ST. MARY'S UNIVERSITY

SCHOOL OF LAW

MASTER OF JURISPRUDENCE STUDENT HANDBOOK

Academic Year 2018 – 2019

St. Mary's University, as a Catholic Marianist University, fosters the formation of people in faith and educates leaders for the common good through community, integrated liberal arts and professional education, and academic excellence.

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Associate Dean for the School
of Law and Professor of Law

THIS HANDBOOK IS NOT A CONTRACT.

THE PROVISIONS OF THE HANDBOOK ARE SUBJECT TO CHANGE AT ANY TIME, INCLUDING DURING THE ACADEMIC YEAR.

THE J.D. AND M.JUR. STUDENT HANDBOOKS AND IMPORTANT CHANGES TO THE TEXT OF THE HANDBOOKS ARE AVAILABLE ON GATEWAY.

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I. INTRODUCTION

By publishing the *Master of Jurisprudence Student Handbook*, St. Mary's University School of Law attempts to bring together from various sources rules, policies, and procedures of interest to enrolled Master of Jurisprudence (M.Jur.) students. Some of the statements included in the Handbook may change during the academic year. Other rules, policies, or procedures may be added in the future as required. Important changes will be posted on the law school website (law.stmarytx.edu) and published in the *Witan*, the law school's internal newsletter.

To the extent that the Student Handbook addresses rules, policies, and procedures within the law school, it is authoritative. It is not, however, the exclusive source of guidance. Students wishing additional information regarding a particular matter not addressed within the Handbook should inquire at the Office of the Associate Dean for the School of Law.

All M.Jur. students are subject to the rules, policies, and procedures contained herein and by the rules of the J.D. student handbook on any issue for which the M.Jur. Handbook is silent or includes external references. Faculty members must comply with the stated academic standards for evaluation of students. It is the responsibility of students and faculty members affected by these rules, policies, and procedures to become familiar with them and to adhere to them closely.

Because certain rights, privileges, and remedies, and the ways in which these may be exercised or forfeited, are included in the Handbook, students are directed to read carefully the materials contained herein. With regard to any provision of the Handbook, fair notice to the student is conclusively presumed from its publication and, except where expressly noted to the contrary, no further notice is required.

II. MASTERS OF JURISPRUDENCE DEGREE GRADUATION REQUIREMENTS

A. Credit Hours and GPA Requirements

A candidate for the degree of Master of Jurisprudence must earn a minimum of thirty (30) credit hours in order to graduate. The candidate is eligible to graduate if the candidate's cumulative grade point average is 2.0 or better. Special and/or additional requirements on credit hours may apply to students in joint or dual degree programs.

B. Three-Year Limitation

The thirty (30) credit hours must be earned within a three-year period that begins on the date on which the semester began in which the candidate enrolled as an M.Jur. student. The three year limitation is strictly enforced.

C. Graduation/Commencement Application

M.Jur. candidates who qualify for graduation must apply on Gateway by the following dates to ensure timely certification by the School of Law:

October 1 for December completion

March 1 for May completion

June 1 for August completion

An M.Jur. candidate may petition to walk early at the December of May ceremony if they will lack no more than four (4) credit hours to fulfill their thirty (30) credit hour requirement. Petition forms can be obtained from Gateway and submitted for approval by the Associate Dean for the School of Law by the graduation application deadline listed above.

Students who withdraw from a class or fail to obtain a passing grade in a class during their final semester must submit the early walk petition within forty-eight (48) hours from the time the grade is posted or after class withdrawal.

D. Pass/Fail Hours Limitation

A student may not count toward graduation more than eight (8) ungraded elective credit hours (that is, pass/fail hours) earned at any law school. Any graded course in which a student receives a pass (e.g., in the case of a successful grade appeal) will not be counted in determining the eight (8) hours maximum limit of pass/fail credit hours. Ungraded credit hours accepted for students who transfer into the M.Jur. Program (*see* Section III.H.) are subject to the same limitations that apply to the home campus. Ungraded transient hours (*see* Section III.G.) are subject to the same limitations that apply to hours taken on the home campus.

A student may not elect to take a course as pass/fail unless the faculty as a whole has expressly approved such an election or the Director of the M.Jur. Program and the course's teaching faculty member have approved such an

election. Such an election should be made prior to the first meeting of class. Independent study credit may be earned on a pass/fail basis only with the approval of the supervising faculty member. A course designated as pass/fail may not be taken for a grade.

In extraordinary situations, the Office for Academic and Student Affairs may authorize pass/fail grades, rather than letter grades.

