



SOUTHWESTERN

LAW SCHOOL

*Student Handbook*

2020-2021

# **SOUTHWESTERN LAW SCHOOL**

## **STUDENT HANDBOOK**

### **2020-2021**

Southwestern Law School is approved by the American Bar Association<sup>1</sup> and is a member of the Association of American Law Schools.

Since 1911, Southwestern Law School has served the public as a nonprofit, nonsectarian educational institution. Southwestern does not discriminate on the basis of race, color, age, religion, national origin, ancestry, sex, sexual orientation, gender (including identity and expression), disability, medical condition, pregnancy, marital status, veteran/military service, or any other characteristic protected by state or federal law in connection with admission to the school, or in the administration of any of its educational, employment, housing, financial aid, scholarship, or student activity programs. Non-discrimination has been the policy of Southwestern since its founding. Southwestern's policy on non-discrimination is to comply fully with applicable state and federal law.

The law school also requires employers using its Career Services Office services and facilities to abide by these standards and to insure that no such discrimination occurs in hiring, promotion, or compensation for work assignments.

It is the policy and practice of Southwestern Law School to comply with the Americans with Disabilities Act (ADA) of 1990, as amended by the ADA Amendments Act of 2008, Section 504 of the Rehabilitation Act, and state and local requirements regarding students and applicants with disabilities. Under these laws, no qualified individual with a disability shall be denied access to or participation in services, programs and activities of Southwestern Law School. Copies of the complete policy regarding students and applicants with disabilities may be obtained from the Dean of Students and Diversity Affairs Office.

Southwestern Law School is a qualified exempt organization under Section 501(c)(3) of the Internal Revenue Code. Gifts to the law school are deductible from state and federal taxes.

The Southwestern admissions catalog/viewbook, Southwestern website, MySWLAW Student Portal, and the *Southwestern Student Handbook* have been designed to answer frequently asked questions concerning the admissions process; academic, financial aid, and placement and career development programs; and general policies and regulations of Southwestern Law School. Publications have been prepared with the best data available as of July 2020 regarding these matters as well as course offerings, tuition, fees, faculty, and administration. In accordance with American Bar Association Standard 509, consumer information is available on the Southwestern website at <http://www.swlaw.edu/aba-disclosures>.

Notwithstanding anything contained in the catalog/viewbook, website, MySWLAW or handbook, the administration, faculty, and Board of Trustees of the law school expressly reserve the right, whenever it deems advisable, to (1) modify the schedule of fees and tuition charges and to make such changes applicable to all students; (2) change instructors or cancel, withdraw, reschedule or modify any course or program of study, or any requirement in connection therewith; and (3) change any regulation affecting the student body.

**WHILE EVERY EFFORT HAS BEEN MADE TO PROVIDE COMPLETE AND CURRENT INFORMATION, THIS HANDBOOK IS NOT INTENDED TO BE A CONTRACT. ALL INFORMATION, INCLUDING, BUT NOT LIMITED TO, STATEMENTS OF FEES, COURSE OFFERINGS, AND ACADEMIC REQUIREMENTS, IS SUBJECT TO CHANGE.**

**DUE TO THE ONGOING COVID-19 PANDEMIC, ADDITIONAL POLICIES OR POLICY REVISIONS NOT REFLECTED IN THIS HANDBOOK, MAY BE COMMUNICATED TO STUDENTS THROUGHOUT THE ACADEMIC YEAR.**

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<sup>1</sup> American Bar Association/Council of the Section of Legal Education and Admissions to the Bar, 321 North Clark Street, 21<sup>st</sup> Floor, Chicago, IL 60654-7598; (312) 988-6738

## INTRODUCTION

The faculty of Southwestern Law School is pleased to publish a copy of the *Student Handbook*. The handbook outlines the policies and procedures students are instructed to follow as they enter and progress through law school.

Sections 1, 3, and 4 detail the requirements for graduation and policies that must be followed by students at Southwestern. Section 2 presents policies specific for the SCALE program®, interdisciplinary programs and LL.M. These sections are to be read carefully as they are designed to answer questions which may arise during your course of study at Southwestern. They will also provide you with notice of the standards to which each student will be held. Section 5 provides an overview of special programs at Southwestern, including externships, legal clinics, and summer abroad and student exchange programs. Section 6 describes the student honors programs, including Law Review, Law Journal, Moot Court, Negotiation, and Trial Advocacy Honors Program, and extra-curricular activities, including the Student Bar Association (SBA), and the numerous student organizations. Section 7 provides an overview of financial information; Section 8 provides an overview of the law library, student services, administrative offices, and student housing; and Section 9 summarizes general information.

Southwestern reserves the right to amend any of its policies or procedures at any time. Any notice of policy or procedure change will be posted on the administrative bulletin board, located in the first-floor lobby of the Westmoreland Building and/or communicated via email. All students are required to read and comply with all of the policies and procedures set forth in this handbook, including any subsequently posted changes or amendments. Any ambiguities which may appear in this handbook will be clarified only by the Office of the Dean.

The faculty hopes each student will take advantage of the many opportunities available at Southwestern. Becoming involved will help you become an integral part of this academic community and in that challenging and rewarding discipline you have chosen for your career, the law. This handbook is designed to aid Southwestern in providing you with the finest legal education possible. Good luck in your studies at Southwestern.

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## SECTION 1

### Academic Standards and Procedures

#### I. GRADUATION REQUIREMENTS

##### A. Overview

Requirements for the receipt of the degree of Juris Doctor from Southwestern Law School are as follows: (See Part II *Academic Policies and Procedures* for the standards that must be met to remain in good academic standing while enrolled at the law school. SCALE and LL.M. students should refer to *Section 2* for graduation requirements.)

1. Eighty-seven (87) units must be satisfactorily completed. No course will be considered satisfactorily completed and no course or unit credit will be granted if a grade of F is received. A student may not graduate with a grade of Incomplete on his or her transcript. A student may not extend the degree date after eighty-seven (87) units and required courses have been satisfactorily completed.
2. All students are required to earn six (6) residency units in order to graduate.
3. A cumulative grade point average (GPA) of at least 2.330 (C+), calculated on the basis of all work completed at Southwestern, must be maintained by all students.
4. Students must enroll in and complete all courses designated by the faculty as required courses. The required courses are as follows:
  - Business Associations
  - Civil Procedure I and II
  - Constitutional Criminal Procedure
  - Constitutional Law I and II
  - Contracts I and II
  - Criminal Law
  - Evidence
  - Legal Analysis, Writing and Skills (LAWS) I and II
  - Legal Profession
  - Property
  - Torts
  - A course that satisfies the upper division writing requirement
  - Six (6) units of coursework which satisfies the experiential requirement
5. All required courses must be passed with a grade of D- or higher. A student who fails a required course must repeat that course during the next semester in which it is offered. Failure to pass the required course a second time will automatically result in academic disqualification. (See *Academic Policies and Procedures, Repeated Courses* for information concerning the calculation of a passing grade in a two-semester course and the effect of repeated courses on the GPA.)
6. Any student who anticipates graduation but has been academically disqualified and subsequently readmitted to the law school may be required to meet additional requirements as determined by the Academic Standards Committee.

It is the responsibility of the student to regularly monitor their academic progress and make sure that they comply with all graduation requirements and academic standards.

##### B. Residency Units

In addition to the eighty-seven (87) units required to graduate, students must satisfy the Southwestern residency requirements. All students are required to earn six (6) residency units in order to graduate. They are earned as follows:

1. Traditional day students earn one (1) residency unit for each fall or spring semester completed satisfactorily (6 semesters x 1 residency unit = 6 residency units).
2. Traditional evening and PLEAS/Part-time day students earn 0.75 (three quarters) of a residency unit for each fall or spring semester completed satisfactorily (8 semesters x .75 residency unit = 6 residency units).
3. SCALE students earn 0.67 (sixty-seven hundredths) of a residency unit for each term or grading period completed satisfactorily. SCALE students attend nine terms, or grading periods, during their program (9 periods x .67 residency unit  $\approx$  6 residency units).
4. Residency units are not earned for any summer session, summer abroad law program or intersession program, with the exception of units completed in the required SCALE summer session.
5. Please note:
  - a. Residency units are earned when a student is charged the normal tuition rate for a semester or SCALE term and completes at least one (1) unit.
  - b. If a student has completed the residency requirement but has not completed 87 units, the student will be charged per unit tuition for any remaining units. (See the *Financial Section* of this handbook.) This may exclude students in an approved deferred graduation program.
  - c. If a student has NOT completed the residency requirement, regardless of how many units the student needs to graduate, the student will be charged flat rate tuition for a semester or SCALE term. For example, if a student only needs a few units to reach 87 units, but has not met the residency requirements, the student will be charged the full flat program rate because tuition for six or eight semesters has not been paid or terms of flat rate tuition have not been completed.
  - d. For information regarding early graduation requests, please see *Appendix A* of this handbook.

### C. Upper Division Writing Requirement

Southwestern has adopted an upper division writing requirement for graduation. This requirement may be fulfilled by a student taking either a seminar or a course that has been specifically approved and designated as meeting the writing requirement. Successful completion of the Law Review or Law Journal fall writing courses will also satisfy the writing requirement. Some courses designated to meet the writing requirement may also be designated as meeting the experiential requirement; however, the same course cannot be used to satisfy both requirements. Students who take a course to fulfill the writing requirement may not use the same course to fulfill the experiential requirement.

Because instruction of this kind requires a low student-faculty ratio and out-of-classroom supervision of the students' research and writing, the seminar/course enrollment will normally be limited to 20 students.

#### 1. Seminar Standards and Guidelines

- a. A seminar paper shall be required of each student enrolled in a seminar.
- b. The seminar requires timely submission, at points throughout the semester to be established by the professor, of a topic outline including a bibliography, and at least one draft of the seminar paper prior to submission of the final paper. The writing is expected to display substantial legal writing skill and reflect in-depth research and cogent legal analysis. It must be original work and all sources must be properly footnoted. To promote academic integrity, papers may be required to be submitted through Turnitin.
- c. Except with the professor's prior written approval, all research papers submitted for credit shall have been prepared and researched solely for the course for which they are submitted.
- d. Each student shall be required to submit two copies of his or her final seminar paper to receive credit. At the professor's direction, the papers shall be turned in directly to the professor or to Faculty Support Services (BW 3<sup>rd</sup> or 4<sup>th</sup> floor, 213-738-6837). If the professor allows direct electronic submission, a second copy must be emailed to [facultysupport@swlaw.edu](mailto:facultysupport@swlaw.edu). The professor shall return one graded copy of each seminar paper to the Registration Office at the time final grades for the seminar are submitted. The second unmarked copy

will be forwarded to the law library where it will be specially indexed and placed in locked files, available only to faculty.

- e. Since active oral participation is a seminar goal, there shall be opportunity for each student to engage in oral analysis and argument of issues with other seminar members. This may be accomplished in a variety of ways within the discretion of the professor.

## **2. Courses That Meet the Upper Division Writing Requirement**

A course may be specifically approved and designated by the Office of the Dean as meeting the upper division writing requirement pursuant to the following criteria:

- a. The course must require the student to timely submit, at points throughout the semester to be established by the instructor, at least three written and graded assignments, at least two of which must be research assignments. The written research assignment must total at least 30 pages.
- b. Examples of writings that would meet the research requirement are the following: research memoranda, memoranda of points and authorities, trial briefs, appellate briefs, and papers of publishable quality.
- c. Examples of writing that would not meet the research requirement are the following: bare pleadings, discovery requests, and documents not involving substantial original research and writing by the student.
- d. The writing requirement designation will be accorded a course upon request of the professor to the Office of the Dean, pursuant to these criteria. The writing requirement designation does not attach to a course title, but to the specific requirements of a course as described in the registration materials distributed to the students.

Assuming that the student is otherwise qualified to register for the seminar or course that satisfies the writing requirement, registration is open to second- and third-year day students and second-, third- and fourth-year evening, and PLEAS/Part-time day students.

## **D. Experiential Requirement**

In accordance with ABA Standard 303, Southwestern has adopted an experiential requirement for graduation. Students are required to complete a minimum of six (6) credit hours of course work that has been specifically approved and designated as meeting the experiential requirement. Announcement of such courses is made in the registration materials each year. Some courses designated to meet the experiential requirement may also be designated as meeting the writing requirement. However, the same course cannot be used to satisfy both requirements. Students who take a course to fulfill the experiential requirement may not use the same course to fulfill the writing requirement.

## **E. Bar Readiness Curriculum**

All students are required to complete a Bar Readiness Curriculum prior to their graduation. Courses include: Cal Bar Writing: Skills and Strategies, MBE: Skills and Strategies, Wills and Trusts, Community Property, Remedies and/or other bar-related courses. The Bar Readiness Curriculum is subject to change due to Southwestern's ongoing commitment to annually review and modify its course offerings to better prepare students for the Bar Exam.

Students who have a GPA of 3.33 or above at the end of their second year in bar-tested courses completed as part of their curriculum in their first or second year may opt out of the Bar Readiness Curriculum. For traditional students, the bar-tested courses used to calculate the opt-out eligibility GPA currently include: Torts, Property, Civil Procedure I and II, Criminal Law, Contracts I and II, Evidence, Constitutional Law I and II, and Business Associations. For part-time students, these courses currently include: Torts, Property, Civil Procedure I and II, Criminal Law, Contracts I and II, and Constitutional Law I and II. The Bar Readiness Curriculum was carefully constructed to maximize all students' chances of passing the bar the first time this sit for the exam. Thus, even for students who have a GPA above 3.33, the Bar Readiness Curriculum is strongly recommended.



Each spring, the Dean of Students Office will publish the Bar Readiness Curriculum for the upcoming academic year. Requirements can be modified from year to year based on course offerings.

#### **F. Graduate Employment Survey and Exit Interview with the Career Services Office**

As part of the Application for Degree process, all graduating students must complete a Graduate Employment Survey as well as an Exit Interview with the Career Services Office. The ABA and NALP require all law schools to collect this information, which is reported anonymously in order to protect the graduate's privacy.

## **II. ACADEMIC POLICIES AND PROCEDURES**

### **A. General Policies**

The following policies have been adopted by the Southwestern faculty or have been mandated by the American Bar Association in the *American Bar Association Standards for Approval of Law Schools*. They are designed to enhance each student's legal education and should be referred to frequently. (SCALE and LL.M. students should refer to *Section 2* for specific academic policies governing those programs. Policies not specifically delineated under the SCALE and LL.M. sections are controlled by *Section 1* of this handbook.)

#### **1. Grade Point Average (GPA) Requirements**

Students must maintain a cumulative grade point average (GPA) of at least 2.330. See section of this handbook entitled *Academic Probation* and *Academic Disqualification* for information regarding failure to maintain a GPA of at least 2.330.

#### **2. Computation of Units**

An academic year for continuing students is based on the summer term (if taken) and the following fall semester, the January intersession (if taken), and spring semester. For purposes of computing the GPA, units earned in summer term and the January intersession are applied toward the computation of the cumulative GPA. Grades earned in the summer session and intersession are not averaged with semester grades. Grades earned in the summer session and intersession do not count toward the determination of an academic disqualification based upon two consecutive semesters on academic probation.

#### **3. Repeated Courses**

All required courses must be completed with a grade no lower than D-.

- a. A failed required course must be repeated during the next semester in which it is offered. If a student fails a required course twice, he or she will automatically be academically disqualified.
- b. For the purpose of this rule only, in a two-semester sequential course, e.g., Contracts I and Contracts II, a passing grade for the course is determined by averaging both semester grades together. If the averaged grade is below 0.5, both semesters must be retaken. If the averaged grade is 0.5 or above, the failed semester need not be repeated, but unit credit will not be granted for that semester's course. Additional coursework must be completed to meet the unit requirement for graduation.
- c. Unit credit will not be awarded more than once for a given course. If a student must repeat both semesters of a two-semester course, unit credit will be given only for the semester that was not previously passed.
- d. When a student repeats any course, both grades appear on the transcript and both are given full weight for purposes of computing cumulative GPA.

#### 4. Course Sequence

Courses must be taken in the sequence indicated on the Southwestern website, WebAdvisor, and registration materials available on the portal.

- a. All full-time students must complete the required first-year courses, including the first-year elective, and register for the required second-year courses before being permitted to take upper division elective courses. Full-time students, after completing their first year, however, may enroll in any course offered during a summer term where only first-year courses are prerequisites. Only upper division students may enroll in the January intersession
- b. All part-time students must complete their required first-, second- and third-year required courses by the end of their third year. Part-time students who have completed their first or second year, however, may enroll in any summer session course for which they have completed the prerequisites. Only upper division students may enroll in the January intersession.
- c. Students are not permitted to withdraw from required courses.

#### 5. Prerequisites

Each student is responsible for having completed the proper prerequisite(s) for each course as listed in the registration materials, Southwestern website, and WebAdvisor.

#### 6. Unit Overload, Unit Underload

Full-time students may enroll in no more than sixteen (16) units per semester (8 units in the summer session) and in no fewer than ten (10) units per semester. Part-time students may enroll in no more than eleven (11) units per semester (six (6) units in the summer session) and in no fewer than eight (8) units per semester. Written approval must be obtained from the Dean of Students for any deviation. Students must be in good academic standing to receive permission to overload for one semester.

This policy is in accordance with ABA Standard 311(c):

A law school shall not permit a student to be enrolled at any time in coursework that, if successfully completed, would exceed 20 percent of the total coursework required by that school for graduation (or a proportionate number for schools on other academic schedules, such as a quarter system).

#### 7. Changing from the Traditional Part-Time Program to the Full-Time Program

Students wishing to change their program status from the traditional part-time program to the full-time program must obtain a cumulative 3.300 GPA. Students must meet with the Dean of Students Office to discuss changing programs. Students are not permitted to switch from part-time to full-time during their first year.

#### 8. Length of Course of Study

SCALE students are expected to complete their course of study in two years; full-time students, in three years; and part-time students, in four years. An additional year may be granted, upon good cause shown, at the discretion of the Dean of Students.

This policy is in accordance with ABA Standard 311(b) of the *American Bar Association Standards for Approval of Law Schools*:

A law school shall require that the course of study for the J.D. degree be completed no earlier than 24 months and no later than 84 months after a student has commenced law study at the law school or a law school from which the school has accepted transfer credit.

Students are expected to maintain continuous enrollment in law school. Failure to enroll in any semester will be treated as a withdrawal unless a student has been granted a leave of absence.

#### 9. Bar Exam Policy

Those students who have successfully completed the requisite units for graduation at the conclusion of the spring semester or second SCALE year will be certified by the law school to take the July California Bar Examination of that year. Those students who successfully complete the requisite units for graduation at the conclusion of a summer term in July, or at the conclusion of the fall semester in December, will be certified by the law school to take the California Bar Examination the following February.

Those students who have successfully completed the requisite units for graduation at the conclusion of the January intersession may graduate in January and could be certified to take the California Bar Examination the following February or July. However, January graduates who wish to take the immediate February bar examination should take note that (1) there may not be enough time to certify them for the bar examination due to the timing of the submission of the January intersession grades, and (2) their ability to study for the bar will likely be impacted given their enrollment in January intersession courses.

Certification by the law school may be withheld where a student is facing a Honor Code Committee (HCC) determination in regard to an alleged Honor Code violation, or has yet to complete sanctions resulting from such violation.

#### 10. Leave of Absence

A leave of absence will be allowed solely in the discretion of the Dean of Students and only under compelling circumstances. A leave of absence will generally be granted for no more than one academic year.

Any student desiring to take a leave of absence from the law school must meet with the Dean of Students Office to obtain approval. Only a student in good academic standing is eligible for a leave of absence, unless special permission is granted by the Dean of Students. Any student requesting a leave of absence must complete the Leave of Absence form and have an exit interview with the Dean of Students Office and the Financial Aid Office prior to submitting the paperwork to the Registration and Academic Records Office. Those students requesting a leave of absence from the law school who have an outstanding tuition balance are required, prior to visiting the Financial Aid Office, to visit the Accounting Office to schedule repayment arrangements.

A student who has been granted a leave of absence is responsible for registering for the semester following the expiration of the leave. He or she must notify the Registration and Academic Records Office in writing in order to receive registration materials. Notation of the leave is recorded on the student transcript.

Any student who does not return following the expiration of his or her leave will be assumed to have permanently left the law school. He or she will be readmitted only upon filing a new application for admission with advanced standing following regular admission channels. The application will be considered on the same basis as transfer applications received that year. A student who fails to enroll in any semester and has not been granted a leave of absence will be deemed to have withdrawn from the law school.

If granted, a leave of absence does not extend the time period of an Incomplete.

### **B. Registration**

#### 1. Registering for Courses

All students are required to submit copies of their official transcript(s), with degree conferred, from all undergraduate degree granting institutions within thirty (30) days of their start term. In accordance with ABA Standard 502, students who fail to submit their official transcript(s) by the deadline are subject to being withdrawn from the law school. Official transcripts should be submitted directly to the Law School Admission Council. Any extension is at the discretion of the Director of Registration.

Students will be charged a non-refundable student services fee upon registering for any courses. Course schedule changes must be made via WebAdvisor online unless after the add/drop deadline. After the add/drop deadline, course schedule changes must be made in the Registration and Academic Records Office by completing a Student Action Report (SAR) and receiving approval from the Dean of Students.

a. Adding Courses

Students may add courses during the regular semester up to one week after the first day of the term as designated on the academic calendar. Summer session courses may be added up to one week after the first day of summer session. January intersession, summer mini-term A, and summer mini-term B courses may be added up until the first class of the term, as designated on the academic calendar. Schedule changes must be made online through WebAdvisor. If a student enrolls in a course after the beginning of classes, the missed class(es) may be counted as absences. Students may not register for only mini-term courses during the fall and spring semesters.

b. Dropping Courses

A student may not drop any required courses. Externships may only be dropped with the approval of the Director of Externships.

Non-required courses may be dropped through the first week of classes during the regular academic year and the summer session. January intersession, summer mini-term A, and summer mini-term B (if offered) courses may be dropped through the first day of classes. After that point, any dropped course will be recorded as an Administrative Fail (\*F), unless otherwise approved by the Dean of Students. Any drop approved by the Dean of Students after the drop deadline will result in a "W" on the transcript. (Students wishing to withdraw from a course after the last drop date should refer to the handbook section entitled *Withdrawal*.) Information regarding pro-rated tuition refunds for courses dropped after the add/drop period of the semester, January intersession or summer session, may be obtained by referring to the tuition refund policy in the *Financial Information* section of this handbook, the current catalog, the Southwestern website, or current registration materials.

2. Cross Registration

Cross registration occurs when full-time day and PLEAS/Part-time day students register for courses designated for the evening division or when evening students register for courses designated for the day division. Southwestern's limitation on cross registration is sound educational policy and is based upon the American Bar Association *Standards for the Approval of Law Schools* that requires that the law school provide a schedule of classes that deters excessive work hours by full-time students who intend to complete their studies within three academic years or, in the case of SCALE, two SCALE academic years.

At the discretion of the Dean of Students, certain courses designated for the evening division may be available for registration by day students and certain courses designated for the day division may be available for registration by evening students. Students wishing to cross register must complete a Student Action Report (SAR), indicating the reasons for the needed change (e.g., course conflicts, childcare issues, etc.). Cross registration is only allowed with the approval of the Dean of Students. Cross registration will not be approved for reasons of professor or schedule preference. After cross registration is approved by the Dean of Students, students may enroll in the course online through WebAdvisor.

Students who request cross registration because of an externship obtained through the Externship Office must obtain approval from the Dean of Students after receiving written approval of the externship by the Externship Office. This request must state why cross registration is necessary. Cross-registration to accommodate part-time externships is unlikely to be approved.

3. Auditing Courses

Southwestern students and alumni visitors may take courses on an audit basis (i.e., no letter grades will be given). Students must obtain permission from the Dean of Students. Alumni visitors may make arrangements to audit through

the Registration and Academic Records Office. Courses that meet the experiential requirement, upper division writing requirement, required Bar Readiness Curriculum, as well as other limited enrollment courses requiring extensive class participation may not be audited. Requests to audit courses that have waitlists or are in high demand will generally not be approved. Courses taken on an audit basis will appear as an "AU" on a student's transcript. Southwestern students are charged usual tuition rates for audited courses. (See Section 1, *Alumni Visitors* and Section 7, *Financial Aid Information* for additional information. SCALE students should refer to the SCALE section for the rules on auditing courses in the traditional program.)

#### 4. Withdrawal

A student is permitted to withdraw from a course after the last day to drop classes only for serious and compelling reasons. Approval for withdrawal must be obtained from the Dean of Students. Southwestern policy requires that a student must submit a Student Action Report (SAR) to the Dean of Students Office and meet with the Dean of Students. Without an SAR, a withdrawal cannot be completed. If the petition is approved, a notation of "W" will be listed on the student's transcript for the course dropped. See *Dropping Courses* section in this handbook for additional information regarding dropping courses.

In the event that a student wishes to withdraw from the law school after the last day to drop classes without a penalty of an Administrative Fail (\*F), approval must be obtained from the Dean of Students. If the petition is approved, a notation of "W" will be listed on the student's transcript for all courses that semester. A withdrawal by a first-year student during either the fall or spring semester will result in the student having to re-apply for admission through regular admission channels. Admission to the next academic year is not automatic and will depend on the competitiveness of the incoming class.

Those students requesting a complete withdrawal from the law school are required to complete a withdrawal form, and have an exit interview with the Dean of Students Office and the Financial Aid Office prior to submitting the paperwork to the Registration and Academic Records Office. Those students requesting a complete withdrawal from the law school who have an outstanding tuition balance are required, prior to visiting the Financial Aid Office, to visit the Accounting Office to schedule repayment arrangements.

#### 5. Student Action Report (SAR)

A Student Action Report (SAR) form, available in the Registration and Academic Records Office, is required for the following transactions. In many cases, prior approval is required.

- a. Adding a course after the add period
- b. Withdrawal from a course after the drop period
- c. Adding an honors program
- d. Adding an externship
- e. Request for unit overload or unit underload
- f. Change of graduation date
- g. Cross registration
- h. Change of vital data (e.g., address, telephone, change of name)
- i. Change of status (e.g., day to evening, evening to day)
- j. Request to exceed Credit/No Credit limit

### **C. Southwestern Summer Courses and January Intersession**

#### 1. Summer Courses

Southwestern offers extensive summer programs, comprised of in-class courses during summer session as well as externships. Current Southwestern students in addition to law students who have completed at least one year of law school and are currently in good standing at an ABA-approved or state-accredited law school may enroll summer courses at Southwestern. While full-time students in the traditional program are not required to attend, part-time students must attend at least two sessions in order to graduate within four years. SCALE students may select the on-campus summer session as a SCALE summer session option. (See section in this handbook entitled *SCALE Program Policies* for more information.)

a. Computation of GPA

For purposes of computing the GPA, units earned in the summer session are applied toward the computation of the cumulative GPA. Grades earned in summer session are not averaged with fall or spring semester grades. Units earned in summer session do not count toward the determination of an academic disqualification based upon two consecutive semesters on academic probation.

b. Academic Disqualification

Academically disqualified students enrolled in the summer session may continue attending classes until notified by the Academic Standards Committee of its action on their petition. If the petition is approved, credit will be granted for summer session work successfully completed. If the petition is denied, no credit will be allowed and no grades for summer session courses will be recorded. A full summer session tuition refund for courses currently enrolled in at Southwestern will be automatically processed.

c. Adding Courses

Summer session courses may be added up to one week after the first day of the summer session as designated on the academic calendar. Schedule changes must be made online through WebAdvisor. In accordance with ABA attendance policies, if a student enrolls in a course after the beginning of the session, the missed class(es) may be counted as absence(s).

d. Dropping Courses

Courses may be dropped up until one week after the summer session begins as designated on the academic calendar. After that point, any dropped course will be recorded as an Administrative Fail (\*F), unless otherwise approved by the Dean of Students. Any drop approved by the Dean of Students after the drop deadline will result in a "W" on the transcript. Information regarding prorated tuition refunds for courses dropped after the add/drop period of the summer session may be obtained by referring to the tuition refund policy in this handbook, the current catalog, or current registration materials.

Course schedule changes must be made online through WebAdvisor unless after the drop deadline. After the drop deadline, course schedule changes must be made in the Registration and Academic Records Office by filling out a Student Action Report (SAR) and receiving approval from the Dean of Students.

e. Prerequisites

Each student is responsible for completing the proper course prerequisites as listed in the registration materials and online through WebAdvisor and the Southwestern website. Course credit will be denied to any student enrolled without the proper prerequisite(s) unless waived by the Dean of Students. All students should consult the summer schedule online through WebAdvisor and registration materials to see which courses are open to them.

f. Tuition Refund Policy

Please see *Section 7, Financial Information*

2. January Intersession

The on-campus January intersession program is held for one week each year following the conclusion of the fall semester and prior to the commencement of the spring semester. The intersession provides opportunities for students to enroll in skills-based and other courses. Only upper division students may enroll in the January intersession. Students must attend all class meetings to receive unit credit.

a. Computation of GPA

For purposes of computing the GPA, units earned in the January intersession are applied toward the computation of the cumulative GPA. Grades earned in the intersession are not averaged with fall or spring semester grades. Units earned in the intersession do not count toward the determination of an academic disqualification based upon two consecutive semesters on academic probation.

b. Academic Disqualification

Grades earned in the intersession will remain on the transcript of an academically disqualified student regardless of the decision from the Academic Standards Committee.

c. Adding Courses

On-campus January intersession courses may be added up to the first class meeting. Schedule changes must be made online through WebAdvisor.

d. Dropping Courses

Course schedule changes must be made online through WebAdvisor unless after the drop deadline for the on-campus January intersession. After the drop deadline, course schedule changes must be made in the Registration and Academic Records Office by filling out a Student Action Report (SAR) and receiving approval from the Dean of Students.

Courses for the on-campus January intersession may be dropped through the first day of the intersession. After that point, any dropped course will be recorded as an Administrative Fail (\*F), unless otherwise approved by the Dean of Students. Any drop approved by the Dean of Students after the drop deadline will result in a "W" on the transcript. Information regarding pro-rated tuition refunds for courses dropped after the add/drop period of the January intersession may be obtained by referring to the tuition refund policy in this handbook, the current catalog, or current registration materials

e. Prerequisites

Each student is responsible for completing the proper course prerequisites as listed in the registration materials and online through WebAdvisor and the Southwestern website. Course credit will be denied to any student enrolled without the proper prerequisite(s). Students should consult the January intersession schedule online through WebAdvisor and the registration materials to see which courses are open to them.

f. Tuition Refund Policy

Please see *Section 7, Financial Information*

## **D. Employment Policy**

Southwestern prohibits full-time students enrolled in more than twelve (12) units per semester from working more than 20 hours per week during the academic year. In accordance with this policy, full-time students are required to sign the 20-Hour Work Rule Acknowledgement Statement to attest that they comply with this policy through their law school career. Such signed statements are required as part of the first-year registration and become part of each student's file.

In addition to requiring students to agree to such terms, the schedule of classes and limited cross-registration into the evening program also helps to insure that students may not work more than 20 hours per week. Full-time students who need to work more than 20 hours a week are counseled to transfer to the part-time program. Students who are found to be engaging in excessive outside work will be regarded as part-time students, and, accordingly, will have their graduation delayed.

## **E. Attendance Policy**

Law schools approved by the American Bar Association must require regular and punctual class attendance, as per ABA Standard 308(a). Students at Southwestern are expected to attend all scheduled classes for the law school courses in which they are enrolled.

Southwestern recognizes that some absences may, in rare instances, be unavoidable. Students may need to miss an occasional class as a result of illness, personal emergencies, job interviews, law school activities and functions, religious observances, and for other compelling reasons. Although students are encouraged to keep faculty informed, students do not need to submit documentation to support an absence. A student is expected to consult with the Dean of Students when it is foreseeable that the student may not be able to regularly attend classes (e.g., in case of illness, personal emergency or other compelling reasons). As a professional school, Southwestern will assume absences are for compelling reasons and will be taken only when necessary. Students who are absent for more than 14% of regularly scheduled class sessions will not have attended sufficient class to earn credit and will be administratively withdrawn (WA). Students with greater than 14% absences will not be permitted to sit for the course's final exam and will not earn academic credit for the course. An absence for any reason counts toward the maximum of the 14% absences permitted. There are no excused absences.

Select courses may have a first day attendance policy that requires students enrolled in the course to attend the first class session. The first class session of these courses involves detailed planning that is necessary to the format of the entire semester. This policy ensures fairness to student on the waitlist and to students in these courses who depend upon their classmates' attendance. Students who fail to attend the first class session of a course that has a first day attendance policy will automatically be dropped from the course. Check the course description in Webadvisor and the course syllabus to determine if a course has a first day attendance policy.

Attendance will be taken during class through a digital attendance tracking software. If you do not check-in at the appointed time during class, you are considered absent. Students may only check-in themselves and not other students. It is a violation of the Student Honor Code to check-in for another student. Violations will be referred to the Honor Code Committee. Lack of preparation, early departure, or inappropriate behavior may result in a student being marked absent. Professors may take class attendance into account when determining course grades in the manner stated in course syllabi.

Students must keep track of their absences. The Dean of Students Office is unable to provide students with ongoing attendance totals. While the Dean of Students Office will commonly notify students that they are in danger of accumulating excessive absences, the office is under no obligation to do so.

Students who have failed to adhere to the attendance policy and wish to appeal the administrative withdrawal must provide a detailed written explanation showing compelling circumstances for granting the appeal. The Dean of Students will consider the circumstances underlying each absence, not just the absence triggering the administrative withdraw. Supporting documentation is not required, but will be weighed heavily. The Dean of Students, in consultation with the Vice Dean, has complete discretion with regard to the outcome of the appeal.

Students enrolled in the January intersession and summer mini-terms (if offered) must attend all class meetings to receive unit credit.

## **F. Religious Observance**

Reflecting the law school's mission of making legal education accessible to students from a wide variety of backgrounds and circumstances, Southwestern recognizes the importance of appropriately accommodating a student's observance of religious practices. Requests for such accommodations in the examination process or environment must be directed to the Dean of Students Office and made as early in the semester as possible. Where accommodations are sought for in-class assignments and presentations, students must contact their particular faculty member for approval. Absences resulting from religious observances will be given great weight in cases where a student petitions an administrative withdrawal that results from exceeding the absence limit. Any accommodation for a religious observance cannot compromise or fundamentally alter the essential components, substance or requirements of a particular course or program of study.



## **G. Public Service Policy**

The provision of *pro bono* legal services is an integral component of a legal education and to the practice of law. Per the California Bar resolution and American Bar Association Model Rules, which calls for fifty hours of *pro bono* service annually, Southwestern encourages *pro bono* participation by all members of the Southwestern community in the collective effort to defend equal access to our judicial system and in advancing the public interest.

Through Southwestern's Public Service Program, and in partnership with public interest firms /civil legal aid and government agencies, student volunteers provide direct legal services, litigation and policy advocacy as well as community legal education in a wide-variety of settings and contexts as part of the legal profession's responsibility to ensure equal access to justice for all communities.

Southwestern students are asked to commit to 25-hours of volunteer service each year. Those students meeting the 25-hour pledge in an academic year will receive a formal letter of recognition from the Dean. Those students meeting their 75-hour pledge by the April submission deadline in their final year of study will be recognized at commencement ceremonies and a notation of Public Service Program distinction will be placed on their academic transcripts.

## **H. Faculty Office Hours**

Office hours for the current semester are posted outside each faculty member's office. Students wishing to leave messages for faculty members may do so through the Faculty Support offices located on the third and fourth floors of the Bullocks Wilshire Building or by emailing [facultysupport@swlaw.edu](mailto:facultysupport@swlaw.edu).

# **III. EXAMINATION POLICY**

## **A. Examination Procedures**

The examination schedule will be published on WebAdvisor as well as the Registration and Academic Records and Course Specific Information pages on MySWLAW. Each student is responsible for registering for courses that allow for an examination schedule that can be managed without alteration. Each student must take the examination on the date and time scheduled for the course and section in which the student is enrolled. No allowance will be made for students who are late to the examination or who fail for any reason to complete any part of the examination. Exceptions to this policy will be made only in the following instances:

### **1. Administrative Change of Exam Date or Time**

Administrative changes of time or date resulting in a conflict of exam schedules is a basis for a change of exam time and date. Relief from such a conflict will be granted when the conflict is not apparent at the time of registration. A conflict occurs only when two or more examinations are scheduled on the same date and time. Any other administrative changes of time or date of an exam may only be made due to extraordinary situations or religious observance. (Please see the *Religious Observance* section of the *Student Handbook*.) Requests for such changes must be directed to the Dean of Students Office.

### **2. Deferment of Examination for Exigent Circumstances**

When extraordinary circumstances prevent a student from taking an examination at the scheduled time, the following procedures are to be followed:

- a. The student must notify the Dean of Students Office immediately upon occurrence of the circumstance that prevents the student from taking the exam. Notification must be made before the exam.
- b. The student must submit, as soon as possible, a Special Exam Administration form requesting a deferred examination along with appropriate documentation in support of the request to the Dean of Students Office.
- c. If, after considering the request, permission is granted for a deferred examination, an alternative exam date will be scheduled for that exam period or a grade of Incomplete will be entered for that course.

- d. In most circumstances, a deferred examination to make up an Incomplete will be taken at the next occasion when the faculty member from whom the student took the course offers an examination in that course. In any event, it must be taken within one academic year following the missed exam.
- e. If the faculty member is not offering an exam in that course within one year, the student must take the regularly scheduled exam from any other faculty member offering an exam in that course within the one-year period.
- f. It is the student's responsibility to submit a Special Exam Administration form to the Dean of Students Office for approval at least one month prior to the exam period in which the deferred exam to make up an Incomplete will be taken. The Dean of Students Office will forward the approved form to the Registration and Academic Records Office so that appropriate arrangements for the exam can be made.
- g. A student graduating before the course is offered again may petition the Dean of Students for approval to make up the exam in order to avoid a delay of graduation. The student must not seek approval directly from the professor as such action will compromise the anonymity of the exam. The student may not graduate with an Incomplete on the transcript.
- h. A student who is denied permission to take a deferred exam or a student who fails to take an approved deferred exam within one year will receive an Administrative Fail (\*F) in the course.

### 3. Examination Room Policies

Students are expected to review and abide by all Examination Room Policies. Policy violations may constitute misconduct under Southwestern's Honor Code. The Examination Room Policies can be found on the Registration and Academic Records portal page at <https://swlawportal.swlaw.edu/registrar/Pages/default.aspx>.

### **B. Criteria for Final Course Grade**

The final grade in all seminars shall be based upon the criteria set out in the respective course syllabus. In all other courses, subject to the below paragraphs, final grades shall be determined on the basis of an in-class examination. Generally, the minimum length of the examination shall be equal in hours to the number of units allotted to the course. However, any faculty member shall have the option of increasing a two-hour examination to three hours and a three-hour examination to four hours, but no examination shall exceed four hours in length allotted to the course, with the exception of four-unit courses, where faculty may elect to give a three-hour exam.

Legal Analysis, Writing and Skills I and II (LAWS), clinics, externships, practicums, courses satisfying the upper division writing requirement, experiential requirement, Independent Study, Credit/No Credit courses, and any other course specifically adopted by the faculty to be graded on a different basis, are exempt from this policy. For these courses, the final grade shall be based upon the criteria set out in the respective course syllabus.

The final grade in an examination course will normally be determined based on an in-class examination. The in-class examination shall include an essay-type question or questions, each of which shall require a minimum of forty minutes for analysis and development of an appropriate answer. Multiple-choice questions may be utilized for up to fifty percent of the final examination (the MBE: Skills and Strategies course is exempt from this policy).

Full-time faculty have the discretion to implement a preparation and engagement policy. A final grade may be adjusted in accordance with adherence to the preparation and engagement policy.

Nothing shall preclude any faculty member from requiring the satisfactory completion of additional work assignments during the course of a semester. Such work will not have any bearing on a student's final grade, but failure to satisfactorily complete any such assignment may result in a grade of F.

### **C. Examination Review**

Faculty normally review examinations with students upon individual student request. All written examinations shall indicate raw points for each question, and a total raw point score shall be clearly marked. Students should be aware

that the faculty may not change any grade except as provided in this handbook, and that the purpose of the review is solely to enhance the student's education. (See *Policy on Changing Grades* in this section of the handbook.)

1. Grades Below C+

A student with a grade of C or below is entitled to an individual conference with the faculty member to determine the causes of the student's poor performance. In no instance shall this conference be construed as an opportunity to dispute the grade assigned. (See *Policy on Changing Grades* in this section of the Student Handbook.)

2. Grades of C+ and Above

Individual conferences with faculty cannot be expected, but some feedback is appropriate for students with grades of C+ and above. Members of the faculty may devise their own methods to provide such feedback.

3. Examination Retention Policy

The multiple choice score sheet is returned to the student. The question-and-answer sheets for multiple-choice questions are retained by the law school. The school prohibits the copying of these items, but shall make this portion of any examination available to the student during business hours for a reasonable period of time following the completion of the grading process.

Bluebooks and typed examinations are distributed to students following completion of the grading process from the Registration Office. Graded exams are retained in the Registration Office for one year and are then shredded.

Copies of prior essay examinations are available through the MySWLAW Portal. Faculty members are encouraged, but are not required, to provide either a model answer, an outline of the issues indicating how they were weighted, or a minimum of three student answers. If the last option is selected, the answers should represent a poor or failing answer, an average answer, and a good or excellent answer.

Faculty members are encouraged to conduct a "post-mortem" review of the fall exam in a two-semester course in the early part of the spring semester.

## **IV. GRADING POLICIES, HONORS, AND SPECIALIZED COURSES**

### **A. General Procedures**

1. Course Syllabus and Grading Criteria

Course syllabi will be posted on the portal and will include a course outline, course learning objectives, a description of course materials, and the grading and attendance criteria. In the event of an inadvertent conflict between the syllabus and the *Student Handbook*, the provisions of the handbook will prevail.

2. Anonymous Grading Rule

In order to insure objectivity, an anonymous grading system is used for all written examinations and may also be used in other parts of each course. A confidential computer-generated anonymous Exam ID number is issued and made available through WebAdvisor each semester. Faculty members do not have access to information matching student names and anonymous student Exam ID numbers. Students may obtain their anonymous Exam ID numbers from the Registration and Academic Records Office upon presentation of proper identification.

3. Time Limits for Turning in Grades

All grades will be submitted by faculty members to the Office of the Vice Dean within four weeks from the date of the final examination, final assignment, final paper or final trial. Faculty who fail to meet this requirement are subject

to a daily fine for each day their grades are late. The grades submitted are the final grades after they have been approved by the Office of the Vice Dean.

#### 4. Issuing of Final Grades

All final grades are made available to students on WebAdvisor. Any student whose tuition account is in arrears will not be able to access grades on WebAdvisor or have official transcripts issued. (See *Accounts Receivable Policy*.)

#### 5. Policy on Changing Grades

Once grades are final, they will not be changed except in the case of a documented clerical or computational error. A faculty member seeking to change a grade must present a Change of Grade form with appropriate documentation to the Office of the Vice Dean. No grade can be changed, for any reason, ninety (90) days after the final grade has been posted or the examination has been made available to the student in the Registration and Academic Records Office, whichever is later. The change will become effective only after the petition has been approved by the Office of the Vice Dean and filed with the Registration and Academic Records Office.

### **B. Grading System**

#### 1. Alphabetical Grading System

Southwestern utilizes an alphabetical grading system in which the actual grade earned is represented by an alphabetical letter. Grades are assigned from A+ to F. No unit credit is granted when the grade received is an F. A cumulative GPA of at least 2.330 must be maintained. The GPA is a mathematical depiction of a student's law school grade performance carried out to the first three decimal places. The GPA is derived by first multiplying the number of grade points earned in each graded course by the number of units assigned to that course. Those numbers are then added, and the resulting figure is divided by the total number of graded units attempted in the applicable period. The quotient is carried out only to the first three decimal places. Courses offered on a Credit/No Credit basis are not included in the computation of the GPA.

To insure equity in multiple section courses and uniformity of grades, the faculty has adopted a policy requiring that all courses taught in the first-year day, evening, and PLEAS/Part-time day program; second-year evening, part-time day, and PLEAS Civil Procedure and Property; and SCALE Periods I, II, and III must have a mean of 2.800 (plus or minus 0.05). A minimum of 15 percent grades in the A range (A+, A, and A-) shall be awarded. The minimum standard deviation is .70. All upper division courses must have a mean of 3.000 (plus or minus one tenth) and a median of B. As a guideline in upper division courses, 15 percent grade in the A range (A+, A, A-) shall be awarded. In courses where fewer than 30 students are enrolled, the mean and median standards are to be used as guidelines. LL.M. students should refer to *Section 2* of this handbook for applicable grading policies.

