

Student Handbook:

Academic Requirements, Policies, and Procedures for the Degree of Juris Doctor

2021-2022

MISSION STATEMENT

University of Maine School of Law

The University of Maine. School of Law is the state's public and only law school, a vital resource serving our Community. Maine Law is an institutional public servant committed to providing an accessible and affordable student-focused program of legal education and achieving the highest standards of ethical behavior. Our rigorous doctrinal and experiential curriculum, influential scholarship, and innovative programming prepare students to practice law, promote respect for the rule of law, and advance justice for all members of society.

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I. Introduction.

The Student Handbook: Academic Requirements, Policies, and Procedures (Student Handbook or Handbook) contains information about the University of Maine School of Law's general academic requirements, rules, and policies, as well as the Student Code of Conduct. Students at the University of Maine School of Law (Law School or Maine Law) must satisfy certain academic requirements in order to maintain good academic standing and in order to be eligible to graduate. All of the rules comply with the American Bar Association's Standards and Rules of Procedure for Approval of Law Schools (ABA Rules). Students should note that individual state bar requirements may not be the same as those outlined here, and students are responsible for knowing the rules for the state in which they intend to sit for the bar.

All entering students are required to sign an "Acknowledgment" indicating that they have received a copy of or electronic access to the Handbook and the University of Maine System Student Code of Conduct, the Academic Integrity Policy, Title IX policy, Law Student Reported Incident Review Process, and all other applicable University of Maine System/Maine Law policies. The policies and procedures outlined in the Student Handbook are updated on a regular basis. Notice of changes will be sent to students via email, the official communication method for the University of Maine System. The most recent version of the Student Handbook and any related addenda are posted on the Maine Law portal. All decisions made pursuant to this Handbook are final. There are no appeals provided.

II. Credit Hours and Residence Rules.

The Law School requires students to satisfy minimum credit hours and residence requirements in order to be eligible to graduate. (See "Graduation Requirements," Section XII.) Only courses taken after matriculation in law school can be used to satisfy the J.D. requirements. It is the responsibility of each student to determine whether they satisfied these requirements for graduation.

A. Total Required Credits.

Students are required to successfully complete the first-year curriculum consisting of thirty (30) credit hours, as prescribed by the Faculty, plus at least sixty (60) credit hours in upper-division courses. Students will need to successfully complete a total of at least ninety (90) credit hours in order to be eligible to graduate. (See "Graduation Requirements," Section XII.) Successfully completed means a Pass or Low Pass, in a Pass/Fail course and a D or above in a graded course. Credits may be earned either by work at the University of Maine School of Law or by work at other schools for which Maine Law has approval, or by a combination of the two. Students may not repeat classes for which they earned credit. If a student fails a course, they may retake the course for credit. When retaking a course, the original grade of F remains on the transcript and is factored into the cumulative grade point average.

B. Full-Time Students.

First-year full-time students must take the prescribed thirty (30) credit hours. Most second- and third-year courses are electives to be chosen by each student in order to constitute a semester course load of not fewer than twelve (12) hours or more than sixteen (16) hours.

C. Limit on Employment While Attending Law School.

The Faculty advises students who are enrolled in more than twelve class hours to work fewer than 20 hours per week.

D. Flex Time Students/Reduced Course Load.

Students who opt to take courses on a reduced course load basis as part of our Flex Time program, must complete a declaration form with the Admissions Office. First-year students enrolled in a reduced course load must take a minimum of: seven (7) credits in the fall semester (Civil Procedure I and Legal Research, Analysis, & Communication I); and seven (7) credits in the spring semester (Legal Research, Analysis, & Communication II and one additional course). During the second year, students must take the remaining first-year requirements. Students approved for a reduced course load in the Flex Time program must complete all graduation requirements within seven years of matriculation.

Students who wish to enroll in a reduced course load for only one semester must receive approval before the semester from the Dean of Students.

E. Residence Requirements.

Students must satisfy certain minimum residence requirements. In order to satisfy their residence requirements, students must take at least 50% of their 90 total credits at Maine Law.

F. Maximum Years to Complete J.D.

In order to be eligible to graduate, all students must complete the required credit hours and satisfy their residence and academic requirements no later than 7 years (84 months) after the date of their matriculation.

G. Exceptions to Minimum/Maximum Credit Rules.

A student may not take fewer than twelve (12) hours without the prior approval of the Dean of Students. A student may not take more than sixteen (16) hours in any semester without the prior approval of the Vice Dean/Provost. Permission to take more than sixteen (16) hours will be granted only upon a showing of extreme hardship. In no event, however, will more than seventeen (17) hours be approved. Students enrolled in summer session may take up to eight 8 credit hours, and may take nine (9) credits only with prior approval of the Vice Dean/Provost. All students must enroll in a minimum of 6 credit hours to be eligible for financial aid.

H. Special Credit Rules.

1. Summer Session.

Maine Law offers a limited number of law courses in its summer session. Students may take courses during the summer session at another ABAaccredited law school. Such summer study may include a summer program of legal studies in a foreign country that is administered through an ABAaccredited law school. Credits earned in the summer may be applied to the credit-hour requirements needed for graduation.

Credits earned in the Law School's summer session are reflected on the official transcript and if letter grades are awarded, they are figured into the cumulative grade point average. Credits earned in a summer school program offered by another law school, however, may be counted toward the minimum credit hours required for graduation provided those credits earned are from (a) courses in which the student received a grade of C or its equivalent (or a grade of Pass in a pass/fail course), or better, and (b) courses which do not duplicate courses for which credits have already been earned. Course grades from other law schools will appear on the Law School transcript, but will not be included in the cumulative grade point average.

Requests for permission to attend the summer session at another ABAaccredited law school and course registration must be approved in advance by the Dean of Students.

2. Study at a Foreign Institution and Exchange Program Rule.

Maine Law students may be selected through a competitive application process to study abroad through one of Maine Law's international exchange programs. Students will be selected by a committee and may not participate in study abroad if they are not in good academic standing. Students may also study abroad through an ABA-approved exchange program offered by another ABA accredited law school.

Students who study abroad either through a Maine Law exchange program or through an ABA-approved exchange program will receive credit for courses taken provided those credits earned are (a) courses in which the student received a grade of C or its equivalent (or a grade of Pass in a pass/fail course), or better, and (b) courses which do not duplicate courses for which credits have already been earned. Course grades from other foreign institutions or an ABA-approved exchange programs will appear on the Law School transcript, but will not be included in the cumulative grade point average. Students interested in either form of international exchange must see the Dean of Students, who serves as the Academic Advisor for all study abroad students, for approval to study abroad and for course registration approval.

3. Transfer Student Rule.

A student who has been accepted for transfer to the University of Maine School of Law from another ABA-accredited institution will be given credit for the number of hours accepted in transfer as determined by the Vice Dean/Provost. Courses completed with a grade of "C" or above are eligible for transfer, and a maximum of 45 hours of course credit may be transferred. The prior grades of a transfer student will be reflected on the transcript, but will not be figured into the student's grade point average. Transfer students will not be ranked in class standings, but will be eligible for honors and Dean's List. Upon request to the Registrar, transfer students will be given a letter including a statement of estimated rank comparable to students in their class. Transfer students must meet all graduation requirements, which may include successfully completing some first-year courses not taken at their original institution.

4. Applicants from Foreign Law Schools.

A student who has studied at a law school outside the United States may be admitted to the University of Maine School of Law as a JD candidate with "advanced standing" pursuant to Rule 505 of the ABA Rules if (1) the studies were "in residence" at the foreign law school; (2) the content of the studies were such that credit would have been granted toward the degree requirements of Maine Law if offered here; and (3) in the judgment of the Vice Dean/Provost the quality of the educational program at the foreign law school was at least equal to that of an ABA-accredited institution. Only those credit hours completed with a grade of or equivalent to a "C" or above are eligible for transfer, and a maximum of 30 hours of course credit may be transferred. Students must indicate at the time of application and/or matriculation at the University of Maine School of Law that they seek advanced standing under this rule. Similar to students who have transferred from other ABA-accredited law schools, advanced standing students will not be ranked in the class standings, but will be considered for Dean's List and other honors. Upon request to the Registrar, a student will receive a letter stating the school's policy and a statement of estimated rank comparable to students in the class.

5. Applicants from the Maine Law LL.M. Program.

A student who has completed Maine Law's LL.M. program may be admitted to the University of Maine School of Law as a JD candidate with "advanced standing" pursuant to ABA Rules. Only those credit hours completed in JD courses with a grade of or equivalent to a "C" or above are eligible for transfer, and a maximum of 30 hours of course credit may be transferred. Students must indicate at the time of application and/or matriculation at the University of Maine School of Law that they seek advanced standing under this rule. Similar to students who have transferred from other ABA-accredited law schools, LL.M. transfer students will not be ranked in the class standings, but will be considered for Dean's List and other honors. Upon request to the Registrar, an LL.M. transfer will be given a letter stating the school's policy and a statement of estimated rank comparable to students in their graduating class.

6. Visit Away Credit Rule.

Students may visit another ABA-accredited law school in the United States with approval of the Dean of Students. Students may visit only after completing the first year curriculum. Students requesting to visit must be in good academic standing. Students will earn credit for the courses completed provided those credits earned are from (a) courses in which the student received a grade of C or its equivalent (or a grade of Pass in a pass/fail course), or better, and (b) courses which do not duplicate courses for which credits have already been earned. Course grades from other law schools will appear on the Law School transcript, but will not be included in the cumulative grade point average.

7. Clinic and Externship Credit Rule.

a. *Required Credits for Enrollment.* In order to enroll in an Externship or the Human Rights and Refugee Clinic, a student must have completed no fewer than 30 credits. In order to enroll in all other clinics, a student must have completed a minimum of 42 credits and meet all other requirements as outlined in Appendix III, the Student Attorney Certification Policy. For externship students who wish to be certified as a student attorney, they must have completed three semesters of law school (a minimum of 42 credits).

b. Maximum Credits Allowed.

- i. No student may take more than a total of 18 credits in clinical and externship courses combined.
- A student may take no more than 12 credit hours of externship courses. For purposes of this rule "externship courses" include Externship (Law 690) and Judicial Externship (Law 733).
- iii. A student may take no more than 18 credit hours of clinical courses. For purposes of this "clinical courses" include General Practice Clinic (Law 663); Advanced Cumberland Legal Aid Clinic (Law 718); Prisoner Assistance Clinic (Law 712), Juvenile Justice Clinic (Law 724); and Refugee and Human Rights Clinic (Law 783).

8. Independent Study Rule.

A student may take no more than four total credit hours of Independent Study. Additionally, a student may enroll in no more than two Independent Study courses in one semester. Students may elect to enroll in either a oneor two-credit Independent Study option. The one-credit option is for the reworking and expansion of a previous paper toward publication. The twocredit option is for the completion of a substantial paper, a series of papers, or other major written project that is of serious educational value. Any work counted for the Independent Study credits must be original work and not completed as part of a joint or external project. All Independent Study courses must be completed under faculty supervision and with the approval of the Vice Dean/Provost.

9. Group Study Program.

a. Second- and third-year students may form groups for the purpose of studying an area of the law not the topic of a currently offered course, subject to the following rules:

b. Group studies may not be composed of fewer than four or more than fourteen students. The members of the group must conduct weekly meetings and each member must submit an individual paper at the end of the semester. There will be a minimum attendance requirement that will be enforced by the group. Absence from more than two meetings will constitute an automatic withdrawal. Each group study must be supervised by a Faculty Advisor.

c. Group studies must be approved by the Curriculum Committee at least four weeks prior to the beginning of the semester. The group shall submit a proposal, signed by the Faculty Advisor that describes the scope and content of the program, a list of group members, and any special rules governing participation in and withdrawal from the program.

d. A Group Study will be for 2 credits per semester. Students may only earn a maximum of 2 credits of group study.

e. The course shall be graded Pass/Low Pass/Fail.

10. Online Course Rule.

Students may take up to 30 credits of online courses. Students should note that individual states may have rules regarding the acceptance of online courses toward bar certifications. If students enroll in online courses at another institution, the same rules and procedures apply as outlined in the Visit Away Credit Rule above.

