



# DEAN'S OFFICE REGULATIONS

**Effective August 1, 2001**

*Revised June 4, 2008*

*Revised February 10, 2009*

*Revised April 23, 2009*

*Revised April 14, 2010*

*Revised August 22, 2011*

*Revised August 19, 2013*

# ATLANTA'S JOHN MARSHALL LAW SCHOOL

## DEAN'S OFFICE REGULATIONS

### ARTICLE I. GENERAL

#### Section 101. Purposes

The Dean's Office Regulations are the official interpretations of the Academic Code, the Code of Student Responsibility, and Atlanta's John Marshall Law School Institutional Policies prepared by the Associate Dean for Academic Affairs and the Dean to guide students and faculty in the application of these documents to common problems that arise in the administration of the Law School.

#### Section 102. Definitions

(a). *Definitions.* As used in these regulations:

- (1). "Associate Dean" means Associate Dean for Academic Affairs or his/her delegate.
- (2). "Dean" means the Dean of Atlanta's John Marshall Law School or his/her delegate.
- (3). "Law School" means Atlanta's John Marshall Law School.

(b). *Rules of Construction.*

- (1). The masculine includes the feminine and the feminine includes the masculine.
- (2). The singular includes the plural.

#### Section 103. Notice

(a). *Binding Effect.* All students and faculty are bound by the Dean's Office Regulations. All notices of changes to the regulations or other announcements sent by the Law School email system to students' or faculty's Law School email addresses are binding.

(b). *Modifications.* The catalog of Atlanta's John Marshall Law School states that the Law School reserves the right to modify the requirements for admission and graduation, to change the program of study, and to amend any regulation affecting the student body if it is deemed to be in the best interest of the Law School or the student to do so. Consequently, the Dean's Office reserves the right to change these regulations to further the best interests of the Law School.

(c). *Changes Effective.* A change in the Dean's Office Regulations is effective on the day when the change is disseminated to students by changes to the copy of the regulations posted on the Law School website.

(d). *Location of Official Copies.* Copies of the Dean's Office Regulations will be deposited with the Registrar's Office and on reserve in the Law School Library and will be posted on the Law School website. The Associate Dean is responsible for ensuring that current editions of the Dean's Office Regulations are deposited and posted in accordance with this section. The Associate Dean is also responsible for including all Dean's Office Regulations in effect on the first day of class, Fall semester or each academic year.

## **ARTICLE II. HONORS, EXAMINATIONS AND GRADING**

### **Section 201. Honors Grades**

(a). *Purpose.* The purpose of this section is to regularize and clarify school policy on honors grades in required courses.

(b). *Definition of Honors Grades in Required Courses.* Honors grades for any required course will be any grade of "A" or "A-," representing grades in the top ten percent (10%) of the course. Honors grades will not apply to elective courses.

(c). *Use of Honors Grades.* Students may report honors grades on their resumes. Honors grades will not be noted on the transcript by any special indicator.

### **Section 202. Dean's List**

Students who attain an annual cumulative grade point average of 3.67 or higher will be placed on the Dean's List for the year. "Annual grade point average" is defined in Section 306 of the Academic Code.

### **Section 203. Deferred Completion of Seminar Papers, Course Papers and Directed Research Papers**

(a). *No Right to Defer.* The normal and expected sequence is that papers in seminars, courses and directed research projects will be completed and submitted at the assigned time in the semester in which the student has registered for the seminar, course or directed research project. No student has a right or privilege to defer the completion of a seminar paper, course paper or directed research paper.

(b). *Incomplete Grade.* In any seminar, course or directed research project wherein the required work is not completed by the assigned or agreed time, the faculty member shall enter a grade of "I" or "F" for that student.

(c). *Time to Complete an “Incomplete.”* A student who has received a grade of “I” on account of not completing a seminar, course or directed research paper must complete all the work on or before the last class day of the semester or session following the semester or session for which the “Incomplete” was recorded. The Registrar will automatically convert the “I” grade to the grade of “F” if a change of grade has not been submitted by the instructor on or before the last class day of the semester or session following the semester or session for which the “Incomplete” was recorded.

#### **Section 204. Deferred Examinations**

(a). *Scope.* This section applies to all final examinations, including any take home examinations whether administered during the final examination period or not.

(b). *No Right to Defer.* No student has a right or privilege to defer an examination. A student who fails to take an examination when scheduled to do so will receive an “F” for the examination unless the examination has been deferred according to the procedure outlined in this section.

(c). *Policy on Deferral of Examinations.* Because examination schedules are published for students at the time students register for courses, students are bound by the published examination schedule. Final examinations will be deferred only for good cause. Examples of good cause include:

(1) serious personal illness or injury; and

(2) serious personal injury, illness or death in the immediate family.

Examples of reasons for examination deferral that do not constitute good cause include weddings, graduations, confirmations, and other social or religious events.

(d). *Procedure for Requesting Deferred Examination.* No instructor may grant an examination deferral. Because of the potential breach of anonymity, students are not to approach a professor about deferring an examination. Students are not to disclose to an instructor the fact that an examination deferral request has been granted by the Dean or Associate Dean.

(e). *Request.* If a student desires to request deferral of an examination, the student must file a written petition requesting deferral of a final examination with the Associate Dean as early as possible and at least twenty-four (24) hours prior to the scheduled time for the examination for which the student seeks deferral.

(f). *Emergency Deferred Examination.* If a student is unable to take an examination for good cause that arises within twenty-four (24) hours immediately prior to the final examination time, the student may contact the Associate Dean for permission to defer the examination. The Associate Dean for Academic Affairs or his or her delegate will be on duty each day or night during final examinations.