#### 2. Class Rank

Official class rankings by percentage in 10 percent increments are based on cumulative GPA, and are computed for each class at the end of each academic year. Students from the part-time evening and PLEAS/Part-time day programs are ranked together. First-year students also receive an unofficial mid-year class rank.

#### 3. Transcript Symbols

Grades are assigned on an alphabetical basis. Listed below are the letter grades with the grade point equivalent.

A+ : 4.33	C : 2.00
A : 4.00	C- : 1.67
A- : 3.67	D+ : 1.33
B+ : 3.33	D : 1.00
B : 3.00	D- : 0.67
B- : 2.67	F : 0.00
C+ : 2.33	

The grades of A+, A and A- denote outstanding scholarship and intellectual initiative; the grades of B+ and B denote above average work; the grade of B- indicates full satisfaction of the law school's requirements; the grade of C+ represents minimal competency sufficient for good standing and satisfactory progress towards graduation; the grades of C and C- represents work below minimal competency; the grades of D+ through D- reflect unsatisfactory work, sufficient only for credit; and the grade of F designates failing work that is insufficient for credit.

- a. In addition to the alphabetical grades, the following letters are utilized on student transcripts:

AU - Audit (No credit is earned and permission to enroll is required. Used when a student or non-student enrolls in a course at the regular unit tuition rate.)

INC - Incomplete (See *Incomplete Policy* section of this handbook.)

CR - Credit (Credit in a Credit/No Credit course when a student performs work equivalent to D- or above. Credit is earned toward graduation. No alphabetic equivalent. Not included in GPA.)

CRW - Credit in an honors program that also meets the writing requirement.

NC - No Credit (No credit in a Credit/No Credit course. No credit is earned. Equivalent to a grade of F in a graded course. Not included in GPA.)

W - Withdrawal (Assigned in accordance with the *Withdrawal Policy* section of this handbook.)

WA - Administrative Withdrawal (Withdrawal for insufficient attendance. May be assigned when student misses more than 14% of class sessions.)

\*F - Administrative grade of F (see Administrative Fail (\*F) section of this handbook.)

- b. Notations that may also be placed on the transcript as appropriate include, but are not limited to: Dean's List, Honors at Graduation, Concentrations, Concentrations with Honors, Law Review, Journal of International Law (Law Journal), Moot Court Honors Program, Negotiation Honors Program, Trial Advocacy Honors Program, Public Service Distinction, Leave of Absence, Withdrawal, Academic Disqualification, Reinstated, Readmitted, Disciplinary Action, Disciplinary Probation, Disciplinary Leave, Disciplinary Suspension, Withdrawal With Disciplinary Investigation Pending and Disciplinary Expulsion.

The Dean has the sole and non-reviewable discretion, initiated of the Dean's own volition, to determine that circumstances warrant vacating a disciplinary notation from a student transcript.

#### 4. Administrative Fail (\*F)

An Administrative Fail (\*F) is a final grade assigned by the administration, and cannot be changed, when:

- a. An unauthorized withdrawal from a course has been made;
- b. An official Incomplete is not made up within the one-year period allowed by the Incomplete policy; (See the section of this handbook entitled *Incomplete Policy*)
- c. A petition for an Incomplete is denied by the Dean of Students; or
- d. A student violates the Honor Code regarding the signing of the attendance roster.

An Administrative Fail (\*F) is subject to correction when:

- a. An incorrect anonymous number is put on an exam book by a student;
- b. There has been a faculty or clerical error in entering a grade or conveying a grade, or losing an exam book;

- c. Documentation supporting an Incomplete is received by the Dean of Students. (See section of this handbook entitled *Examination Policy*.)

An Administrative Fail (\*F), being a final grade, is treated in the same manner as a final earned grade of F for purposes of computing a student's GPA.

## 5. Incomplete Policy

A grade of Incomplete may be issued only when a limited portion of the course work remains to be completed, the student is doing passing work in all assignments that have been completed and the student has complied with attendance requirements, but, due to extraordinary circumstances, (1) in courses in which the final grade is not based on a final examination, the student is unable to complete the remaining coursework within the required time frame; or (2) in courses in which the final grade is based on a final examination, a student is unable to take a final examination at the scheduled time.

Procedure for Securing a Grade of Incomplete:

- a. The student meets with the Dean of Students Office to explain the reasons that prevent the student from completing the remaining coursework or taking the final examination.
- b. The student submits a written request for an Incomplete with appropriate documentation to the Dean of Students for final approval.
- c. See the procedures outlined in the section of this handbook entitled *Examination Policy*.
- d. If the Incomplete is granted and is not removed within the time agreed upon as noted on the written request, a grade of Administrative Fail (\*F) will be assigned.
- e. At the discretion of the Dean of Students, an Administrative Withdrawal (WA) can be assigned for an outstanding Incomplete if a student withdraws from the school due to extraordinary circumstances.

Please note that every effort will be made to find a solution in each specific circumstance so that a grade of Incomplete will not be necessary.

Incomplete grades must be changed to an evaluative grade as soon as possible, but no later than at the end of one year or the next time the course is regularly examined, whichever occurs first. If the grade has not been changed within this time frame, the student will receive an administratively assigned failing grade. This grade is not subject to change.

A student with an incomplete on his or her transcript is not included in the class rank. Additional information may be obtained from the Registration and Academic Records Office.

A student may not graduate with a grade of Incomplete on his or her transcript.

## C. **Scholastic Honors**

### 1. Graduation Honors

- a. **Summa Cum Laude**  
The top 1% of the graduating class will automatically qualify for this honor.
- b. **Magna Cum Laude**  
The top 5% of the graduating class will automatically qualify for this honor.
- c. **Cum Laude**  
The top 10% of the graduating class will automatically qualify for this honor.

For purposes of computing the percentages for graduation honors, the graduating class shall include July and December graduates, as well as those students graduating in January or at the end of the spring semester.

## 2. Dean's List

The top 10% of each class, based on the annual GPA for the academic year as described below and the overall number of students in the class, will qualify for the Dean's List at the end of each academic year.

For purposes of awarding this honor, each class will be computed separately for day, evening, PLEAS/Part-time day, and SCALE divisions. This honor will be based on the annual GPA for that academic year. Full-time students must complete at least twenty (20) units of graded courses and part-time students must complete at least sixteen (16) units of graded courses per academic year to qualify.

The scholastic honor system is subject to annual revision. Notations of the above are placed on the student transcript.

## 3. Other Academic Honors

In recognition of academic excellence and at the discretion of the professor, the top student or top two students in a course (i.e., those students who receive the highest letter grades in the course) receive the CALI Excellence for the Future Award and/or Witkin Award (and in some instances the Exceptional Achievement Award). CALI is awarded by the Center for Computer-Assisted Legal Instruction and is distributed twice a year, with the summer session and fall semester distribution in April and the spring semester distribution in August. The Witkin Award is available for some courses only and is awarded to students attending California law schools accredited by the ABA or by the State Bar of California.

In situations where the second best exam is of significantly poorer quality than the top exam, faculty may choose to award the CALI and Witkin Award to the same student. In the event that there are two top performing students and Witkin is not available, the student will be awarded the Southwestern Exceptional Achievement Award.

## 4. Scholarships, Grants and Fellowships

### a. General Scholarships

Southwestern offers a number of scholarships from income provided by gifts from donors, foundations, and its own general funds. Qualifications for and amounts of scholarships vary, but the determination of award is generally based on financial need and scholastic achievement, as well as the amount of funds available. It is the general policy of Southwestern that no student receives scholarship or gift aid from Southwestern or any of its benefactors in excess of tuition charged. In the event that a student receives other scholarship or gift aid that would cause those funds to exceed the student's full tuition charged, Southwestern reserves the right to reduce the scholarship so that the full annual tuition amount is not exceeded. Information about select scholarships is listed below. Please refer to the scholarship information page on the MySWLAW Portal for additional and the most current information.

### i. Entering Students

Southwestern awards a select number of merit scholarships providing up to full tuition to members of the J.D. entering class or concurrent degree programs who have demonstrated exceptional academic promise. Awards may be renewable or non-renewable scholarships. If renewable, students must meet the continuing academic performance requirements. Based upon the information submitted in their admission application files, all accepted Southwestern first-year J.D. applicants are considered for these scholarship types. There is no separate application for the programs; however, each admitted applicant who qualifies for one of these scholarships may be invited to participate in an individual interview (on-campus or via telephone) to complete the process.

Additional information regarding continuing eligibility for scholarships is found on the Southwestern website at <https://swlawportal.swlaw.edu/finances/scholarship/Pages/default.aspx>. Students must consult the version of the eligibility rules from the academic year in which they entered Southwestern.

ii. General LL.M. Students

Southwestern awards up to five General LL.M. Program Scholarships each semester, providing partial tuition to entering General LL.M. students. Scholarship determination is based on the admissions application, including an applicant's interests and goals as stated in their personal statement, their professional experience, and law school grades, letters of recommendation, and other factors the admissions committee may wish to consider. No additional materials are required. All admitted students will automatically be considered.

iii. Continuing Students

Southwestern awards a number of scholarships to continuing students. For a complete and current list of scholarships available to continuing students, please visit the scholarship information page on *MySWLAW*. Below is a select list of scholarship awards:

1. Dean's Academic Leadership Award

The Dean's Academic Leadership Award was established by the Board of Trustees to provide full tuition scholarships to the highest-ranking upper division students (typically the top 1% of the class). Eligibility is calculated based on class ranks as determined at the end of the academic year and based on the cumulative GPA.

2. Dean's Merit Award

The Dean's Merit Award was established by the Board of Trustees to provide partial tuition scholarships to upper division students who have demonstrated academic excellence and are in the top 30% of their class. Award amounts are commensurate with class rank. Eligibility is calculated based on class ranks which are determined at the end of each academic year based on the cumulative GPA.

3. Institutional Scholarships

Continuing students may be eligible for scholarships from more than 80 funds with specific criteria established by the donors. For further information, visit the scholarship information page on *MySWLAW*.

b. Public Interest Law Grants and Fellowships

Students interested in working for public interest law / civil legal aid agencies may apply for stipends created through Southwestern Grant and Fellowship programs. These programs provide the matching amount for Federal Work Study funds applied to positions off campus, thereby providing students practical experiences and career opportunities in public service while offering legal services organizations the assistance necessary to service indigent communities and clients. Other programs are also available to support work in the public interest, living up to the dual goals of enhancing the educational experience of its students and furthering the work of public entities serving underrepresented communities and individuals. Please refer to *MySWLAW* for the most current information for grants and fellowships that are available. Below is a short listing of available summer fellowships and grant awards for graduating students:

- i. George and Katrina Woolverton Public Service Award
- ii. Harvey L. and Lillian Silbert Public Interest Fellowship Program
- iii. Judge Harry Pregerson Public Service Fellowship
- iv. Leigh H. Taylor Public Interest Endowment Fund
- v. Public Interest Law Service Award
- vi. Summer Public Interest Law Grant
- vii. Other Opportunities



c. Outside Scholarships

A number of other scholarships are available each year from a variety of outside organizations. Eligibility is usually based on need, academic achievement, and extracurricular activities. The necessary supplemental applications and specific requirements for these scholarships are on file in the Financial Aid Office and the most current information is available on the scholarship information page on *MySWLAW*.

d. Fellowships

i. Jose Siderman Human Rights Fellowship

The Fellowship brings an Argentine law graduate to Los Angeles to complete an LL.M. degree in Civil Liberties and Human Rights or Advocacy at the law school, including an externship with a civil rights organization. The program complements the association Southwestern has maintained for many years with Argentina through summer programs, judicial externships and exchange programs in Buenos Aires.

e. Outside Fellowships

i. American Board of Trial Advocates (ABOTA)

Every year, the Los Angeles County Chapter of the American Board of Trial Advocates (ABOTA) offers a unique fellowship program to local graduating law students who will be sitting for the July Bar Exam. Fellows spend one month with a civil defense firm, one month with a plaintiff firm, and another month with various judges at the Los Angeles Superior Court. This fellowship is open to students who have a strong interest in civil jury trial practice and intend to practice law in Los Angeles County.

ii. Presidential Management Fellowship Program (PMF)

The Presidential Management Fellows Program (PMF) is known as the training ground for future government leaders. It is a two year paid post-graduate program where Fellows have the opportunity to work in high level, federal government agencies. Through this Program, Southwestern graduates have worked at places like the Missile Defense Center and the U.S. Department of Housing and Urban Development.

5. Writing Competitions

A list of writing competitions, provided by a variety of organizations, is located on the scholarship information page on *MySWLAW*. This information can also be found on Symplicity, a web-based platform used by the Career Services Office for listing employment opportunities.

**D. J.D. Concentrations**

Southwestern offers five J.D. Concentrations in the following areas of law:

Civil Litigation & Advocacy  
Criminal Law & Advocacy  
Entertainment & Media Law  
Public Interest Law  
Technology Law & Entrepreneurship

Students must submit a Declaration of Intention form to the Registration and Academic Records Office in order to declare their intent to fulfill a J.D. Concentration.

Information regarding the J.D. Concentrations and their requirements can be found on the Southwestern Law School website at <https://www.swlaw.edu/curriculum/concentrations-and-customizations>.

## **E. Credit/No Credit Courses**

In order to receive credit for credit/no credit courses, the student must satisfactorily complete the requirements of the course and/or program. Students may take no more than sixteen (16) units of Credit/No Credit coursework. This does not include units completed at other law schools for a letter grade, such as summer abroad programs, for which a Credit/No Credit grade is assigned at Southwestern. In rare cases and for compelling reasons where a student can demonstrate that additional Credit/No Credit units would substantially enhance his or her educational program, the student may obtain permission for additional Credit/No Credit units from the Dean of Students prior to registration, but in no case will more than twenty-two (22) Credit/No Credit units be permitted in accordance with ABA Standard 311(a).

## **F. Independent Study**

The purpose of granting unit credit for independent study projects is to allow a student with a demonstrated interest in a particular subject to pursue this interest in-depth under the guidance of a full-time faculty member who has expertise in the area of the student's interest.

A student may petition to undertake an independent study project for two (2) units of credit only. Prior written approval must be obtained from a sponsoring faculty supervisor and the Associate Dean for Research. In order to obtain approval from the Associate Dean for Research, students must submit their independent study proposal, along with the completed independent study cover form with the sponsoring faculty supervisor's signature, to the Dean of Students Office. A student must be in good academic standing to be eligible to take independent study, and no student may register for more than one independent study project for credit toward graduation. Completion of an independent study project will not satisfy the upper division writing requirement.

Samples of successful proposals and finished papers are available on the Dean of Students portal page. Students must consult these samples, this section of the *Student Handbook*, and whatever advice they receive from the sponsoring faculty supervisor for guidance on preparing their initial proposals. On the cover form that must accompany each proposal, available in the Dean of Students Office, students will be asked to indicate that they have reviewed the samples in the file.

For each approved independent study, the student is expected to devote the time and resources sufficient to complete the project set forth in the petition. An independent study requires 90 hours of work per unit of credit, and therefore two units of independent study credit require a total of 180 hours of work. The sponsoring full-time faculty member shall be the sole judge of whether sufficient time and resources have been devoted to the project. Independent study projects will be graded utilizing the same scale as all other courses.

The independent study must be original work, prepared and researched solely for the course, and all sources must be properly footnoted.

Adds/drops for independent study will be governed by the same deadlines as listed in the current academic calendar. No petition for independent study can be granted except in accordance with the following rules:

- a. The student must timely submit a detailed written petition for independent study, the goal of which will be to produce a seminar-style, publishable-quality paper of at least 25 pages, excluding footnotes, by the end of the semester in which credit is sought.
- b. The petition shall consist of a completed form (available in the Dean of Students Office), a proposal, and appropriate attachments, bearing the signature of the sponsoring full-time faculty member indicating approval of the project.
- c. The petition must have been approved and signed by the faculty sponsor who has agreed to supervise and grade the independent study project before it is submitted to the Dean of Students Office for approval from the Associate Dean for Research. Students are strongly encouraged to consult closely with their potential faculty sponsor while drafting the petition.

Faculty advice and assistance is crucial in completing an independent study project, and from time to time a student project author may wish to collaborate with the faculty sponsor in publishing the results in some form. Because a grade is to be given, however, the final draft of the independent study project must be the work of the student author alone. Therefore, any decision whether to publish the completed project, in whole or part, modified or not, must be made after both the course has been completed and the final grade is entered. Such decision belongs to the student alone.

The proposal must be signed and dated by the student. Two to five pages will generally be sufficient to explain the project. At minimum, the proposal must include:

- a. The discrete thesis or hypothesis, not merely a broad topic that the student wishes to investigate. (Although a thesis or hypothesis can change once the independent study project is underway, the student must begin with one.) Except in rare cases, independent study projects will involve the advanced study of topics with which students already have substantial background.
- b. An explanation why the topic cannot feasibly be treated during a seminar or other course offered in the curriculum.
- c. A brief discussion, in light of the existing academic literature relating to the topic, of the relative importance of the independent study project, and whether and to what extent a written paper would contribute something new or original to that literature. Merely reciting or summarizing case law, legislation, or existing academic research or literature will not assist either the faculty sponsor or the Associate Dean for Research in determining whether to approve a petition for independent study.
- d. A bibliography of research materials that the student has consulted in preparing the written proposal.
- e. The name of the faculty member who will supervise the independent study.
- f. A date by which the independent study project will be completed, and an appropriate penalty (e.g., reduction of one grade step for every 24-hour period, or fraction thereof, that the project is late) for failure to meet the deadline. It is understood that the faculty sponsor may extend the deadline for good cause upon timely request by the student. Please see the *Incomplete Policy* in this section of the handbook for additional information.
- g. Any other information that would help the Associate Dean for Research determine whether to approve the independent study project.

## **G. Distance Education Policy**

### **1. Purpose**

Southwestern Law School is committed to the innovative development and delivery of its curricular offerings. To that end, and in accordance with ABA Standard 306, Southwestern's Distance Education Policy offers students the flexibility to receive some academic instruction leading to the J.D. degree with the use of advanced technology.

### **2. Definitions**

- a. Distance Education. Consistent with ABA Standard 306, Distance Education is instruction in which students are separated from the faculty member or each other for more than one-third of the course and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member. This may be accomplished either synchronously or asynchronously.
- b. Asynchronous Format. An Asynchronous Format is one in which faculty provide students with technology-assisted learning resources, and students engage these resources independently or in collaboration with classmates to complete a lesson and/or assessment by a designated time. Students and faculty may use tools such as email, discussion boards, listservs, wikis, and other technologies, which allow them to communicate without having to be in the same virtual or physical space at the same time.

- c. Synchronous Format. A Synchronous Format is one in which faculty and students are in different physical locations, but conduct two-way communication with virtually no time delay, allowing class participation and faculty-student communication in real time.
- d. Blended Courses Not Covered by the Distance Education Policy: Consistent with ABA Standard 306, students and faculty separated from each other for less than one-third of the course are not governed under this policy and are not included in the maximum number of distance education units that students may take.

### 3. Course Requirements

All Distance Education Courses must satisfy the following requirements:

- a. opportunity for regular and substantive interaction between faculty member and student and among students;
- b. regular monitoring of student effort by the faculty member and opportunity for communication about that effort;
- c. learning outcomes for the course that are consistent with ABA Standard 302 and Southwestern's Learning and Performance Standards;
- d. an effective process for verifying the identity of students taking the course, but also protecting student privacy; and
- e. faculty who will be reasonably available to students either in person or through technology outside of regularly scheduled synchronous, or asynchronous session.

### 4. Course Approval

Courses that have been approved by the faculty through the regular course approval process may be delivered as Distance Education courses with the approval of the Vice Dean. The Vice Dean shall ensure that Distance Education courses satisfy the requirements set out in Section 3 of the Distance Education Policy. Faculty may use distance education tools without the Vice Dean's approval so long as faculty do not exceed the limits that would categorize a course as a Distance Education course.

This Section does not impact the regular process for the approval of new courses by the faculty, regardless of the courses' delivery method, except in the case of Distance Education courses, which must also satisfy Section 3 of the Distance Education Policy.

### 5. Student Responsibilities

Students enrolled in a Distance Education course hosted or approved by Southwestern Law School are bound by Southwestern's Student Honor Code, Southwestern's Plagiarism Policy, and the corresponding codes or policies of any host or co-hosting program or institution. Specifically, students shall act professionally and courteously in a Distance Education program and shall refrain during all Distance Education activities from dishonest, abusive, or disruptive conduct, including but not limited to the following:

- a. falsifying their presence or participation in Distance Education activities;
- b. using applications, programs, or services to perform or assist in performing their Distance Education work in violation of the Honor Code or the provisions of the professor's syllabus; receiving assistance from other persons in the performance of their Distance Education work in violation of the Honor code or the provisions of the professor's syllabus;
- c. copying or using without permission or attribution any online or other source;
- d. using Distance Education facilities or activities to knowingly harm another Distance Education participant;
- e. manipulating or interfering with Distance Education program facilities or activities without authorization.

Students who violate this provision may be subject to a range of sanctions authorized by the applicable codes and policies.

Students enrolled in a Distance Education program hosted or approved by Southwestern Law School bear responsibility to anticipate and address actual or potential technology issues by taking reasonable actions or precautions, including but not limited to:

- a. securing access to a back-up electronic device and or software in case of primary device or software failure;
- b. performing assignments expeditiously and not delaying until a submission deadline;
- c. submitting work in a format specified by or acceptable to the professor;
- d. upon discovering a technology issue, taking reasonable measures to immediately notify the professor and Southwestern's Dean of Students of the problem or, if immediate action is not feasible, to provide such notice as soon as reasonably possible thereafter.

#### 6. Credit Approval

- a. In accordance with ABA Standard 306, a student may take a maximum of one-third of the credit hours required for the J.D. degree in distance education courses, or a maximum of 29 credit hours toward the 87 units required to graduate. A maximum of 10 of those credits may occur during the first one-third of a student's program.
- b. Students may enroll in non-required, non-California-Bar-Exam-subject Distance Education courses offered at other ABA-approved law schools only with prior permission of the Dean of Students, and only if any such course is offered on a basis consistent with Southwestern's Distance Education Policy.

#### 7. Accessibility

- a. Courses and programs offered under this Distance Education Policy shall be accessible to persons with disabilities in compliance with federal and state laws.

## **V. ACADEMIC SUPPORT**

The Academic Success and Bar Preparation Office offers academic readiness programs and courses centered around developing personalized learning strategies to maximize intrinsic motivation for achieving a student's desired full academic potential.

### **A. Academic Support Courses in the Curriculum**

Southwestern has developed a number of courses designed to help students master and refine the skills necessary to be successful both in law school and on the bar exam.

#### Foundations of Law and Practice

Southwestern offers a 1-credit course that starts in the fall and continues into the spring semester. For SCALE students, the course begins in Period 1 and runs through Period 3. The primary goal of Foundations of Law and Practice is to help students adopt learning strategies and study habits in their first year of law school that will lead to academic success, both in law school and on the bar examination. These skills include:

- The ability to manage time and stress
- The ability to take proper notes during class
- The ability to read critically and understand information
- The ability to synthesize, process and organize large volumes of information
- The ability to demonstrate knowledge by applying this information in an organized and analytical fashion

In addition, Foundations of Law and Practice introduces students to those professional characteristics and competencies that entry-level attorneys need to succeed.

#### Remedies

Remedies is a two-unit course that covers the nature and dynamics of judicial remedies by focusing on injunctions, damages and restitution. The course also provides instruction and opportunity to further refine legal analysis and exam writing through the application of the legal principles covered in this course. Students are strongly recommended to

take this course during their second year of law school. SCALE student take this course as part of their Period 4 schedule.

## **B. Bar Preparation Programs**

Southwestern is committed to providing students with the tools they need to pass the bar exam on the first attempt and has developed the following bar-related programs and courses:

### Multistate Bar Exam: Skills and Strategies

The MBE Course is a three-unit graded course designed to serve as a refresher on some of the most heavily tested topics within each subject of the Multistate Bar Exam (MBE) and will lay the foundation for strong multiple choice test taking skills as required on the bar exam. The course takes a “skills first” approach and covers all seven MBE subjects (Civil Procedure, Contracts, Constitutional Law, Criminal Law and Procedure, Evidence, Real Property, and Torts). It is recommended that students take this course during their final year of law school. SCALE students take this course as part of their schedule in Periods 6, 7 and 8.

### Cal Bar Writing: Skills and Strategies

Cal Bar Writing: Skills and Strategies is an intensive workshop-style three-unit course that provides students with instructions and numerous hands-on practice opportunities focusing on the skills, strategies and select substantive law tested on the written portion of the California Bar Exam. Essay writing skills will be taught using select subjects and topics that are frequently bar tested. Students will develop and refine their essay exam writing, organization, analytical, time management and writing skills through weekly essay and Performance Test writing practice with many opportunities to receive substantial individualized feedback on their written work. This course is designed to provide students with all the tools necessary to succeed on the written portion of the bar exam, and to make students more effective and successful as law students and practitioners. It is recommended that students take this course during their final year of law school. SCALE students take this course as part of their Period 5 schedule.

### Bison Bar Pass Program

Southwestern’s Bison Bar Pass Program is tailored to best assist our students in achieving success on the bar exam and is available exclusively to Southwestern students taking the bar exam for the first time. The program incorporates a variety of practice essays, Performance Tests and multiple-choice questions, many of which are simulated under timed and proctored exam-like conditions. Students receive twice as many opportunities for practice, grading and feedback than they would with only a commercial bar preparation program. The department also offers extensive support with bar preparation through specialized programming, workshops, coaching and one-on-one counseling throughout a students’ final year and during post-graduation bar preparation.

## **VI. ACADEMIC DISQUALIFICATION, ACADEMIC PROBATION, AND ACADEMIC IMPROVEMENT PROGRAMS**

The following policies apply to all JD students in the full-time and part-time (evening or PLEAS/Part-time day) programs. As used in this section of the *Student Handbook*, an “evaluation period” refers to a semester in the traditional day, evening, part-time or PLEAS programs. Students in the SCALE program should refer to Section 2 for specific policies governing academic disqualification, academic probation and academic improvement programs.

### **A. Overview of Academic Policies**

#### **1. Academic Disqualification**

A student is academically disqualified when a student fails to achieve:

- a. **A Minimum Cumulative GPA:** Traditional students are disqualified if they do not maintain a cumulative GPA of at least a 2.330 at the end of each evaluation period, excluding the summer session or the intersession.

The minimum cumulative GPA requirement is initially calculated after the first two evaluation periods (i.e., at the end of the spring semester of the first year).

- b. ***A Minimum GPA in Two Consecutive Evaluation Periods:*** Students are disqualified if they do not achieve a GPA of at least 2.330 in each of two consecutive evaluation periods, excluding the summer session or the January intersession.

## 2. Academic Probation

A student is placed on academic probation when the student's grade point average is less than a 2.330 GPA in any evaluation period, excluding the summer terms or January intersession, or when the student has been academically disqualified and readmitted. Students can be placed on academic probation after their first evaluation period. Students who are on academic probation may not participate in externships, student honors programs, or in leadership positions. A student remains on academic probation for the duration of the term's Academic Improvement Plan.

## 3. Academic Improvement Program

A student may be required to participate in an Academic Improvement Program (AIP) when the student's cumulative GPA is 2.700 or below after the fall semester of the first year. A student must also participate in an AIP if the student's cumulative GPA is 2.700 or below as calculated after the spring semester of each academic year.

## **B. Academic Disqualification**

### 1. Disqualification Procedure

Southwestern reviews student grades at the end of each evaluation period (i.e., semester) to determine whether a student has been academically disqualified. The Dean of Students Office will notify students by letter if they have been disqualified.

In circumstances where a student believes their grades are not reflective of their academic capability due to possible discriminatory or harassing action (on the basis of race, sex, age, religion, national or ethnic origin, sexual orientation, disability, marital status, or prior military service), however, they will be allowed to immediately petition the Dean of Students with a complete account of their claim. The Dean of Students will investigate fully, respond to the student petition, and craft an individualized solution where appropriate.

A student who is academically disqualified for failing to maintain a cumulative GPA of at least a 2.330, or for failing to achieve a GPA of at least a 2.330 in each of two consecutive evaluation periods (excluding the summer or the intersession), may petition for readmission.

### 2. Readmission Petition Procedure

Southwestern's Academic Standards Committee is responsible for considering petitions for readmission. A student seeking readmission following disqualification must file a written petition within ten calendar days of the date of the disqualification letter from the Dean of Students Office. Exceptions to this deadline are allowed solely in the discretion of the Dean of Students and only in emergencies or under compelling circumstances.

A student who is academically disqualified and is petitioning for readmission may continue in Southwestern courses in which the student is currently enrolled pending notification by the Committee of its decision. If the student is enrolled in an externship and wishes to continue fulfilling the externship course requirements pending consideration of the petition, Southwestern will notify the placement of the student's academic status and the student's plan to continue in the externship. If the student chooses not to continue in the externship course but continues to work at the externship placement, Southwestern will notify the placement of the student's plan to continue but without receiving school credit. In the event that the externship placement asks Southwestern for the basis of the change, the placement will be notified of the student's academic standing.

A petition for readmission must include the following (a-d):

- a. The student's name, current address, telephone number, and email address on the first page, with the student's name appearing on the upper right-hand corner of each subsequent page;
- b. A full statement of the circumstances which the student believes caused the disqualification;
- c. Reasons justifying readmission, including any change in circumstances; and
- d. A proposed program for remedying past deficiencies and assuring future successful performance. The proposed program should be discussed with the Academic Success and Bar Preparation Office.

An electronic copy of the petition (in PDF format) must be emailed to [deanofstudents@swlaw.edu](mailto:deanofstudents@swlaw.edu), as well as five (5) hard copies via certified mail or delivered in person to:

Dean of Students Office  
Southwestern Law School  
3050 Wilshire Boulevard  
Los Angeles, California 90010-1106

The Committee will only consider petitions in writing; personal appearances are not permitted.

### 3. Standards for Readmission

The Committee will review all timely submitted, written petitions. The three most important factors in any decision on a petition for readmission are the following: (1) the nature of the reason(s) offered for the academic performance that resulted in disqualification; (2) the likelihood that the student will successfully complete law school if readmitted; and (3) whether the student took advantage of Southwestern's academic support programs. Disqualified students who were assigned to and failed to participate in any component of a required Academic Improvement Program will be presumptively barred from readmission absent exceptional circumstances.

The Committee may also take into account other considerations in deciding whether to grant a petition for readmission. These considerations include the following: (a) the pattern of the student's grades in law school that contributed to the disqualification; (b) the student's undergraduate grade point average, LSAT score, and service activities; (c) feedback from the student's past professors; and (d) objectively verifiable reasons for poor performance and appropriate supporting documentation. Reasons such as excessive work from outside employment are not heavily weighed. Letters from individuals outside the law school are not weighed as heavily as the assessment of law faculty. Letters of support from students will not be accepted.

The student will be notified in writing of the Committee's decision, normally within three weeks of receipt of the petition for readmission. Committee decisions are final and not subject to further appeal. A student whose petition is denied will automatically be withdrawn from all currently enrolled Southwestern courses and will receive a full tuition refund for any currently enrolled Southwestern courses. No credit will be granted for any courses from which a disqualified student is withdrawn and no grades will be recorded. A notation is placed on the student's transcript when a student has been academically disqualified. If the student is readmitted, a notation of reinstatement will be placed on the transcript. The grades for courses taken at Southwestern by any academically disqualified student, including those who are readmitted or subsequently apply and start over, will remain on the transcript as a part of the student's permanent academic record.

A student whose petition is denied may apply for admission to the law school as a first-year student, without credit for the student's previous work, in accordance with regular admission procedures and deadlines. The application may be submitted no earlier than one year after the date of disqualification for a start date that is two academic years following the date of disqualification. Acceptance will depend on whether the nature of the student's work, activity, or studies during the interim indicate a stronger potential for law study, and on affirmative demonstration that the applicant possesses the requisite ability to succeed in law school and that the prior disqualification does not indicate an inability to complete law studies at Southwestern.



#### 4. Procedures Following Readmission

The Academic Standards Committee has wide discretion and can impose conditions for readmission. A readmitted student is automatically placed on academic probation. Full-time students are typically placed on academic probation for at least the following full academic semester and part-time students are typically placed on academic probation for two consecutive full academic semesters. However, probation for any extended period of time may be required as a condition of readmission. Students readmitted after academic disqualification may also be assigned to an Academic Improvement Program.

The Committee may also base readmission on other reasonable conditions to support a readmitted student's success in his or her legal studies (e.g., repeating courses, taking a leave of absence, changing academic programs, limiting outside work, etc.). If it decides to grant a petition, the Committee may allow the student to continue in currently enrolled courses or require the student to drop a course(s). A student may be dismissed by the Academic Standards Committee for breaching the conditions of readmission.

Students who fail to meet the conditions of reinstatement will be academically disqualified and will not be eligible to petition the Academic Standards Committee. The academic disqualification will be final and the student will be withdrawn from the law school.

### **C. Academic Probation**

Southwestern reviews student grades at the end of each evaluation period to determine whether a student is on academic probation. A student is on academic probation when his or her grade point average is less than a 2.330 GPA in any evaluation period, or when a student has been academically disqualified and readmitted. Although the Dean of Students Office will notify students if they are on probation, probation begins at the time grades are finalized.

#### 1. Restrictions for Students on Academic Probation

A student on academic probation may not apply for any externships or participate in any student honors programs, including Law Journal, Law Review, Moot Court Honors Program, Negotiation Honors Program, and Trial Advocacy Honors Program. Students on academic probation may not participate in leadership positions in any student organization, including mentoring roles through any student organization. Students on academic probation also may not participate in the Peer Mentor program through the Student Affairs Office. A student placed on academic probation while participating in an externship, however, may continue the placement barring extraordinary circumstances.

#### 2. Mandatory Academic Improvement Program Participation

Students on academic probation must participate in an Academic Improvement Program. All restrictions associated with academic probation remain with the student for the duration of the Academic Improvement Program, and will not terminate with the end of academic probation status if status is cleared mid-academic year. A student on academic probation may also be required to meet with the Dean of Students Office and faculty members to discuss ways to improve his or her academic performance and ways to address factors that may have contributed to the probationary status.

### **D. Academic Improvement Program (AIP)**

An Academic Improvement Program is designed to assist underperforming students by requiring them to participate in a series of structured co-curricular and curricular academic support programs. AIPs may be required for all students with cumulative GPAs at or below a 2.700 following any full academic semester. The duration of AIPs may vary depending on the program, regardless of whether a student's cumulative GPA improves in subsequent semesters.

Students with GPAs above 2.330 and at or below 2.700 are not on academic probation. Although a student may be required to participate in an AIP, the student remains in good academic standing; no notation of AIP will appear on the student's transcript. The student is free to participate in externships, student honors programs and student leadership positions, as long as they do not interfere or conflict with the student's mandatory participation and enrollment in academic support programs or courses.

An AIP has three objectives: (1) to require students to enroll in curricular and co-curricular academic support offerings; (2) to require students to follow a curriculum structured to improve academic improvement and the likelihood of passing the bar exam; and (3) to limit a student's involvement in co-curricular and extra-curricular activities, when necessary. A variety of curricular and co-curricular programs are offered that are designed to assist students with basic skills, such as time management, reading and briefing cases, outlining, exam writing, and critical thinking and listening. As part of an AIP, among other requirements, students may be required to participate in bar readiness courses. The details of the AIPs for each year, and the programs that students must complete as part of an AIP, are available from the Academic Success and Bar Preparation Office.

## **VII. STUDENT RECORDS**

### **A. Access to Student Records**

In accordance with Section 99.5 of Title 34 of the Code of Federal Regulations, the following rights are provided for all Southwestern students under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. Sec. 1232g (Supp. IV, 1974):

1. The law school maintains records for each student that include name, address, student identification number, information on parents, guardian, and spouse, general information on academic status at the law school, previous school data, results of standardized admissions examinations, courses previously taken or being taken, credits, and grades. Applicants for financial aid have an additional file established to maintain financial aid records.
2. The Registration and Academic Records Office of the law school is responsible for maintaining all of these records, except for those involving financial aid. All records are available to the Registrar, the Dean, the Chief Financial Officer, the Vice Dean, the Associate Deans, the Dean of Students, the Director of Financial Aid, the faculty of the law school, and their respective staffs for the normal academic and business purposes of the law school. There may be instances where student records need to be shared between Southwestern and other institutions for legitimate academic purposes connected with joint academic degrees or programs.

Records involving financial aid are maintained by the Director of Financial Aid and are available to the Director and staff, the Dean, the Chief Financial Officer, the Vice Dean, and the Dean of Students for the purpose of granting and administering the law school financial aid program. All of these records are also available to such other organizations and persons as are entitled to them under Part 99 of Title 34 of the Code of Federal Regulations.

Students have the right to provide written consent before the law school discloses personally identifiable information from student records, except to the extent that FERPA authorizes disclosure without consent. Southwestern discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is a person employed by Southwestern in an administrative, supervisory, academic, research, or support staff position (including security unit personnel); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary committee. A school official may also include a volunteer or contractor outside of the law school who performs an institutional service or function for which the law school would otherwise use its own employees and who is under the direct control of the law school with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, collection agent, housing management company personnel, or a student volunteering to assist another school official in performing his or her tasks. External agents of the law school that are considered school officials with legitimate educational interests include organizations such as the National Student Clearinghouse. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for Southwestern. Upon request, the law school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll or has already enrolled.

Students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Southwestern to comply with the requirements of FERPA. The name and address of the office that administers FERPA is as follows:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

FERPA permits the disclosure of personally identifiable information from students' education records, without consent of the student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. These situations include the following:

- a. disclosure to other school officials, including faculty, within Southwestern whom the law school has determined to have legitimate educational interests;
- b. disclosure to authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local educational authorities, such as a state postsecondary authority that is responsible for supervising the law school's state-supported education programs;
- c. disclosure in connection to financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid;
- d. disclosure to organizations conducting studies for, or on behalf of, the law school, in order to (a) develop, validate, or administer predictive tests, (b) administer student aid programs, or (c) improve instruction;
- e. disclosure to accrediting organizations to carry out their accrediting function;
- f. disclosure to comply with a judicial order or lawfully issued subpoena; and
- g. disclosure to appropriate officials in connection with a health or safety emergency.

The law school retains documentation, available to the student and kept with his or her file, of all persons and organizations, other than those authorized and designated above, requesting or obtaining access to the file. This record will indicate specifically the legitimate interest that each person or organization obtaining access to the records has in such records. Where records are furnished in compliance with judicial order or pursuant to any lawfully issued subpoena, students will be notified in advance of the law school's compliance.

3. Students are allowed access to their records as follows: A student may inspect his or her academic transcript during normal working hours in the Registration and Academic Records Office. To see other records, the student must submit a written request to the Registrar, the Director of Financial Aid, the Vice Dean, the Dean of Students, or to their staff, as appropriate. A mutually convenient time will be arranged within 15 working days after receipt of the request for the student to examine the records of his or her file. At that time, the student may examine all records in the file with the exception of those specifically exempted by Part 99 of Title 34 of the Code of Federal Regulations. The student may obtain copies of any of the records available to him or her. A student may not obtain copies of another institution's transcript or letters of recommendation. All reasonable requests for explanations or interpretations of the records will be honored, and if inaccurate, misleading, or otherwise inappropriate data are found in the records, they will be promptly corrected or deleted. The student also has the right to insert into the records a written explanation respecting the contents of such records.

If the student and the Registrar, or the Director of Financial Aid, or the Dean of Students, or their staff, do not agree on any item contained in the records, the student may submit a written request to the Vice Dean for a hearing to challenge the content of the records. The Vice Dean will schedule such a meeting within 30 days after receipt of the request and will notify the student reasonably in advance of the hearing of its date, time and place. The hearing will be before a Board composed of the Vice Dean, Dean of Students, or their designated alternates, and at least one disinterested member of the faculty who shall be appointed by the Dean of the law school. None of those hearing the challenge may have a direct interest in the outcome. The student will be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney. The decision of the Board on the correctness of the record, as determined by majority vote, will be rendered in writing within ten days after the conclusion of the hearing, and will be final. This decision will be based solely upon the evidence presented at the hearing and will include a summary of the evidence and of the reasons for the decision.

If, as a result of the hearing, the law school decides that the information in the files is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, the law school shall amend the records accordingly and so inform the student in writing. However, if as a result of the hearing, the law school decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the students, it shall inform the student of the right to place in the records a statement commenting on the information in the records and/or setting forth any reasons for disagreeing with the decision of the law school.

4. At its discretion, Southwestern Law School may provide “directory information” in accordance with the provisions of FERPA. Directory information is defined as that information which would not generally be considered harmful or an invasion of privacy if disclosed. Designated directory information at Southwestern includes the following: student’s name, address, telephone listing, electronic mail address, photograph, date and place of birth, dates of attendance, grade level, enrollment status (e.g., full-time or part-time), participation in officially recognized activities, degrees, honors and awards received, and the most recent educational institution attended. Students may block the public disclosure of directory information by notifying the Registration and Academic Records Office in writing.

Students should consider very carefully the consequences of a decision to withhold directory information. A non-disclosure block will call for Southwestern not to release any or all of this “directory information;” thus, any future requests for such information from non-Southwestern persons or organizations will be refused unless required by law.

Southwestern will honor a student’s request to withhold directory information but cannot assume responsibility to contact you for subsequent permission to release this information. Although the initial request may be filed at any time, requests for non-disclosure will be honored until removed, in writing, by the student. Regardless of the effect upon you, Southwestern assumes no liability as a result of honoring your instructions that such information be withheld.

5. No student can be required to waive rights under Part 99 of the Code of Federal Regulations. However, a student may voluntarily waive right of access to confidential statements made by third parties respecting admission to educational agencies or institutions, applications for employment, or the receipt of an honor or honorary recognition. In case of waiver, the confidential statements will be used solely for the purposes for which they were specifically intended, and the student will, upon request, be notified of the names of all persons making such confidential statements. If a student should desire to waive right of access, so as to facilitate the obtaining of a confidential statement of this nature, he or she should contact the Registration and Academic Records Office.
6. The law school reserves the right to destroy from time to time any and all records that it maintains on a student, except to the extent that the law requires their maintenance for a longer period of time. However, access to records which has been requested under Part 99 of the Code of Federal Regulations, are not allowed to be and will not be destroyed until such access has been granted or a decision to deny such access has been arrived at as described in (3) of this section.
7. Any student has the right to file a complaint with the United States Department of Education concerning an alleged failure by the law school to comply with the provisions of Section 438 of the General Education Provision Act (20 U.S.C.A. Section 1232g).

#### **B. Change of Vital Data**

It is the student's responsibility to advise the school promptly of any change in vital data, such as a change of temporary or permanent mailing address, telephone number, or name. Such information is needed to contact the student in case of emergency and to notify the student of any other important information. A mailing to a student's most recent address, as recorded in the Registration and Academic Records Office, is deemed to be sufficient to provide notice with respect to any matter concerning the student. Changes can be submitted through a Student Action Report (SAR) or through WebAdvisor as soon as any such changes occur.

### **C. Post-Admissions Disclosures**

Post-admission disclosures to student law school application materials, specifically amendments to the required criminal and disciplinary disclosures, will be handled according to the seriousness or culpability of the omission. Where the undisclosed matter would not have affected admissions decision-making, in the sole judgment of Southwestern, the amendment/disclosure will be added to the student's file and duly reported to any appropriate State Bar. More significant undisclosed matters will be referred to the Honor Code Committee for evaluation and possible disciplinary action under Southwestern's Student Honor Code.

Following admission and prior to graduation, students have an ongoing responsibility to inform the Dean of Students Office of any criminal charges levied against them in any jurisdiction during the time in which they are actively pursuing their legal education, or on a leave of absence or any other break in their attendance at Southwestern.

## **VIII. INTERNATIONAL STUDENTS**

### **A. Student Exchange Visitor Information System (SEVIS)**

International students enrolled in a J.D. or LL.M. program at Southwestern are required to adhere to the requirements set forth by SEVP (Student Exchange Visitor Information Program). SEVIS allows schools and the U.S. Citizenship and Immigration Services (USCIS) to exchange data on the VISA status of international students and scholars. It is an internet-based system used by Southwestern to maintain accurate and current information on international students and scholars with F1 VISAS and their dependents.

### **B. Student Responsibilities**

#### **1. Change of Address**

The Designated School Official in the Registration and Academic Records Office must be informed within ten (10) days of any change of address.

#### **2. Enrollment Status**

A student must remain in full-time status at all times unless the Registration and Academic Records Office has approved an underload prior to the start of the semester. A J.D. student is required to enroll in a minimum of ten (10) units per semester and a maximum of sixteen (16) units. An LL.M. student is required to enroll in a minimum of eight (8) units per semester and a maximum of sixteen (16) units.