11. Nine (9) Credit Rule (Courses Taken in the University of Maine System).

Students may petition to receive Law School credit for up to 9 credits of courses taken within the University of Maine System (UMS). Courses must be approved by the Vice Dean/Provost in advance. Preference is given to graduate level coursework, however, permission to enroll in an undergraduate level course may be given in an exceptional circumstance. Students will earn credit for the courses completed provided those credits earned are from (a) courses in which the student received a grade of C or its equivalent, or better, and (b) courses which do not duplicate courses for which credits have already been earned. Although grades earned in any UMS courses will appear on the Law School transcript, the grades will not be figured into the cumulative grade point average. Tuition for UMS

courses is charged separately from Law School tuition. Students should be aware that the Law School full-time tuition charge does not cover other UMS coursework.

12. Cross-Listed Courses.

Maine Law frequently offers classes cross-listed with other academic programs within the University of Maine System. If a cross-listed course is offered with a course designation of LAW, then students must register for the LAW designation. All cross-listed courses taught by Maine Law faculty will not count toward the nine credits that students are allowed to take from other University of Maine System programs. Courses taught by faculty from other departments within the University of Maine System, however, will count toward the nine credits allowed. The credits and grades from cross-listed courses are counted toward graduation in the same manner as all LAW courses.

13. 64 Credit Rule.

In accordance with ABA Rules, the Law School requires that all students must enroll in at least 64 credit hours in courses that require attendance in regularly scheduled classroom sessions or direct faculty instruction, including clinics, simulation courses, law-related international exchange studies, and distance education classes. Credit hours earned through non-classroom sessions, such as externships; co-curricular activities such as law review, moot court, and trial team; and courses taken in departments outside the Law School will not count toward the 64 credits.

14. Credits Awarded for Co-Curricular Activities.

The following co-curricular activities receive academic credit:

- Journals (Maine Law Review and Ocean and Coastal Law Journal): 1 credit per semester for a maximum of 4 credits.
- Moot Court: 2 credits per competition for a maximum of 4 credits.
- Trial Team: 2 credits per competition for a maximum of 4 credits.

III. Determination of Credit Hours for Coursework Rules.

Standard 310 of the ABA Rules requires that: "A law school shall adopt, publish, and adhere to written policies and procedures for determining the credit hours that it awards for coursework." The following policies and procedures are intended to comply with Standard 310:

A. Determination of Credit Hours for Classroom Courses.

1. For in-class time, the total time for classroom courses, exclusive of written examinations or final papers, is 780 minutes (13 hours) per credit. In addition to in-class time, students are required to complete a minimum of 140 minutes (2 hours 20 minutes) per credit per week of out of class work, multiplied by 13, regardless of the length of the term of instruction, or a total of 1820 minutes (30 hours 20 minutes) per credit. Maine Law has a standard 13-week semester.

a. One-credit courses will be scheduled to meet once per week for 60 minutes (1 hour) per class. Students will be required to perform at least 140 minutes (2 hours and 20 minutes) of out-of-class work per week to earn 1 credit.

b. Two-credit courses will be scheduled to meet once per week for 120 minutes (2 hour) per class, or twice per week for 60 minutes (1 hour) per class. Students will be required to perform at least 280 minutes (4 hours and 40 minutes) of out-of-class work per week to earn 2 credits.

c. Three-credit courses will be scheduled to meet once per week for 180 minutes (3 hours) per class, twice per week for 90 minutes (1 hour 30 minutes) per class, or three times per week for 60 minutes (1 hour) per class. Students will be required to perform at least 420 minutes (7 hours) of out-of-class work per week to earn 3 credits.

d. Four-credit courses will be scheduled to meet twice per week for 120 minutes (2 hours) per class, three times per week for 80 minutes (1 hour 20 minutes), or four times per week for 60 minutes (1 hour) per class. Students are required to perform at least 560 minutes (9 hours and 20 minutes) of out-of-class work per week to earn 4 credits.

2. **One-credit "Bridge" Courses Scheduled for 4 Weeks.** Four-week Bridge courses will be scheduled to meet twice per week for 95-minute sessions (or an equivalent number of minutes over a different amount of time). For scheduling purposes, these courses require 760 minutes per credit. Students enrolled in 4-week Bridge courses are required to perform at least 455 minutes (7 hours 35 minutes) of out-of-class work per week to earn 1 credit.

3. Any classroom course deviating from the standard 13-week semester, such as summer classes or January classes, shall comply with ABA Standard 310 for both in-class time and out-of-class work per credit hour. Scheduling of these classes shall be based on a minimum of 750 minutes of in-class time and 30 hours of out-of-class work per credit hour.

4. Out-of-Class Student Work.

a. For standard 13-week courses, faculty must require students to complete work outside of the classroom that reasonably approximates a minimum of 140 minutes (2 hours 20 minutes) per course credit hour per week, multiplied by 13.

b. For purposes of this rule, work outside of the classroom may include: reading assignments, case briefing, written assignments other than examinations, solving problem sets, participating in out-of-class simulations and role-playing exercises that

help students develop lawyering competencies, research assignments, posting to an online discussion board, court or other observations, conferences with the instructor, and other work that assists in comprehension of course content such as outlining and studying for examinations.

c. As guidance for determining the length of time to complete reading assignments, academic literature indicates that an average law student reads ten to thirty pages per hour (60 minutes), depending on the difficulty of the material. This guidance for estimating time to complete reading assignments does not include estimated time to complete additional study and preparatory work listed below.

d. Outside study and preparatory work, exclusive of reading assignments, includes, but is not limited to, briefing cases, additional reading of treatises and course-related material, outlining, practice questions and examinations, CALI exercises, participation in study groups and review sessions.

e. When creating class assignments, faculty should estimate the amount of time students are expected to spend on particular assignments based on factors, including the following:

- iv. Level of class (1L, 2L, 3L);
- v. Complexity of material (case law, social science, case materials, commentary, etc.);
- vi. Supplemental course requirements (hypotheticals, problem sets, group projects, presentations);
- vii. Complexity of assignment; and
- viii. Expected thoroughness of understanding.

B. Determination of Credit Hours for Clinical Courses.

1. Students enrolled in clinical courses, including General Practice Clinic, Refugee and Human Rights Clinic, Juvenile Justice Clinic, and Prisoner Assistance Clinic, must complete a minimum of 42.5 hours of work per credit in a semester.

2. Time Sheets. Students enrolled in a clinic must submit time sheets every two weeks (or more frequently, if required by the faculty supervisor) to demonstrate compliance with this requirement. Credit may be withheld for any student who fails to provide time sheets documenting completion of the required hours. The faculty supervisor must review the time sheets to ensure compliance and complete a certification form before submitting final grades to the Registrar.

C. Determination of Credit Hours for Externship Classes.

1. Students enrolled in Externships must complete a minimum of 42.5 hours of work per credit in a semester. This includes work performed at the placement, as well as assignments for the externship director. This does not include work performed for a 1-credit Externship Seminar.

2. Time Sheets. Students enrolled in an externship must submit time sheets every two weeks (or more frequently, if required by the faculty supervisor) to demonstrate

compliance with this requirement. Credit may be withheld for any student who fails to provide time sheets documenting completion of the required hours. The faculty supervisor must review the time sheets to ensure compliance and forward them or summaries to the Vice Dean/Provost.

D. Determination of Credit Hours for Non-Classroom Courses and Co-Curricular Activities.

1. Students enrolled in non-classroom courses, such as Independent Study, Group Study, Upper Level Writing, and Legal Writing TA; and co-curricular activities, such as Moot Court, Trial Team, Maine Law Review, and Ocean and Coastal Law Journal; must complete 42.5 hours of work per credit in a semester.

2. **Time Sheets.** Students enrolled in the independent or co-curricular courses must submit detailed timesheets to their faculty supervisor every two weeks to demonstrate compliance with this requirement. Credit may be withheld for any student who fails to provide time sheets documenting completion of the required hours. The faculty supervisor must review the time sheets to ensure compliance and complete a certification form before submitting final grades for the course(s).

E. Determination of Credit Hours for Cross-Listed Courses or Courses taken in the University of Maine System.

1. For cross-listed courses taught by non-Law School faculty, the Vice Dean/Provost will obtain and review the course syllabus, as well as request written certification from the course instructor ensuring that the class is in compliance with Standard 310.

2. A student who wishes to enroll in a non-law course offered by the University of Maine System, must provide a copy of the course syllabus to the Vice Dean/Provost for review.

F. Determination of Credit Hours for Courses Taken While Visiting Away at an ABA-Accredited Law School or for Courses Taken During Study at Foreign Institution.

1. A student who wishes to enroll in courses offered by another ABA-accredited law school, must provide a copy of each course syllabus to the Dean of Students for review.

2. A student who wishes to study at a foreign institution must provide a copy of all course syllabit to the Dean of Students for review and approval...

G. Make-Up Policy.

1. Because the ABA requires courses to meet for a specified number of minutes in order to qualify for academic credit, it is important for classes to meet as scheduled. If a class must be canceled due to travel, illness, or for any other reason, or if classes are cancelled due to inclement weather, faculty will announce that cancellation to the students as early as possible. If an emergency requires cancellation of a class, faculty will notify the law school as early as possible so that students can be promptly informed.

2. All canceled classes should be rescheduled and made-up during designated make-up times, or at other times reasonably convenient times for the students. To ensure compliance

with the ABA's accreditation standards, the faculty member must provide "classroom or direct faculty instruction" during the make-up session.

H. Course Approval.

1. All proposals for new courses must include a paragraph justifying the number of credits to be awarded.

2. The Vice Dean/Provost will keep these proposals and justifications on file.

3. In approving new courses, the Curriculum Committee and Faculty will determine whether the number of credits awarded complies with Standard 310.

I. Compliance with Credit Hour Policy and Standard 310.

1. This policy shall be published in the Student Handbook (both paper and online versions).

2. Readings and other assignments shall be indicated on the course syllabus. The syllabus shall include a statement of the estimated time outside of class each student is expected to spend on out-of-class work.

3. All course instructors must submit their course syllabi to the Vice Dean/Provost. By submitting the syllabus, a course instructor is certifying that outside work expected for the course meets the requirements of Standard 310.

4. The Vice Dean/Provost will keep all course syllabi on file and review them on a regular basis to determine whether assignments of outside work comply with Standard 310.

IV. Dual and Joint Degree Programs; Certificate Programs

A. Dual and Joint Degree Programs.

The Law School offers dual and joint degree programs with the Muskie School of Public Service and the Maine Business School. If accepted, individually, into both the J.D. and an approved dual/joint degree program, a student may apply up to nine credits of specified courses to the J.D. degree. Pursuant to ABA Rules, the credits applied to the J.D. degree must have been earned after law school matriculation. Students may also apply approved credits earned from the Law School toward the dual/joint degree program. For more information on this dual/joint degree option, see the Vice Dean/Provost.

B. Certificate Programs.

Maine Law offers certificates in Business and Transactional Law, Environmental and Oceans Law, and Information Privacy Law Enrollment in these programs is limited to J.D. students. For more information about requirements and procedures regarding certificate program requirements, see Appendix V. Students interested in pursuing one of the certificate programs should consult with the Program Advisor as listed on the Portal.

V. Required Courses.

A. First-Year Required Courses.

The first-year curriculum is a structured program of courses prescribed for all first-year students. Only under exceptional circumstances will students be allowed to drop or withdraw from first-year courses. First-year classes total 30 credits and include: Civil Procedure; Constitutional Law; Contracts; Criminal Law; Legal Research, Analysis, and Communication I & II; Property; and Torts.

B. Upper-Division Courses.

Except as noted in part V.B.1. below courses after the first year are elective.

1. **Required Courses.** All students are required to successfully complete Professional Responsibility (LAW 632), as well as two of the following four courses prior to graduation: (1) Administrative Law; (2) Evidence (or Trial Advocacy); (3) Business Associations; (4) Taxation.

In addition, as a requirement for graduation, all students are required to successfully complete: (1) the Upper Level Writing Requirement and (2) six credits from courses designated by the Faculty as an Experiential Course.

a. Upper Level Writing Requirement.

Students are required to complete the Upper Level Writing Requirement, which is a rigorous faculty-supervised writing experience to be commenced after finishing the first year of law study. The purpose of this requirement is to ensure that every student develops analytic and research skills as well as skills in meaningful criticism.

The Upper Level Writing Requirement may be satisfied in one of three ways:

1) Through completion of a research paper or substantial writing project in connection with any designated law school course or seminar. Students exercising this option will receive one additional credit for that course or seminar, and the regular add-drop period applies.