(g). *Confirming Emergency Deferral.* The student must submit a formal written request in confirmation of the emergency deferral within forty-eight (48) hours from its grant. This request must be supported by persuasive evidence of some extraordinary event beyond the student's control that led the student to miss the examination, or it will expire within forty-eight (48) hours from the date of the grant of deferral unless extended by the Associate Dean. The extraordinary event must be the cause in fact of the student missing the examination.

(h). *Illness During Exam.* If a student becomes ill during an examination or is otherwise unable to continue and complete the examination, the student should notify the proctor and leave the examination "response book(s)" and any other examination materials with the proctor. The proctor should write down the name, year and course of the student who leaves the examination and notify the Exam Administrator, who will, in turn, notify the Associate Dean as soon as possible.

(i). *Deferred Examination Fee.* A student who has followed all the steps in this section to obtain a deferred examination must pay a \$100.00 charge for each deferred examination. The Associate Dean may waive this fee for good cause.

(j). *Required Medical Documentation.* When a student requests a deferred examination or obtains an emergency deferral for medical reasons, including illness during an exam, the student must file with the Associate Dean for Academic Affairs documentation that verifies the medical condition which necessitated deferral of the examination. If the student does not provide adequate documentation, the Associate Dean will issue a grade of "I" or "W" or "F," as appropriate.

(k). *Deferred Examination Approval.* The decision to approve or deny a deferred examination request rests with the Associate Dean. If the Associate Dean approves the request, the Associate Dean should then schedule the deferred exam within one week of the originally scheduled final. If a student who has been approved to defer an exam cannot complete the exam within one week of the originally scheduled date, the Associate Dean should issue either a grade of "I" or "W."

## **Section 205. Conflict in Examination Schedule**

(a). *Binding Effect of Final Examination Schedule.* All students are bound by the final examination schedule published by the Associate Dean for pre-registration for the semester or Summer session. No student may obtain a deferred examination on account of conflict of examinations because the student knowingly:

- (1) registered for two courses whose examination times overlap; or
- (2) registered for two or more courses having final examinations scheduled close together.

(b). *Definitions.*

- (1) “Conflict in examination schedule” means that a final examination in one course for which a student is registered overlaps with or starts close to the start time of another final examination in another course for which the student is registered.
- (2) “Knowingly” means that the final examinations were so scheduled at the time of pre-registration, and have not been changed since pre-registration, whether or not the student actually read and understood the published final examination schedule at the time of pre-registration.

**Section 206. Code of Conduct Procedures During Examinations**

(a). *Proctors.* All final examinations are proctored by independent proctors. All proctors receive instructions that must be followed during each examination. Failure to follow instructions given by a proctor is a violation of the Code of Student Responsibility.

(b). *Examinations.* Students certify compliance with all the requirements of the provisions of the Code of Student Responsibility on all in-school and take-home examinations by submitting such examinations. The Code of Student Responsibility states that any student having information relating to any incident of academic dishonesty should report that information promptly after completing the examination.

(c). *Examination Cover Sheet.* The Certificate of Compliance with the Code of Student Responsibility is the standard cover sheet used in all final examinations. This cover sheet states that each student, by sitting for and submitting the examination, certifies compliance with all requirements of the Code of Student Responsibility.

**Section 207. Grading of Retaken Required Courses Due to Grade of “F”**

When a student fails a required course, the “F” is recorded and becomes a part of the grade point and grade point average calculations. The student must repeat the course and obtain a passing grade. The grade for a repeated course is also recorded and also used in the calculation of grade points and grade point average.

**Section 208. Examination Review**

(a). *Examination Answers Returned to Students.* Examination answers, including blue books and other student work product, are returned to students after grade reports are distributed by the Registrar. Students may obtain their examination answers from the Registrar upon showing a government-issued picture ID and signing an acknowledgement of receipt. Fall semester exams may be obtained during the second and third weeks of the following Spring semester. Spring semester and Summer session exams may be obtained during the first and second weeks of the following Fall semester.

(b). *Review of Examination.* Students are encouraged to meet with instructors to review their examination papers (as a learning experience, not as a session to argue with the professor about the grade). With regard to grades, students should consult Article Five of the Academic Code.

### **Section 209. Class Rank**

(a). *First-year full-time, and first-and second-year part-time students.* Class rank is calculated after completion of all first-year required courses (full-time) and after the summer session of the first year (part-time), once all grades are submitted.

(b). *Upper level students.* Class rank is calculated at the end of each semester after all grades are submitted, verified, and reasonable time for grade changes has passed (approximately in the months of January, July, and September).

## **ARTICLE III. ACADEMIC PROGRAM**

### **Section 301. Academic Calendar**

The Law School operates on a semester system of fourteen (14) weeks of instruction each semester. A Summer session with seven (7) weeks of instruction is offered for part-time students and for full-time students who wish to take a particular elective course offered in the Summer session, or who wish to lighten their course load during the following academic year. The Fall semester generally begins mid-August and has a Thanksgiving break. Final exams are completed in December. The Spring semester generally begins on the second Monday of January, and finals are completed in early May, with one week set aside for Spring-Break. The Summer session generally begins following commencement and Memorial Day weekend. Summer semester finals are completed by the end of July. The Law School, at its discretion, may offer one week intensive skills courses between the end of the Fall semester and the start of the Spring semester, and between the end of the Spring semester and start of the Summer semester. In addition, the Law School may offer a January start (Spring start) for 1L Full-time students. The Spring start operates on a semester system of fourteen (14) weeks in the Spring (concurrent with the Spring Schedule) and ten (10) weeks in the Summer.

### **Section 302. Academic Program**

(a). *General Rule.* Students must register for and complete all required courses at the time scheduled and within the division in which they are enrolled.

(b). *First Year Courses.* First-year, full-time students take courses in the day division. First-year, part-time students normally take courses in the evening division, but may elect to take courses in the day division. All first-year students are automatically registered for all courses. The normal required part-time course load is nine (9 - 11) credits each semester except during the Summer session (5 - 6 credits). The Associate Dean for Academic Affairs may allow exceptions for good cause.

