

Student Handbook

Policies, Procedures, & Academic Rules

Academic Year 2016-2017



University of
New Hampshire

School of Law

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University of New Hampshire

School of Law

Student Handbook Receipt & Acknowledgement Form

I acknowledge receipt of the University of New Hampshire School of Law *Student Handbook: Policies, Procedures and Academic Rules, 2016-2017*. I understand that the UNH Law Student Handbook contains the Academic Rules and the Code of Student Conduct, both of which are applicable to me, as well as other important information and policies. I also understand that it is my responsibility to read the Student Handbook and that its provisions are binding on me regardless of whether I fulfill this responsibility.

The Law School Student Handbook may also be found online: www.law.unh.edu/student-life.

Name: _____

Signature: _____

Date: _____

Please print, sign and date this acknowledgement form and return it to the Office of the Assistant Dean for Students. Thank you.

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University of New Hampshire School of Law

August 2016

Dear UNH Law Students:

Welcome to the University of New Hampshire School of Law. We are pleased you have joined us and are certain you will find your time here to be both rewarding and intellectually challenging.

The Student Handbook is designed to serve as a resource on UNH Law policies, procedures, academic rules and regulations. The Handbook governs all our academic programs and should be used as a reference throughout your tenure at UNH Law.

If you have any questions about any of our degree programs, our school, or have an idea or concern you'd like to discuss, please don't hesitate to contact us. We are here to make sure you have a fulfilling educational experience at UNH Law.

We extend a most sincere welcome to you and wish you much success in the coming year.

Jordan C. Budd
Interim Dean

Lory Attalla
Assistant Dean for Registration and Records

Sincerely,

Margaret Sova McCabe
Associate Dean

Frances Canning
Assistant Dean for Students

Eleanor MacLellan
Assistant Dean for Career Services
& Professional Development

MISSION

University of New Hampshire School of Law strives to provide its students with the best possible legal education. UNH Law is a community of scholars, oriented towards the practice of law, who teach, learn and empower others to contribute productively to a global legal system. Students from around the world with diverse experiences engage in active, practice-based learning in small, cooperative and interactive learning environments. While traditional areas of law and emerging specialties are taught, the intellectual property law curriculum, one of the broadest in the country, is continually emphasized and improved. Graduates are highly capable, confident professionals who will serve clients, employers and the public with integrity and excellence.



STATEMENT OF VALUES

Excellence — UNH Law seeks to excel in all it undertakes and to inspire its students to excel in their pursuit of educations and careers.

Public Service — UNH Law recognizes its obligation to its community and the greater public. It strives to improve the lives of people and encourages its students to do the same.

Innovation and Entrepreneurship — UNH Law was founded in the spirit of innovation and entrepreneurship. It supports and promotes creativity and the exploration of innovative solutions. It is receptive to change and views challenges as growth opportunities.

Integrity — UNH Law believes that its mission to deliver legal education creates an obligation to adhere to the highest ethical standards. These standards apply equally to its administrative/financial affairs and in all dealings with students, faculty, staff, and other stakeholders.

Leadership — UNH Law leads by empowering its community and others to act and think in ways that will get the job done, consistent with proper governance and mindful of the needs of all.

Teaching and Scholarship — UNH Law believes in a healthy blending of practical application and scholarship. It defines scholarship broadly to include articles about law for a non-legal audience, legislative drafting, technology and internet-based knowledge forums and other opportunities to gain and impart legal wisdom. The UNH Law library supports both teaching and scholarship.

Diversity — UNH Law values diverse opinions, backgrounds, and perspectives that come from diversity of national origin, race, gender and culture. This enrichment within the classroom and UNH Law community is core to the educational experience.

Global Perspective — UNH Law is committed to a global perspective in the education of its students. It is equally committed to maintaining a robust community of foreign students so that they and its American students can learn from each other.

Respect and Professionalism — UNH Law recognizes the importance of individual excellence and personal accountability. Its success depends on working corroboratively and treating everyone with respect. Dignity and respect are critical to successful leadership and professional relationships.

Statement of Nondiscrimination

The University of New Hampshire is a public institution with a long-standing commitment to equal opportunity for all. It does not discriminate on the basis of race, color, religion, sex, national origin, age, veteran's status, gender identity or expression, sexual orientation, marital status, or disability in admission or access to, or treatment or employment in, its programs, services, or activities.

Inquiries regarding discriminatory harassment should be directed to Donna Marie Sorrentino, Director of Affirmative Action and Equity at affirmaction.equity@unh.edu.

Right to Modify

This student handbook is intended to serve as a convenient reference for students. The academic rules, policies and guidelines are subject to continual review and reevaluation, and may be changed at any time without prior notice. UNH Law reserves the right to modify the academic requirements, the program of study, or to alter any regulation affecting the student body.

ACADEMIC CALENDAR

Subject to change.

	2016-2017	2017-2018	2018-2019
FALL			
Orientation LL.M. & Master Students	Aug 11-25	TBA	TBA
Orientation JD Students	Aug 23-25	Aug 22-24	Aug 12-23
Classes Begin	Aug 29	Aug 28	Aug 27
Labor Day -- No Classes	Sept 5	Sept 4	Sept 3
Last Day to Add/Drop Classes	Sept 7	Sept 6	Sept 5
Last Day to Elect S/U Grading	Sept 9	Sept 8	Sept 7
Last Day to Reschedule an Exam	Oct 3	Oct 2	Oct 1
Class Make Up for Veterans Day	Tues 11/8 = Fri schedule	Tues 11/14 = Fri schedule	Tues 11/13 = Mon Schedule
Veterans Day -- No Classes	Fri, Nov 11	Fri, Nov 10	Mon, Nov 11
Thanksgiving Holiday Break	Nov 23, 24, & 25	Nov 22, 23, & 24	Nov 21, 22, & 23
Classes End	Dec 9	Dec 8	Dec 7
Reading & Exam Period	Dec 10-23	Dec 9-22	Dec 10-21
Semester Break	Dec 24 - Jan 17	Dec 23 - Jan 16	Dec 22 - Jan 13
Intersession Class	Jan 9 - Jan 13	Jan 8 - Jan 12	Jan 7 - Jan 12
SPRING			
Classes Begin	Jan 17	Jan 16	Jan 14
Martin Luther King, Jr. Holiday	Jan 16	Jan 15	Jan 21
Monday schedule 8:30, 10:30 & 1:00	Saturday, January 21	Saturday, January 20	Saturday, January 19
Monday schedule 3:00 & 5:00 or later	Saturday, January 28	Saturday, January 27	Saturday, January 26
Last Day to Add/Drop classes	Jan 25	Jan 24	Jan 23
Last Day to Elect S/U Grading	Jan 27	Jan 26	Jan 25
Winter Break	Feb 27 - March 3	Feb 26 - Mar 2	Feb 25 - Mar 1
Last Day to Reschedule an Exam	March 10	March 5	March 4
Classes End	April 28	April 27	April 26
Reading & Exam Period	April 29 - May 12	April 28 - May 11	April 27-May 10
Graduation	May 20	May 19	May 18
SUMMER			
IP Summer Institute	See website	See website	See website

REGISTRAR'S OFFICE

The Registrar's Office is responsible for maintaining student academic records, course scheduling, course registration, administering exams, issuing transcripts, rank letters, diplomas, lockers, and parking permits.

Examination Policy

I. The Date and/or Time of an Exam

May Be Changed If:

A. Two or more exams are scheduled on the same day.

"Day" does not mean any 24-hour period; i.e., Tuesday afternoon followed by a Wednesday morning exam is not a basis for change under this provision.

B. Illness

Students who are too ill to take an exam must contact the Registrar's Office or the Assistant Dean of Students *before* the exam begins. The exam must be made up as soon as possible. If the student misses more than one exam due to the same illness, they will need to call the Registrar or the Assistant Dean of Students before each exam.

A doctor's note is required if a student misses an exam due to illness. If the student is very ill on the day of an exam, it is advisable *not to take the exam*. Once the exam book is opened, the student must complete the exam. The student must decide *before* the exam starts if they are well enough to take it.

C. Personal Circumstance Beyond Student's Control

If there are exceptional circumstances beyond a student's control, such as serious illness or death in the family, the Assistant Dean of Students will decide if it is appropriate to change the date and/or time of an exam. Not included under this category are early vacations, conferences, weddings, jobs with early start dates, or preferring a different schedule. Difficulties with child-care arrangements are also not included. It is advisable to have alternative child-care arrangements available in the event your child or baby sitter becomes ill or unavailable that day.

II. Changing Exam Schedules

Only the Registrar can change an exam schedule; faculty cannot make or approve these changes. In the interest of maintaining anonymity in grading, it is important NOT to discuss proposed exam changes with the faculty.

III. The Student's Responsibility to Know Their Exam Schedule

It is very important the student know exactly when, where and the duration of each of their exams. The final exam schedule is published early in the semester, first as a tentative schedule, where major or minor glitches can be corrected, and then as a final schedule. The student must know from the final schedule exactly when and where they are scheduled to be. Course syllabi generally give the dates for midterm exams and other quizzes and exams.

Students should be seated in the exam room for at least 15 minutes before the exam is scheduled to begin.

IV. Students who receive accommodations for exams will receive separate instructions from the Registrar's office prior to the day of the exam. The Students and Applicants With Disabilities Policy is separately included in this Policy Handbook.

V. Items Permitted in Exam Rooms

For all exams students must bring pens and/or pencils. In all exams the student may bring something to eat and/or drink. For open-book exams students may bring what the instructor has authorized. If the instructor does not specify, the only electronic devices that may be used in an exam are (1) an English to first language electronic dictionary, (2) a calculator, or (3) those approved by the Deans as a reasonable accommodation. Unless permitted by the instructor, no computer or electronic device may be used to communicate with another person during an exam.

VI. Items Not Permitted in Exam Rooms

In closed-book exams, that is, any exam not specifically designated "open book," students will not be permitted to bring books, purses, or anything beside pen and/or pencil to their seat. It is better to leave these things at home. If students do bring them to the exam room, they will need to leave them at the front of the room.

VII. Turning In Exam Materials

Students must return all exam materials at the end of the exam.

VIII. Exam Instructions

When a student first receives the exam booklet, and are instructed to do so, make sure there is a complete test, i.e. if the exam is seven pages long, make sure there are seven different and consecutive pages.

Listen very carefully to the exam instructions and make sure you understand them.

Once exams are handed to students, no changes are made in them, not even for clerical corrections. If a student thinks a clerical error was made, or they are not sure how to interpret a question or part of a question, explain in writing in the answer whatever assumptions the student is making to resolve the issue. When the proctor says time is up, stop writing immediately and put your pen or pencil down on the desk.

IX. Leaving The Exam Room During An Exam

Students are discouraged from leaving the exam room during an exam. Rest room breaks must be brief. If a student finds it necessary to leave the room, s/he is not permitted to access computer terminals, smoke, or spend time speaking with others.

X. Late To An Exam

Students more than 10 minutes late should go to the Registrar's Office; do not go directly to the exam. Students are not permitted to make up the lost time except when situations arise that are beyond the individual's control.

XI. Take-home Exams and Papers

Take-home exams and papers must be submitted to the Registrar's Office by the time and date due. It is the student's responsibility to make certain that exams and papers are complete before handing them in to the Registrar. Students shall not consult with anyone unless authorized by the course instructor.

XII. Discussing Exams

Unless permitted by the instructor, students shall not discuss any exam with other students during the exam period.

XIII. Exam Software

Students have the option of using Electronic Blue Book (EBB) software to type their final exams. EBB, offered by CompuTest LLC, is fully compatible with macs. The option of taking exams via lap tops is offered to the students as a convenience and privilege, not as a right. Making sure your equipment is in good working order and knowing how to use the program is the student's responsibility. Students choose this option at their own risk and should be prepared to hand write their exam in case of an unforeseen problem.

Please note the following:

1. Prior to the exam, students are required to take a short practice exam to activate the full version of EBB on the student's computer.
2. Any attempt to disable or tamper with the security features of EBB will result in an Honor Code complaint being lodged against the student.
3. If for any reason, the student cannot continue typing the exam using EBB software, s/he must hand write the remainder of the exam.
4. On exam day students must arrive 15 minutes prior to the start of the exam. Their lap tops must be turned on and running at least 10 minutes before the exam starts. Do not open EBB until the proctor gives you instructions.
5. Only essay portions of the exam will be administered on EBB. This program will not be offered for take home exams.
6. Use of EBB for exams is at the professor's discretion.



FINANCIAL INFORMATION FOR UNH LAW STUDENTS

Student tuition payments and student refunds will be handled through the Webcat Services tab in Blackboard/MyUNH at www.blackboard.unh.edu

- Fall tuition bills are scheduled to post mid-July and are due early August. Spring semester bills will be posted in mid-December and due in mid-January. Monthly statements are issued if balances exist.
- Billing is "paperless" – online only. Students are notified through their UNH Law-assigned email accounts when new bills are posted. Parent Portal accounts are available for any student who wishes to grant account access to another person.
- UNH Law students will be billed based on full-time status. Students who plan to enroll less than full-time should notify the Assistant Dean for students and Business Services by the due date, so account adjustments can be made.
- The bill will show the *Account Balance* (total charges), *Pending Items* (aid or payments that have not yet arrived) and *Net Balance* (the amount due after the pending items are subtracted).
- Payments may be made online, or the bill can be printed and mailed with payment. Payment is accepted through online check or credit card, paper check, bank check, money order, cash or wire transfer (contact Business

Services for wire transfer account information). A 2.75% service charge will be added to credit card transactions.

- An optional 5-month payment plan for fall and spring semesters is offered through Tuition Management Systems, and is due the first of each month from July–April. TMS: (800)722-4867 afford.com/unh
- Checks that have been returned for nonpayment are assessed a \$30 return check charge.
- Bills must be paid by due dates to avoid late fees. Late fees may result in holds being placed on student's accounts or student being disenrolled from classes.
- UNH requires health insurance as a condition of enrollment for all full-time degree students. Students may waive the UNH insurance if they have coverage through another equivalent plan. The insurance charge will appear on the student bill if a waiver has not been received prior to billing. Account adjustments will be made if waivers are submitted after bills are produced. Please submit insurance waivers prior to August 7th to avoid late fees. Student health benefits plan info: 844-260-9900 unh.edu/shbp
- Disbursement of financial aid is expected approximately one week prior to the start of each semester. Students whose payments exceed their charges may request a refund any time after receipt and settlement of the tuition bill. **It is the student's responsibility to initiate a refund request.** A refund request form is available through the Webcat/Services tab in Blackboard. Refunds through this form will be sent by direct deposit to the student's savings or checking account.
 - Please contact UNH Business Services with any questions.

Withdrawal Policy

Withdrawal - A student wishing to withdraw from UNH Law must complete a withdrawal form and file it with the Assistant Dean for Students. Any student considering withdrawal must contact Financial Aid to discuss the financial implications of such action. The official date of withdrawal is the date the student completes the withdrawal form and submits it to the Assistant Dean for Students. The official date of the withdrawal is the official date used to determine any financial adjustments. Tuition and mandatory fees are reduced according to the withdrawal schedule below. Once financial adjustments have been made any overpayment will be refunded to the student. Refund processing will take approximately 45 days.

Refund Schedule on Tuition and Fees 2016-2017 - Any degree candidate who withdraws from UNH Law and subsequently enrolls as a special (non-degree) student during the current semester or the next academic year will continue to be billed for tuition and fees at the same rate as degree candidates, using appropriate rates for resident/non-resident and undergraduate/graduate status.

Change to Part-Time Status - Students who have written permission from the Assistant Dean for Students to drop from full-time to part-time status during the dates on the withdrawal schedule will be responsible for a portion of the full-time and mandatory fees in accordance with the withdrawal date schedule above.

Federal Aid - If federal financial aid has been received, it will be returned to the lender in accordance with U.S. Department of Education regulations in effect at the time of withdrawal. Please note that the return of aid may create an unpaid balance owed to UNH Law. Specific details regarding

Withdrawal Dates Academic Year 2016-2017

If withdrawal or change to part-time occurs:	Date	Tuition & Fees Credited
Fall 2016 Semester (begins August 29, 2016)		
By 2nd Friday after semester begins	By September 9, 2016, 4:30 p.m.	100%
After 2nd Friday and until 5th Friday after semester begins	September 10-30, 2016, 4:30 p.m.	50%
After 30 days	After September 30, 2016	0%
Spring 2017 Semester		
By 2nd Friday after semester begins	By February 3, 2017, 4:30 p.m.	100%
After 2nd Friday and until 5th Friday after semester begins	February 4-24, 2017, 4:30 p.m.	50%
After 30 days	After February 24, 2017	0%

federal regulations and an estimated calculation are available from UNH Business Services upon request.

Tuition Refund Plan Insurance is available to minimize the risk of financial loss in the event of medical withdrawal. This elective program provides full coverage for tuition, mandatory fees, required course fees, and room & board charges. Please visit the A.W.G. Dewar web site for further information.

Late Fees - Non-payment of billed balances can result in late fees and may result in students being disenrolled from classes. Late fees are based on the amount of the outstanding balance - 5% of the billed amount or \$250 (whichever is lower). Any outstanding balance could cause a financial hold which prevents registration and the mailing of transcripts and diplomas.

Returned Check Policy - Checks that have been returned for nonpayment are assessed a \$30 return check charge. A bank check, money order, or cash must be used to replace a returned check. If two or more checks are returned for non-sufficient funds, the University will be unable to accept future personal checks for that student account.

Refunds on Student Accounts - Students whose actual payments exceed their charges may request a refund from UNH Business Services after receipt and settlement of the tuition bill, and after any check payments have cleared (10 business days). Refunds may be requested online through the Webcat Services tab in Blackboard. Before a refund will be issued, all monthly payments must be received, loan notes and loan checks must be signed, and the student's account must be free of holds. Payments made by credit card will be refunded back to the credit card, not issued by check. **It is the student's responsibility to initiate a refund request.** Refunds are made in the student's name unless the credit is the result of a Parent PLUS loan. PLUS credits are refunded to the parent borrower. Please allow two weeks for processing of refund requests.

Note: Federal funds may not be disbursed to student accounts any earlier than 10 days before the start of classes.

For additional information on tuition and fees please see the UNH website at: unh.edu/business-services/tuitlaw.html or call the UNH Business Services Center at 603-862-2230.



VETERANS

GI Bill Resident Rate Requirements

UNH Law is in compliant with Section 702 of the Veterans Access, Choice and Accountability Act of 2014 and charges resident tuition rates for veterans and dependents.

Determination of Domicile. In accordance with RSA 187-A:20-c, any veteran of the armed forces who establishes a residence in New Hampshire is eligible immediately for the in-state rate, and the twelve-month waiting period for establishing domicile shall not apply.

Military Personnel. A member of the Armed Forces of the United States stationed in this state under military orders shall be entitled to classification for himself/herself, spouse and dependent children as in-state for tuition purposes so long as the member remains on active duty in this state pursuant to such orders. Individuals receiving educational assistance under 38 U.S.C. § 3001 et seq. or 38 U.S.C. § 3301 et seq., including children or spouses of active service members or veterans eligible for educational assistance under 38 U.S.C. § 3311(b)(9) or 38 U.S.C. § 3319, shall be eligible for the in-state rate while living in this state.



LAW SCHOOL APPLICATION AMENDMENT PROCESS

All students have an ongoing obligation to correct and addend information provided in their law school application that they discover to be untrue, misleading, inaccurate or incomplete as soon as they make the discovery. If UNH Law becomes aware at any time that a student has failed to provide true, accurate, and/or complete information or documents, or has failed to correct or complete any false or misleading statements or documents, UNH Law may revoke its offer of admission, decline to grant a degree, or take other appropriate disciplinary action. Students should also understand that such conduct could result in their ineligibility to sit for a state bar examination.

The American Bar Association (ABA) requires each approved law school to inform students of the importance of determining the applicable character, fitness and other qualifications to practice law. One of the first and most important steps in that process is for a student to certify that the law school application is true, accurate and complete. A

student who discovers that information in the law school application was omitted or needs to be updated, must follow the application amendment process outlined below.

1. All law school application amendment requests should be submitted to the Assistant Dean for Students. An application amendment request should include (a) a cover letter outlining the details of the information that was not included in the original application, (b) the reasons why the information was not included in the original application, and (c) supporting documentation including court records, police reports, transcripts, etc.
2. All information submitted by the student will be reviewed by the Application Amendment Committee (ACC) which consists of the Assistant Deans for Admissions, Records and Registration, Students and the faculty chair of the Admissions Committee.
3. The AAC may (a) accept the amendment and make it a permanent part of the student's official file and application, (b) acknowledge receipt of the information and inform the appropriate State Bar, (c) make a recommendation to the Dean that he appoint a faculty committee to investigate the application amendment request and recommend on further action to the faculty for decision, (d) in the case of post law school graduation requests, acknowledge receipt and take no further action. In all cases, the ACC will notify the Dean and faculty of its recommendation.
4. If the Dean appoints a faculty committee under 3 (c), that committee will follow the investigative process set forth in the UNH Law Conduct Code. The Committee will report its findings and make a recommendation to the Dean and faculty. The faculty will decide whether to accept, reject or modify the faculty committee's recommendation.
5. The student has the right to appeal from the decision of the faculty to the Dean of UNH Law. The Dean may (a) affirm, (b) reject, or, (c) modify the decision of the faculty. In any case, the Dean must notify the faculty of his decision.

Prior to matriculation, all students were encouraged to determine what the specific character and fitness qualifications are in the state(s) in which the student intends to practice. It is the intention of this policy to continue to apprise students of the importance of determining their fitness for the bar exam and the practice of law.



STUDENTS WITH DISABILITIES ACCOMMODATION POLICY

It is the policy and practice of the University of New Hampshire School of Law to comply with the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, and state and local requirements regarding students and applicants with disabilities. Under these laws, no qualified individual with a disability shall be denied access to or participation in services, programs, and activities of UNH Law based on his or her disability.

I. General Statement

In carrying out UNH Law's policy regarding students with disabilities, we recognize that disabilities include mobility, sensory, health, psychological, and learning disabilities, and we will make efforts to provide reasonable accommodations to these disabilities to the extent it is reasonable to do so. We are unable to make accommodations that are unduly burdensome or that fundamentally alter the nature of the program. This policy applies only to students to UNH Law's academic degree programs.

II. Definitions

- A. "Person with a disability" as adapted from Section 504 federal regulations - a person with a physical or mental impairment substantially limiting one or more major life activities, a record of such impairment, or is regarded as having such an impairment.
- B. "Otherwise qualified person with a disability" - person with a disability who meets the academic and technical standards for admission. Essential qualifications include but are not limited to the ability to understand, analyze, apply and communicate legal concepts.

III. Enrolled Students

A. Identifying the Need for Accommodations

Students with disabilities who require accommodations must make those needs known to the Assistant Dean of Students as soon as possible. It is the student's responsibility to act in time and to provide appropriate documentation and evaluations. Your application to law school may indicate the presence of a disability, but that information is not known to the Assistant Dean of Students. See the *Documentation Policy* for information regarding

documentation requirements and payment for such evaluation costs.

Students who do not require accommodations need not make their disabilities known. In some cases where only minor accommodations are required (such as requesting to sit in the front row because of a visual or hearing impairment), the student should feel free to sit where needed or seek the assistance of the Assistant Dean of Students.

Information regarding a student's disability and any accommodations provided is treated as confidential information under applicable federal and state laws and UNH Law policies, and is provided only to individuals privileged to receive such information on a need-to-know basis. Faculty or staff members who are told of a disability are advised that this information is confidential. People who may receive this information include but are not limited to the Registrar, individual faculty members, and the Committee on Academic Standing and Success.

B. Accommodations

UNH Law will make reasonable accommodations for documented disabilities. These accommodations may include but are not limited to course load modifications, exam accommodations and note takers. Such accommodations will not be provided if they fundamentally alter the nature of the program or if they would be unduly burdensome either financially or administratively. Students requesting accommodations should identify their needs as early as possible to the Assistant Dean of Students. She will meet with the student to develop an appropriate accommodation plan.

1. Academic Modifications

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

Requests for academic modifications should be made to the Assistant Dean of Students. The accommodations will be made in consultation with a faculty committee established for that purpose. Exam accommodations are made by the Assistant Dean of Students and the faculty committee and carried out by the Registrar's Office.

2. Auxiliary Services

Auxiliary services may include but are not limited to note takers, assistance with photocopying and library retrieval, and other support services in connection with the academic program. Services for personal use are not provided.

Occasional assistance in the library may be obtained by making a request of the library desk staff. The student who will require more extensive assistance and/or assistance on a regular basis should make this need known to the Assistant Dean of Students.

3. Exam Modifications

Exam modifications may include but are not limited to additional time to take in-class exams, time allowed for rest breaks, a private or separate exam room, or administration of the exam at a time other than the regularly scheduled time. Students requesting certain exam modifications may be asked to ascertain the format of the exam in order to determine the appropriate modification. For example, if the student has difficulty writing, but does not have difficulty reading, the need for additional time would be affected by whether the exam were to be in a multiple-choice format or an essay form. All exam modification requests are to be directed to the Assistant Dean of Students.

4. Building and Parking

i. Parking

Parking spaces are reserved for individuals who have state-issued handicap parking designations. They are located to the left of the entrance to the Robert H. Rines Building on Washington Street and behind the Bruce Friedman Clinic.

ii. Accessible Entrance

The entrance from Washington Street and from the Courtyard are accessible entrances.

iii. Elevators

A passenger elevator with emergency communication features may be entered on the first floor near the cafeteria, on the second floor behind the reception desk. A third elevator is accessible through the library.

iv. Accessible Rest Rooms

All rest rooms are accessible.

v. Classrooms

All classrooms are accessible.

5. Attendance

Class attendance is deemed to be a fundamental aspect of legal education. For that reason, faculty members will not be expected to waive attendance policies for students with disabilities.

6. Other Modifications

Students who believe that any other policies and practices should be modified should direct these requests to the Assistant Dean of Students.

IV. Academic Dismissal & Readmission

Students who are academically dismissed sometimes raise a disability as the basis for the academic difficulty. While this may sometimes justify allowing the student a second opportunity to prove academic ability, the burden will be on the student to clarify why the disability was not brought to the attention of the administration, if it had not been previously, to explain why accommodations were not requested, or to explain why accommodations that had been provided were not adequate.

Readmission petitions should be discussed with the Assistant Dean of Students and will be directed to the Committee on Academic Standing and Success.

V. Bar Examinations & Career Counseling

Law students with disabilities who believe they will require accommodations in taking the bar examination should inquire early in their legal education as to what will be necessary to obtain accommodations. Information on how to contact bar examiners in all states is available from the Career Services Office. Many state boards of bar examiners will request that the law school provide information on accommodations received during law school. Such information will be provided by the Assistant Dean of Students upon a written release from the student.

The Career Services Office provides assistance to all students and does not discriminate on the basis of disability. UNH Law will not provide assistance to outside organizations which discriminate on the basis of disability. Students who believe that an employer using the services of the Career Services Office has discriminated on the basis of disability should bring that to the attention of the Assistant Dean for Career Services.

VI. Grievances

Students who request accommodations from the Assistant Dean of Students and who believe that such accommodations have been impermissibly denied, or who believe that they have been discriminated against on the basis of their disability, should notify the Assistant Dean of Students in writing. If she is unable to resolve the matter informally, or if the student is

unsatisfied with the resolution, the student may file a written grievance with the United States Department of Education, Office of Civil Rights, 8th floor, 5 Post Office Square, Boston, Massachusetts 02109. Nothing in this policy prevents the operation of the Conduct Code and its procedures (Rules XIII A and XIII B of the Academic Rules & Regulations) for conduct which rises to that level.

VII. Improper Procurement

Services for students who improperly procure adjustments or accommodations under this policy will be immediately terminated, and the student may be subject to disciplinary action under the UNH Law Conduct Code found in Rules XIII A and XIII B of the Academic Rules & Regulations.

VIII. Special Problems For Certain Disabilities

Students with psychological impairments, including alcohol or drug addiction, may wish to seek outside counseling or 12 Step program involvement. Initial counseling and referral may be obtained from the Assistant Dean of Students. Such counseling is confidential and not part of a student's record. Contact information for Alcoholics Anonymous and Narcotics Anonymous 12 Step meetings is available in the Alcohol and Drug Abuse Prevention Policy. A list of mental health counselors in the Concord, New Hampshire area is also made available in this publication.

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

Disability Documentation Policy

1. Verification of Phys., Mental/Emotional Disab.

A student with a physical disability must provide professional verification certified by a licensed physician, psychologist, audiologist, speech pathologist, rehabilitation counselor, physical therapist, occupational therapist, or other professional health care provider who is qualified in the diagnosis of the disability. The verification must reflect the student's present level of functioning of the major life activity affected by the disability. The student shall provide the verification documentation to the Assistant Dean of Students. The cost of obtaining the professional verification shall be borne by the student. The student's history of

academic adjustments and accommodations in post-secondary education and/or in places of employment must also be submitted.

If the initial verification is incomplete or inadequate to determine the present extent of the disability and appropriate accommodations, UNH Law shall have the discretion to require supplemental assessment of a physical disability. The cost of the supplemental assessment shall be borne by the student. If UNH Law requires an additional assessment for purposes of obtaining a second professional opinion, then UNH Law shall bear any cost not covered by any third-party payer.

2. Verification of Learning Disability

A student with a learning disability must provide professional testing and evaluation results which reflect the individual's present level of processing information and present achievement level. The cost of obtaining the professional verification shall be borne by the student. The student's history of academic adjustments and accommodations in postsecondary education and/or in places of employment must also be submitted.

The four criteria necessary to establish a student's eligibility for learning disability adjustments or accommodations are: (a) average or above average intelligence as measured by standardized intelligence test which includes assessment of verbal and nonverbal abilities; (b) the presence of a severe discrepancy between levels of intellectual ability and achievement or cognitive-achievement discrepancy; (c) the presence of disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written; and (d) an absence of other primary causal factors leading to achievement below expectations, such as visual or auditory disabilities, emotional or behavioral disorders, a lack of opportunity to learn due to cultural or socioeconomic circumstances, or deficiencies in intellectual ability. Whether accommodations may be made based on verification that one or more of the factors listed in 2(d) coexist with a learning disability will be determined on a case-by-case basis.

Documentation verifying the learning disability must:

- (a) Be prepared by a professional qualified to diagnose a learning disability, including but not limited to a licensed physician, specialist in assessment of intellectual functioning, learning disability specialist, or psychologist;
- (b) Include the testing procedures followed, the instruments used to assess the disability, the test

results, and a written interpretation of the test results by the professional;

- (c) Reflect the individual's present level of functioning in such achievement areas as: reading comprehension, reading rate, written expression, writing mechanics and vocabulary, writing, grammar, basic reading skills, spelling, listening comprehension, oral expression, math computation and math problem-solving; and
- (d) Reflect the individual's present levels of functioning in the areas of intelligence and psychological processes.

The assessment must provide data that supports the request for any academic adjustment or accommodation. In the event that a student requests an academic adjustment or accommodation that is not supported by the data in the assessment, or if the initial verification is incomplete or inadequate to determine the extent of the disability, it is incumbent on the student to obtain supplemental testing or assessment at the student's expense.

If UNH Law requires an additional assessment for purposes of obtaining a second professional opinion, UNH Law shall bear any cost not covered by any third-party payer.

3. Verification of Temporary Medical Condition

Students seeking accommodations on the basis of a temporary condition must provide documentation verifying the nature of the condition, stating the expected duration of the condition, and describing the accommodations deemed necessary. Such verification must be provided by a professional health care provider who is qualified in the diagnosis of such conditions. The assessment or verification of condition must reflect the student's current level of disability, and shall be no older than 30 days. The cost of obtaining the professional verification shall be borne by the student.

If the initial verification is incomplete or inadequate to determine the extent of the disability and appropriate accommodations, UNH Law shall have the discretion to require supplemental assessment of a temporary disability. The cost of the supplemental assessment shall be borne by the student. If UNH Law requires an additional assessment for purposes of obtaining a second professional opinion, then UNH Law shall bear the cost.