2) Through membership on *Maine Law Review* or *Ocean and Coastal Law Journal*, with completion of that journal's writing requirement (one comment or two case notes). Students exercising this option must have faculty advisor oversight of their writing.

3) Through completion of a research paper or substantial writing project by taking Independent Writing (Law 700) for three credits. If the supervising faculty member for Law 700 is an adjunct professor, then the Dean of Students must approve students to take Independent Writing in advance.

As used herein, the terms "research paper or substantial writing project" mean a substantial research paper or writing project of 25-40 pages in length, exclusive of footnotes. The research paper or substantial writing project used to satisfy the Upper Level Writing Requirement must be an original paper or project, and must not be submitted in any other class.

The faculty strongly encourage students to complete the Requirement prior to their final semester of study; the Requirement must be met before a student can graduate. Students may only enroll in one of these course options to meet the Requirement, and may not enroll in more than one of the options for credit toward graduation. A student may not use the written product or selected designated course or seminar to simultaneously satisfy both the Upper Level Writing Requirement and the Professional Skills Requirement, or any other graduation requirement.

Upon completion of the paper or project, the supervising faculty member must certify to the Registrar that the student has satisfactorily met the Upper Level Writing Requirement.

b. Experiential Course Requirement. As a requirement for graduation, each student must fulfill the Experiential Course Requirement. To satisfy this requirement, each student is required to successfully complete six credits from courses designated by the Faculty as professional skills courses. Examples include: Administrative Law Practicum, Commercial Law Practicum, Externship/Judicial Externship, General Practice Clinic, Juvenile Justice Clinic, Land Use Practicum, Prisoner Assistance Clinic, Refugee and Human Rights Clinic, and Trial Practice. These courses are designed to help students develop professional skills generally regarded as necessary for effective and responsible participation in the legal profession. Requests to have other courses satisfy the skills requirement should be submitted to the Vice Dean/Provost. Students may find the current list of these courses in the current registration materials.

C. Class Attendance.

Regular class attendance is required by the Law School and also by ABA Rules. Professors take attendance in all classes and seminars. Students may not miss more than 20 percent of regularly scheduled classes for any course. The 20-percent rule is applied based on the number of class meetings and not the number of credit hours for a course. For example, if a course meets once per week, the allowed absences per term is 2. If a course meets twice per week, the allowed absences per term is 5. *Although this rule sets a minimum standard for attendance, faculty may establish attendance policies that are more restrictive than those outlined in this Handbook.*

Students with more than the allowed number of absences in a course will be contacted by the professor or referred to the Dean of Students to discuss their continued enrollment in that course. Students who continue to miss class may, after notice, be required to withdraw from the course. A student who is administratively withdrawn from a course will receive a "W" or on the transcript. Students withdrawn from a course for failure to attend will receive a refund only if one is provided for under the policies of the University of Southern Maine's billing and financial offices.

VI. Registration and Course Evaluation Procedures.

A. Registering for Courses.

1. Registration.

Current students may register for the next semester's courses during the designated preregistration period. All students must meet with their advisor prior to preregistration. Only pre-registered students will be eligible to participate in course lotteries for limited enrollment courses. Students with a student accounts hold will not be allowed to register until the outstanding bill has been paid.

The Vice Dean/Provost and the Registrar circulate registration information, including course information and the semester schedule prior to the preregistration period. This information includes specific registration instructions for enrolling in permission required courses and the creation and management of waitlists.

More information about registration is available on the Maine Law portal.

2. Class Scheduling.

Once the class schedule has been set, classes may be rescheduled only upon 1) consent of all interested parties, and 2) approval by the Vice Dean/Provost. Each semester's schedule designates certain days/times reserved for class make-up times; no class and no extracurricular activities may be scheduled during the "make-up" times. The Vice Dean/Provost may reschedule a class due to unforeseeable circumstances, such as change in faculty.

B. Add/Drop Policy.

Second- and third-year students may add and/or drop any full semester classroom course(s) during the open registration period through the end of the designated Add/Drop period, which is normally the first five business days of each semester.

A student may not add a course(s) after the Add/Drop period without the permission of the Dean of Students and the Faculty member whose course is to be added.

A student may only drop a full semester classroom course with permission of the Dean of Students. If dropped in the first two weeks (14 calendar days), there will be no record of the course on the transcript and no charges will be incurred. After the second week, students who drop a course with permission will receive a notation of "W" for the course on their transcript. The indicator of W is not calculated into the student's grade point average.

Experiential courses may have more restrictive add/drop policies. These add/drop restrictions may include a shortened add/drop period or the ability to add/drop only prior to the beginning of the course.

Summer and bridge courses also have a separate add/drop period. In general, the courses must be added or dropped prior to the second class meeting. For specific add/drop information regarding these and other specialty courses, please see the semester registration materials and relevant course materials or syllabi.

C. Course Evaluations.

Course and teaching evaluations are generally conducted electronically prior to the end of the semester. Instructors will not have access to course evaluations until final grades have been submitted. Data is released for use by faculty and administrators in evaluation of teaching. Completion of evaluations is strongly encouraged.

VII. Examination Procedures.

Many courses use examinations and mid-term assessments as the basis for awarding graded credits earned at the Law School. Accordingly, scheduled examinations/assessments and established examination periods are an integral part of the academic calendar. Students must be available to sit for examinations during the semester, as well as during the designated examination period at the end of the semester regardless of their individual examination schedules; this includes regularly scheduled examinations on Saturdays. Examinations may be rescheduled (due to inclement weather or some other unforeseeable event) during the examination period and students will be expected to be present at the newly appointed time. Students writing exams or using laptops will take exams in the same room.

Failure to take a scheduled examination, without permission from the Registrar or Dean of Students, will result in a failing grade of F for that exercise. Return of a take-home examination after the deadline may result in severe penalties, including a grade of F for that exam.

Grades are due 3 weeks after the end of the last day of the exam period for the term. In the Spring, final grades for graduating 3L students are due the Monday prior to Commencement.

A. Exam Numbers.

To ensure anonymity in grading examinations, each student is assigned an examination number. The Registrar keeps the record of student exam numbers; each student will obtain his or her examination number from the Law School portal. This is a secure site; students must log on using their school assigned log-in and password. The Registrar maintains the master list, which links names and numbers.

B. Exam Schedule.

The Registrar prepares and posts the final examination schedule by the first day of the term. Students with two examinations on the same day will take one of the examinations on the next free examination day. Students with three or more examinations scheduled for successive days may request to reschedule one of the exams. This request must be made to the Registrar by the date posted on the exam schedule. Any requests to reschedule exams must be made using the Exam Rescheduling Request Form located on the Maine Law portal. Exceptions to the exam schedule will only be granted due to exceptional circumstances.

C. Past Examinations and Model Examination Answers.

Copies of selected past examinations and model examination answers are available to students on the Maine Law student portal.

D. Retention of Exams/Papers.

All exams/papers (printed or electronic) and blue books upon which grades are based will be retained for a one-year period. Professors will keep their students' exams/papers in the professor's office files until the end of the following semester. After that time, the exams/papers may be turned in to the Registrar, who will store the exams/papers for the remaining period.

E. Policies and Procedures Governing Exams.

The Official Policies and Procedures Governing Exams is included in Appendix II. The policies have been approved by both the administration and faculty. Questions or concerns about these policies, as well as any other questions related to final exams, should be directed to the Registrar and/or the Dean of Students.

VIII. Grading System, Honors, and Policies.

A. Letter Grades.

Grades at the Law School are given in letter terms, with the numerical equivalents used only to indicate the value assigned to each grade for purposes of calculating cumulative grade point averages. All grading, honors, dean's lists, and other honors and policies are based on the numerical gpa scale used in the MaineStreet system. For purposes of grading, ranking, honors, and dean's lists, grade point averages are not rounded up or down from the final numbers posted in MaineStreet.

Letter		GPA
Grade		
А	Excellent work	4.00
A-		3.67
B+		3.33
В	Work that displays a very good understanding of course	3.00
	materials and objectives	
B-		2.67
C+		2.33
С	Work that displays satisfactory understanding of course	2.00
	materials and objectives	
C-	Work that is marginally satisfactory on an individual	1.67
	course basis. Aggregate performance at this level is below	
	the average required for graduation	
D+		1.33
D		1.00
F	Failure to meet course objectives	0.00

B. Honors.

1. **Dean's List.** A first-year student who earns an overall semester grade point average of 3.200 or above, and an upper-division student who earns an overall semester grade point average of 3.330 or above will be named to the Dean's List for academic distinction for that semester. All students, including those enrolled in a reduced course load, are eligible for the Dean's list. For purposes of the Dean's List, students are considered to be first-year students until they have completed 30 credits.

2. Grading Guidelines.

These Grading Guidelines apply only to J.D. students.

- a. Grading Guidelines for First-Year Courses
 - 1) The grading guidelines in this section apply to all first-year courses except Legal Reasoning, Analysis, & Communication I and II.

2) The targeted mean grade point average in 1L required courses is 3.05. The actual mean in these courses shall be between 3.00 and 3.10.

This mean applies only to the final grade of the course.

3) Faculty who teach different sections of the same course in the same semester are encouraged to share their students' grades with one another before submitting final grades to the Registrar.

- 4) Faculty are strongly encouraged to use a full range of grades.
- b. Grading Guidelines for Upper-Level Courses
 - 1) There is no targeted mean grade point average for upper level courses.
 - 2) Faculty are strongly encouraged to use a full range of grades.

3. Graduation Honors.

a. The following Honors will be awarded at graduation:

Summa Cum Laude

Students who are ranked in the top 3 percent of their graduating class will be graduated *summa cum laude*.

Magna Cum Laude

Students who are ranked in the top 10 percent of their graduating class, but do not meet the standard for summa cum laude, will be graduated *magna cum laude* degree.

Cum Laude

Students who are ranked in the top 30 percent of their graduating class, but do not meet the standard for magna cum laude or summa cum laude, will be graduated *cum laude*.

For purposes of determining Honors, the January and May graduates of the same calendar year will be considered the graduating class. Thus, students who complete their degree requirements in January will be awarded Honors based on their class rank the following May. Students who complete their degree requirements in the summer session following May graduation will be awarded Honors based on the class rank they would have achieved in the preceding May.

Likewise, transfer and advanced standing students, although not officially ranked, will be awarded Honors based on the class rank they would have achieved using only their Maine Law cumulative grade point average.

Percentages are rounded up in determining Honors. For example, if the top 3 percent of the graduating class is 3.12 students, the top four students in the graduating class will be graduated summa cum laude. Honors are determined based on percentages of the total number of graduates in that class, including transfer and advanced standing students; however, transfer and advanced standing students are awarded Honors only in addition to (not in lieu of) those who are officially ranked.

b. Pro Bono Program. Students who complete more than 80 hours of pro bono work will be recognized in the program at graduation and with an acknowledgment on their diploma. Although this program is not required for graduation, the faculty strongly encourage students to complete pro bono hours. For details on how and when to report your hours, please see the Maine Law portal or contact the Office of Career Services.

C. Courses not Employing Letter Grades.

1. All courses not employing letter grades have been designated Pass/Low Pass/Fail.

2. Second- and third-year students may elect to take one graded course each academic year on a "Pass/Low Pass/Fail" basis, subject to the following conditions:

- a. An instructor may designate their course as not available for the Pass/Fail election.
- **b.** The option is not available for the Upper Level Writing Requirement.

c. In all courses, the instructor may, after notice during the pre-registration period, remove the course from this "Pass/Fail" option.

d. The option must be exercised during the Add/Drop period, on forms provided by the Registrar. Before 4:00 p.m. on the last day of classes, the student may change a pass/fail election to a decision to take the course for a grade by completing the appropriate paperwork with the Registrar. A student who revokes the pass/fail option in the fall semester may still elect to take a course pass/fail in the spring semester.

e. "D" level work will receive a grade of "Low Pass."

f. Students are limited to a total of two (2) such options during their Law School program.

D. Grading Policies.

All graded credits earned at the Law School are graded on the basis of an examination at the end of the semester, one or more papers, quizzes or special class assignments, class participation; or a combination of these or other equivalent assessment methods at the Faculty member's discretion. Part of a grade may also be based on periodic examination during the semester using any of the above options. Under no circumstances may the same work be submitted for credit in two different classes.

1. **Grades of D or above.** A student who receives a grade of D or above will receive the number of credits appropriate to that course.