#### **3. On-campus Check-in**

F1 students are required to check-in with a Designated School Official within seven (7) business days from the start of each semester; summer sessions are excluded. Failure to check-in in a timely manner can result in termination of the international student's I-20.

#### **4. Off-campus Employment**

A J.D. student must complete one academic year to qualify for off-campus employment. Such students must consult with the Principal Designated School Official (PDSO) in the Registration and Academic Records Office prior to obtaining off-campus employment and complete the necessary forms. Approval from the U.S. Citizenship and Immigration Services is required. Application approval may take up to ninety (90) days.

#### **5. Transfer to Another Institution**

A student must notify a Designated School Official if transferring from Southwestern to another institution. A student is required to report the name of the new institution and the date that he or she will be transferring.

6. Failure to Enroll

If, for any reason, a student does not register for the fall or spring semester, SEVIS will be notified that the student is out-of-status and subject to deportation.

7. Return to Home Country

If a student plans to travel during current enrollment, a signature is required from the Principal Designated School Official in the Registration and Academic Records Office. A signature from the PDSO is valid for one year.

8. Passports and VISAS

The Registration and Academic Records Office must be informed of any change of VISA status and/or type within ten (10) days. The I-20 form, VISA and passport must be kept current at all times.

9. Graduation Date

The Registration and Academic Records Office must be notified of graduation prior to the program end date indicated on the I-20 form. Each foreign student must maintain his or her legal immigration status at all times in order to remain legally in the United States.

**C. Spouses and Dependents: Full-Time or Part-Time Study**

A spouse or dependent of an F-1 student, with an F-2 status, is not allowed to study full- or part-time at the university level. A dependent with F-2 status may only take classes that are considered recreational. Spouses must matriculate and apply for a separate F-1 student visa. Children are allowed to attend primary and secondary school (K-12).

**D. Optional Practical Training (OPT) for F-1 students**

1. Application Timing

A student may apply for Optional Practical Training (OPT) ninety (90) days prior to his or her graduation date. Applications may be submitted up to sixty (60) days after the program completion date, but no greater than thirty (30) days after the PDSO has recommended the student for OPT and signed the new I-20 form. Documents required include the following:

- a. I-765 form
- b. Two passport photos
- c. Updated I-20 form with Designated School Official approval to participate in OPT
- d. Application fee

2. Timely Submission

Documents should be mailed to the address as directed on the USCIS website ([www.uscis.gov](http://www.uscis.gov)). Travel outside the United States after the student's completion date and prior to the approval of the student's OPT is not recommended.

3. Multiple Optional Practical Training Sessions

USCIS regulations affirm that a foreign student is eligible for twelve (12) months of practical training if he or she has completed a first and or second degree at a higher level. A student is not eligible for an additional twelve (12) months if he or she seeks a second degree on the same academic level.

**E. Additional Information and Principal Designated School Official (PDSO)**

Students can find additional information regarding the responsibilities of international students and the contact information for the PDSO at <https://swlawportal.swlaw.edu/registrar/Pages/default.aspx>.

## **IX. TRANSFER AND VISITING STUDENTS**

### **A. Course Work at Other Law Schools**

Written approval from the Dean of Students is required before a Southwestern student may take course work at another law school, including any work during study abroad programs, intersessions, summer sessions, or academic semesters. Only course work offered by law schools approved by the ABA and members of the Association of American Law Schools (AALS) will be considered for approval. Required courses, such as Evidence, Legal Profession, or courses purporting to satisfy the writing or skills requirement, will not be approved absent an extraordinary circumstance.

A maximum of six (6) units may be counted toward completion of the Juris Doctor degree from course work taken at other law schools. This six (6) unit maximum includes all course work, including work completed in study abroad programs, summer sessions, or intersessions. Students with special circumstances seeking to visit out for a semester or a year, whether domestic or abroad, should refer to *Part F "Southwestern Students Visiting at Other Law Schools"* in this section.

Courses taken by Southwestern students at other law schools with prior approval earn credit toward a Southwestern degree only if the student earns a minimum grade of "C." Generally, no courses designated by other law schools as "Pass/Fail" or "Credit/No Credit" courses will be approved for credit toward a Southwestern degree. Any credit accepted from another ABA approved law school is not included in computing Southwestern's grade point average. The units are transferred as "Credit" without grade point itemization on the Southwestern transcript.

Students who attend study abroad, summer sessions or intersessions at other ABA-approved law schools, whether domestic or abroad, should contact that school to ascertain that school's refund policy. While it is up to each school to decide how it wishes to handle refunds, it is unlikely that schools will issue refunds upon withdrawal after a program begins.

Southwestern students desiring to take course work at other law schools must obtain written approval from the Dean of Students Office prior to attendance. To request a transcript, the student must submit a Transcript Request form available at the Registration and Academic Records Office and pay the required fees to the Registration Office. The student must also submit a Visiting Out Request form or ABA Approved Summer Abroad Request form, along with the following information to the Dean of Students Office:

1. The name of the school and/or program the student is considering visiting;
2. A detailed reason for why the student is requesting to visit another school;
3. The duration of the visitation request;
4. The name and detailed description of each course the student is requesting to take;
5. The number of units for each course the student is requesting to take; and
6. Confirmation that each course is graded (Credit/No Credit courses will not be approved).

At least ten (10) to fifteen (15) working days must be allowed for completion of the request(s). If the request is approved, Southwestern will mail a letter of good standing to the registrar of the appropriate law school. The letter will state certain conditions with which the student must comply. A letter of good standing will not be issued when the student is on probation or when a student is facing an Honor Code Committee determination in regard to an alleged Student Honor Code violation.

At the conclusion of the visit, the student must request a transcript from the school the student is visiting to be sent to Southwestern's Registration and Academic Records Office.

### **B. Approval for Study Abroad Programs Sponsored by Other Law Schools**

Southwestern will accept credit for study abroad programs completed through other law schools only if the Dean of Students has approved the program prior to the student's departure. Only programs approved by the ABA are eligible for the Dean of Students' approval. Students must be in good academic standing to be eligible to attend study abroad programs at other law schools. Only study abroad programs that fulfill all ABA Criteria for Approval of Foreign Summer Programs will be approved. In accordance with ABA policy, no study abroad programs will be approved

that 1) encompass more than 1.5 units per week, or 2) require students to attend class in excess of 220 minutes per day.

A maximum of six (6) units of credit earned at non-Southwestern institutions will be approved and applied toward completion of the Juris Doctor degree. In the case of students who attend both a Southwestern-sponsored summer abroad program and a summer abroad program sponsored by another ABA-approved law school, a maximum of eight (8) units from summer abroad programs of any kind, Southwestern sponsored or otherwise, may be applied toward completion of the Juris Doctor degree. A director of a Southwestern-sponsored summer abroad law program and the Dean of Students must approve in writing any deviation from the eight-unit maximum requirement. Deviations are rarely granted and will only be granted for Southwestern programs.

Study abroad should be an experience in which students gain learning and appreciation for the law as it functions and is taught in a foreign culture. Study abroad should not be an experience where students study the same law that could be learned in the United States. Programs should include curricula that focus on some study of the law in the region in which the summer abroad program is located. Required courses, such as Evidence, Legal Profession or courses purporting to satisfy the writing requirement, will not be approved in a summer abroad program.

Please see further information in this section of the handbook for additional requirements concerning approval to study abroad, including transfer of course credits to Southwestern. Further information about applying to non-Southwestern study abroad programs is available in the Dean of Students Office.

All students participating in summer abroad programs must adhere to all provisions of the Southwestern Student Handbook and applicable policies of the hosting school, including those related to the Student Honor Code and sexual misconduct policies.

Students should be aware; there might be a limitation on the availability of financial aid for summer abroad programs. Students are strongly advised to consult the Financial Aid Office as early as possible before registering for any summer abroad program or paying any program fees.

### **C. Southwestern Students Visiting at Other Law Schools**

Under compelling circumstances, the Dean of Students may grant permission for a Southwestern student to participate in a semester-long study abroad program or take his or her second, third, or fourth year at another school and receive a degree from Southwestern. Requests to do so must be in writing and directed to the Dean of Students.

Semester or academic year visits will be approved only to ABA-approved law schools in extraordinary circumstances in which a visit to another law school alleviates a significant hardship. An example of such situations includes a student's spouse being indefinitely transferred to another state. Students will be required to document the extraordinary circumstances on which the request to visit out is based.

Required courses, such as Evidence, Legal Profession, or courses purporting to satisfy the upper division writing or experiential requirements, will not be approved absent an extraordinary circumstance. Visits for reasons of career exploration or personal convenience cannot be approved. If a leave of absence can address the situation, then the student will be placed on leave of absence. Students interested in pursuing permission for a hardship visit or leave of absence should consult the Dean of Students Office.

### **D. Transfer to Southwestern**

Southwestern welcomes transfer applications from students in good standing at other law schools approved by the American Bar Association. Applications must be submitted to the Admissions Office. The general law school policy regarding transfer students is as follows:

1. No more than forty-three (43) semester units will be allowed to transfer to Southwestern and be counted toward the eighty-seven (87) units required for graduation.
2. Transfer credit will be granted only for courses completed with a letter grade of at least "C."



3. Credit/No Credit (Pass/Fail) courses will not be accepted for transfer credit.
4. Transfer students will receive unit-only credit at Southwestern for the full amount of their completed semester units from their former institution, within the constraints of this policy.
5. A course required by Southwestern for graduation will be deemed fulfilled if the equivalent course has been completed with a letter grade of at least "C" at a transfer student's former institution.
6. Transfer credit will not be granted for any course not reflected on the official transcript from the transfer student's former law school.
7. Transfer students will receive residency units for credit transferred to Southwestern in accordance with the academic program and equivalent number of terms completed at their former institution.
8. Class standing and grade point averages for Southwestern are computed solely on the basis of grades achieved while matriculated to Southwestern. Official class rankings by percentage in 10 percent increments are based on cumulative GPA, and are computed for each class at the end of each academic year. Students from the part-time evening and PLEAS/Part-time day programs are ranked together.

The Dean of Students will make the final determination on courses that may be accepted as transfer credit for admitted transfer students.

#### **E. Visiting Students at Southwestern**

Students visiting at Southwestern must complete an application for admission. Approval is based on receipt of a letter of good standing and permission to attend from the student's home school and all other required application materials as outlined at <https://www.swlaw.edu/admissions-financial-aid/admissions-jd/transfer-visiting-students>. Visiting students are responsible for checking with their home school regarding acceptance and transfer of units, including acceptance and transfer of Credit/No Credit units. Upon receipt of all grades for the semester, the Registration and Academic Records Office will send one free transcript to the home school designated by the student on their application form as a means of reporting the completed coursework to the visiting student's home school. The visiting student must complete a transcript request form and pay the appropriate fee for any additional transcripts. All visiting students must abide by the academic and general law school policies of Southwestern as stated in the *Student Handbook*. Visiting students are responsible for ascertaining that these policies, including the time frame for provision of grades, are acceptable to the home school, as Southwestern cannot deviate from its customary policies in order to meet home schools' deadlines.

### **X. ALUMNI VISITORS**

Any graduate of Southwestern may return to take post-graduate courses as an alumni visitor. Alumni visitors receive a 50% reduction discount from current tuition rates and can take a maximum of two (2) courses per term. All courses are taken on an audit basis (no letter grades). All alumni visitors must abide by the academic and general law school policies of Southwestern as stated in the *Student Handbook*. Alumni visitors are not allowed to register in full or closed courses, cannot retake courses previously taken, and are not permitted to audit seminars, writing courses, or skills courses. Alumni may receive MCLE credit for the audited course if requested before the class begins. Anyone interested in becoming an alumni visitor may contact the Registration and Academic Records Office for information, procedures and limitations, and to register. (See *Section I, Auditing Courses*, in this handbook for additional information.)

## SECTION 2

### SCALE, Interdisciplinary Programs and LL.M.

#### I. SCALE® PROGRAM POLICIES

(SCALE students are governed by all academic policies in Section 1, when not specifically outlined in Section 2.)

##### A. Individual Assignments

###### 1. Materials for Evaluation and Grading Criteria

The faculty members teaching each SCALE course will advise students in writing of the nature of the materials upon which they will be evaluated during the course and the grading criteria.

###### 2. Submission of Assignments: Unexcused Late Papers

Timeliness in submitting assignments is an important aspect of professionalism; therefore, students are expected to turn in assignments on or before the due date. Unless otherwise specified by the assigning faculty member, written assignments are to be submitted to the SCALE Office, on the 4th floor of the Bullocks Wilshire Building, before the first scheduled class meeting on the due date. Students should turn in the original of each assignment. The original paper will be stamped with the time and date of receipt and a time dated receipt will be returned to the student. A student who disputes the SCALE Office records as to timeliness of submission has the burden of proving that the paper was received on time.

Points will be deducted from unexcused late papers. Unless otherwise stated by the faculty member who made the assignment when the assignment is to receive a raw score, one point will be deducted for each hour or part thereof during which the assignment remains outstanding, up to the maximum number of raw points for the assignment.

###### 3. Postponement of Due Date

Any request for an extension of time in which to submit an individual assignment within an evaluation period shall be in writing and directed to the faculty member who made the assignment. That faculty member shall have sole discretion to approve or deny the request and to set terms for an extension. The faculty member's decision upon such request shall be in writing and shall be final. The faculty member may require the student to supply supporting documentation.

###### 4. Completion of Assignments

A student must perform all assigned work during a SCALE course. An unapproved Incomplete on an assignment due during a SCALE course will result in an Administrative Fail (\*F) for the course. A student who does not complete all assigned work during an evaluation period may be precluded from commencing work during the next evaluation period on that ground alone and may be placed on involuntary leave of absence unless the student has received an approved Incomplete pursuant to the *Incomplete Work* section of the SCALE policies.

##### B. Attendance

###### 1. Class Attendance

Regular and punctual class attendance is necessary to satisfy class hour requirements. (See section in this handbook entitled *Attendance Policy*.)

SCALE requires significant student collaborative effort. Students complete assignments and perform roles for the benefit of not just themselves but their classmates. A student's failure to fulfill attendance obligations disrupts the learning process for all. Therefore, at the discretion of each SCALE faculty member, students who are unprepared for class will be marked absent.

If a student in the first year of SCALE (Periods 1, 2, 3 and 4) is administratively withdrawn from all courses in a given period, that student will be considered as having withdrawn from the law school and may return only if admitted following submission of a new application for admission. If a student who has completed the first year of SCALE is administratively withdrawn from all courses in a given period, that student will be considered to be on an involuntary leave of absence and must return for the next period or be withdrawn from the law school.

## 2. Externship Attendance

Attendance and completion of the required hours for the SCALE II Period 8 externship is mandatory. The Director of the Externship Program has sole authority to excuse absences from externships and, where appropriate, to require the completion of additional written or oral assignments as a condition of excusing such absences. SCALE students who elect to participate in the optional summer session externship must also adhere to the Externship Program Policies and Guidelines.

## C. Externships

### 1. Period 8 Externships

The SCALE II Period 8 externship completes the SCALE experience and begins in March after the completion of Period 7. It is administered by the Externship Program Office. Please see the *Externship* section in the *Student Handbook* for further information. Unlike the elective externships in the traditional program, however, the Period 8 externship is a SCALE requirement. All SCALE students are required to extern 40 hours per week during the Period, for a minimum of 300 hours.

Externships are graded Credit/No Credit. A grade of Credit is not included in the computation of the period grade point average (GPA) or the cumulative GPA. (See *Academic Probation* and *Academic Disqualification* in this section for an explanation of the period and cumulative GPA requirements.) A grade of No Credit is computed as a SCALE course with a grade of F. Each externship must be approved by the Director of the Externship Program prior to the commencement of the externship.

SCALE students are required to abide by the rules of conduct governing Southwestern students set forth in the *Externship* section of the *Student Handbook*. The integrity of the academic community at Southwestern depends upon the maintenance of the highest ethical and professional standards by students while engaged in activities both on Southwestern's campus and off-campus as representatives of Southwestern. Accordingly, students are expected to maintain the highest ethical and professional standards at all times while on externships.

### 2. Summer Externships

SCALE students may participate in the Externship Program during the SCALE summer session. Please see the *Externship* section in the *Student Handbook* for applicable policies.

## D. Evaluation Periods and Grading

### 1. Evaluation Periods

The SCALE two-year program is comprised of four evaluation periods in the first year, a mandatory summer session, and four evaluation periods in the second and final year. The SCALE 2.5 year program, which is optional, has an added evaluation period during the Fall semester of the third year.

## 2. Schedule

At the start of each academic year, the schedule of classes and final examinations for all SCALE courses is distributed to all SCALE students and is posted on MySWLAW. The schedule specifies the applicable units allocated to the various SCALE courses in the curriculum for the year.

The SCALE schedule is subject to change. The unique curricular construct of SCALE requires that the schedule be flexible and adaptable, and students should expect that the SCALE schedule may change as circumstances dictate.

## 3. Grading

SCALE course grades are assigned on an alphabetical system, except for Trial Advocacy, Independent Study on the Profession, January intersession course(s), and externships, which are graded Credit/No Credit. (See section in this handbook entitled *Grading Policies*.) A student who receives a grade of F or No Credit in a course will be required to demonstrate basic competence in the area by performing alternative or additional assignments as determined by the faculty member teaching the course. The grade in that course will not change by the performance of such assignments.

The GPA for each SCALE period is calculated on the basis of the grade points earned for each grade and the number of units allocated to each course (See section in this handbook entitled *Grading Policies*). This GPA is comprised of both SCALE and Traditional courses.

Official class rankings by percentage in 10 percent increments are based on cumulative GPA and are computed for each class at the end of each academic year. SCALE I students also receive an unofficial mid-year class rank based on Period 1 and Period 2 grades.

## 4. Writing Requirement

SCALE students are required to fulfill Southwestern's upper division writing requirement. The SCALE Office annually certifies to the Office of the Dean that the second-year writing requirements satisfy Southwestern's upper division writing requirement; therefore, SCALE students need not complete a seminar or equivalent writing course in the traditional program. (See the *Writing Requirement* section of this handbook for more information.)

## 5. Experiential Requirement

SCALE students are required to complete a minimum of six (6) credit hours of course work that has been specifically approved and designated as meeting the experiential requirement. Select courses in the SCALE curriculum may be eligible to meet the experiential requirement, however, in some cases students will need to complete courses in the traditional program to fulfill the required six (6) units. (See the *Experiential Requirement* section of this handbook for more information.)

## **E. Summer Session**

The summer session for SCALE students will take place following Period 4 and before the commencement of Period 5. SCALE students are required to complete a minimum of six (6) units during this summer session comprised of a two (2) unit independent study paper based on the legal profession and an additional four (4) units comprised of at least one of the following options:

- a. participate in the traditional summer externship program;
- b. take at least one, but no more than two, Southwestern summer session courses; or
- c. participate in a Southwestern summer abroad program or non-Southwestern ABA-approved summer abroad program.

A maximum of eight (8) units may be taken in the summer session by a SCALE student, absent special permission granted by the Associate Dean for SCALE. Grades earned during the SCALE summer session will contribute to the

student's overall grade point average and will be included in any academic standing calculations completed at the end of Period 5.

## **F. Academic Status**

### **1. Academic Good Standing**

A student is in good academic standing, unless the student:

- a. is on academic probation, as defined in *Academic Probation* of this section; or
- b. has been academically disqualified pursuant to *Academic Disqualification* of this section; or
- c. has failed to complete any assignment by the due date, unless a postponement has been approved pursuant to *Postponement of Due Date* of this section.

### **2. Graduation Requirements**

To be certified for graduation and eligible for the Juris Doctor degree, a student must:

- a. satisfactorily complete all required courses in the SCALE curriculum; and
- b. satisfy the total six (6) unit experiential course requirement through the careful selection of SCALE required and optional courses as well as traditional electives; and
- c. be in good academic standing; and
- d. have a cumulative GPA of at least 2.330 or higher at the end of the 2 or 2.5 years of SCALE; and
- e. have completed eighty-seven (87) units; and
- f. have removed any approved Incomplete pursuant to *Incomplete Work* of this section.

## **G. SCALE Program Honors**

Eligibility for invitation to Law Review, Law Journal, the Moot Court Honors Program, the Negotiation Honors Program or the Trial Advocacy Honors Program is based on class standing or GPA at the end of the first year of SCALE (Evaluation Periods 1, 2, 3, and 4), and participation in the summer write-on competition, intramural competition, or try-outs, as applicable.

SCALE students are eligible for scholastic honors as outlined under *Scholastic Honors* in this handbook.

## **H. SCALE Academic Policies**

SCALE students are required to abide by the rules governing academic disqualification and academic probation as indicated below:

### **1. Academic Disqualification**

A student is academically disqualified when a student fails to achieve:

- a. ***A Minimum Cumulative GPA:*** SCALE students are disqualified if they do not maintain a cumulative GPA of at least a 2.330 at the end of Period 3 and thereafter. The minimum cumulative GPA requirement is initially calculated at the end of Period 3.

- b. ***A Minimum GPA in Two Consecutive Evaluation Periods:*** SCALE students are disqualified if they do not achieve a GPA of at least 2.330 in each of two consecutive evaluation periods commencing in Period 3 and excluding the mandatory summer session and the January intersession.

## 2. Academic Probation

A SCALE student is placed on academic probation when the student's grade point average is less than a 2.330 in any evaluation period commencing in Period 2 and thereafter, excluding *Part H.1a* above; the mandatory summer session; or when the student has been academically disqualified and readmitted. Students can be placed on academic probation after their second evaluation period. Students who are on academic probation may not participate in externships, student honors programs, or in leadership positions. This restriction does not apply to the mandatory SCALE Externship that occurs in Period 8.

## 3. 2.5-Year Modified Curriculum

Following the completion of the first year, SCALE students may petition the Associate Dean for SCALE to participate in the 2.5-year modified curriculum. Under the modified curriculum, a student will take fewer units during their second year of SCALE. Students will complete the remainder of the units required to graduate during an additional semester of fall courses and will be eligible to graduate in December. Additional tuition will not be charged to accommodate the modified curriculum.

## I. **Issuing of Final Grades**

All final grades are made available to students on WebAdvisor. Grades may be withheld for any student whose tuition account is in arrears. (See *Accounts Receivable Policy*.)

## J. **Incomplete Work**

### 1. Petition for Approved Incomplete Evaluation

In exigent circumstances, a student may be granted an approved Incomplete for work not completed during an evaluation period. An approved Incomplete may be granted only upon prompt written petition setting forth the circumstances which prevented or will prevent timely performance of the assignments. The petition shall be accompanied by appropriate evidence of the exigent circumstances and shall be submitted to the faculty member who assigned the work not completed. A petition for an approved Incomplete may be granted only upon written approval of the assigning faculty member and concurrence by the Associate Dean for SCALE and Dean of Students. The decision upon such a petition shall be final. A petition for an approved Incomplete may be denied, on that ground alone, if not timely filed. The determination of timeliness shall be based on the facts upon which the petition for Incomplete is based, and the student's promptness in filing the petition after becoming aware of the facts. Notice of a student's inability to take an exam as scheduled must be received in the Dean of Students Office prior to the scheduled exam time. Failure to do so will result in a grade of Administrative Fail (\*F).

### 2. Removing Incomplete Evaluation

A student whose petition for an approved Incomplete has been granted must submit the postponed work in accordance with the schedule approved by the assigning faculty member, the Associate Dean for SCALE and the Dean of Students. All postponed work must be completed to the satisfaction of the faculty member who assigned it. Upon such completion, the student's overall evaluation shall be computed pursuant to *Incomplete Work* of the SCALE policies.

### 3. Failure to Remove Incomplete

If any work is not completed pursuant to the approved make-up schedule, the approved Incomplete shall be automatically changed to an Administrative Fail (\*F). Such a change shall not relieve the student of the obligation to demonstrate competency in the assignment by completing the work to the satisfaction of the faculty member who assigned it. A student who has not removed an approved Incomplete may be placed on involuntary leave of absence pursuant to Part K below.

## **K. Leave of Absence**

### **1. Petition for a Leave of Absence**

A student must have completed Evaluation Periods 1, 2, 3 and 4 and be in good academic standing to seek a leave of absence. The student must also submit a leave of absence petition for approval by the Dean of Students and Associate Dean for SCALE. A leave of absence will be granted for no more than one academic year. A student who fails to return at the agreed-upon time, or otherwise fails to meet the terms of the leave of absence, may be withdrawn from the law school. Exceptions to this policy are allowed solely in the discretion of the Dean of Students and only under compelling circumstances.

### **2. Involuntary Leave of Absence**

A student who is precluded from commencing an evaluation period, pursuant to *Completion of Assignments* and *Failure to Remove Incomplete* of this section, may be placed on an involuntary leave of absence for up to one year. A student placed on such involuntary leave shall be notified of the duration of the leave and the reasons for its imposition. A student who fails to return to SCALE at the time specified in such notice may be withdrawn from the law school.

### **3. Explanatory Note**

SCALE's continuous scheduling makes it impossible for a student to drop a SCALE course and complete it at a later time without jeopardizing timely graduation from SCALE. Therefore, a student who has been administratively withdrawn from a SCALE course for failure to comply with Southwestern's Attendance Policy or who has not satisfactorily completed the work required to progress to the next SCALE course may have to wait until the following year to begin that SCALE course.

## **L. Readmission Following Academic Disqualification**

A student who has been academically disqualified from SCALE shall be deemed to have been academically disqualified from Southwestern Law School.

Any SCALE student who is academically disqualified for failing to maintain a cumulative GPA of at least a 2.330, or for failing to achieve a GPA of at least 2.330 in each of two consecutive evaluation periods pursuant to Part H.1b or c commencing in Period 3 (excluding the mandatory summer session) may petition for readmission according to the rules and procedures of the Academic Standards Committee as stated in the Student Handbook. For more information see Section 1, Part VI of the Student Handbook. Any SCALE student who is disqualified under Section H.1b or c and is permitted to petition may continue in courses in which he or she is currently enrolled pending notification by the committee of its decision. If the petition is denied, the student will be withdrawn from all courses and no credit will be granted, even if courses have been completed prior to the denial of the petition. A student whose petition is denied and is currently enrolled in on-campus courses at Southwestern will automatically receive a full tuition refund for the period in which the student is enrolled.

## **M. Admission to Traditional Program**

### **1. Transfer into Traditional Program**

A student currently enrolled in the SCALE program may petition to transfer into the traditional program only when the student is in good academic standing and has completed at least Period 4. The transfer decision will be made by the Associate Dean for SCALE and the Dean of Students. If the petition is granted, the transfer will become effective starting with the following traditional academic year. Transfer before successful completion of Period 4 will be allowed only under special circumstances and following approval by the Associate Dean for SCALE and the Dean of Students.

Withdrawals from SCALE before completion of Period 4 are governed by the *Leave of Absence* and *Withdrawal from SCALE* portions of this section. The Dean of Students and Associate Dean for SCALE shall make a non-binding recommendation to the Office of the Dean regarding the number of unit credits to be granted and waivers from required

courses consistent with the student's academic performance while enrolled in SCALE. A student transferring from SCALE to the traditional program must enroll in the law school within one year of his or her withdrawal in order to receive unit credit for work successfully completed in SCALE.

## 2. Withdrawal from SCALE

If a student wishes to withdraw from SCALE and enroll in the traditional program but is unable to transfer pursuant to the *Transfer into Traditional Program* rules above or qualify for a leave of absence pursuant to the *Leave of Absence* policy of this section, the student must re-apply through regular admission channels for admission to the law school for enrollment the following academic year. If readmitted, such students are not eligible to receive any unit credit for work completed in the SCALE program.

## N. Enrollment in Traditional Courses

Second-year SCALE students in good academic standing may register for no more than two courses in the traditional fall semester, January intersession or spring semester in lieu of certain designated SCALE courses and subject to course availability. Students who desire to take more than two traditional courses in a semester will require permission from the Associate Dean for SCALE. The traditional course grades will be averaged in with the SCALE grades and becomes part of the student's cumulative grade point average. Students will not be charged for the added traditional electives.

SCALE students are required to fulfill course attendance requirements as set forth in the Student Handbook Section 1.

SCALE students registered in traditional courses are required to abide by the add/drop dates published in the traditional academic calendar. If a student wishes to make a schedule change prior to the add/drop deadline, the student can change their schedule via WebAdvisor. Any schedule changes after the add/drop deadline must be made by filling out a Student Action Report (SAR), obtaining approval from the Dean of Students and Associate Dean for SCALE, and submitting the completed and signed SAR to the Registration and Academic Records Office. Students wishing to add a traditional course after the traditional “add” deadline date of the semester has passed, may do so only after obtaining written approval from the Dean of Students and Associate Dean for SCALE.

Traditional courses may be dropped through the “drop” deadline date published in the traditional academic calendar. Students wishing to drop a traditional course after the traditional “drop” deadline date of the semester may do so only after obtaining written approval from the Dean of Students and Associate Dean for SCALE. If the course is dropped after the traditional program’s semester “drop” deadline date of the semester, a notation of “W” will be listed on the student's transcript for that course. After the traditional “drop” deadline date, any course not dropped and not completed by the student will be recorded as an Administrative Fail (\*F), unless otherwise approved in writing by the Dean of Students and Associate Dean for SCALE.

## II. DRUCKER JOINT JD/MBA PROGRAM

Southwestern and the Drucker Graduate School of Management, part of Claremont Graduate University (CGU) at the Claremont Colleges, offer dual-degree programs to expand students' educational and career options. Students at Southwestern and the Drucker School can earn a J.D. and Master of Business Administration (MBA) or a J.D. and Executive Master of Business Administration (EMBA).

Law students who wish to earn the JD/MBA or JD/EMBA degree are eligible to apply a select number of their units completed at each institution toward their Juris Doctor and Master of Business Administration or Executive Master of Business Administration degrees. The remaining units will be completed at each respective institution.

Program	Eligible Transfer Units	Units Required (Southwestern)	Units Required (Drucker)
JD/MBA	10	77	38
JD/EMBA	10	77	38



As part of their coursework at the Drucker Graduate School of Management, students may take elective units to pursue a concentration in Entrepreneurship, Finance, Human Resources Management, Information Technology Management, Leadership, Marketing, Strategy, Supply Chain Management, or take other electives according to their interests.

Requirements for the JD/MBA and the JD/EMBA can be found here: <http://www.swlaw.edu/jd-programs/jdmba>.

### **III. INTERDISCIPLINARY STUDY OPPORTUNITIES AT PARDEE RAND GRADUATE SCHOOL**

On a case-by-case basis, qualified students at Southwestern may be approved to take courses in public policy at Pardee RAND Graduate School and qualified students at Pardee RAND may be approved to take legal courses at Southwestern. These opportunities are intended to provide participating students with a basic knowledge of law and public policy and an understanding of the tools and frameworks relevant to each field.

Additional information about this program can be found at <http://www.swlaw.edu/curriculum/interdisciplinary-programs>.

### **IV. KECK GRADUATE INSTITUTE CERTIFICATE PROGRAM**

Southwestern and the Keck Graduate Institute (KGI), a member of the Claremont Colleges, have established a Bioscience Industry Law and Practice certificate program to provide law students and Master of Bioscience (MBS) students with a unique understanding of the interplay between law and the fast-growing bioscience industry.

Through this certificate program, qualified Southwestern students with an interest in intellectual property, for example, could take courses at KGI in the area of technology management, entrepreneurship, and bioscience industry dynamics. Conversely, qualified KGI students interested in bioscience industry dynamics could take courses at Southwestern in intellectual property law, patent and trademark law, and regulatory law as it applies to health care and the bioscience industry.

The certificate program is small and highly competitive with approximately two to four students from each school each year participating. The schools will select candidates for the program from among their current student bodies; applicants will generally be from the top 20% of their class or cohort. Southwestern students will be eligible to enter the certificate program after completion of their first or second year of law school. KGI students may enter the certificate program after completion of their first year of the MBS program. Southwestern students will have up to two years to complete the policy certificate program. KGI MBS students must complete the certificate program during their second year.

Students accepted into the certificate program will pay no additional tuition to the partner institution provided that they complete the certificate requirements concurrent with earning their J.D. or MBS degree.

More information about this program may be found at <http://www.swlaw.edu/curriculum/interdisciplinary-programs>.

### **V. MASTERS OF LAWS PROGRAM POLICIES**

Southwestern offers two LL.M. degree programs: the General LL.M. for those who wish to design a curriculum that will most benefit their own objectives and the LL.M. in Entertainment and Media Law. The two programs have distinct policies and requirements.

#### **A. Master of Laws Program, the General LL.M.**

### 1. Purpose

The Master of Laws, General LL.M. degree program allows students the ability to choose and direct their educational focus. This opportunity to select an emphasis of study enables program participants the ability to best meet individual professional goals. Students work closely with faculty in developing a comprehensive curricular plan and may take classes in either the day or evening programs.

### 2. Degree Requirements

To qualify for the General LL.M. degree, students must complete 24 credit hours of post-J.D. coursework, twelve (12) of which must be earned at Southwestern. The particular courses each candidate undertakes will depend on the individual's chosen area of concentration. Foreign students will be required to take the course entitled Introduction to American Law unless waived by the program director. As a general matter, courses previously taken for credit for a J.D. or equivalent degree will not be counted toward the LL.M. degree. A maximum of 30 credit hours may be applied to the LL.M. degree. Additional units may be taken, but they will not be considered part of the LL.M. degree.

### 3. Unit Guidelines and Length of Course of Study

Students work closely with the program director and faculty in developing a comprehensive curricular plan and may take classes in either the day or evening program. Full-time students must enroll in no fewer than eight (8) units and in no more than sixteen (16) units each semester. International students must maintain full-time status. Part-time students must enroll in no fewer than two (2) units and in no more than seven (7) units each semester. LL.M. students enrolled full-time generally complete their degree requirements within one academic year, and part-time students generally complete their degree requirements within two academic years. All LL.M. students are expected to maintain continuous enrollment in the program. Failure to enroll in any semester will be treated as a withdrawal unless a student has been granted a leave of absence.

U.S. students may be granted special permission to extend their course of study to a maximum of four years due to special circumstances upon approval by the program director. International students enrolled in the LL.M. program must maintain full-time enrollment status throughout their course of study; however, special permission to drop below full-time status for one semester may be authorized by the Southwestern SEVIS Designated School Officer and the program director, based upon situations approved by SEVIS (Student Exchange Visitor Information System). (See *SEVIS* section in this *Student Handbook* for further information.)

### 4. Leave of Absence

U.S. students are eligible to take up to a one-year leave of absence in accordance with Southwestern leave of absence policy. (See the *Leave of Absence* section in this handbook for further information.) International students may be eligible to take a single one-semester leave of absence, but only in accordance with current U.S. immigration law and as authorized by the Southwestern SEVIS Designated School Officer (DSO) and the LL.M. program director, and based upon situations approved by SEVIS (Student Exchange Visitor Information System). Strict requirements to leave the country and return would be applicable, so students are advised to consult with the program director and DSO before attempting a gap in LL.M. study.

### 5. Grading, Academic Success and Bar Eligibility

General LL.M. students who graduated from U.S. law schools and those with foreign law degrees who opt for the letter grading system, must attain a cumulative GPA of 2.330 to earn the LL.M. degree. Students are graded using the same standards as JD students and must receive a passing grade in all courses. LL.M. students are not ranked with and do not affect the ranking of JD students. Students who intend to sit for the California Bar Examination and who need an LL.M. in order to qualify to take the exam are required to be graded using the standard letter grading system. Students who earn the LL.M. degree may be eligible to take other state bar examinations, and, if successful, be admitted to practice. Students are advised to contact any jurisdiction in which they wish to take a bar examination to ascertain their eligibility to sit for the examination. For information on California bar certification, see the *Bar Exam Policy* in *Section 1* of this handbook.

An LL.M. student with a foreign law degree who is taking graded courses for the purpose of sitting for the California Bar Exam and does not attain a GPA of 2.330, but receives a passing letter grade (D- or above) in at least 24 units, will be awarded a Certificate of Completion. LL.M. students must meet all other academic requirements set forth in Section 1 of the *Student Handbook*.

Students may elect to be graded using a non-letter grading system according to the following scale: High Honors, Honors, High Pass, Pass, and Fail. The non-letter grading system is highly recommended for all foreign graduates who do not intend to take the California Bar Examination. However, all students are advised to contact any jurisdiction in which they wish to take a bar examination to ascertain their eligibility to sit for the examination. For information on California bar certification, see the Bar Exam Policy in Section 1 of this handbook.

A change to the non-letter Grading System must be opted for within two weeks of receiving the first semester grades or a minimum of eight units of coursework attempted, whichever occurs later. Students will sign a form requesting the change, and must be approved by the director of the General LL.M. Program and the Vice Dean. All grades, including those already awarded, will thereafter be recorded on the transcript under the non-letter grading system. The non-letter grading system does not result in a Grade Point Average (GPA). Because the non-letter grading system has an imprecise correspondence with the letter-based grading system, this change is irrevocable and a GPA will no longer be calculable within this grading system, and an estimate cannot be provided upon request. This choice may affect a student's ability to participate in Honor's activities during law school requiring a GPA, and could be viewed less favorably by employers in certain job markets and foreign jurisdictions who rely upon GPA for hiring decisions. Students are encouraged to consider all of these factors when making this change.

#### 6. Transfer Students

Individuals who have attended an LL.M. program at another law school approved by the American Bar Association (ABA) and a member of the Association of American Law Schools (AALS) may apply for admission to the General LL.M. program and, if accepted, may be awarded up to twelve (12) credits to be transferred from their original LL.M. program. Consideration for admission will be based on available space, academic performance at all previous schools, and compelling circumstances.

#### 7. Special Academic Activities and Consultation with Program Director

LL.M. participation in special academic activities such as honors programs, course audits, and independent studies may be possible on a case-by-case basis. At best, these can augment an individualized study plan. However, in some cases, the structure and demands of the LL.M. program are not easily compatible with participation in these activities. Students wishing to pursue these opportunities are required to consult with the program director as early as possible to be advised on up-to-date policies. (See Section I, Auditing Courses, and Alumni Visitors in this handbook for additional information.)

### **B. Master of Laws (LL.M.) in Entertainment and Media Law**

#### 1. Purpose

Through its LL.M. degree in Entertainment and Media Law, Southwestern Law School is committed to identifying and admitting a select and diverse number of attorneys and/or legal scholars who are demonstrably motivated and qualified to undertake intensive studies in this field, and to equip them—through theoretical, experiential and clinical education programs—to become outstanding professionals within the elected field of specialization.

#### 2. Degree Requirements

To qualify for the LL.M. degree in Entertainment and Media Law, students must complete a minimum of 24 credit hours in connection therewith. At least 18 of those 24 credit hours must be earned at Southwestern Law School and be comprised of entertainment and media law courses as designated by Southwestern Law School. Courses taken for credit for a J.D. degree (whether at Southwestern Law School or otherwise) and courses taken other than at Southwestern Law School will not be counted toward the LL.M. degree, except as determined in each instance by the director(s) of the Donald E. Biederman Entertainment and Media Law Institute of Southwestern Law School. Students

may take up to 30 credits in total, it being recognized, however, that only 24 of such credits will be counted toward the LL.M. degree.

### 3. Unit Guidelines and Length of Course of Study

Students work closely with the program director and faculty in developing a comprehensive curricular plan and may take classes in both the day and evening programs. Full-time students must enroll in no fewer than eight (8) units and in no more than sixteen (16) units each semester. International students must maintain full-time status. Part-time students must enroll in no fewer than two (2) units and in no more than seven (7) units each semester. LL.M. students enrolled full-time generally complete their degree requirements within one academic year, and part-time students generally complete their degree requirements within two academic years, but all are expected to complete all course work within four years. All LL.M. students are expected to maintain continuous enrollment in the program. Failure to enroll in any semester will be treated as a withdrawal unless a student has been granted a leave of absence.

U.S. students may be granted special permission to extend their course of study to a maximum of four years due to special circumstances upon approval by the program director. International students enrolled in the LL.M program must maintain full-time status throughout their course of study; however, special permission to drop below full-time status for one semester may be authorized by the SEVIS Designated School Officer and the program director, based on situations approved by SEVIS (Student Exchange Visitor Information System). (See *SEVIS* section in this *Student Handbook* for further information.)

### 4. Leave of Absence

U.S. students are eligible to take up to a one-year leave of absence in accordance with Southwestern leave of absence policy. (See the *Leave of Absence* section in this handbook for further information.) International students may be eligible to take a single one-semester leave of absence, but only in accordance with current U.S. immigration law and as authorized by the Southwestern SEVIS Designated School Officer (DSO) and the LL.M. program director, and based upon situations approved by SEVIS (Student Exchange Visitor Information System). Strict requirements to leave the country and return would be applicable, so students are advised to consult with the program director and DSO before attempting a gap in LL.M. study.

### 5. Grading, Academic Success and Bar Eligibility

Students enrolled in Southwestern Law School's program for the LL.M. degree in Entertainment and Media Law must complete the program at Southwestern Law School under the following standard letter-based grading system: A+, A, A-, B+, B, B-, C+, C, C-, D+, D, D-, F.

Students enrolled in the program will receive a letter grade as warranted by their examination or other performance criterion as prescribed by the supervising professor(s) of each corresponding class. For the avoidance of doubt, no student enrolled in the program will be graded according to a non-letter scale under any circumstances (e.g., High Honors, Honors, High Pass, Pass, Fail, etc.).

Students are advised to contact any jurisdiction in which they wish to take a bar examination to ascertain their eligibility to sit for the examination. For more information on California Bar Certification, see *Bar Exam Policy* in *Section 1* of this handbook.

Students enrolled in the LL.M. program must maintain a cumulative grade point average of 2.330 to earn the LL.M. degree. Any student who fails to maintain a 2.330 GPA in a semester will be placed on academic probation and will be academically disqualified after two consecutive semesters reflecting a GPA lower than 2.330.

### 6. Transfer Students

Individuals who have attended an LL.M. program at another law school approved by the American Bar Association (ABA) and a member of the Association of American Law Schools (AALS) may apply for admission to the LL.M. in Entertainment and Media Law program and, if accepted, will be awarded up to six (6) credits to be transferred from their original LL.M. program. Consideration for admission will be based on available space, academic performance at all previous schools, and compelling circumstances.

Please see other sections of this handbook for additional policies applicable to students enrolled in the LL.M in Entertainment and Media Law degree program.

## SECTION 3

### General Law School Policies

The following policy has been adopted by the Southwestern faculty, approved by the Board of Trustees, and updated to conform to current law, and applies to all members of the Southwestern community. It confirms Southwestern's existing commitment to insuring the rights of all within the Southwestern community to be free of harassment and discrimination. In addition, it further insures our compliance to relevant state and federal laws and formalizes procedures for handling complaints.

## I. NON-DISCRIMINATION POLICY

### A. Policy Statement

Southwestern reaffirms the principle that its students, faculty, and staff have a right to be free from all forms of unlawful harassment and discrimination, including sexual harassment, and harassment based on gender, age, race, color, national origin, marital status, religion, military service, disability, gender identity or expression, and sexual orientation. The law school community is a place of work and study in which any form of unlawful harassment and discrimination is inappropriate. Southwestern encourages victims to report and pursue their legitimate claims of unlawful harassment and discrimination. Southwestern will not tolerate retaliation against any person who complains of unlawful harassment and discrimination.

### B. Jurisdiction

The Diversity Affairs Office oversees the Law School's response to reports of discrimination & harassment. Southwestern may investigate any reported violations of this policy that occur in the context of a Law School program or activity or that otherwise affect the Law School's working or learning environments, regardless of whether the reported conduct occurred on or off campus. For every report, the Law School will review the circumstances of the reported conduct to determine whether the Law School has jurisdiction over the parties involved and take steps within its control to eliminate, prevent, and address the reported conduct. If the respondent is not a member of the Law School community or is no longer affiliated with the Law School at the time of the report or at the time the Complaint Resolution Process is initiated (including when the respondent has graduated or left the Law School), the Law School typically is unable to take disciplinary action or conduct an investigation.

### C. Purpose

Southwestern is committed to fostering an environment in which all members of our community are safe, secure, and free from prohibited discrimination and harassment. When learning of conduct or behavior that may not meet these standards, community members and the Law School are expected to take an active role in upholding this policy and promoting the dignity of all individuals.

### D. Implementation

#### 1. Prohibited Conduct

**Discrimination:** Prohibited discrimination is treating someone differently because of their race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, or any other classification protected by law (referred to as "protected classes") in matters of admissions, employment, housing, or services, or in the educational programs or activities Southwestern operates.

In determining whether discrimination occurred, The Diversity Affairs Office examines whether there was an adverse impact on the individual's work or education environment and whether individuals outside of the protected class received more favorable treatment. If there was an adverse impact on the individual's work or education environment, The Diversity Affairs Office will consider whether there is a legitimate, non-discriminatory reason for the action.