***See Assistant Dean of Students for Accommodation Request Form**



UNH LAW POLICY ON PARTICIPATION IN SPRING COMMENCEMENT

UNH Law has, and can realistically have, only one major Commencement ceremony each year. Yet it has three terms in which credit may be earned, and two different starting dates for degree programs. Students may also be off their intended cycle due to leaves, special part-time arrangements, or unforeseen academic or disciplinary difficulties.

Students understandably desire to participate in a ceremony with those with whom they have been most closely associated, at or near the end of their degree program. The school has an interest in the qualifications of those who participate in the ceremony, in maintaining the meaning of it, and in the accuracy of the annual lists of degree recipients. We have long had a custom of allowing some students who are near completion of their degree requirements to participate in the ceremony, although they receive a blank diploma. With the proliferation of degrees and starting dates the number and variety of requests to join Commencement without having completed all degree requirements has increased. The following rules have been adopted to guide those in charge of Commencement and to inform students of what they can expect in their own situation.

1. All degree candidates who have completed the requirements for their degree shall participate in the Spring Commencement following such completion unless they have already participated in Commencement under the provisions below.
2. JD candidates who would have been on schedule to earn their degree in time for Commencement but-for authorized leave, permission to take a lighted load, or a special part-time schedule and who are not otherwise disqualified may participate in Commencement, receiving a blank diploma. Their names will be foot- or end-noted in the program with their approximate expected completion date.
3. Candidates for graduate degrees (including the graduate portion of Joint Degrees) who have completed more than half the required credits and residency for a degree may participate in Commencement, receiving a blank diploma. Their names will be foot- or end-noted in the program with their approximate expected completion date. As before, January matriculants for graduate degrees

are ineligible to participate in Commencement at the end of their first semester.

4. No one who, due to dismissal or suspension, was ineligible to attend classes in the semester immediately preceding Commencement may participate, nor may anyone penalized with prospective suspension during that semester.
5. Unless the faculty or Dean decides otherwise due to the gravity of the case, degree candidates who would have earned their degree in time for Commencement but-for an academic or disciplinary issue arising during their last semester may participate in Commencement, receiving a blank diploma. In these cases only may candidates be listed without a notation who have not in fact completed degree requirements.



STUDENT EMPLOYMENT POLICIES AND PRACTICES

UNH Law may modify, delete, add to or otherwise change, as deemed appropriate and/or necessary, the UNH Law Student Employment Program policies and practices listed here.

General Information

Federal Work-Study Program

Students who apply for financial aid may be awarded Federal Work-Study (FWS) funds by the UNH Law Financial Aid Office. The number of students offered Federal Work-Study, and thus available to work, is dependent upon a yearly allocation of funds to the program. Currently fifty (50) percent of a student's earnings are funded under the Title IV FWS program and are matched by fifty (50) percent from UNH Law and/or an off-campus non-profit agency that employs the student.

FWS students may work a maximum of 20 hours per week when classes are in session and 37.5 hours per week during vacation periods. However, the actual scheduled hours per week will depend on the student's earnings authorization level that has been established by the Director of Financial Aid, as well as the student's academic schedule and the employer's need. FWS earnings are subject to federal and state taxes (State taxes are not withheld). USNH will issue a W-2 to the student at the end of the calendar year which reflects all earnings for the tax period.

The term “work-study” indicates that eligible students will be authorized to seek employment with those on-campus departments allocated hours and those limited number of off-campus agencies who have executed a Contract for Work-Study Services with the Director of Financial Aid. The term does NOT mean students will receive jobs where they may have time to study at their place of employment. An authorization of FWS does NOT guarantee employment nor does it assure a disbursement of funds in lieu of unrealized earnings. Students are to be paid only for hours that are worked.

Other UNH Law Employment Opportunities

There are a limited number of budgeted non work-study positions available. If a student has a specific skill set or experience that is especially beneficial to a hiring faculty member or department, but is not eligible to be authorized to be employed under the Federal Work Study Program, he/she may be hired under a non work-study program with prior written approval of the Business Services Center Director. An “Outline” of Student Employment at UNH Law

I. General

- A. A student employee position, regardless of source of payroll funds, is the one that is:
 - 1. Part-time, temporary, nonclassified;
 - 2. Not eligible for any employee benefits;
 - 3. Covered by the UNH Workers’ Compensation policy;
 - 4. Not subject to FICA and Medicare during the academic year, but is subject to FICA and Medicare during summer or other vacation period employment;
 - 5. Not eligible for overtime, holiday pay or compensatory time.
- B. The part-time temporary nature of a student employment position is not altered by a student working 37.5 to 40 hours a week for limited periods of time; e.g., semester breaks, summer.
- C. Only currently enrolled students are eligible for student employment.
- D. Preference will be given to students with financial need, as demonstrated by having been authorized FWS.

II. Supervisor Responsibility

- A. A supervisor is defined as the faculty member, department head or outside agency that employees a UNH Law student worker.

- B. A supervisor may not:

- 1. Employ a student under FWS for any period of time without prior approval by the Director of Financial Aid.
- 2. Employ a student under non-work study for any period of time without prior approval by the BSC Director.
- 3. Employ any student at any time:
 - a. For more than eight (8) hours in any one day on any job or combination of jobs, or
 - b. For more than 20 hours/week in any job or combination of jobs (except for semester breaks and summer employment which allows for a 37.5 hour week).
- 4. Use a student employee in a position which would result in the displacement of a regularly employed worker.
- 5. Use a student in work other than that which is appropriate to the department or agency function.

- C. A supervisor is responsible for:

- 1. Preparing a written job description and providing it to the student and providing a copy to the Director of Financial Aid.
- 2. Orienting the student to his or her role in the department and the standards of behavior expected of employees.
- 3. Training in skills and procedure necessary to perform tasks.
- 4. Keeping communications lines open, clear, and constructive.
- 5. Treating student employees in accord with their rights, which are the same as all employee’s as defined by applicable regulations.
- 6. Verifying daily total hours worked.
- 7. Reviewing and approving time sheets.

III. Student Responsibility

- A. A student is defined as an individual actively enrolled in a program of study at UNH Law.
- B. A student may not:
 - 1. Work simultaneously for more than one supervisor without first receiving and processing a written authorization for each position.
 - 2. Work at any time:
 - a. For more than eight (8) hours in any one day on any job or combination of jobs, or
 - b. For more than 20 hours/week in any job or combination of jobs (except for semester breaks and summer employment which allows for a 37.5 hour week).
 - 3. Work more hours under FWS than those authorized by the Director of Financial Aid.

4. Work more hours under non work-study than those authorized by the BSC Director.
- C. A student is responsible for:
1. Providing the supervisor with a schedule of the hours and days he/she is available for work.
 2. Accurately reporting the hours worked.
 3. Submitting their electronic time sheet by stated weekly deadlines to <http://wise.unh.edu>.
 4. Monitoring their total earnings in relation to the amount of Federal Work-Study authorized.
 5. Maintaining his/her agreed-upon and/or understood-and-accepted work schedule and informing the employer in a timely and appropriate manner of his/her inability to maintain such schedule, in whole or in part, for any reason.
 6. Seeking permission from his/her immediate supervisor, or other appropriate person, to be excused from his/her regularly scheduled work hours. Any student who is absent from his/her job for two consecutive working periods without notifying his/her supervisor, or other appropriate person in the department, is subject to termination.
 7. Taking the job seriously and performing the job duties to the best of their ability.
 8. Acting in a professional manner concerning confidentiality. A student employee may be required to sign a Confidentiality Agreement.
 9. Following the procedure for changing jobs or ceasing to work by giving a minimum two weeks' written notice to their immediate supervisor.

IV. Hiring A Student Employee

A. Defining the Job

1. The efficient functioning of any department requires that all job positions in the department be identified, assessed, and classified in a manner consistent with good management practices.
2. Federal Work-Study regulations require that job descriptions be provided for every federal work-study job.
3. UNH Law requires that a written job description is prepared and provided to the student employee.
4. Further, these job descriptions can be excellent management tools which can provide the employer and employee with a clear sense of expectation and departmental function.

B. The descriptions should include the following:

1. Job Purpose—Define the job in terms of its purpose, including the specific duties and responsibilities of the job.

2. Job Qualifications—If the duties require special skills or specific hours, these should be clearly stated in the job description.
3. Job Period—A determination of how long the job will run must be made for the following reasons:
 - a. Job duties must be planned to fit a student work schedule and academic schedule;
 - b. The amount of the Federal Work-Study award will determine the number of hours per week the student may work.
4. Job Supervisor—The job supervisor should establish written and clearly defined reporting lines of authority and responsibility for the student employee.

C. Average hours per week while classes are in session

1. The initial authorization for a first year student will permit him/her to work approximately 5 hours per week during the 30 weeks of classes for the academic year.
2. The initial authorization for a second year student will permit him/her to work approximately 10 hours per week during the 30 weeks of classes for the academic year.
3. The initial authorization for a third year student will permit him/her to work approximately 15 hours per week during the 30 weeks of classes for the academic year.

D. Academic Year or Summer Beginning-Ending Dates

1. Academic year employment begins with the first day of scheduled classes in the fall semester and ends on the last day of exams in the spring semester.
2. Summer employment begins the day after exams in the spring semester and ends the Sunday before classes begin in the fall.

V. Terminating A Student Employee

A. Expended Award

1. Notice is automatically sent via e-mail to the student employee and the student's supervisor when the remaining authorization is less than \$100.
2. At the time of notice, the student must see the Director of Financial Aid to determine if an adjustment can be made to his/her authorization.
3. In the case of a non-FWS student employee. The supervisor must see the BSC Director to determine if additional budget funds are available.

B. Withdrawal From UNH Law

Any student withdrawing from UNH Law for whatever reason will lose their student status, thus losing their eligibility to work under FWS or student payroll. They must be terminated from FWS or student payroll immediately.

C. Student Quits a Job Without Notice

1. Any student who quits any on-campus job without first giving his/her supervisor two weeks written notice will be suspended from all on campus employment for a minimum period of four months.
2. The supervisor is required to notify the Financial Aid Office of the termination of the student employee immediately upon notice.

D. Student Quits a Job With Notice

Any student desiring to terminate their employment without working a two week notice must submit a written request to their supervisor. The supervisor may waive the two week notice requirement and should inform the Financial Aid Office of the waiver decision.

E. Financial Aid Office Terminates Student Employment

1. The Financial Aid Office must terminate a student employee if:
 - a. The student is no longer actively enrolled, or
 - b. The student has earned the total amount of Federal Work-Study authorized and is not eligible for an adjusted award.
2. The department head/supervisor and the student employee will be informed, in writing, if the above should occur.

F. Involuntary Termination of a Student Employee

1. A student employee, like any other employee, must earn her/his pay, whether Federal Work-Study or non work-study, and may be terminated for unsatisfactory job performance.
2. Involuntary termination of an employee is a last resort following every effort to correct the undesired behavior. The following procedures are recommended before termination:
 - a. The supervisor must speak to the employee at the time of the incident or when the employee next reports to work.
 - b. A written warning must be issued at this time or at the first recurrence of the undesired actions. This warning should state that the employee will be terminated if there is no improvement.

- c. Immediate termination of a student employee is expected for gross misconduct, including actions threatening the safety of others; for malicious use or theft of UNH Law property; falsification and/or forgery on time sheets. Questions about termination may be directed to the Financial Aid Office.

G. Rehiring a Student

A department may rehire a student employee for another year assuming the student meets the following criteria:

1. Continues to be authorized to receive FWS money;
2. Has a satisfactory job performance evaluation;
3. Desires to be placed in the same position.

VI. Payroll Processing**A. Completing and submitting student time sheets**

The student time sheet is used to report hours worked by student employees during each pay week. The payroll is processed on a bi-weekly basis and is paid the Friday after the payroll period ends. Timesheets need to be submitted by the student no later than 12 pm on Monday following the pay period end date.

Instructions:

1. The timesheets are located on the UNH website: <http://wise.unh.edu>.
2. First time users will need to create an account. Follow "logging on for first time?" instructions.
3. Enter User ID (full 9 of USNH ID and PIN)
4. Select employee tab.
5. Select timesheet.
6. Select pay period from the drop down menu.
7. Click day and earn code.
8. Enter your time.
9. Hit submit button
10. Supervisor approves timesheet electronically.

B. Supervisors must:

1. Review actual time worked each day on the electronic timesheet located at <http://wise.unh.edu>.
2. Electronically approve the timesheet.
3. The deadline for approving timesheets is 9 pm on Monday following the pay period end date.

C. Student Paychecks:

1. Will be directly deposited into the students banking account or placed into the student's mailbox.

VII. Student Complaint Procedure

There is no formal grievance procedure for student employees. However, if a complaint does arise, the person wishing to file a complaint may see the student's supervisor or the Assistant Dean of Students.

VIII. Off-Campus Federal Work-study

- A. Work performed by students must be in the public interest, must be nonsectarian, and cannot involve partisan politics. The new FWS Community Service Program allows students to be employed in positions which are designed to directly improve the quality of life for community residents, particularly low-income individuals, in such fields as health care, child care, literacy training, and counseling.
- B. The off-campus organization will enter into a contractual agreement with UNH. Students may NOT begin work until the contract has been signed by both the agency and UNH. Most of the student's salary is paid by the federal government; the organization pays a percentage of the student's salary. The contract will be for an academic year or for a summer period.
- C. UNH determines that the student meets the eligibility requirements for employment under the Federal Work-Study program and assigns students to work for the organization.
- D. Under the FWS contractual agreement, the employing organization is considered the student's employer. It controls and directs student's services and is responsible for supervision.
- E. Student's arrange their work schedule with the organization. The maximum number of hours to be worked will be determined by the UNH Law Financial Aid Office.
- F. The student will be paid by the hour as determined by UNH Law. The organization must submit the Student Time Sheets as stated above under section VI.

IX. Policy Against Sexual Harassment

Please See Policy Against Sexual Harassment on page 28.



THE STUDENT BAR ASSOCIATION OF UNH LAW

The Student Bar Association (SBA) is a student run association of University of New Hampshire Law School. The purposes of the Association are to support and encourage academic excellence and professional growth among students, to secure and preserve the rights of individual students to acquire a quality legal education in a just and reasonable manner, to ensure efficient and effective use of student money and resources and to provide an organized forum for interaction and communication between students and the faculty, administration, alumni, and the community.

The SBA cooperates with local, state and national bar associations to further the interests of the legal profession and to advance the ideals and objectives of UNH Law ("UNH Law") students.

All students enrolled by UNH Law as candidates for the degrees of Juris doctor, Masters of Law in Intellectual Property and any other degree programs authorized by UNH Law, are members of the Association.

The complete Student Bar Association Charter and the Governors' Rules may be found on TWEN at www.lawschool.westlaw.com/twen/.

STARTING A NEW STUDENT ORGANIZATION

Students wishing to start a new student organization must discuss the proposed organization's mission and events with the Assistant Dean for Students and submit a list of officers who are interested in leading the club or organization. The acting president/head of the organization or club must submit a request for official recognition to the SBA and Assistant Dean of Students. The request shall include a mission statement, list of officers and faculty advisor and any other pertinent information that may be necessary. The SBA will meet and discuss the request and provide a decision.

CAMPUS EVENTS – PROCEDURE

In order for a student organization to hold an event on campus the following steps must be taken:

- Discuss the proposed event with a member of the Office of the Assistant Dean for Students, at least two weeks in advance.

- Office of the Assistant Dean for Students has discretion to grant or deny permission for any event.
- Tentatively schedule the event through UNH Law's online calendar at calendar.law.unh.edu.
- If permission is granted for alcohol to be served at the event, a NH Liquor Commission licenced caterer must be hired to serve the alcohol and a copy of the contract must be provided to the Office of the Assistant Dean for Students.
- No hard alcohol (spirits) may be served at any student organization function. No outside alcoholic beverages may be brought. Alcohol cannot be served before 5 pm. Please refer to the UNH Law Alcohol Policy in the Student Handbook for additional information.
- All student sponsored events must conclude no later than 10:00 pm.
- Student organization officers and members are responsible for setting up and cleaning up after their events. If necessary, a cleaning charge will be assessed after the event and charged to the organization.
- Those attending all UNH Law functions must abide by all rules and regulations set forth in this Student Handbook.
- Posters, flyers, and/or advertisements for events must be approved by the Office of the Assistant Dean for Students before distribution.

VISITORS ON CAMPUS

Only recognized student organizations are permitted to invite guests to speak or hold events on-campus. If a student organization is interested in extending an invitation to an individual or group of individuals to speak at UNH Law, or to conduct an activity on campus, permission must be sought from the Student Advisor.

STUDY ROOM RESERVATION POLICY

UNH Law students may reserve designated study rooms in the UNH Law main building, in the UNH Law Library and at 10 White Street. All classroom and conference rooms must be reserved through the UNH Law Calendar System at calendar.law.unh.edu. Failure to abide by this policy may result in the loss of room reservation privileges. Calendar at calendar.law.unh.edu.

All students reserving study rooms in the Law Library must do so through the online calendar and shall adhere

to the Library Study Room Reservation Policy found in the UNH Law Student Handbook and on the web at <http://library.law.unh.edu/StudyRooms>.

The priority use for room reservations follows:

- Classes and T/A Sessions have priority in classroom space. Conferences, meetings and institutional needs have priority in conference room space and the Board Rooms. Study groups, T/A sessions, etc. are secondary. Students who reserve a conference room to study should be aware that the Registrar's Office may ask you to relocate, if necessary.

Reservation Guidelines:

- 1) Students are allowed 2 study room reservations per week (Sunday through Saturday). T/A sessions, Academic Success tutoring sessions and/or student organization reservations do not count towards the 2 reservation maximum.
- 2) Reservations are limited to 3 hours per reservation in order to accommodate as many students/study groups as possible.
- 3) Recurring reservations are permitted. For example, you may reserve a room on Mondays for the semester, providing you do not reserve more than 2 rooms per week or exceed the 3 hour limit per reservation.
- 4) Consecutive reservations (back to back reservations on the same day) by the same group/student are not permitted.
- 5) Study groups are defined as three or more students. The names of each student attending the study group must be listed in the "Full Description" section of the reservation.
- 6) Label your reservation clearly, ie. Study Group, SIPLA Meeting, etc. Also, please select the appropriate description in the "Type" field of your reservation.
- 7) The student who reserves the room accepts responsibility for the condition & equipment in the room.
- 8) T/A sessions are not permitted during the open period on Tuesday and Thursday 11:30am until 1:30pm.
- 9) Room reservation requests are confirmed after you receive notice from the online reservation system. If your request is rejected, please do not use the room.

- 10) If a reservation is scheduled after regular business hours (or late in day), please go to the Circulation Desk in the UNH Law Library to pick up the key. The Circulation desk will give out keys only for rooms that are available for evening and weekend use.
- 11) Please keep all study and conference rooms clean and trash free.
- 12) If you have any comments or concerns regarding this policy, please direct them to the Registrar's Office.

Classrooms available for study Monday through Friday, 8:00 a.m. until the Library closes and during weekends: 101, 102, 103, 201, 202, 227

****The Academic Success conference room may be used without making a reservation, if it is unoccupied.**

Rooms available for student organization pre-approved events (day time, evening or weekend use): 200, 205, 229, 282, Rich room and Douglas J. Wood Board Room

****All student organization events must be pre-approved by the Assistant Dean for Students.**

Conference rooms available for study Monday through Friday 8:00am to 5:00pm: 172, 283 and the conference room at 10 White Street.

****172 and 283 are locked at all times. To gain access to the room for an approved reservation, please come to the Registrar's Office for a key. Please return the key to the Registrar's Office immediately after unlocking the door.**

The Courtroom is available only for Moot Court practice and courtroom-based practice sessions associated with a class. Rooms 175 and 274 are unavailable for student reservation.

STUDENT ORGANIZATION FUND-RAISING POLICY

External Fund-Raising

Any student organization or individual student, who is interested in fundraising outside the school, must meet with the VP of Institutional Advancement and seek her permission before beginning the fundraising process. A tentative plan for fund-raising must be presented prior to approval.

- A follow-up meeting with the Development Office staff shall take place after attempts of fund-raising with outside sources
- Final meeting with the Development Office staff will be at the Development Office's discretion

- All Products, Services & Funds donated by outside organizations/businesses must be reported to the development upon receiving said donations

Internal Fund-Raising – (Fund-Raising done on campus, involving the Law school community)

- All Internal fund-raising events must be approved by the Assistant Dean of Students.
- Proposed fund-raising events must be submitted to the Assistant Dean no less than seven days prior to the event.
- All fund-raising events must adhere to the law school's rules, policies and procedures. rules and regulations of FPLC.

MOOT COURT AND THE MOOT COURT BOARD

What is Moot Court?

Moot Court is a prestigious honor unique to law school. In substance, it is similar to your Legal Skills II oral argument. In practice, it is much more rigorous and time intensive. As a Moot Court competitor, you and your partner will be solely responsible for the substance of your brief. It may be much more time intensive than Legal Skills. It will require strong research, writing, and oral argument skills. It is one of the highlights of any law school career.

You will compete against the top writers and oralists from the top law schools in the nation. Recent competitors have included U.C. Berkeley, Brigham Young, Chicago, Duke, Loyola, Michigan, Ohio State, Tulane, and William & Mary. UNH Law has done very well in recent competitions ranking in writing, arguing, and overall categories.

As a member of the UNH Law Moot Court team, you are entitled to training and practice sessions from Moot Court alum, faculty, and practitioners. Training sessions will likely include topics such as using Blue Book citations, advanced research, effective opening statements, proper rebuttals, strong conclusions, and other advanced writing and arguing skills. You will be entitled to countless practice sessions with your team coach, faculty member and other judges. We pick up where Legal Skills and Advanced Appellate Advocacy left off.

*Please note that you can enter other competitions; however, UNH Law will not guarantee that you will receive course credit or be reimbursed for expenses.

Traditionally, UNH Law competed in the following competitions:

The Giles S. Rich Memorial Moot Court Competition

Scope: National patent and intellectual property moot court competition sponsored by the American Intellectual Property Law Association. Official Information:

<http://www.aipla.org/html/richmoot.html>
Prerequisite Course: Patents

Saul Lefkowitz Moot Court Competition

Scope: National Trademark Law Moot Court competition sponsored by the Brand Names Education Foundation.
Official Information: <http://www.bnef.org/events/lefkowitz.html>
Prerequisite Course: Trademarks

Cardozo / BMI Entertainment and Communications Law Moot Court Competition

Scope: National Moot Court competition sponsored by BMI.
Official Information: http://www.cardozo.yu.edu/moot_court/bmi.html
Prerequisite Course: Copyrights

Braxton-Craven Constitutional Law Moot Court Competition

Scope: National Constitutional Law Moot Court competition sponsored by UNC.
Official Information: <http://mootcourt.unc.edu/>
Prerequisite Course: Constitutional Law

Phillip C. Jessup International Law Moot Court Competition

Scope: International Law Moot Court competition sponsored by Shearman and Sterling
Official Information: <http://www.ilsa.org>
Prerequisite Course: Public International Law

Ruby R. Vale Interschool Corporate Moot Court Competition

Scope: Corporate Law Moot Court competition sponsored by the Widener University School of Law
Official Information: <http://law.widener.edu/>
Prerequisite Course: Business Associations

John J. Gibbons Criminal Procedure Moot Court Competition

Scope: Criminal Procedure Moot Court competition sponsored by Seton Hall University School of Law
Official Information: <http://law.shu.edu/>
Prerequisite Course: Criminal Procedure I

Application Process

In order to secure a position in one of the Moot Court competitions, you must be a full-time law student and enrolled in or have already taken Advanced Appellate Advocacy (AAA) and the substantive course relating to the competition(s) for which you intend on applying. Thus, if you want to try-out for the GSR Patent Law Competition, you need to be enrolled in or have taken AAA and Patent Law. The same prerequisites apply to the other competitions, i.e., Leftkowitz (Trademarks), Cardozo (Copyrights), Craven (Constitutional Law), Gibbons (Criminal Procedure I), Jessup (Public International Law), Ruby Vale (Business Associates).

Please note that the try-out oral argument problem will be the same for each applicant, independent of the applicant's preference of which competition they seek to compete in.

To apply for a position as a Moot Court applicants must submit the following documents during the tryout period:

1. Submit your Legal Skills II appellate brief or summary judgement motion, preferably in Microsoft Word or Adobe PDF format.
2. Submit a Statement of Intent, preferably in Microsoft Word or Adobe PDF format. (the statement of intent should include your intent to tryout for Moot Court, the reasons why you seek to participate in a Board-sponsored Moot Court competition; and any other information you deem helpful to the board in making its decision; one to two paragraphs should be sufficient)
3. Present a 10 minute oral argument based on closed-universe mock problem in front of a 3 person panel composed of faculty members and Moot Court Board members.
4. Submit a release of you Legal Skills Grades.
5. Submit an Order of Preference Form ranking your choice of which of the aforementioned competitions you seek to compete in.
6. Interview with the Board members. Interviews will be approximately 15 minutes.

The tryout oral arguments will take place in the evening. In order to schedule your individual times for the oral arguments and the interviews, please include in the text of the email in which you send your Legal Skills II brief and Statement of Intent when you are available according to your time line. The board will do their best to accommodate your schedule.

STUDENT ORGANIZATION NATIONAL MOOT COURT PARTICIPATION POLICY

Consistent with its mission, UNH School of Law supports educational endeavors pursued by its students and their recognized organizations. Participation by student organizations in national moot court competitions can be an excellent opportunity for students to explore substantive law related to their organization's interests

In order to qualify for funding of student organization national moot court teams, student organization's applications must meet the following criteria:

1. UNH School of Law must officially recognize the student organization. If you are not sure whether your organization is officially recognized, please see Assistant Dean for Students Fran Canning.
2. The national moot court competition must relate to the student organization's substantive area of interest. For example, the Entertainment Law Society may not apply to attend an environmental law competition.
 - a. In competitions that limit participation to one team per school, the Upper Level Moot Court program teams shall be given priority. For example, if the Cardozo/BMI Entertainment Law Competition only permits one team from each school and UNH School of Law sends a team from its Upper Level Moot Court Program, the Entertainment Law Society would not be permitted to compete.
3. The student organization moot court team members must be members of the applicant student organization.
4. The student organization moot court team members must have taken Appellate Advocacy or be enrolled in the course at the time of application.
5. The student organization must have a coach who is a faculty member, a member of a bar, or a former moot court competitor in the competition that the organization is seeking to send the team.
6. The student organization must read the competition rules before seeking support from the Dean to insure that it can meet the competition requirements.

Additional Standards

7. Student organization moot court team members may be eligible for Independent Study credits, not to exceed 2 per academic year.
 - a. Application for Independent Study is the sole responsibility of the team members who must adhere to Academic Rule VIII, A.
 - b. A completed copy of the Independent Study form must be attached to the support request, if students are seeking Independent Study credit.
8. Student organization requests for competitions other than appellate advocacy competitions will not be funded under this program. Students interested

in such competitions should speak to a faculty member or plan for funding one year in advance of the competition.

9. UNH School of Law may fund a maximum of three student organization competitions in each academic year. In the event that more than three student organizations apply for funding selection will be made as followed:
 - a. First priority will be given to student organizations and competitors that did not participate in a national competition in the previous academic year;
 - b. Any remaining applicants will be selected by random lottery.
10. The school reserves the right to fund fewer than three competitions for:
 - a. Lack of available funding; or
 - b. Teams that include students who are not in good academic standing.

UNH LAW REVIEW AND IDEA®: THE JOURNAL OF THE FRANKLIN PIERCE CENTER FOR INTELLECTUAL PROPERTY

Application Procedure

Information may be found on the website:
www.law.unh.edu/lawreview

The Law Reviews accept applications from first and second year JD students. Applicants must be willing to serve on the Law Review for at least 2 terms. Applicants must be in good academic standing and in residence (local externships only) for their first year.

All applicants must complete all parts of the application (editing and citation exercises, writing a comment and personal statement and provide a copy of their resume). The executive board reviews the applications and makes final determinations. Applications from individuals ranked in the top 10% of the first year class will be given substantial weight.

Expectations and duties include the following:

- Attending a training session at the beginning of the year
- Writing a note or comment, possibly for publication, in the Law Review, Editing articles for publication, Attending meetings, Other duties as assigned.

STUDENT HEALTH INSURANCE NEW AND RENEWAL INFORMATION

All UNH Law students, domestic and international, are required to carry health insurance. All students will be automatically charged for health insurance for the academic year if they do not opt out of coverage. All F-1 and J-1 international students who are enrolled in a degree program must enroll in the UNH student Health Benefit Plan. The deadline for opting out is posted on the UNH website unh.edu/health-services/SHOP.

If you are a U.S. citizen and have health insurance coverage, and you wish to opt out of UNH Law's insurance, you must show proof of comparable health insurance. Please go to the UNH website for more information or to opt out: unh.edu/health-services/SHBP.

THE FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT OF 1974 ("BUCKLEY AMENDMENT")

Annual Notice to UNH Students

Each year, the University of New Hampshire, in compliance with the Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment), informs students of their rights under the act. The Buckley Amendment was designed to protect the privacy of student education records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students may also have the right to file complaints with the Family Educational Rights and Privacy Act Office (FERPA) concerning alleged failures by the institution to comply with the act.

Section I: Family Educational Rights and Privacy Act Guidelines

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access.
Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the records(s) they wish to inspect. The University official will make arrangements for access and notify the student of the time and place where the records

may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading.

Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her rights to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit, personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the University discloses education records including records of disciplinary action, without consent, to officials of another school in which a student seeks or intends to enroll.

Students may authorize persons of their choosing to access UNH billing information through MYUNH/Blackboard. This replaces the "authorized Payer" service. (*April 23, 2007*)

4. The University occasionally receives court orders and grand jury subpoenas requiring it to produce a student's educational records. The University usually makes reasonable efforts to notify the student of the order or subpoena before complying, except when the order or subpoena itself requires that the student not be notified.
5. The right to file a complaint with the U.S. Department of Education concerning alleged failure by the University of New Hampshire to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Effective 1998, The Family Educational Rights and Privacy Act was amended to no longer prohibit postsecondary institutions from disclosing, to parents or legal guardians of students under the age of 21, information about violations of law and campus policies regarding alcohol or other drugs. The University of New Hampshire provides such notification in certain situations.

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which your education records and personally identifiable information (PII) contained in such records — including your Social Security Number, grades, or other private information — may be accessed without your consent. First, the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to your records and PII without your consent to any third party designated by a Federal or State Authority to evaluate a federal- or state-supported education program. The evaluation may relate to any program that is "principally engaged in the provision of education," such as early childhood education and job training, as well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to your education records and PII without your consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your

PII, but the authorities need not maintain direct control over such entities. In addition, in connection with Statewide Longitudinal Data Systems, State Authorities may collect, compile, permanently retain, and share without your consent PII from your education records, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Section II: Directory Information about Students

A. The act provides that "directory information" may be made available to third parties without requiring permission of the student. However, public notice must be given of the intent to publish the information, so that students can request that this information not be made public. A request form to prevent disclosure of directory information is available at the Registrar's Office and must be filed with the registrar each semester by the third Wednesday of classes. "Directory information" (other than that for specialized programs and activities) should be requested from the Registrar's Office and consists of the following items:

1. Student's name, address, telephone listing, and email address;
2. Major field of study;
3. Participation in officially-recognized activities and sports;
4. Weight and height of members of athletic teams;
5. Dates of attendance;
6. Degrees and awards received;
7. Most recent previous educational institution or agency attended by the student;
8. class;
9. Honor rolls;
10. Date of birth.

Note: Grades are considered "directory information" to the extent that honor rolls may be published. Also, transcripts of students' academic records or students' grade-point averages may be released to the faculty advisers of officially-recognized honor societies on campus upon request. Only the faculty members have the right to access students' records or grade-point averages.