2. **Failing Grades in Graded Courses.** No credit hours will be given to any student who receives an F in a graded course. The course will appear on the transcript with the corresponding grade and the grade will be averaged into the grade point average.

3. **Pass/Low Pass/Fail Grades.** Certain courses may be taken for Pass/Fail credit if so designated by the Faculty or elected by the student (see above rules for P/LP/F election). A student who receives a grade of P or LP in a Pass/Fail course will receive the appropriate number of credit hours of the course. No credit hours shall be given to any student who receives an F in a Pass/Fail course. The course shall appear on the transcript with the grade of F. The F grade is not part of the student's cumulative average.

E. Incompletes.

A temporary grade of "I" may be given to a student who, because of extraordinary circumstances, has failed to complete course requirements. Required work must be completed by arrangement with the instructor with a maximum time limit of one semester. At that time, the professor must submit a letter grade or a grade of P, LP, or F. An additional grade of I may be given by the instructor with permission of the Associate Dean for Student Affairs.

F. Student Audit Policy.

Maine Law students who are interested in auditing a law class must submit a petition to the professor of the course. A petition must be in writing and include the reasons both for the student's interest in the course and the student's inability to take the course for credit. Once approval is given, a student must meet with the professor to agree to the full terms of the student's involvement in the course, including expectations for classroom participation, as well as the completion of exams and assignments. Students who are auditing a course must register for the course with the Registrar and will earn a grade of "Audit" from the professor at the end of the semester, if the student meets all agreed upon requirements. Audited courses are not given any credit and will not count toward either graduation or the cumulative grade point average.

G. Grade Change Policy.

After a final course grade has been recorded, it may not be changed except:

1. Upon request of the instructor to the Vice Dean/Provost, in order to correct a clerical or mechanical error (including an error in the computation, recording, or reporting of the grade); or

2. With the consent of the instructor and upon request to the Vice Dean/Provost, or as a result of review under appropriate procedures of the Law School or University, to correct a grade resulting from procedural irregularities or established prejudice by the instructor against the student.

IX. Academic Status Rules and Academic Success Program Requirements.

The Faculty of the Law School has adopted the following standards of academic attainment governing a student's right to continue in school as a candidate for the degree of Juris Doctor:

A. Good standing.

Any student whose grade averages, both cumulative and for the semester last completed, are 2.000 or higher and who has no more than two (2) D level grades for the last semester completed and no more than six D grades cumulative is in good academic standing. A student not in good standing must be placed on probation or dismissed from school.

B. GPA below 2.000 or 2 D level grades.

A student whose grade average for any semester falls below 2.000 or who receives more than two (2) D level grades in any semester will be treated in one of three ways pursuant to paragraphs C to G below.

C. Probation of first-year students who have completed only one semester in law school.

A first-year student whose grade average for their first semester is 1.600 or higher but less than 2.000 will be placed on probation; such a student whose grade average is below 1.600 will not be allowed to continue unless placed on probation by the Executive Committee, and in the absence of such action will not be allowed to continue in school.

D. Terms of probation pursuant to IX.C.

1. A student placed on probation pursuant to paragraph IX.C. above achieving a cumulative average at the close of their second semester in law school of at least 2.000 and no more than two (2) D level grades will be removed from probation.

2. A student placed on probation pursuant to paragraph IX.C. above achieving a cumulative grade average at the close of their second semester in law school of 1.900 or higher but less than 2.000 will be allowed to continue in school only by special action of the Executive Committee. If the Executive Committee takes special action in such a case, the student may continue only in a probationary status.

3. A student placed on probation pursuant to paragraph IX.C above achieving a cumulative grade average of less than 1.900 at the close of their second semester in law school will not be allowed to continue in school in the absence of the special action of the Executive Committee.

4. A student placed on probation pursuant to paragraphs IX.C. and IX.D.2. above achieving a cumulative grade average at the close of their third semester in law school of at least 2.000 and no more than two (2) D level grades will be removed from probation.

5. A student placed on probation pursuant to paragraph IX.C. and paragraph IX.D.2. above achieving a cumulative grade average at the close of their her third semester in law school of less than 2.000 or earning more than two (2) D level grades will not be permitted to continue in school.

E. Probation of students who have completed more than one semester in law school and who have not previously been on probation.

A student who has completed their first semester in law school in good academic standing who has not previously been on academic probation and whose grade average for any one semester after the first is 1.800 or higher but less than 2.000 will be placed on probation; such a student whose grade average is less than 1.800 will be placed on probation only by special action of the Executive Committee, and in the absence of such action will not be allowed to continue in school.

F. Any student who receives more than (2) D level grades in one semester is not in good academic standing.

Such a student will be treated as if the student has a grade average of less than 2.000 but higher than 1.800 for purposes of other probationary rules. The terms of probation cannot be satisfied if a student receives more than two (2) D level grades in a semester while on probation. This applies to the terms of probation in paragraphs IX.D. and IX.G. and the rules of successive probation in paragraph H.

G. Terms of probation pursuant to sections E and F above.

A student placed on probation pursuant to paragraph E or F above will be permitted to remain in that status for only one semester. At the close of the probationary semester, a student achieving a grade average of at least 2.000 and receiving no more than two (2) D level grades for the probationary period and a cumulative grade average of at least 2.000 will be removed from probation; otherwise they will not be permitted to continue in school.

H. Successive Probation.

A student who has once been placed on academic probation in the School of Law who has met the terms of his or her probation and who later fails again to attain good academic standing (as defined in paragraph IX.A. above) may be placed on probation a second time only by special action of the Executive Committee and in the absence of such action will not be permitted to continue in school.

I. Completion of the First Two Semesters.

Notwithstanding any other provision, a student who, upon completion of the first two semesters in law school, has a cumulative average of less than 2.000 or has received 4 or more D level grades, shall not be allowed to continue in school in the absence of special action of the Executive Committee.

J. Probation and Dismissal Procedure.

1. Determination of Academic Status.

At the end of both the fall and spring semesters, the Registrar will provide a list to the Dean of Students of all students who are not in good academic standing (a grade point average that falls below a 2.000). Incomplete grades will not be considered for purposes of academic status determination.

2. Petition to Continue on Probation.

In any case where the student's academic status leads to a dismissal, the student may petition the Executive Committee for permission to continue on academic probation. A student wishing to petition the Executive Committee must notify the Dean of Students of the student's intent within 5 business days of receiving notice of dismissal from the Associate Dean. Once the student has informed the Associate Dean of the student's intent to petition, the student must within 5 business days submit a written petition to the Dean of Students. The petition should set forth facts that the student believes may be pertinent to the Executive Committee's decision.

3. Notice to Faculty.

Prior to the Executive Committee meeting, the Dean of Students will notify the entire full-time Faculty of any petitions scheduled to be considered by the Executive Committee and will provide a copy of the student's petition to members of the full-time Faculty upon request. The Faculty will have the opportunity to submit orally or in writing any information pertinent to the Executive Committee's decision.

4. Executive Committee Members.

The Executive Committee consists members of the Dean's Advisory Council. Also in attendance at Executive Committee meetings, will be the Dean of Students.

5. Executive Committee Meeting.

The Dean of Students will set an Executive Committee meeting time that is convenient for all concerned. The student may choose to appear before the Committee to make a brief presentation or answer questions of the Committee. The Associate Dean will also inform the student of the members of the Committee prior to the meeting so that the student may raise any concern regarding potential conflict of interest.

At the Executive Committee meeting, members will consider the student's petition, transcript, admissions file, and any other relevant records. The Committee may consider pertinent information provided by other law faculty. The Committee may also hear from the petitioning student. Students who choose to appear in person before the Executive Committee may bring an advisor or support person to the meeting. The Committee will reach a final decision by consensus, and the Dean of Students will provide notice to the student of the decision.

6. Appeal of Executive Committee Decision.

To appeal an adverse decision of the Executive Committee, the student must file a written statement outlining the reasons for appeal within 5 business days of receiving notice of the Executive Committee's adverse decision. The appeal will be considered by an Academic Status Review Board, which will be chaired by the Dean and include 2 other full-time faculty members selected by the Dean. Members of the Review Board may not have served as members of the Executive Committee for the student's original petition. The Review Board will be given a copy of the appeal and original petition, as well as any additional information considered by the Executive Committee and the Review Board shall affirm the decision of the Executive Committee unless upon review of the available information the Review Board are final and may not be further appealed.

K. Academic Probation.

1. Students on Academic Probation have earned a semester and/or cumulative grade point average of below a 2.000. Pursuant to the Academic Status rules, students are either placed on probation automatically or by special action of the Executive Committee (or after appeal of an adverse Executive Committee decision). Students on academic probation have certain conditions and restrictions that imposed upon them for the probationary semester.

2. General Conditions. A student placed on probation must participate in the Academic Success Program, and the Executive Committee may include in the grant of probation any reasonable academic terms or conditions the Executive Committee deems appropriate, such as restrictions on a student's enrollment in specific courses or a requirement to enroll in a reduced course load.

3. Other Restrictions for Students on Academic Probation. Students who are on academic probation may be prohibited from participating in specific academic and/or extra curricular activities, including but not limited to clinical programs, externships, and visit away/study abroad.

a) Externship. Students on academic probation may only participate in an externship placement with permission of the Dean of Students and the Director of Field Placement Programs.

b) Clinical Programs. Students who are on academic probation may not participate in any clinical courses. Moreover, students who are on academic probation are not in good standing and may not be certified as student attorneys.

c) Visit Away or Study Abroad/Exchange Programs. Students who are on academic probation may not participate in Law School exchange programs, study abroad/visit away through other ABA accredited institutions.

d) The Law School may restrict participation in other academic or extra curricular programs as deemed appropriate.

L. Schedule Approval and Academic Success Program.

All students who complete their first semester or first two semesters in the bottom 20% of their class must participate in the Academic Success Program. This ASP requirement includes enrollment in a mandatory for-credit course offered in the fall semester of 2L year or equivalent for reduced course load students. Additionally, any LL.M. student who transfers into the JD program may be invited to join the Academic Success Program.

M. Reapplication to the Law School by a Student Dismissed for Academic Performance.

Students who are dismissed based on their academic performance may reapply to the Law School after two years, but there is no guarantee of readmission. The applicant must

comply with all standard admissions processes including application submission through LSAC.org. When reviewing the application, the Admissions Committee will consider a student's previous study at Maine Law; the student's academic performance at Maine Law can be the sole reason for denial of readmission. A successful reapplicant must make an affirmative showing that the prior disqualification does not indicate a lack of capacity to complete the legal program at the University of Maine School of Law and admission to the bar. If a student is readmitted, the Vice Dean/Provost and the Admissions Committee will determine whether any previous courses will be counted toward the student's degree.

X. Student Policies and Records.

A. Email Policy.

All official communication from the University of Maine School of Law, the University of Southern Maine, and the University of Maine System will be sent via email to a student's maine.edu account. Students are responsible for notices and communications sent via email, including changes to policies, procedures, and requirements. Students are expected to read their emails in a timely manner. For the full University of Maine System's email policy, please see the Policies & Forms – "IT Services" section of the Maine Law portal.

B. Laptop Policy.

All Maine Law students are required to own a laptop computer. Specifications regarding hardware and software requirements can be found on the Maine Law portal. For the full Maine Law laptop policy, please see the Policies & Forms – "IT Services" section of the Maine Law portal.

C. Recording Policy.

As a general rule, the recording of all classes is prohibited without permission. If a student will be absent from class and wishes to record a missed class session, the student must first contact the course professor for permission. If permission is granted, the student must arrange for a classmate to facilitate the recording. All class recordings are for personal use only and may not be uploaded to the internet or otherwise shared, transmitted, or published without the prior consent of the professor. If a professor denies a request to record a class, then a student must find an alternative method for making up the missed material.

Students should note that the Law School does not provide recording services for occasional absences. Suggested mobile apps and a listing of devices available to students for self-directed audio recording can be found in the MyLaw Portal. Recording classes without permission will be viewed as a violation of the Student Conduct Code.

Students who are requesting the recording of classes pursuant to the Americans with Disabilities Act or in the case of exceptional circumstances, such as hospitalization, must contact the Dean of Students. The Office of Student Affairs will contact the professor and arrange for the recording.

D. Class Standing.

Class standing may be obtained confidentially from the Law School Registrar. Standings are computed at the end of the fall and spring semesters. Final class standing for the purposes of graduation is set in May and will not be adjusted pending completion of classes after that time.