Prohibited sex discrimination includes sexual misconduct (dating/domestic violence, sexual assault, sexual exploitation, sexual harassment, and stalking). See the [Sexual Misconduct Policy](#)

Examples of discrimination can include:

- Denying someone access to an educational program based on their membership in a protected class;
- Denying someone access to a Law School facility based on their membership in a protected class;
- Refusing to hire or promote someone because of their membership in a protected class; or
- Reducing someone's job responsibilities because of their membership in a protected class.

**Harassment:** Prohibited harassment is verbal or physical conduct or conduct using technology directed toward someone because of their membership in a protected class (or a perception that someone is a member of a protected class) that has the purpose or effect of substantially interfering with the individual's educational or work performance, or creating an intimidating, hostile or offensive working or academic environment.

A person's subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior harassment. The behavior must create a hostile environment from both a subjective and objective perspective and must be so severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services, or opportunities from the Law School's education or employment programs and/or activities. In determining whether a hostile environment exists, The Diversity Affairs Office examines the context, nature, scope, frequency, duration, and location of incidents, as well as the relationships of the persons involved.

Examples of harassment can include:

- Offensive jokes;
- Slurs;
- Name-calling;
- Intimidation;
- Ridicule or mockery; or
- Displaying or circulating offensive objects and pictures that are based on a protected class.

**Please note, general bullying or uncivil behavior that is not based on a protected class does not fall within the purview of this policy or The Diversity Affairs Office. However, such behavior may violate the Law School's expectations regarding Southwestern's Student Code of Conduct or other policy and should be reported to the Dean of Students Office.**

## **2 Reporting**

The Law School encourages reporting of discrimination and harassment. Members of the Law School community who believe they have experienced discrimination or harassment have the right to choose whether to report the incident to the Law School and have the right to choose whether to engage with the Law School once the Law School receives a report. The information below is for individuals who wish to report incidents of discrimination or harassment.

**Reporting Incidents to the Law School:** An individual who has experienced discrimination or harassment may choose to report the incident to The Diversity Affairs Office. Anyone wishing to make a report of discrimination or harassment to The Diversity Affairs Office may do so in person, by email, by regular mail, by phone, or electronically as explained below.

While anonymous reports will be reviewed by The Diversity Affairs Office, the Law School's ability to address misconduct reported by anonymous sources is significantly limited.

There is no time limit for reporting an incident of discrimination or harassment. However, the Law School encourages reports be made as soon as possible after the incident. The passing of time makes reviewing the evidence more difficult and the memories of involved parties may become less reliable. The Diversity Affairs Office reserves the right to investigate or otherwise address any report, regardless of when it is made.

**To Make a Report Please Contact The Diversity Affairs Office:**

Contact: Associate Dean Nydia Duenez  
Location: The Diversity Affairs Office  
3050 Wilshire Blvd, Los Angeles, CA 90010  
Suite 102  
Phone: (213) 738-6872  
Email: [nduenez@swlaw.edu](mailto:nduenez@swlaw.edu)

Upon receipt of a report, a The Diversity Affairs Office staff member will contact the person who may have experienced discrimination or harassment. The outreach from The Diversity Affairs Office staff member will generally include information about: applicable policy, options for pursuing a complaint, and/or relevant resources. The outreach will also include an invitation to meet with or provide additional information to a The Diversity Affairs Office staff member.

## **II. SEXUAL MISCONDUCT POLICY**

### **A. Introduction: Institutional Values, Community Expectations, and Notice of Non-Discrimination**

It is the policy of Southwestern Law School (“Southwestern” or the “Law School”) to maintain an environment for students, faculty, administrators, staff, and visitors that is free of all forms of discrimination and harassment, including sexual misconduct. The Law School has enacted this Sexual Misconduct Policy (the “Policy”) to reflect and maintain its institutional values and community expectations, to provide for fair and equitable procedures for determining when this Policy has been violated, and to provide recourse for individuals and the community in response to violations of this Policy.

This Policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct, including sexual assault, non-consensual sexual contact, intimate partner violence, sexual exploitation, and stalking. This Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in, any matter related to this Policy. All of the foregoing conduct shall be referred to as “Prohibited Conduct”.

Southwestern does not discriminate on the basis of sex in its educational, extracurricular, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment is also prohibited under Title IX, Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act, and other applicable statutes. This Policy prohibits sexual harassment against Southwestern community members of any sex, sexual orientation, gender identity, or gender expression in the context of education or employment. This Policy also prohibits gender-based harassment that does not involve conduct of a sexual nature.

The law school strongly encourages all members of our community to take action to maintain and facilitate a safe, welcoming, and respectful environment on campus. In particular, the law school expects that all Southwestern community members will take reasonable and prudent actions to prevent or stop Prohibited Conduct. The Law School strongly supports individuals who choose to take such action and will protect such individuals from retaliation.

Upon receipt of a report, the Law School will take prompt and equitable action to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy its effects. In addition, the Law School will fulfill its obligations under



the Violence Against Women Reauthorization Act of 2013 (“VAWA”) amendments to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) in response to reported Prohibited Conduct. The Law School’s process for investigating and responding to reported Prohibited Conduct are contained in the Sexual Misconduct Policy. Students who are found to have violated this Policy may face disciplinary action up to and including expulsion.

Southwestern also prohibits other forms of discrimination and harassment, including discrimination and harassment on the basis of race, color, national origin, ancestry, age, religious belief, marital status, physical or mental disability, medical condition, veteran status, or any other characteristic protected by federal, state, or local law. Such prohibited conduct is addressed in other Law School policies prohibiting discrimination, harassment and retaliation based on protected status (other than sex or gender).

## **B. Scope of Policy**

This Policy applies to all reports of Prohibited Conduct occurring on or after the effective date of this Policy. Where the date of the reported Prohibited Conduct precedes the effective date of this Policy, the definitions of misconduct in existence at the time of the report will be used. The Grievance Process under this Policy, however, will be used to investigate and resolve all reports made on or after the effective date of this Policy, regardless of when the incident(s) occurred.

The complete Southwestern Sexual Misconduct Policy can be found at <http://www.swlaw.edu/about-southwestern/sexual-misconduct-policy>.

## **III. POLICY STATEMENT ON CONSENSUAL RELATIONSHIPS**

The following has been adopted by the Southwestern faculty and represents a policy statement of professionalism for students and faculty of the Southwestern community.

### **A. Policy Statement**

Consenting romantic or sexual relationships between faculty and students are deemed very unwise. This practice affects the performance, morale, and intellectual atmosphere of the community in which it occurs.

Faculty members must understand that a faculty member who initiates with a current student a personal relationship with romantic or sexual implications or intentions, or who acquiesces in such a relationship initiated by a current student:

- a. Can seriously compromise the student-teacher relationship to which all faculty members have primary professional responsibilities;
- b. Can, in a classroom environment, seriously impair the educational environment not only for the principals in the relationship but for the faculty member's other students;
- c. Can give rise to charges of unacceptable discrimination by the faculty member's other students in regard to grading, references, or employment opportunities; and
- d. May prejudice the faculty member's defense in the event that sexual harassment or discrimination charges arise from such a relationship.

"Current student" shall be understood to mean any student currently enrolled in the law school. A relationship existing at the time the student enters the law school is not condemned by this policy; however, the student may not enroll in any course taught by the faculty member with whom he or she is involved.

Faculty members are warned against the possible costs of even an apparently consenting relationship. The administration involved with hearing a charge of sexual harassment shall be expected, in general, to be unsympathetic

to a defense based on consent when the facts establish that a professional power differential existed within the relationship.

Although sexual relationships between faculty members and current students do not in themselves constitute sexual harassment, they do nonetheless constitute entirely inappropriate behavior which hold enormous potential for impairing a faculty member's effectiveness as a teacher with other students, quite apart from the exposure to charges of sexual harassment and discrimination which such relationships present.

## **IV. STUDENT POLICY ON ALCOHOL AND OTHER DRUGS**

### **A. Student Policy**

The purposes of this policy are to offer a set of fundamental principles and to define acceptable and unacceptable behavior with regard to alcohol and other drugs in the Southwestern community, thereby promoting and fostering a professional environment on campus where moderate consumption of alcohol may be allowed. Southwestern and its students, faculty and staff are committed to providing a safe and healthy learning community for all members. Abuse of alcohol and drugs in the academic environment is detrimental to the maintenance of an effective academic program, quality academic performance, and institutional reputation. Such abuse is further detrimental to the health and safety of students, faculty, staff, and visitors to campus. Southwestern prohibits the illegal and irresponsible use of alcohol and other drugs. The law school will enforce federal, state, and local laws as well as its own alcohol and drug policies, and procedures that support these laws and policies will be instituted and strictly enforced.

The Student Policy on Alcohol and Other Drugs was developed based upon the following principles:

- i. Southwestern maintains a drug-free workplace and campus;
- ii. Abstinence from alcohol and other drugs is always accepted and respected;
- iii. Moderate consumption of alcohol in approved situations is acceptable in accordance with federal, state and local laws, and this policy;
- iv. All other use of alcohol, any use of illicit drugs, and abuse of otherwise legal drugs is forbidden under any circumstances, will be brought to the attention of proper authorities, and will subject the offender to review and possible sanction under the Student Honor Code.

Southwestern, as a recipient of federal funds, is subject to the Drug-Free Schools and Campuses Act (20 U.S.C. §1011i and 34 CFR Part 86) and the Drug-Free Workplace Act (41 U.S.C. §8103). These laws require Southwestern to certify to the Department of Education that it has adopted and implemented a program to prevent the abuse of alcohol and the illicit use of drugs by students and employees.

#### **1. General Provisions**

##### **a. On-Campus Alcohol Policy**

This policy applies to all Southwestern students and their guests while on-campus at officially organized or sanctioned events. Board of Trustees, alumni, and admissions office functions are exempt from this policy and are not required to secure an Alcohol Permit. Students present at any of these events are nonetheless subject to conduct provisions under this policy and the Student Honor Code.

Only members of the Southwestern community and their guests are able to attend events where alcohol will be available. These events are never open to the general public.

Permission to serve alcohol on campus where students are present must be secured using the Alcohol Permit process a minimum of two weeks (14 days) prior to the event. Approval to serve alcohol must be secured prior to any publicity or marketing of the event as featuring alcohol.

No individual under the age of 21, the legal age for alcohol consumption in California, will be served alcohol or permitted to consume alcohol on Southwestern property or at any event sponsored by Southwestern.

Alcohol cannot be sold, directly or indirectly, without a license for sale being acquired beforehand through the Alcoholic Beverage Control Department of the State of California. Students are not allowed to apply for such license for any Southwestern event.

Southwestern explicitly recognizes that its students are adults, are in academic preparation for entry into the legal profession, and are expected to obey the law and to take personal responsibility for their conduct in compliance with the law, this policy, and the Student Honor Code. Southwestern hereby fully disclaims any intention to assume a duty to protect students against their own abuse of alcohol or drugs, or to protect third persons from the conduct of students. Southwestern will not police the personal lives of students. Where individual conduct warrants, however, Southwestern will discipline students if the use of alcohol or drugs threatens to create a public disturbance, disorder, property damage, or danger to the students themselves or to others. Appropriate disciplinary action will be taken, up to and including expulsion, and appropriate legal authorities will be informed when a student's illegal use of alcohol or drugs comes to the attention of the law school. Violations will be handled according to the procedures set forth in the Student Honor Code.

Because outdoor use of alcohol may violate the Los Angeles Municipal Code prohibiting public consumption, requests for holding outdoor events where alcohol will be available will be carefully scrutinized by the Dean of Students. Where proper precautions have not been made to prevent public consumption of alcohol, in the judgment of the Dean of Students, permission to provide alcohol at the event will not be given.

Promotional items may not feature an alcoholic beverage trademark or logo, and the names of alcoholic beverage manufacturers or distributors may not be connected to the name of or holding of any event on campus or any off-campus event officially sponsored by Southwestern. Alcohol-related advertisements on campus of any form (e.g., print ads, web announcements, flyers, etc.) may not portray drinking as a means to academic or social success, suggest that drinking is the sole purpose or dominant theme of an event, promote alcohol consumption as an expectation of all guests during an event or activity, use alcohol as an inducement to participate in the event, or in any other way seek to directly encourage the consumption of alcohol.

The law school is empowered to permit exceptions to or amend this policy as it determines is appropriate.

#### b. Off-Campus Alcohol Policy

Southwestern recognizes that our students are adults who may wish, on their own, to purchase alcohol while off-campus at a non-sponsored program or at an officially recognized Southwestern event. Southwestern, however, will not promote the consumption of alcohol at any off-campus event, officially recognized or not, and will not allow the use of student organization institutional or fundraising funds to be used to for the consumption of alcohol. Alcohol at off-campus events can be purchased by individuals, on their own, in accordance with federal, state and local laws.

## 2. Implementation of the On-Campus Alcohol Policy

#### a. General Law School Campus

Consumption of alcohol on the Southwestern campus is never allowed except under this policy.

All organizations sponsoring events on campus where the serving of alcohol has been permitted in accordance with this policy are responsible for knowing and abiding by all applicable laws as well as with this policy. Only recognized student organizations are eligible to be approved to serve alcohol at any official Southwestern event.

Official Southwestern-sponsored events where alcohol will be provided must have at least one member of the faculty, administration or staff present. These events must be coordinated through the Dean of Students Office. Private student-only gatherings or functions are not considered Southwestern events, and, where they take place in any non-commercial setting, law school funds will not be provided nor reimbursement allowed for the use or expense of alcohol in these activities.

Organizations sponsoring an event at which alcoholic beverages are to be served must register the event and gain permission from the Dean of Students through the Alcohol Permit process. Events are not to feature alcohol for

the primary purpose of inducing event attendance, and should take place where and when they are least likely to interfere with or have a negative impact upon the academic activity of the law school.

Sponsoring organizations must designate a student Public Safety Officer (PSO) whenever alcohol will be available at an event. This person must be approved by the Dean of Students. Sponsoring organizations must also provide one “rover” for each 30 event attendees to monitor alcohol consumption and insure compliance with law and this policy. The PSO and rovers must be members of the sponsoring organization, and must not consume alcohol at the event nor have consumed alcohol prior to the event. Rovers report to the event PSO. The PSO reports to the Southwestern representative present at the event. The PSO, rovers, and servers have responsibility for ensuring that no alcohol is provided under any circumstances to anyone under the age of 21.

Non-alcoholic beverages and food must be made available without charge at any event where alcohol will be served. Adequacy of portions will be determined by the Dean of Students. In any situation where a full selection of non-alcoholic beverages and food is no longer available at an event, availability and service of alcohol must immediately end.

Anyone serving alcohol must be 21 years of age or older. Prior to serving alcohol to any individual, that person must provide valid photo identification to their server. Event sponsors may provide a means of identifying those individuals who have presented proof of age (e.g., a non-transferrable stamp or wristband). Any individual so identified must retain their valid photo identification and must show this identification if requested.

Alcohol available at Southwestern events will typically be limited to wine and/or champagne. Types of alcohol available at any event must be approved in advance by the Dean of Students. Sponsoring organizations are responsible for making available whatever containers are to be used for the particular event. No other containers may be brought into an event by event attendees or members of the sponsoring organization. The type and amount of alcoholic beverages at any event will be predetermined and stated on the Alcohol Permit. No other alcohol will be available, possessed or consumed at the event. No form of “drinking contest” will be allowed.

When guests are permitted at an event where alcohol is served, the person bringing the guest will be held responsible for the conduct and actions of that guest in accordance with the law and this policy.

Where appropriate, and with permission from the Dean of Students, sponsoring organizations may allocate funds from their own budget for event purposes, including the purchase of alcohol.

The serving of alcoholic beverages will stop no later than 30 minutes prior to the scheduled end of the event. Sponsoring organizations are responsible for cleaning up after the event. If damage to property occurs at any event where alcohol is served, the direct cost of repair will be passed on to the sponsoring organization if the individual responsible party cannot be determined.

Where alcohol is to be available at a Southwestern event, the physical layout of the event should be designed to allow an orderly flow of traffic, to make the individual identification process as simple and fail-safe as possible, and to assist in ensuring the serving of alcohol does not interfere with the enjoyment of those individuals not allowed or not choosing to drink alcohol. The sponsoring organization is responsible for planning and conducting the event in a manner that promotes compliance with law and this policy.

b. Residences at 7<sup>th</sup> Street

Please see the rules and regulations for the *Residences at 7<sup>th</sup> Street* for permitted alcohol use.

3. Infractions, Accountability and Sanctions

The possession and consumption of alcoholic beverages on the Southwestern campus are governed by appropriate federal, state and local laws, and by this policy. The law school expects and requires that every organization and individual shall act in conformity with appropriate laws and this policy, and in so doing will engage in responsible behavior.

Persons deemed to be intoxicated by the event PSO shall not be admitted to the event. Along with the PSO and any rovers, members of the sponsoring organization and its responsible parties shall at all times observe the behavior of event attendees who are consuming alcohol. Any individual appearing intoxicated at an event shall not be served additional alcohol, and shall be asked to leave the event by the PSO. Any cost for providing transportation or assistance for the intoxicated person shall be borne by that individual.

Students who display intoxicated behavior, or require the oversight of security as a result of being under the influence of alcohol or other drugs, will be subject to conduct review and possible sanction in accordance with the Student Honor Code, up to and including expulsion from law school. The responsibility of a student is not diminished for acts in violation of the law or the Student Honor Code because such acts are committed under the influence of alcohol or any other controlled substance or illegal drug. In addition, any violation of this policy which is a violation of the law will be referred for criminal prosecution.

Law school disciplinary action, criminal arrests, or convictions may preclude a finding of good moral character required for admission to a state bar. Most states, including California, require the applicant to disclose disciplinary action from any educational institution, as well as criminal convictions. Some states also require disclosure of criminal arrests. The law school may be required to independently disclose this information as well.

All members of the Southwestern community are responsible for knowing and abiding by this policy.

#### 4. Applicable Laws

Law students should be aware that penalties for substance abuse-related crimes include the following: driver license revocation, fines, forfeiture of property, imprisonment, and suspension from eligibility for federal benefits (including student loans). The following is a list of some of the legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol (the list is not inclusive); please also see *Exhibit A* following this policy for Federal Trafficking Penalties.

a. Federal Penalties for Illegal Possession of a Controlled Substance:

21 U.S.C. §844 First conviction: Up to one year imprisonment and fined a minimum of \$1,000 or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined a minimum of \$2,500.

After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined a minimum of \$5,000.

A person convicted of possession of flunitrazepam shall be imprisoned for not more than three years, shall be fined as provided in this section, or both.

Upon conviction, a person who violates this section shall be fined the reasonable costs of investigation and prosecution of the offense.

Purchase at retail during a 30 day period of more than nine grams of ephedrine base, pseudoephedrine base, or phenylpropanolamine base is unlawful.

21 U.S.C. §853(a)(2) and 881(a)(7) Forfeiture of personal and real property used or intended to be used to possess or facilitate possession of a controlled substance if that offense is punishable by more than one year imprisonment.

21 U.S.C. §881(a)(4) Forfeiture of vehicles, boats, aircraft, or any conveyance used to transport or conceal a controlled substance.

21 U.S.C. §844a Civil penalty of up to \$10,000 for possession of a controlled substance for personal use. Civil penalty is only available for a first offense.

21 U.S.C. §862(b) Discretionary denial of any or all Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first conviction, and up to five years for second and subsequent convictions.

21 U.S.C. §862a Denial of benefits under certain Federally-funded state programs for assistance to needy families with children and the supplemental nutrition assistance program.

18 U.S.C. §922(g) Ineligible to ship, transport, possess or receive firearms or ammunition in or affecting interstate or foreign commerce.

Miscellaneous: Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., vested within the authorities of individual Federal agencies.

b. California Penalties for Offenses Involving Controlled Substances:

Cal. Health & Safety Code §11350 Imprisonment in the county jail or state prison, and fine not to exceed \$70 or probation with fine for felony convictions of at least \$1,000 for the first offense and at least \$2,000 for second or subsequent offenses or community service for unlawful possession of controlled substances.

Cal. Health & Safety Code §11351 Imprisonment in the county jail or state prison for two, three, or four years for possession or purchase of controlled substance for sale.

See Cal. Health & Safety Code §11351.5 through 11401 for specific penalties involving cocaine base, marijuana, peyote, and drugs formerly classified as restricted dangerous drugs and also for penalties and enhancements to penalties under specified circumstances or locations.

c. Penalties for Driving Under the Influence of an Alcoholic Beverage or Any Drug:

Cal. Veh. Code §23536 First conviction: Imprisonment in the county jail for not less than 96 hours, at least 48 hours which are continuous, nor more than six months and by a fine of not less than \$390 nor more than \$1,000 and except as otherwise provided suspension of privilege to operate motor vehicle.

Cal. Veh. Code §23540 Second conviction within ten years or conviction within ten years of separate additional conviction of other specified offenses involving alcohol: Imprisonment in the county jail for not less than 90 days nor more than one year and a fine of not less than \$390 nor more than \$1,000, and suspension of privilege to operate a motor vehicle.

Cal. Veh. Code §23546 Third conviction within ten years or conviction within ten years of two separate additional convictions of other specified offenses involving alcohol: Imprisonment in the county jail for not less than 120 days nor more than one year and a fine of not less than \$390 nor more than \$1,000 and revocation of privilege to operate a motor vehicle.

Cal. Veh. Code §23550 Conviction after separate convictions within ten years of three or more violations of specified offenses involving alcohol: Imprisonment in state prison or in the county jail for not less than 180 days nor more than one year and a fine of not less than \$390 nor more than \$1,000 and revocation of privilege to operate a motor vehicle.

Cal. Veh. Code §23550.5 Conviction of driving under the influence with or without bodily injury within ten years of certain other felony convictions including vehicular manslaughter and driving under the influence: Imprisonment in state prison or in the county jail for not more than one year and a fine of not less than \$390 nor more than \$1,000 and revocation of privilege to operate a motor vehicle.

Cal. Veh. Code §23554 Driving under the influence causing bodily injury: Imprisonment in state prison or county jail for not less than 90 days nor more than one year and a fine of not less than \$390 nor more than \$1,000 and suspension of privilege to operate a motor vehicle.

Cal. Veh. Code §23558 Driving under the influence causing bodily injury or death to more than one victim: Enhancement of one year in state prison for each additional injured victim up to a maximum of three one year enhancements.

Cal. Veh. Code §23560 Second conviction of driving under the influence causing bodily injury within ten years or conviction within ten years of separate conviction of other specified offenses involving alcohol or drugs: Imprisonment in the county jail for not less than 120 days nor more than one year and a fine of not less than \$390 nor more than \$5,000 and revocation of privilege to operate a motor vehicle.

Cal Veh. Code §23566 Conviction of driving under the influence causing bodily injury or great bodily injury to any person other than the driver within ten years of two or more separate convictions of driving under the influence causing bodily injury or other specified offenses involving alcohol or drugs: Imprisonment in the state prison for two, three or four years and a fine of not less than \$1,015 nor more than \$5,000 and revocation of privilege to operate a motor vehicle. If convicted of driving under the influence causing great bodily injury to any person other than the driver within ten years of four or more separate convictions of driving under the influence causing bodily injury or other specified offenses involving alcohol or drugs: Additional and consecutive sentence of three years in prison.

Cal. Veh. Code §23572 Various enhancements when a minor passenger is in the vehicle.

Cal. Veh. Code §23575-23582 Additional penalties and sanctions including required use of ignition interlock device and under specific circumstances including when the driver is speeding, failure to take a chemical test and other special factors.

Cal. Veh. Code §23592 and 23594 Impoundment of vehicle of registered owner is allowed when an owner is convicted of driving under the influence or driving under the influence causing bodily injury. Duration varies depending on number of prior convictions of same offense alone or in combination with other specified offenses.

- d. Rules Regulating Admission to Practice Law in California State Bar of California Rules 4.40-4.52: Moral Character Determination

The applicant shall be of good moral character. The term "good moral character" includes qualities of honesty, fairness, candor, trustworthiness, observance of fiduciary responsibility, respect for and obedience to the law and respect for the rights of others and for the judicial process. The applicant has the burden of proving that he or she is of good moral character.

Criminal convictions may preclude a finding of good moral character required for admission to the practice of law.

## **B. Health Risks**

The health risks associated with alcohol and drug abuse, while varied, can include such symptoms as increase in heart and pulse rate, cardiac arrest, birth defects, impairment of memory, an altering of the perception of time, feelings of anxiety, image distortions and hallucinations, and can reduce the ability to perform tasks requiring coordination, swift reactions, and concentration. More specifically, the following is a list of some of the known health risks associated with the abuse of alcohol and the use of controlled substances (the list is not inclusive):

### **1. Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spousal and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at a greater risk than other youngsters of becoming alcoholics.

## 2. Controlled Substances

The health risks associated with the use of controlled substances are many and varied. Please see *Exhibit B* following this policy for examples.

## 3. Resources

Southwestern recognizes that alcoholism and other substance dependencies are highly complex illnesses which, under most circumstances, can be successfully treated. Students who have a problem which they feel may affect their academic performance should seek assistance from one of the many treatment programs available in the community. In instances where it is necessary, a leave of absence from law school may be granted for drug and alcohol abuse treatment or rehabilitation on the same basis as for other health-related problems.

Southwestern provides all students with the counseling services of HelpNet, a private consulting firm providing a network of licensed counselors and alcohol/drug treatment resources. Through HelpNet, students have access to professional counseling services and community resources for problems related to alcohol and drug abuse, as well as relationship, career and academic stress, and family, financial, legal and other problems. Students are entitled to a maximum of three free counseling sessions each program year, from July through June. Information concerning HelpNet is available in the Dean of Students and Diversity Affairs Office and by calling 1-800 HELPNET.

Other resources available to students through local or national providers include:

SAMHSA's National Helpline

1-800-662-HELP (4357)

SAMHSA Behavioral Health Treatment Services Locator

<http://findtreatment.samhsa.gov/>

Local meetings of support groups, including Alcoholics Anonymous, Al-Anon, and Adult Children of Alcoholics (ACOAS), are readily accessible over the internet.

The following deal with drugs of abuse and resulting criminal penalties:

Drug Enforcement Administration, U.S. Dep't of Justice, *Drugs of Abuse: A DEA Resource Guide* 30-31 (2017), <https://www.dea.gov/documents/2020/04/13/drugs-abuse>.

*Commonly Abused Drugs Charts*, National Institute on Drug Abuse, <https://www.drugabuse.gov/drug-topics/commonly-used-drugs-charts> (last updated June 26, 2020).

## V. AIDS POLICY

AIDS (Acquired Immune Deficiency Syndrome) describes an impairment of the body's immune system, the mechanism which helps people fight infection and disease. When the system is not functioning correctly, the individual becomes vulnerable to unusual infections and other illnesses. These include "opportunistic infection," such as pneumocystis carinii pneumonia, chronic cytomegalovirus (CMV) infection, unusually severe shingles and herpes simplex, and certain bacteria infections. Kaposi's sarcoma (KS), a skin cancer, also has been associated with AIDS. AIDS is caused by the Human Immunodeficiency Virus (HIV).



AIDS is transmitted through body fluids such as blood and semen. This exposure to body fluids can occur during sexual contact, by sharing intravenous drug needles, through blood transfusions, and from infected mother to child. There is no scientific evidence to suggest that anyone has contracted the disease from casual or even close daily contact. In fact, the data supports the contrary; family members, other than sexual partners of people with AIDS, have not developed AIDS. The most recent information by the Centers for Disease Control, U.S. Department of Health and Human Services, states that casual contact with AIDS patients or persons who might be at risk for the illness does not place others at risk for getting the illness.

The law school shall treat HIV and AIDS the same as any other disease that may be contracted by faculty, staff, and students. Individuals living with HIV or AIDS or other diseases will be permitted to work at and/or enroll in courses at the law school. People living with HIV or AIDS or who are perceived to be infected are entitled to all of the ordinary privileges and rights, of other students, faculty, or staff members..

If you have questions about AIDS, visit the U.S. Centers for Disease Control website for the most up-to-date information about HIV and AIDS.

Faculty, staff and students who are living with HIV or AIDS or who are perceived to be infected are entitled to privacy with respect to their medical and other personal matters. Information about an individual's medical conditions will not be released unless authorized by the individual or unless required by law.

Discrimination is grounds for disciplinary action, including separation from employment.

## **VI. POLICY STATEMENT ON STUDENT ACADEMIC WORK-PRODUCT ORIGINALITY**

Students in law school are expected to learn the law, to learn the tools of the practice of law, and to prepare for the demands of the legal profession. It is critical for students to establish habits that will carry them forward as professionals. As measures of learning and preparation, a law student's academic work-products must be their own. This Policy Statement describes and clarifies types of impermissible action in regard to academic work-product that might sometimes be confusing to students but that must be scrupulously avoided.

### **A. Plagiarism**

Plagiarism is considered a very serious infraction of the academic standards and rules at Southwestern. Because students matriculate to law school with a wide variety of undergraduate experiences, including students with limited prior exposure to the demands of researching and writing analytic composition, there may be a degree of confusion for some students as to the definition of plagiarism. Below is a portion of a law review article that explains and describes plagiarism. It is taken, with generous permission, from *Plagiarism in Law School: Close Resemblance of the Worst Kind?*, by Robert D. Bills, 31 Santa Clara Law Review 103, 123-30 (1990) [footnotes are numbered below as they were in the original text]:

#### **IV. Avoiding Plagiarism in Law School: A Law Student's Guide to Sources and Their Acknowledgment<sup>1</sup>**

Plagiarism is the submission or presentation of any work, in any form, that is not a student's own, without acknowledgment of the source.<sup>2</sup> A student must not appropriate ideas, facts or language from the work of

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<sup>1</sup> Title and text adapted with permission from Dartmouth College, SOURCES: THEIR USE AND ACKNOWLEDGMENT (1987).

<sup>2</sup> Although there is no universal definition for plagiarism utilized by every law school, the majority share common elements. See, e.g., *Notre Dame Law School Honor Code* § 3.01(b). "To submit as one's work the work of another;" University of South Carolina, School of Law, *Code of Academic Responsibility*, Art. III, § 1(d), "[T]he act of taking the idea, writing, or work of another and presenting it as the product of one's own activity, whether in whole or in part;" University of Oklahoma, College of Law, *Code of Academic*

Plagiarism is considered by many to be one of the most serious offenses that can be committed in an academic community<sup>3</sup> and may reflect upon an individual's moral fitness to practice law.<sup>4</sup> The failure to acknowledge sources violates the code of scholarly ethics, and ironically, may also indicate one's anxious and abject dependence upon them. Plagiarists, in effect, forfeit the opportunity to do their own original work.

A law student charged with plagiarism is subject to disciplinary action which may include a failing grade, loss of course credit, suspension or expulsion, and notification to the Committee of Bar Examiners in every state where the student intends to practice law.

Many entering law students erroneously believe that plagiarism can occur only in a class paper or law review article, and then only by an explicit intent to deceive. Plagiarism can occur *whenever* one makes use of the ideas or work product of another without including an appropriate citation, and applies to *every* type of work encountered in law school: essays, law review articles, case briefs,<sup>5</sup> pleadings and legal memoranda for class credit, homework, and examinations. Plagiarism is possible with any formal work performed in any medium.

Many forms of inadvertent plagiarism are caused by poor research habits. Law students should cite sources not only in a final draft, but also in all preliminary notes for any project. The accurate use of quotation marks is essential to good note taking, and will avoid the unfortunate consequences that result from mistakenly assuming that one's notes are in one's own words. A working knowledge of the rules contained in *A Uniform System of Citation*<sup>6</sup> will facilitate this practice.

#### A. Examples of Plagiarism

Following these excerpts from the late Professor Fred Rodell's famous lampoon of legal literature<sup>7</sup> are typical examples of plagiarized work:

[T]he explosive touch of humor is considered just as bad taste as the hard sock of condemnation. I know no field of learning so vulnerable to burlesque, satire, or occasional pokes in the ribs as the bombastic pomposity of legal dialectic. Perhaps that is the very reason why there are no jesters or gag men in legal literature and why law review editors knit their brows overtime to purge their publications of every crack that might produce a real laugh. The law is a fat man walking down the street in a high hat. And far be it from the law reviews to be any party to the chucking of a snowball or the judicious placing of a banana peel.

Occasionally, very occasionally, a bit of heavy humor does get into print. But it must be the sort of humor that tends to produce, at best, a cracked smile rather than a guffaw. And most law review writers, trying to produce a cracked smile, come out with one of those pedantic wheezes that get an uncomfortably forced response when professors use them in a classroom. The best way to get a laugh out of a law review is to take a couple of drinks and then read an article, any article, aloud. That can be really funny.<sup>8</sup>

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*Responsibility*, § 201 (b)(vii), "[T]he incorporation of written work, either word for word or in substance from any work of another, unless the student writer credits the original author and identifies the original author's work with quotation marks, notes, or other appropriate written designation."

<sup>3</sup> See Kolich, *Plagiarism: The Worm of Reason*, 45 C. ENG. 141 (1983); see also Mawdsley, *Plagiarism Problems in Higher Education*, 13 J.C. & U.L. 65 (1986).

<sup>4</sup> See, e.g., *In re Lamberis*, 93 Ill. 2d 222, 443 N.E.2d 549 (1982); but see Rhode, *Moral Character as a Professional Credential*, 94 YALE L.J. 491, 518-37 (1985).

<sup>5</sup> In some law schools the mere possession of "canned briefs" (e.g., *Legal Lines* or *Casenotes*) on campus subjects a student to suspension or dismissal. See, e.g., Western State Univ., Admin. Rule 7 (1989). Recitation of a canned brief as one's own synopsis of a case may also constitute plagiarism under a strict construction of the term.

<sup>6</sup> HARVARD LAW REVIEW ASS'N, *A UNIFORM SYSTEM OF CITATION* (14<sup>th</sup> ed. 1986).

<sup>7</sup> Rodell, *Goodbye to Law Reviews Revisited*, 48 VA. L. REV. 279 (1962).

<sup>8</sup> *Id.* at 281.

1. *Example 1*

Plagiarism by unacknowledged direct quotation or word-for-word transcription from source:

In legal writing an *explosive touch of humor* is considered to be in *bad taste*, and is *perhaps the very reason why there are no gag men in legal literature*. Law review editors work overtime to purge their publications of humor, but *occasionally a bit of heavy humor* escapes their scrutiny.

Note that this paragraph duplicates Professor Rodell's passage with only slight rearrangement and restatement, and without using appropriate quotation marks or citation at the end.

2. *Example 2*

Plagiarism by mosaic, or, mixing paraphrase and unacknowledged quotation from source:

Jokes in legal literature are *considered to be in bad taste*, perhaps due to the genre's extreme *vulnerability to satire*. The law reviews work *overtime* to remove obnoxious levity and the snippets of humor that remain are often little more than *pedantic wheezes*. Sometimes, the only way to *get a laugh out of* legal writing is to *take a drink then read aloud*.

Note how in this case the plagiarist intermingles his own original writing with unmarked excerpts and phrases drawn directly from Professor Rodell, adopts the ideas of the original author, and again fails to provide any citation.

3. *Example 3*

Plagiarism by paraphrase and/or use of ideas:

Drollery is unwelcome in legal literature. The few authors who gingerly attempt to elicit a smile, and escape their editor's overzealous attempts to preserve the sanctity of the publication, are generally rewarded with little more than a wry smile. Humorists need not apply as legal writers.

Note that although this excerpt does not make literal use of Professor Rodell's paragraphs, it nevertheless draws its ideas from them without any acknowledgment and thus constitutes an act of plagiarism of equal severity as the two preceding examples.

B. *When to Cite Sources*

Although scholars of various disciplines differ on when to cite and not cite sources, most follow the basic principle that a citation is required to any source of a direct quotation, paraphrase, fact or idea. Lawyers, finding the bare assertion of a legal theory without authority to be less than useless, reduce the principle to its elemental form, "*cite everything!*"<sup>9</sup> Winning a case for one's client requires that a court be persuaded that statutory or case authority demands the requested ruling. A court will not take a lawyer's word for it, or give credence to his opinion that the law is what he says it is. A court must know which authority. Therefore, "[l]awyers cite the law."<sup>10</sup>

The citation principle may be divided into six basic rules. The first two cover direct quotation, paraphrase and summary of language, facts and ideas. The third considers information that may be regarded as "common knowledge." The fourth, often considered a recommendation rather than a strict rule, asks for citations to sources that supply different or additional views on the same or related topic that the reader might find relevant or helpful.<sup>11</sup> The fifth rule specifies citations to sources that cannot be defined as written texts, including such materials as public lectures, recordings, films, graphs, statistical tables and computer data. An

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<sup>9</sup> See P. MERKEL & R. TALMO, LEGAL RESEARCH AND WRITING, COURSE MATERIALS 4 (1988).

<sup>10</sup> *Id.*

<sup>11</sup> See Samuelson, *Good Legal Writing: Of Orwell and Window Panes*, 46 U. PITT. L. REV. 149, 161 (1984).

additional rule, addressed in legal writing courses, requires citation to all sources relied upon for authority to support any legal proposition or rule. The proper format for each required citation will be found in *A Uniform System of Citation*,<sup>12</sup> better known as the “Harvard Bluebook.”

1. *Cite sources for all direct quotations.*

There is no exception for this rule since scholars, judges and other lawyers expect to know the original source of every quotation whether for the purpose of simply finding it there, checking for accuracy, or when appropriate, perhaps using it in their own work.<sup>13</sup>

2. *Cite sources from which language, facts, or ideas have been paraphrased or summarized.*

A paraphrase requires the same citation as a quotation. This rule helps avoid a common form of plagiarism: not only paraphrasing an unacknowledged source’s idea(s), but also literally adopting (“lifting”) certain specific phrases or stylistic expressions without quotation marks and explicit acknowledgment of their original source. Students are cautioned to organize any summary or paraphrase in their own distinctive manner and style.<sup>14</sup> As a general rule, each paragraph containing paraphrased material should contain a cite to the source.

A persistent and potentially dangerous myth is that plagiarism is harmless if unattributed material consists of less than one page in a typical 20-page student paper. This is not so! Although an individual instructor or school may sometimes find that a small amount of “accidental” plagiarism does not warrant formal disciplinary action, the student’s work remains flawed. Not only is the non-plagiarized remainder suspect, any positive impact on the reader is lost. Such an incident of plagiarism, however “minor,” may rate a failing grade from the professor and irreparably damage a student’s reputation.

3. *Cite sources for idea(s) or information that could be regarded as common knowledge, but which a) was not known to the writer before encountering it in a particular source, or b) the reader might find unfamiliar.*

Less clear than the two previous rules, this third rule addresses situations where no definitive boundary exists between an idea that did not originate with the writer but seems generally well known (i.e., that the federal legislature is bicameral),<sup>15</sup> and a generally well-known idea treated as a distinctive or seldom understood concept (i.e., Judge Bork’s controversial theory on the limited scope of the first amendment).<sup>16</sup> In the first case, some legal scholars omit a citation when the idea can be found in five or more independent sources. In the second case a formal citation is always required. When in doubt, *cite the source*.

4. *Cite sources that add relevant information to the particular topic or argument propounded.*

This “rule” allows the writer to supply related or parenthetical information without cluttering the body of the paper with extraneous details. Restraint should be exercised in the use of supplementary citations. Too many will distract the reader from the flow of the argument.<sup>17</sup>

5. *Cite sources from and for other kinds of specialized materials.*

This fifth rule extends the application of the preceding four rules to other forms of work such as lectures, recordings, films, interviews, letters, unpublished manuscripts, graphs, charts, tables, etc.

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<sup>12</sup> HARVARD LAW REVIEW ASS’N, *supra* note 92.

<sup>13</sup> There is no consensus in legal academe whether the “lifting” of quotations from a secondary source without additional citation constitutes plagiarism. It is, however, bad research methodology. One should always read quoted material in the original source.

<sup>14</sup> Note, however, that excessive paraphrasing tends to weaken the rhetorical effect of any work.

<sup>15</sup> A term now in common usage, originally applied by Jeremy Bentham to the division of a legislative body into two chambers. BLACK’S LAW DICTIONARY 147 (5<sup>th</sup> ed. 1979).

<sup>16</sup> Bork, *Neutral Principles and Some First Amendment Problems*, 47 IND. L.J. 1, 26-28 (1971).

<sup>17</sup> “Encountering [a footnote] is like going downstairs to answer the doorbell while making love. – Noel Coward.” Bowersock, *The Art of the Footnote*, 53 AM. SCHOLAR 54 (1984), *cited in* Austin, *Footnotes as Product Differentiation*, 40 VAND. L REV. 1131, 1152 (1987).

6. *Cite sources relied upon for authority to support any legal proposition or rule.*

Because judicial action is governed by the principles of precedent and stare decisis,<sup>18</sup> adherence to this rule not only avoids plagiarism from judicial opinions, statutes or secondary authority, it also is essential to effective lawyering. Students might sometimes feel embarrassed by writing that relies on secondary sources, and try to paraphrase a horn-book, treatise or law review without providing citations to anything but the primary authority.<sup>19</sup> Not only is it obvious to an experienced reader that a student has relied on a secondary source (even without citations), the student risks a charge of plagiarism.<sup>20</sup> Although original analysis of a court decision is always preferred, there is no shame in using a secondary source so long as a proper foundation is laid and the complete citation is given.<sup>21</sup>

Plagiarism is easily avoided by careful research methodology and adherence to simple rules of citation. The practice of law is based upon the craft of effective writing, and law students should write often. A fear of plagiarism that manifests itself in the failure to take advantage of every writing opportunity in law school is a tragedy in itself. Don't be afraid of sources, interact with them. Although some of the rules seem fraught with ambiguity, particularly when a fact or idea appears to be common knowledge, proper attribution is an absolute prevention for plagiarism. So long as a student does not represent the work of another as his own, and credits his sources, he cannot be a plagiarist. The student who also understands that a legal rule without citation is like a pen without ink has taken an important step toward effective advocacy.

## **B. Collaboration**

### **1. LAWS Collaboration Policy**

All LAWS assignments must be "original works of authorship." In order to clarify when a work is no longer "original," this policy sets forth specific examples of inappropriate conduct. It is impossible, however, to anticipate and list every possible example of inappropriate conduct. Therefore, the absence of a particular act from this document does not prevent appropriate discipline.

A violation of this policy may result in an "F" on the affected LAWS assignment, and an "F" in the course. Faculty may refer violations of this policy to the Honor Code Committee as misconduct under Southwestern's Student Honor Code.

This policy does not override or revise in any way the school's plagiarism policy as set forth above and as noted in the Student Honor Code.

### **2. Collaboration with other LAWS students:**

- a. You can discuss thoughts and ideas with other students currently enrolled in the LAWS course. You cannot, however, share your notes (other than class notes), case lists, printouts, charts, drafts or any other material that contains your thoughts on the problem except as expressly permitted by your professor. Reading your written materials out loud to another student counts as sharing.

### **3. Collaboration with anyone other than a LAWS student:**

- a. We encourage you to seek assistance from your LAWS professor and his or her teaching assistant, the research faculty, and the Writing Center staff. They will know how to give you appropriate assistance.
- b. You may not seek any assistance outside of these sources. For example, you may not seek assistance from family members, acquaintances, mentors, or tutors regardless of whether the individual is an attorney.

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<sup>18</sup> C. KUNZ, D. SCHMEDEMANN, C. ERLINDER & M. DOWNS, *THE PROCESS OF LEGAL RESEARCH* 52-54 (1986).

<sup>19</sup> W. STATSKY & R. WERNET JR., *CASE ANALYSIS AND FUNDAMENTALS OF LEGAL WRITING* 418 (2d ed. 1984).

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

Assistance of any kind is prohibited including not only substantive guidance but also help with grammar and citation.

4. Use of court briefs prepared by attorneys:

- a. You can review court briefs that have been written on your issue in real cases. Keep in mind, however, that not all briefs prepared by attorneys are well-written, and the availability of briefs online is no indication of their quality.

5. Use of someone else's words, thoughts and ideas:

- a. You must never copy another's words without putting them in quotation marks and citing the source.
- b. You must never paraphrase someone else's words without citing the source.
- c. You must never use someone else's idea without citing the source.

## **VII. POLICY STATEMENT REGARDING STUDENTS AND APPLICANTS WITH DISABILITIES**

It is the policy and practice of Southwestern Law School to comply with the Americans with Disabilities Act of 1990, as amended by the ADA Amendments Act of 2008, Section 504 of the Rehabilitation Act, and state and local requirements regarding students and applicants with disabilities. Under these laws, no qualified individual with a disability shall be denied access to or participation in services, programs and activities of Southwestern Law School.

### **A. General Statement**

Southwestern's policy regarding students and applicants with disabilities recognizes that disabilities include mobility, sensory, health, psychological, and learning disabilities. Southwestern will make every effort to provide reasonable accommodations to these disabilities to the extent that such accommodations are readily achievable. Southwestern is unable to make accommodations that are unduly burdensome or that fundamentally alter the nature or fundamental curricular components of the program.