Periodically, UNH Law will take photographs of students in the classroom and on campus to help promote the law school to outside audiences. These photographs are used on the UNH Law website, in publications and promotional materials. If a UNH Law student prefers not to be included

in these photographs, he or she must email the UNH Law Registrar's Office to confirm they do not want to be included in the photographs – registrar@law.unh.edu.

Concerns about Unauthorized Re-Disclosure

Students or UNH Law employees who have concerns about unauthorized re-disclosure should report them in writing to the Associate Dean for Academic Affairs or the Associate Dean's designee. The Associate Dean for Academic Affairs or her or his designee shall conduct a timely, thorough, and appropriate investigation and, if a violation is found to have occurred, shall take appropriate measures to remedy the violation and discipline those who committed the violation.

For general information concerning the Buckley Amendment or for assistance in locating individuals or offices maintaining a student's education records, please contact the following campus offices:

Office of the Assistant Dean for Students:

3rd floor of 2 White Street, Concord, 603-513-5171

Vice President for Student and Academic Services:

Thompson Hall, 603-862-2053

Provost and Executive Vice President for Academic Affairs:

Thompson Hall, 603-862-3290

Copies of the Buckley Amendment are available in the Dimond Library at the Reference Desk, and on the Web site for the Department of Education: www.ed.gov/.



DISCRIMINATION, DISCRIMINATORY HARASSMENT & SEXUAL HARASSMENT

The University of New Hampshire is a public institution with a long-standing commitment to equal opportunity for all. It does not discriminate on the basis of race, color, religion, sex, national origin, age, veteran's status, gender identity or expression, sexual orientation, marital status, or disability in admission or access to, or treatment or employment in, its programs, services, or activities.

Inquiries regarding discriminatory harassment should be directed to Donna Marie Sorrentino, Director of Affirmative Action and Equity at affirmaction.equity@unh.edu.

UNH policy and processes for handling complaints resulting from discriminatory harassment is available on-line at the UNH Affirmative Action and Equity Office website

(<http://www.unh.edu/affirmativeaction/policies-protocols-practices>).

A person who believes that he or she has been harassed should take steps to resolve the matter. Those steps may begin with direct, voluntary communication with the person engaging in the behavior in question, in an attempt to resolve the issue. Should the complainant not wish to contact the accused directly, the complainant has the right and is encouraged to pursue procedures that result in an administrative resolution or judgment. Any University community member may contact the Director of the Affirmative Action and Equity Office with a harassment complaint, including sexual harassment. Alternatively, members of the law community may choose to contact a member of the Harassment Prevention Committee, the UNH Law Conduct Code Officer or the UNH Affirmative Action and Equity Office, all of whom will serve as a liaison to the Director. Complaints against faculty or staff are handled by the Affirmative Action and Equity Office.

ReportIt! is the place to report and learn about incidents of bias, discrimination and/or harassment. By submitting a report or learning more about this type of behavior, you help us to improve our campus and community climate. If you have observed or experienced an incident of bias, discrimination, or harassment, please report the incident by using either **ReportIt!** Online (<http://www.unh.edu/affirmativeaction/policies-protocols-practices>) or contacting the Affirmative Action and Equity Office at 603-862-2930 voice/tty.

Information and Policy Links:

- UNH Affirmative Action and Equity Office (<http://www.unh.edu/affirmativeaction>)
- UNH Discrimination and Discriminatory Harassment Policy, Interpretation, and Implementation Procedures (<http://www.usnh.edu/policy/unh/v-personnel-policies/b-affirmative-action-and-equity#5>)
- USNH Discrimination Harassment Policy (<https://www.usnh.edu/policy/usy/v-personnel-policies/b-affirmative-action>)

SEXUAL, ROMANTIC, AND FAMILIAL RELATIONSHIPS

A. NEW RELATIONSHIPS DISCOURAGED OR PROHIBITED; DISCLOSURE AND SUPERVISION REQUIREMENTS

1. This section does not apply to sexual, romantic, familial relationships in existence before one or both individuals joined the UNH Law community.

2. **In General** – There are special risks in any sexual or romantic relationship between individuals in inherently unequal positions. Such positions include (but are not limited to) faculty and student, supervisor and employee, senior faculty and junior faculty, advisor and advisee, teaching assistant and student, and the individuals who supervise the day-to-day student environment. Because of the potential for conflict of interest, abuse of power, exploitation, the appearance of favoritism, and bias, such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the faculty-student context. They may, moreover, be less consensual than the individual whose position confers power or authority believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in their academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint by third parties when that relationship gives undue access or advantage, restricts opportunities, or creates a perception of these problems. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic involvement, this past consent does not remove grounds for a charge based upon subsequent unwelcome conduct. A romantic relationship is defined as an interaction between a faculty member or staff member and a student which is characterized by physical or verbal intimacy or familiarity manifesting the existence of a sexual attraction between the two individuals

3. **Among Employees and Between Employees and Students** – Sexual or romantic relationships between employees are strongly discouraged where one employee has greater authority at UNH Law than the other. Equally, such relationships between a non-faculty employee and a student are discouraged where the employee is in a position to exercise power or authority over the student. For this purpose Teaching or Research Assistants are considered employees. If a consensual sexual or romantic relationship involving an employee does develop, the person in the position of greater authority or power will bear the primary burden of accountability, and must ensure that he or she does not exercise any supervisory or evaluative function over the other person in the relationship. Where such recusal is required, the recusing party must also notify his or her supervisor so that the supervisor

can exercise his or her responsibility to evaluate the adequacy of the alternative supervisory or evaluative arrangements to be put in place. To reiterate, the responsibility for recusal and notification rests with the person in the position of greater authority or power. Failure to comply with these recusal and notification requirements is a violation of this policy, and therefore grounds for discipline. UNH Law has the option to take any action necessary to insure compliance with the spirit of this recusal policy, including transferring an employee in order to minimize disruption of the work group.

In those rare situations where it is programmatically infeasible to provide alternative supervision or evaluation, the Associate Dean or Vice President for Finance must approve all evaluative actions and the Dean will take appropriate compensation actions.

4. **Between Faculty and Students** – At UNH Law, the role of faculty is multifaceted, including serving as intellectual guide, counselor, mentor and advisor; the faculty's influence and authority extend far beyond the classroom. Consequently and as a general proposition, a sexual or romantic relationship between a faculty member and a student, even where consensual and whether or not the student would otherwise be subject to supervision or evaluation by the faculty member, is inconsistent with the proper role of the instructor. UNH Law therefore prohibits such relationships. This policy extends to adjunct faculty and to visiting faculty. Failure to comply with this policy is grounds for discipline.

Enforcement of the policy with regard to faculty will be accomplished in accordance with FARR.

Nothing in this policy is intended to prohibit, proscribe, or otherwise limit social relationships between faculty and students which do not involve romantic or sexual relationships. Such friendly interaction outside the classroom and even outside the school itself provides an opportunity for students to gain a better understanding of the role of lawyers as well as opportunities to teach and learn.

5. **Among Students** – Relationships among students which do not involve actions violating the Conduct Code or Sexual Harassment Policy are left to the judgment and discretion of the parties.

B. PRE-EXISTING RELATIONSHIPS; DISCLOSURE AND SUPERVISION REQUIREMENTS.

1. **Disclosure** – When an employee or faculty member has a pre-existing spousal, familial, sexual, or romantic

relationship with another employee or student, it is his or her duty to disclose it to his or her supervisor or, in the case of faculty, to the Dean or Associate Dean.

2. **Among Employees and Between Employees and Students** – Such pre-existing relationships are subject to the rules in A. 3. above.
3. **Between Faculty and Students** – The potential for actual or apparent conflicts should be minimized to the extent it does not significantly impair the student's educational opportunities. The Associate Dean shall do so by such means as requiring enrollment in sections taught by unrelated faculty or providing for evaluation by unrelated faculty in situations of close supervision (e.g. clinics, law review, moot court). In situations where alternative sections or supervision are not available or practical, the Associate Dean may permit enrollment in courses which are graded anonymously or on a non-letter basis.

C. ENFORCEMENT.

1. **Penalties** – Disciplinary sanctions for violations of this policy may range from private reprimand to dismissal depending on all relevant factors, including (but not limited to) actual or potential for harm, prior conduct, state of mind, and the relative authority or status of the parties.
2. **Due Process** – No one who denies a charge shall be subject to discipline without having disclosure of, and full opportunity to respond to, all relevant evidence against them, including the names of witnesses or accusers.
3. **Employees and Adjunct Faculty** – Subject to the Due Process provision, alleged violations by employees and adjunct faculty may be dealt with as with other complaints under the authority of the Vice-President or Associate Dean, respectively.
4. **Full Time Faculty** – Dismissal of full time faculty prior to the end of their current term, contract, or tenure cannot be imposed without following the procedures in VI. C. of Faculty Appointments, Rights, and Responsibilities.

Subject to the Due Process provision above, lesser sanctions are in the discretion of the Dean, or, if the Dean is accused, in the Executive Committee of the Trustees.

5. **Agreed Disposition** – Notwithstanding the above, the President may enter into an agreed disposition of any charges which will be reduced to writing and included in the employee or faculty member's personnel file.

POLICY REVIEW AND EVALUATION

This policy went into effect on March 6, 2008 by joint action of the President/Dean and the Faculty. It is subject to periodic review, and any comments or suggestions should be forwarded to the Associate Dean.

INTERVENTION POLICY: REPORTING DISTRESSED, DISRUPTIVE OR THREATENING BEHAVIOR

Definition of distressed, disruptive, or threatening behaviors. Behaviors which may require reporting are:

1. **Self-injurious behavior**, suicidal ideation or attempts.
2. **Erratic and/or threatening behavior** (including on-line activities) interfering with the Law School mission or normal operations of students, faculty, or staff.

Examples of behaviors that should be reported:

- a. A student submits a journal entry about committing suicide.
- b. Two students make a class video about placing bombs on campus.
- c. A faculty member receives an email stating, "I'm going to kill everyone in my class".
- d. A student's web page has links to web pages containing information about harming others.
- e. A student corresponds with a faculty member using language that indicates disordered thinking.
- f. A student's behavior becomes dramatically different, erratic, and/or withdrawn.

Report your concern. In the event of an immediate threat to safety, call 911. When a student's behavior suggests, in good faith, a need for further examination to prevent safety issues, please report your concern as soon as possible to the Assistant Dean for Students (Assistant Dean).

If you report an incident, you may be informed that the Assistant Dean is addressing the matter, but you may not receive details of specific action steps taken. Retaliation against you for reporting in good faith is prohibited.

Intervention Team. The Assistant Dean may consult and collaborate with other Law School employees as appropriate and on a need-to-know basis, and shall have the authority to contact law enforcement officials and behavioral health consultants as necessary. The Assistant Dean is authorized to designate an Intervention Team (the Team) to assist in addressing the issue. The Team may use a variety of tools to mitigate any safety risk, ranging from discussion with the student using the Code of Conduct in the Student Handbook: Policies, Procedures & Academic Rules, the EAP consultants and programs, recommending that a student be evaluated for self harm/suicide or risk of harm to others, directing the student to take a medical leave of absence, or other similar actions. The Assistant Dean shall consult with appropriate law school administrators to a) coordinate a response to the situation, b) determine what to communicate to others affected by the situation, and c) determine if and how the community will be notified of action steps being taken. Information dissemination will be based on a need-to-know determination by the Team that balances privacy and safety interests.

Notification to Faculty, Administration, and Others. If the safety threat is not immediate, the Assistant Dean, in consultation with the Team, shall decide whether and how to notify appropriate personnel regarding an individual's threatening behaviors. The team shall comply with FERPA but in doing so, shall consider the extent to which the conduct falls within FERPA or not, and the extent to which FERPA permits communications to prevent harm to others.

On-going Monitoring. The Assistant Dean of Students will review on-going cases and the general Law School environment to determine if certain individuals need follow up contact and to determine if Law School events, policies, or activities should change to minimize the threat of harm to others.



BUILDING SECURITY POLICY

In accordance with the requirements of 20 U.S.C.A. 1092(f), Disclosure of Campus Security Policy and Campus Crime Statistics, the following policy and statistical statement is provided individually to every student and every employee of UNH Law and is available on request to any applicant to UNH Law.

I. Reporting Crimes and Emergencies

Any student or employee observing criminal behavior occurring in any building or property owned by UNH Law and used by it in direct support of its educational

purposes should report such behavior immediately to the security officer on duty or Assistant Dean of Students.

On weekends, nights or holidays when the building is open, criminal activity or security problems should be brought to the attention of the security officer on duty. Alternatively notification can be made to the person working at the desk in the library who shall contact security.

If the criminal activity warrants immediate police attention, and the security officer is not available, the police should be contacted directly by dialing 911. In like manner, if there is a fire, or in the event of a medical emergency requiring an ambulance, the person observing such activity should also call 911 and request assistance as needed. During regular hours, emergency phone calls can be made from any office or from the switchboard. Following the emergency, a report of the event should be made to the security officer on duty or security supervisor. Please note, to dial 911 for a UNH Law phone you must dial 8-911.

UNH Law has a security officer on duty when the campus is open during business hours and in the evening for student or library use. Additionally, the security supervisor is typically in the building and available to provide assistance to students: Monday through Friday from 9:00 AM to 5:00 PM. The security officer's responsibilities include checking the interior and exterior of the building, reporting all criminal activity to the police, making emergency calls when necessary, assisting students, faculty or staff should they need to be escorted to the parking lots and making sure the building is vacant when the library closes.

Reports of criminal activity are generally made by the security officer, however if the security officer is not involved, the report should include as much detail as possible including the date, time, location, and nature of the criminal activity, a description of the alleged perpetrator, as well as the names, addresses, and phone numbers of witnesses and/or victims. If the criminal activity involves motor vehicles, a description of the vehicles, including license plate numbers, should be noted, if possible. All incidents in the school should be reported to the security officer on duty or security supervisor.

II. Building Access

The following building entrances are unlocked Monday through Friday, between the hours of 7:00 a.m. and 5:00 p.m., except during select holidays and emergency weather days:

- Main Building, 2 White Street entrance with pillars
- Rines Building, 100 Washington Street fronting circular drive

- Courtyard Entrance, Blanchard Street, Graduate Programs Office on Blanchard Street
- 10 White Street, entrance facing parking lot

The library entrance is open to accommodate the library's hours. Please check the library's website for exact hours: <http://library.law.unh.edu/>. The building, including the library, may be closed during select holidays and emergency weather days. During these periods, access to the building is available only to authorized faculty and staff with keys.

Students should not take their security for granted, especially at night. It is advisable to avoid unlit areas and to walk with a companion. If a student feels unsafe walking to his/her car in the evening, the security officer is available to accompany him/her. Students are encouraged to report any suspicious circumstances or potential source of difficulty to either the building security officer or security supervisor. The security officer reports nightly to the security supervisor. However, students are also encouraged to report difficulties if they arise.

III. Enforcement

Since UNH Law does not have a sworn campus police force, UNH Law personnel are authorized to enforce campus security policies and to seek the assistance of the University of New Hampshire Police Department or Concord Police Department, when necessary.. If outside law enforcement agencies have been called, they are authorized to enforce school policies and, as appropriate, federal, state, and local laws and ordinances.

IV. Type and Frequency of Programs to Inform People of Security Procedures

Each year students and new employees will receive information about safety and security policies. UNH Law will annually evaluate its security policies. Suggestions for improvement will be welcome from any member of the community and should be addressed to the security supervisor or Assistant Dean for Students.

V. Program to Inform - The Prevention of Crimes

UNH Law will annually publish and distribute security policies and guidelines. If relevant additional publications are available, they will also be distributed.

During the previous calendar year (2013), the following criminal offenses were reported to the local police:

- Murder - 0
- Rape - 0

- Robbery - 0
- Aggravated Assault - 0
- Burglary - 0
- Motor Vehicle Theft - 0

VII. Criminal Activity at Off-Campus Student Organizations

There are no off-campus student organizations at UNH Law.

VIII. Statistics on the number of arrests for the following crimes occurring on campus (2013)

- Liquor Law Violations - 0
- Drug Abuse Violations - 0
- Weapons Possession - 0

IX. Alcohol and Drug Abuse Policy

In accordance with the Drug Free Schools and Communities Act Amendments of 1989, Public Law 101-225, UNH Law annually publishes and distributes to each student and employee the UNH Law Alcohol and Drug Abuse Prevention Policy as part of this Student Handbook.

X. Suggestions

Any member of the UNH Law community with suggestions for changes in UNH Law's Security Policy is urged to send the suggestion in writing to the security supervisor or the Assistant Dean for Students.



PARKING POLICY

Parking Permits & Placement

UNH Law allows students, faculty and staff to park in designated school owned lots between the hours of 6:00 a.m. and 1:00 a.m., providing they have a valid parking permit. Parking permits are free and issued by the Registrar's Office. All vehicles issued UNH Law parking permits must have a current registration and valid inspection sticker, if applicable. Vehicles parked in UNH Law lots without a valid parking permit or between the hours of 1:00 a.m. and 6:00 a.m. will be towed without notice at the owner's expense.

UNH Law permits must be clearly displayed within the vehicle when parking in UNH Law lots.

On Street Parking and Restricted Areas

On street parking is available around the campus on the main streets. Please refer to the parking map for locations. Parking is strictly prohibited at all times in the fire lanes, no parking zones, reserved spaces and grassy areas. Parking is prohibited

in the White Park lot. Vehicles parked in any of these areas or found blocking neighboring residents' driveways may be towed without notice at the owner's expense.

Handicap Parking

UNH Law does not issue handicap parking permits. State issued handicap plates and/or placards are required in all UNH Law handicap accessible spaces. UNH Law parking permits must still be obtained for cars with handicapped plates and/or placards.

Winter Parking & Snow Emergencies

Throughout the winter months, all vehicles must be removed from the school owned lots as directed for snow removal operations. During the winter, the City of Concord may declare a snow emergency and strictly prohibit on street parking. Vehicles may park in the White Park parking lot only if a snow emergency has been declared by the City of Concord. Parking is prohibited in the White Park parking lot at all other times.

Extended Parking

Vehicles may not be left in any of the UNH Law parking lots for extended periods of time (e.g., over vacations/breaks or during the summer). The City of Concord offers limited short term parking at the Capitol Commons Garage for a reasonable fee. Please contact Dave at the Concord Police Department, 603-230-3742 for detailed information and fees.

Parking at other UNH Campuses

UNH Durham recognizes valid UNH Law parking permits. UNH Law students attending classes at UNH Durham, faculty and staff are permitted to park on campus in Lot A and the West Edge Lot only. For full parking options on the UNH Durham Campus, students, faculty and staff may purchase a parking permit at: www.unh.edu/transportation/parking/index.htm. All UNH Durham Campus parking regulations apply.

UNH Manchester also recognizes valid UNH Law parking permits. UNH Law students attending classes at UNH Manchester will be issued a UNH Manchester Student Parking Permit. Students must go to the Main Reception/Security desk at 88 Commercial Street to obtain the UNHM permit. There is no charge for the UNHM Student parking permits for students taking a course in Manchester.

UNH Law Faculty and Staff may park in the area designated for Manchester Faculty/Staff.

Parking at UNH Law is at the owner's risk. UNH Law does not assume responsibility for vehicles or their contents. It is advisable to lock vehicles at all times and to place valuables out of sight.



LAW LIBRARY

The library welcomes students from around the country and the world. The library staff and students who work at the circulation desk are a kind and helpful group. Please ask any of them for help.

What is on Reserve:

Course Text Books

Copies of texts are kept on reserve for the semester they are being used. These titles may be checked out for use in the library or in class. Please check out the item near the beginning of class time and return it when class ends. The three hour limit will be observed. If your class runs longer, please see Kathy Fletcher to cancel any fine. Course packs are not purchased by the library.

Faculty Assigned Reading Materials

Files containing current photocopied materials from faculty are kept at the circulation desk. This material is made available as soon as possible after it is received from the instructor. Each item is filed under the name of the instructor.

Fines for Reserve Items

Overdue reserves are charged at the rate of \$.50 per hour to ensure items are returned in a timely fashion.

Study Rooms

- There are 7 rooms in the library for study. There is a three hour time limit per day per person or group.
- All room reservations are recorded and keys checked out at the circulation desk. There is a charge of \$.50 per hour for keys kept past the time due.
- Groups of two or more may reserve a room for up to one week ahead. An individual may use rooms that are available at the time of use. Reservations for individuals will not be accepted.
- Reservations are honored for 10 minutes. The key is then made available to others.
- The student who checks out the key is responsible for the condition of the room and all equipment in that room. Do not leave the room unlocked.

Library Security Alarm

To maintain the integrity of the collection, the library has a secured entrance that will sound an alarm when sensitized materials pass through the gates.

If the alarm sounds when a patron leaves the library he is required to report to the circulation desk so items in bags or briefcases can be removed for checking. Frequently, tapes or books from other libraries or bookstores, and electronic items, trigger the alarm. A few minutes of checking can prevent unnecessary alarm activation in the future.

A patron may pass through the gate only after the reason for the activation of the alarm is determined.

Failure to stop when the alarm sounds upon exiting is a violation of library policy and a possible violation of the honor code.

Food and Beverage Policy All Library Areas

- Food is not permitted in any of the Library Areas including the first floor “cafe area” and all study rooms.
- Beverages in rigid containers with snap or screw on lids *are* permitted.

Borrowing Library Materials

Most items that check out may be borrowed for two weeks. Reserve items are checked out for only a few hours. Please be sure to know when your items are due. Fines are \$.50 a day for general borrowing and \$.50 an hour for hourly borrowing. Library records are to be cleared by the last day of the semester. Names of students who have overdue items or outstanding library fines will be sent to the registrar. Students with unclear records will have a block on all library borrowing until record is cleared.

Silent Areas

Quiet conversation is allowed on the second floor and in study rooms. Conversation in these areas should be kept at a low level. All other sections of the library are “silent zones”. Offenses should be brought to the attention of library staff.

Photocopying/Printing System

You may print at either of two stations: (1) the printer/photocopier on the second floor of the library and (2) the printer/photo-copier on the third floor of the library.

All new incoming students will be given a photo ID card which also serves as their library printing/photocopying card. ID cards can be credited with funds by using the UNH Cat's Cache system (<http://www.unh.edu/dining/cats-cache>.) If a student's photo ID card is lost or stolen, a new card may be obtained from the Computer Services Department. First

replacement card is free. Subsequent replacement cards are \$5 each. Knowingly using a card issued to another without authorization is theft and may be considered a violation of UNH Law's conduct code.

Printing

Only cards or IDs (not cash or coins) can be used for printing. When you print from a computer you will be asked to choose an ID and job name. Both are for a one time use. Proceed to any one of two print stations depending on where you are printing from: Library second or third floor copiers. Swipe your ID through the box at the Pharos Print Release station. Find your job on the list and click “print.” Your card will have the price of the copies deducted automatically. If you do not have enough money to copy the document you will get a message and will have to add money to your card to proceed. Printing will not proceed until a card with sufficient amount to process the job is inserted. You will have 24 hours after setting up a print job from your computer to retrieve it at a print station. After 24 hours the job will cease to exist. There are no charges for Lexis printing.

Change

The library does not keep money for change. A change machine is located with the vending machines on the first floor of the law school, outside the library, near the Washington Street entrance.

Smart Notes and Research Guides

These give information on using the library, and useful research guidance on various subjects. They are kept in the wood holder near the reference/help desk, and online from the library's homepage.

Library Hours

Library hours may be found on the Law Library website at library.law.unh.edu

** Hours are extended during the six week summer Intellectual Property Summer Institute (IPSI), and during the fall and spring exam periods.*

The library is closed on the following holidays: New Year's Day, Martin Luther King, Jr. Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

The library is closed between Christmas Day and New Year's Day, and has abbreviated hours the day before and after Thanksgiving, spring break, and the week before graduation in May. The library is closed some weekends during these periods. Please check at the circulation desk or check www.library.law.unh.edu/ or call, (603) 228-1541 x 1130, to confirm the current schedule.

Please go to the library's home page for information, legal resources, publications, research guides, more: <http://library.law.unh.edu>.

UNH LAW ONLINE BOOKSTORE

The UNH Law Online Bookstore sells textbooks, study aids, clothing and gift items and may be found on the web at law.unh.bncollege.com.



ACCEPTABLE USE POLICY FOR INFORMATION TECHNOLOGY RESOURCES AT UNH

Purpose

The purpose of this Acceptable Use Policy (AUP) is to ensure an information technology (IT) infrastructure that promotes the basic missions of the University in teaching, research, administration, and service. In particular this AUP aims to promote these goals:

1. To ensure the integrity, reliability, availability, and performance of IT resources.
2. To ensure that use of IT resources is consistent with the principles and values that govern use of other University facilities and services.
3. To ensure that IT resources are used for their intended purposes.
4. To establish processes for addressing policy violations and sanctions for those committing violations.

Scope

This Policy applies to all users of IT resources, including but not limited to University students, faculty, and staff, and to the use of all IT resources. These include systems, networks, and facilities administered by Information Technology (IT), as well as those administered by individual schools, departments, University laboratories, and other University-based entities. This includes the general public. Use of University IT resources, even when carried out on a privately-owned computer that is not managed or maintained by the University, is governed by this policy (OLPM UNH.VI.F.4.2).

User Responsibility

For complete and up-to-date content please refer to the Acceptable Use Policy for Information Technology Resources at UNH published on our Web site at: <http://www.unh.edu/olpm/UNH/VI.Prop/F.htm#5>. Users are specifically advised that infringement of copyright laws constitutes a violation of the Acceptable Use Policy, and that UNH follows an established process to respond to complaints from copyright holders about students who allegedly violate the copyright law through electronic means such as peer-to-peer file sharing through personal computers. If the university receives a lawfully ordered subpoena to provide personally identifiable information (such as name and address) matching an IP address that has been identified as an alleged source of copyright violations, it will comply. See also www.unh.edu/cis/dmca for information concerning the Digital Millennium Copyright Act (DMCA) and the University's compliance procedures for the sections that deal with online copyright infringement liability limitation. The policy is periodically reviewed and updated. It is the user's responsibility to familiarize herself/himself with the updates.



UNH LAW ID CARDS

A. Use of Identification

The primary purpose of the UNH ID card is to identify the cardholder as eligible for the various programs and privileges UNH provides. The ID card remains the property of the University. You may be asked to produce it at any time to validate your presence in or access to buildings and programs including meal plans and debit programs. Your UNH ID card is not transferable. A photo ID card will be confiscated when presented by someone other than the owner. Misuse of the card will result in penalties to all parties.

B. Lost ID Cards

Lost or stolen ID cards should be reported immediately to the **UNH Law IT Office or the Dining and ID office (603) 862-1821 or suspended instantly at www.unh.edu/dining**. You are responsible for any use made of your card until it is reported lost or stolen and suspended. Only the balance of meals, Dining Dollars, Cat's Cache and guest passes on the card at the time of suspension can be protected. Until your ID is replaced, you will not have access to the balances and privileges encoded on the card. A charge of \$25 is made to replace a lost, stolen or mutilated photo ID card. A charge of \$15 will be made to replace a lost, stolen or mutilated non-photo dining card. The area desks maintained by the Department of Housing can issue temporary cards allowing access to residence halls.

C. The Cat's Cache Program

The Cat's Cache debit program is a convenient way to make purchases. It is accepted at the UNH Law Jury Box Café, all UNH Dining locations, the Memorial Union (including the bookstore), Health Services many other campus locations and many businesses in downtown Durham. Cat's Cache balances carry forward from year to year and are fully refundable. Deposits can be made with cash or check in the Dining ID office, online at www.unh.edu/dining with a credit or debit card or at one of nine conveniently located Account Management Centers with cash or a credit or debit card. Purchases of alcohol, tobacco, firearms, weapons and any other incendiary and/or destructive devices are prohibited.



ALCOHOL AND DRUG ABUSE PREVENTION POLICY

Based on the Drug Free Schools and Communities Act Amendments of 1989, Public Law 101-225, and to express UNH Law's concern with preventing alcohol and drug abuse in the school environment, UNH Law has adopted the following Alcohol and Drug Abuse Prevention Policy.

The policy consists of the following sections: Standards of Conduct; Applicable Legal Sanctions; Available Treatment Programs; Disciplinary Sanction; and Review.

Periodically throughout the year, additional pamphlets, booklets, and informational statements describing aspects of alcohol and drug abuse and methods and placements for treatment in New Hampshire are posted and displayed where they will be available to members of the community.

In addition, UNH Law fully supports the *Commission on Lawyer Assistance Programs (CoLAP)*. The ABA created the commission to advance the legal community's knowledge of health and work/life balance and provide a model for assisting lawyers whose practices have been impaired by addiction and emotional health illnesses. All fifty states have developed lawyer assistance programs or committees focused on quality of life issues. These programs employ the use of intervention, peer counseling, and referral to 12-step programs to assist in the lawyer's recovery process. A full list of program contacts can be found. You may find additional information on the Commission at <http://www.abanet.org/legalservices/colap/> and a full list of program contacts at <http://www.abanet.org/legalservices/colap/lapdirectory.html>.

New Hampshire law students and attorneys may contact Cecie Hartigan, the Executive Director of the New Hampshire Lawyers Assistance Program.

I. Standards of Conduct

UNH Law requires the observance of all laws and regulations that pertain to alcoholic beverages and other controlled substances as outlined in the statutes and laws of the State of New Hampshire. The unlawful possession, use, or distribution of illicit drugs and alcohol by any student on UNH Law property or as part of UNH Law activities is strictly prohibited.

Being under the influence of alcohol or illicit controlled substances while working in or attending classes in UNH Law is prohibited. All employees and students are expected to present themselves in a condition free of the influence of alcohol and/or illicit drugs for work or classroom responsibilities at UNH Law.

II. Applicable Legal Sanctions

United States Code provisions detailing federal legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol may be found in the US Code: Title 21, Section 843. New Hampshire statutory provisions detailing legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol may be found in Title 62 of the Chapter 632A Section of the NH Criminal code.

III. Available Treatment Programs

A comprehensive list of resources and treatment programs may be found on the New Hampshire Health at Human Services website at: www.dhhs.nh.gov/dcbcs/bdas/treatment.htm.

In an emergency or crisis or if you need help with an alcohol problem, call Alcohol Treatment Center, 24-hour help line, 603-647-8052 or Alcohol & Drug Intervention Program, 603-228-1959.

IV. Disciplinary Sanctions

The standards of conduct in Part I of this policy prohibit students from attending classes under the influence of alcohol and/or illicit controlled substances or from unlawful possession, use or distribution of illicit drugs and/or alcohol.

Any student who feels s/he may have an alcohol or drug problem may contact the Assistant Dean of Students for a confidential discussion of the problem and treatment options. Students are also encouraged to bring this problem to the attention of a personal physician or to directly contact any of the treatment facilities listed in Part III of this policy. Lawyer Assistance Program, Alcoholics Anonymous and Narcotics Anonymous meetings are also strongly recommended.

Any student attending classes under the influence of alcohol and/or illicit drugs and who, as a result, is disruptive in the classroom and/or not able to effectively participate in her or his own learning experience will be asked to leave by the instructor. Follow-up counseling with the Assistant Dean

of Student Affairs will be mandatory, including discussion of any alcohol or drug problems which may exist and treatment options, if appropriate.

Students whose drug or alcohol abuse leads to academic difficulty will come within the jurisdiction of the Academic Standing Committee. The Assistant Dean of Student Affairs and/or the Academic Standing Committee will discuss the alcohol and/or drug problem with the student, including discussion of treatment options, if necessary. Where appropriate, involvement in treatment may be a condition of academic probation. Failure to improve academic performance and/or to comply with conditions of probation may ultimately lead to suspension or dismissal.

Failure by a student to adhere to the Code of Professional Responsibility of the American Bar Association and to other ethical standards of the legal profession can lead to Conduct Code Council proceedings. Thus, conduct emanating from the abuse of alcohol and/or illicit drugs may lead to the invocation of Conduct Code Council proceedings against a student. The ultimate sanction of the Conduct Code Council is dismissal from UNH Law.