E. Grade Reports.

Grades are available to students through MaineStreet.

F. Name Usage.

The University recognizes that many members of its community use names other than their legal names. For some students and employees, a chosen or preferred name may be an important component of their identity. Therefore, the University has established this policy which allows students and employees to indicate their preferred names to the University community even if they have not changed their legal names. These may include individuals who prefer to use: a middle name or nickname instead of a first name; an anglicized name; a name to which the individual is in the process of legally changing; or a name that better represents the individual's gender identity.

Preferred name – A preferred name is defined as an alternative to the individual's legal name as designated by the individual in university systems. A preferred name is limited to first name or first name and middle name; last names are considered legal names and any change to last name must be accompanied by appropriate documentation.

Legal name – A person's legal name is the name they use for official government documents, such as licenses, passports, and tax forms.

The full UMS Name Usage Policy is available on the UMS website.

G. Transcripts.

The permanent academic record, including transfer credit evaluation, is maintained by the Registrar for all students of the Law School. The only true and valid documentation of academic work and student status is an official transcript of the academic record, stamped with the Registrar's signature and embossed with the seal of the Law School. Requests for transcripts must be made in writing and signed by the student. Transcripts may be released to the student or a designee as appointed in the request. A transcript will not be released if there are outstanding charges on the student's account. Official transcripts cannot be emailed.

H. Confidentiality.

The Family Educational Rights and Privacy Act was formulated to protect the privacy rights of students and their parents as those rights apply to a student's educational records. (See below) The most current policies can be found on the UMS website. The following information is to help clarify Law School policy and procedure:

1. Each student who is or has been in attendance at the Law School has the right:

a. To inspect and review his or her own educational records and to request explanations and Interpretations of those records;

b. To request amendment of those records if the student believes the information to be inaccurate, misleading or in violation of privacy or other rights of the student;

c. To a hearing in the event that the Law School chooses not to amend the challenged records.

2. Each student wishing to inspect his or her educational records must give the proper administrator twenty-four-hours-notice of his or her intent to inspect. The educational records must be read in the office of the administrator and may not be removed from that office for any reason. The Law School maintains a general comprehensive file located in the Registrar's Office and maintained by the Registrar.

3. A student may waive his or her right to inspect and review a confidential letter of recommendation provided by a specific individual, or confidential letters of recommendation provided for a specific purpose. The waiver will be considered to be in effect as long as the letters of recommendation are maintained in the educational records of the student.

4. This act also establishes guidelines for disclosure of personally identifiable information from a student's educational records. The Law School may not disclose personally identifiable information without the prior written consent of the student. Prior written consent is not required, however, for disclosure to certain individuals, including school officials and teachers with a legitimate educational interest, officials of other schools to which a student applies, and selected other officials. Information defined as "directory information" (see below) is exempted from the consent requirement.

The consent to disclose:

- **a.** Must be in writing
- **b.** Must be signed and dated by the student
- **c.** Must specify the records to be disclosed
- **d.** Must specify the purpose of the disclosure
- e. Must specify the party or class of parties to whom the disclosure may be made.

A health and safety emergency disclosure may be made without prior written consent if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

"Directory Information" has been defined to include the following information relating to a student: The student's name, date and place of birth, major field of study, participation

in officially recognized activities, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other similar information.

"Educational Records" have been defined as those records, files, documents and other materials which 1) contain information directly related to a student, and 2) are maintained by a person acting for an educational institution.

Please see the USM or UMS websites for the most current description of the FERPA policies and requirements.

I. Other Policies and Provisions.

There are various other academic and institutional policies and provisions that govern law students. These are located in the Student Handbook, on the Maine Law Portal, and on both the Maine Law and UMS websites.

XI. Withdrawal/Leave of Absence/Readmission.

A. Term Withdrawal

A student who wishes to leave the Law School after having registered for at least one semester must complete a Student Departure Form, receive approval from the Dean of Students, and submit the signed form to the Registrar. If a student withdraws from all courses at the Law School during the first fourteen calendar of the fall or spring term, there will be no course grades recorded. If a student withdraws from all courses at any time during the remainder of the fall or spring term, a grade of 'W" will be assigned in all courses. All requests to withdraw from the term must be made by the last day of classes. Failure to withdraw from all classes by the last day of classes will result in a grade of "F" being entered for all courses on the transcript. Students who withdraw for only one term are expected to return the following semester unless they have applied for a Leave of Absence, with the exception of first year students. First year students who withdraw with fewer than 15 credits (or during the fall semester) must send confirmation of their intended return to the Registrar by April 1st in order to secure a place in the incoming fall 1L class.

B. Leave of Absence

Students seeking an official leave of absence must consult with the Dean of Students. Such students must complete a Student Departure Form, receive approval from the Dean of Students, and submit the signed form to the Registrar. A leave of absence may be granted for one year. First year students who are granted a leave of absence with fewer than 15 credits must send confirmation of their intended return to the Registrar by April 1st in order to secure a place in the incoming 1L class. Students who do not re-enroll within one year will be administratively withdrawn and will be considered a Law School Withdrawal.

C. Law School Withdrawal

Students who do not wish to continue their studies or decide to transfer to another law school must complete a Student Departure Form, receive approval from the Dean of Students, and submit the signed form to the Registrar. Upon completing those steps, the student will be withdrawn from the Law School. Should the student wish to return to Maine Law, they must reapply and participate in the admission process.

D. Other Factors to Consider

In all cases described above, students should consult the Student Billing Office at the University of Southern Maine for their refund policies, as well as the USM's Office of Financial Aid to assess any potential financial aid implications, as well as connect with Maine Law staff to discuss potential scholarship implications.

E. Withdraw by Last Day of Classes

All requests to withdraw from the Law School (Term or Law School Withdrawal) must be made by the last day of classes (prior to the exam reading week). Failure to withdraw by the last day of classes will result in a grade of "F" being entered for all courses on the transcript. This does not apply to those students applying for a medical withdrawal.

F. Students on Academic Probation.

A student who withdraws from the Law School while on academic probation must petition the Executive Committee for readmission. The student will be given notice of the time at which the Executive Committee will consider their case in order that they may, if desired, submit orally or in writing any facts which the student believes may be pertinent to the Executive Committee's decision.

G. Students in Good Standing.

A student who withdraws from the Law School in good academic standing must apply to the Admissions Committee for readmission as provided in this paragraph.

1. **Procedure.** The application must be submitted prior to the beginning of the semester for which readmission is sought. The application may be in the form of a letter setting forth the applicant's reasons for seeking readmission at this time and summarizing his or her activities since leaving the Law School. Additional information or supporting material may be requested of the applicant by the Committee if necessary.

2. **Criteria.** An applicant will be readmitted upon timely application unless the Admissions Committee finds that there is no room in the class to which readmission is sought or that circumstances exist indicating that the student cannot satisfactorily complete the required academic work or cannot function effectively in the Law School community. In determining whether such circumstances exist, the Committee will consider the following factors:

- **a.** Original admissions credentials
- **b.** Law School academic record
- c. Reasons and circumstances surrounding withdrawal
- **d.** Time elapsed since initial law school admission
- e. Number of prior withdrawals
- **f.** Activities since withdrawal and reasons for return
- g. Updated character and fitness disclosure.

Students who were medically withdrawn from the Law School on a voluntary or involuntary basis must provide a statement outlining their reasons for wanting to return to the study of law, as well as documentation from a treating medical professional outlining the student's readiness to meet academic and program expectations upon return. Individualized conditions may be imposed on such students to aid in their successful reentry to the Law School.

XII. Graduation Requirements

A. The Juris Doctor degree will be recommended for each candidate who has:

1. Successfully completed six semesters of residence as a law student enrolled at an ABA accredited law school. The candidate must have earned at least 50% of their 90 credits at the Law School. .

2. Earned a cumulative average of at least 2.000 on all work attempted at the Law School, earned an average grade of at least 2.000 on all work attempted during the semester immediately preceding the date the degree is to be conferred, earned no more than two (2) D+, D, or F grades during the semester immediately preceding the date the degree is to be conferred, and received not more than six (6) D+, D, or F grades on all work attempted at the law school. A candidate who is on probation at the beginning of the semester immediately preceding the date the degree is to be conferred must also have satisfied the terms of probation. A candidate who fails to comply with any of the requirements set out in the preceding sentence but meets the other requirements for graduation will be recommended for the degree only under special circumstances and by special vote of the Executive Committee. Such a candidate will be permitted to continue in school only by a special vote of the Executive Committee. The Executive Committee may impose conditions on such permission to continue.

3. Successfully completed 90 hours of credit, with a grade of Pass or Low Pass, in a Pass/Fail course and a D or above in a graded course.

4. Successfully completed all required courses, including all first-year courses, Professional Responsibility; experiential courses totaling at least six credit hours; and two of the following four courses prior to graduation: (1) Administrative Law; (2) Evidence (or Trial Advocacy); (3) Business Associations; (4) Taxation I.

- 5. Successfully completed 64 credits of direct instruction.
- 6. Satisfactorily completed the Upper Level Writing Requirement.

B. Participation in the graduation ceremony.

Participation in the graduation ceremony is limited to students who have completed all graduation requirements. Students who are enrolled at another law school during the last semester may participate in graduation but will not receive their degree until all grades are received. Students who complete their degree requirements in the summer session following graduation and who have registered for their remaining credits prior to the ceremony will be allowed to participate in graduation.

XIII. Conduct Codes and Policies.

The University of Maine School of Law has adopted standards and procedures governing both student and applicant conduct. Most Maine Law students intend to seek admission to the practice of law or other professional positions that require conformance to high ethical standards. Therefore, the Law School requires students to conform their behavior to such standards during their application to and enrollment in the Law School. This includes the expectation that students will behave in a manner that aligns with the meaning and spirit of the Maine Rules of Professional Conduct and the American Bar Association Model Rules of Professional Conduct.

All University of Maine School of Law students are subject to the University of Maine System Student Conduct Code, the UMS Academic Integrity Policy & Title IX Policy, as well as the many campus use and conduct policies from the University of Southern Maine and University of Maine System that are posted on the USM and UMS websites and/or which are referenced in Appendix I. Law students also are required to abide by the policies and procedures, as well as all rules of conduct, described throughout this Handbook. A failure to follow these rules, procedures, and policies either during application to or enrollment in the Law School may initiate a referral to formal process and consideration of sanctions, up to and including expulsion or revocation of admission to the Law School.

In addition to violations of the rules, policies, and procedures outlined in this Handbook, students must also abide by the rules and policies provided through other Law School courses (including the class syllabus) and programs, and violations of such rules and policies may also lead to referral to formal review and process.

XIV. Character and Fitness Disclosures.

A. Standards and Procedures for Submitting Information on Wrongdoing.

The University of Maine School of Law's standards and procedures with regard to admission and retention of students who are involved in wrongdoing supplement provisions of the University of Maine System Student Conduct Code. Disclosures made by students may be reviewed under relevant policies, including the UMS Student Conduct Code or Law Student Reported Incident Review Process.

1. Accuracy of Information.

Students are responsible for the accuracy of all information submitted, created or prepared as part of their application for admission. This responsibility includes a continuing obligation to update or correct any information that has been incorrectly reported or omitted. The presentation by the applicant of inaccurate material information on or in support of an application is in and of itself grounds for the denial of an application or for discipline of an admitted applicant at any time before the student graduates from the Law School. The sanctions for the violation may include expulsion from the Law School and/or the University of Maine System.

2. Continuing Duty to Report Information.

Following application, each student must inform the Dean of Students in writing of any information that would have been required to be reported on the application for admission had it taken place prior to application. This includes, but is not limited to any citation, arrest, charge, or conviction for a crime or traffic infraction. This continuing duty occurs from the time of submission of the application through graduation. (Prior to Orientation, reports should go directly to the Associate Dean for Admissions.)

B. Submission of Information Regarding Wrongdoing After Admission.

A student who has been found to have engaged in the conduct referenced in Section XIV.A. after admission or who failed to disclose such conduct in their application, may be suspended, expelled, or otherwise disciplined through appropriate conduct code or other Law School procedures.

Information on wrongdoing will be reviewed by an ad hoc committee of faculty and staff, and will be referred to formal process if deemed necessary.