E. Independent Study

A student may arrange a one-, two-, or three-credit independent study.

1. Maximum Independent-Study Hours

An M.Jur. student may count no more than three (3) hours of independent study toward the thirty (30) credit hours required for graduation by completing a research paper and/or such other work as the supervising faculty member may require.

2. Significant Writing Requirement

Not all independent study projects require completion of a substantial research paper, but significant written work is required.

3. Faculty Sponsorship

Faculty eligible to supervise an independent study include professors of law, associate professors of law, assistant professors of law, clinical professors of law, and visiting professors. Instructors of law and adjunct faculty members may not supervise independent studies. (The Facebook for the most recent entering class lists the professional titles of members of the full-time faculty; adjunct faculty members are not listed in the Facebook. In addition, faculty titles are listed on the faculty pages of the website). The sponsoring professor and the student must agree about the length of the research paper or of the other written work, whether the paper will be graded or evaluated only on a pass/fail basis, whether any work in addition to the paper is required, and what semester the student will enroll for the independent study.

No faculty member is obliged to supervise an independent study and no faculty member may supervise more than three (3) hours of independent study during the fall or spring semester or during a

single summer session. The Associate Dean for the School of Law may, in his or her discretion, allow supervision of more than three (3) hours.

A student and the supervising faculty member must agree at the time of enrollment whether the independent study will be graded or

pass/fail. The designation of the course as graded or ungraded may be changed at any time during the semester, but not after the final paper or other written project has been submitted to the faculty member for evaluation.

A student wishing to arrange an independent study should obtain the appropriate form from the law school website (law.stmarytx.edu), take it to the supervising faculty member for his or her signature, and return the form during the registration process.

Independent studies for three (3) credit hours require prior request and approval from the Associate Dean for the School of Law.

F. Full-Time Status and Part-Time Status

1. Minimum and Maximum Credit Hours per Semester for Full-Time Status

Full-time enrollment requires at least ten (10) credit hours in a semester or three (3) credit hours in a summer session. A student must obtain the written approval of the Director of the M.Jur. Program to enroll for more than seventeen (17) credit hours during a semester or for more than six (6) credit hours during a summer session or ten (10) credit hours during the summer term (which includes both summer sessions). Except during a student's last semester or term, he or she must obtain the approval of the Associate Dean for the School of Law to enroll for fewer than the minimum number of credit hours when it may cause a reduction in the amount of financial aid available to a student. Please contact the Law School's Director of Financial Assistance for further information.

2. Part-Time Status

A student who wishes to take a part-time course of study will have up to three (3) years to complete the degree.

G. Required Courses

1. Fundamentals of the American Legal System (2 credit hours)
2. Legal Research and Writing (2 credit hours)
3. Two of the following first-year J.D. courses that are determined by the Director of the M.Jur. Program to be most closely related to the track chosen by the candidate (4 credit hours):

    a. Federal Civil Procedure
    b. Contracts
    c. Criminal Law
    d. Property
    e. Torts
    f. Constitutional Law

H. Available Concentrations

The faculty has approved a number of M.Jur. concentrations. A student who wishes to obtain an M.Jur. concentration must complete coursework in the chosen concentration. The requirements of each approved concentration are posted on the St. Mary's School of Law website. Below are the concentrations approved by the St. Mary's School of Law faculty.

1. Commercial Law (online)
2. Compliance, Business Law and Risk (online)
3. Criminal Justice
4. Education Law
5. Health Care Law
6. Health Care Compliance Law (online)
7. International & Comparative Law
8. Military & National Security Law
9. Environmental Law
10. Natural Resources Law
11. Tax Law
12. Business and Entrepreneurship Law (online)

An M.Jur. student may choose one of the proposed concentrations or design his or her own track. Though no designation of such concentration or tract will be reflected on the diploma, candidates may find it useful to focus their studies in areas most related to their chosen profession. The remaining hours needed to complete the 30 credits required for the M.Jur. degree may be earned by taking any electives approved by the Director of the M.Jur. Program or coordinator of the M.Jur. Program. If a student does not plan

to focus on a particular area of concentration, then he or she can take any elective courses to complete the degree.

I. Auditing and Withdrawing

See Section II.N. of the St. Mary's University School of Law Handbook for J.D. Students.

III. GRADES AND GRADING

Because evaluation through grading has a significant effect on students, many of the rules are designed to protect students from unfairness. On the other hand, it is widely agreed that professors must have the freedom to exercise independent judgment in making difficult decisions relating to teaching and testing. The rules here reflect a balance between professorial discretion and the urge to restrict that discretion on behalf of students.