Every student desiring admission to the New Hampshire Bar (as well as other state bars) must be approved by the Committee on Character and Fitness. In New Hampshire, UNH Law is asked whether school records show anything adverse to the candidate's honesty, integrity or general conduct; whether s/he was disciplined while in attendance; and to state any factor unfavorable to the applicant which the committee should know in connection with its duty to determine whether the applicant is worthy of the highest trust and confidence. Chronic abuse of illicit drugs and/or alcohol while in attendance at UNH Law may well lead to a negative assessment of the candidate, jeopardizing admission to the bar and ability to practice the profession. In addition, some states (not NH) specifically ask whether a student is addicted to drugs and/or alcohol.

Students who use or distribute illegal drugs at UNH Law may be subject to dismissal, via operation of the Conduct Code Council, and any drugs confiscated may be turned over to local law enforcement.

IV. Review

UNH Law reviews this policy periodically to determine its effectiveness and implement changes to the program if they are needed, and ensure that the disciplinary sanctions described in Part IV are consistently enforced.

Any member of the UNH Law community with suggestions for change in this policy should send a written copy of such suggestions to The Assistant Dean of Students.



TOBACCO AND ALCOHOL POLICY

I. In order to protect the health, safety and comfort of University students, faculty and other academic appointees, staff, and visitors, and consistent with state law (RSA 155:64-77), it is the policy of the University of New Hampshire to restrict smoking and electronic nicotine delivery systems (ENDS) in facilities and on grounds owned and occupied or leased and occupied by the University. Where the needs of smokers and nonsmokers conflict, smoke-free air shall have priority. In addition, UNH supports education programs to provide smoking cessation and prevention initiatives to our students, faculty and other academic appointees and staff. This policy supersedes all other tobacco/smoking policies at UNH.

II. UNH Law Alcohol Policy

The University is committed to establishing and maintaining an environment that fosters mutually beneficial interpersonal relations and a shared responsibility for the welfare and safety of others. Because alcohol can have a significant effect on that environment, the University has adopted this policy for governing alcohol use by students, staff, faculty, visitors, and guests. While University policy permits responsible consumption of alcohol at some places and times, the consumption of alcohol should never be the primary purpose or focus of an event. Alcohol-free social events are encouraged.

A. A request for approval to serve alcoholic beverages form must be submitted to the Dean's Office or his designee for each function being planned where beer or wine will be served. The Request Form must be submitted at least ten (10) days prior to the event. No alcohol, only beer and wine may be served at pre-approved events. All alcohol service must be provided either by Conferences and Catering, as holder of the liquor license, or by a NH Liquor Commission licensed caterer. No exceptions allowed under this policy. No outside alcohol may be brought to any on-campus event.

B. The acquisition, distribution, possession, or consumption of alcohol by members of the UNH Law community must be in compliance with all local, state, and federal laws.

C. Non-alcoholic beverages must be provided at events where alcoholic beverages are served.

D. Institutional restrictions on alcohol use on UNH property vary by location, and, in some cases, by time.

1. Alcohol may be served in pre-approved locations only.
2. UNH Law classroom: Alcohol is not permitted to be served or consumed in any classroom or teaching scenario during class time. Our students come from various cultural and religious backgrounds, and some may face addiction challenges. Out of respect for all students, serving or consuming alcohol during class time is prohibited.
3. At student-sponsored events, there is a two-drink maximum per student for those choosing to consume alcohol. A two “drink ticket mechanism” must be used to control the serving and consumption of alcohol.
4. UNH has an interest in off-premise events held in its name. If alcohol is used illegally or inappropriately at such events, the University may take steps to protect its interests.
5. Tuition money shall not be used to purchase alcohol.
6. Any request for variation from this policy must be submitted to the Dean.

UNH LAW POLICY ON FIREARMS AND WEAPONS

UNH Law is committed to providing a safe and secure learning and working environment. It prohibits all persons from carrying onto school property handguns, firearms, knives, explosives, or other weapons used primarily to inflict harm on other individuals, regardless of whether the person is licensed to carry the weapon. This applies to all UNH Law employees, visitors, students and contractors. Additionally, you may not carry a weapon while performing any task on the School's behalf or at any School-sponsored function that occurs away from School property.

THERAPISTS & COUNSELING SERVICES

(Greater Concord Area)

General Therapy

Steve Arvin, ARNP
5 Greenwood Ave., Concord, NH 224-0863

Rick M. Axtman, MA, LCMHC
Bicentennial Counseling Associates, PLLC..... 226-1976
Concord, NH

Linda M. Hassan, Ph.D.
28 S Main Street, Concord, NH224-1020
Stress, anxiety, depression, relationship problems,
women's health issues. Works with individuals,
couples, groups

Lisa Houle, LADC, UMHC, MA
4 Bicentennial Square, Concord, NH226-1976

Carol Karakoudas, MSW & Norman Kinsler, Psy.D.
Capital Valley Counseling Associates228-7300
8 Centre Street, Suite Two, Concord, NH
Anxiety, depression, relationship problems,
addictions, self-esteem

Peter R. Kritkauskys, Psychologist
6 Hills Avenue, Concord, NH226-2607

David Krueger-Andes, Ed. D.
Cornerstone Family Resources228-3862
18 N. Main Street, Concord, NH
Hypnosis for a full range of problems, e.g.,
test anxiety, self-esteem, smoking cessation, etc.

Tom Moore, M.Ed.
28 S Main Street, Concord, NH228-0057
Works with individuals & couples.

DeeDee Souza, M.S.W.
57 School Street, Concord, NH224-8977
Separation and loss issues, women's issues, acute PTSD,
work stress, mood disorders, anxiety disorders
Works with adolescents, adults, couples

Robert W. Sturke, Ph.D.
28 S Main Street, Concord, NH228-2999
Psychotherapy for men and women,
therapy/consultation for couples,
specializing in work with men in
middle adulthood facing crisis or life change

Patricia Wilczynski; Linda Ruth Berger
18 N Main Street, Concord, NH224-0600
Specialties: women and issues of competency and
professional identity, postpartum depression.
Work with individuals and couples

Womankind Counseling Center
21 Green Street, Concord225-2985
(Pat Dahme, ARNP; Lisa Eberhardt, ACSW; Carol Hovey,
CCSW; Kathleen Klun, ARNP; Jane McClung, Ph.D.;
Susette Milnor, CCSW; Sheila Stanley, Ed.D.; Leanne M.
Tigert, D. Min.)
Offer individual, couple, family and group therapy.
Therapists primarily counsel females, but not exclusively.
Work with clients and issues of anxiety, abuse, assault,
domestic violence, substance abuse.

Concord Psychiatric Associates
248 Pleasant St., Pillsbury Bldg., Suite 205
Concord228-7100

Sonali Zoracki, LICSW
sonali@sonalizoracki.com722-0860

Family Therapy

Child and Family Services of NH
13 Green Street, Concord, NH.224-7479
Children, family issues, sexual assault
only as it relates to children and family

Vicki J. Compitello, Ph.D.; Don Kimball, M.S.W.
Cornerstone Family Resources
18 N Main Street, Concord228-3862

Warren Street Family Counseling Associates
33-35 Warren Street, Concord226-1999
Individual, family and couples therapy;
group therapy; drug and alcohol counseling

Pastoral Counseling

William C. Brown, D.Min.; Ronald P. Dieter,
D.Min.; Timothy J. Wildman, D.Min.
Cornerstone Family Resources
18 N Main Street, Concord228-3862

Pastoral Counseling Services
2013 Elm Street, Manchester627-2702

Substance Abuse

Cecie Blakeslee Hartigan, J.D., Executive Director
New Hampshire Lawyers Assistance Program
2-1/2 Beacon Street, Concord, NH 03301
877-224-6060 (o); 603-491-0282 (c); fax 603-715-2050
www.lapnh.org

William C. Brown, D. Min.
Cornerstone Family Resources
18 N Main Street, Concord 228-3862

Sandra Stuhr, M.S.W., C.A.D.A.C.,
Capital Valley Counseling Association
8 Centre Street, Suite Two, Concord..... 228-7300

Leanne M. Tigert, D.Min.
Womankind Counseling Center
21 Green Street, Concord..... 225-2985

UNH Law has no formal arrangement or relationship with any counselor/therapist listed above. This list is provided as a convenience to UNH Law students, faculty, staff and their families.

LOCAL CHURCHES & PLACES OF WORSHIP

Christian Science Committee
68 Woodhill Road, Bow, NH
.....774-5100

Church of Jesus Christ of LDS
90 Clinton Street, Concord, NH
.....225-2537

Concordia Lutheran Church
211 North Main Street, Concord, NH
.....224-0277

First Congregational Church
177 North Main Street, Concord, NH
.....225-5491

First Presbyterian Church
15 Pleasant Street, Concord, NH
Office.....225-7377

Friends Meeting-Concord Quaker
19 North Fruit Street, Concord, NH
.....224-4748

Greek Orthodox Church
68 North State Street, Concord, NH
.....225-2961

Immaculate Heart of Mary
176 Loudon Road, Concord, NH
.....228-3103

Jehovah's Witnesses
199 East Side Drive, Concord, NH
.....228-0118

Manchester Christian Church
1308 Wellington Road, Manchester, NH
.....622-9677

South Congregational Church
27 Pleasant Street, Concord, NH
.....224-2521

St. John The Evangelist
72 South Main Street, Concord, NH
.....224-2328

St. Paul's Church
21 Centre Street, Concord, NH
.....224-2523

St. Peter's
135 North State Street, Concord, NH
Rectory.....225-2131

Temple Beth Jacob
67 Broadway, Concord, NH
.....228-8581

Trinity Baptist Church
80 Clinton Street, Concord, NH
.....225-3999

Unitarian Universalist Church
274 Pleasant Street, Concord, NH
.....224-0291

Wesley United Methodist Church
79 Clinton Street, Concord, NH
.....224-7413

CONCORD PHYSICIAN REFERRAL LINE: 603-224-7879

Updated often. Lists physicians in Concord area currently accepting new patients.

Local Medical Care Facilities

Capital Region Family Health Center
(non-emergency health center)
250 Pleasant Street, Concord, NH..... 228-7200

Concord Hospital
(emergency/non-emergency health center)
250 Pleasant Street, Concord, NH..... 225-2711

Concord Hospital Walk-In Urgent Care
One Corporate Center at Horseshoe Pond,
60 Commercial Street, Concord, NH 230-1200

Dartmouth Hitchcock
(non-emergency health center)
253 Pleasant Street, Concord, NH..... 226-2200

Local Fitness Centers

Concord Family YMCA
15 North State Street, Concord, NH 228-9622

Curves for Women
311 Village Street, Concord, NH 753-6222

Gold's Gym
2 Home Street, Concord, NH 224-6530

Planet Fitness
89 Fort Eddy Road, Concord, NH..... 228-8680

The Racquet Club of Concord
10 Garvins Falls Road, Concord, NH 224-7787

*UNH Law has no formal arrangement or relationship with any of the facilities/providers listed above.
This list is provided as a convenience to UNH Law students, faculty, staff and their families.*

CONCERNS, QUESTIONS OR FEEDBACK

If you have a concern, question or need clarification on a UNH Law policy, procedure or academic rule, please see the Assistant Dean for Students. If she is unable to answer your question, she will direct you to the person who can.

If you would like to speak with or provide feedback to the Dean or Associate Dean, you may arrange an appointment to meet with them through their Assistant.

PROGRAM OF LEGAL EDUCATION

A. Complaints

1. As an ABA-accredited law school, the University of New Hampshire School of Law (“school”) is subject to the ABA Standards for Approval of Law Schools. Students will find the ABA Standards at:

http://www.americanbar.org/groups/legal_education/resources/standards.html.

2. Any student may bring a complaint to the school’s Assistant Dean of Student Affairs (“Assistant Dean”) about a significant problem that directly implicates the school’s program of legal education and its compliance with the ABA standards.

3. In the event that the Assistant Dean is unavailable, the Associate Dean shall appoint a designee to serve in the Assistant Dean’s stead. In the event that the Associate Dean is unavailable, the Dean shall appoint a designee to serve in the Associate Dean’s stead.

4. Where this rule refers to the Assistant Dean or the Associate Dean, and a designee has been appointed under paragraph A.3, above, the duties and responsibilities of this policy shall be performed fully by the designee.

B. Informal Consultation with the Assistant Dean of Student Affairs

Students are encouraged to discuss informally any complaints about a significant problem that directly implicates the school’s program of legal education with the Assistant Dean. Informal consultation does not constitute a complaint under this rule.

C. Formal Complaint Process

1. Students making a formal complaint should:

- a. Write a detailed description of the behavior, program, process, or other matter that is the subject of the complaint, including an explanation of how the matter implicates the school’s program of legal education and its compliance with specific and identified ABA standard(s).
- b. Include the student’s name, official school e-mail address, and mailing address.
- c. Submit the written complaint to the Assistant Dean. Students shall submit the written complaint by e-mail, U.S. Mail, or in hand.

2. Upon receipt of the complaint, the Assistant Dean shall:

- a. Acknowledge receipt of the complaint within three business days;
- b. Take reasonable steps to inquire into the substance of the complaint with the relevant faculty, staff, and administrators and to resolve it to the student’s satisfaction and in compliance with the ABA Standards.

D. Complaint Resolution

1. After making reasonable inquiries, but no later than 14-days after receiving the complaint, the Assistant Dean must either meet with the student or communicate with the student in writing about the resolution of the complaint or the steps that the school is taking to further investigate the complaint. While the Assistant Dean may communicate a proposed resolution or further steps orally, the Assistant Dean shall provide a written response that contains the proposed resolution or steps the school is taking to further investigate the complaint.

2. If after making its initial written response to the student, the school takes further steps to investigate the complaint, the Assistant Dean shall notify the student, in writing, of the investigation's results within 14 days of the investigation's completion.

E. Appeal Process

1. If the Assistant Dean is unable to resolve the complaint to the satisfaction of the student, or the student requests additional action following a completed investigation, the student may request that the Associate Dean review the complaint.

- a. A student request for review shall be made within 14 days of the notice in 2. above.
- b. In consultation with appropriate faculty, staff, or administrators, the Associate Dean will communicate to the student any additional findings and proposed actions.
- c. The Associate Dean shall complete the additional review within 14-days of a student's request.
- d. The Associate Dean shall provide his or her written decision to the student and the Assistant Dean.
- e. The Associate Dean's decision is final.

F. Maintaining a Written Record of the Complaint

The school shall maintain a complete written record of each complaint and how it was investigated or resolved. The Director of Accreditation shall maintain the written records of complaints in a confidential manner. Records may be retained electronically or in hard copy for a period of at least eight years from the date of the Dean's final decision.

G. Protection Against Retaliation

The school will not retaliate in any way against an individual who makes a complaint under this rule, nor permit any faculty member, staff, or administrator to do so.

H. Not Exclusive Complaint Policy or Procedure

The school's Student Handbook contains several sections pertaining specifically to Harassment complaints and those complaints that may occur under the Conduct Code. Jurisdiction over any student complaint is not exclusive to any single, or combination of, provisions of the Handbook.

I. Determining Types of Complaint

The Assistant Dean shall have the authority to determine whether a student's complaint is properly resolved under this rule or under other applicable rules, such as Rule XII relative to appeals and Rule XIII relative to Conduct Code.

If a student brings an appeal under Rule XII or Rule XIII that is related to a complaint brought under this rule, the Rule XII or Rule XIII complaint shall be resolved before a student is permitted to bring a complaint under this rule.

Adopted by faculty November 2, 2011

Juris Doctor

ACADEMIC RULES & REGULATIONS

2016-2017 Academic Year



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ACADEMIC RULES AND REGULATIONS

Rule I REQUIREMENTS FOR THE JURIS DOCTOR DEGREE

A. AUTHORITY TO GRANT THE DEGREE

Pursuant to authority granted by the State of New Hampshire, UNH Law confers the Juris Doctor degree on candidates recommended by the faculty.

B. ELIGIBILITY TO RECEIVE THE DEGREE

To be eligible for recommendation for the Juris Doctor degree, a student must:

- | | |
|---|---|
| <i>Undergraduate Degree</i> | (1) Receive an undergraduate degree from an accredited college or university; and |
| <i>Grade Point Average</i> | (2) Achieve a grade point average equivalent to a C (2.00) or higher in all enrollment for credit toward the Juris Doctor degree; and |
| <i>Offset of Credits Below C Minus</i> | (3) Offset all credits toward the degree in which the grade is below C minus with an equal number of credits in which the grade is B minus or above; and |
| <i>Minimum Credits</i> | (4) Earn a minimum of eighty-five (85) credits not more than <ul style="list-style-type: none">(a) Nine (9) of which are earned at grades below C minus,(b) Eighteen (18) of which are earned in clinical work,(c) Six (6) of which are earned in distance learning.(d) Eight (8) credits may be earned in Independent Study,(e) Twelve (12) credits may be earned from legal residencies,(f) Eight (8) credits may be earned in non-law, graduate-level work,(g) Twenty-seven (27) of which are earned in courses that do not qualify as “regularly scheduled class sessions” (as defined in ABA Standard 304(b), and Interpretation 304-3), which consists of the following coursework (or course opportunities) at UNH Law:<ul style="list-style-type: none">(i) Independent study;(ii) Clinical courses that do not have a mandatory classroom component;(iii) Legal Residencies;(iv) Non-law, graduate level work; and(v) Co-curricular activities such as law review, moot court, and trial competitions. |

Curriculum

(5) Complete the required curriculum
(adopted by faculty 5/1/2014):

First Year Required Courses

Article 2 Sales (2 credits)
Civil Procedure (4 credits)
Constitutional Law (4 credits)
Contracts (3 credits)
Legal Profession (1 credit)
Legal Analysis & Writing I & II (2 credits fall,
3 credits spring)
Legal Research and Information Literacy (2 credits)
Perspectives Course (Fundamentals of Lawyering,
Fundamentals of Intellectual Property)(3 credits)
Property (4 credits)
Torts (3 credits)

Upper Level Required Courses

Administrative Process (3 credits)
Criminal Procedure I (3 credits)
Professional Responsibility (3 credits)
Upper Level Writing requirement (2 or 3 credits)
Upper Level Skills Training requirement (2 or 3 credits)

(a) Upper Level Writing and Skills Training requirements – separate courses

Students must complete two separate courses to fulfill the Upper-Level Writing and Skills Training requirements. A course may be designated as meeting both the Upper-Level Writing and Skills Training requirement, but a student cannot fulfill the requirements by taking a single course.

(b) Upper Level Writing and Skills Training requirements – credits

Students must complete a minimum of 2 credits for each of the Upper-Level Writing and Skills Training requirements.

(c) Upper Level Writing and Skills Training requirement- timing

Students may complete a course fulfilling the Upper Level Writing and Skills Training requirements after the student has earned at least 26 credits. Students are encouraged to start fulfilling the Upper Level Writing and Skills Training requirements no later than in the next-to-last semester of law school. Failure to do so could result in a delay of graduation. To enroll in a course meeting the Upper Level Writing requirement, a student must have satisfactorily completed Legal Analysis & Writing I & II and Legal Research and Information Literacy, and,

(6) Advanced standing students

This section applies only to advanced standing students who are transferring into the JD program from a law school outside of the United States or from UNH Law's residential LL.M. degree programs.

In addition to the required curriculum set out above, advanced standing students must complete the following courses:

Business Associations

Criminal Law

Evidence

Wills, Trust & Estates

Students who transfer into the JD program from UNH Law's residential LL.M. program will not be required to take Contracts, Legal Writing I, or Legal Research and Information Literacy if in American Legal Process & Analysis I, American Legal Process & Analysis II, and Graduate Contracts:

- (1) They have achieved a grade of HH; and
- (2) The professor of the course recommends that they have achieved competency in the subject matter such that taking the JD courses would be unduly repetitive.

Students must meet the requirements above for each class for which they are seeking a Rule I waiver.

Students admitted under this section may enroll in no more than one 4-credit Legal Residency or one 4-credit clinic.

The provisions of this paragraph may be waived if the Associate Dean for Academic Affairs and the Assistant Dean of Students find that the coursework required by this paragraph has been completed under the terms of Rule X or because meeting the requirements of Rule I would be unduly repetitive.

Residency

(7) Complete residency of

- (a) Six (6) semesters of full-time enrollment, including a minimum of four (4) semesters at UNH Law, or
- (b) The equivalent of (a) to the extent permitted in subdivision D ("Residency") of this part; and

(8) Complete the requirements for obtaining the Juris Doctor Degree no later than 84 months after commencing the Juris Doctor degree program at UNH Law or a law school from which UNH Law has accepted transfer credit, and

<i>Academic Probation</i>	(9) Be eligible to continue as a candidate for the Juris Doctor degree under Rule VI.A.(1) taking into account the semester immediately preceding graduation and have satisfied the terms of any applicable probation; and
<i>Financial Responsibility</i>	(10) Satisfy outstanding financial obligations to UNH Law; and
<i>Conduct Code Violation</i>	(11) Not be subject to a complaint of an alleged violation <i>of the Conduct Code that if determined against the student could result in the suspension or dismissal of the student.</i>
<i>Preliminary Bar (adopted by faculty 5/1/2014)</i>	(12) Complete a preliminary bar exam administered by UNH Law. This exam shall not count for course credit, GPA calculation, or class rank calculation. Scores on the preliminary bar exam shall not be recorded on students' transcripts, although completion of the preliminary bar shall be noted on transcripts. All first-year students shall take the preliminary bar exam on the date set by UNH Law. Students who are unable to sit on the designated date due to an emergency, religious reason, or other circumstances beyond their control shall contact the Director of Academic Success as soon as possible upon realizing they will not be able to sit and will work with the Director to make arrangements to take the test at an alternate time that is reasonable both for the affected students and UNH Law. Students shall complete the preliminary bar exam in one of the following ways: (1) receiving a score at or above the level set by the Committee on Academic Standing and Success (CASS) in consultation with the Academic Success Program when they take the preliminary bar in the spring of their 1L year; (2) coming under "early intervention" jurisdiction of CASS (which is not designated on transcripts), fulfilling reasonable program requirements established by CASS in consultation with the Academic Success Program to address specific weaknesses in substantive knowledge and / or skills, and re-taking the preliminary bar exam in the spring of their 2L year, should they not receive the set score in their 1L year. Students who do not achieve the set score in the spring of their second year shall have the option of re-taking the preliminary bar exam in the spring of their 3L year but shall not be required to take it.

C. DETERMINATION OF CLASS MEMBERSHIP

For purposes of determining eligibility for the Juris Doctor degree under subdivision B of this rule, a student shall be a member of the class with which the student completes the majority of the courses then required in the second semester of the first-year Juris Doctorate curriculum.

D. RESIDENCY

(1) ***Definition of A "Full-Time Enrollment."*** A " Full-time enrollment" in a semester is defined as:

(a) Registration in curricular offerings totaling at least twelve (12) credits; and

- (b) Completion of requirements for credit in curricular offerings totaling at least ten (10) credits.

(2) **Definition of “Semester.”** A “semester” is one of two terms in an academic year.

Each semester contains at least fourteen (14) continuous weeks of classes, subject to holidays and vacations, followed by reading and examination periods. Enrollment in credit offerings in a summer term or another term outside the academic year is not enrollment in a semester and thus does not constitute residency credit. Summer and other term courses do count however towards total credits earned and towards a student’s GPA.

(3) **Continuous Full-Time Enrollment for Six Semesters.** A student must complete within a three-year period the six (6) semesters of full-time enrollment required for the Juris Doctor degree. The only exceptions to this requirement are:

- (a) A leave of absence as provided in Rule XI;
- (b) Admission of a student with advanced residency standing under Rule X;
- (c) The suspension of a student as a probationary term prescribed by the Academic Standing Committee under subdivision A(3) of Rule VII;
- (d) The permission granted by the Assistant Dean of Students to enroll in fewer credits than qualify as full-time enrollment in a semester as (i) a short-term accommodation in an extraordinary situation beyond the control or responsibility of the student or (ii) a short- or long-term accommodation based on disability; (iii) or the experiment in part-time enrollment where full-time enrollment is not economically feasible; and
- (e) The failure of a student who has registered for full-time enrollment to complete full-time enrollment because of receiving an F or U grade in one or more offerings.

(4) **Curing a Deficiency in Full-Time Enrollment.** A student permitted to enroll under subdivision (d)(i) immediately above, for less than full-time residency or a student who fails to complete full-time enrollment in a semester as provided in subdivision (e) immediately above, should cure the deficiency by enrolling in courses in the summer or otherwise outside the academic year. If such enrollment is not practicable, a student may cure the deficiency by enrollment, which may be less than full-time, in a seventh semester. Residency credit may be earned under this subdivision in the ratio that the credits enrolled in or earned, whichever is appropriate, bear to the minimums specified in subdivision (1) above.

Rule II REGISTRATION, ENROLLMENT, WITHDRAWAL, AND ATTENDANCE

A. COURSE DESCRIPTIONS AND REQUIREMENTS

(1) **Contents of Course Descriptions.** Every instructor shall provide to the Registrar a detailed description of each curriculum offering for which the instructor is responsible. The description shall state the semester(s) or other term(s) in which the offering is held as well as include any limitation on enrolling in the offering or on dropping or adding it after the beginning of the semester or other term. If enrollment is limited, the course description must fully state all criteria for reducing registration to the enrollment limit. The description must so state if the instructor determines that, pursuant to Rule IV-B(5), a student’s work in the offering will be graded only as Satisfactory (S) or Unsatisfactory (U).

(2) **Publication of Course Descriptions.** The Registrar shall make available to students at least twenty-one (21) calendar days prior to the first day of classes in a semester, a publication containing the descriptions of curriculum offerings for the semester. Descriptions of offerings outside the academic year shall be similarly published and made available at least twenty-one (21) days before

the day when the offering begins. In the case of an offering modified or added to the curriculum too late for such timely publication, a description shall be made available to students as early as practicable.

(3) **Disclosure of Course Requirements.** During the first or second scheduled meeting of a curriculum offering, but no later than two (2) days prior to the expiration of the time for withdrawing from or enrolling in the offering, the instructor shall make available to students a detailed explanation of the requirements for successful completion of the offering and the factors considered in determining the final grade. The explanation shall cover such items as the weight, coverage, and methodology of the final examination in the course; the due date, scope, and requirements of any interim examination, paper or oral presentation; the special rules about attendance and tardiness; and the inclusion of class discussion or other participation in the determination of the course grade.

(4) **Educational Experimentation.** The requirements set forth in subdivision (3) of this section shall not prohibit or discourage experimentation with educational methods or examination techniques. In such circumstances, it shall be sufficient for the instructor to explain, within the time period indicated in subdivision (3), the experimentation and, in relation to it, the process or procedure for determining the basis for the final grade in the offering.

(5) **Syllabuses; Class Make Ups; Class Cancellations; Provision of Course Materials**

(a) **Syllabus to be Issued.** For each course offering, an instructor shall publish a syllabus no later than the first meeting of the class in the second week of the term. In all courses the syllabus must include:

- (1) Specific, measurable, student learning outcomes, including knowledge, skills and values — to be learned during the term and an articulation of the relationship between in-class learning and materials assigned outside of class;
- (2) Competencies taught in the course and whether students are expected to be exposed to, practice or become competent in the identified competencies;
- (3) A brief description of how the course fulfills the law school's information literacy policy.
- (4) If the course includes any online or distance learning, the following: "Students are responsible for reviewing the state bar rules in their intended practice jurisdiction to insure that they have adequate contact hours for licensure."
- (5) A clear description of the course attendance policy and how the professor will determine attendance.
- (6) A description of how students will earn their grades in a course, including a description of whether a professor may modify the grading system and under what circumstances.
- (7) TA sections and other activities assigned outside meetings;
- (8) Preparation assigned for each class meeting, or at least the assignments and schedule for the first month, with the remaining assignments and schedule to be provided by the professor sufficiently in advance of scheduled classes that students can adequately prepare;
- (9) Irregularities in the class meeting schedule known when the syllabus is published; and
- (10) Known dates of examinations, exercises, paper submissions, and the like, or, if unknown, when the students will be informed of the dates. (Amended by faculty 5/1/14)

(b) **Syllabus to be Followed.** The instructor shall make all reasonable efforts to follow the syllabus as issued. Should the instructor desire or need to materially deviate from the previously issued syllabus, the instructor shall issue a revised syllabus.

(c) **Making up Canceled Classes.** As necessary to carry out subdivision (2) above, an instructor shall make up a scheduled class that is canceled for any reason. As practicable, a class canceled in advance shall be made up in advance, and a class canceled with short notice shall be

made up quickly thereafter. If it is impracticable to make up a class canceled without advance notice late in the term, and if the instructor can fulfill the syllabus for a course without making it up, then making up the class is excused.

(d) **Notice of Canceled Classes.** An instructor shall give the earliest feasible and most effective notice of a canceled class. Means of notice include posting on the appropriate UNH Law bulletin board, broadcasting on television or radio, and (for a class canceled well in advance) listing in the syllabus for the course. Upon reasonably believing that a cancellation may be necessary in the future, an instructor should explain to the class how notice will be given. In all cases of class cancellation, an instructor must notify the Registrar by telephone or email message.

(e) **Monitoring Class Cancellations.** The Registrar shall keep a record of class cancellations to the extent of available information. Upon the second cancellation of any kind in a course, the Dean shall meet with the course instructor to discuss the reasons for the cancellations and the likelihood of additional cancellations.

(f) **Provision of Course Materials.** The instructor shall endeavor to assure that assigned and recommended course materials are available to students in time for responsible class preparation.

(6) **Upper Level Writing and Skills Training Requirement.** Courses that meet the Upper-Level Writing and Skills Training requirements vary by semester depending on the professor's approach and class size. A list of approved courses will be made available in each semester's Course Descriptions. The Associate Dean for Academic Affairs, or the Associate Dean's designee, in consultation with the Curriculum Committee and specific professors, will identify courses meeting the writing and skills training requirements. (Amended by faculty 5/1/14)

(a) **Upper Level Writing requirement- content.** Courses that satisfy the Upper Level Legal Writing requirement require students to:

- (i) Satisfactorily complete a substantial amount of written work. For example, a unitary writing project such as a scholarly article, a directed research paper, or an appellate brief normally should consist of at least 20 pages or 5,000 words (excluding footnotes). A substantial amount of written work could also consist of a series of documents that consist of at least 20 pages or 5,000 words (excluding footnotes).
- (ii) Receive and respond to individual, detailed, written feedback from a professor, including an adjunct professor supervised by a full-time professor or program director.
- (iii) Complete more than one draft of the substantial writing project.
- (iv) Meet individually with the professor during the semester to review students' writing product and process.

(b) **Upper Level Writing requirement- faculty.** The upper-level writing requirement may be met only in a course or activity supervised by a full-time member of the faculty, including an adjunct professor supervised by a full-time professor or program director, or an adjunct professor teaching Appellate Advocacy or an advanced writing course approved, in exceptional circumstances, by the Associate Dean for Academic Affairs, or the Associate Dean's designee.

(c) **Upper Level Skills Training requirement- content.** Courses that satisfy the Upper Level Skills Training requirement require students to:

- (i) Satisfactorily and individually perform professional skills related to the various responsibilities which lawyers are called upon to meet. Courses may include skills such as trial and appellate advocacy, alternative methods of dispute resolution, counseling, interviewing, negotiating, problem-solving, factual investigation, organization and management of legal work, and drafting.

- (ii) Receive and respond to individual, detailed feedback from a professor, including an adjunct professor supervised by a full-time professor or program director.
- (iii) Have a minimum of 50% of the final grade based on professional skills.