C. Reporting of Misconduct to Bar Authorities and Institutions.

Disclosures of wrongdoing will be part of the student's official file and the Law School may communicate violation of any Law School rules, policies, and procedures, to appropriate bodies, including, but not limited to, the board of bar examiners or other similar institutions governing bar admission, the Law School Admission Council, and any institutions requiring approved background checks.
Appendix I: University of Maine System Student Code of Conduct, University of Maine System Academic Integrity Policy, Title IX Policy, and Law School Student Handbook Violation Procedures

University of Maine System Student Conduct Code¹

The University of Maine System Student Conduct Code (the "Code") governs all students attending any UMS institution, including the University of Maine School of Law. The Code is posted online on both the University of Maine System and University of Southern Maine's websites. A link to the Code is also provided on the Maine Law portal. Students at Maine Law will sign an acknowledgment at the end of this Handbook that includes reference to receipt of notice of the Code.

The complete and up-to-date version of the <u>UMS Conduct Code is available on the University of Maine</u> <u>System website</u>.

University of Maine System Academic Integrity Policy

Academic integrity violations strike at the heart of the educational mission of the University of Maine System. The academic community of the University of Maine System recognizes that adherence to high principles of academic integrity is vital to the academic function of the University. Academic integrity is based upon honesty. All students of the University are expected to be honest in their academic endeavors. All academic work should be performed in a manner that will provide an honest reflection of the knowledge and abilities of each student. All members of the academic community should regard any breach of academic honesty as a serious offense.

In accordance with the System's mission, campuses within the System have increased cooperative programs with each other to provide better access to courses and programs for students. Students are taking University courses while still in high school, the number of non-traditional students is increasing as is enrollment in on-line and asynchronous courses, and students are increasingly taking courses from multiple campuses during the same semester. All of these factors represent positive change because they represent increased educational opportunity for all students. These factors also require that the University of Maine System adopt this System Academic Integrity Policy to set forth specific and uniform standards of academic integrity that will apply to all courses on all campuses within the System.

Each University campus may adopt procedures for carrying out the provisions of this Policy within the guidelines set forth by this Policy as described below, as long as those campus procedures are consistent with this Policy. Professional schools, such as the School of Law, having a professional code of ethics may adopt additional procedural provisions to be applicable to their own students, as long as they are consistent with this Policy and all procedural requirements of this Policy are met.

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The complete and current version of the <u>University of Maine System Academic Integrity Policy is available</u> on the University of Maine System website.

¹ Students are bound by the terms of the most current version of the <u>University of Maine System Student Code of</u> <u>Conduct, which is available on the University of Maine System's website.</u>

UMS Policy: Sex Discrimination, Sexual Harassment, Sexual Assault, Relationship Violence, Stalking and Retaliation and Title IX Sexual Harassment

The complete and current version of the Title IX Policy is <u>located on the University of Maine System</u> <u>Website</u>. Specific information about contacts for Maine Law students can be found on the Maine Law <u>website</u> and the MyLaw <u>portal</u>.

Law Student Reported Incident Review Process

The following procedures are for review of incidents reported to the Law School involving student conduct that may constitute violations of the Student Handbook and/or related policies and provisions, including character & fitness disclosures.² Violations of the UMS Student Conduct Code, the Academic Integrity Policy, the Title IX policy, or other policy with a designated reporting mechanism will follow the procedures in those respective policies. If at any time a violation of such policies is alleged or uncovered, the incident will be handled according to the procedures in those respective policies. For very serious violations of the Student Handbook and/or related policies and provisions, such as significant character and fitness disclosures, the Law School may opt to utilize the procedures outlined in the UMS Student Conduct Code rather than following the procedures outlined below.

I. Investigation and Procedure.

- A. Anyone may report any possible violation of ethical or professional standards, course policies, handbook provisions, or other relevant policies to the Dean of Students. Any report submitted by anyone who is not faculty, adjunct faculty, staff, or a student, must be made utilizing the "External Incident Report Concerning the University of Maine School of Law" form, which is located on the Law School's website.
- **B.** The Dean of Students will review the merit of a reported incident for any possible violation. If necessary, the Dean of Students will meet with the reporting party to gather more information as a preliminary investigation.
- **C.** If the Dean of Students determines that no violation occurred, the Dean of Students may have an advisory discussion with the Student to outline the content of the report. This advisory discussion may address any concerning behavior or conduct that did not rise to the level of a violation or may serve only to notify the student of the report.
- **D.** If the Dean of Students determines that a violation is adequately alleged and requires further review, the Student will receive a formal notice via email from the Dean of Students outlining the nature of the report, as well as the specific policies or provisions that may have been violated. This notice will also include an outline of the appeal process explained below.
- E. The matter is then referred to the Vice Dean/Provost for investigation and resolution.
- **F.** The Vice Dean/Provost will conduct an investigation, which may include reviewing the incident report and meeting with the reporting party or any witnesses. The Vice Dean/Provost also will meet with the Student to discuss the reported incident and to gather more information.
- **G.** After conducting this investigation, the Vice Dean/Provost may determine there is no violation and end the review process; conduct an advisory discussion with the Student pursuant to Subsection I.C; pursue an informal resolution with the Student; or impose sanctions.

 $^{^2}$ The University of Maine School of Law has adopted standards and procedures governing student conduct. All University of Maine School of Law students are subject to the Code, which is referenced in Appendix I, as well as the Academic Integrity Policy, and any governing Title IX Policies. In addition, law students are required to abide by the rules of conduct, both academic and professional, described throughout this Handbook and its Appendices. The Law Student Handbook Violation Procedures, also found in this appendix, describe the process the Law School follows in cases of alleged violation of these rules and policies. Following these Law School provisions does not prohibit referral to other UMS process.

- **1.** Any informal resolution must be agreed to by the Vice Dean/Provost and the Student. If there is no agreement, then the Vice Dean/Provost may impose sanctions.
- **2.** The sanctions will vary depending upon the nature and seriousness of the conduct, but may include: removal from a class, externship, clinical offering, or other Law School program, as well as prohibiting participation in study abroad or co- and extra-curricular offerings. Any sanctions will be noted in the Student's Official File.
- **H.** If the Vice Dean/Provost imposes sanctions on the Student, the Vice Dean/Provost will notify the Student in writing with a copy sent to the Dean.

II. Appeal Process for Sanctions.

- **A.** If the Student wishes to appeal sanctions, the Student will have fourteen (14) calendar days to submit an appeal via email to the Dean. The Appeal should outline the specific reasons for requesting a review of the Vice Dean/Provost's decision and the imposition or severity of the sanctions.
- **B.** If the Dean receives an appeal, the Dean will convene an Appeal Board. The Appeal Board will consist of a minimum of three (3) faculty members who were not involved in the alleged incident. If the Student raises a concern of a conflict of interest with one or more of the appointed members, the Dean may appoint a replacement.
- **C.** The Appeal Board will be given a copy of the Appeal and original report, as well as any additional information considered by the Vice Dean/Provost. After consideration, the Appeal Board will affirm the decision of the Vice Dean/Provost unless upon review of the available information the Review Board is convinced that the decision is clearly erroneous. The Appeal Board may also refer to a formal process as outlined in the UMS Student Code of Conduct, Title IX Policy, or Academic Integrity Policy. Decisions of the Appeal Board are final and may not be further appealed.

Appendix II: Policies and Procedures Governing Exams

I. Policies and Procedures Governing On-Campus Exams:

A. Exam Schedule. Examination schedules and locations are available online and from the Registrar's office. Student misunderstanding about the date or time of an exam is not a valid excuse for missing an exam. Students should arrive at least twenty minutes before the exam is scheduled to begin. Please sit in every other seat in the exam room to the extent possible. It is the student's responsibility to read and know all rules and regulations governing exams.

B. Exam Administration. The Registrar's Office, the Vice Dean/Provost, and the Office of Student Affairs administer exams with the assistance of designated proctors. In addition to the Office of the Registrar's Exam Instructions. In addition to the policies and procedures outlined in this document, each semester the Office of the Registrar circulates exam instructions outlining expectations and rules regarding student conduct prior to and during examinations. These instructions are also binding and must be followed by students. Failure to comply with these instructions may result in a referral to the Dean of Students and/or a complaint to the Conduct Committee or other formal process.

C. Rescheduling Exams. Exams may be rescheduled only in limited circumstances. Exams may be rescheduled by the Registrar when there is a direct conflict (two exams scheduled at the same time) or there are three or more exams in a row on consecutive days (including weekends). Other rescheduling requests of a personal nature require a demonstration of extreme hardship and must be approved by the Dean of Students. Professors cannot reschedule exams for individual students under any circumstances. All questions about exam scheduling must be addressed to the Registrar and/or Dean of Students rather than to professors.

D. Emergencies Before the Exam. In the event of an emergency (such as hospitalization or a death in the family), which prevents you from taking an exam, you must immediately contact the Dean of Students (207) 780-4345 or the Registrar by telephone at (207) 780-4346, or in person. Documentation may be required. Students who are absent from an exam and not officially excused will receive a grade of F on the exam. .

E. Emergencies During the Exam. Immediately inform the proctor if an emergency, such as severe illness, occurs during an exam. The proctor will contact the appropriate Law School officials. Students who leave an exam without contacting the proper Law School officials will not be eligible to finish or otherwise retake the exam at a later time.

II. Academic Integrity Matters Related to Exams.

A. Breaks. If you need to leave the exam room, you may not take any materials with you and you may not bring any new materials back into the exam room. You may not confer with anyone about the exam or consult materials while you are outside the exam room.

You may not leave the floor on which the exam is being administered (e.g., you may not go downstairs to the vending machines or lockers, or upstairs to the library area). The only exception is for students who prefer usage of a gender neutral restroom. The student may leave the floor on which the exam is being held.

- **B.** Materials. Strictly adhere to the professor's rules about notes, outlines, and other materials that a student may consult during an exam, and use HARD COPY ONLY. A student may use a laptop only for the purpose of taking an exam using the Extegrity software. Electronic data storage and/or electronic communications devices other than laptops, including, but not limited to, cell phones, handhelds, smart watches, and IPads, may not be used for any purpose (including accessing notes or other information, even if the exam is open book) during the exam and must be turned off at all times. Students should keep electronic devices other than laptops outside of the exam room, or if it is imperative that such devices remain with a student in the exam room, they must be turned off and put in non-visible locations.
- **C. Questions**. Proctors will contact the professor, via the Registrar's Office, to ask any questions about the content of an exam question. Under no circumstances should you ask for assistance from another student taking the exam.
- **D.** End of Exam. Each student is responsible for monitoring the time during the exam. Proctors are not required to remind students of elapsed time. At the conclusion of the exam, as announced by the proctor, all typing or writing must stop immediately. Students may not continue to type/write after time has been called, except to exit the Extegrity program. Specifically, do not finish a sentence. In addition, students are responsible for ensuring that all blue books (final answers and blue books used for scrap paper), scantron sheets, exam responses, and all other exam materials are submitted to the proctor. The student's exam number must be written on all submitted materials.
- **E.** Identifying Exams. Do not write your name anywhere on bluebooks, scantron sheets, or via laptop. Use only your Exam Number to identify yourself.
- **F.** Take Home Exams. Adhere to take-home exam instructions and return the exams in a timely manner. The Registrar's Office and Law School administrators or officials are not responsible for submitting a student's take-home exam to a professor if the exam instructions are not followed. All take home exams must be picked up at the designated time/location. In exceptional circumstances (e.g., a student lives a substantial distance from school), a written request to receive a take-home exam electronically may be submitted to the Registrar several days in advance. A hard copy of the examination answers must be returned to the Registrar's office at the designated time. If the take-home exam is administered via Exam4.com, the examination answers must be uploaded to the website at or before the designated time. A person other than the student may turn in the examination answers provided that person is not also in the course. Return of a take-home examination after the deadline will result in severe penalties, including a grade of F for that exercise.

III. Use of Laptop Computers During On-Campus Exams.

G. Intent to Use Laptop. Each semester students wishing to use a laptop must download a new version of the software from <u>www.exam4.com</u>. The software requires a laptop with Microsoft Windows Vista, Windows 7, Windows 8.0, Windows 8.1, or Macintosh OS 10.6 or higher. After the download and before the reading period begins, a practice exam must be submitted electronically to the registrar. Select "Practice Exam" from the drop-down menu. For Practice Exams only, please put your exam number as well as your fist initial and last name. Example: L2278TJones. If you cannot access the network, or if the practice test submission fails, please bring your computer to the Registrar's office. A practice exam must be received each semester for all students wishing to use the computer for exams.

