

**MAINE**  
UNIVERSITY OF MAINE SCHOOL OF LAW  
**LAW**

**Student Handbook:**  
*Academic Requirements,  
Policies, and Procedures  
for the Degree of J.S.D.*

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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## ACADEMIC REQUIREMENTS, POLICIES AND PROCEDURES

### 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 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 J.S.D. 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. Requirements and Residence Rules (J.S.D.).

The Law School requires students to satisfy minimum course and residence requirements in order to be eligible to graduate. It is the responsibility of each student to determine whether they have satisfied these requirements. If you have any questions about whether your planned course of study is in conformance with these requirements, please consult the Registrar.

- A. Degree Requirements.** Students must meet the following requirements in order to graduate with a degree of J.S.D.:
1. Successful completion of Law 750 Doctorate I and Law 751 Doctorate II. Students must earn a grade of Pass in each of these classes.
  2. Successful completion and defense of a dissertation.
- B. Optional Courses.** Students may opt to enroll in Law 752 Doctorate Research Colloquium, which is a 1-credit research course for J.S.D. students. Tuition for this course will be charged at the current J.D. rate based on in-state or out-of-state residency. Students may also enroll in J.D. courses for credit or as auditors. To enroll in J.D. courses students must seek permission from their dissertation advisor and the course faculty. Charges for all optional classes will be assessed on a per-credit basis and will also include a comprehensive fee and activity. Standard Add/Drop rules apply as outlined on the portal and in the registration packet materials.
- C. Residence Requirement.** J.S.D. students must complete two semesters in residence. Residence for purposes of the J.S.D. is defined as enrolled in Law 750 for one semester and Law 751 in a second semester. J.S.D. students may meet this residence requirement while studying in-person or remotely. Students must complete the degree within six years of matriculation.
- D. Candidacy.** After completion of Law 750 and Law 751, students will be required to pay a nominal fee every semester while actively seeking the J.S.D. If a student is not active during a particular time period, the student must apply for an official Leave of Absence. Students may be enrolled in

**E. Dissertation.** Students must write a dissertation, which is a long piece of academic writing based on original research. The dissertation must be based on original work for this degree and not include substantial portions of writing used in satisfying another degree or course requirement at this or any other institution.

1. **Page length.** The dissertation must be at least 75 pages in length exclusive of footnotes.
2. **Advisor.** Each student must work directly with a faculty advisor who will review the dissertation for quality, originality of research, and readiness for defense. The advisor has the sole authority to approve and recommend the dissertation for defense. The advisor will help to select, form, and call the defense panel.
3. **Defense.** Students must successfully defend the dissertation to a panel of no fewer than three faculty experts in the dissertation field or related field. Two of the faculty panelists must be members of the Maine Law faculty. Additional panelists may be from another American Bar Association accredited law school faculty or hold a terminal degree in a related discipline. The defense will be public and the date and time for the defense will be announced at least one week in advance. The panelists will receive a copy of the defense for review at least one month prior to the scheduled defense date. The defense will last at least one hour, including a presentation of the research by the student and questioning by the panelists. At the conclusion of the defense, the panelists will vote whether to recommend the awarding of the J.S.D.

If a student does not successfully defend the dissertation and is not recommended for the J.S.D., then the student will be allowed to schedule a second defense after extensive revisions to the dissertation and upon recommendation of the Dissertation Advisor.

**F. Maximum Years to Complete J.S.D.** In order to be eligible to graduate, students must complete all the requirements within **six** years of matriculation.

### **III. 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. 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](#).

### **C. 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.

### **D. 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.

## **E. 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.



#### **IV. Graduation Requirements.**

The J.S.D. degree will be recommended for each candidate who has:

- A.** Successfully completed with a grade of Pass for both Law 750 and Law 751.
- B.** Successfully completed and defended the dissertation.
- C.** Met the residency requirements.

Participation in the graduation ceremony is limited to students who have completed all graduation requirements. To participate in the ceremony, the dissertation must be successfully defended by the last day of classes for the spring academic term.

#### **V. 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.

#### **VI. Admission & Retention Standards and Procedures in Cases of Wrongdoing.**

##### **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.)

**3. 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.

**4. 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 Code<sup>1</sup>**

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 [UMS Conduct Code is available on the University of Maine System website.](#)

**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.

The complete and current version of the [University of Maine System Academic Integrity Policy is available on the University of Maine System website.](#)

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<sup>1</sup> Students are bound by the terms of the most current version of the [University of Maine System Student Code of Conduct, which is available on the University of Maine System’s website.](#)

**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 [located on the University of Maine System Website](#). Specific information about contacts for Maine Law students can be found on the [Maine Law website](#) and the [MyLaw portal](#).

## **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.<sup>2</sup> 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.

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<sup>2</sup> 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: 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.

## **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](mailto: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 [Annual Security and Fire Safety Report](#) also describes programs and procedures for preventing and responding to gender-based violence. Please contact [USM Public Safety](#) at 207.780.5211 for additional information.