While Southwestern's legal obligation relates to disabilities of a substantial and long term nature,<sup>1</sup> it is also our practice to provide accommodations when possible for temporary disabilities such as a broken leg or for pregnancy. All Southwestern students are expected to conduct themselves in a professional and courteous manner towards all members of the Southwestern community.

### **B. Admissions**

#### **1. The LSAT**

In the admissions process, because extensive accommodations are provided through the Law School Admission Council (LSAC) for taking the LSAT, waiver of the LSAT is unlikely to be granted except in extremely unusual circumstances.

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<sup>1</sup> Federal Law applies to individuals with a physical or mental impairment which substantially limits one or more major life activities, those with records of such impairments, and those who are regarded as having such impairments. These individuals must be able to carry out the essential requirements of the law school's program with reasonable accommodation.

## 2. The Application Form

Applicants to Southwestern may request a copy of Southwestern's Disability Policy, but are not required to do so.<sup>2</sup> Applicants are not required to indicate on the application whether they have a disability. Indicating a disability on the application form does not serve to provide notice to Southwestern of an applicant's need for accommodations during law school. Requests for accommodations in law school must be submitted to the Dean of Students and Diversity Affairs Office.

## 3. Students Wishing to Self-Identify in the Application Process

Applicants who wish to have their disability considered as a factor in the admissions process must identify at the time of application the nature of the disability and provide an explanation of why it is a factor. If the applicant wishes the disability to be considered as a factor, it is necessary for the applicant to provide appropriate documentation of the disability. Please see the *Appendix* within this policy for information relating to documentation requirements and payment for documentation.

## 4. Reconsideration

It is not Southwestern's practice to reconsider applications that have already been rejected unless there was information that was not available at the time of the application through no fault of the applicant. For that reason, applicants are advised to make any disability known at the time of application if they wish to have the disability taken into account during the application process.

## 5. Accepted Applicants with Need for Accommodations

Students who are accepted for admission should contact the Dean of Students and Diversity Affairs Office as soon as possible regarding disabilities that might require accommodations during law school. Accepted applicants are required to identify disabilities requiring accommodations as early as possible in order to allow adequate time for evaluating documentation, working out the specific accommodations, working out arrangements including funding for auxiliary services, and arranging accommodations for Orientation. Last-minute requests for accommodations may not be able to be reasonably provided because of the time required to make such arrangements.

## **C. Enrolled Students**

### 1. Identifying the Need for Accommodation

Students with disabilities who require accommodations are required to make those needs known to the Dean of Students and Diversity Affairs Office as soon as possible. It is the responsibility of the student to make these needs known in a timely fashion and to provide appropriate documentation and evaluations in appropriate cases. Please see the *Appendix* within this policy for information regarding documentation requirements and payment for such documentation. Students should not assume that this information is known to the Dean of Students and Diversity Affairs Office because their application to law school indicates the presence of a disability.

Students who do not require accommodations need not make their disabilities known. The information on the student's disability and accommodations is treated as confidential information under applicable federal, state and Southwestern policies and is only provided to individuals who are privileged to receive such information on a need-to-know basis. Faculty and staff members who are apprised of a disability are advised that this information is confidential.

In some cases where only minor accommodations are required (such as requesting to sit in the front row because of a visual or hearing impairment), the student should feel free to simply make such a request directly to the faculty member. If requests for minor accommodations are not responded to adequately, the student should make the request to the Dean of Students and Diversity Affairs Office.

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<sup>2</sup> Applicants may contact the Admissions Office or Dean of Students and Diversity Affairs Office to make such a request.

Students with disabilities should be aware that while reasonable accommodations are available, all students will be held to the same academic performance standards. Law school is stressful, and students whose disabilities justify accommodations such as a reduced course load have the obligation to request accommodation before academic failure. Problems such as exam anxiety and chronic lateness will not ordinarily be considered to be disabilities justifying accommodation.

## 2. Accommodations

Southwestern will make reasonable accommodations for documented disabilities. These accommodations may include, but are not limited to, course load modifications, exam accommodations, readers, interpreters, and notetakers. Such accommodation will not be provided if it fundamentally alters the nature of the program or would be unduly burdensome either financially or administratively. Students requesting accommodations are required to identify their need as early as possible to the Dean of Students and Diversity Affairs Office who will meet with the student to develop an appropriate accommodation plan. Requests for accommodations must be made as early as possible in order to allow adequate time for evaluating documentation, and working out specific accommodations and arrangements, including funding for auxiliary services. Late or last minute requests for accommodations may not be able to be reasonably provided because of the time required to make such arrangements.

### a. Academic Modifications

Academic modifications include reduced course loads, extending the amount of time for graduation, allowing part-time programming, and similar modifications. Only modifications that do not fundamentally alter the nature of the program and that are not unduly burdensome financially or administratively are required by law. While Southwestern must provide justification for refusing to allow a requested accommodation, higher education institutions are given substantial deference in establishing their academic requirements.

Requests for academic modification should be made to the Dean of Students and Diversity Affairs Office. In appropriate cases, such as a reduced course load, the adjustment will be made in consultation with the appropriate faculty member or an administrator.

### b. Auxiliary Services

Auxiliary services may include interpreters, notetakers, readers, assistance with photocopying and library retrieval, and other support services in connection with the academic program. Services for personal use are not provided. Purchase of special equipment (such as Dragon Naturally Speaking, a Kurzweil Reading Machine, an image enlarger, etc.) to be used at Southwestern may also constitute an auxiliary service.

Southwestern does not provide individual tutorial assistance tailored to the special needs of students with disabilities. Southwestern does have an academic support program that does not discriminate on the basis of a disability. The director of that program or the Dean of Students and Diversity Affairs Office may refer students with disabilities to faculty or administrators in order to obtain additional help in appropriate cases.

Students requiring auxiliary services should direct most requests initially to the Dean of Students and Diversity Affairs Office. For certain auxiliary services such as interpreters and readers, the Dean of Students and Diversity Affairs Office may request that the student seek eligibility for such services from the California Department of Rehabilitation, Vocational Rehabilitation Services, private agencies, or other low cost or no cost service providers. The Dean of Students and Diversity Affairs Office will work with the student in facilitating the obtaining of such services. The student is expected to fully cooperate in obtaining such services. Because obtaining these services can be time consuming and costly, students are urged to seek assistance as early as possible after being accepted.

Occasional assistance in the library may be obtained by making a request to the library staff. Students who require more extensive assistance and/or assistance on a regular basis should make this need known to the Dean of Students and Diversity Affairs Office as soon as possible. The Dean of Students and Diversity Affairs Office will work with the library staff to facilitate an appropriate schedule of assistance.



c. Exam Modifications

Exam modifications may include additional time to take the exam, time allowed for rest breaks, use of a reader or amanuensis, being allowed to eat, use of a separate exam room, or taking the exam at a time other than the regularly scheduled time. Students requesting certain exam modifications may be asked to ascertain the format of the exam in order to determine the appropriate modification. For example, if the student has difficulty writing, but does not have difficulty reading, the need for additional time would be affected by whether the exam was to be in a multiple choice format or an essay format.

All exam modification requests related to disabilities are to be directed to the Dean of Students and Diversity Affairs Office. Because of the time needed to arrange these requests, students must make such requests no later than eight weeks before exams are to be taken if the request is a first-time request, or, if the need for accommodation becomes known to the student later than such time, as early as possible, but no later than three weeks before exams are to be taken. If students who have previously been granted accommodations request accommodations different than those previously granted, or submit new or supplemental documentation to support an accommodation request, the student must submit the request no later than eight weeks before exams are to be taken.

To ensure that the student's request for accommodations can be evaluated and processed, students are strongly urged not to wait until the applicable deadline but to make their request for accommodation, new or otherwise, as early as possible. Requests for readers, scribes or other assistance should be made early to ensure that there is adequate staffing. Exam accommodation requests must be renewed each semester, and must be submitted at least two weeks before the scheduled exam. Depending on the nature of the disability, new or updated documentation may be required. While the Law School will make its best effort to process a student's petition for accommodation if submitted beyond that deadline, petitions received less than two weeks prior to the start of the exam period may be denied if there is insufficient time to gather and review the appropriate documentation, evaluate possible accommodations, or to implement an accommodation.

Note: The Law School Admissions Council, National Conference of Bar Examiners and the State Bar each make their own independent determination regarding the approval of exam accommodations for the Law School Admissions Test (LSAT), Multistate Professional Responsibility Exam (MPRE) and Bar Examination. Approval of exam accommodations at Southwestern does not guarantee that the same accommodations will be approved by these other organizations.

d. Architectural Barriers

While most aspects of Southwestern's facilities are readily accessible, there may be accessibility issues that need pre-arrangement.

Parking There are several accessible parking spaces near the law school for individuals who have state-issued handicap parking designations.

Ramped Entrances Entrance into the law school is available by ramped access.

Accessible Restrooms Accessible restrooms can be found on every floor of the Westmoreland Building and throughout the Wilshire Building.

Classrooms All classrooms are accessible, but some may be easier to reach than others. For this reason, students with mobility impairments are requested to advise the Dean of Students and Diversity Affairs Office as early as possible in the registration process so that feasible adjustments can be made.

e. Modification of Policies and Practices

Class attendance is deemed to be a fundamental aspect of legal education. For that reason, attendance policies for students with disabilities may not be waived. Students believing that their particular disabilities may lead to situations beyond Southwestern's general attendance policy should direct requests to the Dean of Students

and Diversity Affairs Office. Because reduced course loads, extensions of time for graduation and other accommodations are available, it would be extremely unusual that the attendance policy would be a necessary reasonable accommodation.

Students who believe that other policies and practices should be modified should direct these requests to the Dean of Students and Diversity Affairs Office.

**f. Service Animals**

Southwestern provides equal access and reasonable accommodation for individuals with disabilities to participate in any program, service, or opportunity provided by the law school, and complies with applicable laws related to service animals.

Service animals are defined as dogs or miniature horses that are individually trained to do work or perform tasks for people with disabilities. Service animals are working animals, not pets. Service animals are permitted to accompany people with disabilities in all areas of campus where community members and visitors are allowed to go. All other animals, including support or comfort animals, are not permitted in law school buildings. Students must register their service animals with the Dean of Students and Diversity Affairs Office. For more information regarding service animals, contact the Dean of Students and Diversity Affairs Office.

**D. Academic Dismissal and Readmission**

Students who are academically disqualified sometimes raise a disability as the basis for the academic difficulty. While this may sometimes impact the determination for readmission, the burden is on the student to clarify why the disability was not previously brought to the attention of the Dean of Students and Diversity Affairs Office, or if it had, to adequately explain why accommodations were not requested if they had not been previously, or to explain why accommodations that had been provided were not adequate.

**E. Bar Examination and Multistate Professional Responsibility Examination (MPRE)**

Law students with disabilities who believe they will require accommodations for taking the MPRE or state bar examinations should inquire early in their legal education as to what will be necessary to obtain accommodations. Students are highly encouraged to meet with the Dean of Students and Diversity Affairs Office at least one year before taking the bar to discuss the accommodation request process for the bar. Information on how to contact bar examiners in all states is available in the law library, the Registration and Academic Records Office, the Dean of Students and Diversity Affairs Office, or online at <http://www.ncbex.org>. Many state boards of bar examiners will request that the law school provide information on accommodations received during law school. Such information will be provided by the Dean of Students and Diversity Affairs Office upon receipt of a written release from the student and will normally be provided within ten (10) working days after receipt of the written release.

**F. Career Services Office**

Southwestern Law School is a member of the National Association of Law Placement (NALP) and the Association of American Law Schools (AALS) and adheres to a policy of non-discrimination in the hiring, compensation, work assignment or promotion of any person on the basis of sex, gender identity, gender expression, sexual orientation, age, race, color, religious creed, national origin, disability, marital, parental or veteran status or the prejudice of clients.

If as a result of a job listing or on-campus recruitment, you believe you have been denied employment on the basis of discrimination, notify the Career Services Office, immediately.

NOTE: An exception to the Southwestern Law School Career Services Office non-discrimination policy and AALS bylaws is granted to representatives of the U.S. Department of Defense who discriminate on a basis not permitted by Southwestern Law School's non-discrimination policy or AALS bylaws. The exception is currently made in order to avoid the loss of funds that would otherwise be imposed under the Solomon Amendment (enacted by Congress in 1996).

## G. Grievances

Students who request accommodations and who believe that such accommodations have been impermissibly denied, or who believe that they have been discriminated against on the basis of their disability, should bring this matter to the attention of the Dean of Students and Diversity Affairs Office. The Dean of Students and Diversity Affairs Office will make every effort to resolve the situation. Students who still believe that they have been discriminated against and are unsatisfied with the accommodation should bring the matter to the attention of the Vice Dean. If the matter cannot be resolved informally, or if the student is unsatisfied with the resolution, the student may file a written grievance with the Dean. Upon receipt of the grievance, the Dean shall appoint three full-time faculty members to constitute a grievance committee. The committee shall develop its own procedures, provide an opportunity for the student to present the grievance, determine whether the grievance has merit in relation to this policy, and provide a written report to the Dean.

## APPENDIX: DISABILITY DOCUMENTATION POLICY

*[The documentation requirements below have been adapted from State Bar of California and Law School Admission Council policies and procedures, as well as from policies at the University of California, Cornell University, Harvard University, the University of Houston, the University of Louisville, Michigan State University and Washington University in St. Louis, among others.]*

Southwestern Law School is committed to ensuring that all enrolled students who have a disability enjoy a full and satisfying law school experience. Under the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act, individuals with disabilities are guaranteed certain protections and rights of equal access to programs and services. In an educational setting, students with appropriately, medically documented disabilities may be eligible for accommodations; however, the diagnosis of a disorder/condition alone does not automatically qualify an individual for accommodations under the ADA. Documentation in support of accommodations must indicate that the stated disability substantially limits some major life activity, and must reasonably and logically demonstrate the need for accommodations that directly address the disabling condition.

Accommodations will be provided at Southwestern where a clear and convincing rationale is made for the necessity of the accommodation, where it is not unduly burdensome to do so, and where the accommodations do not compromise or fundamentally alter the essential components, substance or requirements of a particular course or program of study. All students are held to the same academic performance and behavior standards. Accommodations are adjustments provided to “level the playing field” with respect to the current functional limitations of an enrolled student; they are not remedial in nature nor do they change or compromise academic standards. [For example, instruction in basic skills not acquired earlier in the student’s education would be “remedial” (e.g., basic writing skills), while “accommodation” refers to the provision of services that insure equal access to a student with a disability (e.g., providing extended examination time for a student who processes information more slowly than other students because of a learning disability).]

The provision of reasonable accommodations and services is based upon assessment of the impact of the student's disabilities on his or her academic performance at a given time in the student's life. It is important to recognize that accommodation needs can change over time; documentation must, therefore, verify the need for accommodations based on the student’s current level of functioning within the law school setting. A prior history of accommodation does not in and of itself warrant the automatic provision of a similar accommodation.

Students who believe they have a current and essential need for disability accommodations are responsible for requesting accommodations and providing comprehensive, qualifying medical documentation to the Dean of Students and Diversity Affairs Office. Documentation must be provided well in advance of the date for which accommodations are being sought. If submitted documentation is incomplete, inadequate in scope or content, does not address the student’s current level of functioning and need for accommodations, or does not follow these documentation requirements, Southwestern will request clarification and, if necessary, more information. This will delay the determination of accommodations. It is the student’s responsibility to obtain such additional information or clarification. Documentation fees are borne by the student.

Accommodations are provided on an individual case-by-case basis. Given that many students may perceive that they might benefit from an accommodation (e.g., extended time for examinations), evaluators must provide a specific rationale and justification for the necessity of each accommodation. If no prior accommodation has been provided to the student, the evaluator must include an explanation about why no accommodations were used in the past and why accommodations are needed now. A school plan such as an individualized education program (IEP) or 504 plan is insufficient documentation, but it can be included as part of a more comprehensive assessment battery. A letter from a physician or other professional may not be sufficient documentation. Southwestern reserves the right to request additional or updated documentation, even after a student has been granted academic accommodation.

The final determination for providing appropriate and reasonable accommodations rests with Southwestern. Reports should be typed, dated and signed, and appear on professional letterhead. The examiner's name and professional credentials, including license/certification information and jurisdictional information, should be clearly stated. Parents or other relatives are never appropriate evaluators, even if they are otherwise qualified. Southwestern reserves the right to submit disability documentation to an appropriate health care or other professional qualified to assist Southwestern in its review of both the initial documentation and any supplemental assessment(s) of the disability. If an additional assessment for purposes of obtaining a second professional opinion is required, Southwestern shall bear costs not covered by any third party payor.

Please note below the specific documentation requirements for specific types of disabilities. Students may wish to provide these requirements to the professional performing their evaluation to insure documentation is appropriate and adequate.

#### **A. Learning and Attentional Disabilities**

Students must provide documentation that supports a history of a learning disability, Attention Deficit Disorder or Attention Deficit/Hyperactivity Disorder (AD/HD); evidence of current impairment; relevant testing that identifies how the disability currently impacts the student's academic abilities; identification of DSM-IV-TR or most current criteria; and a specific diagnosis in an interpretative summary based on a comprehensive adult-normed assessment process. Evaluations must evidence the student's current condition, and should be no more than two (2) years old.

Documentation requirements include:

##### **1. Diagnostic Information**

A specific diagnosis for each learning or attentional disability, including a description of how each diagnosis was determined following DSM-IV-TR codes or most current criteria must be indicated. Diagnostic information should include, when relevant: information about family history, developmental history, medical history, relevant psychosocial history, primary language of the home, current fluency in English, history of substance abuse, any history of psychological disorders, a thorough medication history, and a discussion of dual diagnosis where indicated. A thorough description of current presenting problems is always indicated. The evaluator should use direct language in a clear statement of the diagnosis, avoiding the use of such non-specific terms as "suggests," "probable," or "has problems with."

Individual "learning styles," "learning differences," "academic problems" and "test difficulty or anxiety," in and of themselves, do not constitute a learning disability. It is important to rule out alternative explanations for problems in learning such as cultural/language differences, poor study skills; or emotional, attentional or motivational problems that may be interfering with learning but do not constitute a learning disability. If the data indicate that a learning disability is not present, the evaluator should state that conclusion in the report.

Because AD/HD is typically first exhibited in childhood and manifests itself in more than one setting, relevant historical information is essential. Information should consist of more than a self-report, and it may be gathered from resumes, transcripts, report cards, teacher comments, tutoring evaluations, and/or past psychoeducational testing. A history of prior therapy and medication history also should be provided. Information obtained through clinical and diagnostic interviews should be included.

## 2. Clinical Assessment

The most common accommodations for learning disabilities and/or attentional disabilities are a reduced distraction testing environment for exams, seating in classes near the front of the classroom, and use of a notetaker during lectures. For these kinds of accommodations, the history and diagnostic information described in point A above is usually adequate. If, however, the student needs additional accommodation, comprehensive neuropsychological or psychoeducational testing must be included, providing information on how the disorder may impact the student's current academic abilities.

In cases of AD/HD, because of the challenge of distinguishing normal behaviors and developmental patterns of adolescents and adults (e.g., procrastination, disorganization, distractibility, restlessness, boredom, academic underachievement or failure, low self-esteem, and chronic tardiness or non-attendance) from clinically significant impairment, a multifaceted evaluation must address the intensity and frequency of the symptoms and whether these behaviors constitute an impairment in a major life activity. The evaluator must have considered possible alternative diagnoses, including medical and psychological disorders as well as educational or cultural factors, which could account for behaviors that appear like AD/HD symptoms. The evaluator must also assess for dual diagnoses and co-existing mood, behavioral, neurological, or personality disorders that confound the diagnosis of AD/HD. Selected subtest scores from measures of intellectual ability, memory functions tests, attention or tracking tests, or continuous performance tests do not in and of themselves establish the presence or absence of AD/HD. Checklists and/or surveys can serve to supplement the diagnostic profile, but in and of themselves are not adequate for the diagnosis of AD/HD.

Selected examples of adequate testing include the following (List is not complete; more testing may be required):

### a. Aptitude Testing

A complete IQ battery is required, including all subtests and standard scores. Acceptable measures include the Wechsler Adult Intelligence Scale; the Woodcock-Johnson Psychoeducational Battery: Tests of Cognitive Ability; the Kaufman Adult Intelligence Test; and the Stanford-Binet Intelligence Scale. The Slosson Intelligence Test-Revised, Raven's Progressive Matrices, Test of Nonverbal Intelligence, and the Kaufman Brief Intelligence Test do not constitute adequate aptitude test measures.

### b. Achievement Testing

A complete achievement test battery is required, including all subtests and standard scores, assessed under timed and untimed conditions as appropriate to corroborate underachievement in specific academic areas. Acceptable measures include the Woodcock-Johnson Psychoeducational Battery-Revised: Tests of Achievement; Wechsler Individual Achievement Test; Stanford Test of Academic Skills; and the Scholastic Abilities Test for Adults. The Wide Range Achievement Test, the Peabody Individual Achievement Test, and the Nelson Denny Reading Test are not comprehensive measures of academic achievement and should not be used as sole measures in this area. The Nelson-Denny Reading Test (Comprehension subtest) or a comparable measure is required if requesting additional time on exams.

### c. Information Processing

Specific areas of information processing must be assessed either as a part of the aptitude testing described above or using other tests. Examples include: working memory, processing speed, short and long-term memory, reasoning, auditory and visual perception/processing, executive functioning, and motor ability. Acceptable measures include the Wechsler Adult Intelligence Scale, and the Woodcock-Johnson Psychoeducational Battery: Tests of Cognitive Functioning. Additional testing such as the Wechsler Memory Scale or the Learning Efficiency Test, or individual neuropsychological measures (Stroop Color-Interference Tests; Wisconsin Card Sorting Test; Trail-Making Test; Continuous Performance Test; etc.) designed to assist in corroborating the existence of processing disorders may also be appropriate. Other formal assessment measures may be integrated to help determine a learning disability and differentiate it from co-existing neurological and/or psychiatric disorders (i.e., to establish a differential diagnosis).

### 3. Current Treatment (if applicable)

Current psychotherapy (type/length/frequency), and/or psychotropic medication (type/dosage/side effects) must be included.

### 4. Functional Limitations

Documentation must indicate any functional limitations caused by the disorder, and whether the limitations are temporary or long-standing. Included in this report must be clear evidence of significant current impairment in social, academic, or occupational functioning, and symptoms which do not occur exclusively during the course of another physical disorder or psychiatric disability and are not better accounted for by another mental disorder (e.g. Mood Disorder, Anxiety Disorder, Dissociative Disorder, or a Personality Disorder).

### 5. Test Scores

Actual test scores must be provided. Standardized scores, percentiles and age equivalencies should also be provided. The data should logically reflect a substantial limitation to learning for which the student is requesting the accommodation. The tests used must be reliable, valid and standardized for use with an adult population. The test findings must document both the nature and severity of the learning disability. Informal inventories, surveys and direct observation by a qualified professional may be used in tandem with formal tests in order to further develop a clinical hypothesis.

### 6. Accommodations Recommendation

Specific recommendations for academic accommodations based on significant functional limitations as evaluated must be included as well as the degree to which they impact the student in the law school context. The report must also explain in detail as to why each accommodation is appropriate. Accommodations will not be limited to nor bound by these recommendations.

### 7. Evaluator Qualifications

For learning disabilities, qualified examiners include clinical and counseling psychologists, educational and school psychologists, neuropsychologists, learning disabilities specialists, or other relevantly trained and licensed professionals.

For attentional disabilities, the evaluation must have been completed by a qualified, licensed professional who has experience with adult AD/HD populations, including neuropsychologists, psychiatrists, and clinical psychologists.

## **B. Medical Disabilities**

Students with disabilities that are clearly visible by outward manifestations of disability (e.g., quadriplegics) shall be afforded accommodations that are clearly justified by the nature of their disability. Southwestern reserves the right to request disability-related documentation when a requested accommodation cannot be easily justified by the outward effects of the student's disabling condition. When such documentation is requested, the student shall follow the documentation requirements below.

Southwestern will accept current diagnoses of medical disabilities that are based on appropriate diagnostic evaluations administered by trained and qualified (i.e., certified and/or licensed) professionals (e.g., medical doctors, ophthalmologists, psychologists, neuropsychologists, audiologists, etc.). Disability diagnosis categories include:

- Orthopedic disability
- Blindness or visual impairment
- Deafness or hard-of-hearing
- Acquired brain injury
- Other health-related/systemic disabilities.

Documentation requirements include:

1. Diagnostic Information

Documentation of physical conditions, e.g., motor impairments, sensory impairments, and “invisible impairments” (chronic conditions such as diabetes, cardiac problems, renal insufficiencies, etc.), must be described, in addition to a specific written diagnosis. Appropriate additional medical records, such as a summary of assessment procedures and scores, must be included. Documentation must be current, within one (1) year, with more current updates required as changing conditions warrant. Description of current symptoms, fluctuating conditions/symptoms, and prognosis must also be included.

2. Treatment

Current pharmacological (type/dosage/side effects) information must be included, as well as other medical or rehabilitative interventions and what impact, if any, these interventions might have on the student’s academic progress.

3. Functional Limitations

A clear statement specifying functional manifestations (i.e., substantial limitations to one or more major life activities and degree of severity) due to the disability and/or medications, for which the student may need accommodations, is required. Documentation should also indicate whether the limitations are temporary or long-term.

4. Accommodations Recommendation

A recommendation for accommodations, including rationale, must be provided. If the accommodations recommendation is specific to limitations in learning (e.g., reading, mathematics, written expression), an appropriate psychoeducational or neuropsychological evaluation must be administered to document ability/achievement discrepancies. The results of other appropriate assessment measures to support a differential diagnosis or to disentangle the medical impairment from co-existing disorders should be provided.

5. Evaluator Qualifications

Qualified professionals would include physicians specializing in the area of impairment, qualified specialists in vision and audition, rehabilitative medicine specialists, or other relevantly trained and licensed professionals.

**C. Psychological Disabilities**

Southwestern recognizes that “psychological disabilities” is a generic term which refers to a variety of conditions involving psychological, emotional and behavioral disorders and syndromes. These disorders and syndromes constitute a verifiable disability only when there is a substantial limitation in a major life activity. While psychological disorders may be a source of discomfort or distress, it should be emphasized that a student who has a psychological disorder may not necessarily require accommodations.

Documentation requirements include:

1. Diagnostic Information

A specific diagnosis of a psychological disability, including a description of how the diagnosis was determined following DSM-IV-TR or most current criteria must be included. Information obtained through clinical and diagnostic interviews should be included. A review of pertinent history and the date of first diagnosis, as well as current symptoms, fluctuating conditions/symptoms, and prognosis must also be included. The evaluator should use direct language in a clear statement of the diagnosis, avoiding the use of such nonspecific terms as “suggests,” “probable,” or “has problems with.”

2. Supporting Documentation

Psychiatric and/or psychological evaluations and reports by qualified professionals are usually necessary in establishing the nature, frequency, and severity of symptoms and functional limitations related to psychological disorders. One test or assessment battery alone may not constitute adequate documentation. Additionally, while self-report inventories and/or data may be appropriate to include as part of a comprehensive evaluation, they alone may also not constitute adequate documentation. Evaluations must have been conducted within one year prior to the request for academic accommodations. Southwestern has the right to request updated evaluations after accommodations have been provided.

3. Treatment

Information regarding the student's current treatment must include whether psychotherapy and/or psychotropic medication (type/dosage/side effects) have been or promise to be effective in alleviating symptoms, and whether they may interfere with a student's academic functioning in the law school setting. There should be a statement regarding whether there are side effects of the prescribed medication, whether the student is still adjusting to the medication, whether there are issues regarding the student's compliance history, and whether there are crisis episodes associated with the disability.

4. Functional Limitations

Documentation must indicate any functional limitations caused by the disability, and whether the limitations are temporary or long-standing.

5. Accommodations Recommendation

Specific recommendations for academic accommodations must be included. It is necessary to provide a detailed explanation of how each recommended accommodation will directly help compensate for the specified functional limitations. In cases where extra time on exams is recommended, the evaluator should detail how the specific amount of time was determined in relation to the functional limitations.

6. Evaluator Qualifications

The evaluation must have been conducted by a qualified and licensed professional, including psychiatrists, neuropsychologists, licensed clinical or counseling psychologists, or other relevantly trained and licensed professionals.

**D. Temporary Disabilities**

Students seeking accommodations on the basis of a temporary disability must provide documentation verifying the nature of the condition, stating the expected duration of the condition, and recommending appropriate accommodations. Such verification must be provided by a professional health care provider who is qualified in the diagnosis of such conditions. If the initial verification is incomplete or inadequate to determine the extent of the disability and appropriate accommodations, the law school shall have the discretion to require supplemental assessment(s) of the temporary disability. The cost of obtaining the initial verification and any required supplemental assessment(s) shall be borne by the student. The verification of disability and any assessment(s) must reflect the student's current level of disability, and shall be no older than sixty (60) days.

Southwestern reserves the right to submit verification documentation to an appropriate health care or other qualified professional qualified to assist Southwestern in its review of both the initial verification and any supplemental assessment(s) of the disability. If an additional assessment for purposes of obtaining a second professional opinion is required, Southwestern shall bear costs not covered by any third party payer.



## **E. Sources of Additional Information**

ABA Commission on Lawyer Assistance Programs  
321 North Clark Street  
Chicago, IL 60654-7598  
(312) 988-5761 (voice)  
(312) 988-5483 (fax)  
E-mail: [will.hornsby@americanbar.org](mailto:will.hornsby@americanbar.org)  
[https://www.americanbar.org/groups/lawyer\\_assistance.html](https://www.americanbar.org/groups/lawyer_assistance.html)

ABA Commission on Disability Rights  
1050 Connecticut Avenue, N.W. Suite 400  
Washington, DC 20036  
(202) 662-1570 (voice)  
(202) 442-3439 (fax)  
E-mail: [cdr@americanbar.org](mailto:cdr@americanbar.org)  
<https://www.americanbar.org/groups/diversity/disabilityrights/>

American Counsel of the Blind  
1703 North Beauregard Street Suite 420  
Arlington, VA 22311  
(800) 424-8666 (voice)  
(703) 465-5085 (fax)  
E-mail: [info@acb.org](mailto:info@acb.org)  
<http://www.acb.org/>

Association on Higher Education and Disability  
107 Commerce Center Drive, Suite 204  
Huntersville, NC 28078  
(704) 947-7779 (voice/TTY)  
(704) 948-7779 (fax)  
E-mail: [ahead@ahead.org](mailto:ahead@ahead.org)  
<https://www.ahead.org/>

Braille Institute of America  
(Taped law casebooks & treaties)  
741 North Vermont Avenue  
Los Angeles, CA 90029  
(323) 663-1111 (voice)  
(323) 663-0867 (fax)  
E-mail: [la@brailleinstitute.org](mailto:la@brailleinstitute.org)  
<http://www.brailleinstitute.org/>  
California Department of Rehabilitation  
Vocational Rehabilitation Services  
Greater Los Angeles District  
3333 Wilshire Blvd. Suite 200  
Los Angeles, CA 90010-4101  
(213) 736-3904 (voice)  
(844) 729-2800 (TTY)  
<http://www.dor.ca.gov/vocational-rehabilitation.html>

National Alliance on Mental Illness (NAMI)  
3803 North Fairfax Drive Suite 100  
Arlington, VA 22203  
(703) 524-7600 (voice)  
(800) 950-6264 (helpline)  
E-mail: [info@nami.org](mailto:info@nami.org)  
<https://www.nami.org/>

## **VIII. SMOKING AND E-CIGARETTE POLICY**

In order to provide a safe and healthy environment for all faculty, staff, students and residents, it is Southwestern's policy that smoking and use of e-cigarettes is prohibited in all enclosed campus buildings, residential facilities, and designated outdoor locations areas. Given the established harmful effects of smoking and the potential harmful effects of second hand aerosol exhaled while using e-cigarettes to both smokers and non-smokers, it is the intent of Southwestern to reduce the existence of this health hazard in the campus environment. The law school recognizes the need to accommodate those members of the law school community who wish to smoke and use e-cigarettes. Therefore, smoking and e-cigarettes areas are located far enough away from doorways, windows and ventilation systems to prevent smoke or second hand aerosol from entering enclosed buildings and facilities.

"No Smoking" signs are displayed throughout the campus to clearly identify no-smoking and no e-cigarette areas. The thoughtfulness and cooperation of the entire campus community are essential to successful implementation of this policy. All smokers and e-cigarette users are requested to familiarize themselves with smoke-free locations, and to use the "smokers' station" containers to dispose of cigarettes and cigars.

## **IX. CLASSROOM POLICY**

Disruption of the classroom environment is prohibited, including use of cell phones or the indiscriminate use of other electronic devices. Recording of any form is not permitted in the classroom without prior approval of the professor, including non-academic recording of any type.

## **X. VIDEO AND AUDIO TAPING OF CLASS**

Professors have discretion whether to permit a class to be video or audio taped upon a student's request. Students are not permitted to record by any video or audio means any law school class prior to permission from the professor or the Dean of Students. If a student audiotapes a class, the student, upon request, should be willing to share the recording with other students. Absent compelling reasons, videotapes of classes will be made available to all students enrolled in the class.

In accordance with the above policy, all students should be aware that any class, and discussions held during that class, may be subject to recording.

## **XI. COMPUTER AND NETWORK USE POLICY**

This policy governs the use of computer, communication and network resources at Southwestern Law School. Use of any of these law school resources constitutes acceptance of this policy.

### **A. Institutional Purposes—Acceptable Uses**

Law school computing resources are provided to support the instructional, research and administrative activities of the law school. Resources should not be used for personal or private activities not related to appropriate law school functions, except in an incidental manner. Access to computing resources is a privilege. The law school may revoke this privilege without notice and/or take other disciplinary action against any individual who fails to comply with this policy.

### **B. Impermissible Uses**

Activities which violate this policy include, but are not limited to, the activities on the following list:

1. Any use that violates local, state or federal law;
2. Any use that violates any policy, procedure or rule contained in Southwestern's *Student Handbook*;
3. Using the law school network to gain unauthorized access to any computer system;
4. Connecting unauthorized equipment to the law school network or network component;
5. Attempting to circumvent data protection schemes or uncover security loopholes. This includes creating and/or running programs that are designed to identify security loopholes and/or decrypt intentionally secure data;
6. Performing an act that will interfere with the normal operation of computers, peripherals, or networks;
7. Running or installing on any computer or network a program intended to damage, interfere with, or place excessive load on the computer system or network. This includes, but is not limited to, programs known as "computer viruses," "Trojan Horses," and "worms;"
8. Violating terms of applicable software licensing agreements or copyright laws;

9. Violating copyright laws and their fair use provisions through inappropriate reproduction of copyrighted text, music, images, etc., including through illegal or inappropriate Peer-to-Peer (P2P) file sharing (Be advised that unlawful distribution of copyrighted material may result in civil and/or criminal penalties. See *Peer-to-Peer File Sharing Policy* in this handbook.);
10. Using law school resources, for any commercial activity or personal financial gain;
11. Using electronic mail to harass or threaten others. This includes sending repeated, unwanted e-mail to others. The term “others” is not restricted to Southwestern students, faculty and staff, but also includes persons not registered at, affiliated with or employed by the law school;
12. Initiating or propagating electronic chain letters;
13. Initiating mass mailings. This includes multiple mailings to news groups, mailing lists, or individuals, e.g. “spamming,” “flooding,” or “phishing;”
14. Forging the identity of another person or machine in an electronic communication;
15. Transmitting or reproducing materials that are defamatory in nature, or that otherwise violate existing local, state or federal laws or law school policies, rules or regulations;
16. Creating an intimidating, hostile or offensive educational environment by displaying images or text where it can be viewed by others with the intent, or having the effect of unreasonably interfering with another’s educational or work performance. Law school computing facilities must not be used as instruments for harassment based on race, color, gender, disability, religion, national origin, sexual orientation or age;
17. Attempting to monitor or tamper with another’s electronic communications, or reading, copying, changing or deleting another’s files or software without the explicit agreement of the owner;
18. Disclosing your password to another person or permitting another person to use your account;
19. Using the Southwestern name, logo or copyrights in a way that suggests or implies institutional authorization or endorsement.

### **C. Sanctions**

Information Technology staff, in consultation with the Chief Information Officer when practicable, are authorized to suspend or modify, without notice, network access for actual or suspected violations of this policy. Actions may include halting a program running on law school equipment; disconnecting remote systems from the network; removing offending files from the system or rendering them inaccessible; and disabling user accounts.

As deemed appropriate by the Dean of Students, violations of this policy may result in the loss of computing privileges, administrative disciplinary action, and/or referral to the Honor Code Committee. Activity which is illegal under local, state or federal law also will be referred to the appropriate law enforcement authorities.

### **D. Privacy and Confidentiality**

The law school reserves the right to inspect, examine, or monitor any law school-owned or operated communication system, computing resource and/or information contained therein at any time.

If inspection or examination of any law school-owned or operated communication system, computing resource and/or file or information contained therein is requested by a source outside the law school, the law school will treat the information as confidential unless any one of the following conditions exists:

1. When authorized by the owner of the information;
2. When required by local, state, or federal law;
3. When required by a valid subpoena or court order;

4. When authorized by the Dean or the Dean's designate.

#### **E. Disclaimer**

The law school attempts to maintain an error-free hardware and software environment for its students and to insure that computing staff is properly trained. Nevertheless, it is impossible to ensure that hardware or system software errors will not occur, or that staff will always give correct advice. The law school presents no warranty, either express or implied, for the services provided. Damages or loss resulting directly or indirectly from the use of these resources are the sole responsibility of the user.

## **XII. PEER-TO-PEER FILE SHARING POLICY**

In order to properly comport with the Higher Education Opportunity Act, an amendment to the Higher Education Act of 1965, all higher education institutions that accept federal financial aid are required to take mandated steps to stem the spread of peer-to-peer (P2P) file sharing of downloaded media, such as music, movies and games. Southwestern must draft a written institutional plan, notify students of this plan, use one or more "technology-based" deterrents, have a plan for handling unauthorized distribution of material, publish a list of legal alternatives for students, and conduct periodic reviews of this plan.

#### **A. Background**

In recent years, the recording, motion picture, and software industries have become increasingly thorough in their campaign against peer-to-peer file sharing and have sometimes targeted higher education students. The unauthorized distribution of copyrighted material, including through peer-to-peer file sharing, may subject a student to criminal and civil penalties. The laws that govern copyright are not specific to any one technology. Students can violate the rights of a copyright holder using many different types of technology. Both uploading and downloading of files can pose a violation of the copyright law. Students should be cautious when obtaining any copyrighted material.

Southwestern does not actively monitor networks to search for illegal file sharing; however, in the event Southwestern receives a valid DMCA (Digital Millennium Copyright Act) notice, the law school will typically immediately remove the student from the network (at least temporarily), investigate, ask that the offending file be removed from the computer, and potentially engage local and federal authorities as well as the Student Honor Code disciplinary process.

#### **B. Properly Licensed Alternatives**

As a rule of thumb, before a student receives any downloaded media for free, he or she should research whether that source provides material licensed by the copyright owner. Educause provides a current list of licensed sources at <https://www.educause.edu/focus-areas-and-initiatives/policy-and-security/educause-policy/issues-and-positions/intellectual-property/legal-sources-onli>. This "Legal Sources of Online Content" compilation has been updated as of August 2019.

#### **C. Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws**

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Individuals who violate copyright law by illegally uploading and downloading copyrighted files may be subject to actual damages or statutory damages ranging from \$750 to \$30,000 per song and up to \$150,000 for a willful infringement. These penalties are established by federal law. In addition, a court may, in its discretion, grant the copyright owner reasonable attorney fees. Although criminal prosecution of students for file sharing is extremely rare, federal law lays out criminal penalties for intentional copyright infringement which can include imprisonment of up to five years and fines of up to \$250,000 per offense. For details, see 17 U.S.C. §§ 504, 505, 506 (2018) and 18 U.S.C. §§ 2319, 3571(b)(3) (2018).

For more information, please see the web site of the U.S. Copyright Office at <https://www.copyright.gov/>.

#### **D. Deterrents**

In addition to potentially violating the law, unauthorized distribution or receipt of copyrighted material is a violation of Southwestern's *Computer and Network Use Policy*. This policy notes that access to law school computing resources is a privilege, and that resources should not be used for personal or private activities except in an incidental manner. Southwestern may revoke this privilege without notice and take other disciplinary action against anyone who does not comply with the policy. Violation of copyright law and fair use provisions is an impermissible use under Southwestern's *Computer and Network Use Policy*. Violations of the policy may result in the loss of computing privileges, administrative disciplinary action, and/or referral to the Honor Code Committee (the committee dealing with matters under the Student Honor Code, capable of sanctioning students with penalties up to and including expulsion from law school). Activity which is illegal under local, state or federal law will also be referred to the appropriate law enforcement authorities. In addition, and very significantly, violations of law by students must be disclosed to the state bar, and actions of this sort may prove very problematic in a student's effort to pass the moral character determination component of entering their particular state bar.

Southwestern's plan must include the use of one or more technology-based deterrents. Of the four equally-valid deterrent categories specified in Department of Education regulations, the law school employs "a vigorous program of accepting and responding to" DMCA notices. Upon annual review, if this deterrent proves unsatisfactory, the law school is willing to consider alternatives such as traffic and content monitoring.

#### **E. Annual Review**

This policy will be reviewed on an annual basis using an outcome-based assessment, examining whether there are reliable indications that this policy is effective in combating unauthorized distribution of copyrighted material. Southwestern will compare the numbers of legitimate electronic infringement notices received from rights holders between review periods to determine the effectiveness of this policy and associated institutional practices. Should an unacceptable level of violative behavior be found, Southwestern will reconsider the structure of this policy and take action to comport with the law.

### **XIII. STUDENT CONCERNS**

#### **A. General Student Concerns**

Southwestern Law School takes concerns and complaints regarding the institution very seriously. A student who has a concern or complaint may meet with the Dean of Students or address them in writing to the Dean of Students. A written response will normally be provided within 10 to 15 working days after receipt of the written complaint. Concerns or complaints by residents pertaining to The Residences at 7th should be directed to the resident manager or other representatives of Peak Campus Management, LLC at [housing@swlaw.edu](mailto:housing@swlaw.edu) or Ext. 5500.

#### **B. Complaints Implicating ABA Standards Policy – ABA Standard 510**

As an ABA-accredited law school, Southwestern Law School must comply with the American Bar Association Standards for Approval of Law Schools ("ABA Standards"). The ABA Standards may be found at [http://www.americanbar.org/groups/legal\\_education/resources/standards.html](http://www.americanbar.org/groups/legal_education/resources/standards.html). Any Southwestern student who wishes to bring a complaint to the attention of the law school of a significant problem that directly implicates the school's program of legal education and its compliance with the ABA Standards should take the following steps:

1. Submit the complaint in writing to the Vice Dean. If the Vice Dean is not available, then to the Dean of Students (collectively "administrator"). The writing may be in the form of an e-mail, U.S. mail, or by personal delivery.
2. The writing should describe in detail the practice, program, or other matter that is the subject of the complaint. The writing should also explain how the matter directly implicates the law school's program of legal education and its compliance with a specific ABA Standard(s).

3. The writing must provide the student's name, e-mail address, and street address for further communication about the complaint.

If the administrator determines that the complaint directly implicates the law school's program of legal education and its compliance with an ABA Standard, the school will employ the following process in response:

1. The administrator will acknowledge in writing receipt of the student's complaint; acknowledgment may be made by e-mail, U.S. mail, or by personal delivery, at the option of the administrator. The administrator, or the administrator's designee, will either meet with the student or respond to the substance of the complaint in writing. In this meeting or in this writing, the administrator will provide a substantive response to the complaint, or information about steps being taken by the law school to address the complaint or further investigate the complaint. Usually a student can expect a meeting or written response to the complaint within three to four weeks of the submission of the complaint.
2. Within two months after the above process runs its course, students may appeal a decision on complaints to the Dean of the law school. The appeal must be in writing and explain the basis of the appeal; it should be in the form of an e-mail, U.S. mail, or by personal delivery. The Dean will either meet with the student or respond to the substance of the appeal in writing. Usually a student can expect a meeting or written response to the appeal within three to four weeks of the submission of the appeal. The Dean's decision will be final.
3. A copy of the complaint and a summary of the response and resolution of the complaint will be kept by the law school in compliance with the ABA Standards.