(c). *Full-Time Versus Part-Time Student Classification.* Full-time students are required to remain full-time and are expected to finish their academic program in three (3) years. Generally, if a full-time student drops below the required course load during any semester, such student will automatically be classified as a part-time student and expected to complete the academic program in four (4) years. But students may petition the Associate Dean for a one-semester variance. Full-time students may also (but are not required to) attend Summer sessions and may take up to six (6) credits of course work during the Summer session. The minimum academic load for a full-time student during the first year is fifteen (15) credits each semester. After the first year, twelve (12) credits of course work are required each semester. The normal full-time course load is twelve to sixteen (12 - 16) credits and may not exceed sixteen (16) credits per semester without the written permission of the Associate Dean. No student may take more than 17 credits in any semester. The minimum load for a part-time student is three credits (3). Part-time students should take 9-11 credits during the Fall and Spring semesters, and 5-6 credits in the summer.

### **Section 303. Full-Time Student Program**

(a). *First Year (Fall Start).* During the Fall semester of the first-year, full-time students are required to take the following courses: P.A.S.S. (no-credit), Civil Procedure I (3 credits), Contracts I (3 credits), Real Property I (3 credits), LRWA I (3 credits), and Torts I (3 credits). During the Spring semester of the first year, full-time students are required to take Civil Procedure II (3 credits), Contracts II (3 credits), Real Property II (3 credits), LRWA II (3 credits), and Torts II (3 credits). These students may also (but are not required to) take up to six (6) credits during the Summer session following the first year.

(b). *First Year (Spring Start).* If the Law School offers a Spring start, full-time students starting in the Spring semester are required to take the following courses: P.A.S.S. (no-credit), Civil Procedure I, Contracts I, Real Property I, LRWA I, and Criminal Procedure. During the Summer semester, these students are required to take the following courses: Civil Procedure II (3 credits), Contracts II (3 credits), Real Property II (3 credits), LRWA II (3 credits), and Criminal Law (3 credits).

(c). *Second Year.* Students who started their 1L year in the Fall semester are required to take Criminal Law (3 credits) (if not taken during the summer semester), Constitutional Law I (3 credits), Evidence (4 credits), and electives/upper division writing courses during their 2L Fall Semester. For the Spring semester, these same students must register for Criminal Procedure (3 credits), Constitutional Law II (3 credits), Business Organizations (3 credits), and Sales and Secured Transactions (3 credits). Students may also take up to 4 credits in electives/upper division writing courses in the Spring. For students who started their 1L year in the Spring semester, they are required to take Torts I (3 credits), Constitutional Law I (3 credits), Evidence, and electives/upper division writing courses in the 2L Fall Semester, and Torts II, Constitutional Law II, Business Organization, and Sales and Secured Transactions in the Spring semester. Students may also take up to 4 credits in electives/upper division writing courses in the Spring.



(d). *Third Year.* Entering the third year as a full-time student, Remedies, Professional Responsibility and an upper division writing class should be the only required courses left. All other credits should be elective hours. Typically, students should take both Remedies and Professional Responsibility in the Fall semester.

### **Section 304. Part-Time Student Program**

(a). *First Year.* During the Fall semester of the first year, part-time students are required to take the following courses: P.A.S.S. (no-credit, taken on-line), Contracts I (3 credits), LRWA I (3 credits), and Torts I (3 credits). In the Spring semester, part-time students are required to take the following courses: Contracts II (3 credits), LRWA II (3 credits), and Torts II (3 credits); and in the Summer session, they are required to take the following courses: Criminal Law (3 credits) and must take 2-3 elective/upper division writing credits.

(b). *Second Year.* During the Fall semester of the second year, part-time students are registered for Civil Procedure I (3 credits), Real Property I (3 credits) and Criminal Procedure (3 credits). During the Spring semester, Civil Procedure II (3 credits), Real Property II (3 credits), and 2–5 credits in electives/upper division writing courses.

(c). *Third Year.* During the Fall semester of the third year, part-time students are required to take the following courses: Constitutional Law I (3 credits), Business Organizations (3 credits), and Evidence I (2 credits). Students may select 2-3 elective/upper division writing credits. In the Spring semester of the third year, part-time students are required to take the following courses: Constitutional Law II (3 credits) and Evidence II (2 credits). Students must take 3-6 credits electives/upper division writing. In the Summer session, students are required to take the following courses: Professional Responsibility (2 credits) and may select up to four (4) credit hours of electives/upper division writing.

(d). *Fourth Year.* During the Fall semester of the fourth year, part-time students are registered for Remedies (3 credits) and Sales and Secured Transactions (3 credits) and may take 3-5 electives/upper division writing. During the Spring semester, these students should have completed all of required courses and may take up to 11 credits in electives.

### **Section 305. Criminal Justice Honors Program**

(a). *First Year.* Fall semester courses are as follows: P.A.S.S. (no-credit), Introduction to Criminal Justice I (1 credit), Criminal law (4 credits), Torts (4 credits), Civil Procedure (4 credits), and LWRA I (3 credits). Spring semester courses are as follows: Introduction to Criminal Justice II (1 credit), Criminal Procedure (4 credits), Contracts (4 credits), Property (4 credits), and LWRA II (3 credits).

(b). *Second Year.* Fall semester courses are as follows: Evidence (4 credits), Advanced Criminal Procedure (3 credits), Constitutional Law I (3 credits), Business Organizations (3 credits), Electives/Upper Division writing (2-3). Spring semester courses are as follows: Integrated Criminal Practice (6 credits), Constitutional Law II (3 credits), Advanced Evidence (3 credits), and Electives/Upepr Division writing (2-4).