The deadline for submission of grades by faculty members is dependent on the semester. For the fall semester, M.Jur. grades are due by 5:00 p.m. three (3) business days after the University reopens after the Christmas break. For the spring semester, graduating M.Jur. grades are due by 5:00 p.m. the Tuesday before graduation, while all other M.Jur. grades are due three (3) weeks after the last exam for that term. For summer sessions, all grades are due three (3) weeks after the last exam for that term.

A. The Letter Grading Scale

"Graded courses" are evaluated according to a ten-level system using letter grades. The letter grades are assigned numerical values on a four-point scale for the purpose of calculating grade point averages. The letter-grading system and its numerical scale are:

A = 4.00	C+ = 2.33
A- = 3.67	C = 2.00
B+ = 3.33	C- = 1.67
B = 3.00	D = 1.00
B- = 2.67	F = 0.00

If a student receives a grade of D or higher, the credit hours assigned to the course are earned. The only failing grade is F, and receipt of this grade causes a student to lose the credit hours otherwise available for the course. Even though no hours are earned, a failing grade is used in calculating the student's grade point average and is included in the student's transcript.

B. Anonymous Grading Policy

Each student is given a four-digit number every semester, including each summer session. The four-digit examination number is available to students on Gateway. The examination number normally should be the only student identification placed on examination responses.[1] For spring semester exams, a student should not indicate he or she intends to graduate. That information is already provided to professors through their Instructor Grade Reports (IGRs).

Please note that online M.Jur. courses are not graded anonymously and an exam pin is not required to take the exam.

C. Median Grades

The law faculty has adopted the rules described below that circumscribe the grading discretion of a professor in a course in which there are M.Jur. students. These rules do not apply to a graded independent study and the faculty member is free to assign the letter grade earned by the student.

1. General Rule

M.Jur. students must be graded as a separate cohort from other students. If there are more than twelve (12) M.Jur. students in a course, M.Jur. students are to be graded with a B median grade. If there are 12 or fewer M.Jur. students in a course, no mandatory median grade shall apply. In evaluating the M.Jur. students' exam performance, the grading professor is to bear in mind that the M.Jur. students are not enrolled in, nor will they have completed, the full first-year J.D. curriculum.

Grades of M.Jur. students enrolled in a course or seminar are not included in computing the median grade or compliance with percentage limitations for J.D. students as outlined in Section IV.D. of the St. Mary's University School of Law Student Handbook for JD students.

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[1] The anonymous grading policy broadly applies to written evaluation instruments, including papers, midterms, quizzes, finals, and other documents that count toward a student's grade. There are some exceptions to the anonymous grading policy, such as the evaluation of skills in a trial advocacy course, a required special oral presentation in a classroom course, and a research paper written under close faculty supervision as part of a registered independent study or seminar. Professors should resolve doubts about the applicability of the anonymous grading policy in favor of anonymity.

2. Multiple Sections of the Same Course

A professor who teaches two sections of a course and uses the same examination for both may combine the final grades of both sections to satisfy the applicable required median. In other words, the two

sections may constitute a single course for application of the following rules, or the professor may choose to treat the two sections as individual courses.

D. Class Attendance

See Section III.F.1.-2. of the St. Mary's University School of Law Handbook for J.D. Students.

1. Withdrawal for Excessive Absences

A student who misses one-third (1/3) or more of the number of scheduled classes in any course in which the M.Jur. candidate is enrolled will result in administrative withdrawal from the class. However, if the person teaching the course believes the M.Jur. candidate has good cause for some or all of those absences, the teacher of the course may request an exception from this rule from the Director of the M.Jur. Program, who shall have the sole discretion to determine if good cause exists. The decision of the Director shall be communicated to the Associate Dean for the School of Law.

E. Grade-Point Averaging

See Section III.G. of the St. Mary's University School of Law Handbook for J.D. Students.

F. Distinguished Academic Achievement

Upon graduation, M.Jur. students with a cumulative grade point average of:

3.8 or higher are graduated Summa cum laude,
3.5 or higher are graduated Magna cum laude,
3.3 or higher are graduated Cum laude.

The appropriate designation is included on a student's diploma and is announced during the graduation ceremony.

G. Appeal of Grades

See Section III.I. of the St. Mary's University School of Law Handbook for J.D. Students.

