages, destroyed or stolen property;
- (5) Written reprimand to be included in the student's permanent records;
- (6) Oral reprimand;
- (7) Disclosure by the Dean to the College of Law and Bar agencies.

## **STUDENT CONDUCT CODE** *continued*

### **h. DISCLOSURES**

Disclosure to the Bar of any proceeding, regardless of the result, by the Bar or the accused student may be required by Bar rule.

### **i. IMPOSITION OF SANCTIONS**

A panel finding of innocence as to any charge terminates the proceedings, upon delivery of the written report to the Dean. A panel recommendation that no sanctions be imposed upon a finding of guilt as to any charge terminates the proceedings as to sanctions.

The Dean shall review all findings as to guilt and mitigating matters, and all recommendations to impose sanctions. Rejection by the Dean of a finding of guilt terminates the proceedings.

When sanctions have been recommended, the Dean may determine to impose them or to reduce or suspend them in whole or in part. The Dean shall promptly communicate this determination to the student in writing.

Upon being informed of sanctions proposed by the Dean, the student may request a faculty review provided five faculty members join in the request. If faculty review is requested, the faculty by majority vote may reduce or suspend the proposed sanctions in whole or in part. Faculty review must be requested in writing within five school days after a student is informed of proposed sanctions.

The Dean imposes those sanctions not reduced or suspended as a result of faculty review.

### **j. ACTION BY DEAN'S REPRESENTATIVE**

Whenever this Code specifies that any action is to be taken by the Dean it may be performed by an Associate Dean, except that only the Dean or an Acting Dean designated by the University may perform those duties specified in section *i* of this Article.

### **k. TIMELINESS**

All actions prescribed or authorized by this Code shall be accomplished as expeditiously as possible, except where the Code expressly provides otherwise or where prejudice to an accused or convicted student would result.

This public document was promulgated at a cost of \$2,046.69, or \$2.046 per copy, to provide to students information about the Florida State University Law School.