(c). *Third Year.* Fall semester courses are as follows: Externship (4 credits), Professional Responsibility (2 credits), Criminal Law Ethics (2 credits), and Electives/Upper Division writing (4-8). Spring semester courses are as follows: Externship (4 credits), Criminal Law Ethics (2 credits), Criminal Pre-trial Practice & Procedure (2 credits required if the student has not taken Advanced Appellate Advocacy), and Electives (4-6 credits).

(d). *Upper Division Writing.* For the Honors Program, students complete a rigorous writing component during their 2L Spring semester in the Integrated Criminal Practice course. Because of that writing component, students in the Honors Program are required to take only one upper division writing course. The two upper division writing courses currently approved for students in the Honors Program are Advanced Appellate Advocacy and Criminal Pre-Trial Practice and Procedure.

### **Section 306. Transfer Students and Transfer Credits**

#### **(a). Admission of Transfer Students**

- (1) Students currently enrolled at other ABA accredited law schools who apply to this Law School for permission to transfer and matriculate in order to complete their legal education will be accepted only if they are in good academic standing at the institution from which they are transferring and have demonstrated sufficient academic strength in their prior law study.
- (2) The Dean will determine whether the applicant shall be admitted and, if admitted, the Associate Dean of Academic Affairs shall determine the extent of credit to be granted for the applicant's prior law study. As a general principle, no transfer credit shall be granted for prior law study which earned a grade less than a C. Before making a final determination on a transfer request, the Dean may request in writing that the transfer candidate provide additional information pertinent to the decision. The Dean may, in his or her sole discretion, submit any transfer request to the Admissions Committee for consultation and advice on whether the Dean should approve or deny the transfer request.

#### **(b). Approval of Transfer Credits**

- (1) *Eligibility.* The Law School considers courses for transfer of credit from other ABA accredited law schools from which a student transfers in good academic standing and with the certification by letter of the Dean of the school from which the student is transferring.
- (2) *Procedure.* Upon application to Atlanta's John Marshall Law School, the student who wishes consideration of transfer credit must include an official transcript from the prior law school and a letter from the dean of the former law school certifying the student's good academic standing. Upon matriculation at John Marshall, the student must apply to the Associate Dean in writing by filing a petition for transfer of credit. The Associate Dean may grant or deny all, some or none of the requested transfer credits. An aggrieved student may appeal to the Dean.

The appeal must be filed in the Dean's Office no later than seven (7) days following the date of notification by the Associate Dean of the action on the petition. This appeal shall be limited to a written statement. There shall be no right of personal appearance.

- (3) *Terms for Transfer.* The Associate Dean will consider courses taken at another law school from which a student has transferred for credit where the course was taken at a school accredited by the American Bar Association, the course was completed with a grade of "C" or better, and the course was completed no more (generally) than one (1) year before the date of application to Atlanta's John Marshall Law School. The maximum number of credit hours which will be accepted for transfer to Atlanta's John Marshall Law School from another law school is thirty (30) hours.
- (4) *Hours Not Grades Transferred.* Where transfer credits are approved by the Associate Dean, the credit hours only are accepted. Grades from the former law school are not transferred and will be posted on the student's John Marshall Law School transcript as a "Pass," and will be considered in the calculation of a student's John Marshall Law School grade point average as a "Pass" grade.
- (5) *Transcript.* The name of the former school, the courses, number of credits and a grade of "Pass" for all accepted credits for transfer will be posted on the student's JMLS transcript.
- (6) *Class Rank.* Transfer students will not be given a class rank.

### **Section 307. Study Abroad Programs**

Students wishing to participate as a visiting student in a study abroad program sponsored by an ABA accredited law school must submit a written petition to study abroad to the Associate Dean. The petition must include the name of the institution, the program, the courses which will be taken and include the name and address of the individual at the institution to whom any documentation from the Law School must be sent. The student must receive a grade of C or better, or a "Pass" grade in a Pass/Fail course. Atlanta's JMLS will accept the credits but not the grade. If accepted, the course, credits, and a grade of "Pass" will be placed on Atlanta's JMLS transcript.

### **Section 308. Readmission**

Any student who was readmitted under probation pursuant to the provisions of Section 302 of the Academic Code but failed to attain the required minimum GPA at the end of the following academic year shall be dismissed and shall not be readmitted to the law school.

### **Section 309. Academic Plan**

All students, regardless of year-in-school, who possess less than a 2.0 cumulative g.p.a. after any semester shall complete an Academic Plan with the Office of Academic Achievement for the following semester.

### **Section 310. Conditions Upon Reinstatement After Academic Dismissal**

Students reinstated following academic dismissal shall complete an Academic Plan with the Office of Academic Achievement, during any semester in which conditions apply.

## **ARTICLE IV. REGISTRAR OFFICE PRACTICES AND PROCEDURES**

### **Section 401. General**

The admissions office will provide new students with initial information as to registration. Returning students will register on-line.

### **Section 402. Required Courses**

The Registrar will automatically register 1L students for courses. Evening part-time students will be pre-registered in to their required courses. Otherwise, students are responsible for registering on-line during their designated period of registration.

### **Section 403. Courses with Limited Enrollment, Prerequisites or Permission to Register**

(a). *Associate Dean's Permission Required.* No instructor may limit enrollment without the prior, written permission of the Associate Dean. Students should consult footnotes on the course schedule for the current list of courses that have limited enrollment.

(b). *Registration Permission Form.* Students must obtain permission from the appropriate individuals to register for a clinic, clerkship, externship or directed research (supervised research or directed research project).

(c). *Course with Prerequisites.* Students are required to satisfactorily complete prerequisite courses, where required. No student may enroll in a course requiring a prerequisite if the student has not satisfactorily completed the prerequisite course, unless the student obtains permission from the Associate Dean.