- **H. Exam ID.** For purposes of both the practice test and the actual exams, use your designated Exam Number obtained from the student portal at my.law.maine.edu located on the exam page under academics.
- I. During the Exam. Prior to or upon arrival in the exam room, turn off anti-virus, hibernate, instant messaging, automatic updates and all other programs. CLOSED MODE must be used during exams.
- **J.** End of the Exam. The proctor will instruct students when to submit their answers electronically. You must not electronically submit an essay answer until the proctor calls time OR you have completed the entire exam and are prepared to turn in all exam materials to the proctor. For example, you may not electronically submit an essay answer and then proceed to work on multiple choice questions. If you finish early, the proctor will record the time you pass in your exam.
- **K. Equipment Failure.** The Law School is NOT responsible for any equipment failure during an exam and will not provide a back-up laptop. Extra time may be allotted at the proctor's discretion when students have needed to address equipment failure. Students who experience complete equipment failure will continue by writing in bluebooks in the laptop room. All other exam rules above pertain to laptop users.

IV. Policies and Procedures Governing Take Home Exams:

The Registrar in coordination with the Office of Academic Affairs and Student Services, sets policies and procedures governing take home exams. The Registrar notifies students prior to exams of these policies and procedures via email. The policies and procedures are binding and must be complied with during the exam period.

V. Policies and Procedures Governing Remote Exams.

- A. **Remote Exam Administration.** All remote exams will be completed through the Exam4.com website <u>www.exam4.com</u>. Using Exam4, students can access examinations and electronically submit/upload exam responses. Students must prepare exam responses in a separate word processor application.
- B. **Remote Exam Instructions.** In addition to the policies and procedures outlined in this document, the Office of the Registrar circulates exam instructions outlining expectations and rules regarding student conduct prior to and during examinations. These instructions are also binding and must be followed by students. Failure to comply with these instructions may result in a referral to the Dean of Students and/or a complaint to the Conduct Committee.
- C. Accessing the Exam. Students will not access exams from the Exam4 software download as is normally done for on-campus exams. Exams will become available on the exam4.com website at the designated start time.
 - 1. **Remote Exam Time Limits.** Students must finish and submit remote exams at the designated stop time. Ten extra minutes will be included for every remote exam time limit to account for downloading/uploading and exam formatting. Although Exam4.com settings automatically calculate the exam time limit for each submission depending on the

time the exam was accessed, students must adhere to the deadline noted on the exam instruction page.

- 2. **Take-home Exam Time Limits**. Take-home exams administered through Exam4.com can be accessed at any point within the designated time frame posted on the exam schedule. Once a student has accessed an exam, it must be submitted within 24 hours.
- 3. **Completing and Submitting the Exam.** Students must follow the directions on the first page of the exam. Professors will give specific instructions regarding which materials may or may not be used during the exam. The exam4 website only allows for one document upload per exam, so all examination responses must be submitted in one single document. It is recommended that students answer all questions in Microsoft Word or another word processor, save the document as a PDF, and upload the PDF to the Exam4 website. There is no automatic stop time for any remote or take-home exam. It is the student's responsibility to upload the document within the allowed amount of time. Students will be able to able to upload exams to the website after the deadline, but it will be recorded as late and subject to penalty. The Exam4 website records access and submission times.

Policy and Procedures Regarding the Certification of Law Students to Practice Before the State and Federal Courts in Maine (revised June 2021)

1. Law students may be certified to practice as student attorneys before state and/or federal courts in Maine in accordance with the following rules of court: Maine Rule of Civil Procedure 90; Maine Rule of Criminal Procedure 56 (State Courts and Probate Courts); Local Rule 83.4 of the United States District Court for the District of Maine; and Local Rule 2090 -1(a) of the United States Bankruptcy Court for the District of Maine (which incorporates by reference Local Rule 83.4 of the United States District Court for the District of Maine).

2. Each of these rules requires students seeking certification: (1) to have completed three or more semesters of law school: (2) to be of competent legal ability; (3) to be adequately trained to perform as a legal intern; (4) to have certified in writing that the student has read and is familiar with the procedural and ethical rules that apply to the court for which the student is seeking certification; and (5) to promise to neither ask for nor receive any compensation or remuneration of any kind for his/her services from the person on whose behalf service is rendered. The requirements for each court are essentially identical but worded slightly differently; the specific language of each rule will not be restated here.

3. The state and federal courts differ with respect to the context in which certified student attorneys may practice. Maine Supreme Judicial Court Administrative Order JB 05-7 (A. 11-09) lists the organizations and public agencies through which certified student attorneys are authorized to practice (the names of additional qualifying organizations are available from the Maine Supreme Judicial Court's clerk). Under the local rule of the federal district court, student attorneys may be authorized to represent indigent persons through a law school clinical (including externship) program or to appear on behalf of a local, state, or federal government with the written approval of the supervising government attorney.

4. Students of the University of Maine School of Law may seek certification to meet enrollment requirements in a faculty-approved course of the Law School including the General Practice Clinic, Prisoner Assistance Clinic, Juvenile Justice Clinic, some Externship placements, and some Judicial Externship placements. The requirements to meet the definitions of "competent legal ability" and "adequately trained to perform as a legal intern" under the above-mentioned rules shall be determined by the faculty supervisor(s) for each such course, in consultation with specific externship placement supervisors where appropriate. Faculty members and administrators supervising clinical and externship courses are responsible for ensuring that these requirements have been satisfied by individual students seeking to enroll in clinical and externship courses by reviewing transcripts, consulting with the Law School's Registrar, or through other means.

5. Students seeking certification must meet all of the requirements of the applicable rules for the court(s) (state and/or federal) in which they wish to be certified. For the student's initial certification, the student must (1) sign a written certification that states that he or she has read and is familiar with the court rules specified in the student attorney certification rules ("student certification form"), and (2) must attend a swearing-in ceremony to take the student attorney's oath before a qualified judge or justice in state or federal court. If a student has not read or is not familiar with any of the rules listed on the student certification form, he or she must review such rules prior to signing the student certification form. Copies of the applicable rules will be available on reserve in the Garbrecht Law Library and for download and viewing from the Garbrecht Law Library's website.

6. In the case of externship placements, the determination of whether certification as a student attorney and any specific coursework will be required, and whether such certification will be in state court, federal court, or both, for a specific placement must be made and communicated to prospective students no later than the start of preregistration period for the semester during which the student seeks to enroll in an externship. Externship students applying for placements requiring certification shall complete the student certification form at the time that they apply for the placements.

7. Students enrolled in clinical courses shall complete such student certification forms no later than the first day of classes of the semester in which they are enrolled or as otherwise required by the faculty teaching such course(s).

8. It shall be the responsibility of the faculty member or administrator supervising such clinical courses and externships to ensure that such student certification forms are signed in accordance with the deadlines set herein.

9. Upon completion, all signed student certification forms should be provided to and retained by the Administrative Manager of the Cumberland Legal Aid Clinic ("CLAC") or his or her designate ("Administrative Manager").

10. No later than one week prior to the start of classes, the Administrative Manager shall provide to the Registrar and Associate Dean for Student Services (or their designee) a list of all students seeking certification for the forthcoming semester, indicating whether such students are to be certified to practice before the state courts, federal courts, or both. The Registrar will promptly review such list to ensure that all students have completed at least three semesters of Law School (defined as having completed no fewer than 42 credit hours), and the Associate Dean for Student Services are otherwise in good standing and of good character, with there being no reason to exclude the student from being certified to practice as a student attorney. The Registrar and Associate Dean for Student Services shall immediately inform the Administrative Manager that such review has been completed and identify any students who do not qualify for certification.

11. Upon receipt of such confirmation from the Associate Dean, the Administrative Manager shall draft a certification letter for the Dean's signature addressed to the clerks for the Supreme Judicial Court and United States District Court for the District of Maine indicating the names and organizations and agencies in which the students are seeking to work, and further stating that: (1) the students listed therein are persons of good character and competent legal ability suitable for the practice of law as student attorneys in accordance with the applicable student attorney certification rules; (2) that they have completed legal studies amounting to at least four semesters; (3) that they are adequately trained to perform as legal interns; and (4) that they have certification rules ("Dean's certification"). Such Dean's certification shall also expressly revoke all prior Dean's certifications. The Administrative Manager is responsible for arranging for delivery of such Dean's certification to the appropriate clerks of the courts.

12. Faculty members and administrators supervising clinical and externship courses are responsible for informing students of the date, time, and location for the swearing-in ceremony before the Maine Supreme Judicial Court and the Federal District Court. Students need only attend one swearing-in ceremony (students being admitted to both courts will be sworn in in state court). A member of the faculty of the Law School shall appear with students and move their admission as student attorneys.

13. Students may also seek certification to satisfy requirements set by qualifying employers such the Law School's Cumberland Legal Aid Clinic, a county District Attorney Office, the Office of the Maine Attorney General, and the Office of the United States Attorney. It is the responsibility of the employer to

determine whether it is a qualifying supervisor of student attorneys within the meaning of the applicable student attorney certification rules, to determine what requirements are necessary to satisfy rules requirements of "competent legal ability" and "adequately trained to perform as a legal intern," and to communicate those requirements to the prospective student-employee. The Administrative Manager will provide notice to all law students explaining the procedure for obtaining certification for employment and the deadline to sign the student certification forms. Such deadline will be at least one week prior to any scheduled swearing-in ceremony at the start of a semester or the summer break period. It is the responsibility of law students who are seeking such certification to contact the Administrative Manager to sign the student certification form by the stated deadline. One week prior to such swearing-in ceremony the Administrative Manager shall provide to the Associate Dean a list of all students seeking certification for the forthcoming semester. The Associate Dean will then review such list to ensure that all students have completed at least four semesters of Law School and are in good standing and of good character, with there being no reason to exclude the student from being certified to practice as a student attorney.

14. All student certification forms signed by students shall be retained by the Administrative Manager until at least such time as the student has graduated from Law School. Students who seek certification beyond the initial period of certification need not complete another student certification form. However, faculty members, externship supervisors, and employers must ensure that the names of any students seeking extended certification are provided to the Administrative Manager in time for the Administrative Manager to seek confirmation by the Associate Dean in accordance with paragraph 10 above.

15. As a public service, the Law School will facilitate the application for certification of law students who are not enrolled at Maine Law but who wish to obtain certification to practice in Maine courts as student attorneys to satisfy requirements set by qualifying employers. Such students must contact the Administrative Manager in advance of the swearing-in ceremony to request to be sponsored by the Maine Law faculty member, to provide a copy of a Dean's certification signed by the Dean (or other appropriate administrator) of that student's law school addressed to the clerks of the courts to which the student is applying for admission, and to complete the student certification form. The student is responsible for arranging for delivery of such Dean's certification to the appropriate clerks of the courts.

Appendix IV: General Policies: University of Maine School of Law, University of Maine System, and University of Southern Maine

The Law School, along with the University of Maine System have several important policies governing student, staff, and faculty, including those related to campus life and the use of campus facilities. The most up-to-date list of policies and related procedures are found on the University of Maine System, Law School, and University of Southern Maine websites. The Maine Law portal also provides many of the more frequently utilized policies governing law students. Because we sit on the University of Southern Maine campus, there are also policies that are specific to that campus that you must follow. Information regarding USM policies are located on their website.

University of Maine School of Law Certificate in Business and Transactional Law

The Certificate in Business and Transactional Law is designed to equip students with important doctrinal and experiential foundations and skills for careers in business and transactional law.

<u>Requirements</u>: To receive a Certificate in Business and Transactional Law, a candidate must satisfy the following Coursework, Paper and Experiential Learning requirements.

Coursework

Required Courses (8 credits - students must take at least two of these three courses)³

- Business Associations (4)
- Taxation I (4)
- Commercial Law: Sale of Goods and Secured Transactions (4)⁴

Elective Courses – (students must earn at least 9 credits from the following courses, one of which must include a financial literacy component as designated by an *)⁵

- Acquisition Transactions (3)*⁶
- Applied Business Associations, Financing and Securities Regulation (3)*7
- Antitrust (3)
- Advanced Commercial Law Practicum (3)*
- Bankruptcy (3)
- Cannabis Law, Business, and Policy (2)
- Corporate Social Responsibility and the Environment (3)
- Economic Development Law Practicum (2)
- Employee Benefits Law (2)
- Financial Literacy for Lawyers (1)*8
- Intellectual Property (3)
- Internal and Government Investigations (3)
- International Business Law (3)
- Nonprofit Organizations (3)
- Partnership Taxation (3)
- Real Estate Transactions (3)
- Risk Management and Compliance (3)

³ It is strongly recommended (but not required) that candidates take all three of these courses, in which case the candidate may designate one of them as a qualifying Elective Course.