H. Transient Grades

Grades earned at other law schools while a student is in transient status are not used in calculating the student's cumulative grade-point average. A transient-status course is listed on the student's transcript with a grade of "CR" (credit). To receive credit in transient status, a student must receive a grade of "C" or higher (or a "Pass") in the transient-status course. Credit hours earned in transient-status courses count toward the thirty (30) credit hours needed to graduate, but do not count against the limit on "ungraded elective credit hours" (that is, the pass/fail hour limitation), if the student received a letter grade or a numerical grade (rather than "Pass") in the transient-status course.

I. Transfer Grades

Grades while attending a J.D. Program at St. Mary's University School of Law or another law school in courses that are counted toward the M.Jur. degree at St. Mary's University School of Law are not used in calculating the student's cumulative grade-point average. The transfer course is listed on the student's transcript with the grade of "CR" (credit). Only courses in which a J.D. student achieved a grade of C or higher (or a "Pass") may be counted toward the M.Jur. degree. Credit hours earned in transfer courses count toward the thirty (30) credit hours needed to graduate, but do not count against the limit on "ungraded elective credit hours" (that is, the pass/fail hours limitation), if the student received a letter grade or a numerical grade (rather than a "Pass") in the transfer course.

J. Retaking Courses

See Section III.K. of the St. Mary's University School of Law Handbook for J.D. Students.

K. Grades of Incomplete

See Section III.L. of the St. Mary's University School of Law Handbook for J.D. Students.

IV. EXAMINATIONS

A. Examinations, Papers, and Evaluations of Skills

In many courses, student performance is evaluated through the use of a single final examination scheduled during a period set aside for this purpose at the end of each semester or summer session. In some courses, however, a professor may provide students with the option of writing a paper in lieu of taking a final examination, or may require a paper or other

projects in addition to the final examination. The professor may choose to evaluate students through tests but may give both a mid-term and a final examination, or several tests, in lieu of or in addition to a final examination.

As a general practice, individual final examinations last the same number of hours as are assigned as credit hours to the course. In a two-credit hour course, for example, the professor ordinarily will allow two hours in which to complete the final examination. However, some professors give three-hour exams in two-credit courses, and others may give two-hour exams in three-credit courses. The faculty has not established a rule to control the time required by a professor for the taking of his or her examination. A student should contact the professor to determine the duration of the examination in a course.

Seminars are among the exceptions to the general practice. In a seminar, the professor assigns grades by evaluating a research paper prepared during the semester.

In administering exams to M.Jur. students, professors may use the same exam that is being used to evaluate the J.D. students; however, if the same exam is used, the professor may, in his or her discretion, allocate additional time for the M.Jur. student to complete the exam. This should be no more than time and a half. Thus, if a J.D. student is given 2 hours to complete the exam, an M.Jur. student taking the same exam may, at the discretion of the professor, have up to 3 hours to complete the exam. Alternatively, the professor may administer a different exam to the M.Jur. students than is administered to the J.D. students with a completion time that the professor deems sufficient, subject to the above general convention that final examinations typically last the same number of hours as are assigned as credit hours to the course. In either event, the M.Jur. students are to be graded subject to the standards set forth above in Section III. Professors also allowed to weight the questions differently for an M.Jur. student than a J.D. student. For example, the essays may be worth 2/3 for the J.D.

students and multiple choice 1/3, but the professor could weigh the same essay as 1/4 for the M.Jur. student and 3/4 for the multiple choice.

M.Jur. students who are not native English speakers are entitled to time and a half, for exams with prior request and approval from the Associate Dean for the School of Law.

B. Practice Examinations

See Section IV.B.-E. of the St. Mary's University School of Law Handbook for J.D. Students.

V. ACADEMIC ISSUES

A. Academic Support Resources

A student who is experiencing academic difficulties should seek assistance before troubles become overwhelming. Students may contact faculty members or the Associate Dean for the School of Law for advice or for a referral to someone who can provide assistance. The Law Success Program have aided students in overcoming test-taking deficiencies and anxieties. The Law School's Office of Academic and Student Affairs will also work closely with students experiencing academic difficulties.

B. Academic Exclusion

See Section V.A-D. of the St. Mary's University School of Law Handbook for J.D. Students.

C. Academic Support and Advising

At all times during enrollment at St. Mary's, M.Jur. students with a cumulative grade point average below 2.5 shall be required to participate in academic advising and other programs or services offered by the Office of Law Success as determined by the Associate Dean for the School of Law. M.Jur. students at or above a 2.5 may also be required to participate in academic advising at the discretion of the Director or Coordinator of the M.Jur. Program.