(d). *Cancellation of Course.* Any class in which the pre-registration enrollment is less than five students will be cancelled unless specific approval for continuing enrollment beyond the pre-registration period is given by the Associate Dean for Academic Affairs.

### **Section 404. Priority for Registration for Courses**

(a). *Registration Schedule.* Prior to each registration period, the Registrar will post a registration schedule. Registration occurs using a priority system based on a student's official year-in-school status, which is determined solely by credit hours earned. Below is a chart showing the credits a student must have earned to qualify for a given year-in-school status.

(b). *Chart.*

Program	Year-in-School	Credit Hours Earned
Part-Time	1L	0 – 22.99
Part-Time	2L	23 – 44.99
Part-Time	3L	45 – 66.99
Part-Time	4L	67 – 76.99
Part-Time	4L (Last Semester)	77 – 87.99
Full-Time	1L	0 – 29.99
Full-Time	2L	30 – 53.99
Full-Time	3L	54 – 72.99
Full-Time	3L (Last Semester)	73 – 87.99

#### **Section 405. Priority for Day-Required Courses**

The registration priorities for day-division courses are as follows:

- (1). full-time students who are in their final semester before graduation;
- (2). part-time students who are in their final semester before graduation, if no corresponding evening-division course section is open for registration;
- (3). other third-year, full-time students;
- (4). second-year, full-time students; and,
- (5). all other students.

#### **Section 406. Priority for Evening-Required Courses**

The registration priorities for evening division courses are:

- (1). part-time students who are in their final semester before graduation;
- (2). full-time students who are in their final semester before graduation, if no corresponding day-division course section is open for registration;
- (3). other fourth-year, part-time students;
- (4). third-year, part-time students;
- (5). second-year, part-time students; and,
- (6). all other students.

#### **Section 407. Course Identification**

- (a). Classes which satisfy the upper division writing requirement are numbered in the 200's.
- (b). Skills courses are number in 600's.
- (c). Competition Courses are numbered in the 900's.
- (d). All other courses, as assigned by the Office of the Academic Dean.

#### **Section 408. Priority on Wait List for Course**

Students who are unable to register for a course should place themselves on a wait-list. The Registrar will place students on wait-lists after receiving a Student Action Request from the student, requesting to be added to the course. The Registrar will prioritize and manage the wait-list based on a first-come, first-priority basis. The Associate Dean for Academics reserves the right to prioritize any student based on extraordinary circumstances.

#### **Section 409. Notification to Students on a Wait List**

For any course for which there is a wait list, the Registrar shall notify students in writing when they have been enrolled in the course. At the end of the drop/add period for the semester or session, the Registrar shall notify all students in writing who were not enrolled in the course for which they were on a wait list. Notice via a student's Law School email account shall satisfy the requirement that notice be in writing.

#### **Section 410. Add/Drop Policy and Withdraw Procedures**

##### **(a). *Dropping a Required Course.***

- (1) *Prior Permission Required.* A student may not drop a required course without prior permission from the Associate Dean. See Section 502 of the Academic Code.
- (2) *Considerations.* The Associate Dean will ordinarily deny permission to drop a required course. Permission to drop a required course will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control, such as illness requiring a reduced load.

##### **(b). *Adding or Dropping Elective Course.***

- (1) *Add/Drop Without Permission.* A student may add or drop one or more elective courses during the first five (5) days of each semester and the first week of the Summer session without prior permission from the instructor or the Associate Dean. See Attendance Policy in Section 501 *et seq.* of these Regulations and Section 601 of the Academic Code.

- (2) *Petition to Add/Withdraw.* After the Add/Drop period, a student may file a written petition with the Associate Dean to add or withdraw from a course. The Associate Dean will ordinarily deny a request to add or withdraw after the drop/add period (first five days of each semester), even if the professor approves. Permission to add or withdraw from a course will be granted only in cases of exceptional hardship to a student caused by circumstances beyond the student's control, such as illness requiring a reduced load.
- (3). *Form.* The proper form to use to add or drop a course is the Student Action Request (SAR) form. During the Add/Drop period, students should submit it to the Registrar.

### **Section 411. Order of Courses**

Absent extraordinary circumstances, required courses must be taken in the order set out in Sections 303, 304 and 305 of this regulation.

### **Section 412. Retaking of Failed Required Courses**

When a student fails a required course, she or he must retake the course the next time the course is offered.

### **Section 413. Request for Transcripts**

All requests for transcripts shall be made in writing to the Registrar. There is a \$5.00 per transcript fee payable at the time the request is made. No fee shall be charged for transcripts sent to the Board of Bar Examiners.

## **ARTICLE V. ATTENDANCE POLICY AND PROCEDURE**

### **Section 501. Absence Interpretations**

(a). *The Twenty Percent Rule/Number of Absences.* A student may not miss more than twenty percent (20%) of the class hours of a course without violating Section 601 of the Academic Code. The twenty percent (20%) is meant to cover any and all contingencies. Law School courses meet for 14 weeks each semester and 7 weeks during the Summer session. For Spring start 1Ls, the summer semester is 10 weeks.

(b). *Individual Instructor's Requirements.* Under Section 504(h) of the Academic Code, however, individual faculty members may impose attendance policies for any course more stringent than the 20% rule set forth above. If a professor intends to impose an absence policy that is more stringent than the Law School's policy, the professor must indicate that policy at the beginning of the semester in their syllabus.

(c). *Students Who Enter Classes During Add-Drop Period.* A student who adds an elective course during the add/drop period should not be counted as "absent" for the day or days missed prior to his or her adding the course if he or she was present for attendance purposes in the course that was dropped.

(d). *Clinical Work Sessions*. A student enrolled in an in-house clinic or externship program must comply with the regulations of that clinical or externship program for attendance at work sessions and clinical meetings. Consult the clinical instructor or Externship Director for further details regarding absences.