### **C. Additional Resource for Address of Complaints**

Southwestern Law School has contracted with the Bureau for Private Postsecondary Education (Bureau) in accordance with California Education Code Section 94874 in order for the Bureau to review and act on complaints concerning the institution. An individual may contact the Bureau for Private Postsecondary Education for review of a complaint. The Bureau may be contacted at:

2535 Capital Oaks Drive, Suite 400  
Sacramento, CA 95833  
Telephone (916) 431-6959  
Fax (916) 263-1897  
<http://www.bppe.ca.gov>

The Bureau accepts all types of complaints related to contracting educational institutions, and may refer any complaint it receives including complaints related to institutional policies or procedures, or both, to Southwestern Law School, an accrediting agency, or another appropriate entity for resolution. More information concerning the Bureaus' complaint procedure can be found at: <https://bppe.ca.gov/enforcement/complaint.shtml>.

The law school provides this information in compliance with the requirements of the Higher Education Act of 1965, as amended, as regulated in CFR 34 §600.9, and the California Education Code §94874.9.

## SECTION 4

### Student Conduct

#### I. STUDENT CONDUCT IN GENERAL

Students enrolled in the law school are subject to the ethical requirements governing the legal profession as well as to the policies and procedures of Southwestern Law School, including those expressed in this *Student Handbook*, and the provisions regarding student conduct and student discipline contained in the Student Honor Code.

Conduct proscribed by the Student Honor Code is set forth below. General information and specific procedures for Honor Code violations are set out in the By-Laws of the Honor Code Committee (HCC).

Most student discipline matters shall be handled by the Honor Code Committee. However, the ultimate decision in any disciplinary matter is not delegable. Whenever the law school administration determines that a student's continuance in the law school would not be in the best interests of the institution, or that he or she is not a person of such character or integrity to be qualified for admission to the legal profession, it may terminate the student's enrollment or refuse to award a degree. In such cases, the notation "Disciplinary Expulsion" will be entered on the student transcript. The procedures set out in the HCC By-Laws do not apply to such determinations. Rather, such matters will be dealt with expeditiously and with procedures which provide notice and an opportunity to respond.

The legal profession regulates the conduct of those licensed to practice. As future lawyers, developing and maintaining professional competence includes the expectation to act with integrity and respect towards your coursework, classmates, colleagues and community.

#### II. STUDENT HONOR CODE

##### A. Preamble

Law students, as future attorneys, are subject to the responsibilities and ethical standards of the legal profession.

The well-being of the legal profession and the integrity of the academic community at Southwestern depend upon the maintenance of the highest ethical standards. Nothing less is expected of Southwestern students.

##### B. Misconduct

All forms of ethical misconduct are prohibited at Southwestern, including at Southwestern housing, after-hours on Southwestern property, or at off-campus law school-related activities. Any action or occurrence in violation of this Student Honor Code is equally violative whether or not taking place in cyberspace or by or through any other electronic device or virtual environment. Types of misconduct may include, but are not limited to, the following:

##### 1. Academic Dishonesty

Engaging in dishonest conduct in connection with examinations, written work or other academic activity.

##### i. Cheating:

- a. The giving or receiving of unauthorized information in taking exams, writing papers or other assignments.
- b. Submitting work done for another course, unless specifically authorized by the faculty.
- c. Violating any regulation concerning the examination environment or of the general custom and conduct of students in taking exams (proctor's instructions, time restraints, interaction between students during the exam, etc.).

- d. Revealing information to the faculty that would compromise exam anonymity during the grading process.
    - e. Providing unauthorized assistance to others during their exams or writing papers or assignments.
    - f. Obtaining unauthorized prior knowledge of an exam or assignment without notifying the Dean of Students Office immediately.
    - g. Committing any other act in the course of academic work which defrauds or misrepresents, including aiding or abetting in any of the actions defined above.
  - ii. Plagiarism:
    - a. Incorporation, either verbatim or in substance, of any passage from the work of another into one's own work without attribution.
    - b. Representation of the work of another as one's own.
2. Misrepresentation  
Engaging in acts of misrepresentation or dishonesty.
- i. Falsification of a signature on any form, document, or paper.
  - ii. Forgery, written or oral false statement and/or the alteration, or misuse of documents, records, stationery, logo or identification.
  - iii. Providing information that the student knows is false or misleading to any faculty or staff including, but not limited to, providing false or misleading information for financial aid application, academic petitions, exam change requests, or requests for accommodations.
  - iv. Falsely accusing another student of violating the Student Honor Code.
  - v. Any act or omission which results in conviction of an offense involving moral turpitude.
3. Misuse of Property and Services  
Unauthorized taking, destroying or damaging property, or misusing services or facilities of the Law School, faculty, staff, or other students.
- i. Stealing or damaging other students' books, notes, papers, or other academic materials.
  - ii. Stealing, damaging, destroying, or misusing property or materials belonging to the Law School or others.
  - iii. Unauthorized possession, duplication or use of Law School keys.
  - iv. Misuse of computers and technology
4. Disruptive or Unprofessional Conduct  
Engaging in acts of disruptive or unprofessional conduct.
- i. Conduct that disrupts a classroom environment.
  - ii. Conduct that interferes with the professor's teaching or students' learning.
  - iii. Verbally threatening, abusing or harassing any law school administrator, faculty, staff, or employee in the performance of their duties.
  - iv. Disorderly, lewd, indecent, or obscene conduct or expression.
  - v. Being inebriated on campus.
  - vi. Use of illegal drugs.
  - vii. Unauthorized possession of firearms, explosives, other weapons, prop/toy weapons, or dangerous chemicals on campus.
5. Harassment  
All forms of harassment of fellow students, faculty, staff, visitors, and others associated with law school related activities.
- i. Retaliation or threat of retaliation against someone who filed, threatened to file or served as a witness to an honor code violation complaint.
  - ii. Any violation of the Non-Discrimination Policy
  - iii. Conduct that violates the Sexual Misconduct Policy.
6. Violation of any regulation concerning the academic environment or the on-campus residential environment.
7. Conduct that could be deemed a violation of ethical standards governing the profession.
8. Assisting in the misconduct of another student.



### **C. Interim Measures**

The Dean of Students, in consultation with the Vice Dean, may at any time, suspend some or all student rights and/or access to the law school premises pending Honor Code Committee review. The Dean of Students may impose actions including, but not limited to, no contact orders or interim suspension when, in his/her judgment, not imposing the interim measures will, more likely than not, create or continue:

1. An unsafe situation or other serious harm for one or more members of the law school community, or
2. A disruptive or hostile learning environment that interferes with academic activities. For this purpose, academic activities includes, but is not limited to studying, teaching, research, advising, student services, conduct proceedings; and such administrative operations related to security or safety.

If an interim measure is imposed, the Dean of Students will make reasonable efforts to communicate such action in writing to the student as soon as is practicable after such decision is made.

### **D. Violations**

Alleged violations of the Honor Code will normally be referred to the HCC. The functions and procedures of this body are described in its By-Laws, which appear below.

Any conduct that could be deemed a violation of ethical requirements governing the profession would indicate that an individual is not qualified for admission to the profession and, therefore, may be subject to termination of enrollment or other appropriate disciplinary measures.

### **E. Sanctions**

When a student has been found by the HCC to have violated the Southwestern Student Honor Code, one or more of the following sanctions may be recommended by the HCC to the Dean:

1. Oral or written reprimand;
2. Probation;
3. Suspension of rights and privileges in the law school;
4. Suspension from the law school;
5. Expulsion;
6. Any other reasonable sanction deemed proper by the HCC.

Students should be aware that imposition of a penalty will be communicated to any bar to which the student seeks admission. Moreover, certification by the law school may be withheld where a student is facing a HCC determination in regard to an alleged Honor Code violation, or has yet to complete sanctions resulting from such violation. Details of the procedures for handling charges of student misconduct are set out below. Violations of on-campus housing rules and regulations, whether or not also violations of the Southwestern Student Honor Code, may also give rise to fines, damages and eviction as more fully set out in the housing contract, which are separately administered by the housing contract management company and are not dependent on or limited by the HCC process.

## **III. BY-LAWS OF THE HONOR CODE COMMITTEE (HCC)**

### **Article I**

#### **Preamble**

WHEREAS, for the purpose of developing and inculcating in students at Southwestern the personal responsibility needed by the legal profession, the Student Body and the Faculty are to establish a forum for discussion of matters relating to students and faculty, and the students as a body are to assume, together with the faculty, responsibility over student disciplinary matters concerning students, and

WHEREAS, the Student Body and the Faculty are to assume said powers and responsibilities, within the limits of standards external to Southwestern, which includes, without limitation, the academic freedom of the professors and the inherent general duties of the Dean with respect to maintenance of ethical standards, and

WHEREAS, the Law School Community is to provide for itself recourse to vindicate its rights and interests as hereinafter set forth against student behavior which is antithetical to the interests of the Law School, the Faculty, or the Students, individually or collectively, and

WHEREAS, administration of the said powers over disciplinary matters shall depend upon petitions voluntarily submitted by individual members of the Law School Community to the committee herein empowered to redress the rights and standards herein set forth according to the procedures herein established, said committee alone shall take action upon such petitions, and shall justify such action upon these principles and rights;

NOW THEREFORE, in furtherance of the goals and powers aforesaid, there is hereby constituted a committee of the Law School to be known as the Honor Code Committee (hereinafter referred to as the "Plenary Committee"), together with a sub-committee thereof empowered to hear student disciplinary matters, and to be known as the Hearing Sub-Committee (hereinafter referred to as the "Sub-Committee").

## **Article II**

### **Composition and Procedure of the Honor Code Committee**

#### **Section 1: Purpose**

The purpose of the Plenary Committee is to make recommendations to the Dean of the law school concerning student discipline.

#### **Section 2: Composition**

The Plenary Committee will consist of six (6) faculty members and nine (9) student members. The faculty members shall be appointed by the Dean of the law school. Vacancies in the student membership will be filled through an annual application process open to all students. Completed applications are presented to the Committee for approval by majority vote. Faculty members shall serve for one calendar year. Student members will ordinarily serve for their remaining law school enrollment, unless they step down from service for any reason.

The Chair will be a student elected by the members.

#### **Section 3: Procedure for the Plenary Committee**

##### **1. Meetings**

Meetings of the HCC will be called as circumstances require. Reasonable notice of meetings will be given.

During the school year when the Committee membership is fully constituted, a quorum of the Committee shall be seven (7), including at least one (1) faculty member. During the months of May through October (generally), when the Committee membership has been reduced due to student graduation and summer unavailability, and until full membership is able to be met, a quorum will consist of five (5), including at least one (1) faculty member. No vote will be held unless a quorum is present.

##### **2. Petitions**

The Plenary Committee procedures for handling petitions shall be as follows:

- a. The Committee shall determine whether the petition involves a disciplinary or non-disciplinary matter. If the matter is disciplinary, it shall be handled in accordance with Article III.

- b. The Plenary Committee shall formulate its recommendation based upon the discussion of the situation in accordance with parliamentary procedures and the By-Laws of the Honor Code Committee. All motions, including the ultimate recommendation, shall be decided by a majority vote.

### **Article III**

#### **Treatment of Student Disciplinary Matters Jurisdiction and Preliminary Matters**

##### **Section 1.1: Petitions**

The Plenary Committee shall first consider whether petitions state facts which if proved would be a basis for disciplinary action. The petition and all matters referred to therein shall remain confidential. If the Plenary Committee determines that no further action is warranted, it shall notify the petitioner of that determination.

##### **Section 1.2: Examiner**

If, after examining the statements in the petition, the Plenary Committee has reason to believe a disciplinary violation has occurred, the Dean shall be notified of that determination. Upon receipt of such notice, the Dean shall appoint a member of the faculty to act as the Examiner in the matter. The Examiner shall investigate the grievance and determine whether a factual basis exists in support of the petition. In such event, the Examiner shall prepare a written Notice of Disciplinary Action stating the allegations and the Honor Code provisions upon which the charges are based. The Notice shall be served upon the respondent in person, or by first-class mail to the respondent's address as shown in law school records. Within ten (10) days after service of such notice, the respondent may file a written response thereto. If no such response is filed, all allegations contained in the notice will be deemed denied. Thereafter, the grievance shall be prosecuted in the name of the Law School.

In the event the Examiner determines that the facts will not provide a basis for disciplinary action, the Examiner shall communicate this to the Discovery and Settlement Officer and both shall discuss the merits of the Examiner's position. If the Officer concurs with the Examiner, their recommendation of dismissal of the grievance shall be sent to the Dean. If the Officer disagrees with the Examiner's position, the opinions of both shall be communicated to the Dean who shall make the final determination of whether or not to proceed with the grievance.

##### **Section 1.3: Speedy Hearing**

The respondent has a right to a speedy hearing. To that end, the Committee shall dismiss the grievance and refuse to conduct a hearing if it appears that too much time has elapsed, without justifiable cause, between the alleged violation and the date the grievance was filed.

##### **Pre-Hearing Procedures**

##### **Section 2.1: Respondent's Right to Counsel**

The respondent has the right to be represented at all stages of the proceedings by counsel of his or her own choosing, other than employees of Southwestern. In the alternative, respondent may act as his or her own counsel.

##### **Section 2.2: Discovery and Settlement Officer**

A faculty member of the Plenary Committee shall be appointed by the Dean as Discovery and Settlement Hearing Officer. It shall be the responsibility of this Officer to decide matters of discovery and to facilitate and determine settlement of the disciplinary matter. All settlements are subject to the Dean's approval.

##### **Section 2.3: Discovery Hearing**

If either party wishes to interview witnesses or conduct other discovery outside the law school community, he or she shall first request that the Discovery and Settlement Officer conduct a discovery hearing. Ten-day notice of the hearing shall be given to all parties. Prior to the discovery hearing, the parties shall identify the persons to be interviewed or

other discovery to be conducted outside the law school community, and the reasons therefore. The Discovery and Settlement Officer shall determine whether to allow such discovery in accordance with Section 2.4, below. Except as specifically authorized by the Discovery and Settlement Officer, no witness interviews or other discovery outside the law school community shall be conducted. Additional discovery hearings may be held upon request of a party, at the discretion of the Discovery and Settlement Officer.

#### **Section 2.4: Discovery Policy**

It is the policy of this law school that all sides in a disciplinary matter be fully apprised of all witnesses and other evidence long enough before the hearing to allow adequate investigation and preparation. Thus, no request or demand for discovery is necessary. The Examiner and respondent (or anyone representing the respondent's interests) shall disclose to the other as soon as possible in writing, but not later than one week before the hearing, the names, addresses and telephone numbers of all persons who may testify at the hearing. In addition, the parties shall exchange copies of all documents they anticipate introducing into evidence. Except for good cause shown, no witness may be called to testify nor any documents introduced unless the disclosure of the same has been made. This mutual disclosure policy is a continuing one up to and including the hearing.

### **Settlement**

#### **Section 3.1: Settlement Conference**

Within thirty (30) days after the Discovery Hearing concludes, a mandatory settlement conference shall be held. The settlement conference shall be conducted by the Discovery and Settlement Officer. The Examiner, respondent, and respondent's counsel shall attend the settlement conference.

#### **Section 3.2: Settlement Policy**

The policy of this law school is to encourage reasonable informal resolution of student disciplinary matters. When no Discovery Hearing takes place and no mandatory settlement conference is held, such informal settlement efforts may nonetheless take place between the Discovery and Settlement Officer and respondent (and respondent's counsel) to the degree parties reasonably believe fruitful resolution may be reached. Such resolutions, however, remain subject to the Dean's approval.

### **Hearing**

#### **Section 4.1: Hearing Subcommittee**

If efforts at settlement are unsuccessful, the Discovery and Settlement Officer shall notify the Plenary Committee Chair. To the extent circumstances permit, within ten (10) days after the end of the settlement efforts, the Chair shall appoint a Hearing Subcommittee, comprised of three (3) students and two (2) faculty members of the Plenary Committee, provided, however, that the Discovery and Settlement Officer may not serve on the Hearing Subcommittee. The Chair shall appoint one of the faculty members of the Hearing Subcommittee as its Chair. In instances where the Chair is unavailable (for example, if the matter takes place over summer months and the Chair has recently graduated), appointments shall be made by majority vote of current student committee members.

#### **Section 4.2: Commencement of Hearing**

The Hearing shall commence no later than twenty (20) days after appointment of the Hearing Subcommittee, to the extent circumstances permit. The Hearing shall be closed to the public, unless respondent requests otherwise.

#### **Section 4.3: Evidence**

The Examiner shall have the burden of going forward and the burden of proof at the Hearing. The rules of evidence may be referred to as guidelines but shall not be determinative of admissibility. Rather, all relevant evidence upon which reasonable persons rely in the conduct of their affairs may be received.

Evidence obtained in violation of the discovery provisions (§ 2.3 et seq.) above shall be excluded. All witnesses shall testify under oath.

#### **Section 4.4: Record of Proceedings**

Unless otherwise stipulated by the parties, a stenographic record of the proceedings shall be kept. A transcription of the record shall be made available to the respondent upon the completion of the proceedings.

#### **Section 4.5: Rights of the Respondent**

At the Hearing, the respondent shall have the right to present evidence, to confront and cross-examine witnesses, to testify on his or her own behalf, or to refrain from testifying. No inference adverse to the respondent may be drawn from respondent's exercise of his or her right to refrain from testifying.

#### **Section 4.6: Conduct of Hearing**

The examiner shall have the right to cross-examine all witnesses presented by respondent. The Hearing Subcommittee Chair may ask questions of all witnesses and request the production of further witnesses or evidence by either party. At the conclusion of the presentation of evidence, each side may present argument.

#### **Deliberation**

##### **Section 5.1: Determination of Honor Code Violations**

Upon conclusion of the Hearing, the Hearing Subcommittee shall retire and deliberate. All members of the subcommittee must be present during all deliberations. Four of the five members must be convinced by clear and convincing evidence that a violation of the Honor Code has occurred in order to sustain the charges against the respondent. In matters alleging a violation of Southwestern's Sexual Misconduct Policy under Title IX, four of the five members must be convinced by the preponderance of the evidence (i.e., that is more likely than not) that a violation of the Honor Code has occurred in order to sustain the charges against the respondent. In either circumstance, if fewer than four votes find such a violation, the petition shall be dismissed.

##### **Section 5.2: Penalty Recommendations**

If the Hearing Subcommittee finds that an Honor Code violation has occurred, the recommendation of each Hearing Subcommittee member as to penalty shall be recorded. Possible penalties recommended shall be those contained in the Law School Honor Code.

#### **Final Disposition**

##### **Section 6.1: Opinion**

If the Hearing Subcommittee finds that an Honor Code violation has occurred, a written opinion shall be prepared stating the findings of the Subcommittee. Dissenting opinions may also be prepared and appended. The record of the Subcommittee's penalty recommendations shall appear at the conclusion of the majority opinion.

##### **Section 6.2: Notice**

The Examiner and the respondent shall be promptly serviced with notice of the Hearing Subcommittee's findings and its opinion and penalty recommendations.

##### **Section 6.3: Transmittal to Dean**

The transcript of proceedings, the Hearing Subcommittee's opinion and penalty recommendations, and all other relevant matters including evidence admitted at the hearing shall be transmitted to the Dean promptly upon conclusion of the hearing. Final determination of penalty to be imposed shall be made by the Dean.

## IV. HCC DISCIPLINARY HEARING CASE EXAMPLES

The following are examples only. All disciplinary matters are highly individualized and these examples are not offered as determinative of outcomes in present or future circumstances.

1. Petitioners established clear and convincing evidence that a student had torn and removed pages from books belonging to the Law School Library. The Committee recommended expulsion. This recommendation was accepted and implemented by the Dean.
2. Two students were found to have talked to one another during the administration of an examination.

The Committee was persuaded by clear and convincing evidence that the conduct of the students (Respondents) was antithetical to the best interests of the law school, the faculty and the student body, as well as contrary to the general custom and conduct of students in taking exams, and contrary to what the Committee perceived to be the ethical standards of the legal profession in regard to law school exams.

The Committee recommended the following disciplinary action be taken:

- a. The Respondents receive no credit for the course in question and were required to retake the course from a different professor with no reimbursement of fees;
- b. The Respondents be suspended beginning with the summer session and not be allowed to re-enroll until the spring semester.

The Dean accepted the findings and recommendations of the Committee in this matter and implemented them.

3. A grievance was filed against a student (Respondent) who claimed to have seen another student (Complainant) cheat during an examination. Instead of reporting the alleged cheating to a proctor, the professor, or the HCC, the Respondent chose to speak with his faculty advisor. The Respondent sought his faculty advisor's opinion about the propriety of a personal confrontation with the Complainant. Specifically, the Respondent planned to tell the Complainant that he would not report the cheating to the HCC if the Complainant would relinquish the Student Bar Association post that he held. Describing the plan to his advisor, however, the Respondent was not explicit about the nature or the frequency of the proposed confrontations.

The faculty advisor strongly recommended that the Respondent report the incident to HCC. The student was reluctant to take this approach for he feared that it might result in the Complainant's expulsion. Although the faculty advisor indicated that he could not see anything particularly wrong with a personal confrontation, he reiterated that the Respondent should file a grievance with the HCC.

The Respondent confronted the Complainant on three occasions seeking his resignation. The increasingly persistent manner in which the Respondent pursued the Complainant appeared to go far beyond the type of confrontation envisioned by the Respondent's faculty advisor.

Instead of resigning, the Complainant filed a grievance with the HCC. The Complainant's grievance about the Respondent's conduct and demands was considered in light of the HCC By-Laws, Student Honor Code, and the American Bar Association Code of Professional Responsibility Disciplinary Rules. Under Article III, Section II of the By-Laws, the Subcommittee had to determine whether the Respondent's conduct was "antithetical to the interests of the law school." The Subcommittee found that:

- a. The Respondent's conduct violated the Honor Code and ABA Disciplinary Rule 1-102 (A)(5). The Honor Code was breached, for the Code specifically provides that "all student discipline matters be handled by the HCC... (or) administratively by the Dean." A violation of the Honor Code occurred, for the student's conduct was prejudicial to the administration of Southwestern's disciplinary hearing process;
- b. Although the Respondent consulted with his faculty advisor and eventually filed a grievance with the HCC, he did not discharge his obligation under the Honor Code and Disciplinary Rules. The student failed to

promptly inform the proper disciplinary authorities and failed to follow the strong urgings of his faculty advisor to initially file a complaint with the HCC;

- c. The Respondent had no authority to arrange a private settlement of a fellow student's alleged cheating. Thus any effort by the Respondent to obtain Complainant's resignation was an exercise of authority he did not possess.

The subcommittee unanimously concluded that the Respondent's conduct was antithetical to the interests of the law school. But in view of the student's good faith in seeking his faculty advisor's advice and his lack of ulterior motives, the subcommittee recommended that he be given an oral reprimand, and that no notation of the reprimand be placed on his records.

4. A grievance was filed against three students alleging that two of the students had collaborated and submitted Legal Research and Writing (LRW) papers which were substantially identical in structure, presentation of points, use of cases and quotes, citation forms, and in several instances, verbatim language. The students, therefore, violated the course requirement to submit works of individual and unique effort.

In addition, the third student had submitted LRW papers containing verbatim paragraphs taken from a paper that had been prepared by another student and thereby violated the same requirement.

All three students admitted to the facts contained in the grievance. The Committee recommended that:

- a. All three students be suspended from enrollment at Southwestern for a period of one year;
- b. Following re-enrollment by each student, each shall be on Disciplinary Probation for the remainder of the entire period of their study at Southwestern. Such probationary status shall be noted on their records and transcripts;
- c. If, following the re-enrollment, the students complete all requirements for graduation with no further disciplinary proceeding or action against them, Southwestern will cause its certificate attesting to their satisfactory completion of said Disciplinary Probation to be made part of their records and transcripts.

The Dean accepted the recommendations of the Committee and implemented them.

In other cases where students were caught cheating, their cases were disposed of by the settlement officer and the Dean in a similar manner. In his letters of reprimand, the Dean stated his dismay that these students were unaware of the Honor Code. He was also shocked that the students could not distinguish between collaboration in the research (which was encouraged) and collaboration on the written work product (there had been no approval for joint participation in the written work product in this particular assignment).

5. A student was caught by his professor signing another student's name to the class daily attendance sheet.

The student (Respondent) confessed to his professor's allegation. The Committee recommended that:

- a. The student receive both an oral and written reprimand;
- b. The reprimand be filed in the student's record;
- c. The student be placed on probation for the remainder of his legal studies, subject to automatic expulsion should he be found guilty of another Honor Code violation after a full hearing.

The Dean accepted and implemented the recommendations.

6. A student made a false report to both Southwestern Security and staff that an unknown person robbed her of her laptop. The student admitted to providing false information in order to obtain an extension on a seminar paper. The Committee recommended that the student:

- a. be prohibited from participating in any honors programs at Southwestern,
- b. receive a permanent notation of “Disciplinary Action” on her transcript,
- c. write a paper on professional responsibility.

The Dean accepted the recommendations of the Committee and implemented them.



## **Section 5**

### **Special Programs**

#### **I. EXTERNSHIP POLICIES AND GUIDELINES**

In its mission to offer exceptional and diversified educational programs, Southwestern offers an Externship Program to provide experiential education to a large number of its students. The program offers students the opportunity to gain legal education through real-life practice experiences by externing at a select number of approved off-campus placements, primarily with governmental agencies, public interest entities, state and federal judges, and the legal departments of select organizations. A limited number of law firm externships are also available with selected law firms. An externship course enhances the students' legal education through hands-on experience as well as observation of the practice of law, with structured and appropriate supervision. Externships are also a great opportunity for students to refine educational goals and test career goals.

The Externship Program, application process and course requirements are governed by the Externship Policies and Guidelines, available at the Externship Office and on the Externship Program Portal page, as well as the applicable Externship Syllabus/Handbook for each academic term.

#### **II. LEGAL CLINICS**

Southwestern's clinical program offers law students an ideal setting in which to gain greater practical lawyering skills and an invaluable real-context view of the law in action while contributing much needed services to the community. By participating in a clinic, students can get out of the classroom and work directly with and in the community. Clinic students must adhere to professional responsibility requirements such as client confidentiality, civility (particularly towards opposing counsel) and duty to the court. Students develop as professionals and learn first-hand the importance of access to justice. The low student-faculty ratio and close supervision enables students to develop a meaningful and close relationship with clinical faculty. Southwestern's clinical program includes:

- Appellate Litigation Clinic
- Children's Rights Clinic
- Community Lawyering Clinic
- Entertainment and the Arts Legal Clinic I and II
- Family Law Clinic
- Immigration Law Clinic
- Street Law Clinic
- Youth Offender Parole Clinic

#### **III. SUMMER ABROAD LAW PROGRAMS**

Southwestern sponsors a summer abroad law program. Participants in the program must have completed their first year of study and be in good academic standing prior to the start of the program to be eligible to participate. Additionally, the director of the summer program has the discretion to limit enrollment to those students who have compiled an academic record that exceeds good standing.

If more than one summer abroad program is offered students may generally attend one Southwestern summer abroad law program during their time at Southwestern. Students may attend a second Southwestern summer abroad program at the discretion of director of the program in consultation with the Dean of Students. A maximum of eight (8) units from Southwestern abroad programs may be applied toward completion of the Juris Doctorate degree. A director of a Southwestern-sponsored summer abroad law program and the Dean of Students must approve in writing any deviation from the eight-unit maximum requirement. In determining whether a student may attend a second program,

the director will consider whether space exists in the program so that the student seeking to attend a second program would not displace a student who has not yet had the opportunity to participate in a summer abroad experience. Students interested in participating in summer abroad programs sponsored by other law schools should consult the section on Transfer and Visiting Students in this handbook for procedures for approval and maximum unit restrictions.

Students should be aware that there may be limitations on the availability of financial aid for these programs and are strongly advised to contact the Financial Aid Office as early as possible before registering or paying any program fees.

## **IV. STUDENT EXCHANGE PROGRAMS**

### **A. Buenos Aires, Argentina**

Students in the top half of their class who demonstrate sufficient fluency in Spanish to undertake legal study in Spanish may participate in a student exchange program with the Universidad Torcuato Di Tella in Buenos Aires, Argentina. Due to the Argentine academic calendar and the timing of required courses at Southwestern, students from Southwestern will generally be third-year students who plan to spend the period from August through early December in Argentina. Students may also undertake a judicial externship.

Faculty advisors are appointed for each exchange student. Student schedules require approval from both a Southwestern faculty member and a Universidad Torcuato Di Tella faculty member in order to receive credit for any course.

### **B. The Hague, Netherlands**

Students interested in international and comparative law may be eligible to participate in a student exchange program with The Hague University in the Netherlands. Uniquely situated, The Hague Law School offers Southwestern students the opportunity to focus their study abroad in four areas of specialization: international criminal law, human rights and humanitarian law, comparative law, and European business law. Students can opt for one semester of study, or one full year of study. All classes are in taught in English. Each institution retains the right to approve proposed candidates for exchange, and Southwestern students must have their course selections approved by the Dean of Students.

### **C. NACLE Exchange**

As a member of the North American Consortium on Legal Education (NACLE), Southwestern students have the opportunity to study abroad for a semester in Mexico or Canada at a member school for the same cost as tuition they would pay for classes on campus. Through NACLE's exchange program, students are personally and professionally enriched through learning about other countries' legal practices and judicial structures in a classroom setting and beyond. Participating institutions in Mexico are CIDE (Centro de Investigación y Docencia Económicas); The Instituto Tecnológico y de Estudios Superiores de Monterrey (ITESM); Instituto de Investigaciones Jurídicas, The National Autonomous University of Mexico – UNAM; and Universidad Panamericana. Canadian participants are Dalhousie University; McGill University; and University of Ottawa. Each institution retains the right to approve proposed candidates for exchange, and Southwestern students must have their course selections approved by the Dean of Students.

### **D. Jindal Global Law School, India**

Students in the top half of their class may be eligible to participate in a student exchange program with Jindal Global Law School in India. Due to the Indian academic calendar and the timing of required courses at southwestern, students from Southwestern will generally be third-year students who plan to spend the period from August through December in India.

### **E. Other Exchange Programs**

Exchange programs and international opportunities are updated periodically; students are encouraged to check with the International Programs Office for additional offerings.

## SECTION 6

### Honors Programs and Extra-Curricular Activities

#### I. HONORS PROGRAMS

##### A. Law Review

The *Southwestern Law Review* is a student-edited, journal that publishes scholarly articles and commentary by members of the legal community and students.

##### 1. Second-Year Program

Participation in the Law Review program furnishes students with an opportunity to study specific areas of the law as well as the means for national publication of their scholarly articles. The honor of participating on Law Review is offered to students of excellent academic standing.

**Mandatory Write-On Competition** - Any student who wishes to be considered for a position on Law Review must participate in the annual writing competition that is conducted after the spring semester (traditional full-time and part-time students) and after SCALE I Period 4. Announcement of the write-on competition is posted in advance. The write-on competition is limited to those students who have completed the first- or second-year day, first-year SCALE, second- or third-year evening, and second- or third-year PLEAS/Part-time day curriculum. Transfer students, by invitation of the Office of the Dean of Students, may also participate. Each write-on participant is required to write a short paper analyzing a legal problem. The participant is allowed a set number of days in which to complete and submit his or her paper.

**Membership Selection Criteria** - Law Review will extend an invitation to become a candidate for membership to those students who satisfactorily completed the write-on competition and are in the top ten percent of the first-year day, first-year SCALE, second-year evening, and second-year PLEAS/Part-time day classes as determined by the Office of the Dean.

The *Law Review* Executive Board in consultation with the faculty advisor(s), may also select additional students who demonstrate exceptional writing and analytical skills through the Write-On Competition and who are in the top 30<sup>th</sup> percentile of their class, as calculated at the end of the spring semester.

Students are prohibited from participating on both Law Review and Law Journal at the same time. If a student is selected for participation on both Law Review and Law Journal, the student may participate in only one of them.

In addition to writing a publishable article, each candidate is required to complete production and proofreading assignments, which are necessary for the preparation and publication of the Law Review. Each candidate may also be assigned administrative duties. Failure to complete assignments may result in a "missed deadline." A candidate who receives a "missed deadline" will receive a written reprimand for a first offense and may be removed from Law Review by vote of the Executive Board for a second "missed deadline." An appeal of removal may be made to the faculty advisor(s) based on abuse of discretion by the Board.

Full membership on Law Review is secured by successful completion of the candidacy requirements during the academic year. In April, the Law Review Executive Board of Editors will determine which candidates will be entitled to full membership status. Recognition of Law Review membership will appear on the student's official transcript. Any candidate or member placed on academic probation after selection for the program will be excluded from the program.

A vote of 3/4 of a quorum (a quorum is defined as 2/3 of the Law Review Executive Board) to deny membership will prevent a candidate from becoming a Law Review member. No absentee votes will be allowed. A candidate who is denied membership may appeal the decision to the faculty advisor(s), who can affirm the decision of the Board or require the Board to reconsider. Upon reconsideration by the Board, a 3/4 vote of the Board to deny membership will affirm the prior Board determination and will prevent the candidate from becoming a Law Review member.

## 2. Board of Editors

The Law Review has an Executive Board. The Executive Board includes the Editor-in-Chief, who screens and selects articles as submitted and represents Law Review both within the institution and with external constituencies and the Managing Editor, who is responsible for all personnel assignments and problems, and manages the daily activities of the Law Review office. Other Executive Board positions will be established according to the needs of that year's Law Review.

Executive Board members are the only voting members of the Editorial Board. They may not accept outside employment during the academic year, participate in an externship for more than three (3) units, or serve on Moot Court, Law Journal, or the Negotiation or Trial Advocacy Honors Program without obtaining a positive recommendation from the Editorial Board, and waivers from the faculty advisors and the Office of the Dean.

Additional, non-voting, general Board members may include:

- a. Associate Editors, who are responsible for editorial work on staff members' notes and comments and for working closely with staff members throughout the stages of the development of notes and comments. They are supervised by the Managing Editor and the Notes and Comments Editors.
- b. Special Projects Staff Members, who produce book reviews or year-in-review articles and work with the Editor-in-Chief and the Special Projects Editor on assigned projects.

Editors for the succeeding Board are selected by the outgoing Executive Board members. All Board members must be in their final year of law school in the year during which they serve. The selection is based on performance as a candidate and academic standing.

Selection of the members of the Board must be communicated by the out-going Board to the faculty advisor(s) and to the Dean with clearly articulated and objectively verifiable reasons as to the appropriateness of the choices, why each student was selected or not selected, and with an accompanying job description for each member's position. Each appointment is subject to veto or ratification of the faculty advisor(s) and also by the Dean. The selection is made during the spring semester for a one-year term and becomes effective on the date assigned by the out-going Board in consultation with the faculty advisors.

## 3. Law Review Credit

- a. Law Review candidates may obtain up to three (3) units of academic credit for participation in Law Review. Credits will be granted in accordance with the following procedures:
  - i. Students participating in the second-year program in the fall semester enroll for two (2) units of credit in the course entitled "Law Review" and one (1) unit of Law Review credit in the spring semester.
  - ii. Unit credits for the fall semester will be Credit/C/No Credit. Unit credits for the spring semester will be Credit No/Credit.
  - iii. Completion of the Law Review course with Credit during the fall semester will satisfy Southwestern's upper division writing requirement. (See section of handbook entitled *Writing Requirement*.)
  - iv. In order to receive Credit for the fall semester, students must satisfactorily complete all staff assignments, attend regularly scheduled program meetings, satisfactorily complete all assignments for the Law Review course, and submit a suitable written product. Students who satisfactorily complete all staff assignments and attend program meetings but fail to complete course assignments or submit a suitable

written product will receive a letter grade of C for the fall semester. Students who fail to satisfactorily complete staff assignments or attend program meetings and fail to complete course assignments or submit a suitable written product will receive No Credit for the fall semester.

- v. The faculty member(s) teaching the Law Review course will determine whether students receive Credit, a letter grade of C, or No Credit in the fall semester. Before making that determination, the Law Review Board will advise the faculty member(s) in writing whether each student has satisfactorily completed staff assignments and attended program meetings. The determination of the faculty member(s) regarding the granting of Credit, a letter grade of C, or No Credit shall be final.
  - vi. Students who satisfactorily complete all staff assignments and attend regularly scheduled program meetings will receive Credit for the spring semester. Students who fail to satisfactorily complete staff assignments or attend program meetings will receive No Credit for the spring semester.
  - vii. The faculty advisor(s) will determine whether students receive Credit or No Credit for the spring semester. Before making that determination, the Law Review Board will advise the faculty advisors(s) in writing whether each student has satisfactorily completed staff assignments and attended program meetings. The determination of the faculty advisor(s) regarding the granting of Credit or No Credit shall be final.
  - viii. Candidates may add Law Review units only within the one week period that governs the rest of the curriculum.
  - ix. Candidates may drop Law Review at any time up to the last day of the semester.
- b. Third-year students may obtain additional units of credit for editorial work, staff supervision, and management, according to the following procedures:
- i. Executive Board members may receive two (2) units of credit in each semester, for a total of four (4) units at the end of the final year of law school.
  - ii. Associate Editors and Special Projects Staff may receive one (1) unit of credit per semester, for a total of two (2) units in the final year.
  - iii. No student may receive more than seven (7) units total credit for all participation in Law Review.
  - iv. All adds and drops must take place within the time periods specified in 5.a.5. and 5.a.6. above.
  - v. The Executive Board of Editors may recommend to the faculty advisor(s) the granting of credit or no credit for each editor. The Board will regularly advise each editor and the faculty advisor(s) of the quality of work being performed by each editor.
  - vi. If an editor performs unsatisfactory work, the Board may recommend a grade of no credit.
  - vii. In all cases, the determination of the faculty advisor(s) regarding the granting of credit or the denial of credit with a grade of no credit shall be final.
- c. All incompletes and withdrawals for Law Review units will be governed by the current academic regulations.
- d. If a student is accepted by Law Review and successfully completes the written assignments and staff work required for membership and chooses not to enroll for credit, the Law Review membership will be indicated on the academic transcript by a notation of "Law Review Staff" or "Law Review Editor" in the memoranda column.

## B. Law Journal

The *Southwestern Journal of International Law* (Law Journal) is a student-edited journal that publishes scholarly articles and commentary by law professors, Southwestern students and members of the legal community. Participation on Law Journal allows students to develop their legal writing and research skills along with their substantive knowledge of topics covered by the journal. The Law Journal complements Southwestern's extensive course offerings and faculty expertise in international and comparative law.

### 1. Staff Member Program

Participation on Law Journal provides students with an opportunity to participate in the editorial process of an academic journal, study specific areas of the law, and publish their own scholarly articles in a national publication. The honor of participation on Law Journal is offered to students who have demonstrated exceptional research and writing capabilities.

**Mandatory Write-On Competition** - Any student who wishes to be considered for a position on Law Journal must participate in the annual writing competition that is conducted immediately following spring semester and SCALE Period 4 final exams. Announcement of the write-on competition is posted each spring. The write-on competition is open to those students who have completed at least the first- or second-year day, first-year SCALE, second- or third-year evening, and second- or third-year PLEAS/Part-time day curriculum. Transfer students, by invitation of the Office of the Dean, may also participate. Each write-on participant is required to write a short paper analyzing a legal problem. The participant is allowed a set number of days in which to complete and submit his or her paper.

**Membership Selection Criteria** - Law Journal will extend an invitation to those students who (1) participated in the write-on competition, (2) are in good academic standing and (3) demonstrate exceptional research and writing capabilities. Selection will be based on the write-on competition (50%) and academic performance (50%).

Students are prohibited from participating on both Law Review and Law Journal at the same time. If a student is selected for participation on both Law Review and Law Journal, the student may participate in only one of them.

**Law Journal Course** - All students selected as Law Journal staff members are required to register for a two (2) unit, Credit/C/No Credit course which is taught by one or more of the Law Journal's faculty advisor(s) during the fall semester. Enrollment is mandatory. Registration in the course is restricted to students who have been selected for Law Journal. Successful completion of the Law Journal Course will satisfy Southwestern's upper division writing requirement. (See section of handbook entitled *Writing Requirement*.)

### 2. Executive Board

The Law Journal Executive Board consists of eight to twelve (8 to 12) members as follows:

- a. Editor-in-Chief, responsible for selection of the Journal's contents and overall quality of publications;
- b. Managing Editor, responsible for the daily operations of the Journal;
- c. Lead Articles Editors (3 or 4), responsible for soliciting and editing lead (non-student) articles;
- d. Notes and Comments Editors (3 or 4), responsible for supervising second-year staff members and editing student notes;
- e. Research/Special Projects Editor, responsible for the research of topics, the review of production assignments, and the coordination of symposia.

Executive Board members are the only voting members of the Law Journal. They may not participate in an externship for more than three (3) units, or serve on Law Review, Moot Court, or the Negotiation or Trial Advocacy Honors Program without obtaining a positive recommendation from the Executive Board, and waivers from the faculty advisors and the Office of the Dean.

Additional, non-voting, general Board Members may include Associate Editors who have the responsibility of performing tasks as assigned by the Board. These assignments may include, but are not limited to, soliciting articles, selecting submissions, and editing articles for Journal publication.

Each Executive Board is selected by the outgoing Executive Board members. All Board members must be in their final year of law school in the year during which they serve. The selection is based on the evaluation by the Board of the candidate's performance in the Journal course, a statement of interest, academic standing, and writing and editing skills.

Selection of the members of the Board must be communicated by the out-going Board to the faculty advisor(s) and the Dean with clearly articulated and objectively verifiable reasons as to the appropriateness of the choices, why each student was selected or not selected, and with an accompanying job description for each member's position. Each appointment is subject to veto or ratification by the faculty advisor(s) and the Dean. The selection is made toward the end of the spring semester for a one-year term and becomes effective on the date assigned by the law school as graduation day.

### 3. Law Journal Credit

- a. Law Journal candidates obtain up to three (3) units of academic credit for participation in the Law Journal staff member program. Credits will be granted in accordance with the following procedures:
  - i. Students participating in the staff member program in the fall semester must enroll in the two (2) unit graded Law Journal Course and one (1) unit of Law Journal credit in the spring semester.
  - ii. Unit credits for the fall semester will be Credit/C/No Credit. Credit units for the spring semester will be Credit/No Credit. Submission of a rewrite of the student's Note from the fall semester is a condition for receiving credit during the spring semester.
  - iii. Candidates may add Law Journal units only within the one week period that governs the rest of the curriculum.
  - iv. In the fall semester, the granting of Credit, a letter grade of C, or No Credit will be determined by the faculty member teaching the Journal Course. In the spring semester, the faculty advisor(s) will grant Credit based upon the recommendation by the Executive Board that the student has satisfactorily completed all staff assignments.
  - v. Successful completion of the Law Journal Course during the fall semester will satisfy Southwestern's upper division writing requirement. (See section of handbook entitled *Upper Division Writing Requirement*.)
  - vi. In order to receive Credit for the fall semester, students must satisfactorily complete all staff assignments, attend regularly scheduled program meetings, satisfactorily complete all assignments for the Law Review course, and submit a suitable written product. Students who satisfactorily complete all staff assignments and attend program meetings but fail to complete course assignments or submit a suitable written product will receive a letter grade of C for the fall semester. Students who fail to satisfactorily complete staff assignments or attend program meetings and fail to complete course assignments or submit a suitable written product will receive No Credit for the fall semester.
  - vii. In all cases, the determination of the faculty advisor(s) regarding the granting of Credit, a letter grade of C, or No Credit shall be final.
  - viii. Executive Board members will receive two (2) units of credit in each semester, for a total of four (4) units of credit in the final year of law school.
  - ix. Associate Editors will receive one (1) unit of credit in each semester, for a total of two (2) units of credit in the final year of law school.

- b. All incompletes and withdrawals for Law Journal units will be governed by the current academic regulations.
- c. If a student is accepted by Law Journal and successfully completes the Journal Course, the written assignments, and staff work required for membership, and chooses not to enroll for credit, the Law Journal membership will be indicated on the academic transcript by a notation of "Law Journal."

### **C. Moot Court Honors Program**

First-year students who wish to be considered for membership in one of Southwestern's three advocacy honors programs, the Moot Court Honors Program, the Negotiation Honors Program, or the Trial Advocacy Honors Program (TAHP), must (1) complete the requirements of the LAWS II course; (2) participate in one of the intramural competitions; and (3) interview with the honors program they wish to join. Each honors program may also impose its own additional requirements.

Entering first-year students have the opportunity to participate in one of three LAWS tracks for their first-year spring semester: (1) appellate advocacy; (2) negotiation; and (3) trial practice. The appellate advocacy track feeds into the Moot Court Honors Program Intramural Competition; the negotiation track feeds into the Negotiation Honors Program Intramural Competition; and the trial practice track feeds into the Trial Advocacy Honors Program Intramural Competition. Students may change from their LAWS track into a different intramural competition after the first mandatory round subject to the rules set by the honors programs.

#### **1. Intramural Competition**

The Moot Court Honors Program Intramural Competition is open to all first-year day, evening, first year SCALE students and PLEAS/Part-time day students who are enrolled in the Appellate Advocacy LAWS track and have completed the requirements of the LAWS II course. Students enrolled in other LAWS tracks may compete under applicable rules governing intramural competitions. No academic credit is given for participation in the intramural competition.