B. REGISTRATION

- (1) **Authority of Registrar Over Registration.** The Registrar is authorized to prescribe the times and ways, consistent with these rules, to register for enrollment in, withdrawal from, or auditing of a curriculum offering. Only the Registrar or the Registrar's designee shall conduct registration or assign students to multiple sections of an offering.
- (2) **Registration Required for Enrollment, Withdrawal, or Audit.** For enrollment in, withdrawal from, or audit by a nonmatriculated student of a course offering to be effective, a person must complete the registration procedure for it.
- (3) **Good Financial Standing.** In order to register to enroll in or audit a curriculum offering, a person must be in satisfactory financial standing with UNH Law as determined by the Vice President for Business.
- (4) **Auditing Courses.** Matriculated students enrolled for study in UNH Law may audit any non-required course. Auditing smaller enrollment courses may require the approval of the instructor. There is no limit to the number of courses which may be audited. Auditors do not take exams or submit assignments that are graded and the student's transcript does not reflect in any way that the course has been taken.
- (5) **Registration as a Degree Candidate, Visiting Student, Auditor, or Visiting Attorney.** A person must register as either:
 - (a) A degree candidate;
 - (b) A visiting student intending to transfer credit earned in UNH Law to a degree program of another school. Permission of the Assistant Dean of Students is required to enroll as a visiting student;
 - (c) An auditor. For nonmatriculated students, permission of the Assistant Dean of Students and of the instructor is required to register as an auditor. Prior to registration the instructor shall communicate to the Registrar permission for a person to enroll as an auditor of a curriculum offering. Such permission shall not prejudice the opportunity of a UNH Law student to enroll in the offering; or
 - (d) A visiting attorney. Attorneys with law degrees from non-United States law schools who are required to take course offerings at an approved law school to satisfy bar requirements may register as a visiting attorney. Permission of the Assistant Dean of Students is required for enrollment. A visiting attorney must demonstrate facility with the English language in addition to the ability to successfully complete the course enrollment.
- (6) **JD For Life at UNH Law**
 - (a) **Overview.** UNH Law is now offering our JD alumni the ability to come back to the school and audit select classes at no charge. This is an opportunity for JD alumni to explore a new specialty, to deepen their expertise of a certain area of law, or to update their knowledge. Each semester UNH Law will post a list of classes that are open to JD alumni auditors.
 - (b) **Guidelines.** UNH Law anticipates that many auditors will have valuable practice experience and may be able to enhance the classroom experience through class participation. However, auditors must remain mindful of the classroom setting and that enrolled students are the professor's priority. Before the semester begins, auditors must consult with the professor about his/her expectations for class participation.

During the semester, auditors should feel free to ask questions of the professor either before or after class. However, because enrolled students are the professor's priority, the professor will not be available to the auditors via email or telephone.

Teaching assistant sessions, tutoring, or other academic support services are reserved for enrolled students.

Auditors may not sit for any exams or other course assessments.

It is the auditors' responsibility to obtain course materials.

No academic or CLE credit will be given for auditing a class. UNH Law will not provide a transcript for JD for Life audited classes. If an auditor requests, the Registrar will provide a letter confirming attendance, course name, and dates of the audited course.

The Associate Dean will have the ability to cap the number of auditors in any one course.

(c) **How to Participate.** A list of classes available to auditors will be posted on the school's website. All auditors must sign up with the Registrar's office and receive official approval from the Registrar that they may audit a course. There will be a limited number of seats in selected classes for JD for Life auditors. Selection to audit a class will be on a first come – first serve basis. Professor approval is required for auditor participation and the Registrar will coordinate approval.

C. ENROLLMENT AND WITHDRAWAL

The following provisions shall apply to UNH Law degree candidates and, as appropriate, to visiting students.

(1) **Nonelective First-Year Curriculum.** Except as authorized by the Assistant Dean of Students pursuant to the criteria specified in subdivision D(3)(d) of Rule I, a first semester or second-semester student shall enroll in all offerings prescribed by the faculty for the semester. No student may enroll for courses beyond thirty credit hours without having already completed or being then enrolled in a designated first year perspective course. (adopted 2/9/06)

(2) **Nonelective Courses in the Third through Sixth Semesters.** The Registrar may, consistent with the faculty's exercise of authority and responsibility for the curriculum, prescribe the semester in which a degree candidate shall enroll in a nonelective offering.

(3) **Maximum Enrollment.**

(a) Maximum enrollment for a semester is seventeen (17) credits. (adopted 8/16/07)

(b) Maximum enrollment for the summer term is fourteen (14) credits. The summer term includes any curricular offering by UNH Law or for which UNH Law accepts credits offered after the end of one academic year and before the beginning of the next academic year. (adopted by faculty 4/26/07)

(4) **Withdrawing From or Enrolling in an Elective Offering After the Semester or Term Has Begun.**

(a) Within ten (10) days after the first day of a semester or, for an offering in a term other than a semester, within a comparable time (the so-called "drop/add period"), a student may, consistent with meeting residency requirements, withdraw from or enroll in an offering. No add/drop changes will be permitted during the first week of the semester. Add/drop will be held the first three (3) days of the second week of the semester. If a student withdraws from a course before the add/drop date, the course enrollment will not appear on the student's transcript.

(b) The time within a semester or term for withdrawal or enrollment may be shortened or eliminated to accommodate limited-enrollment offerings, offerings extending over two se-

mesters, offerings the conduct of which requires a reliable enrollment at the beginning of the term, and other, similar offerings.

(c) Withdrawing from an offering after the expiration of the time for withdrawing applicable to it is permitted only with the written consent of the Assistant Dean of Students and the instructor or upon the written instruction of the Academic Standing Committee. Such permission shall be given only in exceptional circumstances in which the reasons for withdrawal are compelling and beyond the control and anticipation of the student. Withdrawal with permission results in the entry of “W” following the course. Withdrawal under this subdivision without such permission results in the entry of an F or U grade for the student’s enrollment in the offering.

(5) ***Preferable Options for Reducing Registration in Limited-Enrollment Electives.*** An instructor may choose any criteria for reducing registration, including for example, the merit/effort criteria used in clinical and interschool competition offerings. However, the following are preferable options:

(a) A lottery conducted by the Registrar in which third-year students are given preference if the elective is offered annually, unless the course is designated in the Course Descriptions pamphlet as a primarily a second-year course.

(b) The selection of a few registrants for enrollment on the basis of anonymous statements of compelling need or interest for enrolling in the offering and the selection of the rest by lottery.

(6) ***Involuntary Disenrollment.*** Each instructor has the authority to disenroll a student from an offering whenever that student has accumulated an unreasonable number of absences, has been unprepared on more than one occasion without reasonable excuse, or has failed to satisfy a significant portion of specific requirements in the course. Normally the instructor will warn a student that the student is accumulating an unreasonable number of absences or failures to satisfy requirements before the instructor decides to disenroll the student. However, failure to warn shall not bar involuntary disenrollment. A student disenrolled under this subdivision shall receive a grade of F or U in the offering.

(7) LL.M Students in J.D. Classes. LL.M students, in compliance with LL.M degree requirements, may enroll in any upper level J.D. course. Reasonable numerical limits on LL.M enrollment in upper level required courses may be imposed. LL.M students may not enroll in first-year J.D. required courses.

It is the understanding of the faculty accompanying the rule that the “reasonable limit” in upper level required courses is five. It is further the understanding of the faculty that the primary rationale for the rule is that in the first year required courses the benefit to J.D. students of having LL.M student in classes with them is offset by the need for first year JD students to concentrate on the fundamentals of law found in the first year required courses rather than the more sophisticated and/or international perspectives with which the LL.M students so amply enrich other courses.

D. ATTENDANCE

Students are required to attend all classes on a regular and punctual basis and otherwise to meet all requirements for the offering as the instructor indicates by timely notice. Students are not allowed to receive academic credit for courses that are scheduled to meet at conflicting times, no matter how brief the conflict. It is the student’s responsibility to make sure that such scheduling conflicts do not occur. If a student allows conflicting courses to remain on his/her schedule beyond the add/drop period, he/she will receive credit for only one of the conflicting courses.

It is the policy of UNH Law that all students will regularly and punctually attend class. It is the responsibility of each instructor to ensure compliance with this policy in whatever manner s/he

considers appropriate under the circumstances of each course. Instructors will inform students in the syllabus of the manner of ensuring attendance at the beginning of each course.

E. EMPLOYMENT WHILE ENROLLED AS A FULL-TIME STUDENT

Employment is not recommended for a full-time student, especially during the first year of law school. Where employment is necessary, it may not exceed twenty (20) hours, whether paid or unpaid, per week during an academic term.

Rule III EXAMINATIONS

A. DEFINITIONS

- (1) ***“Work Product.”*** A “work product” means a student’s written response to any assignment counting or potentially counting toward the final grade in an offering.
- (2) ***“Anonymously Graded Work Product.”*** An “anonymously graded work product” is one that, according to UNH Law’s anonymous grading policy, stated in subdivision A(1) of Rule IV, is to be graded without the instructor’s knowing the identity of the student.
- (3) ***“Examination.”*** The term “examination” includes any anonymously graded work product to be carried out within a brief period of time after it is given, such as one-to-four hours for an “in-class examination” or twenty-four (24) hours for a “take-home examination.”
- (4) ***“Final Examination.”*** A “final examination” is an examination administered at the conclusion of an offering, whether or not it ***covers*** all of the contents of the offering.
- (5) ***“Interim Examination.”*** An “interim examination” is an examination administered during an offering, covering substantially less than all the contents of the offering.

B. SUBMISSION OF ALL ANONYMOUSLY GRADED WORK PRODUCTS DIRECTLY TO THE REGISTRAR

In order to protect anonymity, assure accurate records, and avoid exam-number errors, students shall submit directly to the Registrar or the Registrar’s designee all anonymously graded work products. Students shall make only with the Registrar or the Registrar’s designee such arrangements as are necessary to submit such work products irregularly, that is, for example, early or late or at an unusual location.

C. EXAMINATION POLICY

- (1) ***Examination Experimentation.*** Experimentation in examinations is encouraged to improve the examination process as both a learning device and an accurate and comprehensive measurement of learning, ***provided however***, that the experimentation does not impose a significant risk of dishonest conduct in any student’s completing an examination. To this end, UNH Law shall:
 - (a) Permit interim examinations,
 - (b) Administer take-home examinations,
 - (c) Make available reference and other materials needed during the administration of a take-home examination, and
 - (d) Otherwise facilitate an instructor’s experimentation consistent with these rules.
- (2) ***Instructor’s Discretion.*** The instructor responsible for an examination has the discretion to determine its format and type. The instructor shall indicate any special provisions for administering and completing the examination that are consistent with these rules.
- (3) ***Common Understandings of Honesty, Fairness, and Considerations of Others.*** Every student taking an examination is bound by common understandings of honesty, fairness, and consid-

eration of others. Every student taking an examination must follow the instructions of the Registrar, the Registrar's designee or proctor. The provisions governing examinations supplement and explicate these understandings. Breach of any understanding or provision may be a breach of the Conduct Code (Rule XIII-1 B and C).

(4) ***Use of Electronic Devices.*** An instructor may determine whether computers may be used during an exam. If the instructor does not specify, the only electronic devices that may be used during an exam are (1) an electronic dictionary, (2) a calculator, or (3) those approved by the deans as a reasonable accommodation. Unless permitted by the instructor, no computer or electronic device may be used to communicate with another person, computer, or electronic device during an exam.

D. EXAMINATION SCHEDULING

(1) ***Final Examination Schedule.*** Every final examination shall be administered during a final examination period according to a schedule determined and published by the Registrar before the midpoint of the term and after consultation with affected instructors and students. To the extent feasible, examinations involving the same students shall be evenly distributed during the examination period.

(2) ***Scheduling Interim Examinations and Similar Activity for Academic Credit.*** Every interim examination or similar activity for academic credit shall be scheduled so as to minimize conflict with any examination or similar activity for academic credit already scheduled and involving substantially the same students.

E. SPECIAL ADMINISTRATION OF SCHEDULED EXAMINATIONS

(1) ***For Illness or Other Personal Circumstances Beyond a Student's Control.*** The Registrar, in consultation with the Assistant Dean of Students, as appropriate, shall permit a student, upon request made as promptly as reasonably practicable in the circumstances, to take an examination at a time other than scheduled, provided the student shows illness or personal circumstances, beyond the student's control, compelling the exception.

For a final examination, a special administration authorized under this subdivision shall take place, if feasible, during the final examination period or, at the latest, prior to the first day of classes for the next semester. Otherwise the student must take the examination when it is next regularly administered or reenroll in the course.

(2) ***Where a Student Has Two Examinations on the Same Day.*** The Registrar shall arrange, for a student who has two (2) examinations scheduled on the same day, for one (1) examination to be specially administered at a date and time determined by the Registrar, provided:

- (a) The student requests a special administration in writing within such time as the Registrar may prescribe; and
- (b) The affected instructor concurs in the special administration.

F. EXAMINATION ADMINISTRATION

(1) ***Registrar's Authority and Responsibility.*** The Registrar shall have the authority and responsibility for administering all examinations and is authorized to promulgate and carry out instructions, consistent with these rules, for administering an examination.

(2) ***No Changes in Examinations.*** Once the examinations have been handed to students, there can be no changes, not even clerical corrections, in the exams. A student who believes a mistake has been made or who is not sure how to interpret a particular question or part of a question is to explain in writing in the examination response whatever assumptions are made to resolve the issue.

(3) *Student Consultation During Examination Administration Prohibited Except as Expressly Authorized.*

(a) ***Consultation with others.*** Unless explicitly authorized in the written instructions for an examination, a student shall not consult about the examination with any other student or anyone else,

(i) During the administration of an examination, or

(ii) In the case of administration of the same examination at different times, during the entire period in which the examination is administered.

(b) ***Consultation with outside materials.*** While taking an examination, a student may consult only such outside materials as indicated in the instructions for the examination.

(4) ***Supervision of Examination Administration.*** All examination administration shall be supervised by the Registrar or by proctors selected by and responsible to the Registrar. A proctor shall assure that :

(a) The instructions for the examination are followed;

(b) The Academic Rules and Policies are observed,;

(c) Attendance is taken of all students beginning and completing the examination instrument.

(5) ***Location of Examination Administration.***

(a) Generally all examinations, except take-home examinations, shall be completed in a designated classroom or classrooms during the time period for which the examination is scheduled.

(b) ***Take-home examinations.*** Take-home examinations may be completed anywhere within the time permitted. Students shall not consult with anyone unless authorized by course instructor. Take-home exams must be picked up and returned to Registrar's office.

(6) ***Examination Length.*** The time period for completing an examination other than a take home examination in an offering should not exceed by more than one (1) hour the product of multiplying the number of credits of the offering by the percentage of a student's final grade attributed to performance on the examination.

(7) ***Examination Work Product.*** Except as otherwise determined by the instructor, all responses shall be written on paper provided by UNH Law. Except as authorized under subdivision (8), the medium of response, for example, writing by hand in a bluebook provided by the Registrar for the particular administration, shall be the same for all students completing an examination.

(8) ***Exceptions to Accommodate Disabilities.*** After documentation of a disability preventing the student from using examination time as efficiently as other students, the Assistant Dean of Students may authorize, in writing, as appropriate, one or more of the following:

(a) Additional time in which to complete in-class examinations;

(b) Typed or word-processed responses;

(c) Use of tape-recorded questions; or

(d) Any other accommodation suggested by the student which the Assistant Dean of Students deems reasonably necessary to allow the student to demonstrate proficiency in the course and which does not alter the fundamental nature of the course or examination.

Documentation supporting a request for an accommodation is to be submitted as early as possible in the semester to the Assistant Dean of Students.

(9) ***Exceptions To Accommodate Students For Whom English Is A Foreign Language.***

(a) Students for whom English is not a native language may qualify to receive extra time during examinations. Any student seeking extra time under this provision must submit a written

request to the Registrar within six weeks of the beginning of the first semester in which the student seeks the accommodation. The written request must verify the following:

- (i) English is not the student's native language;
 - (ii) The student has received all preceding undergraduate and graduate degrees from non-English language institutions; and
 - (iii) The student has taken the TOEFL (Test of English as a Foreign Language) and submitted the results of the test to UNH Law in support of the student's application for admission.
- (b) A student meeting the requirements of subdivision (a) is entitled to receive extra time for the first four semesters of study at UNH Law, subject to the provisions of subdivisions (c) and (e), below.
- (c) Any student permitted to have extra time under these provisions shall receive 50 percent more time for each in-class exam during the first two semesters of study and 25 percent more time for each such exam during the third and fourth semesters of study. No extra time is permitted during the fifth and sixth semesters.
- (d) Students for whom English is not a native language will be permitted to use a dictionary while taking exams. The dictionary is to be purchased by the student and is to contain no additional writing in any language. Dictionaries that do contain additional writing may not be used in the exam, except for open-book exams. Students may use a dedicated electronic dictionary provided that it does not have communication capabilities. The right of students for whom English is not a native language to use a dictionary extends throughout a student's law school study, whether or not the student is entitled to extra time.
- (e) With the concurrence of the Director of the Graduate Legal Writing Program or other appropriate faculty member, the Registrar may:
- (i) Withhold the accommodation set forth in subdivision (b), above, from an otherwise qualified student whose English-language skills are essentially equivalent to those of students holding a baccalaureate from an American college or university; and
 - (ii) Extend the accommodation set forth in subdivision (b) to any student who fails to satisfy the criteria of either subdivision (a)(2) or (a)(3), above, provided that the student:
 - (a) Submits a written petition to the Registrar requesting such accommodation within the time frame set forth in subdivision (a); and
 - (b) Demonstrates that his or her English language skills are substantially inferior to those of students holding a baccalaureate from an American college or university.

G. SATISFACTORY FINANCIAL STANDING REQUIRED TO TAKE A FINAL EXAMINATION OR BE ALLOWED CREDIT FOR A WORK PRODUCT IN PLACE OF A FINAL EXAMINATION

- (1) **Notice.** UNH Law may, by written advance notice, (a) bar from the regular administration of a final examination or (b) refuse to allow credit for a work product required in place of a final examination that is submitted by a student who, at the time of the administrative notice, is not in satisfactory financial standing with UNH Law as determined by the Vice President for Business.
- (2) **Consequences.** Unless prior to the scheduled administration of a final examination or the due date of the work product required in place of a final examination, a student given advance notice

as provided in subdivision (1) is able to attain satisfactory financial standing as determined by the Vice President for Business, the student's right to complete the requirements in the offering is barred. Failure to complete the requirements in the offering shall result in no credit or residency but shall not relieve the student from the obligation to pay that semester's tuition.

H. STUDENT WORK PRODUCTS AFTER GRADING

(1) **Retention by Registrar.** The Registrar shall be responsible for UNH Law's retaining until the end of the second semester following the term in which it is submitted any:

- (a) Final examination;
- (b) Paper; or
- (c) Other work product that counts for one-third (1/3) or more of a final grade in an offering, and is not returned to the student after the instructor has reviewed and graded it. The Registrar shall keep student work products in a secure place under conditions reasonably assuring their continuing confidentiality.

(2) **Student Access.** A student shall have access to the student's work products as long as they are retained by UNH Law. The Registrar is authorized to prescribe rules for students' orderly accessing their work products, including limiting access at those times when the Registrar's Office is most involved in other activities, such as the first two weeks of a semester, taking into account:

- (a) The times when students are likely to have the greatest interest in reviewing examinations and other work products; and
- (b) The steps necessary to retrieve work products from [archival] storage.

Rule IV GRADING

A. ANONYMITY IN GRADING

(1) **Policy.** Whenever feasible and consistent with the instructor's exercise of responsibility for effective student learning, the instructor shall determine each student's final grade in an offering under such conditions that the identity of the author of any work product counting toward the final grade is not known to the instructor until after all the final grades in the offering have been recorded by the Registrar.

(2) **Exception.** The policy favoring anonymity in grading shall not, however, bar an instructor from using teaching and learning techniques involving such personal communication as unavoidably to reveal to the instructor the identity of the author of a work product counting toward the final grade in the offering.

(3) **Implementation.** If the instructor chooses to base part or all of the final grade in an offering on a work product(s) other than one(s) which can be anonymously graded, the instructor shall submit the grade(s) for the latter to the Registrar by student examination number and the grade(s) for the former by student name. To determine the final grade for each student enrolled in the offering, the Registrar shall combine the grades as directed by the instructor.

B. GRADING SYSTEM

(1) **Letter Grades.** Except as provided in (3) below, work done for academic credit shall be graded on a scale of letter grades from A plus through F (A+, A, A-, B+, B, B-, C+, C, C-, D+, D, D-, F).

(2) **Mean Grade of B.** In all classes with more than 15 students who are graded on an A through F scale, the mean grade in the class will be no higher than a B. For a particular class, a faculty member may request a waiver from this policy from the Teaching Effectiveness Committee. In order to receive a waiver, the instructor must show a compelling reason such as that the class is a "mastery"

class, involving extensive student discussion and oral and written presentations, which would lead to a majority of the class demonstrating mastery of the subject. The policy does not apply to classes with less than sixteen students. For classes between sixteen and twenty-five students the waiver provision will be liberally applied to promote innovation in teaching and evaluation of student work as well as individual instruction/mentoring. (Revised by faculty 3/19/15)

In the course of the committee's experience it has usually acted favorably on waiver requests in the following circumstances:

- a. The proposing instructor wishes to adopt a teaching or evaluation methodology new to the instructor that would be inhibited by requiring usual grading practices.
- b. A major part of the instruction and evaluation are based on simulation, performance, writing exercises or other work not suitable for anonymous grading.
- c. If the instructor can factually demonstrate that because of the anticipated quality of work by the particular students enrolled in the class imposition of the strictures of the B mean rule would work an injustice the mean may be waived by a vote of the faculty.

A faculty member seeking a waiver of this rule for a particular course shall request a waiver no later than one week following the add/drop date fixed for each semester.

(3) **S /U Option.** A student may exercise the option not to receive a letter grade in any elective offering, unless the instructor has limited the evaluation to letter grades only. For this purpose, a course which would qualify as meeting a requirement which the student has already satisfied is an elective. In the event of successful completion of such offering, the student shall receive a grade of Satisfactory(S). In the event that such offering is not successfully completed, the final grade shall be Unsatisfactory(U). No student under the jurisdiction of the Academic Standing Committee shall be allowed to opt for S/U grading without permission of the committee. Students are cautioned that exercising this option can affect their eligibility for honors designation. See Table V.D.

(4) **Correlation of S/U With Letter Grades.** The grade "S" shall equate with a grade of C minus or higher. A Satisfactory (S) grade shall carry no numerical equivalent and thus shall not be counted in computing a student's grade point average for purposes of eligibility for continuing as a degree candidate or qualifying for a degree. An Unsatisfactory (U) grade shall equate with a grade of F. An Unsatisfactory (U) grade shall carry the numerical equivalent of zero and shall be counted in computing a student's grade point average for purposes of eligibility for continuing as a degree candidate or qualifying for a degree.

(5) **Exercise of S/U Option.** In any offering in which a student has the option to elect between a grade on the letter-grade scale and a Satisfactory/Unsatisfactory grade, the student shall exercise the election on or before the last day upon which the student may drop the course without penalty.

(6) **S/U Grading Where Letter Grades Are Not Feasible.** In any offering in which the instructor determines that distinctions on the letter-grade scale are not feasible, a student's work shall be graded as Satisfactory (S) or Unsatisfactory (U), or, at the instructor's election, as Satisfactory (S), Unsatisfactory (U), or Outstanding (O).

C. COMPLETION OF COURSE WORK

(1) **Within the Term.** Work required in an offering should be completed within the time prescribed by the instructor and within the term in which the offering is held.

(2) **Extension of Time for Completing Course Work Other Than a Final Examination.** When a student concludes that course work other than a final examination will not be completed within the time prescribed by the instructor, the student may apply to the instructor for an extension for the completion of the required work. The instructor shall determine whether an extension of time

may be granted and, subject to the provisions of this subdivision, the duration of any extension. Ordinarily the instructor shall grant an extension if the request is timely, and if the circumstances requiring the extension are beyond the control of the student. If the time for completion of course work is extended beyond the time which would permit the instructor to submit the student's grade within the time for submission of grades (see subdivision D of this rule), the student shall commit the terms of the extension to writing, including the date by which the course work shall be completed. The writing, signed by the instructor, shall be submitted to the Registrar.

(3) **Limit of Extension of Time.** Except in extraordinary circumstances, the time for completing course work may not be extended beyond the last day of classes in the semester following the term in which the offering was held. Any proposal for an extension of time beyond the last day of classes in the semester following the term in which the offering is held must, in addition to meeting the requirements of subdivision C(2) of this rule, be approved by the Assistant Dean of Students.

(4) **"I" (Incomplete) Transcript Entry.** Upon receipt of the written approval for an extension of time, the Registrar shall enter on the student's transcript an "I" (Incomplete) for the offering. If no written approval for an extension of time has been received on or before the last day for submitting final grades for the offering, the Registrar shall enter on the student's transcript the grade submitted by the instructor or, if no grade has been submitted, an "F"

D. CHANGE OF FINAL GRADES

A faculty member shall not change a final grade after submitting it to the Registrar except to correct a clerical error or, after a substantive review of the work product on which the grade is based, an error of fact. Only a final course grade may be appealed. Appeals from an instructor's grade may be made only to the Dean of UNH Law or the Dean's designee. Notice of Appeal must be in writing delivered no later than the fifth week of the fall semester in the case of grades from spring or summer courses or the fifth week of the spring semester in the case of grades from fall courses. Within fourteen calendar days of filing a notice of appeal, the student shall file a written memorandum in support of the appeal. (See Rule XII A (3) (a) for permitted grounds of appeal and rules of procedure.)

E. SATISFYING THE REQUIREMENTS OF A COURSE IN WHICH AN F OR U GRADE IS EARNED

(1) **Retaking the Course or Final Examination or Redoing Other Required Work.** A student may satisfy the requirements of a course in which the original grade is an F or U by:

(a) Retaking the course when it is next held; or

(b) Retaking the final examination in the course when it is next administered or, for a course in which a final examination did not determine the student's original grade, redoing other work required in the course.

(2) **Instructor's Permission.** A student has the right to retake a course in which an F or U grade has been received only if completing it is a degree eligibility requirement. For all other retakes authorized in subdivision (1) above, the instructor's permission is required.

(3) **Consequences of Retaking a Course.**

(a) **Enrollment.** The retake shall be counted in determining the number of credits in which the student is enrolled in the semester when the course offering is retaken.

(b) **Grade.** Unless barred by the Academic Standing Committee as a probationary condition, a student may retake a course for an S/U grade if the S/U is otherwise available for the course.

(c) **Eligibility to Continue as a Degree Candidate and to Qualify for the Degree.** To determine eligibility to continue as a degree candidate and to qualify for the degree, both the

original grade and credits and the retake grade and credits shall be taken into account as if the student had enrolled in two unrelated courses.

(d) **Academic Record.** The student's academic record shall show the retake enrollment as well as the original enrollment in a course.

(4) **Consequences of Retaking an Examination or Redoing Required Work.**

(a) **Enrollment.** Retaking the final examination or redoing other required work in a course shall not be counted in determining the number of credits in which a student is enrolled in the semester or other term in which the student retakes the examination or does the other required work.

(b) **Grade.** A student shall earn an S or U grade in a course in which the student retakes the final examination or redoes other required work.

(c) **Eligibility to Continue as a Degree Candidate and to Qualify for the Degree.** The grade and credits resulting from retaking the final examination or redoing other required work shall be substituted for the ones earned in the original enrollment, which thereafter shall not be considered for purposes of determining eligibility to continue as a degree candidate or to qualify for the degree.

(d) **Academic Record.** The Registrar shall:

(i) Record on the student transcript that the final examination has been retaken or other required work redone and;

(ii) Record the S or U grade resulting from retaking the final examination or redoing his/her required work.

(5) **Explanation of a Grade Supersession.** Upon a student's request, the Registrar shall place in the student's academic record a written explanation, supplied by the instructor, of the circumstances of a grade supersession.

F. RETAKING AN OFFERING AS REQUIRED BY THE ACADEMIC STANDING COMMITTEE WHERE THE GRADE EARNED IS NOT AN "F" OR "U"

(1) In no circumstance except where the Academic Standing Committee requires that a course be retaken, shall a student receive any academic credit, residency, or improvement in academic standing as a result of retaking a course in which a grade other than "F" or "U" was earned.

(2) Where the Academic Standing Committee requires that a student retake a course in which a grade other than "F" or "U" was earned, the student:

(a) May count the retaken course for residency purposes;

(b) Must count the retaken course in determining maximum enrollment in a term;

(c) May not count the retaken course for hours of academic credit in computing the number of credits earned to qualify for the J.D. degree;

(d) Must average both the original grade and the retake grade in calculating the student's grade point average.

G. CONFIDENTIALITY OF GRADES AND ACADEMIC RECORDS

(1) **Protection of Confidentiality in Grade Disclosure.** Grades are confidential information. Neither final nor interim grades shall be publicly posted. A student's final and interim grade shall be disclosed only to the student, the instructor of the offering in which the grade was earned (and in

conformity with the provisions of anonymity and grading), and, to the extent they need to know in order to carry out their responsibilities, to administrators and faculty members of UNH Law. Disclosure shall be in such ways and under such circumstances as to preserve the confidentiality of grade information.

(2) ***Student's Consent Required to Disclose Academic Record.*** All enrollments for academic credit are entered on a student's permanent academic record maintained by the Registrar. A student's academic record shall not be available to anyone or any agency outside UNH Law without the student's prior consent in writing submitted to the Registrar and included in the student's permanent academic record. A student's permanent record shall include written evaluations which the student asks to have included with the transcript.

Rule V NUMERICAL EQUIVALENTS OF LETTER GRADES

A. CALCULATING GRADE POINT AVERAGES

A grade point average is necessary for determining satisfaction of degree requirements and eligibility for continuing toward the degree. To average grades, the Registrar converts final letter grades into numerical equivalents according to the following scale:

A+ = 4.33	C+ = 2.33	To calculate a grade point average, the number of credits in each offering for which a letter or U grade is entered is multiplied by the numerical equivalent for the letter grade. Then the total for such products for all offerings in which the student has received a letter or U grade is divided by the total credits for such offerings.
A = 4.00	C = 2.00	
A- = 3.67	C- = 1.67	
B+ = 3.33	D+ = 1.33	
B = 3.00	D = 1.00	
B- = 2.67	D- = .67	
F or U = 0		

B. COMBINING LETTER-GRADE COMPONENTS

To combine two or more letter-grade components to produce a single letter grade for an offering:

- (1) First, convert each grade to be combined into its numerical average using the scale set out in subdivision A above.
- (2) Second, multiply each numerical equivalent by the component value of the grade.
- (3) Third, total the resulting products into a grand product.
- (4) Fourth, convert the grand product into a single letter grade according to the following table:

A+ = 4.17 and above	C+ = 2.17 through 2.49
A = 3.83 through 4.16	C = 1.83 through 2.16
A- = 3.50 through 3.82	C- = 1.50 through 1.82
B+ = 3.17 through 3.49	D+ = 1.17 through 1.49
B = 2.83 through 3.16	D = .83 through 1.16
B- = 2.50 through 2.82	D- = .50 through .82
F or U = below .50	

C. CLASS RANKING

It is the policy of UNH Law to calculate the decile class ranking of a student or graduate who requests it. Decile class rankings are calculated at the conclusion of the fall and spring semesters and are given only to the student or graduate; they are not published.

D. HONORS DESIGNATION

(1) Beginning with the JD class of 2015, students with a GPA in the top 5% of the class will receive a Summa Cum Laude designation on their transcript. Students in the top 15% of the class who do not receive a Summa Cum Laude designation will receive a Magna Cum Laude designation on their transcript. Students in the top 30% of the class who do not receive a Summa Cum Laude or Magna Cum Laude designation will receive a Cum Laude designation. JD graduates in the 2007 through 2014 classes with a cumulative GPA in the top 10% of the class received a Magna Cum Laude designation on their transcript. Students in the top 30% received a Cum Laude designation. Decile rank will be determined by numerical equivalents rounded to two decimal places and will be expanded rather than reduced, if necessary, to accommodate any “ties” that result from rounding. (Amended by faculty 4/16/2015)

(2) To be eligible for honors designation a student must either:

- (a) successfully complete at least 75 graded credits or
- (b) successfully complete at least 75 credits which are
graded,
required, or
earned for Externship, The Legal Profession or Moot Court,
and otherwise have no more than 3 credits earned on an S/U or O/S/U basis.