(e). *Hardship Relief*. Section 601 of the Academic Code requires that a student receive a “W/F” for excessive absences in a required course or an elective course. Students who receive a notice of a “W/F” for excessive absences may petition for relief under Section 602 of the Academic Code. Students may petition in writing within 15 calendar days to the Associate Dean for relief. Students must use Form Six (Petition for Relief on Rules of Attendance).

## **Section 502. Cancellation of Classes**

(a). *No Class Cancellation Without Prior Approval*. The Associate Dean must approve a class cancellation by any instructor. Class cancellations must be kept to a minimum.

(b). *Cancellation of Classes Before or After Holiday*. Faculty and students who request that classes be canceled on days before or after a holiday or Spring Break as a convenience for them are advised that the Associate Dean will not approve cancellation of classes on the days immediately before or after a scheduled holiday, e.g., Thanksgiving, July Fourth or Memorial Day.

(c). *Process for arranging a make-up class*. All classes which are cancelled must be made up before the end of the semester final exam schedule begins. In the event a class is cancelled, faculty should consult with the students in the cancelled class at the first opportunity in order to make arrangements to make up the missed class. The date for the make-up class should be a date that the majority of students will be able to attend. Make-up classes should not be scheduled at a time when students in the class are attending other classes. Confirm with the Associate Dean for Academic Affairs that the class make-up day and time have been made. Arrangements should be made for the class to be video-taped if there are students unable to attend the make-up class as a result of conflicts in his or her class schedule or other unavoidable conflicts, the student should not be charged with an absence in accordance with Section 601 of the Dean’s Office Regulations.

## **Section 503. Class Cancellation Due to Emergencies or Adverse Weather**

When it becomes necessary to cancel classes due to a late start or school closing because of emergencies or adverse weather conditions, the Law School will give official notice to the major media outlets. It will also post a message on its website and to its main telephone voice mail, ext. 100.

## **Section 504. Leave of Absence**

(a) *Withdrawal Presumed*. A student who does not attend any of her or his regularly- scheduled classes for a period of more than the permitted number of absences and who has not been granted a leave of absence under this section or Section 505 is presumed to have withdrawn from the Law School and is ineligible to return to the Law School.



(b) *Leave of Absence.* A student who must drop all classes for good cause, including illness of the student, death or illness of a family member, job change, active duty assignment in the armed forces, or for other reasons, may apply for a leave of absence for personal reasons for a period of up to one year.

(c) *Ineligible to Take Course(s) While On Leave.* A student may not register for any course work while on leave of absence, but he or she may make up any deferred final examinations or complete any deferred, incomplete seminar papers, course papers, supervised research papers, or independent projects outstanding on the date he or she is granted a leave.

(d). *Written Request.* A request for a leave of absence must be in writing and submitted to the Associate Dean.

### **Section 505. Medical Leave of Absence**

(a). *General.* Any student may request a leave of absence for medical reasons from the Law School. The request should be submitted in writing, together with a letter from an appropriate health care professional stating that medical leave of absence is in the best interest of the student's physical or psychological well-being. The request must be submitted to the Associate Dean.

(b). *Term.* A medical leave of absence will normally be granted for a period of one academic semester. If a student on medical leave of absence wishes to extend a leave of absence for an additional semester, the student must submit a written request for extension, together with supporting documentation from an appropriate health care professional stating that an extension would be in the best interest of the student. The request must be submitted to the Associate Dean.

(c). *Effect on Academic Code Section 105.* A medical leave of absence will toll the four (4) or five (5) year requirement for completion of legal studies set out in Section 105 of the Academic Code.

(d). *Not Available to Students Charged with Crimes.* A student who has been charged with a crime involving the possession of a controlled or uncontrolled substance with intent to distribute or sell, or a student charged with trafficking, will not be allowed to take medical leave of absence due to substance abuse, unless the charges are dismissed.

### **Section 506. Law School Initiated Leave of Absence**

(a). *Basis.* The Law School reserves the right to issue a mandatory leave of absence when (1) a student presents an immediate danger to self or others by threatening and/or inflicting bodily harm to self or to others, or (2) when a student's behavior could result in bodily harm to self or others. In such cases, the Dean or Associate Dean will make the final decision after consulting with other appropriate school officials.

(b). *Notification & Opportunity to Respond.* The student will be notified about the decision immediately and in writing, and will be given an opportunity to address concerns with the Dean or Associate Dean.

(c). *Excluded from Property.* A student who is placed on mandatory leave will not be permitted to attend classes or to be on Law School property without prior written permission from the Dean or Associate Dean.

(d). *Appeal.* After the Law School issues a mandatory leave, the student, within three days, may appeal in writing to the Associate Dean. Any appeal should include an evaluation by a licensed physician, psychiatrist, or mental health clinician. The Associate Dean and/or the Dean will review the appeal and determine whether the student should be permitted to return to classes.

(e). *Intent to Return.* When the student has not appealed a decision to be placed on mandatory leave, or in cases when an appeal has been denied, a student who is ready to resume studies at the Law School must notify the Associate Dean in writing of her or his intent to return for the next semester. Before being allowed to return, the student must submit a comprehensive written report from the treating professional that includes the professional's diagnosis, treatment (including duration and response), medication, recommendations for return to the Law School (including any restrictions), and necessary follow-up care. These materials must be submitted at least one month before the beginning of the semester in which the student wishes to return to campus. The Associate Dean will consult with the Dean to determine whether the student may return. If the student's request is denied, the student may appeal to the Academic Standards Committee.

(f). *Fees & Tuition.* When a student is placed on mandatory leave that will prevent him or her from completing a semester, the Law School will apply paid tuition and fees to the first semester in which the student is permitted to resume classes, if the student resumes classes within one year of the date the leave begins.