#### **2. Moot Court Honors Program**

##### **a. Membership Generally**

Interschool competitors participate as brief writers, oralists or swing writers (brief writers who argue at least one round at competition).

##### **b. Membership: Rising Second Years**

Moot Court members are selected by the Moot Court Board of Governors with the assistance and agreement of the faculty directors(s). Selections are based on their LAWS II final paper, their performance in the intramural competitions, an interview with the Moot Court Board of Governors, and interviews with the faculty director(s).

Students may interview for only one advocacy honors program. Any student, regardless of Track, who receives an A+ or A in their second semester LAWS II class will also have the opportunity to interview for the Moot Court Honors Program as a brief writer without regard to their performance in the intramural competition.

A student may be eligible for membership in the Moot Court Honors Program as a rising 2L student only if he or she has a minimum 2.9 GPA and a minimum grade of B in LAWS II. Any student placed on academic probation will be excluded for the following semester. If academic probation is cured, the prospective program member may become eligible and be able to interview if a position becomes available. Transfer students who have been accepted into their law school's moot court program, by invitation of the Office of the Dean of Students, may also be eligible to apply to the Moot Court Honors Program.

##### **c. Membership: Upper-Division Students**

Upper-division students (second-year day, and second- and third-year evening and PLEAS/Part-time day students) who did not participate in the intramural competition may apply to be oralists providing they have a



cumulative GPA of 3.2 at the end of the previous fall semester, a minimum cumulative 3.0 GPA in LAWS I and II, and a minimum grade of B in LAWS II. Contact the directors of the Moot Court Honors Program for more information. Second-year day, and second- and third-year evening and PLEAS/Part-time day students may apply to Moot Court as a writer only if they received an A or A+ in LAWS II.

d. Interschool Competitions

Southwestern currently participates in several competitions throughout the United States, most of which occur during the spring semester. Moot Court members are assigned to particular competitions by the Board of Governors with the assistance and approval of the faculty directors(s). First-year competitors are eligible for one (1) unit of credit in the fall for the course entitled “Appellate Advocacy” and one (1) unit of credit in the spring, regardless of when they compete. In the semester when they compete, they add one (1) unit for competition participation. Second-year competitors are eligible for two (2) units of academic credit to be taken in the semester in which their competition occurs. Students register for academic credit in accordance with the policies set forth below. At the end of each semester, the program directors determine whether academic credit is to be awarded.

e. Board of Governors

The incoming Board of Governors is selected by the program directors with the assistance and consultation of the Board of Governors. Each appointment is subject to veto or ratification by the Dean. The selection is made at the end of the spring semester and is for a one-year term, becoming effective on the date assigned by the law school as graduation day.

A member of the Moot Court Board of Governors may not hold an executive editorial position on Law Review or Law Journal, serve on the Trial Advocacy Honors Program or Negotiation Honors Program, accept outside full-time employment during the academic year or participate in an externship for more than three (3) units without obtaining waivers from the faculty directors. In addition to any units awarded for participation in an interschool competition, Board members are eligible to receive one (1) unit of academic credit for each semester they serve as a Governor. As with competitors, academic credit for Board of Governors participation must be approved by the program directors.

f. Moot Court Fellows

Returning non-board Moot Court members are designated as Moot Court Fellows. In this capacity, a Moot Court Fellow assumes a leadership role in the Moot Court Honors Program, assisting with the Moot Court Appellate Advocacy course, brief-writing and oral advocacy preparation, the spring Intramural Competition, in addition to participating as a writer and/or oralist in a competition. Moot Court Fellows receive three (3) units of academic credit in the spring semester, regardless of the semester in which they compete.

3. Unit Credit

- a. Moot Court Honors Program members in their first year of eligibility enroll for one (1) unit of credit in the fall in the course entitled “Appellate Advocacy” and one (1) unit of credit in the spring, regardless of when they compete. In the semester when they compete, they add one (1) unit for competition participation.
- b. Unit credit for the fall semester will be Credit/C/No Credit. Unit credit for the spring semester and competition will be Credit/No Credit.
- c. Returning non-board Moot Court Honors Program members, called Moot Court Fellows, enroll for three (3) units of credit: two (2) units in the semester they compete and one (1) unit in the semester they do not.
- d. Students may add Moot Court units only during the add period that governs the rest of the curriculum. However, should an opening on a Moot Court team arise after the regular add period has passed, the student selected to fill that opening will be allowed to register for the allotted units as a second-year competitor, with approval of the faculty directors(s) and the Office of the Dean.

- e. Students may drop Moot Court only during the regular drop period that governs the rest of the curriculum and only after having informed the Board of Governors of their intention to drop.
- f. The Program Directors have the responsibility to notify any student who is not performing satisfactorily in the Honors Appellate Advocacy course. A student not performing satisfactorily may receive a C or No Credit in the course, and/or may be removed from the program. The Board of Governors has a duty to notify any student who is not performing satisfactorily within the Moot Court program. Responsibilities and procedures for disciplinary action including removal from the program are clearly laid out in the Moot Court By-laws. All disciplinary measures require the approval of the program directors.
- g. If a student is accepted as a member of the Moot Court Honors Program and he or she successfully completes program requirements, his or her membership will be indicated on the academic transcript by the notation "Moot Court Honors Program" in the memoranda column. Membership on the Board of Governors will be indicated on the academic transcript by the notation "Moot Court Honors Program Board of Governors" in the memoranda column.
- h. The number of Moot Court units which any student may take during the course of his or her academic career shall not exceed seven (7).
- i. In all cases, the determination of the program directors as to whether competitors and members of the Board of Governors should receive academic Credit, a letter grade of C, or No Credit shall be final.

#### **D. Negotiation Honors Program**

First-year students who wish to be considered for membership in one of Southwestern's three advocacy honors programs, the Moot Court Honors Program, the Trial Advocacy Honors Program (TAHP), or the Negotiation Honors Program, must (1) complete the requirements of the LAWS II course; (2) participate in one of the intramural competitions and (3) interview with the honors program they wish to join. Each honors program may also impose its own additional requirements.

Entering first-year students have the opportunity to participate in one of three LAWS tracks for their first-year spring semester: (1) appellate advocacy; (2) trial practice; and (3) negotiation. The appellate advocacy track feeds into the Moot Court Intramural Competition; the trial practice track feeds into the Trial Advocacy Honors Program Intramural Competition; and the negotiation track feeds into the Negotiation Honors Program Intramural Competition. Students may change from their LAWS track into a different intramural competition after the first mandatory round subject to the rules set by the honors programs.

#### **4. Intramural Competition**

The Negotiation Honors Program Intramural Competition is open to all first-year day, evening and PLEAS/Part-time day students who are enrolled in the Negotiation LAWS track and have completed the requirements of the LAWS II course. Students enrolled in other LAWS tracks may compete under applicable rules governing intramural competitions. The Negotiation Honors Program Intramural Competition is also open to first-year SCALE students who have completed the requirements of LAWS II. No academic credit is given for participation in the intramural competition.

##### **a. Membership**

Interscholar competitors are selected by the faculty advisor(s) with the assistance of the Board of Governors. Selections are based on performance in the intramural competitions, the completion and quality of a written negotiation analysis, the student's grade point average, an interview with the faculty advisor(s), and availability of the student to commit to the program.

Students may interview for only one advocacy honors program. Any student, regardless of Track, who receives an A+ or A in their second semester LAWS II class will also have the opportunity to interview for the Moot Court Honors Program as a brief writer without regard to their performance in the intramural competition.

A student may be eligible for membership in the Negotiation Honors Program during the second, third and/or fourth year only if he or she is in good academic standing. Any student placed on academic probation will be excluded for the following semester. If academic probation is cured, the prospective program member may become eligible and be able to interview if a position becomes available. Selections for the spring semester are at the discretion of the faculty advisor(s). Students are invited for one academic year and may be invited to continue for the next year. Transfer students may interview for the team when invited by the faculty advisor(s).

Students selected for the program must enroll in the two (2) unit Negotiation Honors Program course during the fall semester of their first year of participation. Students must also commit to leaving specific lunch periods open from 12:30-2:00 for negotiation events (for both fall and spring).

b. Interschool Competitions

Southwestern currently participates in several competitions throughout the United States during the fall and spring semesters. Competitors are assigned to particular competitions by the faculty advisor(s). Competitors negotiate in teams but receive individual scores. Students register for academic credit in accordance with the policies set forth below. At the end of the academic year, the Board of Governors compiles a list of competitors which is given to the faculty advisor(s), who, thereafter, determines whether academic credit is to be awarded.

c. Board of Governors

The incoming Board of Governors is selected by the faculty advisor(s) with input from the outgoing board. The selection is made at the end of the spring semester and is for a one-year term, becoming effective on the date assigned by the law school as graduation day. Students may only serve on the board during their final year of law school, absent special approval of the faculty advisor(s).

A member of the Negotiation Honors Program Board of Governors may not hold an executive editorial position on Law Review or Law Journal, serve on the Trial Advocacy Honors Program or Moot Court, accept outside employment during the academic year, or participate in an externship for more than three (3) units without obtaining a positive recommendation from the faculty advisor(s). Board members are eligible to receive two (2) units of academic credit for each semester they serve as a Governor. As with competitors, academic credit for Board of Governors participation must be approved by the faculty advisor(s).

5. Unit Credit

- a. Entering Negotiation Honors Program Members enroll for two (2) units of credit in the fall semester and one (1) unit of credit in the spring semester, regardless of the semester in which they compete.
- b. Unit credit for the fall semester will be Credit/C/No Credit. Unit Credit for the spring semester will be Credit/No Credit.
- c. Negotiation Honors Program Fellows enroll for one (1) unit of credit in the fall semester and two (2) units of credit in the spring semester, regardless of the semester in which they compete.
- d. Returning Negotiation Honors Program Members enroll for one (1) unit of credit in the fall semester and one (1) unit of credit in the spring semester. Returning members do not compete in national competition.
- e. Students may add Negotiation Honors Program units only during the add period that governs the rest of the curriculum. However, should an opening on a Negotiation Honors Program team arise after the regular add period has passed, the student selected to fill that opening will be allowed to register for the allotted three (3) units, with approval of the faculty advisor(s).
- f. Students may drop Negotiation Honors Program only during the regular drop period that governs the rest of the curriculum and only after having informed the Board of Governors and faculty advisor(s) of their intention to drop.

- g. The faculty advisor(s) has a duty to notify any student who is not performing satisfactorily. If, after warning, the student's performance is not satisfactory, the faculty advisor(s) may remove the student from the Negotiation Honors Program.
- h. If a student is accepted as a member of the Negotiation Honors Program and he or she successfully completes program requirements, his or her membership will be indicated on the academic transcript by the notation "Negotiation Honors Program" in the memoranda column. Membership on the Board of Governors will be indicated on the academic transcript by the notation "Negotiation Honors Program Board of Governors" in the memoranda column.
- i. In all cases, the determination of the faculty advisor(s) as to whether competitors and members of the Board of Governors should receive academic Credit, a letter grade of C, or No Credit shall be final.

## **E. Trial Advocacy Honors Program**

First-year students who wish to be considered for membership in one of Southwestern's three advocacy honors programs, the Moot Court Honors Program, the Negotiation Honors Program, or the Trial Advocacy Honors Program (TAHP), must (1) complete the requirements of the LAWS II course; (2) participate in one of the intramural competitions; and (3) interview with the honors program they wish to join. Each honors program may also impose its own additional requirements.

Entering first-year students have the opportunity to participate in one of three LAWS tracks for their first-year spring semester: (1) appellate advocacy; (2) negotiation; and (3) trial practice. The appellate advocacy track feeds into the Moot Court Intramural Competition; the negotiation track feeds into the Negotiation Honors Program Intramural Competition; and the trial practice track feeds into the Trial Advocacy Honors Program Intramural Competition. Students may change from their LAWS track into a different intramural competition after the first mandatory round subject to the rules set by the honors programs.

### **1. Intramural Competition**

The Trial Advocacy Honors Program Intramural Competition is open to all first-year day, evening and PLEAS/Part-time day students who are enrolled in the Trial Practice LAWS track and have completed the requirements of the LAWS II course. Students enrolled in other LAWS tracks may compete under applicable rules governing intramural competitions. A separate tryout is held in the fall for first-year SCALE students. Participants compete for a position as a member. Transfer students, by invitation of the Office of the Dean of Students, may also participate in the fall tryouts. No academic credit is given for participation in the intramural competition.

#### **a. Membership**

Members are selected by the Trial Advocacy Honors Program Board of Governors with the assistance and agreement of the faculty advisor(s). Selections are based on performance in the intramural competitions and an interview with the Board of Governors.

Students may interview for only one advocacy honors program. Any student, regardless of Track, who receives an A+ or A in their second semester LAWS II class will also have the opportunity to interview for the Moot Court Honors Program as a brief writer without regard to their performance in the intramural competition.

A student may be eligible for membership in the Trial Advocacy Honors Program during the second and third year only if he or she is in good academic standing. Participating on a TAHP competition team as an advocate requires that a student has taken or is enrolled in Evidence within the same academic year of the competition. This requirement may be waived by the faculty advisor(s). Any student placed on academic probation after their selection to the program, but prior to their completing the TAHP Trial Advocacy course will be ineligible from participating in the program. Any student placed on academic probation after successfully completing the TAHP Trial Advocacy course will be excluded for the following semester. If academic probation is cured, the prospective member may become eligible and be able to participate in the program if a position becomes available.

Program members participate as junior and senior advocates. Students selected for the program act as junior advocates during the first year of participation, and in the spring enroll in the introductory Trial Advocacy course for Trial Advocacy Honors Program students. During that year, participants receive three (3) units for the course, but no additional Trial Advocacy Honors Program units. As part of the final exam for the introductory Trial Advocacy course, junior advocates must participate in the annual JEBS Tournament, which gives them the opportunity to showcase what they have learned during the year by conducting two to three full trials.

The following year, students who are continuing Trial Advocacy Honors Program members are invited to return to the program by the Board of Governors to participate as senior advocates. Senior advocates must have completed or be enrolled in Evidence and have completed or be currently enrolled in the Advanced Trial Advocacy course for Trial Advocacy Honors Program students in order to participate on a TAHP competition team. Students receive two (2) units of credit for the course and one (1) additional unit of credit during the semester of competition. A total of three (3) units may be granted for participating in competitions.

#### b. Interscholastic Competitions

Southwestern currently participates in several competitions throughout the United States during the fall and spring semesters. Advocates are assigned to particular competitions by the faculty advisor(s). Advocates participate as plaintiff or defense counsel and receive one (1) unit of academic credit in the semester of their competition. Students register for academic credit in accordance with the policies set forth below. At the end of each semester, the Board of Governors compiles a list of competitors which is given to the faculty advisor(s), who, thereafter, determines whether academic credit is to be awarded.

#### c. Board of Governors

The incoming Board of Governors is selected by the outgoing Board. All board members must have successfully participated as junior advocates. The selection is based on performance as a participant in the Trial Advocacy Honors Program, a statement of interest, and academic standing. The name of each student selected and not selected is presented to the faculty advisor(s) and the Dean with a written statement that includes a description of the responsibilities of the office and a statement of objectively verifiable reasons as to the appropriateness of the choice. Each appointment is subject to veto or ratification by the faculty advisor(s) and the Dean. The selection is made at the end of the spring semester and is for a one-year term, becoming effective on the date assigned by the law school as graduation day.

A member of the Trial Advocacy Honors Program Board of Governors may not hold an executive editorial position on Law Review or Law Journal, serve on Moot Court or Negotiation, or participate in an externship for more than three (3) units without obtaining a positive recommendation from the Board of Governors, and waivers from the faculty advisor(s) and the Office of the Dean. A full-time student who is a board member may not work without consent of the entire board. An evening or PLEAS/Part-time day student may work a maximum of 20 hours per week. Members of the Board receive one (1) unit of academic credit for each semester they serve on the Board.

## 2. Unit Credit

- a. Trial Advocacy Honors Program is graded on a Credit/No Credit basis.
- b. Students may add Trial Advocacy Honors Program units only during the add period that governs the rest of the curriculum, unless a late add is approved by the Dean of Students.
- c. Students may drop Trial Advocacy Honors Program only during the regular drop period that governs the rest of the curriculum and only after having informed the Board of Governors and faculty advisors of their intention to drop.
- d. The Board of Governors has a duty to notify any student who is not performing satisfactorily. If after warning(s), the student's performance is not satisfactory, the Board may vote to remove the student from the Trial Advocacy Honors Program. Such removal requires the approval of the faculty advisor(s).

- e. If a student is accepted as a member of the Trial Advocacy Honors Program and he or she successfully completes program requirements, his or her membership will be indicated on the academic transcript by the notation "Trial Advocacy Honors Program" in the memoranda column. Membership on the Board of Governors will be indicated on the academic transcript by the notation "Trial Advocacy Honors Program Board of Governors" in the memoranda column.
- f. In all cases, the determination of the faculty advisor(s) as to whether senior advocates and members of the Board of Governors should receive academic credit shall be final.

## **II. EXTRA-CURRICULAR ACTIVITIES**

### **A. Student Bar Association**

The Student Bar Association (SBA) is an organization for all Southwestern students. Every registered student at Southwestern is automatically a member of the SBA.

The primary purpose of the SBA is to provide, protect and promote student interests on campus. The SBA sponsors speakers programs and social and cultural events. The SBA also provides special services and sponsors club activities on and off campus.

Student organizations, including legal fraternities, special interest groups, and religious and social organizations, may be organized and chartered by the SBA. Such student organizations are eligible to receive financial assistance and other benefits.

The Southwestern SBA continually seeks new ways in which to respond to students' needs and interests, and strives to represent Southwestern students effectively to the faculty and legal community.

#### **1. Student Bar Association Structure**

The Constitution of the SBA, available by request of the SBA or Student Affairs Office, provides for a Board of Directors composed of an Executive Board, Class Representatives, and Committee Directors. The Executive Board is composed of a President, Day Vice President, Evening Vice President, SCALE Vice President, Treasurer, Secretary, and Representative to the American Bar Association (ABA)/Law Student Division. The Executive Board, Class Representatives and Committee Directors complete the SBA Board of Directors.

The SBA Committees are as follows: the Academic Affairs Committee, the Student Life Committee, and Community Outreach Committee. Committee Directors and additional special Committee Directors are appointed each year by the SBA President and are approved by the SBA Board of Directors. The SBA Committees are subject to change.

Each spring, SBA Executive Board elections are held for the following school year. Class Representatives are elected shortly after the fall semester begins. A student must be in good academic standing to participate as a candidate in SBA elections and to serve as an executive officer.

#### **2. Student Bar Association Committees**

##### **a. Academic Affairs Committee**

The Academic Affairs Committee develops programs to assist students with their studies. The Committee may discuss student concerns regarding academic policies with members of the faculty and staff.

##### **b. Student Life Committee**

The Student Life Committee connects the student body with fellow students on a social level. This Committee's main focus is organizing and hosting student activities, such as on-campus lunchtime events, and off-campus social events, such as the annual Barrister's Ball.

c. Community Outreach Committee

The Community Outreach Committee administers and organizes all off-campus events (excluding Barrister's Ball), outreach and partnerships with local community organizations, including fundraising for such events.

**B. Student Organizations**

The SBA sponsors over 30 social, cultural and professional organizations. Together, the SBA and these groups provide workshops, social mixers, volunteer opportunities, symposia, and special lecture presentations to meet diverse student interests. Visit <http://www.swlaw.edu/student-life/student-organizations> for a listing of currently active student organizations and more information about the SBA.

**C. The Journal of International Media and Entertainment Law**

The *Journal of International Media and Entertainment Law* is published by Southwestern's Donald E. Biederman Entertainment and Media Law Institute, in cooperation with the American Bar Association forums on Communications Law and the Entertainment and Sports Industries. The journal is overseen and managed by an editorial board composed of Southwestern faculty and selected members of the ABA forums. The faculty also selects a small number of student editors who assist in the publication of the journal.

## SECTION 7

### Financial Information

#### I. TUITION AND FEES

The following charges are for academic periods beginning with the 2020 summer session. Tuition charges are reviewed periodically and are subject to change. Tuition may be paid in installments, with the time of each payment being determined by the law school.

The chart below describes Southwestern's tuition rates and nonrefundable fees. For further information concerning the refund policy, see the *Tuition Refund Policy* in this section. Housing deposits and fees are addressed separately in the housing contract and application, which are administered by the housing management company and are not subject to the provisions of this *Section 7*. Any unpaid fees, charges or rents pursuant to the housing contract, however, will constitute an account receivable subject to the consequences described in the *Accounts Receivable Policy* in this section, in addition to the rights and remedies provided under the housing contract.

##### A. Tuition

###### 1. 2020-2021 Tuition

Traditional and SCALE students are charged tuition on a flat rate basis for fall and spring terms. The charge is based on the academic program (including the January intersession) for traditional students, and all SCALE periods (excluding summer) for SCALE students.

During the summer session, all students are charged on a per unit basis, with the exception of SCALE students who are charged for the first four units taken, and full-time students enrolled in summer externship courses who are charged an administrative fee of \$1,000. The tuition for Summer 2020 is \$1,843 per unit. Southwestern's summer abroad law program costs are determined by each program, and charges are available in each of the respective program materials.

###### a. Traditional Programs

<b>Traditional Programs</b>	<b>Fall 2020</b>	<b>Spring 2021</b>	<b>Total First-Year Tuition</b>
Day	\$27,658	\$27,658	\$55,316
Evening	\$18,447	\$18,447	\$36,894
PLEAS/Part-time day	\$18,447	\$18,447	\$36,894

\*Visiting students are charged \$1,843 per unit for Fall 2020 and Spring 2021 terms.

###### b. SCALE Program

<b>Period 1</b>	<b>Period 2</b>	<b>Period 3</b>	<b>Period 4</b>	<b>Total First-Year Tuition</b>
\$19,428	\$19,428	\$19,428	\$19,428	\$77,712

###### c. LL.M. Programs – Students are charged \$1,843 per unit for Fall 2020 and Spring 2021 terms.

###### d. Flat Rate Tuition Charges

Students in the day program must pay the full-time flat rate tuition, and students in the evening and PLEAS/Part-time day programs must pay the part-time flat rate tuition. Students must pay the flat rate tuition charge based on their particular classification, even if they have been granted approval to underload or overload.



e. Auditing Courses

The charge for auditing courses for LL.M. and visiting students is \$1,843 per unit. Visiting alumni will receive a 50% discount.

**B. Fees**

**Mandatory Fees for All Students**

Application fee.....	\$ 60
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**Miscellaneous Fees and Charges for All Students**

Non-refundable Student Services Fee based on the following schedule:

1. Traditional and LL.M. students:		
Fall/Spring .....	Charged each August for all students .....	\$ 200*
Fall only .....	December and January graduates .....	\$ 100*
Spring only .....	If not charged Student Services fee for the preceding fall	\$ 100
Summer .....	Charge for all students .....	\$ 50
2. SCALE		
SCALE I .....	Charged at the beginning of Period 1 .....	\$ 250*
SCALE II .....	Charged at the beginning of Period 5 .....	\$ 250*
SCALE 2.5		
Summer.....	Charged at the beginning of Summer .....	\$ 50
Fall.....	Charged at the beginning of Fall .....	\$ 100*
3. Visiting Students:		
Fall .....		\$ 100*
Spring .....		\$ 100
Summer .....		\$ 50
Monthly late fee on balance due billings .....		\$ 100
Transcript fee .....		\$ 5
Rush transcript fee .....		\$ 15
Rush online transcript fee.....		\$ 30
Returned check charge .....		\$ 30
Lost I.D. Card .....		\$ 25
Deferred Payment Plan fee .....		\$ 50

\*Student Services Fee for all Fall 2020 waived (waived amounts are: \$100 – Traditional and LL.M., \$125 – SCALE I and SCALE II)

**II. ENROLLMENT TERMS AND CONDITIONS**

**A. Enrollment Policy**

To fulfill Southwestern's enrollment requirements, students must pay to Southwestern any due and payable tuition and fees. Cash and check payments must be made to the attention of the Accounting Office by the date(s) specified on the student's monthly reminder emails. Online payments are available and can be done using the link "Pay On My Account" via the MySWLAW Student Portal. Students may withdraw and receive any applicable refund by providing notice to the Dean of Students Office at the following address:

Dean of Students Office  
Southwestern Law School  
3050 Wilshire Blvd.  
Los Angeles, CA 90010-1106

Students have a right to a full refund of all charges, less all fees and charges defined as non-refundable, if the student withdraws from Southwestern prior to the first day of instruction. In the fall semester, the first session of LAWS is the first day of instruction for first-year day, first-year PLEAS/Part-time day, first-year evening, and first-year SCALE

students. (See *Tuition Refund Policy* in this section.) Nothing in the *Enrollment Terms and Conditions* of this section applies to housing obligations, which are addressed separately in the housing contract and application.

## **B. Payments**

Tuition may be paid in installments, plus the applicable deferred payment plan fee, according to the student account balance terms and conditions. (See *Appendix B.*) Unless payment has been made by each and every due date, the student's enrollment will be subject to cancellation.

Students agree to pay all other charges incurred upon presentation. Failure to make timely payment is cause for cancellation of enrollment, and could result in Southwestern rightfully withholding course grades and diploma until such amounts are paid in full.

Students are obligated to pay, to the extent permitted by law, any and all actual and reasonable costs of collection incurred by Southwestern occasioned by the student's default under the terms of enrollment. "Default" means the failure to make any installment payment, tuition fee payment, other fee or charge payment on or before the due date as stated on the monthly reminder emails. A payment made by a check which is returned unpaid from the payor's bank constitutes failure to make payment. In the event that an action is brought by Southwestern to enforce the terms of enrollment, the student may be required to pay all costs of this action, including reasonable attorneys' fees.

## **C. Online Student Account Billing Statement (AR)**

Students are responsible for periodically checking their Online Student Account Billing Statement (AR) online via WebAdvisor or MySWLAW and for verifying that their payments are made by the required deadlines. The Accounting Office will send a monthly reminder email to students' Southwestern email accounts as payment due dates approach.

The Online Student Account Billing Statement (AR) allows students to see a detailed level of their student account, including payments, charges, and refunds, which are updated in real time. Please note that the "Installment Amount" and the "Prior Term Outstanding Balance" available on the Online Student Account Billing Statement (AR) are not updated in real time. The installment amount is recalculated and updated on the first Friday of each month.

## **D. Late Charges, Late Fees**

The student's account will be charged \$100 for each and every payment not received by each of the due dates specified on the monthly reminder emails. Late fees will be assessed on all outstanding balances, including but not limited to missed tuition payments, outstanding parking fees and library fines.

## **E. Financial Aid**

Students may apply for financial aid to defray the costs of attending Southwestern. A student's application for financial aid does not relieve the student of his or her complete responsibility for payment of all tuition and other rightful charges Southwestern may make. Tuition payment(s) are due and payable as set forth in the monthly email reminder, regardless of whether financial aid may be received.

# **III. TUITION REFUND POLICY**

Students who withdraw before the first day of the semester, summer session, January intersession or SCALE period receive a 100% credit of charged tuition. Those students withdrawing on or after the first day of classes will incur a prorated non-refundable tuition charge<sup>1</sup>. Once 60% of the semester, summer session, or SCALE period is completed, the student will be charged 100% of tuition. Southwestern's summer law programs all have their own refund policies

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<sup>1</sup> The prorated non-refundable charge is calculated by counting the number of calendar days starting with the first day of the term and ending with the last date of attendance. That result is divided by the number of calendar days in the term. The resulting percentage is then multiplied by the original tuition charged to determine the prorated non-refundable charge.

that are printed in the brochures for those programs. Housing contract obligations are addressed separately in the housing contract and application.

#### **IV. ACCOUNTS RECEIVABLE POLICY**

The Board of Trustees of Southwestern Law School has adopted the following Accounts Receivable Policy:

1. Students must pay the tuition and other charges due on their account. All available legal means will be used to collect outstanding amounts from students and graduates.
2. Satisfaction of a student's account means: payment of tuition and other charges in full; payment in accordance with the deferred schedule as approved; and the making of satisfactory arrangements in writing with persons authorized to approve such arrangements.
3. Any student whose tuition account is in arrears may have his or her registration for the term in which he or she is currently enrolled canceled and may be withdrawn from all courses retroactively to the start of the semester and may not continue until the past due tuition amount is satisfied. A student whose current registration is not canceled and who is not withdrawn from a course shall not receive a grade or credit in any course in the semester in which that student is enrolled unless the student's account is satisfied as set out under paragraph 2 above.
4. No diploma or grades will be released for any individual whose account is not satisfied or current.
5. All teaching faculty members will be reminded each semester of the reasons for "auditing" their roll sheets. Faculty are requested not to allow unregistered students to attend course sessions. Additionally, faculty members should report to the Registration Office the names of any students attending their course who are not formally enrolled.
6. The Accounting Office has the primary responsibility for student account collection which may include, but is not limited to, tuition, mandatory fees, library fines, bad check charges, and bad check restitution.
7. The account record of every student scheduled to complete his or her studies and graduate shall be reviewed. Every student who has any balance of tuition and fees shall be notified by letter or statement that he or she will be precluded from participation in commencement exercises or from receiving final grades, transcripts, or diploma.
8. Special payment arrangements must be made with, and approved by, the Accounting Office. Any student, who fails to satisfy his or her account as provided in paragraph 2, shall be sent a second letter notifying them that failure to satisfy the account within ten (10) days will result in notification to licensing authorities of the indebtedness and of the failure of the student to make any arrangements to satisfy the indebtedness. Such letter shall enclose a copy of the proposed statement to the licensing authorities. If the student fails to satisfy the account within the period so provided, Southwestern will inform inquiring licensing authorities of the graduate's indebtedness.

#### **V. FINANCIAL AID**

The Financial Aid Office at Southwestern seeks to provide or secure financial assistance for its students whenever possible. To this end, the law school has developed a financial aid program which includes scholarships, loans, and employment. Information about these programs can be found at <https://www.swlaw.edu/finaid>.

Southwestern actively participates in the Federal Direct Stafford Loan Program, the Federal Direct Graduate PLUS Loan Program, , and the Federal Work-Study Program. In addition, the law school is fully approved for JD students who wish to utilize their veteran's educational benefits.

All financial aid administered through the law school is awarded on a non-discriminatory basis without regard to race, sex, age, religion, national or ethnic origin, sexual orientation, disability, marital status, or prior military service.

Detailed information on the law school's financial aid programs and the application process is included in the Southwestern catalog.

Eligibility for financial aid is contingent upon minimum enrollment and scholastic performance requirements. Any student who has applied for or who has received financial aid should read the *Academic Standard and Procedures* section of this handbook, and should consult with a financial aid counselor (not clerical staff) in Room W102 as soon as possible in advance of or following any of the following:

1. The student plans to transfer from one program of study to another (e.g., from day to evening).
2. The student drops below half-time status (less than five (5) units for fall/spring, less than two (2) units for summer) or withdraws from school. For an LL.M. student, half-time is four (4) units for fall/spring and two (2) units for summer.
3. The student repeats a course(s) for no credit or plans to sit in on a class to make up an Incomplete.
4. The student plans an official leave of absence.
5. The student is academically disqualified. (Please note: Once a student is academically disqualified, eligibility for all financial aid, including but not limited to scholarships, loans, grants and student employment, is lost immediately. Students are strongly urged to see a counselor in the Financial Aid Office to discuss the financial ramifications of this situation.)
6. The student is readmitted after academic disqualification.
7. The student plans to attend another university on other than a permanent basis (i.e., visiting status, study abroad, etc.).
8. The student plans to transfer to another school.

Federal and law school penalties, up to and including denial of federal benefits, may apply to those found to illegally possess controlled substances. It is recommended that students consult the *Student Policy on Alcohol and Other Drugs* in this handbook.

## SECTION 8

### Library, School Administration and Student Housing

#### I. LEIGH H. TAYLOR LAW LIBRARY

**Bullocks Wilshire Bldg., Recorded Hours, Ext. 6728; Circulation Desk, Ext. 5771; Library Reference, Ext. 6725**

The primary function of the Leigh H. Taylor Law Library is to provide support for the study and research activities of the Southwestern legal community. Library rules and regulations are few and have been designed to make resources available on an equitable basis. The library functions best if each patron is considerate of others at all times when using the library. As such, library disturbances are not permitted (such as answering or other use of cell phones, or loud vocal exchanges) and are grounds for immediate removal from the library. Beverages in secure lidded containers and small snacks that are not messy, noisy or strong smelling are permitted in the library. Users must dispose of all trash and leave the area clean for the next person. Personal belongings and laptop computers should not be left unattended in the library. Children under the age of 14 may not be left unattended in the library.

Library services and policies are described briefly below. Additional information and library rules are contained in the *Library Guide*, available online at <http://library.swlaw.edu> or <https://swlawportal.swlaw.edu/resources/library/Pages/default.aspx>. Please note that violations of library rules and regulations, especially any misuse of library materials that jeopardizes the work of other students, may be reported to the Honor Code Committee. Violation of library rules may also result in suspension of library privileges.

Regular library hours are:

Monday through Thursday .....	7:30 a.m. to 11:00 p.m.
Friday .....	7:30 a.m. to 9:00 p.m.
Saturday .....	9:00 a.m. to 9:00 p.m.
Sunday .....	9:00 a.m. to 11:00 p.m.

Changes in this schedule will be made during holidays, vacations, and summer sessions, and will be posted in advance at the library entrance and on the library website <http://library.swlaw.edu>. Students may also call (213) 738-6728 for a recording of current library hours.

#### A. Library Cards

The law school identification card activates the electronic door release at the library entrance. The card must be carried at all times. The same card also serves as a Southwestern library card and must be presented to check out library materials.

#### B. Circulation

##### 1. Books

Southwestern has an extensive treatise collection, most of which circulates. Typical of most law libraries, certain materials, such as reporters, codes, citators, digests, looseleaf services, reference works, law reviews, and journals, are intended for library use only.

Circulating books may be borrowed for 14 days unless a book is requested by another library user. In this case, the loan period may be reduced to a minimum of seven days for the original borrower.

Book loans can be renewed if the need for the book extends beyond 14 days. Up to six (6) renewal periods of 14 days each are allowed. Renewals will be granted unless the book has been requested by another library user. To renew,

contact the circulation desk in person (with or without the book), call (213) 738-5771, or renew online using My Library Account at <http://library.swlaw.edu/patroninfo>. Promptly renewing a loan is an easy, painless procedure to avoid overdue fines.

## 2. Reserve Materials

Reserve materials circulate for two hours. Reserve items may be renewed for up to eight renewal periods of two hours each, unless the item is requested by another library user. Overdue fines for reserve materials are higher than for regular books, and fines continue to accrue during each hour that the library is open. Reserve books checked out within two hours of library closing are due within two hours of the library opening the next morning.

## 3. Videotapes and DVDs

Non-reserve videotapes and DVDs can be borrowed for a three-day loan period. Five renewal periods of three days each are allowed, unless the videotape is requested by another library user.

## **C. Overdue Materials and Fines**

To encourage the prompt return of materials for the benefit of all library users, fines for overdue materials will be assessed. The library sends overdue notices by email to students' Southwestern email accounts. Students who prefer to receive notices at an alternative email address or by U.S. mail may make that request at the circulation desk. The overdue notice and fine schedule is as follows:

### 1. 14-Day Loans

The overdue fine is \$1.00 per day. Three overdue notices will be sent. If there is no response to these notices, the fourth notice will be a bill for the replacement cost of the item plus a \$15.00 billing fee and a \$20.00 processing fee. If the item is returned before a replacement copy has been ordered, the bill will be reduced to the lesser of \$20.00 or the actual accrued fine.

### 2. 2-Hour Reserve Loans

The overdue fine is \$1.00 per hour for each hour the library is open. Overdue notices are generated after 12, 24, and 48 hours. The fourth notice will be a bill for the replacement cost of the item plus a \$25.00 billing fee and a \$20.00 processing fee. If the item is returned before a replacement copy has been ordered, the bill will be reduced to the lesser of \$30.00 or the actual accrued fine.

### 3. 3-Day Videotape Loans

The overdue fine is \$2.50 per day. Three overdue notices will be sent out. If there is no response to these notices, the fourth notice will be a bill for the replacement cost of the item plus a \$40.00 billing fee and a \$20.00 processing fee. If the item is returned before a replacement has been ordered, the bill will be reduced to the lesser of \$40.00 or the actual accrued fine.

Library fines are added to the student's law school account and are payable in the Accounting Office; the library never collects fines.

## **D. Group Study Rooms**

Group study rooms are intended to provide Southwestern students with opportunities for collaborative study. To this end, study groups are given priority over individuals using the rooms. Each member of a group can make a one-hour reservation online, so a three person group is able to reserve three hours. Individuals may use rooms not in use by study groups but must vacate the room should it be needed by a study group.

For a full statement of group study room policies, please refer to the *Library Guide* found at <http://library.swlaw.edu> or <https://swlawportal.swlaw.edu/resources/library/pages/default.aspx>. Violation of these policies may result in the loss of the room use privileges.

### **E. Computer Lab and Network Services**

The computer lab is located on the first floor of the library. There is no charge to students for the use of lab services, with the exception of printing which has a per page charge. All use of library computing and network equipment is governed by Southwestern's *Computer and Network Use Policy*, found in the *General Law School Policies* section of the handbook. Use of the equipment constitutes acceptance of the terms of this policy.

Current information on services and supported software is available in the computer lab. Because the lab is a multi-user environment, students are advised to:

1. Back up work regularly. An extra copy will minimize loss in the event of equipment failure, power failure or inadvertent user error.
2. Change passwords regularly. Students are advised to change it immediately if someone has learned their password.
3. Check your Southwestern email regularly. Delete messages and empty the e-mail trash folder on a regular basis.
4. Students using their own computers to access the law school's networks must have a reputable anti-virus program with current virus definitions installed and must keep current with all critical security patches available for their operating system.

## **II. STUDENT SERVICES AND ADMINISTRATIVE OFFICES**

### **A. Academic Success and Bar Preparation Programs - Westmoreland Bldg., Rms. W616, W618, W620, W624 and W626; Ext. 6813**

The Academic Success and Bar Preparation Office offers academic readiness programs and courses centered around developing learning strategies to maximize a student's full academic potential.

### **B. Accounting - Westmoreland Bldg., Rm. W202; Ext. 6818**

The Accounting Office oversees the financial and accounting activities of the law school and the management of other fiscal responsibilities. These include administration of investment policies, cash flow management, and real property tax; preparation of budgets; collection of past due student loan accounts; serving as the law school's liaison with external auditors; preparation and issuance of checks for all requests for payment; recording and invoicing of student tuition and fees; verifying requests and issuing checks for student refunds; deposit of all funds received; and preparation of monthly financial reports.

### **C. Administrative Services - Westmoreland Bldg., Rm. W100; Ext. 6800**

The Administrative Services Office is responsible for facilities and personnel management, and coordination of campus auxiliary services. The office oversees campus maintenance and repair; property acquisition and development; campus renovation; student housing; insurance; capital furniture and equipment purchases; auxiliary services (security, food service, fitness center, bookstore, print shop/mailroom, ridesharing, and parking); storage; room scheduling; safety and emergency procedures; and compliance with legal requirements for facility operation. The office is responsible for the development and implementation of personnel policies and procedures for non-faculty employees and coordinates special events such as commencement.

**D. Admissions - Westmoreland Bldg., Rm. W102; Ext. 6834 (6717 for recorded message)**

The Admissions Office is responsible for student recruitment and the processing of student applications. Members of the department attend recruiting events at undergraduate institutions and Law School Admissions Council sponsored forums throughout the country. They counsel prospective students and applicants regarding the admissions process and conduct receptions both on- and off-campus for prospective students and accepted applicants. The department also conducts mail campaigns and provides the initial evaluation of each applicant for recommendation of acceptance or denial.

**E. Associate Dean for Research – Bullocks Wilshire Bldg., Rm. BW415; Ext. 6755**

The Associate Dean for Research fosters the growth of Southwestern's intellectual community. As part of this mission, the Associate Dean serves as a resource to faculty for feedback on articles and institutional advancement of research agendas, promotes faculty understanding of research into effective teaching methods, as well as innovation in their own courses, assists faculty and students in promoting their scholarship, advocates for new programs to support scholarship, and keeps the faculty up-to-date on new publication resources and development among law journals. In conjunction with the Faculty Development Committee, the Associate Dean also organizes educational opportunities for faculty to improve their scholarship and teaching effectiveness and coordinates the outside speaker's series, the in-house speakers' series, and the faculty reading group. In addition, the Associate Dean for Research reviews and approves independent study requests, following their submission to the Dean of Students Office.

**F. Career Services - Westmoreland Bldg., Rm. W323; Ext. 6794**

The Career Services Office ("CSO") partners with students and alumni on all aspects of their career development through individual career counseling, specialized programming, and extensive resources. The CSO sponsors a variety of recruitment programs, networking events, and other initiatives to connect students with private, public, and judicial sector employers. We educate students and alumni on personal and skills-based self-assessment, developing effective job search campaigns and strategies, workplace professionalism, and the diverse range of career opportunities available to those with legal education and training.

**G. Communications & Marketing Office - Bullocks Wilshire Bldg., 2nd Floor East Wing; Ext. 6731**

The Communications and Marketing team (Co-Mark) curates and creates a variety of print and digital publications, promotional materials, videos/livestreams, and other communications supporting admissions, student affairs, and institutional advancement activities. Co-Mark serves as the official liaison to the news media, and actively promotes faculty, staff, alumni, student accomplishments, and Southwestern events. The department also oversees Southwestern's website (<https://www.swlaw.edu>) and social media activities. Additionally, Co-Mark provides communication services and support to other departments, and to faculty and student organizations.

**H. Dean of Students and Diversity Affairs - Westmoreland Bldg., Rm. W102; Ext. 6871**

The Dean of Students and Diversity Affairs Office is responsible for providing academic and personal counseling and guidance to all Southwestern students. The office provides academic advisement to students concerning course selection, academic scheduling, and progress to graduation, and sponsors academic advising programs such as Table Days. The office provides special advisement and support to students experiencing academic challenges, including academic probation and disqualification; personal concerns; attendance issues; and other matters, and may refer students to Helpnet, Southwestern's off-campus counseling resources. The office works collaboratively with faculty, academic support, and various departments to address student needs and coordinates the matters related to violations of the Student Honor Code and Title IX. The evaluation of transfer credit and special programs for transfer and visiting students are conducted by the office. Student requests related to exam changes, registration special requests, program status changes, incompletes, leaves of absence, withdrawal, non-Southwestern summer abroad programs, and other matters are handled by the office. The Dean of Students and Diversity Affairs Office also oversees the Registration and Academic Records Office.

Diversity Affairs supports the recruitment, retention, personal development, and successful academic matriculation of students from varied racial, ethnic, cultural, and/or other diverse backgrounds. The office works with the Admissions Office to identify promising candidates, review application files, and serves as a resource and furthers the law school's



diversity mission. In conjunction with other departments, faculty and alumni, the office also develops and supports academic programs to attract and retain students from underrepresented groups, and to enhance and foster a campus environment that recognizes, celebrates and values diversity. In addition, the office oversees special accommodations for students with disabilities. The Dean of Students and Diversity Affairs Office sponsors a variety of events to promote student wellness and is actively involved in developing other programs and activities to enhance student life on campus.

**I. Donald E. Biederman Entertainment and Media Law Institute - Bullocks Wilshire Bldg., Rm. BW333; Ext. 6602, 6842**

The Donald E. Biederman Entertainment and Media Law Institute offers a comprehensive entertainment and media law curriculum of nearly 60 courses, including foundational subjects such as Copyright Law, Entertainment Law, and Mass Media Law, as well as a vast array of more specialized topics. The Biederman Institute also coordinates the Entertainment and the Arts Clinic, in which students provide select business and legal affairs services, as well as entertainment law firm practicums; the LL.M. program in Entertainment and Media Law; and the London and Los Angeles entertainment and media law summer programs. The Biederman Institute faculty includes six full-time professors and many expert entertainment, media and intellectual property practitioners serving as adjunct faculty. The institute sponsors the "A Conversation With..." series, featuring interviews with leaders in the entertainment and media industries, and conferences, symposia, continuing legal education and other special events. The institute also publishes the *Journal of International Media and Entertainment Law*.

Additional information about the Donald E. Biederman Entertainment and Media Law Institute may be obtained from the program office in BW333, by email through [institute@swlaw.edu](mailto:institute@swlaw.edu), or Southwestern online at <http://www.swlaw.edu/curriculum/customize-your-curriculum/entertainment-media-law/biederman-entertainment-media-law>.