⁴ Formerly taught as separate Sale of Goods and Secured Transactions courses, now consolidated into this single integrated course.

⁵ As noted in footnote 1, candidates taking all three Required Courses may treat one of them as a qualifying Elective Course.

⁶ Formerly taught as Transactional Practicum: Deals

⁷ Formerly taught as Advanced Business Associations

⁸ Proposed as a 1-credit bridge course

- Start-ups and Entrepreneurship (3)*
- Taxation II (3)*
- Tax Law Practicum (2)

Not all of these courses are regularly offered. The program coordinator may designate or approve other courses if such courses have a substantial focus on business and transactional law.

To satisfy the financial literacy requirement, a course must include specific attention to the principal financial statements used in business (balance sheet, cash flow statement and income statement – what they show, how they work, and what lawyers can learn from them) and the related vocabulary, as well as the fundamentals and related vocabulary of business financing and capital structure. The program coordinator may waive the financial literacy requirement upon demonstration to the program coordinator's satisfaction that the student has achieved financial literacy through his or her prior educational or professional experience.

The required courses must be taken on a graded basis. Electives taken from the list above (if taken towards the Certificate) must also be taken on a graded basis. Electives taken from the list above that are not being counted toward the nine credits may be taken on a pass-fail basis in accordance with the Student Handbook.

<u>Paper</u>

Candidates must write a qualifying paper on a topic related to business and transactional law. To qualify, the paper topic must be pre-approved by the program coordinator, and the paper must satisfy the upper level writing requirement (IWP) (or would satisfy the IWP requirement if the candidate has already satisfied (or is otherwise satisfying) the IWP requirement).

Experiential Learning Requirement

The certificate includes an experiential learning component that can be satisfied in one of three ways:

(a) The candidate may apply for and complete an externship that relates substantially to business and transactional law. The externship must be pre-approved by the program coordinator and the Maine Law externship program director. If the externship has a low pass option in addition to a pass option, the externship must be completed with the pass option not the low pass option in order to satisfy the experiential learning requirement. This does not extend the number of credits allowed for externships.

(b) The candidate may complete this requirement by working at a pre-approved job during law school (at least 150 working hours) focused on business and transactional law. Academic credit is not given for work at a job under this option.

(c) The candidate may complete this requirement by enrolling in a pre-approved "practicum"⁹ course related to business and transactional law, provided the course is not being used to satisfy the coursework requirement.

- Advanced Commercial Law Practicum
- Economic Development Law Practicum
- Tax Law Practicum

Transactional Law Clinic will be added when approved.

⁹ Approved practicum courses presently include:

Additional Details

J.D. candidates must declare their intent to obtain the certificate by the end of their third semester. A candidate's resume can reference certificate candidacy only after declaration. Late declaration requests will be considered on a case-by-case basis. Students cannot earn both the Certificate in Business and Transactional Law and any other certificate.

A candidate will earn the certificate with distinction by averaging a B+(3.33) or higher in the courses counted towards the certificate that are offered by the Law School. If the candidate takes more of the designated electives than are required, then the three highest grades received will be counted towards the "with distinction" designation.

Business and Transactional Law Faculty (as of 2/2021)

David P. Cluchey (Emeritus) (Antitrust)

Christine Davik (Intellectual Property)

Andrew M. Kaufman (Business and Transactional Law Program Coordinator; Commercial Law, Mergers, Acquisitions and Corporate Transactions, Securities Law)

Jeffrey A. Maine (Tax)

Peter Pitegoff (Business Associations, Economic Development, Employee Benefits, Nonprofit Organizations)

Certificate in Environmental and Oceans Law

For the most recent list of requirements see the Maine Law portal or contact the Registrar.

To receive the Certificate in Environmental and Oceans Law, a candidate must complete the following:

Coursework

Required courses (Must take 2 of these 3): Environmental Law and Policy – LAW 637 Administrative Law – LAW 784 Oceans Law & Policy—LAW 697

Nine credits from any combination of these courses:

A. Environmental and Land-Related Courses Animal Law – LAW 761 Climate Change Policy Seminar – LAW 694 Energy Law – LAW 764 Environmental and Administrative Law Practicum – LAW 715 Land Use – LAW 635 Local Government—LAW 615 Natural Resources—LAW 633 Real Estate Transactions—LAW 672 Topics: (Toxic Torts, Renewable Energy, Water Law, Climate Litigation, etc.)—LAW 713

B. Ocean and Maritime Related Courses

Admiralty – LAW 624 International Law—LAW 647 Maritime Law Seminar - LAW 746 Topics: (Arctic & North Atlantic Law & Policy Issues) – LAW 713

C. Externship – LAW 690 (*up to a maximum of 3 credits towards certificate)

Not all of these courses are regularly offered. The environmental & oceans law program coordinator may designate or approve other courses if such courses have a substantial focus on environmental or oceans law. Environmental Law and Policy and Administrative Law must be taken on a graded basis. Electives taken from the list above that the student wishes to have count toward the nine-credit requirement must be taken on a graded basis. Electives taken from the list above that are not being counted toward the nine credits may be taken on a pass-fail basis in accordance with the Student Handbook.

Paper

Candidates must satisfy the upper level writing requirement by writing a paper (or journal contribution(s)) on a topic related to environmental or oceans law. The paper topic must be pre-approved by the environmental and oceans law program coordinator.

Professional/Scholarly Activity

Prior to graduation, candidates must participate in or attend at least one professional or academic conference on a topic related to environmental or oceans law, such as events hosted by ABA-accredited law schools, E2Tech or another Maine environmental organization, or a conference hosted by Maine Law School. Participation may be in-person or virtual and must be pre-approved by the environmental and oceans law program coordinator.

Experiential Learning

The certificate includes an experiential learning component that can be satisfied in one of three ways: (a) The candidate may apply for and complete an externship that relates substantially to environmental or oceans law issues; the externship must be pre-approved by the environmental and oceans law program coordinator and the Maine Law externship program director. If the externship has a low pass option in addition to a pass option, the externship must be completed with the pass option not the low pass option in order to satisfy the experiential learning requirement (This does not extend the number of credits allowed for externships); (b) the candidate may complete this requirement by working at a pre-approved job during law school (at least 150 working hours) during law school focused on environmental or oceans law issues. (Academic credit is not given for work at a job under this option); or (c) the candidate may complete this requirement by enrolling in a pre-approved "practicum" course related to environmental or oceans law issues.

Additional Details

Candidates must declare their intent to obtain the certificate by the end of their third semester. A candidate's resume can reference certificate candidacy only after declaration. Late declaration requests will be considered on a case-by-case basis. Students cannot earn both the Environmental and Oceans Law Certificate and another certificate.

A candidate will earn the certificate with distinction by averaging a B+(3.33) or higher in the courses counted towards the certificate that are offered by the Law School. If the candidate takes more of the designated electives than are required, then the three highest grades received will be counted towards the 'with distinction' designation.

University of Maine School of Law Information Privacy Law Certificate (approved 9-6-19)

Requirements. To receive an Information Privacy Law Certificate, a candidate must satisfy the following requirements:

1. Coursework. A candidate must complete, with a C or better (or P, where permitted):

Information Privacy Law (3 credits), the Summer Privacy Institute (6 credits, 2 of which must be for Global Privacy Law if offered), and 9 credits from the following courses:

Information Privacy Practicum (Law 735)(3) Risk Management & Compliance (Law 660)(3) Intellectual Property (Law 661) (3) Copyright Law (Law 703) Criminal Procedure-Investigations (Law 693)(3) Health Care Law & Ethics(Law 618)(3) Insurance Law (Law 655)(3) International Intellectual Property (Law 757)(2 or 3) Internet Law (Law 664)(2 or 3) E-Discovery (Law 713) (1) Cyber-Security – Responding to a Data Breach (Law 713)(1) Ethical and Legal Issues in Business (Law 732/MBA 615)(3) Not all of these courses are regularly offered. The Certificate Supervisor may designate or approve other courses if such courses have a substantial focus on privacy.

Information Privacy Law must be taken on a graded basis. If any Summer Privacy Institute courses are offered as graded courses, they must be taken on a graded basis. The electives may be taken on a pass/fail basis in accordance with the rules of the Student Handbook.

2. Paper. A candidate must publish a paper on a privacy-related topic in a publication likely to be read by privacy professionals. The paper can range from a blog post or newsletter entry to a law review article. It may be a for-credit paper written in conjunction with a law school course or it may be a not-for-credit paper written for the certificate. Publications and topics require Certificate Supervisor pre-approval. (A candidate must satisfy the Upper Level Writing Requirement as any other student but to satisfy that requirement, need not write on a privacy-related topic). Students must submit a copy of the published paper to the registrar.

3. International Association of Privacy Professionals Certification. At graduation, a candidate must have one of the following IAPP certifications in good standing: CIPP, CIPM, or CIPT.

4. Experiential Learning. The certificate includes an experiential learning component that can be satisfied in one of two ways: Either: (a) The candidate must apply for and complete an externship that relates substantially to privacy issues; the externship must be pre-approved by the Certificate Supervisor and the Maine Law externship program director. If the privacy-related externship has a low pass option in addition to a pass option, the externship must be completed with the pass option not the low pass option in order to satisfy the experiential learning requirement (This does not extend the number of credits allowed for externships). Or (b) the candidate may complete this requirement by working at a preapproved job during law school (at least 150 working hours) focused on privacy issues. It is expected that the job will involve attending meetings, regular attendance in an office, supervision and feedback. (Academic credit is not given for work at a job under this option).

5. Deadlines. The Certificate requirements all must be completed before graduation. Proof of completion of the paper requirement and the IAPP certification must be submitted by April 1 of the year the student will graduate.

Additional Details

Candidates must declare their intent to obtain the certificate by the end of their third semester. A candidate's resume can reference certificate candidacy only after declaration. Late declaration requests will be considered on a case-by-case basis. Students cannot earn both the Privacy Law Certificate and another certificate. LLM students are not eligible to earn a Privacy Law Certificate.

A candidate will earn the certificate with distinction by averaging a B+(3.33) or higher in the courses counted towards the certificate that are offered by the Law School. If the candidate takes more of the designated electives than are required, the candidate may designate the courses they wish to have count towards the 'with distinction' designation.

(approved by faculty 9-6-19)

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NONDISCRIMINATION POLICY AND BIAS REPORTING

The University of Southern Maine is an EEO/AA employer, and does not discriminate on the grounds of race, color, religion, sex, sexual orientation, transgender status, gender expression, national origin, citizenship status, age, disability, genetic information or veteran's status in employment, education, and all other programs and activities. The following person has been designated to handle inquiries regarding non-discrimination policies: Amie Parker, Interim Director of Equal Opportunity, The Farmhouse, University of Maine Augusta, Augusta, ME 04333, 207.581.1226, TTY 711 (Maine Relay System). Incidents of discrimination or bias at Maine Law should be reported to the Dean of Students at 207-780-4345 or lawstudentservices@maine.edu.

For more information see the Maine Law website.

Campus Safety.

The University of Southern Maine Public Safety compiles and maintains campus crime statistics and security information on behalf of the University of Maine School of Law. The corresponding <u>Annual Security and Fire Safety</u> <u>Report</u> also describes programs and procedures for preventing and responding to gender-based violence. Please contact <u>USM Public Safety</u> at 207.780.5211 for additional information.

University of Maine School of Law

ACKNOWLEDGMENT

I acknowledge that I have received a copy of or online access to the *Student Handbook: Academic Requirements, Policies, and Procedures for the Degree of Juris Doctor*, as well as the University of Maine System Student Conduct Code, Academic Integrity Policy, and Title IX Policy. I further acknowledge that all students are responsible for reading the Student Handbook, Conduct Codes, Law Student Reported Incident Review Process, and related UMS, USM, and Law School policies in order to familiarize themselves with Law School, University, and University of Maine System requirements, policies, and procedures.

DATE_____

PRINT NAME_____

SIGNATURE_____

For entering 1L students or transfer students: Students who do not sign and file this acknowledgment with the Office of the Registrar are not eligible to sit for fall Law School exams or register for spring semester courses.