If it becomes necessary for the Dean to administratively convert a course to S/U after it is begun, those credits count toward the 75 in either case.

(3) Honors designations are calculated at the conclusion of the sixth semester. JD Students meeting the qualifications who graduate in the January preceding or July following graduation, will be calculated with the May class. In all cases, no recognition of these honors designation will be made on the diploma or in any other way beyond entry upon the graduate’s transcript and/or a letter from the school. Students attending two or more semesters on a part-time basis are not eligible for honors. Honors may not be applied retroactively. (Amended by faculty 11/3/2011)

Rule VI ACADEMIC STANDING AND REVIEW

A. ACADEMIC ELIGIBILITY TO CONTINUE AS A DEGREE CANDIDATE

(1) A student who at the end of any semester:

- (a) Has achieved a cumulative grade average of below 2.0;
- (b) Has failed timely to satisfy course requirements prescribed for a student in the student’s class year; or
- (c) Has earned nine (9) or more credits below C minus, is not eligible to continue as a candidate for the Juris Doctor degree, except under such terms as may be established by the Committee for Academic Standing (CASS). During this period and during any probationary or suspension period, the student is considered not in good academic standing. Failure to meet the terms established by the Committee shall make a student ineligible for the Juris Doctor degree.

(2) A student who at the end of the second year has not offset any credits below C minus with the same number of credits at B minus or above, will be brought within the jurisdiction of the CASS and must comply with the rules of said Committee.

(3) A student who at the end of any semester has failed to satisfy the terms of probation is automatically dismissed from UNH Law as of the end of that semester without any further action by UNH Law whatsoever, and shall not continue as a UNH Law student or auditor unless readmitted

through the CASS as authorized solely by Rule VI M. A student automatically dismissed from any program at UNH Law is automatically dismissed from all degree programs at UNH Law.

B. FIRST-YEAR STANDING AND REVIEW

(1) A first-year student who at the end of the first semester meets any of the criteria set forth in Rule VI-A(1)(a)(b) and (c) shall comply with subdivisions C, D, E, F and G of Rule VI. Such a student may be academically dismissed after his or her first semester at the discretion of the CASS. The student will be placed on probation if allowed to continue, and will meet with the CASS. (Revised by faculty 3/4/2010.)

(2) A first-year student who meets the criteria of VI-B(1) and who wishes to take a leave of absence at the end of the first semester must first gain the approval of the CASS as required by Rule XI, subdivision C in order to assure a right of return.

C. ACADEMIC ELIGIBILITY TO CONTINUE AS A DEGREE CANDIDATE WITH EARLY INTERVENTION STATUS (Adopted by faculty 4/17/14) (Rule VI(C) shall expire at the end of the spring semester, three years from the date of adoption unless otherwise approved by the faculty.)

(1) A student who at the end of any semester:

(a) Has achieved a cumulative grade average at or above 2.0 but less than 2.5 or has been designated by the Associate Dean for Academic Affairs pursuant to Rule VI (D)(3); and

(b) Has not been brought within the jurisdiction of Committee on Academic Standing & Success (CASS) through Rule VI(A) or Rule VI(B) shall be identified as in need of “early intervention” and subject to the jurisdiction of CASS.

(2) A student on “early intervention status” must complete the following requirements:

(a) Meet with CASS and if possible, with the faculty advisor in attendance, to discuss potential sources of and solutions to weaknesses in academic performance; and

(b) Meet with the Director of the Academic Success Program (ASP) or the Director’s designee to develop a written action plan for strengthening essential skills necessary for improved academic performance and bar exam readiness. This plan may include—but is not limited to—engaging in learn skills self-assessments, implementing new study routines and methods, or doing individual skills-building work sessions with ASP.

(3) A student on “early intervention status” at the end of first year, the end of first semester second year, the end of second year, or the end of first semester third year must also take and pass (with a grade of a C or above) one “essential skills” approved class in the subsequent semester following placement on “early intervention” status. “Essential skills” classes are those indicated as such each semester by ASP in consultation with the Curriculum Committee.

(4) A student who fulfills the relevant requirements of (2) and (3) above in the semester in which the student is identified as in need of “early intervention” shall be released from “early intervention” jurisdiction and shall only be returned to CASS jurisdiction through the provisions of Rule VI(A) and Rule VI(B). A student who does not fulfill the relevant requirements of within one semester shall remain on “early intervention” status until the requirements are completed.

(5) A student who is placed on “early intervention status” at the end of first semester first year and achieves a cumulative grade point average at or above 2.0 but less than 2.5 at the end of second semester first year shall continue to be on “early intervention status” at the end of second semester first year until the student completes the “essential skills class requirement set forth in Rule VI(C)(3).

(6) “Early intervention” status shall not be designated on student transcripts.

D. REVIEW OF STUDENT STANDING FOR MANDATORY ASP MEETINGS

(Adopted by faculty 4/17/14.) (Rule VI(D) shall expire at the end of the spring semester, three years from the date of adoption unless otherwise approved by the faculty.)

(1) A student who at the end of any semester:

(a) Has a ranking in the bottom quartile of the class; and

(b) Is not under CASS jurisdiction through the provisions of Rules VI(A), (B), or (C) shall meet with the Director of the Academic Success Program or the Director's designee and with the student's faculty advisor if possible to develop a written action plan for strengthening essential skills necessary for improved academic performance and bar exam readiness. The action plan may include—but is not limited to—engaging in essential skills self-assessments, implementing new study routines and methods, or doing individual skills-building work sessions with ASP.

(2) A first-year student who after midterm examinations first semester has demonstrated serious weakness on any midterm or midterm assessment equivalent—for example, a grade of C- or below on a midterm—shall meet with the Director of the Academic Success Program or the Director's designee and if possible, with the student's faculty advisor to develop an action plan for strengthening essential skills necessary for improved academic performance and bar exam readiness. The action plan may include—but is not limited to—engaging in essential skills self-assessments, implementing new study routines and methods, or doing individual skills-building work sessions with ASP.

(3) ASP will notify the Associate Dean for Academic Affairs of any student who fails to complete the required meeting pursuant to Rule VI(D) in a timely and good faith fashion. The Associate Dean will contact such students to give them a reasonable period of time to complete this requirement. Students who do not complete the requirement during this time period must meet with the Associate Dean to assess their cultivation of personal responsibility for their academic development. The Associate Dean may place students who fail to have this meeting on early intervention status under Rule VI(C).

(4) Required meetings with ASP pursuant to Rule VI(D) shall not be designated on student transcripts.

E. IDENTIFICATION OF STUDENT (adopted by faculty 4/17/2014)

The Assistant Dean of Students in cooperation with the Registrar's Office shall, at the end of each semester, identify (1) any student not eligible under the standards stated in subdivision A of this rule to continue as a degree candidate, and (2) any first-year student meeting the criteria of VI-B(1). The Director of Academic Success or the Director's designee in cooperation with the Registrar's Office shall, at the end of each semester and after midterms for first-year students, identify and contact (1) any student who meets the criteria of Rule VI(C) for early intervention and (2) any student who meets the criteria of Rule VI(D) for a mandatory meeting with Academic Success.

F. ADVICE OF RIGHTS AND OBLIGATIONS

In each meeting held after a student's response to the request for it, the Assistant Dean of Students shall:

(a) Assure an understanding of the student's rights and obligations;

(b) Assure an understanding that the student must take the initiative and responsibility both to assess the causes of deficient performance and to develop a plan to overcome the deficiency; and

(c) Make suggestions for or help arrange such therapy or other assistance as the student may reasonably request.

G. SUBMISSION OF PLAN

The student must present a written plan for overcoming deficiencies to the Committee before the deadline set by the Committee. The Assistant Dean of Students shall investigate any instance of failure of a student to present a plan and shall counsel the student regarding the consequences of such failure. The Assistant Dean of Students shall, following this counseling session, forward to the Academic Standing Committee a statement indicating that such counseling took place.

The Committee may request that a student, in addition to submitting a written plan, appear personally before the Committee to discuss the student's academic difficulty and the student's plan for rehabilitation. Where suspension or dismissal is a likely outcome, the Committee as a whole should communicate with the student, and individual Committee members should refrain from communicating or meeting separately with the student. If a student believes that a particular member of the Committee cannot objectively review that student's plan, the student may make a written request that the Committee member be recused from this deliberation. The written request must state the grounds for the belief that the Committee member is not able to be objective. The fact that the student received a low and/or failing grade from the Committee member, standing alone, is not grounds for recusal.

H. COMMITTEE REVIEW OF PLAN

The Committee shall review each student's case to determine the probability of academic rehabilitation. The Committee's concern is whether the student has obtained or will shortly obtain the academic knowledge and skills that UNH Law's curriculum is meant to impart. The Committee's review and determination shall rest on two bases: an assessment of the student's abilities and an assessment of the feasibility of the student's plan.

The assessments may be based on such factors as the Committee finds relevant, including but not limited to:

- (1) The student's admissions record, including undergraduate and graduate school grades;
- (2) Law school grades;
- (3) LSAT score;
- (4) Written or oral faculty reports explaining a particular grade in a course or other academic work done by the student. Such written or oral reports may be requested from any relevant faculty member, including Committee members;
- (5) Legal Residency evaluation;
- (6) Results of outside testing undergone by the student;
- (7) Evaluations of UNH Law essay and objective tests taken by the student. Such evaluations may be done by faculty members or other persons approved by the Committee.
- (8) The acceptability or feasibility of the student's plan as measured by:
 - (a) The extent to which the plan accurately assesses the causes of the academic deficiencies;
 - (b) The likelihood of the student's ability to meet the goals in the plan in light of the student's past performance and abilities;
 - (c) The extent to which the student's attitude toward and motivation for rehabilitation make it likely that the plan will be successfully completed. Included in this appraisal is the student's demonstration of attitude, effectiveness, self-reliance, and motivation as those qualities relate to academic performance.

The basis for the Committee's review and decision shall be the academic performance of the student and the factors related to academic performance. The determination of probability of rehabilitation

shall not be based solely on issues of character and shall not anticipate a student's future conduct as an attorney. Issues of character are relevant only to the extent they bear directly on a student's ability to successfully complete UNH Law's course of instruction.

I. STATUS OF STUDENT PENDING DECISION OF THE COMMITTEE ON ACADEMIC STANDING AND SUCCESS

In a semester following a semester in which academic performance has put a student in academic difficulty, the student enrolls in or continues in classes at the student's own risk while awaiting a dispositive decision of the CASS, the Appeals Panel, or the faculty concerning the right to continue as a student. The student may not enroll in classes, continue to attend or participate in them, take final exams, or submit other required or optional work products following a dispositive decision that denies the right to continue. The student will be credited for the tuition charged for the uncompleted semester. Provided however, that a student who has been automatically dismissed under Rule VI-A(3) may not attend class or take any other action toward satisfaction of the J.D. degree without resolution of the student's appeal, if any, to the Appeals Panel under Rule VI-J(2).

J. DISPOSITION OF CASE

(1) Following its review of the student's abilities and the feasibility of the student's plan, the Committee shall:

- (a) Place the student on probation as a degree candidate; or
- (b) Suspend the student for a period of time, advising the student to resubmit a plan in the future upon the occurrence of specified conditions, if any; or
- (c) Dismiss the student from UNH Law. (Students automatically dismissed (VI-A(3)) may not present a plan to the Committee.)

(2) If, based on its review of the student's abilities and the feasibility of the student's plan, the Committee does not find that rehabilitation is probable, the Committee may suspend or dismiss the student notwithstanding that:

- (a) The student has not previously been before the Committee or
- (b) The student has failed to submit a plan or has submitted an erroneous, incomplete, inaccurate, untimely, or otherwise inadequate plan where an adequate plan might have resulted in a decision less unfavorable to the student.

(3) Probationary conditions set by the Committee may include but are not limited to:

- (a) A limitation on maximum or minimum credits in which the student may enroll;
- (b) A specification of curriculum offerings or types of offerings in which the student may enroll, including the requirement of exam and exam only courses;
- (c) A requirement of attaining a specified grade in indicated credit offerings undertaken or in all work undertaken for credit in a semester. The Committee may require as a demonstration of academic ability that a student obtain more than a 2.0 for a given course or combination of courses. This requirement may exceed any of the degree eligibility requirements specified in Rule I-B, subdivision (2), where appropriate, to adjust for noncomparability.
- (d) A limitation on extracurricular activities;
- (e) A requirement that specified deficiencies be remedied through special resources and evaluation either inside or outside UNH Law.

(4) A decision to dismiss a student shall be based on finding the student:

- (a) Lacks the abilities to complete the degree program; and/or

- (b) Has failed to satisfy terms of probation; and/or
- (c) Has failed to present a plan or has failed to present a feasible plan to the Committee in accord with the criteria of G(8) of this rule.

K. COMMITTEE FINDINGS

(1) In each case, the Committee shall clearly indicate by notice in writing to the student, the Assistant Dean of Students, and the Registrar, its finding of substantial fact, conclusions, and decision. Students who have been placed on probation, suspended, dismissed or who have been denied readmission, following dismissal, have a right to appeal the Committee's decision. The notice shall state the time period within which the student may appeal the Committee's decision.

(2) Appeals from findings of probation and terms of probation or from an automatic dismissal under Rule VI-A(3) may only be taken to the Appeals Panel, comprised of three (3) full-time faculty members appointed by the Dean.

Appeals from findings of suspension or dismissal or denials of readmission may, at the student's option, be taken to either the faculty or the Appeals Panel.

Decisions of the Appeals Panel or the faculty are final and may not be further appealed.

(3) Members of the Committee shall not participate in the consideration of any appeal. However, the Committee shall have the opportunity to submit orally or in writing to the faculty or the Appeals Panel and to the student, an explanation of its decision that supplements the content of its written notice.

(4) The appeal shall be conducted in accordance with the Rules of Procedure for Appeals From Decisions of the Committee on Academic Standing and Success set out in Rule VII.

L. CONTINUATION BEYOND SIX (6) SEMESTERS

(1) A student who is in violation of the standards set out in subdivision A, after completing six (6) semesters of full-time study (or the equivalent thereof) is not eligible to continue at UNH Law until such time as the student has filed a plan required by subdivision F, and the XCASS has approved the readmission of the student. The petition required by this subdivision shall be filed not later than thirty (30) days after receipt of the notice required by subdivision D.

(2) The Academic Standing Committee shall assess the plan submitted by a student covered by subdivision (1) by the standards set out in subdivisions G and I.

(3) In no event shall the CASS permit a student more than two (2) semesters to cure deficiencies in the academic record. In most cases the academic work required of a student covered by subdivision (1) should be performed at UNH Law; however, the Academic Standing Committee may permit exceptions to this policy in appropriate cases.

(4) A student who is readmitted pursuant to this subdivision and who fails to satisfy the terms of the readmission established by the CASS shall be dismissed from UNH Law.

(5) Notwithstanding the other provisions of this section, the CASS may, without a formal notice or plan, consider whether the deficiencies of a student coming within its jurisdiction at the end of the sixth semester are insubstantial and ought to be waived. If the Committee so chooses and finds that the deficiencies are neither evidence of substantial academic deficiency nor the result of culpable neglect, it may recommend to the faculty that deficiencies be waived, either completely or on conditions. Otherwise such a student shall be treated as any other student within the jurisdiction of the Committee.

M. READMISSION AFTER ACADEMIC DISMISSAL

- (1) A student dismissed from UNH Law at any time before completing the regular academic program pursuant to an action by the CASS under subdivision I(1)(c), may seek readmission only if the CASS does not bar a petition for readmission by the terms of the dismissal.
- (2) Petitions for readmission will not be accepted for a period of two (2) years following academic dismissal unless the CASS specifies that a petition will be accepted before that time by the terms of the dismissal. No petition for readmission will be accepted after three (3) years from the date of dismissal.
- (3) If a student has earned forty-two (42) or more credits toward the degree at the time of the academic dismissal, the student may be readmitted by the CASS subject to such terms and conditions as it may set, to include requirements which exceed the degree eligibility requirements specified in Rule I B. The credits earned prior to the dismissal may be counted toward the degree.
- (4) If a student has earned fewer than forty-two (42) credits toward the degree at the time of the academic dismissal, the student may be readmitted by the Academic Standing Committee. Such student would be required to satisfy the requirements for the class entering the law program that year. The CASS will determine if the credits earned prior to the dismissal will be counted toward the degree.
- (5) At the student's option, a student may appeal the denial of readmission to the faculty or to the Appeals Panel.

N. READMISSION AFTER AUTOMATIC DISMISSAL

A student automatically dismissed under Rule VI-A(3) desiring to continue at UNH Law may apply for readmission to the CASS not earlier than one year nor later than two years following the dismissal, or may apply for readmission under the terms of VI-L.

Rule VII APPEALS FROM DECISIONS OF THE COMMITTEE ON ACADEMIC STANDING AND SUCCESS

A. DECISIONS SUBJECT TO APPEAL

The following decisions of the CASS are subject to appeal, and no others.

- (1) Rejection of a plan.
- (2) Imposition of particular conditions of probation.
- (3) Suspension, with or without conditions.
- (4) Dismissal.
- (5) Refusal to shorten the time for reapplication after dismissal or denial of readmission after the time specified in the rules or by the CASS.

B. GROUNDS FOR APPEAL AND STANDARDS OF REVIEW

The notice of appeal shall specify one or more of the following grounds for appeal, and no others.

- (1) The rejection of the student's plan by the CASS was clearly unreasonable on the evidence before it.
- (2) The conditions of probation imposed or insisted upon by the CASS are clearly unreasonable on the evidence before it.
- (3) The failure of the CASS to waive violations of conditions of probation was clearly unreasonable on the evidence before it. (repealed 1/26/06)
- (4) The conclusion of the CASS that the student:

- (a) Lacks the abilities to complete the degree program; and/or
 - (b) Has failed to satisfy terms of probation; and/or
 - (c) Has failed to present a plan or has failed to present a feasible plan to the Committee, in accord with the criteria of Rule VI-G(8); was clearly unreasonable on the evidence before it.
- (5) The failure of the CASS to shorten the time for reapplication or to readmit was clearly unreasonable on the evidence before it.
- (6) The student, without fault, was prevented from making a fair and accurate presentation, that such presentation could have materially affected the ultimate decision, and that the CASS has unreasonably declined to reconsider or take other specific remedial action requested by the student. Newly discovered evidence may be the basis for an appeal on this ground. However, newly discovered evidence must be submitted at the earliest possible time to the CASS. The CASS, upon receipt of such evidence, must issue a written decision on whether to accept the evidence, and if accepted, whether the evidence warrants further proceedings or a modification of its decision.
- (7) A specified action of the CASS was beyond its authority, contrary to these rules, illegal, or so arbitrary as to amount to an injustice, and that such action may have materially affected the challenged decision of the CASS.

C. NOTICE OF APPEAL AND MEMORANDA IN SUPPORT OR OPPOSITION

- (1) To appeal a decision of the CASS, a student must file a notice specifying with particularity the decision(s) appealed from and the grounds for the appeal.
- (2) The notice of appeal must be delivered to the Assistant Dean of Students within seven (7) calendar days of the written CASS decision and copies shall promptly be served by the appellant on the individual members of the CASS.
- (3) The student may request counseling from the Assistant Dean of Students prior to time for submission of the required memorandum in support of the appeal (see next subdivision).
- (4) Within fourteen (14) calendar days of filing a notice of appeal (unless the time is extended in the sole discretion of the Assistant Dean of Students), the student shall file with the Assistant Dean of Students a written memorandum in support of the appeal, which shall contain:
- (a) The appellant's choice of tribunal (where permitted);
 - (b) The appellant's argument in support of each specified ground of appeal; and
 - (c) Any writings the student submitted to the CASS which are not a part of the CASS file.
- The appellant shall promptly serve copies of the memorandum on the individual members of the CASS.
- (5) At any time before the Assistant Dean of Students prepares the file of the case for submission to the Appeals Panel or faculty, and in no case later than five (5) days prior to oral argument or the meeting at which the appeal is to be decided, the CASS may file in reply a memorandum in opposition to the appeal with the Assistant Dean of Students. In such case the CASS shall promptly serve copies of the memorandum on the appellant.

D. JURISDICTION OF APPEALS AND STATUS PENDING APPEAL

- (1) The Appeals Panel has exclusive jurisdiction of appeals under subdivision A(1) and (2) above and subdivision H below.
- (2) The Appeals Panel and faculty have concurrent jurisdiction of all other appeals from the CASS, and the student may choose either body.

- (3) The CASS retains jurisdiction to modify its decision until the Appeals Panel or faculty begin their hearing or deliberations and may treat the appeal documents as requests for modification.
- (4) An appeal does not stay the effect of a decision of the CASS, and students who are permitted to sit in on classes pending an appeal of suspension or dismissal do so at their own risk.

E. RECORD ON APPEAL, CONTENTS, AND PREPARATION

- (1) The written portion of the record on appeal shall consist of:
 - (a) The CASS's file on the case.
 - (b) Any other writings submitted by the student to the CASS for consideration in making the decision appealed from and not made a part of the CASS file so long as they are attached to or incorporated in the student's memorandum in support of the appeal, provided the CASS may object to inclusion of this material if it believes the information was not previously submitted to it.
 - (c) The notice of appeal and memoranda in support and opposition.
- (2) The written portion of the record on appeal will be prepared and distributed by the Assistant Dean of Students, who may arrange its components in such a way as will best aid in consideration of the issues of the particular case.
- (3) The record on appeal also includes:
 - (a) Statements made during the argument of the appeal by appellant, appellant's counsel, or members of the CASS, including their recollections about proceedings or inquiries of the CASS which are not embodied in the written record.
 - (b) Statements relevant to the stated grounds for appeal made during the argument of the appeal by faculty members about their recollections of communications with the student or CASS members.
 - (c) Any other official, written records of UNH Law (such as admissions records or decisions of a Conduct Code Council) expressly referred to during the argument of the appeal which are relevant to the stated grounds for appeal and of which the appellant panel or faculty chooses to take notice.
 - (d) Any other evidence relevant to the stated grounds for appeal which is offered by the appellant or the CASS before or during the argument of the appeal and which the Appeals Panel or faculty affirmatively decides to consider after request by the offering party.
- (4) Matter submitted under (3) above may be excluded on motion of either party or by the body hearing the appeal on its own motion, but matters such as weight, credibility or relevance should ordinarily be handled by argument rather than exclusion.

F. ORAL ARGUMENTS OF APPEALS

- (1) If the student appeals rejection of a plan, conditions of probation or automatic dismissal under Rule VI-A(3), the Appeals Panel may choose to decide the case on the written portion of the record without oral argument.
- (2) If a student or former student appeals failure to reduce the time for reapplication or denial of readmission, the Appeals Panel or faculty, as the case may be, may choose to decide the case on the written portion of the record without oral argument.
- (3) In all other cases the student is entitled to oral argument of the appeal at which the student may appear in person and/or by counsel of their choosing. Counsel need not be an attorney, but the appellant must bear any cost for counsel. The student may waive oral argument.

(4) The date for oral argument will be set by the Assistant Dean of Students in consultation with the Chair of the Appeals Panel or the Facilitator/Moderator of the faculty. An argument shall be scheduled to allow at least one (1) week for review of all pleadings and the record unless the Assistant Dean of Students determines compelling personal circumstances dictate that an expedited hearing be held.

(5) If the student does not waive oral argument, the CASS may make an oral argument through one of its members. If the CASS waives argument, it must have at least one member present to respond to questions from the appellate body.

(6) Appellant shall argue first, whether or not the CASS filed a memorandum in opposition. The length of arguments and time for questions shall be in the discretion of the appellate body but in the usual case the parties will have no more than fifteen (15) minutes each for argument.

(7) Neither party shall argue outside the evidence in the record unless it first requests and is granted permission to present new evidence. Such permission will be granted only if the evidence is material to the issue on appeal and was not available for inclusion in the record by the means provided in subdivision B(6) or E(3) of these rules through no fault of the offering party.

(8) Oral argument shall be private. Only parties, counsel, the Assistant Dean of Students, and the appellate body may be present.

G. DECISIONS OF APPEALS

(1) Deliberations of the appellate body shall be private and confidential.

(2) Members of the CASS who participated in making the decisions from which appeal is taken shall not be eligible to participate in deciding the appeal. Any person present at the oral argument but not eligible to participate in deciding the appeal must leave the room before the decision-making process.

(3) Decisions shall be reached by a majority vote of the members of the appeals body present and eligible to participate.

(4) In regard to each decision appealed from, the appellate body shall:

(a) Affirm the decision;

(b) Vacate the decision and remand the case to the CASS or a special committee with directions for further proceedings; or

(c) Modify or reverse the decision appealed from in part or in whole.

H. APPEAL FROM AUTOMATIC DISMISSAL

Appeal to the Appeals Panel from an automatic dismissal under Rule VI-A(3) may be made on one of the following two bases only. (The terms of probation which the student failed to satisfy are not the subject of this appeal; they were the proper subject of an appeal of their terms to the Appeals Panel under Rule VI J(2) and Rule VII-A(2). No individual or committee has the power to stay the effect of the automatic dismissal or the operation of Rule VI-H pending the appeal process.)

(1) First, forces beyond the student's control or foresight caused the failure to satisfy the terms of probation. Second, without those forces it is clear that the terms of probation would have been satisfied; or

(2) Failure to satisfy the terms of probation was caused by the failure of UNH Law to provide an accommodation for the student's disability which was previously approved by UNH Law.

**Rule VIII INDEPENDENT STUDY, MULTIPLE CREDIT FOR SAME WORK PRODUCT,
CREDIT FOR NONLAW, GRADUATE-LEVEL SCHOOL WORK, AND MAXIMUM
CREDIT FOR CLINICAL OFFERINGS**

A. INDEPENDENT STUDY (IS)

(1) **Purpose.** The purpose of an IS is to enable a second-or third-year student to pursue individualized or small-group research and study outside the established curriculum but under the supervision of a member of the full-time faculty. The amount of credit, the standards for earning it, and the aptness of topic shall be the same for IS as generally for course offerings in the curriculum.

(2) **Faculty Responsibility.** Responsibility for an IS lies solely with the supervising faculty member.

(3) **Initiation.** A student initiates an IS by securing the agreement of a full-time faculty member to be the responsible supervisor of it.

(4) **Content to be Consistent with UNH Law Policy.** No IS shall be approved that in purpose or effect is inconsistent with UNH Law academic policy. A student within the jurisdiction of the Academic Standing Committee must have its approval to undertake an IS.

(5) **Notice of Prior Consideration of IS Proposals.** If a substantially similar IS proposal is submitted to one faculty member after being rejected for any reason by another faculty member, the student shall disclose that fact as part of the submission.

(6) **Registration.** Registration for IS credit shall not be effective until the student proposing it has submitted to the Registrar the form, adopted for that purpose, that:

- (a) Concisely outlines the purpose and scope of the IS;
- (b) Indicates the number of credits for the IS;
- (c) Is signed by the supervising faculty member;
- (d) Contains a statement signed by the student listing any faculty members to which a substantially similar IS proposal has been or is being submitted; and
- (e) States that the student is not within the jurisdiction of the ASC or in the event the student is within the jurisdiction of the ASC, is signed by the Chair of the ASC.
- (f) The proposal is received by the Registrar no later than the last day of the “add” period in any given semester.
- (g) Any subsequent modifications to the proposal which substantially affect the basic agreement between the student and the faculty member must be reduced in writing, signed by the faculty member, and sent to the Registrar.

In the event that the form indicates variable credit, for example, 2-3 credits, signifying that the supervising faculty member will determine the appropriate amount of credit when the IS is completed, the Registrar shall use the lesser number of credits in calculating the student’s minimum enrollment for the semester or term and the greater number of credits in calculating the student’s maximum enrollment for a semester or term.

(7) **S/O/U Grade.** An IS shall be graded either S, O, or U. An O grade shall signify that the student’s work in the IS was outstanding. An O grade, like an S grade, and the credits in which it is earned, shall not be included in calculating a student’s cumulative grade average.

(8) **Satisfaction of Requirements.** The Registrar will regard a student as having earned an S or O grade in an IS, upon receipt of:

- (a) A statement signed by the supervising faculty member identifying the IS and indicating the number of credits in which an S or O grade was earned; and

(b) A copy of the student's written work product in an IS. The written work product shall be preserved in the same way and for the same length of time as the Registrar is obligated to preserve examinations and other work products submitted for academic credit.

(9) **Credit Limitation.** A student may count a maximum of four (4) credits of IS in each of the second and third years, not to exceed a total of eight (8) credits toward the total number of credits required for the J.D. degree. A student may have more than eight (8) credits of IS in direct proportion to the number of credits the student has in excess of the 85 credits required for graduation. A student within the jurisdiction of the Academic Standing Committee must have the Committee's approval in order to enroll in an IS.

B. MULTIPLE USE OF WORK PRODUCT FOR CREDIT

A student who desires to submit the same work product for credit in more than one curriculum offering must prepare a written request to the professors or supervisors involved, disclosing that the work product has been or will be utilized in another course. The work product is regarded as the same work product when the research and application is substantially the same. Each faculty member decides whether such use is acceptable in the course.

C. CREDIT FOR NONLAW, GRADUATE-LEVEL COURSE WORK

(1) A student who is eligible to continue as a degree candidate may petition the Assistant Dean of Students for permission to earn up to (8) credits of nonlaw, graduate-level course work toward the Juris Doctor Degree.

(2) An application for approval of nonlaw, graduate-level course work should be submitted to the Assistant Dean of Students at least forty-five (45) days prior to the first day of classes of those courses.

(3) In ruling on the application, the Assistant Dean of Students shall consider:

- (a) The relationship of the proposed nonlaw course work to the educational objectives of the student and of UNH Law;
- (b) The relationship of the level of performance demanded in the nonlaw work to the performance demanded for law school credit;
- (c) The relationship of effort and time demanded to the credit to be awarded;
- (d) The feasibility of the proposal in light of other demands upon the applicant; including the demands of the program at UNH Law;
- (e) The probability of successful completion of the course work in light of the applicant's performance at UNH Law.

(4) Upon the successful completion of the nonlaw courses and proper certification to UNH Law by the institution offering the courses, the course and earned credits shall be entered on the student's transcript along with the grade earned. The provisions of UNH Law's Rule on Transfer of Academic Credit affecting nonrequired courses must also be satisfied. (See Rule X.)

D. MAXIMUM CREDIT FOR CLINICAL OFFERINGS

(1) Not more than eighteen (18) credit hours of clinical work including externship credits shall be credited toward the eighty-five (85) credit hours required for the Juris Doctor degree. Only 12 of said 18 credits may be externship credits unless this cap is waived by the Assistant Dean of Students.

(2) A student may earn more than eighteen (18) credit hours for clinical work provided that the total number of credits earned exceeds eighty-five (85) hours by at least the number of credits of clinical work in excess of eighteen (18) hours.

(3) The determination of which programs and courses are clinical for purposes of this part is made by the Dean or the Dean's designee.

Rule IX LEGAL RESIDENCY PROGRAM

Rule IX is being revised. The new Rule will be available electronically and from the Legal Residency Office in early Fall 2016.

Rule X TRANSFER OF CREDIT

A. APPLICABILITY

1. THIS RULE GOVERNS:

- (a) Requests from UNH Law students to engage in course work or programs for credit toward the Juris Doctor degree under the supervision and control of an ABA-accredited law school, including summer programs; and
- (b) Requests for credit transfers into UNH Law from advanced standing transfer students from an ABA-accredited law school or a law school outside of the United States.