(g). *After Two Years.* A student who does not return to the Law School within two years of the mandatory leave risks losing all credits already earned and having to reapply for admission as a new student. The Academic Standards Committee has discretion to readmit a student who has been out of school for more than two years if good cause is demonstrated.

(h). *Code of Responsibility.* This policy does not supersede or release a student from accountability to the Student Code of Professional Responsibility or the regulations of the Law School.

### **Section 507. Withdrawal from School or From Course/Tuition Refund Policy**

(a). *Notice of Withdrawal.* Students wishing to withdraw from the Law School are required to file a written notice of withdrawal with the Registrar. Students wishing to withdraw from one or more courses are required to file a written notice with the Registrar. Failure to do so may result in academic penalties.

(b). *Conference with Financial Aid Director.* Students receiving Federal financial aid are required to meet with the Director of Financial Aid regarding their student loans prior to withdrawing from classes.

(c). *Law School Tuition Refund Policy.* Students who withdraw from School or from individual courses will have their tuition (less non-refundable deposits) adjusted in accordance with the schedules set forth below. All fees charged by the Law School are non-refundable.

(1) Tuition Refund During the Fall or Spring Semesters

Before orientation for the student's entering class, or prior to the first class meeting for the semester for returning students	100%
By the end of the first week of classes	80%
By the end of the second week of classes	60%
By the end of the third week of classes	40%
By the end of the fourth week of classes	20%
After the end of the fourth week of classes	0%

(2) Tuition Refund During the Summer Session

Prior to the first class meeting	100%
Prior to the second class meeting	75%
Prior to the third class meeting	50%
Prior to the fourth class meeting	25%
After the fourth class meeting	0%

## Section 508. Disability Accommodations

(a). *General.* It is the policy and practice of Atlanta's John Marshall 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 with disabilities. Under these laws, no qualified individual with a disability shall be denied access to or participation in services, programs and activities of the Law School.

(b). *Forms.* All students requesting accommodations are required to complete **Form A** of our Accommodations policy. If the requested accommodation is anything other than a temporary disability, typically the student will be asked to submit **Form B** of the Accommodations Policy. **Form B** is to be filled out by a qualified professional. If a student is unsure as to whether Form B is required, the student should meet with the Associate Dean of Academics.

(c). *Approval of Accommodations.* All accommodation requests will be processed under the Law School's Accommodations Policy.

## **Section 509. Electronic Notices and Announcements**

All students and faculty are bound by official notices and announcements issued by means of email to their John Marshall email address. In case of changes to class schedules or cancellations, notices of changes should be issued at least twenty-four (24) hours in advance, except where extraordinary circumstances make such notice impracticable. Students and faculty are responsible for reviewing their voice and electronic mail services on a daily basis.

## **ARTICLE VI. GRADUATION REQUIREMENTS**

### **Section 601. Analysis of Graduation Requirements**

(a). *General*. This section has been prepared to assist students in understanding graduation requirements.

(b). *Petition to Graduate*. Students must file a Petition to Graduate with the Registrar. See Section 603 for petition requirements.

(c). *Academic Requirements*. The academic requirements for graduation can be divided into the following four categories: Grade Point Average, Required Courses, Credit Hours, and Residency Requirements.

(1) *Grade Point Average*. A “C” or 2.00 cumulative grade point average (g.p.a) is required for graduation.

(2) *Required Courses*. Candidates for graduation must have successfully completed each course required for graduation.

(d). For the standard J.D. Program, the courses required for graduation are:

Business Organizations (3 credits);  
Civil Procedure I (3 credits), II (3 credits);  
Contracts I (3 credits), II (3 credits);  
Constitutional Law I (3 credits), II (3 credits);  
Criminal Law (3 credits);  
Criminal Procedure (3 credits);  
Electives (20-21 credits);  
Evidence (4 credits);  
Professional Responsibility (2 credits)  
Real Property I (3 credits), II (3 credits);  
Remedies (3 credits);  
Legal Research, Writing and Analysis I (3 credits), II (3 credits);  
Sales and Secured Transactions (3 credits);  
Torts I (3 credits), II (3 credits); and,  
Upper Division Writing (2 courses for a total of 5-6 credits).

(d) For candidates in the Criminal Justice Honors Program, the courses required for graduation are:

Advanced Appellate Advocacy or Criminal Pretrial Practice & Procedure (2 credits);  
Advanced Criminal Procedure (3 credits);  
Advanced Evidence (3 credits);  
Business Organizations (3 credits);  
Civil Procedure (4 credits);  
Constitutional Law I (3 credits), & II (3 credits);  
Contracts (4 credits);  
Criminal Law (4 credits);  
Criminal Law Ethics (2 credits);  
Criminal Procedure (4 credits);  
Electives (14 credits);  
Evidence (4 credits);  
Externship (2 semesters for a total of 8 credits)  
Integrated Criminal Practice (6 credits);  
Introduction to Criminal Justice I (1 credit); & II (1 credit);  
Legal Writing Research & Analysis I (3 credits), & II (3 credits);  
Professional Responsibility (2 credits);  
Property (4 credits);  
Remedies (3 credits); and,  
Torts (4 credits).

(e) *Credit Hours.* Required courses failed must be taken until passed. No credit is granted for failed courses. Eighty-eight (88) credit hours of passing work are required for graduation.

## **Section 602. Residence Credit**

(a). *General.* According to Section 703 of the Academic Code, a student must satisfy the residency requirements in order to graduate. Residency requires a student to distribute the student's scholastic work load over the entire period of the student's legal education. Full-time students must accumulate full-time residence study credit for at least six semesters and part-time students must accumulate residence study credit for at least eight semesters. Part-time students who transfer from the full-time program must accumulate residence study credits for at least seven semesters of either full-time or part-time legal study.