D. Graduation – Early Walk

An M.Jur. candidate may petition to walk early at graduation if he or she lacks no more than one class (not to exceed three (3) credit hours) to fulfill

his or her thirty (30) hour credit requirement. Petition forms should be obtained from the Director of Student Records and submitted for approval by the Associate Dean for the School of Law no less than thirty (30) days before the date of graduation. Students who fail to obtain a passing grade in a class their final semester must submit the petition within forty-eight (48) hours from time the grade was posted.

VI. TUITION AND FEES

See Section VI.A.-D. of the St. Mary's University School of Law Handbook for J.D. Students.

VII. TRANSFER AND TRANSIENT STATUS

There is a difference between transfer and transient status. A student who transfers to another school will be certified as a graduate of that school. A student who seeks transient (or visiting) status at another school remains a St. Mary's student.

A. Transfer to another M.Jur. Program

The credit hours earned by a student at St. Mary's University may be transferred to another school so long as and to the extent the transferee school will accept them. St. Mary's asserts no control over transfer and is involved only because it must provide a letter of good standing and an official transcript. Whether a student can transfer to another school depends solely on the rules of that school. Because a transfer student will become the potential graduate of the transferee school, that school will apply its own admission requirements.

A notice of intent to transfer must be signed by the student seeking transfer and delivered to the Director of Student Records before July 15 of each year. This must be received by July 15 or the request cannot be processed. The student seeking to transfer must meet with the Assistant Dean for Academic and Student Affairs, in person, by telephone, or by e-mail for an exit interview. The Director will prepare the letter of good standing, which is required for transfer applications. This letter will be signed by the Associate Dean for the School of Law and forwarded to the transferee school. The transferring student also will be required to obtain an official transcript from the University's Registrar. A student whose cumulative grade point average is below 2.0 is not in good standing and therefore cannot obtain a letter of good standing.

B. Transfer from J.D. Program

Students who have begun, but do not wish to complete, a J.D. program at St. Mary's School of Law or another law school may apply for admission to the M.Jur. program by petitioning the Director of the program. If the student is accepted, a maximum of 15 J.D. credits from first year courses may be counted toward the M.Jur. degree at the St. Mary's University School of Law. Additional upper-level credits obtained through the J.D. program may also be credited toward the M.Jur. degree at the Director's discretion. Only courses in which a J.D. student achieved a grade of C or higher may be counted towards the M.Jur. degree. Students transferring from the J.D. program are not required to take Fundamentals of the American Legal System.

Students who have been excluded from a J.D. program may apply to transfer into the M.Jur. program. A strong presumption against such a transfer exists, but in extraordinary circumstances a student may be permitted to transfer in-to the M.Jur. program. A previously excluded student must submit an M.Jur. application form, and provide a reference from a law professor who both taught the student and can speak to the student's suitability for the program. The student must also submit a letter explaining his or her academic performance and why the student feels that he or she would be suitable for the program. Upon review of these materials, and after consideration of the student's LSAT score and academic performance, both in law school and at previous institutions, the Director of the M.Jur. Program may admit the student into the M.Jur. program, subject to the provisions in the previous paragraph.

Regarding grades earned in courses that are counted toward the M.Jur. degree, *see* Section III.I.

C. Transient Status

A St. Mary's student may take courses at any other law school, but the credit hours earned will be accepted by St. Mary's in fulfillment of its graduation requirements only under certain circumstances. The American Bar Association (ABA) prohibits the granting of academic credit for courses taken at a law school that is not accredited by the ABA. Also, transient hours are accepted by St. Mary's only when the student earns a passing grade in the course, according to the grading scale of the other law school. St. Mary's will not accept transient hours earned in a course that the student has already taken at St. Mary's. A transient student may not take a course

required by St. Mary's at another school without the permission of the Associate Dean for the School of Law.

Regarding grades earned while in transient status, *see* Section III.I.

Students must obtain approval for transient status prior to presenting courses taken elsewhere for credit at St. Mary's. The requisite form is available from the Director of Student Records.

VIII. MISCELLANEOUS

See Section IX.A.-K. and L. of the St. Mary's University School of Law Handbook for J.D. Students.

IX. HARASSMENT

See Section X.A.-C. of the St. Mary's University School of Law Handbook for J.D. Students.

X. CODE OF STUDENT CONDUCT **(adopted March 26, 1986 and amended April 26, 1990)**

See Section XI of the St. Mary's University School of Law Handbook for J.D. Students.