B. MATRICULATED STUDENTS

1. REQUEST FOR APPROVAL

- (a) **Semester Courses.** Approval of programs governed by this rule for courses taken during the fall or spring semesters shall be obtained in advance from the Assistant Dean of Students. A student seeking such approval shall have a minimum overall 2.5 GPA, submit an application in writing, including a detailed description of the proposed program and a specific statement of the basis upon which the program is sought. Students basing their request on compelling personal circumstances must be in good academic standing. Applications should be submitted as early as possible, preferably during the semester preceding the semester in which the proposed program is elected. The application and approval process must be completed before the beginning of the semester for which the visitorship is sought. A student may not seek a visitorship and a legal residency in two consecutive semesters.
- (b) **Summer and Intersession Courses.** Students may receive credit for summer or other courses at other approved law schools provided advance approval is given by the assistant Dean for Students. The requirements of subdivision D of this rule apply to transfer credits for such summer courses except that grades below C shall not be accepted for transfer, are not shown on the transcript and will not count in the student's GPA. (Revised 3/4/2010). Summer credits will transfer as letter grades unless the student notifies the Registrar within the required time period that the student plans to take the offering(s) Satisfactory/Unsatisfactory. Rule B, 2, (c) below applies to these summer courses.

2. BASIS FOR APPROVAL

Applications for permission to undertake a program for credit under this rule may be granted on any one of three (3) bases:

- (a) The presence of compelling personal circumstances which are beyond the applicant's control and which were not existent at the time the applicant enrolled at UNH Law. Separation from one's present or prospective spouse or domestic partner is not itself a compelling circumstance.

- (b) The pursuit of a feasible and specific educational program of substantial importance to the applicant's demonstrated career objectives, which program or its substantial equivalent is unavailable at UNH Law. A feasible program must be at a minimum, actually available to the applicant and manageable in terms of the applicant's background.
- (c) An opportunity to take a Summer or Intersession Course that either is not offered at UNH Law or which the student does not have a reasonable opportunity to take at UNH Law.

3. PROOF OF ACCEPTANCE

A student who receives approval of a proposed program must submit to the Assistant Dean for Students written evidence of acceptance at the law school where the program is to be completed. In addition, the rules governing the transfer of credits toward the degree, found in subdivision D of this rule, must be satisfied.

C. TRANSFER STUDENTS

1. ADVANCED STANDING FOR TRANSFER STUDENTS

A student who has been accepted by UNH Law's JD Admissions Committee as a transfer student to UNH Law from another ABA-accredited law school, a law school outside of the United States, or UNH Law's residential LL.M. degree programs may receive advance standing from the Assistant Dean for Students for courses taken at that law school. The requirements of subdivision D of this rule will be applied in making advance-standing determinations.

D. AWARDING OF CREDIT

1. MEETING DEGREE REQUIREMENTS

- (a) Where transfer credit is sought for a course required by Rule I, the course must be substantially the equivalent of the corresponding course in UNH Law's curriculum, and the hours of credit for such courses must be not less than one (1) hour less than the credit hours granted for UNH Law's corresponding course.
- (b) To obtain credit for elective or required courses, a grade of C or better must be earned, as determined under subdivision D, 4, of this rule.
- (c) Students transferring into UNH Law are required to complete four (4) semesters of residency.
- (d) No more than twenty-eight (28) credits will be accepted from an ABA-accredited law school for transfer to UNH Law.

2. COURSE OFFERING

Where transfer credit is sought for an offering, the satisfactory completion of which is not required for UNH Law's degree, the contents of the offering must be such as would be approved for inclusion in UNH Law's curriculum.

3. CREDIT RECEIVED

The allowable transfer credit shall be the credit granted by the school at which the credit is earned, irrespective of whether UNH Law allows more or less credit for a substantially similar course. However, where the credit is for a course required for UNH Law's degree,

the transfer credit shall not exceed one (1) credit hour more than the credit hours for the corresponding course at UNH Law.

4. CONVERTING CREDITS AND GRADES

In every case, including the application of subdivision D, 1 and 2 of this rule, the number of hours completed will be calculated according to UNH Law's semester hour computation. Grades not assigned on an A-F system will be converted. These calculations will be made according to the most accepted method applicable in the particular case.

Rule XI STUDENT LEAVES OF ABSENCE AND RIGHTS OF RETURN

A. A student who has completed at least one (1) semester of full-time enrollment at UNH Law and who is eligible academically to continue, may take a leave of absence for up to one year from UNH Law. Notification and permission of the leave-taking must be made in writing to the Assistant Dean of Students and must include the necessary documentation. The ability to return is conditional on this notice and permission. Departure without formal notice of leave and permission may result in failing grades with consequences under Rules IV and VI. Students who have taken a leave of absence for more than one year must reapply for admission, with advance standing, through the Admission's office.

B. A student who has not completed at least one (1) semester (fifteen (15) hours) of academic credit at UNH Law must seek admission as an entering student in order to matriculate at UNH Law, unless the following requirements are met:

- (1) That the leave of absence is necessitated by substantial burdens imposed on the student as the result of circumstances external to, and beyond the control of, the student.
- (2) That the leave of absence is approved by the Assistant Dean of Students before it begins, or where approval is not practicable because of emergency demands on the individual, as soon as practicable after it begins.

A student who meets the requirements of subdivision B(1) through (2) of this rule has the right to rematriculate as an entering student without going through the Admissions process again.

C. A student who has completed at least one (1) semester of full-time academic work and is not academically eligible to continue, must gain the approval of the Academic Standing Committee in writing in order to take a leave of absence with a right of return. Such leave may not exceed one (1) year.

Rule XII RULES OF PROCEDURE FOR APPEALS (Non-Academic Standing)

A. SCOPE OF RULES

(1) These rules govern procedures in appeals to the faculty from significant decisions of the administration or of faculty committees, which decisions involve a student's rights and obligations.

(2) These rules do not extend or limit the jurisdiction of the administrator or faculty committee issuing the decision which is the subject of the appeal.

(3) The following decisions by the Dean, Associate Dean or Assistant Dean of Students are final and not appealable to the faculty:

- (a) Appeals from an instructor's grade may be made only to the Dean of UNH Law. The procedure puts the burden on the appellant to show discrimination or unfairness. Discrimination occurs when an instructor awards a different (lower) grade to one student in comparison with others who have done substantially the same work. Unfairness takes place when an instructor awards a grade that, relative to the demonstrated grasp of the subject, is unacceptably low. Unfairness may affect the grade of more than one student.

Proving either discrimination or unfairness is a substantial burden. For the former, the student must introduce into evidence comparable work of other students that received materially higher grades. For the latter, the student must show that the instructor has exceeded professional latitude in awarding a low grade, even if the instructor has treated others the same way.

The first stage of an appeal is for the appellant to show facts and standards that, if not successfully challenged, prove that the grade should be changed. In the second stage the instructor has the right to challenge the appellant's facts or standards or combination thereof. The entire proceeding is conducted by an exchange of documents unless challenge to personal honesty requires a face-to-face meeting. Only a final course grade may be appealed. Notice of Appeal must be in writing delivered no later than the fifth week of the fall semester in the case of grades from spring or summer courses or the fifth week of the spring semester in the case of grades from fall courses. Within fourteen calendar days of filing a notice of appeal, the student shall file a written memorandum in support of the appeal.

(b) Request by a student to switch sections where different instructors are teaching sections of the same course;

(c) The number of transfer credits toward the UNH Law degree granted for course work taken at another approved law school.

(4) Procedural matters not covered by the rules, including compilation of records, any necessary discovery or scheduling will be decided in the first instance by the faculty Facilitator/Moderator or other person designated by the Dean, subject to the right of the faculty to direct or decide otherwise when the case comes before it.

B. ALTERNATIVE DISPUTE RESOLUTION

Nothing in these rules is intended to preclude mediation as a mechanism for attempting to resolve the dispute, provided both parties consent to the use of this method. Should the use of mediation fail to resolve the dispute, all rights of appeal remain available to the student.

C. APPLICATION FOR APPEAL

(1) A student desiring to appeal an administration or faculty committee decision should first consult with the Assistant Dean of Students.

(2) If the decision complained of falls within the perimeters of subdivision A(1) above, the student must send a copy of the written application for appeal to the Assistant Dean of Students and to each individual member involved in the administrative or faculty committee decision being appealed.

(3) The time limits within which the application for appeal must be filed are (a) the time limits designated by the entity who made the original decision, or (b) in the event that entity did not set a time limit for appeal, within the time limits established by the Assistant Dean of Students for this particular case.

(4) The written application for appeal must clearly state:

(a) The identity of the party seeking appeal;

(b) The individual or committee whose decision is being appealed;

(c) The specific decision from which the appeal is taken;

(d) The specific grounds on which the appeal is based;

(e) The appellant's argument for overturning the original decision.

(f) Whether appellant wishes to personally appear before the faculty and the reasons therefore.

D. CALENDAR FOR APPEAL

- (1) The Assistant Dean of Students will send a copy of the application for appeal and any written record to all faculty members.
- (2) The individual or committee who made the original decision will be given the opportunity to respond in writing to the appellate argument, although such response is not mandatory. Any written response will also be circulated to the faculty by the Assistant Dean of Students.
- (3) When the student has requested a hearing, the Assistant Dean of Students shall poll the faculty as to whether the decision should be made (a) solely on the written record by meeting or otherwise, or (b) following a faculty meeting where the appellant personally appears.
- (4) The Assistant Dean of Students will consult with the Facilitator/Moderator of the faculty to set a meeting date for hearing an appeal where the appellant personally appears. Appeals shall be scheduled to allow at least one (1) week for review of all pleadings and the record unless the person designated in A(4) determines that compelling circumstances dictate that an expedited hearing be held.

E. HEARING THE APPEAL

- (1) If the faculty chooses to hear the appeal at a meeting where the appellant personally appears, the student may appear pro se or may be represented by counsel of the student's choosing, whether or not that person is a licensed attorney. The student must bear any cost for counsel.
- (2) The individual or at least one representative from the committee making the original decision must appear and make oral argument for sustaining its decision.
- (3) The faculty will, at the outset, establish the time limits for presentations.
- (4) The faculty will also set any time limits it chooses for discussions and/or questioning of the appellant and the original decision-maker.

F. DECISIONS

- (1) The faculty's deliberations on appeals shall be private and confidential.
- (2) Any faculty member who participated in making the decision from which appeal is taken shall not be eligible to participate in deciding the appeal. Any individual present at the hearing but not eligible to participate in deciding the appeal must leave the room before the decision-making process.
- (3) Decisions on appeals shall be reached by a majority vote of the faculty present and eligible to participate.
- (4) The faculty may take the following action on appeals:
 - (a) Dismiss the appeal and remand the case with advice on future proceedings;
 - (b) Affirm the decision appealed from;
 - (c) Modify or reverse the decision appealed from in part or in whole.
- (5) The action of the faculty on the appeal is final and not subject to further review except by such rehearing as the faculty may allow.

Rule XIII -1 CONDUCT CODE

A. JURISDICTION AND SCOPE

(1) Preamble

UNH Law is devoted to education and research, functioning through a selfgoverning community of people voluntarily associated for those purposes. The members of this community are entitled and expected to exercise the rights and judgment of responsible adults. UNH Law specifically disavows any claim to act in loco parentis or to any other general authority over the social, familial or other personal affairs, interactions or activities of students, faculty or staff.

These rules of conduct are minimum standards designed to protect the functions of the community. They cannot, and are not intended to, replace the much higher standards of respect, consideration, honesty, and civility which should govern our behavior. This is not a comprehensive code of ethics. In a small, face-to-face community, public scrutiny, free speech, and free association often offer the best correctives of behavior that one considers inappropriate, offensive or wrong, and similarly good incentives for admirable conduct.

(2) Bases of Jurisdiction

The rules of this Code have one or more of the following six bases and are to be so construed.

- (a) To preserve the processes of teaching and learning, and the evaluation of those results.
- (b) To preserve and assure the nondiscriminatory application of the decision-making processes of the institution.
- (c) To preserve the peace and property of UNH Law, its members and visitors.
- (d) To carry out the professional responsibilities of UNH Law in its capacity as a legal services corporation (NH RSA 292:1-a) and those of its members who have undertaken representation of others in connection with their teaching or study.
- (e) To permit disassociation from the community of those who have committed grave wrongs.
- (f) To carry out nondiscretionary duties imposed by state or federal law.

(3) Applicability to Students, Faculty, and Staff; Varying Procedures, Routing for Complaints and Sanctions

- (a) The substantive rules of this Code and the Sexual Harassment Policy apply to students, faculty, and staff of UNH Law.
- (b) In the case of students in their capacity as students, this Code is UNH Law's exclusive basis for disciplinary sanctions (as distinct from proceedings to correct academic deficiency under, for example, Rules VI and VII of the Academic Rules). The procedure for handling complaints against students in their capacity as students is set forth in the Conduct Code Procedures (Rule XIIIB2).
- (c) Faculty and staff (including students in their capacity as employees or agents of UNH Law) are subject to additional rules, policies, and instructions, which may involve different investigative or disciplinary procedures. Reports or complaints of staff violations of the Conduct Code should be directed to the Director of Finance and Administration. Complaints of violation of the Conduct Code in the form of discrimination on the basis of sex, age, race, color, religion, ethnicity, disability, marital status, national origin, sexual orientation, or gender or gender expression, should be directed to the Assistant Dean of Students. Reports or complaints of faculty violations of the Conduct Code should be directed to the Dean of UNH Law. However, nothing in this Code shall in any way limit or penalize reports or complaints to public officials of matters within their jurisdiction.

(d) Faculty and staff (including students in their capacity as employees or agents of UNH Law) may, and ordinarily will be subject to sanctions for violations of the Conduct Code differing from those provided for students (see part K).

B. OBLIGATION TO KNOW THE RULES, MENTAL STATES

(1) Every member of the community is obliged to conform to these rules and to seek timely guidance if they fail to understand them. Ignorance or misunderstanding of one or more rules is not a defense to a charge, although it may be considered in mitigation.

(2) Unless a stricter mental state is specified as an element of a particular violation, a person may be found in violation of this Code if their failure to act in accord with it was merely negligent. Negligence in this respect means ordinary (as opposed to criminal) negligence and includes failure to act with the care and attention of a reasonable person similarly situated and informed, acting in good faith. Violations may also be charged as having been committed recklessly, knowingly or purposefully, which, in cases of doubt, shall have the same meanings as under the Model Penal Code.

C. TEACHING AND EVALUATION

(1) Plagiarism

(a) Submitting as one's own, for academic credit or evaluation, quotations, paraphrasing or distinctive ideas of another without sufficient citation to identify the source and scope of the borrowing is a violation, even if merely negligent.

(b) Knowing or purposeful publication of language taken from the work of another without attribution in the course of work connected to UNH Law activities is a violation, except where, as in the case of form books, formulae, etc., it is commonly understood in the field that use is to be made without citation.

(c) Other provisions of this Code (under F and G) may also apply to plagiarism as well as to other forms of misuse of another's work.

(2) Other Forms of Cheating

Any reckless, knowing or purposeful act in connection with any course or activity for academic credit which violates the rules for performance and evaluation of that activity is a violation. Unless otherwise indicated by the responsible instructor, all graded activity is to be solely the product of each individual student, without resort to any written or recorded materials or to any other person. It is a violation to discuss or describe an exam or quiz under circumstances where members of the class who have not yet taken it may discover its content.

(3) Negligent Disregard of Instructions

Unreasonable failure to conform to rules or instructions for any course or activity for academic credit is a violation.

(4) Misrepresentation of Grades, Evaluations, Recommendations or Other Academic Records It is a violation to recklessly, knowingly or purposefully misrepresent UNH Law grades, grade averages, credits, class rank, evaluations, recommendations, courses taken, degrees awarded or any other academic record of oneself or another.

(5) Classroom and Library Conduct

(a) It is a violation to continue, after protest or reminder by any person, in any course of conduct during a class, examination or in the library, which is reasonably likely to distract a person of ordinary sensibilities from the business of the class or the taking or administration of the exam. One subject to an allegedly improper request must nonetheless obey it and may thereafter raise the issue with the appropriate authority.

(b) It is a violation to fail to leave a class, examination room or the library when requested to do so by the instructor, the Dean, the Dean's designate or the person in charge of the library. One subject to an allegedly improper request must nonetheless obey it and may thereafter raise the issue with the appropriate authority.

(6) Speakers, Forums, and Other Meetings

(a) Subject to the authority of the moderator or chair to limit irrelevant or repetitious comment, it is a violation to continue, after protest or reminder by any person, in any course of conduct during or immediately prior to a UNH Law event, which is reasonably likely to prevent any person on the program or a duly recognized audience member from completing their speech, discussion or presentation.

(b) Subject to the authority of the moderator or chair to limit irrelevant or repetitious comment, it is a violation to engage in any course of conduct during or immediately prior to a UNH Law event with the purpose of preventing any person on the program or a duly recognized audience member from completing their speech, discussion or presentation.

D. PROTECTION OF INSTITUTIONAL PROCEDURES

(1) False Statements

It is a violation to recklessly, knowingly or purposely give any materially false information:

(a) To any person properly involved in admissions, financial aid, career counseling, academic standing evaluations and proceedings, academic counseling, Conduct Code investigations and proceedings, or sexual harassment proceedings, nondiscrimination policy investigations or to custodians of other educational records;

(b) To any member of the faculty or staff making a direct inquiry regarding the reasons for the actor's absence or lack of preparation during the current term or regarding outside employment status;

(c) Under any circumstances involving the procedures, affairs, reputation or property of UNH Law when the actor should reasonably foresee that the actor or any other person would receive an otherwise unjustified benefit or that UNH Law or any other person would suffer an otherwise unjustified detriment;

(d) Which claims or creates the appearance of having authority to speak or act on behalf of UNH Law.

(2) Concealment

It is a violation to knowingly or purposefully do any act to conceal material information from:

(a) Any person properly involved in admissions, financial aid, career counseling, academic standing evaluations and proceedings, academic counseling, Conduct Code investigations and proceedings, sexual harassment proceedings, nondiscrimination policy investigations or custodians of other education records;

(b) Any member of the faculty or staff investigating the reasons for the actor's absence or lack of preparation during the current term or regarding outside employment status; or

(c) Under any circumstances involving the procedures, affairs, or property of UNH Law when the actor should reasonably foresee that the actor or any other person would receive an otherwise unjustified benefit, or that UNH Law or any other person would suffer unjustified detriment.

(3) Refusal to Give Information

Unless (and only to the extent) such cooperation would require statements which could be reasonably understood to expose the person questioned to criminal charges, all members of the com-

munity, including an accused, have a duty to cooperate in UNH Law inquiries. Unless (and only to the extent) such cooperation would require statements which could be reasonably understood to expose the person questioned to criminal charges, it is a violation to refuse to give material information about one's self, or non-privileged material information about another, in the course of academic standing evaluations and proceedings, Conduct Code investigations and proceedings, sexual harassment proceedings or nondiscrimination policy investigations.

Any student who, after being notified that she/he is being investigated for possible Conduct Code violation, withdraws from UNH Law, shall have the following notation added to her/his transcript: At the time of withdrawal from UNH Law this student had been notified of a possible Conduct or Honor Code violation. Due to her/his withdrawal a final determination of any charges was not made.

(4) Breaches of Confidentiality

It is a violation to breach the confidentiality of any information or proceeding made confidential by written rules of UNH Law, by the applicable rules of professional responsibility, or by state or federal statutes relating to the confidentiality of education records including, but not limited to, admissions, financial aid, grades, exam numbers, academic standing evaluations and proceedings, Conduct Code investigations and proceedings, sexual harassment proceedings or nondiscrimination policy proceedings.

(5) Improper Favoritism, Discrimination, Oppression, and Extortion.

(a) It is a violation to recklessly, knowingly or purposefully offer, solicit, or make any exchange of money, sexual favors, or any other improper inducement for admission to or participation in any UNH Law program or activity, or for employment, promotion, financial aid, grades, recommendations, evaluations or similar benefits.

(b) It is a violation to recklessly, knowingly or purposefully discriminate against any person in admission to or participation in any UNH Law program or activity, or for employment, promotion, financial aid, grades, recommendations, evaluations or similarly benefits:

(i) On account of sex, age, race, color, religion, ethnicity, disability, marital status, national origin or sexual orientation;

(ii) On account of the person's refusal to offer or make any exchange of money, sexual favors, or any other improper inducement; or

(iii) In retaliation for any good-faith report of any violation of the Conduct Code, Sexual Harassment Policy, or any other allegedly improper or unlawful act.

E. PROFESSIONAL RESPONSIBILITIES

All persons directly or indirectly engaged or assisting in legal representation of others are responsible for ascertaining the scope of their obligations under state law, including court rules and applicable rules of professional responsibility, and any failure to carry out such obligations in connection with their studies or work at UNH Law is a violation of this Conduct Code.

F. PROTECTION OF PEACE AND PROPERTY

(1) Partial Incorporation of New Hampshire and United States Criminal Law

(a) Crimes Against Persons

Any offense against another person which would be at least a misdemeanor under New Hampshire or United States law is also a violation if:

(i) It is committed on property used or rented by UNH Law for nonresidential purposes; or

(ii) It is committed during the course of an activity sponsored or funded by UNH Law or while the accused is expressly acting as a representative of UNH Law.

(b) Property Crimes

Any offense involving theft, misappropriation or damage of property which would be at least a misdemeanor under New Hampshire or United States law is also a violation if:

(i) It is directed to property of UNH Law; or

(ii) It at least partially occurs on property used or rented by UNH Law for nonresidential purposes.

(2) Reading, Altering, Defacing or Removing Notices, Mail, Computer Files

(a) It is a violation of this Code to alter, remove or deface the mail, E-Mail, or computer files of another member of UNH Law, or to purposefully read such communications or files without the owner's permission. (However, removal as a part of administrative duties in the maintenance of UNH Law equipment is not prohibited.)

(b) It is a violation of this Code to remove or deface notices and communications legitimately posted on UNH Law bulletin boards by another member of UNH Law. (However, removal as part of administrative duties is not prohibited.)

(3) Creation of Hazards By UNH Law Member and Responsibility For Clients, Guests, and Dependents

(a) It is a violation for a member of the community to create a substantial physical hazard to property or persons at UNH Law.

(b) It is a violation for a member of the community to fail to take reasonable care to prevent behavior on the part of their clients, guests, children, dependents or pets on UNH Law premises or at UNH Law events which violates this Code, is disruptive of the proper functions of UNH Law, or which creates a substantial physical hazard to property or to persons at UNH Law, including the actor.

G. GRAVE WRONGS FOR WHICH THERE IS NO OTHER PROVISION

There are acts which evidence such disregard for the requirements of ordered liberty that our community reserves the right to temporarily or permanently exclude one who commits them, wherever the acts or resulting harm occur, and whatever the relationship to UNH Law or its activities. The security, peace of mind, and reputation of UNH Law and its members are sufficient justification in cases of grave wrong.

(1) Prohibition

The following acts are violations wherever they occur:

(a) Any act defined by New Hampshire statutes as a felony (and not lawful where committed) which also:

(i) Involves force or violence or sexual imposition upon the person or property of one who does not or cannot lawfully consent; or

(ii) Involves obtaining property or privilege by deceit.

(b) Any knowing or purposeful act of disloyalty in a fiduciary capacity.

(2) Construction With Other Provision, Single Offense

In any case where the facts charged and proved amount to a violation of some other provision of this Code, that provision shall operate to the exclusion of this one.

(3) Prosecutorial and Council Discretion

Notwithstanding other provisions of this Code or the Conduct Code Procedures, the Conduct Code Officer may decline to bring charges under this provision and the Code Officer or the Conduct Council itself may dismiss charges under this provision when either believes it to be in the interests of justice and the best interests of UNH Law. Such decision shall be in writing and reported to the Dean or Assistant Dean of Students. The Dean may, nonetheless, with or without the request of any alleged victim or member of UNH Law, reinstate the charges or direct that charges be prosecuted. In such case, the regular Conduct Code Procedures shall be followed, with such substitutions of personnel as may be necessary due to any recusals.

H. FEDERAL AND STATE DUTIES

It is a violation to commit any act which UNH Law is required by state or federal law to prohibit and which has been the subject of reasonably available publication or notices within UNH Law. Sexual harassment may be a violation of the Conduct Code; allegations of sexual harassment which do not come under the Conduct Code are exclusively subject to the Sexual Harassment Policy.

I. COMPLICITY

To purposefully, knowingly or recklessly solicit or aid in commission or concealment of a violation of these rules is itself a violation.

J. DEFENSES

Whenever a violation is defined with reference to some other body of rules or law, only substantive (and not procedural) affirmative defenses or mitigation permitted by that body of rules or law may be employed in proceedings under this Code.

K. PENALTIES

(1) Sanctions For Students in Their Capacity as Students

(a) Range

Penalties for violation of the Conduct Code include, but are not limited to, that:

- (i) Nothing else be done;
- (ii) A private letter of reprimand be issued;
- (iii) The accused receive an F (Fail) in any course work involved in the charges;
- (iv) The accused be suspended from UNH Law for a specified period of time;
- (v) A letter fully setting out the facts of the case be made a part of the accused's official transcript;
- (vi) The accused be expelled from UNH Law;
- (vii) Any degree granted by UNH Law be revoked;
- (viii) The accused make monetary restitution for damages caused;
- (ix) The accused perform some labor or service reasonably calculated to restore the victims of the wrongdoing or to remedy or prevent analogous wrongs to others, or otherwise related to the nature of the violation in a way reasonably calculated to induce understanding of the proper standard of conduct;
- (x) The accused make a public or private apology to any victim or to UNH Law as a community;

(xi) The accused be subjected to a combination of any of the above sanctions.

(b) Guidelines

(i) In the absence of a particularized finding of aggravating circumstances, the Conduct Council will not impose suspension or expulsion for a first offense committed through negligence.

(ii) In the absence of a particularized finding of mitigating circumstances, the Conduct Council will impose expulsion for any knowing or purposeful plagiarism, other cheating, misrepresentation, breach of fiduciary duties, or violence against persons.

(2) Sanctions for Faculty, Staff and Students in Their Capacity as Employees or Agents Subject to any other relevant provision of UNH Law policy (including those governing tenured faculty), contractual obligations, and state or federal law, sanctions for violation of this Code by employees or agents of UNH Law may include, but are not limited to, suspension or probation (with or without pay), reduction in pay, discharge, or any sanction or remedy for misconduct or breach of contract permitted by law to an employer or principal.

L. RESERVED POWERS OF THE DEAN AND UNH LAW

(1) Nothing in these or other rules shall limit the power of UNH Law, through the Dean or Dean's designee, to require the immediate departure or removal of any person from its premises if, in the sole discretion of the Dean or designee, such removal is in the best interests of UNH Law. Return of a member of UNH Law may be delayed or conditioned on any terms, pending appropriate proceedings before any court or UNH Law body or officer having jurisdiction in the circumstances. Nothing in these rules shall limit the authority or discretion of UNH Law officers and administrators over the presence or removal of persons who are not members of UNH Law.

(2) Nothing in these or other rules shall limit the power of UNH Law to withhold grades, transcripts, degrees, pay or other items on account of outstanding indebtedness or failure to perform required duties.

Rule XIII -2 RULES OF PROCEDURE FOR CONDUCT CODE VIOLATION CASES

A. DEFINITIONS

(1) A "conflict of interest" is present when a person either has a personal bias concerning the matter before the Conduct Code Officer or the Conduct Code Council or possesses privileged information without the authority to use such information. Neither mere familiarity with the accused nor the mere association of student to faculty regardless of the grades resulting from the association is enough to constitute a conflict under these rules.

(2) "Probable cause" is a state of facts that would induce a reasonable, intelligent and prudent person to believe that it is more probable than not that the accused committed the acts which gave rise to the complaint and that those acts constitute a violation of the Conduct Code.

(3) "Complaint" is a written and signed allegation of a Conduct Code violation presented to the Conduct Code Officer.

(4) "Complaining party" or "complainant" is the person(s) who signed the complaint.

(5) "Accused" is a member of the UNH Law community identified in a complaint as having allegedly violated the Conduct Code.

(6) "Formal charge" or "charge" is a document that the Conduct Code Officer shall present to the Conduct Code Council pursuant to a finding of probable cause that the Conduct Code was violated.

(7) "UNH Law community" shall mean all faculty, staff and students whose conduct is governed

by the Conduct Code. It shall not refer to individuals such as alumni/ae who are no longer active participants in the activities of the degree programs of UNH Law.

B. CONDUCT CODE OFFICER

(1) Appointment

(a) The Dean shall appoint one (1) member of the faculty to serve as the Conduct Code Officer. The term of appointment shall be for three (3) calendar years. The Conduct Code Officer may be reappointed for subsequent three (3) year terms.

(b) The Conduct Code Officer may appoint volunteer students to assist the Officer in carrying out the duties described below. The Conduct Code Officer shall insure that no student volunteer is involved in or has access to cases under investigation until a finding of probable cause has been made.

(c) The Conduct Code Officer shall decline from participation in any case in which a conflict of interest may exist. An accused party under investigation by the Conduct Code Officer who believes the Officer has a conflict of interest must file with the Officer a written request for disqualification at the time the facts supporting such request become known to the accused. The decision of the Officer to deny the disqualification request shall be immediately appealable to the Dean, whose decision shall be final.

(d) If the Conduct Code Officer is excused or disqualified in a particular case, the Dean shall, as soon as practicable, appoint another faculty member to serve in this role during that case.

(2) Functions

The Conduct Code Officer shall be responsible preliminarily for determining if probable cause exists to allow the case to proceed. Should the Officer find probable cause, the Conduct Code Officer, in conjunction with any validly delegated person, will perform all functions necessary to present the case to the Conduct Code Council and Appeals Panel.

(3) Initiation of Charges

(a) Complaints of alleged violations shall be referred, in the form prescribed in subdivision A(3), to the Conduct Code Officer, who shall promptly conduct a preliminary investigation. No anonymous complaints may be accepted by the Officer, and no investigation may be initiated on the basis of such complaint.

(b) The Conduct Code Officer should discuss the complaint with the accused at the earliest opportunity and inform the accused of the Conduct Code Officer's role in the proceeding, the availability of counseling with the Assistant Dean of Students on the Conduct Code Procedures, the right of the accused to be represented by counsel at the accused's expense, and the availability, if any, of volunteer counsel. The accused may be accompanied by counsel at the meeting contemplated by this subdivision. Counsel for the accused at this or any other stage of the proceeding can be any person designated by the accused without regard to whether that person is an attorney at law.

(c) The Conduct Code Officer shall also inform the accused of the obligation to cooperate in the enforcement of the Conduct Code unless such cooperation would require statements which could be reasonably understood to expose the accused to criminal charges. Failure to cooperate to the extent required by these rules shall constitute a violation of the Conduct Code.

(d) Following an appropriate preliminary investigation, the Officer shall determine whether probable cause exists to believe that a violation of the Conduct Code has occurred. Should

the complaining party wish not to confront the accused directly prior to filing charges and not to testify in any subsequent proceedings, the Conduct Code Officer may not consider the information provided by that complainant in determining probable cause. The Officer may, of course, use that information to locate other witnesses who do not seek anonymity. Should the Conduct Code Officer determine that the complainant filed the charges without a good-faith belief that such charges were well founded, the Conduct Code Officer shall file Conduct Code charges against the complainant.

(e) Upon determining that probable cause exists, the Officer shall inform the accused promptly. The finding of probable cause is not appealable. The Officer shall then deliver to the Conduct Code Council and the accused party, a formal charge. Charges are sufficient only if they state specific facts which are alleged to constitute a violation of the Conduct Code and specifically identify the provisions of the Conduct Code alleged to be violated.

C. ASSISTANT DEAN OF STUDENTS

(1) Role

The Assistant Dean of Students shall be available to counsel accused individuals about the Conduct Code Procedures. The role of the Assistant Dean of Students will be that of an advisor to the accused regarding the requirements of the Conduct Code process. The Assistant Dean of Students shall not act, nor purport to act, as legal counsel.