(b). *Full-Time Students.* A full-time student will earn one semester of residence study credit for each semester in which the student is enrolled in at least 12 credit hours of course work and successfully completes with passing grades at least 9 credit hours.

(c). *Part-Time Students.* A part-time student will earn one semester of residence study credit for each semester in which the student is enrolled in at least 8 credit hours of course work and successfully completes with passing grades at least 6 credit hours.

(d). *Variance for Hardship.* A student may petition the Associate Dean in writing for a variance from the residence requirement rules states in this section on grounds of substantial hardship. The Associate Dean shall grant or deny the petition. An aggrieved student may appeal a denial to the Dean. The appeal must be filed in the Office of the Dean no later than seven (7) days following the date of notification by the Associate Dean of the action on the petition. This appeal shall be limited to a written statement. There shall be no right of personal appearance.

### **Section 603. Petition to Graduate**

(a). *Petition Required.* Every student must apply for graduation by filing a Petition to Graduate in the Registrar's Office not later than October 15 for December graduates or March 15 for May graduates. When a Petition to Graduate is received, the Associate Dean or Registrar will audit the student's academic records for compliance with graduation requirements as stated in Section 601. If the student meets the standards of Section 601 herein, the student's name will be submitted to the Law School faculty for approval.

(b). *Form of Petition.* The Petition to Graduate may be obtained from the Registrar's Office.

### **Section 604. Bar Certification Registration**

A student who is eligible to graduate at the end of any semester must request certification of eligibility to release information to the Board of Bar Examiners of the jurisdiction in which the student will register to take the bar examination using the Bar Certification Registration form available from the Registrar's Office.

## **ARTICLE VII. ACADEMIC SUPPORT PROGRAM**

### **Section 701. Program Description**

The Law School offers an Academic Support Program. This program is designed to identify and address student study deficiencies, assist students in their adjustment to legal study and classroom requirements, and provide a support system for students to help them succeed in their studies. The Academic Support Program is offered at no cost to all currently-enrolled at Atlanta's John Marshall Law School students. Generally, student participation is optional, but the Law School may require some students to develop an Academic Plan and work with the Office of Academic Achievement based on past academic performance. While most students will participate in the program during their first semester or first year at the Law School, any current student may participate in the program at any time and on an unlimited basis.

## **ARTICLE VIII. STUDENT ORGANIZATIONS**

### **Section 801. Student Organizations**

All student organizations must be approved by the Student Bar Association and the Dean of Students. To run for and hold office in a student organization, a student must be in good standing.

## **Section 802. Filing in Dean of Students' Office**

(a). *General.* All student organizations approved by the Student Bar Association and the Dean of Students must file a copy of its charter and by-laws, and any amendments, with the Dean of Students' Office.

(b). *Timing.* No later than September 1st of every academic year, all approved student organizations must file with the Dean of Students' Office a list of officers and the officers' contact information. Contact information includes the address, telephone number, and email address of each officer.

## **Section 803. Faculty Advisor**

All approved student organizations must have a faculty advisor who is a member of the Law School's full-time faculty.

## **Section 804. Use of Law School Facilities**

Only approved student groups may use Law School facilities. Prior to using Law School facilities, the room must be reserved. Room reservations are taken by the Dean's assistant.

## **Section 805. Flyers**

No flyers may be posted on Law School property without permission. Permission may be granted by the Dean, the Dean's assistant, the Associate Dean, the Dean of Students, or the Assistant Dean for Administration.

## **Section 806. Use of Law School Name, Logo or Seal**

The Law School's name, logo, or seal may not be used without prior written permission. Permission may only be granted by the Dean, the Dean of Students, or the Assistant Dean for Administration.

## **Section 807. Expenditure of Funds**

No student organization may expend funds without the prior approval of the Student Bar Association and the Assistant Dean of Administration or her designee. Students who expend funds without prior approval are not entitled to reimbursement.

## **Section 808. Entering Contracts**

No student or student organization may enter into a contract using the Law School's name or which may create legal obligations for the Law School. All contracts must be approved by the Dean of Students and Assistant Dean for Administration.

## **ARTICLE IX. MISCELLANEOUS**

### **Section 901. Children under in the Law School.**

Children must be under the direct supervision of their parent at all times. Children are welcome for brief visits, but are not permitted to stay in offices or common areas while the parent is attending/teaching class, studying, or working. Children who are ill with a communicable disease are not permitted in the school.

### **Section 902. Updating Law School Application.**

Students have a continuing obligation during law school to notify the Law School of any character issues as soon as practicable. This includes (but it not limited to) any moving traffic violations, DUI offenses, criminal violations, defaults on financial obligations, suspensions and revocations of professional licenses, discharges from the military which are less than Honorable. Students have an obligation to report criminal matters, even if charges were eventually dropped, reduced, or the student was acquitted.

### **Section 903. Intra-Campus Transfer Policy**

Students seeking an intra-campus transfer (from AJMLS to SLS or vice versa) must be in good academic standing and must apply in writing by filing a petition for intra-campus transfer with the Associate Dean of Academics at AJMLS if a student at AJMLS or with the Vice Dean at SLS if a student at SLS. Students may only transfer between campuses at the beginning of the academic year and can only transfer between campuses twice. All academic credits, LGPA, and scholarship eligibility will transfer with the student between campuses; however, extracurricular participation must be earned on each campus. Students will be eligible for all academic honors except Valedictorian honors at either campus. The degree conferred upon graduation will be that of the institution in which the student spent their final year.

### **Section 904. Effective Date**

The effective date of these regulations shall be August 1, 2001, and as amended thereafter.

*Revised November 7, 2003*  
*Revised June 4, 2008*  
*Revised April 23, 2009*  
*Revised April 14, 2010*  
*Revised September 28, 2010*  
*Revised August 22, 2011*  
*Revised August 16, 2013*  
*Revised August 27, 2013*