**J. Externship Program Office - Westmoreland Bldg., Rm. W231; Ext. 6802; [externoffice@swlaw.edu](mailto:externoffice@swlaw.edu)**

The Externship Office is responsible for the implementation of Southwestern's Externship Program for traditional and SCALE students. This includes counseling and guidance on placement selection, processing of externship applications, assisting with securing positions, monitoring all student and placement requirements, and coordinating the academic component of the Externship Program. The office also organizes the Julia Mason Annual Externship Open Forum, an informational event held in January for students and externship placements, as well as other informational sessions.

**K. Faculty Support Services - Bullocks Wilshire Bldg., 3rd and 4th Floors; Ext. 6837**

Faculty Support Services provides administrative, technical, and clerical support to members of Southwestern faculty, deans, and students. Responsibilities of the office include preparing printed and electronic course readers from a variety of sources including legal codes and online resources, and overseeing print shop/mail room services. The office also performs document processing and formatting, and other clerical support needed by members of the faculty, such as compiling curriculum materials, reports, publications, presentations, and other items. In addition, the office is responsible for grading multiple-choice exams, administering hard copy and electronic Take Home exams, and coordinating and maintaining course evaluations, attendance sheets, and seating charts. The Past Exams and First Reading Assignments, Syllabi, and Course Materials pages on the student portal are maintained by Faculty Support Services, as well as faculty mailboxes and the faculty lounge.

**L. Financial Aid - Westmoreland Bldg., Rm. W102; Ext. 6719**

The Financial Aid Office is responsible for processing all student financial aid applications for all externally funded and institutionally supported student loan, work study and scholarship programs. The staff counsels applicants and continuing students regarding types of student aid available, application procedures, methods of disbursement, personal budgets, and repayment schedules. The office has responsibility for assisting graduates and students with loan repayment questions and concerns.

#### **M. Fitness Center - Bullocks Wilshire Bldg., Lower Level – Ext. 6623**

The Fitness Center, located on the lower level of the Bullocks Wilshire Building, is available for students, faculty and staff use at no cost. Fitness Center amenities include cardiovascular equipment, circuit training machines, weight equipment, an exercise classroom, an exercise video/DVD library, lockers, and showers. A completed facility use waiver form is required for all users and may be obtained from the Administrative Services Office or at the fitness center. Once the waiver is completed and submitted, fitness center access will be added to the user's identification card. Additional information about the Fitness Center may be obtained at <https://swlawportal.swlaw.edu/resources/FITNESSCENTER/Pages/default.aspx>.

#### **N. Information Technology - Westmoreland Bldg., Rm. W410; Ext. 6762**

Information Technology is responsible for the provision and management of the optimal information technology (IT) environment aligned with the law school's missions and strategic plans. The department manages network infrastructure, network security, network services, such as Internet, E-mail, WebAdvisor, MySWLAW, and wireless; the Enterprise Resource Planning (ERP) system, implementation, integration, and enterprise database; and IT equipment and services procurement. The department provides technical support to the administrative offices and faculty.

#### **O. Institutional Advancement - Bullocks Wilshire Bldg., 2nd Floor East Wing; Ext. 6814**

The Institutional Advancement Office is responsible for raising funds for the law school and coordinating alumni activities. These responsibilities are carried out through a variety of programs, including soliciting major gifts from individuals, corporations and foundations; developing personal contacts; preparing grant proposals; and organizing annual fund activities, such as letter writing campaigns and phon-a-thons. The office maintains alumni files; manages the Honors Program Members' Challenge, reunion giving programs, and the Graduate Class Gift Program; and coordinates alumni events, including networking receptions, CLE programs, class reunions, and the Annual Awards Gala. Institutional Advancement also coordinates the activities and fundraising efforts of support groups such as the Dean's Circle, Dean's Cabinet, the Barristers Society, Friends of Bullocks Wilshire, the Alumni Association, the Nickel Club, and the Entertainment and Intellectual Property Alumni Association.

The Institutional Advancement Office is also responsible for coordinating Institutional Scholarships and Institutional Awards for continuing students. Institutional Scholarships may not exceed tuition charged to students. Institutional Awards (e.g., JEBS, Woolverton, Krawosky) are allowed to exceed the cost of tuition. In the event the total annual award exceeds the students total cost of attendance due to federal regulations, Financial Aid will return the excess funds in the form of a payment towards the students loans

#### **P. Legal Clinic Office – Westmoreland Bldg., Rm. W408; Ext. 5710**

The Legal Clinic houses the Children's Rights Clinic, Community Lawyering Clinic, Immigration Law Clinic, Street Law Clinic, Youth Offender Parole Clinic and Public Service Program. Through participation in these programs, students develop practical lawyering skills while providing quality legal representation and legal information to underrepresented individuals. The clinics offer Southwestern students a unique opportunity to serve the community by working on real cases with real clients in a live-client representation setting and through Street Law classes at local schools. Students are supervised and work closely under the guidance of full-time faculty. In partnership with public interest firms /civil legal aid and government agencies, the Public Service Program (PSP) offers year-round pro bono and volunteer opportunities in a wide-variety of settings and contexts, such as direct legal services, community legal education and litigation and policy advocacy. Students' pro bono and volunteer service is supported and recognized by the law school each year through PSP awards and academic distinctions at time of graduation.

#### **Q. LL.M., General, and International Programs Office – Bullocks Wilshire Bldg., Rm. BW361; Ext. 5707**

The General LL.M. and International Programs Office is responsible for overseeing all aspects of the General LL.M. Program, including marketing, recruitment, admissions, and academic and personal counseling of LL.M. students. Representatives travel to national and international graduate school fairs, and counsel prospective students and applicants regarding the admissions process. The office provides support for LL.M. students with registration,

orientation and non-curricular activities, and approves exam accommodations. The office also oversees international exchange student programs with The Hague and the North American Consortium on Legal Education (NACLE), and provides oversight and support for Southwestern's International Student Association.

**R. Office of the Dean – Bullocks Wilshire Bldg., 5<sup>th</sup> Floor; Ext. 6710**

The Office of the Dean oversees all Southwestern departments relating to the academic, administrative, and legal aspects of Southwestern. The Office works closely with faculty and staff of these departments to continuously assess and improve the teaching, advising, scholarly and other programs at Southwestern. Students' questions and concerns first should be addressed to the respective department or the Dean of Students, then the Office of the Vice Dean, and where appropriate, the department will refer the student to the Dean. The office is also active in institutional advancement through external activities including alumni receptions and fundraising organized in conjunction with the Institutional Advancement Office. The Dean reports to and is responsive to the Board of Trustees, which has ultimate responsibility for Southwestern's institutional governance.

**S. Registration and Academic Records Office - Westmoreland Bldg., Rm. W102; Ext. 6734**

The Registration and Academic Records Office is responsible for conducting the registration process; planning and coordinating examinations; maintaining student records, including posting grades, calculating class ranks, graduating students and notating academic standings and awards; as well as preparing transcripts, diplomas and bar certifications. The office also processes deferments and serves as the main reception area for the law school.

**T. SCALE® Office - Bullocks Wilshire Bldg., Rm. BW409; Ext. 6805, 6690, 6606**

The Associate Dean for SCALE, together with various Southwestern departments, participates in the admissions, academic, counseling, alumni development, externship placement, and on-campus activities of SCALE students to foster their academic and career success of each SCALE student. This includes SCALE students in the SCALE 2 year program, SCALE 2.5 year program and SCALE students in the SCALE JD/MBA. The Assistant Director for SCALE, under the direction of the Associate Dean for SCALE, assists with the admissions, counseling, alumni development, Orientation, and on-campus activities for the SCALE program. In addition, administers the preparation of class schedules, collection and dissemination of syllabi, first reading assignments, and faculty evaluations. Together with the Associate Dean for SCALE, the Assistant Director contributes to the growth and development of the program.

The SCALE Office Coordinator, under the direction of the Associate Dean and Assistant Director for SCALE, provides administrative and clerical support for the office including scheduling, admissions preparation, presentations concerning student affairs, the SCALE Lecture Series, and other on-campus programs. Together with the Assistant Director for SCALE, the SCALE Office Coordinator also works closely with all other departments to ensure the smooth running of the program.

**U. Senior Associate Dean for Academic Administration - Bullocks Wilshire Bldg., Rm. BW435; Ext. 6801**

The Senior Associate Dean for Academic Administration is responsible for administrative oversight of the Legal Analysis, Writing, and Skills (LAWS) program and the mandatory rounds of the LAWS 3-Track Program. The office coordinates full-time and adjunct faculty teaching assignments with the Vice Dean, and the faculty evaluation process. The office oversees the Faculty Support Services department and the preparation of registration materials for students, the academic calendar, and the schedule of classes. The office provides administrative support for a number of faculty committees and the Visiting Speaker Series.

**V. Student Affairs Office - Westmoreland Bldg., Rm. W233; Ext. 6716**

The Student Affairs Office advises the Southwestern Law Review, Southwestern Journal of International Law (Law Journal), Moot Court Honors Program, Negotiation Honors Program, Trial Advocacy Honors Program (TAHP), and the Student Bar Association (SBA), regarding the development and implementation of their activities. The office recommends and monitors budgets and coordinates all student travel. The office organizes and oversees a variety of student programs and special events, including Orientation, the Peer Mentor Program, the Law School Survey of

Student Engagement (LSSSE), speakers programs, conferences and symposia and health and wellness programs including the student health insurance plan.

**W. The Writing Center – Westmoreland Bldg., Rm. W338, [writingcenter@swlaw.edu](mailto:writingcenter@swlaw.edu)**

The Writing Center's mission is to produce skilled legal writers through individualized writing assistance and writing workshops. First-year students are welcome to meet with a writing specialist or writing fellow to receive individualized help with style, grammar, usage, and punctuation. Upper-division students may meet with a writing specialist or writing fellow to discuss an already graded assignment, a writing sample, cover letter, externship assignment, Law Review or journal notes, and upper-division writing assignments. Workshops are scheduled each fall and spring semester.

Students are added to the Writing Center as one of their CANVAS courses to gain access to the center's legal writing and general writing materials, including grammar and citation exercises; ESL materials; and workshop materials. Many of these materials may be found outside rooms W338.

**X. Vice Dean - Bullocks Wilshire Bldg., Rm. BW423, Ext. 5733**

The Vice Dean is responsible for the overall academic program, including the enforcement of faculty policy relating to curriculum, examinations and grades, and faculty-student relations. The Vice Dean interfaces with administrative departments, student groups, alumni, and adjunct faculty. Additionally, the Vice Dean is engaged in the implementation of long-term strategic initiatives.

**Y. Auxiliary Services**

**1. Bookstore (Follett Higher Education Group) - Westmoreland Bldg., Rm. WB-8; Ext. 6737; email: [0721mgr@fhg.follett.com](mailto:0721mgr@fhg.follett.com)**

The Southwestern Bookstore, located in the basement of the Westmoreland Building next to the student lounge, serves students by providing used and new books for classes as well as school supplies, Southwestern apparel and gifts. Select book titles may also be rented by the semester from the bookstore; more information is available at <http://www.rentatext.com>. School books, apparel and gifts are also available through the bookstore website: <http://www.swlaw.bkstr.com>.

**2. Building Services (Charles Dunn Co.) - Westmoreland Bldg., Rm. WB-9; Ext. 6741**

The Building Department provides facility maintenance, repair, and special event support.

**3. Food Services (Kensington Caterers) - Bullocks Wilshire Bldg., 5th Floor; (213) 388-2541**

Food service is provided for students, faculty and staff in the Tea Room located on the fifth floor of the Bullocks Wilshire Building. The Tea Room menu offers a range of hot and cold entrees, sandwiches, salads and dessert with healthy choice and special diet options available for breakfast, lunch or dinner. Vending food service is available in the student lounges located in the lower level of the Bullocks Wilshire and Westmoreland buildings.

**4. Print Shop/Mail Room (Collegiate Press Co.) - Bullocks Wilshire Bldg., Lower Level; Ext. 6732**

Collegiate Press Company (CPC) provides campus and U.S. mail service as well as law school photocopying and photocopy machine maintenance. International and domestic faxing services are also available through CPC.

**5. Security Services (Andrews International, Inc.) - Bullocks Wilshire Bldg., Westmoreland Bldg. and at The Residences at 7<sup>th</sup>; Ext. 5793, Ext. 6745 (Residences at 7<sup>th</sup>)**

Officers are responsible for campus security and safety. Security scheduling and personnel are coordinated by the Administrative Services Office. Security escort service is available and may be arranged by contacting the Bullocks Wilshire Building security office at extension 5793.

### **III. STUDENT RESIDENCES**

Housing at the on-campus student residences is administered by Peak Campus Management, LLC. The office may be reached at Ext. 5500, at the Management and Leasing Office on the main level of *The Residences at 7<sup>th</sup>* located on the southwest corner of campus at 3041 West 7<sup>th</sup> Street, Los Angeles, California 90005, or through the housing website at [housing@swlaw.edu](mailto:housing@swlaw.edu).

## SECTION 9

### General Information

#### I. CALIFORNIA STATE BAR

Students seeking admission to the California Bar (or any state bar) must assume responsibility for complying with all requirements. Compliance with degree and certification requirements will qualify graduates for taking the California Bar Exam and bar exams in most other states, as well as the District of Columbia. Some states, such as New York, have more rigid requirements, especially with respect to limits on clinical and other non-classroom course work. Indiana, for example, prescribes a specific number of semester hours of legal ethics or professional responsibility in order to take their bar exam. Students should consult admission rules for states to which they intend to apply and correspond with bar examiners of the appropriate state to insure knowledge of the state's current requirements. Copies of the California State Bar Rules are available at <http://rules.calbar.ca.gov>. Questions and selected answers from past bar exams from 2012 on are also available on the state bar website under admissions at <http://www.calbar.ca.gov/>.

##### A. California State Bar Application

The California State Bar's Office of Admissions provides applicants with information regarding registration as a law student, moral character applications and California Bar Examination applications through their website at <http://www.calbar.ca.gov>. Applicants must submit their registration and/or examination applications through the bar admissions section of the website.

In order to prepare students for the California General Bar Examination, the following is a list of applications that must be completed during law school. The fees listed are set by the Committee of Bar Examiners of the State Bar of California and, for the MPRE, the National Conference of Bar Examiners. Students are urged to contact the appropriate authorities to ascertain any changes. See <http://rules.calbar.ca.gov> and <http://www.ncbex.org/exams/mpre>.

1. Registration as a Law Student (\$135)  
Every student intending to seek admission to practice law in California must register within 90 days from the start of legal study.
2. Multistate Professional Responsibility Examination (MPRE) (\$135)  
May be taken after completing the Legal Profession course.
3. Application for Determination of Moral Character (\$551)  
After an initial positive moral character determination, application is valid for twenty-four (24) months. A student is encouraged to file an application eight to ten months prior to the date the student plans to be admitted to practice law.
4. Application to Take the California Bar Examination (\$677)

##### B. Registration as a First-Year Law Student

All persons intending to practice law in California must register with the Committee of Bar Examiners within three months after commencing the study of law. Applications may be accessed through the State Bar's website at <http://www.calbar.ca.gov>. Information concerning the requirements of other jurisdictions must be secured by the individual.

### **C. Multistate Professional Responsibility Examination (MPRE)**

Information for the Multistate Professional Responsibility Examination (MPRE) application may be obtained at <http://www.ncbex.org/exams/mpre>.

### **D. Character and Fitness**

Students should be aware that, at the conclusion of their legal studies, Southwestern is required to provide the bar examiners in every state with an assessment of the student's character and fitness for the practice of law. The Southwestern Student Honor Code sets out a number of specific standards that students are expected to meet and exceed. (See section in this handbook entitled *Student Conduct*.) In addition, students should be aware that in all their dealings while law students, on- or off-campus, they are also expected to conform to the requirements of the Code of Professional Responsibility and meet their obligation as citizens and members of the legal profession.

### **E. Admission to California State Bar**

Inquiries concerning admission to the California State Bar should be directed to the Office of Admissions, The State Bar of California, 845 South Figueroa Street, Los Angeles, CA 90017-2515, telephone (213) 765-1000. The web address is <http://www.calbar.ca.gov>.

### **F. Scope of the California Bar Examination**

1. The California Bar Examination is structured so that applicants may be required to answer questions involving issues from all of the subjects listed below:

- Business Associations
- Civil Procedure
- Community Property
- Constitutional Law
- Contracts
- Criminal Law and Procedure
- Evidence
- Professional Responsibility
- Real Property
- Remedies
- Torts
- Trusts
- Wills and Succession

2. Multistate Bar Examination (MBE) - The Multistate Bar Examination (MBE) is developed and graded by the National Conference of Bar Examiners (NCBE). This portion of the General Bar Examination is an objective six-hour examination containing 200 questions, which is divided into two three-hour sessions during which 100 questions are administered. The MBE tests seven subjects: Civil Procedure, Constitutional Law, Contracts, Criminal Law and Procedure, Evidence, Real Property, and Torts. Information regarding the MBE and an online practice examination are available through the NCBE's Web site at <http://www.ncbex.org/exams/mbe/>.

### **G. Qualifications of Foreign Attorneys to Take the California Bar Exam**

Attorneys from foreign jurisdictions should contact the Committee of Bar Examiners to determine what requirements are applicable to them in order to take the California Bar Exam. There is information on the requirements for those with a foreign legal education at <http://www.calbar.ca.gov>.

### **H. Requirements for Other Jurisdictions**

Students who intend to seek admission to practice law in a jurisdiction other than California should visit the jurisdiction's website for a complete list of requirements. Please note that some jurisdictions, such as New York, require applicants complete 50 hours of pro bono work before they can be sworn into the bar. For more information about admission requirements for jurisdiction other than California, please see the National Conference of Bar Examiners website, <http://www.ncbex.org>, which provides *A Comprehensive Guide to Bar Admission Requirements* and jurisdiction information including bar admission agency contact listings.



## **II. GENERAL LAW SCHOOL INFORMATION**

### **A. Student Health Insurance**

Southwestern Law School is committed to providing an environment that fosters academic excellence and personal success. An important aspect of that mission is our concern for students' physical and mental well-being. With this commitment, Southwestern provides access to a student health insurance plan through United HealthCare Student Resources (UHCSR).

It is mandatory for all students to have basic health insurance coverage. Every student is automatically enrolled in the student health insurance plan available through UHCSR, unless they provide proof of comparable insurance coverage to waive out.

Further information about the UHCSR Student Health Insurance Plan is available on the MySWLAW Portal page titled "Health Insurance Information", as well as in the Student Affairs Office in W233 or by emailing [studentaffairs@swlaw.edu](mailto:studentaffairs@swlaw.edu).

### **B. Student Counseling Services**

Southwestern supports an on-campus psychological counseling program. Students can participate in a maximum of three confidential counseling sessions per semester, provided that counseling hours are available. Students can be seen either individually or with a partner in couples counseling. If an off-campus therapist is preferred, or if on-going therapy is recommended, the Southwestern counselor will work with students to locate appropriate referrals. Students wishing to arrange an appointment should call the on-campus counselor directly at (213) 738-6617. Phone messages are confidential. Telephone calls will be returned and handled with sensitivity to the student's privacy. More information about Southwestern's on-campus counseling resource can be found at <http://www.swlaw.edu/student-life/support-network>.

Southwestern provides all students with the counseling services of HelpNet, a private consulting firm providing a network of licensed counselors and an alcohol/drug treatment center. Through HelpNet, students have access to professional counseling services and community resources for problems related to relationships, career, and academic stress; alcohol and drug abuse; and family, financial, legal, and other problems. Students are entitled to three free counseling sessions each program year, from July through June. Information concerning HelpNet is available in the Dean of Students and Diversity Affairs Office and by calling a toll-free hotline, 1-800-HELPNET.

### **C. Research Assistants/Student Work Study Positions**

There are a number of part-time positions available throughout the academic year and during the summer for students to work in the library, law school offices, and with faculty. Information on research assistant positions (i.e., performing research for a Southwestern faculty member) and student work study positions are posted online through Symplicity. For library positions, students should contact the Head of Circulation Services.

To be considered for these positions, students must be eligible for work study funding. No student may participate in Federal Work-Study (FWS) until all paperwork and clearances are completed and approval has been granted by the Financial Aid Office. Any student serving in a FWS placement without having been approved by the Financial Aid Office will be deemed to be volunteering at that placement and not to be performing FWS. As volunteers, unapproved students will not be paid for any actions taken or time spent at any placement, either currently or retroactively, and will not be performing compensable work until they are approved for FWS through the Financial Aid Office.

### **D. Student Lounge/Food Services**

Food service is available in the Tea Room located on the fifth floor of the Bullocks Wilshire Building. Vending food service is available in the student lounges located on the lower levels of the Bullocks Wilshire and Westmoreland buildings and on the ground floor of *The Residences at 7th*. During the academic year, food service is provided throughout the day. Operating hours are subject to change during holiday periods and the summer months.



## **E. Copy Machines and Printers**

Copy machines, printers and a scanner for student use are located in the law library and on the second floor of the Westmoreland Building. A business center is located on the courtyard level of The Residences at 7<sup>th</sup> for use by residents only.

## **F. Communications**

Students are required to regularly monitor their Southwestern email because official law school notifications and communications are often made in this manner. Students are urged to frequently check the MySWLAW Student Portal; bulletin boards and digital signage in the Westmoreland lobby, Bullocks Wilshire lobby and Tea Room; the SWLAW blog ([www.swlaw.edu/swlawblog](http://www.swlaw.edu/swlawblog)) and the Southwestern website (<http://www.swlaw.edu>) for law school notices, upcoming event announcements, and other important information.

Students wishing to post printed information for sponsored student organization events on bulletin boards throughout the law school must obtain approval from the Student Affairs Office. Items should be submitted in hardcopy to the Student Affairs Office in W233. Approximately 24 hours is required for the approval process. Twelve flyers may be approved for posting for an event. Student organizations may post items in the Westmoreland Building on the student organization bulletin boards located on the second floor outside the Law Review Office, in the stairwells, and on the bulletin board between the elevators on each floor. Student organizations wishing to promote their events in the “*Today at Southwestern*” emails should send their event details to the Student Affairs Office at [studentaffairs@swlaw.edu](mailto:studentaffairs@swlaw.edu) and [studentaffairs\\_ws@swlaw.edu](mailto:studentaffairs_ws@swlaw.edu). Event information (especially those involving alumni and the community at large) should also be forwarded to the Communications and Marketing team ([co-mark@swlaw.edu](mailto:co-mark@swlaw.edu)) for possible listing on the SWLAW blog and relevant social media platforms, as well as; to the Administrative Services Office at [digitalsignage@swlaw.edu](mailto:digitalsignage@swlaw.edu) for display on the digital signage monitors.

Information concerning writing contests and fellowships are also posted on MySWLAW at <https://swlawportal.swlaw.edu/finances/scholarship/Pages/default.aspx> and online through Symplicity.

Information regarding careers and professional development, including job opportunities, interview/recruitment programs, and related information sessions/workshops are communicated via postings on Symplicity, as well as email communication from the Career Services Office.

Please note that any items found posted in unauthorized locations, with expired information or not approved will be removed.

## **G. Computer Usage in Classrooms**

The majority of classrooms are equipped with convenient power outlets for laptop charging. However, students should be aware that it is important to plan for unavailable electrical outlets as well as power interruption (e.g., power outage or the accidental disconnection of an electrical plug). To avoid losing laptop power, students should plan to have a fully charged battery in their personal laptop in the amount of 3 or more hours. Electrical outlets are also available for battery charging throughout the law school.

## **H. ExamSoft**

ExamSoft Worldwide, Inc., through its Exemplify product, enables students to take final examinations on their laptop computers by providing the ability to lock down all other desktop applications. Students must download their exam files during a specified period prior to each exam period, which is announced to students via their Southwestern email address. After taking each exam, upon exiting the program, the exam will upload to a secure server. Although ExamSoft is highly recommended, students are not required to use this option. ExamSoft information is available on the MySWLAW portal at <https://swlawportal.swlaw.edu/registrar/Pages/default.aspx> or through the Registration Office in W102.

## **I. WebAdvisor**

WebAdvisor is the online student record and registration information system for students through the MySWLAW Portal. Southwestern students use WebAdvisor to register for courses, check their class schedules, obtain grades, view unofficial transcripts, submit address changes, purchase parking, check Financial Aid status, and make online payments. Further information is available in the WebAdvisor portion of MySWLAW at <https://swlawportal.swlaw.edu> or through the Registration Office in W102.

## **J. MySWLAW Portal**

The MySWLAW student portal is a centralized resource available to students to access a variety of information such as student services, financial aid, course and program details, event dates, and important deadlines as well as to access campus resources such as WebAdvisor and Southwestern email. The portal is accessible at <https://www.swlaw.edu/portal> or through the “MySWLAW” link at the top of the Southwestern website at [www.swlaw.edu](https://www.swlaw.edu) upon receipt of Southwestern log-in credentials. Log-in instructions are emailed to admitted students for the Entering Student Portal within a few days of acceptance; students are provided access to the main Student Portal sometime prior to Orientation.

## **K. Wireless Network**

A wireless network is available to students for connecting to the Internet throughout the campus and includes all classrooms, seminar rooms, student lounge areas, faculty offices and lounges, the Tea Room, Promenade, Student Commons, and throughout the Westmoreland Building. More information is available on MySWLAW at <https://swlawportal.swlaw.edu/IT/Pages/default.aspx>. *The Residences at 7th* are serviced by a separate wireless network.

## **L. Student Housing Information**

Information for Southwestern's on-campus student housing complex, *The Residences at 7th*, may be obtained by visiting <http://www.swlaw.edu/campus/student-residences>. Students may obtain off-campus student housing information from the Admissions Office in Room W102, and at Southwestern's website at <http://www.swlaw.edu/campus/los-angeles-area/arriving-inmoving-los-angeles>.

## **M. Parking**

Parking information is available on WebAdvisor via the parking registration link. Questions may be directed to the Administrative Services Office in Room W100. The entrance to Southwestern parking is located on Wilshire Place (north of 7th Street), and parking access is via Southwestern student I.D. and access control card. Parking beneath *The Residences at 7th* is for residents and other permitted users by special permit only.

Overnight parking permits may be purchased from the Administrative Services Office in W100 for an additional overnight or monthly fee. Those wishing to park overnight will be assigned to a designated parking area and will be required to sign a liability contract. Visit <https://swlawportal.swlaw.edu/resources/asosnew/Pages/default.aspx> for additional information about campus parking.

## **N. Door Access**

All buildings operate on a proximity card access control system and may be entered by using the Southwestern student I.D. card during building operating hours. *The Residences at 7th* are accessed by card key, and residents are issued a fob for unit access. The courtyard of *The Residences at 7th* is open to all students during the regularly scheduled daylight hours. Student rooms, lounge, sundeck, barbeque, business center, and other areas are available only to residents and guests of residents, to the extent permitted by the rules and regulations of *The Residences at 7th*.

## **O. Recycling**

Southwestern's waste management company recycles all reusable material collected from Southwestern. Paper, plastic, aluminum cans, glass and other items are sorted and classified for reuse at the waste company's material

recovery facility. The material recovery facility provides those items to other companies for use in mailing material (newspaper and cardboard), plastic lumber, lawn furniture, and other items. Glass and aluminum are recycled into new bottles and cans. The building department recycles all fluorescent light bulbs, ballasts and office batteries (AAA-D). The Administrative Services Office coordinates recycling of printer toner cartridges. Metal or other reusable materials from construction projects are recycled with a local recycler.

#### **P. Debit Cards**

Debit cards may be used for purchases in the bookstore, print shop and Tea Room.

#### **Q. Animals on Campus**

Animals, with the exception of service animals, are prohibited in all law school buildings. Dogs walked on campus must be kept on a leash and under control at all times and must be picked up after, in accordance with Los Angeles sanitation requirements. (See the *Policy Statement Regarding Students and Applicants with Disabilities* of this handbook for more information regarding service animals.)

### **III. CAMPUS SECURITY AND SAFETY INFORMATION**

#### **A. Campus Security**

Southwestern Law School is committed to providing a safe campus environment for students, faculty staff, residents and visitors. The law school's security program is supported by numerous individuals on a daily basis; however, the complete success of the safety and security program can only be achieved through the cooperation and participation of all members of the law school community.

Security officers provide service to the law school and *The Residences at 7<sup>th</sup>*, 24-hours a day, 365 days a year. Officers employ a variety of crime prevention techniques including foot patrols, security escorting and campus video surveillance. Campus Security operates a 24-hour communications center that coordinates and supports the activities of patrolling officers. Parking lot escort service is available to students, faculty and staff. Arrangements for security escorts may be made by contacting Campus Security at extension 5793 or by requesting an escort at either the Bullocks Wilshire or Westmoreland Security Offices located in the building lobbies. Residents of *The Residences at 7<sup>th</sup>* may also contact the security office at that facility for assistance or safety concerns and at extension 6745.

Security officers are equipped with two-way radios. Security officers monitor the telephone on a 24-hour basis to provide security information and to respond to emergencies. Officers contact the Los Angeles Police Department, Los Angeles Fire Department, or Emergency Medical Service (paramedics) when needed.

It is important to remember that while every effort is made to maintain law school safety, Southwestern is located in the heart of one of the largest and most vibrant cities in the country. A variety of cultural, entertainment, educational and professional opportunities exist in the area for students, faculty, and staff. To make the most of this dynamic urban environment it is important to develop personal safety awareness. By taking a stake in contributing to a safe environment for learning, teaching, living and working, personal safety and the safety of others is increased. Southwestern students, faculty, and staff are advised to follow the crime prevention and reporting procedures provided in the *Campus Security and Safety* brochure distributed in the fall semester and available on the Southwestern website at <https://swlawportal.swlaw.edu/emergsafety/campussecurity/Pages/default.aspx>.

Students may contact the Administrative Services Office at extension 6800 for more information regarding the Campus Security Program or for a copy of the *Campus Security and Safety* brochure.

The Southwestern Community should be aware of the following safety information:

##### **1. Disturbance of the Peace, Law Violations and Weapons**

The following steps should be taken in the event of any vandalism, violence, criminal activity, or harassment against any member of the law school community:

- a. Immediately inform Campus Security (extension 5793);
- b. Call the police at 911;
- c. Inform the Administrative Services Office (extension 6800).

Security officers may carry service revolvers while on duty. These weapons may be used only when there is a serious, imminent, identifiable threat to life or a threat of great bodily harm. No one other than licensed on-duty security officers, on-duty law enforcement officers, and, with prior authorization from Administrative Services, off-duty law enforcement personnel, may carry or possess firearms or other weapons on-campus or at any Southwestern-sponsored event. Prop/toy weapons are also not allowed on-campus or at any Southwestern-sponsored event.

## 2. Security Incident/Crime Notification

Southwestern will provide timely reporting of crimes which occur either on or near the campus as follows:

- a. **Neighborhood Alert:** This flyer is posted in the building lobbies whenever a crime occurs in the area surrounding the campus.
- b. **Security Alert:** This flyer is posted in the building lobbies whenever suspicious activity or crimes occur on the law school campus.
- c. **Security Roundup:** This weekly notice is posted online at <https://swlawportal.swlaw.edu/emergsafety/campussecurity/Pages/default.aspx> and throughout the law school and includes a listing of criminal activity occurring either on-campus or in the area immediately surrounding the law school along with crime prevention tips for specific crimes. This notice is available for public inspection in the Administrative Services Office during regular business hours.
- d. **Security Incident Log:** The Security Incident log contains a three-year record of on-campus and public property crimes and includes incident, date and time, location, description, and Campus Security/LAPD response. The log is available for review by students, faculty, and staff in the Administrative Services Office.

Periodic security announcements regarding security procedures and crime prevention are provided throughout the law school via email, digital signage, security workshops, and other printed information.

## 3. Security Escort

Security provides escorts for the safety of anyone walking alone on campus. Escorts are available during law school operating hours, seven (7) days a week. To request an escort, contact Campus Security at (213) 738-5793, or go to the Security Office located on the first floor of the Bullocks Wilshire building (ext. 5793).

## 4. Crime Prevention Techniques

Students, faculty, and staff are encouraged to use the following crime prevention strategies at all times:

- a. See Something, Say Something: Immediately report suspicious individuals to Campus Security.
- b. Lock It, Hide It, Keep It: Never leave personal property or other valuables unattended.
- c. Use a security escort when walking to your car.
- d. Park in well-lit areas. Do not park in alleys or dark side streets.
- e. Keep car doors and windows closed and locked. Keep valuables out of sight or locked in your trunk.
- f. Walk in groups. Do not walk alone.
- g. Be observant and aware of your surroundings.
- h. Commute using well-lighted, busy routes.

## 5. Reporting Criminal Activity, Crime, Harassment or Security Issues

The following steps should be taken in the event of any vandalism, violence, criminal activity, or harassment against any member of the law school community:

- a. Immediately go to a safe place and call Campus Security at (213) 738-5793 or call LAPD at 9-1-1
- b. Stay on the line and tell the officer or dispatcher everything you can remember about the criminal incident or suspect (his/her clothing, vehicle and direction of travel)

- c. Notify Administrative Services Office (extension 6800)

## 6. Firearms and Weapons

Security officers may carry service revolvers while on duty. These weapons may be used only when there is a serious, imminent, identified threat to life or a threat of great bodily harm. No one other than licensed on-duty Campus Security officers, on-duty law enforcement officers, and, with prior authorization from Administrative Services, off-duty law enforcement personnel, may carry or possess firearms or other weapons on-campus or at any Southwestern-sponsored event. Prop/toy weapons are also not allowed on-campus or at any Southwestern-sponsored event.

## 7. Emergency Operations Plan

The Southwestern Emergency Operations Plan coordinates the law school's response to natural or other disasters. When necessary, the law school emergency response will:

- a. implement life-saving protection procedures for residents, students, faculty, staff, and visitors;
- b. control damage to law school facilities; and
- c. restore disrupted law school programs and services.

## 8. Emergency Information Telephone Line

In the event of a law school emergency, recorded bulletins and updates will be provided on the following telephone lines:

- (213) 738-6800
- (213) 738-6710
- (213) 738-6700
- (213) 738-6847
- (213) 738-6728 (library information)

Callers will receive information about the status of the law school, academic schedules, and key law school services on MySWLAW, Southwestern email, on Southwestern's website at <http://www.swlaw.edu> and to subscribers via SW-Alert. In the event of an area emergency, information about campus accessibility will be also submitted for broadcast on local news outlets.

## **B. Safety**

### 1. Fire

In the event of fire, contact Security (extension 5793) and the Los Angeles Fire Department (911) immediately. When a fire or smoke is observed, all individuals in the law school should evacuate the building quickly by walking to the nearest identified exit. Trained staff will assist with building evacuation. Evacuation floor plans are posted by the elevators on all floors in each building.

### 2. First Aid Kits

First aid kits are located in administrative and security offices throughout the Westmoreland and Bullocks Wilshire buildings and at the circulation desk of the law library.

### 3. Medical Emergencies

In the event of minor injury, law school first aid kits may be used. In the event of injury or illness requiring emergency medical treatment, notify the Administrative Services Office and Security immediately. Do not lift or move a seriously injured person.

If medical treatment is necessary on an emergency basis, either paramedics (911) or the following clinics may be consulted:

- |   |  |
|---|--|
| a. California Hospital Medical Center<br>1401 South Grand Avenue<br>Los Angeles, CA 90015<br>(213) 748-2411 | d. Olympia Medical Center<br>5900 West Olympic Blvd.<br>Los Angeles, CA 90036<br>(323) 657-5900                        |
| b. Cedars Sinai Medical Center<br>8700 Beverly Boulevard<br>Los Angeles, CA 90048<br>(310) 423-3277         | e. Los Angeles Medical Center (Kaiser Members)*<br>4867 W. Sunset Boulevard<br>Los Angeles, CA 90027<br>(800) 954-8000 |
| c. Good Samaritan Hospital<br>1225 Wilshire Boulevard<br>Los Angeles, CA 90017<br>(213) 977-2121            |  |

\*For other locations in the Los Angeles area, please refer to the Kaiser Permanente website <http://kp.org>.

To be assured of insurance coverage for costs of treatment, students should have student health insurance or some other form of coverage.

#### 4. Earthquakes

In case of a strong earthquake, seek refuge immediately under a sturdy desk. If a building has sustained damage, leave quickly via the nearest exit after the tremors cease. Students are encouraged to review the Southwestern Emergency Operations Plan brochure for additional information regarding emergencies. Copies of this brochure are available in the Administrative Services Office (W100) and at <https://swlawportal.swlaw.edu/emergsafety/Pages/default.aspx>.

#### 5. Evacuation

In the event of a major earthquake or other emergency, evacuation may be necessary. Evacuation announcements and directions will be provided via Southwestern's public address system. Additionally, law school personnel will coordinate building evacuation utilizing the closest and safest exits to a safe outdoor assembly area. In each building, evacuation routes are posted near the elevators on all floors.

#### 6. Air Pollution Episode Plans

Southwestern has developed three emergency air pollution episode plans. These episode plans are pollution warnings divided into degrees of severity. Students are directed to comply with the following plans when announced:

- a. First Stage Episode Plan: No special action is necessary for Southwestern faculty, students, or employees.
- b. Second Stage Episode Plan: A second stage episode will be declared when high-level ozone concentrations are predicted or attained. In the event of a second stage episode, classes will be canceled for the entire day of that episode, and faculty members will be encouraged not to come to school. Full-time employees will be required to report to work but will be encouraged to carpool with other employees or to use public transportation.
- c. Third Stage Episode Plan: A third stage episode will be announced when the highest level of ozone concentrations are predicted or attained. In the event of a third stage alert, the school will be closed for the day. Both day and evening classes will be canceled, and all students and employees (except those necessary to secure and maintain the facilities) will be asked to remain at home for that day and evening or until the episode is declared to no longer exist. Notice of episode clearance will be transmitted to the public via television and radio media.

When an emergency air pollution episode occurs, signs will be posted on the lobby bulletin board notifying the law school community. These signs will normally be posted on the day preceding the episode and the procedures will be implemented the following day.

7. Emergency Text Message Announcement Service (SW-Alert)

Southwestern offers a law school emergency text message announcement service called SW-Alert. This service is available to students and allows the law school to send text messages to the personal cellular telephones of participants subscribing to the service. SW-Alert enhances the law school's emergency notification system which includes email, lobby plasma screen announcements, and website postings.

Participation in SW-Alert is voluntary and students can unsubscribe at any time. The SW-Alert service is free but normal message fees may apply. Students may enroll in this service from Southwestern's website at <http://www.swlaw.edu/swalert>.

## APPENDICES

### APPENDIX A – EARLY GRADUATION REQUEST

Early graduation requests apply only to traditional students who wish to complete their legal studies early, but would be short no more than one (1) residency unit and would not have paid the expected six or eight terms of tuition. Based on residency units, this would not be allowed unless a student who wishes to finish early:

1. requests a waiver (no later than one semester prior to the student's last semester) of the missing residency unit, AND,
2. if approved, pays an early graduation fee of one term's tuition, based on the student's academic program, which would be added to the last semester's charges.

In addition, some students may change academic programs as their needs and conditions allow. Below are some examples of when students changing programs may also need or want to request early graduation. All examples assume that the student completes each semester, i.e., does not take a leave of absence during a semester. Please note that to change from the part-time to the full-time day program, the cumulative GPA must be at least 3.300 and approval must be granted by the Dean of Students. In Scenarios 1 and 2, a student may formally switch his or her academic programs and meet the residency requirements. In Scenarios 3 to 5, the student would not meet the residency requirements and would need to complete items listed above for an early graduation request.

<b>Scenario 1: Changing from Full-Time Day to Part-Time</b>	<b>Year</b>	<b>Program</b>	<b>Residency Unit Earned Fall</b>	<b>Residency Unit Earned Spring</b>	<b>Total Residency Units</b>	<b>Cumulative Residency Units</b>
<b>No Early Graduation Request Needed</b>	1	Full-Time Day	1	1	2	2
	2	Part-Time	0.75	0.75	1.5	3.5
	3	Part-Time	0.75	0.75	1.5	5
	4	Part-Time	0.75	0.75	1.5	6.5

<b>Scenario 2: Changing from Part-Time to Full-Time Day</b>	<b>Year</b>	<b>Program</b>	<b>Residency Unit Earned Fall</b>	<b>Residency Unit Earned Spring</b>	<b>Total Residency Units</b>	<b>Cumulative Residency Units</b>
<b>No Early Graduation Request Needed</b>	1	Part-Time	0.75	0.75	1.5	1.5
	2	Full-Time Day	1	1	2	3.5
	3	Full-Time Day	1	1	2	5.5
	4	Full-Time Day	1	0	1	6.5



<b>Scenario 3: <i>Graduating Early While Remaining Part-Time</i></b>	<b>Year</b>	<b>Program</b>	<b>Residency Unit Earned Fall</b>	<b>Residency Unit Earned Spring</b>	<b>Total Residency Units</b>	<b>Cumulative Residency Units</b>
<b>Early Graduation Request Is Needed</b>	1	Part-Time	0.75	0.75	1.5	1.5
	2	Part-Time	0.75	0.75	1.5	3
	3	Part-Time	0.75	0.75	1.5	4.5
	4	Part-Time	0.75	0	0.75	5.25

<b>Scenario 4: <i>Changing from Part-Time to Full-Time Day</i></b>	<b>Year</b>	<b>Program</b>	<b>Residency Unit Earned Fall</b>	<b>Residency Unit Earned Spring</b>	<b>Total Residency Units</b>	<b>Cumulative Residency Units</b>
<b>Early Graduation Request Is Needed</b>	1	Part-Time	0.75	0.75	1.5	1.5
	2	Full-Time Day	1	1	2	3.5
	3	Full-Time Day	1	1	2	5.5
	4	Full-Time Day	0	0	0	5.5

<b>Scenario 5: <i>Changing from Full-Time Day to Part-Time</i></b>	<b>Year</b>	<b>Program</b>	<b>Residency Unit Earned Fall</b>	<b>Residency Unit Earned Spring</b>	<b>Total Residency Units</b>	<b>Cumulative Residency Units</b>
<b>Early Graduation Request Is Needed</b>	1	Full-Time Day	1	1	2	2
	2	Part-Time	0.75	0.75	1.5	3.5
	3	Part-Time	0.75	0.75	1.5	5
	4	Part-Time	0	0	0	5

## **APPENDIX B – SOUTHWESTERN LAW SCHOOL STUDENT ACCOUNT BALANCE TERMS AND CONDITIONS**

Southwestern Law School ("Southwestern") offers two payment options:

### **A. Payment in Full**

Payment in full is due on or before the 20th of the month prior to the start of the term, except for continuing students in the fall semester whose payment is due on the 20th of August. Please refer to the Online Student Account Billing Statement (AR) to calculate the amount due. To determine the amount due, subtract any pending financial aid from the current AR Balance.

### **B. Installment Payment Plan**

The outstanding balance of the prior term must be paid in full to be eligible for the payment plan. If you choose to pay by installment, please note that a \$50 payment plan fee will be assessed on any balance not paid in full. The payment plan fee is nonrefundable in whole or in part whether or not the remaining balance under the plan is paid in advance. In the event the student withdraws in whole or in part from Southwestern, other charges shall be refundable to the student in accordance with Southwestern's policy.

Payment due dates are stated on the monthly reminder emails and generally start on the 20th of the month prior to the start of the term and continue to be due monthly on the 20th until the balance is paid in full. All payments must be received by the specified due dates; a postmark date will not be acceptable. There are no exceptions.

All installment payments throughout the life of the installment plan must be current. If not current, Southwestern reserves the right to cancel the student's registration. In the event that such cancellation occurs after the first day of scheduled classes, the student will be liable for payment of tuition and fees in accordance with published tuition refund policy.

Tuition payments received are refundable in accordance with the published *Student Handbook* tuition refund policy.

In the event of default, Southwestern may refuse the student a subsequent installment plan option. "Default" means the student has failed to make any monthly installment payment on or before the due date. Installment payments made by a check that is returned unpaid from the payor's bank constitutes failure to make payment.

The student may be required to pay any and all actual and reasonable costs of collection incurred by Southwestern occasioned by default of the student. In the event that an action is brought by Southwestern to enforce the terms of the payment plan option, the student may be required to pay all costs of this action, including reasonable attorneys' fees.

You agree and understand that all Federal Title IV funds (such as Unsubsidized Stafford and GradPlus Loans) received are applied to institutional charges (such as tuition/fees and on-campus housing). Any funds received in excess of amounts due will be refunded to you by way of a paper check or electronically. Non-institutional charges (such as health insurance, library fees, parking) may be paid by Title IV funds if you OPT-IN on the Federal Student Aid Authorizations for Title IV Funds form. Should you choose to OPT-OUT on the form, all non-institutional charges are DUE and PAYABLE BY THE STUDENT and are not subject to the payment plan provisions (Southwestern Law School reserves the right to use non-federal funds to pay any non-Institutional Charges). For students who OPT-OUT, late fees will be charged and will not be waived when payments for non-institutional charges are not paid on or before the due date.

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