(2) Confidentiality

Any person accused as defined in subdivision A(5) shall be referred by the Conduct Code Officer to the Assistant Dean of Students at the earliest possible stage of the proceeding. All communications between the accused and the Assistant Dean of Students shall be confidential. Said communications are not discoverable or admissible in any Conduct Code proceeding except on waiver by the accused of the right of confidentiality.

(3) Panel of Volunteer Attorneys

The Assistant Dean of Students, in conjunction with the Dean, shall make reasonable efforts to locate attorneys who are willing to represent on a pro bono basis, individuals accused of Conduct Code violations. An individual who is eligible for financial aid and who is unable to afford private counsel shall be eligible for referral to any available volunteer. Additionally, students who do not meet the requirements for financial aid may be referred to any volunteer lawyer who has agreed to accept such referrals.

D. CONDUCT CODE COUNCIL

(1) Establishment

(a) A panel shall be established to hear charges and render decisions concerning violation of UNH Law's Conduct Code. The panel shall be known as the Conduct Code Council and shall be composed of five (5) members, three (3) of whom will be students, one (1) of whom will be a staff member, and one (1) of whom will be a faculty member. The faculty member shall serve as chair of the Council.

(b) The faculty member and staff member shall be appointed by the Dean. The faculty member shall be appointed for a term of three (3) years. The staff member shall be appointed for a term of two (2) years. Alternates will also be designated for similar terms.

(c) Student members will be selected by election and must be in good academic standing. The election of the three (3) student members and the three (3) student member alternates will be held prior to the end of the fall term each year. One (1) student member will be from the first-

year class and the remaining two (2) members shall be elected from the second-year class. The alternates will be the runner-up candidates from each class. The term of office will be one (1) year. A successful first-year candidate is eligible for reelection in the second year. The term of office shall begin on the first day of classes in the spring term and last until the beginning of the following spring term. Students seeking election must commit to being available during the summer months. If student elections cannot be held, despite good-faith efforts to do so, the Dean shall appoint eligible students to serve on the Conduct Code Council.

(d) The Conduct Code Officer or the accused may challenge the composition of the Conduct Code Council by asserting that one or more of its members have a conflict of interest. Motions to disqualify members of the Conduct Code Council must be filed with the Chair as soon as practicable following discovery of the information giving rise to the claim. Following denial of a motion to disqualify, the moving party must file an immediate appeal with the Appeals Panel (see subdivision E) or waive any further claim regarding the composition of the Conduct Code Council. Proceedings before the Conduct Code Council shall be stayed pending disposition of the appeal. The Appeals Panel shall promptly hear and dispose of these appeals.

(e) Should a duly appointed member of the Conduct Code Council be unavailable to sit on a particular case, the Chair shall attempt to replace that member with the alternate most closely analogous to the Council member's role in the school. However, if that individual is unavailable, the Chair may appoint any other available alternate even if such appointment changes the composition of the Council.

(2) Pleading and Evidence

(a) Neither the formal rules of pleading nor the formal rules of evidence shall apply to proceedings before the Conduct Code Council. The purpose of these rules is to fully develop the facts relating to, and to reach a just and proper determination of, matters brought to the Conduct Code Council. Therefore, all evidence which is deemed by the Chair to be relevant, competent and not privileged, shall be admissible.

(b) The accused shall file a written, truthful answer to the charges in writing within twenty (20) days of written notice of the charges filed pursuant to subdivision B(3)(e). The answer shall deny, admit, or admit in part and deny in part, the allegations set forth in the charge. In addition, the answer must set forth any special pleas in defense which the accused expects to raise at the hearing stage of the proceedings. If the accused fails to file an answer, the Conduct Code Council may construe the charges as admitted. The accused may file a written response asserting the right against self-incrimination on matters which reasonably could be understood to expose the accused to criminal charges; such response shall be deemed adequate for the purposes of this subdivision.

(c) The Conduct Code Officer shall promptly, after filing the charge, reveal to the accused any exculpatory evidence discovered during the investigation. The Officer shall also, no later than three (3) days prior to the scheduled hearing, disclose any documentary evidence planned to be used and the names of any witnesses to be called. The accused shall provide similar information to the Officer at the same time. Evidence discovered which cannot be revealed within the above period may be admitted in accordance with subdivision (3)(e) of this subdivision.

(3) Hearing

(a) The Conduct Code Officer shall have the responsibility for the presentation of the case to the Conduct Code Council. In carrying out that responsibility, the Conduct Code Officer shall have the right to present witnesses and documentary evidence pursuant to rules established by the Conduct Code Council and shall have the right to cross-examine witnesses for the accused and to challenge documentary evidence submitted by the accused.

(b) The accused shall have the right to a hearing on all charges and the right to be present during the taking of evidence at the hearing. The accused shall have the right to confront and examine witnesses by direct or cross-examination and to present witnesses and documentary evidence. The accused shall have the right to representation, pro se or by counsel of choice, but the expense of such representation shall be borne by the accused. An accused unable to afford an attorney, can apply to the Assistant Dean of Students for the name of any volunteer attorneys willing to assist in cases of this type.

(c) Hearings shall be closed for the protection of the accused; however, the hearing shall be opened to the public upon written request by the accused. The Conduct Code Council may limit access to the hearings, if necessary, to maintain an atmosphere conducive to fairness and to ensure due process.

(d) Upon motion of the accused, the complaining party or any member of the Conduct Code Council, a record of the hearing shall be taken by audio tape recording. The accused may arrange for the taking of a written transcript; the expense of any such transcription shall be borne by the accused.

(e) Nothing in this section is intended to impair the ability of the Conduct Code Officer or the accused party to submit evidence by affidavit or deposition. However, the Chair may exclude such evidence if not provided to the other party three (3) days prior to the hearing, or if admission of such evidence would violate the accused's right to a fair hearing. Notwithstanding the above, the Chair may permit introduction of newly discovered evidence not revealed three (3) days prior to the hearing if the Chair finds that the evidence was not available at the prior time, that the evidence was revealed to the opposing party as soon as practicable prior to the request to admit, and that no undue prejudice to the opposing party would be caused by such admission.

(4) Burden of Proof

(a) The burden of presentation and proof shall be upon the Conduct Code Officer and shall so remain throughout the proceeding.

(b) The standard of proof shall be by clear and convincing evidence.

(5) Decision

(a) Following deliberation, the Conduct Code Council shall make one of two findings: violation or no violation. Four (4) members of the Conduct Code Council must agree that the violation alleged has occurred for there to be a finding of violation. Should three (3) or less members of the Council vote that a violation has occurred, the finding of no violation shall be rendered.

(b) In appropriate cases, the Conduct Code Council may make a finding of no violation without the necessity of a hearing.

(c) The Conduct Code Council shall make findings of fact and rulings of law upon which the determination of violation or no violation under subdivision (a) or (b) was made. The findings of fact and rulings of law shall be reduced to writing, signed by all members of the Conduct Code Council who supported the decision and provided to the accused within a reasonable time following the close of evidence.

(d) Following a determination by the Conduct Code Council that the accused has violated the Conduct Code and before a determination of disposition is made, the accused and the Conduct Code Officer shall be entitled to present evidence and arguments regarding disposition. The Conduct Code Council shall specify a time and place for the presentation. The hearing on disposition must be held within a reasonable time of the issuance of the decision.

(e) The Conduct Code Council may impose appropriate sanctions for a violation, including

but not limited to, that: (1) nothing else be done; (2) a private letter of reprimand be issued; (3) the accused receive an F (Fail) in any course work involved in the charges; (4) the accused be suspended from UNH Law for a specified period of time; (5) a letter fully setting out the facts of the case be made a part of the accused's official transcript; (6) the accused be expelled from UNH Law; (7) any degree granted by UNH Law be revoked; (8) the accused be subjected to a combination of any of the above sanctions.

(f) A copy of the decision shall be provided to the accused at the earliest practicable time along with notice of the rights to appeal and shall specify the date by which an application for appeal must be filed pursuant to subdivision E(2)(a).

E. APPEALS PANEL

(1) Establishment

The three (3) faculty members appointed by the Dean to serve as the Appeals Panel to hear all appeals from the decision of the Conduct Code Council shall be the same Appeals Panel appointed to hear selected appeals from decisions of the Academic Standing Committee as discussed in Rule VI J(2). One (1) faculty member of the Appeals Panel should be designated as the Chair. Should a member of the Appeals Panel be unable to sit on a particular case, the Chair, exercising sole discretion, may designate the alternate. The Chair shall also rule on any motion to disqualify a member for a conflict of interest. There shall be no review of this ruling. Should the Chair be disqualified, the Dean shall promptly appoint another member of the Panel to serve as Chair for the case in question.

(2) Appeals Process

(a) An application for appeal must be filed with the Chair of the Appeals Panel within the time specified in the notice provided pursuant to subdivision D(5)(f). The application must allege with specificity the grounds for the appeal and the alleged legal error. The Appeals Panel may deny any defective application. A statement of reasons for such denial shall accompany any such order. The appellants shall be granted five (5) days following notice of the denial to refile a proper application. Should the appellant fail to refile a proper application within this time period, the appeal shall be dismissal with prejudice, subject only to reopening for good cause.

(b) The Conduct Code Officer may appeal a finding of no violation only on grounds that the Conduct Code Council improperly construed the Conduct Code. Nothing in the language of this section is intended to limit the right of the Conduct Code Officer to challenge the sanction imposed following a finding of a violation as provided in subdivision (d) of this section.

(c) The accused party shall have the right to appeal any finding that a violation occurred. The Panel may reverse a finding of violation only when the accused can either prove that the Conduct Code Council abused its discretion, committed an error of law, or lacked substantial evidence to support material findings.

(d) The sanctions imposed may be appealed by either party. The appealing party bears the burden of demonstrating that the Council abused its discretion by imposing a particular sanction or set of sanctions.

F. CONFIDENTIALITY

(1) Proceedings

All information in the possession of the complainant, the Conduct Code Officer and the Conduct Code Officer's assistants, persons who participate in the proceedings in any way, the Conduct Code Council, the Appeals Panel, or the accused shall be kept confidential. Faculty members with a compelling need to know this information, such as Legal Residency supervisors, may obtain such

information from the Conduct Code Officer upon a showing of need. However the duty of confidentiality is then imposed on that faculty member.

(2) Decisions

(a) The decisions of the Conduct Code Council and the Appeals Panel are available for use by those bodies, and the Conduct Code Officer in subsequent proceedings. An accused individual or the individual's counsel must be given access to these opinions with the name of the party deleted. Revelation by the accused of any confidential information contained in prior decisions of the Conduct Code Council to any person other than the person's counsel shall constitute a violation of the Conduct Code.

(b) The Conduct Code Council or Appeals Panel may, by a majority vote, publish a decision, finding, or violation if it is of widespread interest to the community. Such decisions must be capable of being "sanitized" so that the identity of any party to the matter is kept confidential. If this is not possible, the decision may not be published. However, in all cases some notice of the substance of the decision will be provided to the community. Notwithstanding the provisions of this paragraph, the accused may, as a matter of right, require publication of the decision the accused's case, provided that the decision is "sanitized" to protect others who are entitled to protection under these rules.

(c) Faculty members shall be provided with a copy of any decision rendered by the Conduct Code Council or the Appeals Panel and shall be bound by the rules of confidentiality with respect to such decisions until those decisions are made public.

(d) All recipients of information relating to a Conduct Code proceeding and known to be confidential have a duty of confidentiality. Any violation of this duty shall be considered a Conduct Code violation.

G. SUPPLEMENTAL RULES OF PROCEDURE

The Conduct Code Council may adopt additional rules and procedures not inconsistent with these rules, provided that such rules and procedures do not impose undue hardships or injustices on the accused. The adoption of such rules and procedures may be immediately appealed to the Appeals Panel.

Rule XIV STUDENT PARTICIPATION IN UNH LAW

UNH Law was founded on the principle that each law student deserves the respect of faculty members and administrators as a "near peer" who has personal responsibility for professional growth. As near peers, law students are expected to contribute initiative, ideas, information, and advice to the institution's decisionmaking. For their part, faculty members and administrators are expected, consistent with their respective responsibilities for academic standards and institutional stewardship of UNH Law, to consider student contributions seriously.

In addition to discussing particular ideas or proposals with faculty or staff members, students should feel free to consult generally with the Dean, Associate Deann, and the Assistant Dean of Students. Student initiative, ideas, information, and advice may lead to community wide discussions both generally and within UNH Law meetings (see Rule XV), as well as to direct educational and administrative action.

The faculty policy that affairs outside the academic and other institutional commitments of UNH Law should be left to student preferences is compatible with the policy of individual student responsibility for individual growth. Thus, the formation, conduct, and continuation of student organizations are matters for student determination consistent with general UNH Law policy. Any

student interested in starting a student organization at UNH Law should consult with the Assistant Dean of Students.

Rule XV UNH LAW MEETING

- A. UNH Law Meetings are meetings of the entire UNH Law community, including faculty, staff, students, and any guests the community has agreed may attend and/or participate.
- B. Matters of community importance may be brought before the UNH Law Meeting. The UNH Law Meeting may be called by the Dean, faculty moderator, the staff moderator or SBA president and the meeting time should be scheduled at a time convenient for the greatest number of interested participants. There is no quorum requirement.
- C. The agenda may be set by the faculty moderator, staff moderator or SBA president calling the meeting and notice given to the community at least 7 days in advance of the scheduled meeting. The agenda shall be approved by the Dean.
- D. The UNH Law Meeting may be chaired by the person calling the meeting or their designee. The designee may be a student, faculty or staff member. A member of the community shall serve as secretary, and a copy of the written minutes shall be kept in the office of the Assistant Dean for Students. There shall be no other officers of the UNH Law Meeting.
- E. The purpose of the UNH Law Meeting is to gather information on the agenda items and to make a recommendation to the Dean, if appropriate. Recommendations made to the Dean shall be reached by consensus. The paramount test for whether a consensus has been achieved is whether the members of the community affected by it, acting in good faith for the benefit of the institution, are in agreement that the recommendation under consideration should be carried out.
- F. The Dean shall accept, reject or table the recommendation for a later decision or discussion, or refer the issue to the appropriate decision making body, and shall notify the UNH Law Community of any action taken on the recommendation.

Adopted by faculty May, 15, 2008.

Rule XVI STANDARDS OF SATISFACTORY ACADEMIC PROGRESS TO MAINTAIN FINANCIAL AID ELIGIBILITY

A. QUALITATIVE MEASURE

All students are expected to maintain a cumulative grade point average of 2.00 on a 4.00 scale. The Registrar, in accordance with the academic rules and regulations of UNH Law, calculates the grade point average.

B. QUANTITATIVE MEASURE

- (1) All students are expected to successfully complete at least 70% of all credits they attempt. The percentage is calculated by dividing the total number of credits earned at UNH Law by the total number of credits attempted at UNH Law.
- (2) Credits attempted are those for which the student is enrolled as of the end of the add/drop registration period each semester.
- (3) Credits earned are those credits assigned a passing grade. Failure, withdrawal, and incomplete designations to the credits attempted are not considered credits earned. Credits that are repeated will be counted in the total credits attempted and the total credits earned.

C. MAXIMUM TIMEFRAME

The maximum timeframe for completion of the Juris Doctor (J.D.) degree; and all Joint degree programs are six semesters of full-time enrollment within a three year period. Exceptions may be found in rule ID. 3.

D. REVIEW-PROBATION-SUSPENSION-APPEAL

- (1) Satisfactory progress will be determined at least once each year using the academic record of the student for all terms entered on the student's transcript. The cumulative grade point average will be reviewed at the beginning of each semester.
- (2) Failure to meet any of the standards (1, 2 or 3, above) will result in the student being placed on financial aid probation. The maximum financial aid probationary period will be twelve months.
- (3) At the end of the financial aid probationary period, a student not meeting all standards will have their eligibility for financial aid suspended
- (4) The decision of the Financial Aid Office to suspend a student's financial aid may be appealed to the Academic Standing Committee in accord with their appeal procedures. The Academic Standing Committee may reinstate a financial aid probationary period only in compliance with applicable federal regulations.

Rule XVII UNH LAW POLICIES

UNH Law policies, including the Alcohol & Drug Abuse Prevention Policy, Building Security Policy, Education Rights & Privacy Policy, External Moot Court Competitions Policy, Nondiscrimination Policy, Exam Policy, Student Bar Association Charter, Smoking and Serving Alcohol Policy, and the Disabilities Policy are all found in this Student Handbook and published annually.

Rule XVIII UNH Law Certificates (amended by faculty 9/3/2015)

To encourage and recognize intensive or specialized study in certain fields, the UNH School of Law awards certificates to qualifying graduates who complete coursework in specified law concentrations.

1. POLICIES APPLICABLE TO ALL CERTIFICATES

The School of Law will award certificates to members of each graduating class as established in, and pursuant to the requirements of, this rule.

Each certificate program established in Part 2 of this rule shall have a Certificate Advisor who shall be a member of the faculty responsible for administering the certificate, advising students seeking the certificate, and approving waivers of the certificate's requirements.

For each certificate, the applicable Certificate Advisor shall maintain a list of qualifying courses satisfying the certificate's requirements, including a list of core courses, and may approve waivers of those requirements for good cause. The Registrar shall maintain these lists on the School of Law's website. The Certificate Advisor is also encouraged to provide sample pathways to complete a certificate or to refer students to related curricular pathways.

The Registrar shall maintain an application form for the use of students wishing to receive a certificate. The form should include space for a student to list the qualifying courses the student has completed or expects to complete and grades the student has received. The form should also include space for the Certificate Advisor to approve waivers of certificate requirements and the Director of Legal Residencies or supervising Clinical Professor to approve credit toward those requirements.

A student who expects to qualify for, and wishes to receive, a certificate must submit a completed certificate application form to the Registrar by the end of the semester before the student expects to graduate, or by any later deadline that the Registrar establishes. The list of qualifying courses that is in effect when the student submits the application form shall govern, subject to waivers approved by the Certificate Advisor. A student who intends to pursue a certificate is also encouraged to discuss these plans with his or her advisor as early as possible.

For any certificate, with the approval of the Director of Legal Residencies or supervising Clinical Professor, up to 3 credits of the coursework requirements may be satisfied by a for-credit legal residency or law-school clinic that aids in the development of skills and experiences relevant to the topic of the certificate.

All certificates require 15 credits of qualifying courses. For J.D. candidates, qualifying courses, other than legal residencies, may not be taken on an S/U basis, and all graded qualifying courses must be completed with grades of B– or better. For master’s-degree candidates, qualifying courses, other than legal residencies, may not be taken on an S/U basis, and at least half of graded qualifying courses counting toward a certificate must be completed with grades of Honors or better.

2. CERTIFICATE PROGRAMS

A. Franklin Pierce Certificate in Intellectual Property Law

UNH Law awards the Franklin Pierce Certificate in Intellectual Property through the Franklin Pierce Center for Intellectual Property. It is awarded to those granted a UNH J.D. degree and those granted a master’s degree.

Certificate Advisor. The Certificate Advisor for the Franklin Pierce Certificate in Intellectual Property Law shall be the Director of the Franklin Pierce Center for Intellectual Property or another faculty member appointed by the Dean.

Academic Requirements. A student wishing to receive the Franklin Pierce Certificate in Intellectual Property must complete 15 credits of qualifying courses relating to intellectual-property law, including core and elective courses as required by the Certificate Advisor.

B. Certificates in Sports and Entertainment Law

UNH Law awards the Certificate in Sports Law and the Certificate in Entertainment Law through the Sports and Entertainment Law Institute. These certificates are awarded only to those granted a UNH J.D. degree. A student may receive each certificate separately.

Certificate Advisor. The Certificate Advisor for the Certificates in Sports and Entertainment Law shall be the Director of the Sports and Entertainment Law Institute or another faculty member appointed by the Dean.

Academic Requirements. A student wishing to receive the Certificate in Sports Law must complete 15 credits of qualifying courses relating to sports and the law, including core and elective courses as required by the Certificate Advisor.

A student wishing to receive the Certificate in Entertainment Law must complete 15 credits of qualifying courses relating to entertainment and the law, including core and elective courses as required by the Certificate Advisor.

In addition to these academic requirements, the faculty of the Institute recommend participation in workshops and events that will be offered periodically by the Institute and a substantial writing project related to sports or entertainment law, either as part of a course or through an independent-study project, IDEA note, or Law Review note.

C. Certificate in Health Law and Policy

UNH Law awards the Certificate in Health Law and Policy through the Health Law and Policy Program. It is awarded only to those granted a UNH J.D. degree.

The Certificate in Health Law and Policy offers students the health-law essentials necessary to practice in the field of health law, and also allows students the ability to emerge with focused strengths in a health-law area of interest during the selection of optional course credits, legal residencies, capstones or other independent projects.

Certificate Advisor. The Certificate Advisor for the Certificate in Health Law and Policy shall be the UNH Director of Health Law and Policy Programs or another faculty member appointed by the Dean.

Academic Requirements. A student wishing to receive the Certificate in Health Law and Policy must complete 15 credits of qualifying courses relating to health law and policy, including core and elective courses as required by the Certificate Advisor.

D. Certificate in Fiscal Responsibility and the Law

UNH Law awards the Certificate in Fiscal Responsibility and the Law through the Warren B. Rudman Center for Justice, Leadership and Public Policy. It is awarded only to those granted a UNH J.D. degree. The program embraces an interdisciplinary approach to training future lawyers in federal budgeting, spending and policymaking through coursework and practical skills training.

Certificate Advisor. The Certificate Advisor for the Certificate in Fiscal Responsibility and the Law shall be the Director of the Warren B. Rudman Center for Justice, Leadership and Public Policy or another faculty member appointed by the Dean.

Academic Requirements. A student wishing to receive the Certificate in Fiscal Responsibility and the Law must complete 15 credits of qualifying courses relating to fiscal responsibility and the law, including core and elective courses as required by the Certificate Advisor. At least one course must consist of an approved for-credit legal residency or law-school clinic or a graduate-level course, approved by the Certificate Advisor, in management, economics, political science, or public administration.

Rule XIX UNH JD/MBA PROGRAM

I. DEGREE OFFERED WITH UNH

A.1 The University of New Hampshire School of Law (law school) and University of New Hampshire's Peter T. Paul College of Business and Economics (business school) offer a Juris Doctor and Master's of Business Administration (JD/MBA) program.

A.2 These rules apply to all students who are enrolled as JD/MBA degree candidates. In addition, except in cases where the rules conflict, all other JD academic rules apply to JD/MBA candidates. Where a conflict exists, these rules shall be applicable. The business school and/or graduate school rules are also applicable to students when they are enrolled in the MBA program.

A.3 Students are also subject to the "Dual Degree Protocols" or similar policies that are adopted by the Law School, Business School, and University of New Hampshire Graduate School (graduate school).

II. ADMISSION REQUIREMENTS

A. Prospective JD Students

A prospective law student may matriculate as a JD/MBA student provided that law school and the business school have accepted the student on the student's first day of law school.

B. Matriculated JD Students Application

Following matriculation as a JD student, a student may apply to the JD/MBA program at any time prior to the end of their second semester.

C. Admissions Requirements

C. 1 The law school's admission policy applies to all JD applicants; there are no additional law school requirements for admission to the JD/MBA program.

C. 2 Admission to the business school is governed by its admissions policies, including that:

- a. An LSAT score is required in lieu of a GMAT. In the case where the LSAT is taken more than once by an applicant, the highest score will be considered.
- b. Admission to the MBA program is conditioned on achieving of a B (3.0) average at end of first JD year.
- c. A successful interview with MBA program director is required.

III. DEGREE REQUIREMENTS FOR JD/MBA CANDIDATES

A. Number of Credits

To receive the JD/MBA degree, all candidates must successfully complete the minimum number of credits for both the JD and the MBA, complete the required coursework, meet the school's residency requirement, fulfill all financial obligations to the law school and comply with the law school's conduct code.

B. Courses Transferred

B.1 The business school will accept 9 Law credits toward the MBA. Courses eligible for transfer from the JD program to the MBA program are¹:

1. Contracts
2. Torts
3. Property

B.2 The law school will accept up to 12 MBA credits toward the JD, from among the following:

1. International Business, ADMN 840, 3 credits
2. Organizational Behavior, ADMN 912, 3 credits
3. Management Accounting, ADMN 919, 3 credits
4. Financial Management, ADMN 930, 3 credits
5. Managerial decision Making, ADMN 956, 3 credits
6. Marketing Management, ADMN 960, 3 credits
7. Economics, ADMN 970, 3 credits

Provided that the grades earned satisfy the requirements of J.D. Rule 1.B and the student is in good academic standing in both programs;

B.3 Other classes

The law school may accept other classes than those noted in B.2 provided that the student's law school faculty advisor concludes a different course will be appropriate to the student's educational objectives.

¹ This totals 10 credits, but UNH will adjust the transfer number of credits to total 9.

B.4 Registration and Transcript Required

The law school will transfer credits at the beginning of the student's first full-time semester at the law school subsequent to completing the business school courses in B.2, above, and receipt of the MBA transcript showing successful completion of the business school courses.

B.5 Consequence of Program Withdrawal

If after the law school accepts transfer credits from the business school, the student chooses not to pursue the dual degree, the number of transferred credits shall be reduced from 12 to 8.

IV. JD/MBA PROGRAM ACADEMIC INFORMATION

A. Maximum Number of JD Credits

In any semester, a student enrolled in the MBA program may enroll in a maximum of 3 credits at the law school however, the student may not enroll in a required JD course or "bar course" while also enrolled in the business school. In no case shall a JD/MBA student's combined credit load exceed seventeen credits during a semester or any portion of a semester.

B. Residency Requirement

JD/MBA candidates shall spend at least 5 semesters in residence at the law school. For the purposes of this rule, any semester in which the student is enrolled in at least twelve law credits, and successfully completes 10, will qualify for residency.

C. Other Law Program Eligibility

JD/MBA candidates are eligible to participate in law programs as follows:

C.1 *Law Review.*

JD/MBA candidates are not permitted to participate in any semester where the candidate is not resident at the law school, unless approved by the Law Review Faculty Advisor and Associate Dean.

C.2 *Moot Court Competitions and Advisory Board.*

JD/MBA candidates are not permitted to participate in any semester where the candidate is not resident at the law school, unless approved by the Moot Court Board Faculty Advisor and Associate Dean.

C.3 *Daniel Webster Scholar Program*

JD/MBA candidates must apply at the end of their second semester as instructed by the Director of the Daniel Webster Scholar Program (the Director), but the candidate must notify the Director that the candidate is pursuing a JD/MBA. The candidate should request that the DWS application be considered following completion of the MBA program.

C.4 *Independent Study*

Candidates are not permitted to participate in an Independent Study in any semester where the candidate is not resident at the law school, unless approved by his or her law school advisor.

C.5 *Joint Degree Programs*

JD/MBA candidates are ineligible for the law school's joint degree programs. However, candidates may choose to pursue an LLM degree offered by the law school following completion of their JD/MBA.

D. CONFERRING OF JURIS DOCTOR

A JD/MBA candidate will receive his or her juris doctor upon completion of the degree requirements. Students may participate in graduation ceremony with the class determined by Rule I.C.

E. JD/MBA PLANNING AND ADVISING

E.1 1L Students entering as JD/MBA Candidates. By the end of the second semester, JD/MBA candidates will meet with their faculty advisor to plan the course of study. The faculty advisor must approve the plan and then the student must submit the plan to the registrar and the MBA program by June 30.

E.2 All other dual degree candidates. Students who enroll in the JD/MBA after their first year of law school must meet with the JD/MBA advisor to determine the feasibility of completing the degree within the timeframe permitted. All JD/MBA candidates covered by this rule shall submit their curricular plan to the appropriate advisor before the start of the semester in which the student will become a dual degree candidate.

F. DUAL DEGREE PROTOCOLS OR POLICIES

In addition to these rules, additional law school, business school and graduate school requirements for tuition, financial aid, admissions, and grading are specified in the Dual Degree protocols or similar policies. These protocols are available from the Assistant Dean of Students.

Adopted by Faculty 05/15/2014

Graduate and Diploma Programs

ACADEMIC RULES & REGULATIONS

2016-2017 Academic Year



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I. ADMISSION REQUIREMENTS AND RULES APPLICABLE TO ALL GRADUATE OR DIPLOMA PROGRAMS

A. SCOPE AND APPLICABILITY OF RULES (rules revised by faculty 5/29/14; 2/4/16)

- (1) **Programs Offered.** The law school offers graduate degrees in Commerce and Technology, Intellectual Property, and International Criminal Law and Justice. These rules apply to all students who are enrolled as graduate degree or diploma candidates at the law school.
- (2) **Applicable Rules.** Unless otherwise stated herein, the Academic Rules I through XVIII of UNH Law Juris Doctor program apply to graduate and diploma students.

B. GENERAL ADMISSION REQUIREMENTS

- (1) **General Standards.** Admission will be based on clear evidence that an applicant can complete the required coursework. The Graduate Programs Admissions Office will notify applicants admitted to UNH Law Graduate Programs, in writing.
- (2) **Degree Required for Admission.** All LL.M. applicants must have completed:
 - (a) a JD;
 - (b) a LL.B., or
 - (c) a recognized “equivalent law degree,” or have credentials that demonstrate “equivalent qualification” through relevant professional experience, as outlined below in the Graduate Programs Admission Standards.
 1. **Definition.** “Equivalent qualification” means that an applicant, through training or education, can demonstrate an acceptable level of intellectual property expertise to the majority of the Graduate Program Admission Committee. “Equivalent qualification” can be demonstrated in four experiential areas: (1) Legal; (2) Professional; (3) Academic; and (4) Certification, which are further defined below. In addition, applicants must also show how the completion of the LL.M. degree will be significant to the advancement of their career or scholarly work.
 2. **Documenting Equivalent Qualification.** All applicants seeking admission with equivalent qualifications must submit proof of the following:
 - a. A completed baccalaureate degree,
 - b. Foreign general bar or patent bar membership, and
 - c. Five (5) years experience illustrated through work experience, academic experience, and or certification.
 3. Work experience includes, but is not limited to, corporate, government, or law firm experience or internships, accounting IP experience, and Fellowships.
 4. Academic experience includes additional (4) year degrees, Master’s degree, Ph.D. degree, Professional degree, diploma, fellowship, and a significant study of American law at foreign universities.
 5. Certification includes the following credentials judicial exams, certificates from NGOs, universities, relevant law seminars, CLE certification, and colloquiums.
 - (d) Applicants seeking admission based on “equivalent qualification” are reviewed holistically and on a case-by-case basis.

- (3) Proof of English Language Ability.** All international applicants shall submit current proof of English language ability that meets one of the requirements of (a) – (e) below.
- (a) UNH Law accepts the Test of English as a Foreign Language (TOEFL), the International English Language Testing System (IELTS) and the Test of English for International Communication (TOEIC)..
 - (b) UNH Law requires TOEFL scores of 213 (computer), 550 (paper), 80 (iBT) or IELTS score of 6.5 or TOEIC score of 605.
 - (c) UNH Law will not accept scores from examinations taken more than two (2) years prior to application to the program.
 - (d) Native-born residents of the United Kingdom, Australia, New Zealand, Republic of Ireland and English-speaking Canada, are exempt from this requirement.
 - (e) International applicants, who have received their undergraduate degree from a school where the language of instruction was English may have the proof of English language requirement waived with permission of the Director of Graduate Programs if:
 - 1. The applicant's transcripts clearly indicate that the language of instruction was English; or
 - 2. The applicant submits a letter from an official school administrator certifying that the instruction language of the school was English at the time the applicant attended the school.
 - (f) The Admission Committee may waive the proof of language ability requirement under compelling circumstances. If an applicant does not meet the minimum English language proficiency requirement as set forth in (a) – (e) above, the Committee may request an online or telephone interview to assess English language capability. If the applicant demonstrates sufficient spoken and listening language skills then the committee may conditionally admit the applicant with the condition that he/she must enter and successfully complete a UNH Law approved English language program prior to matriculation.
 - (g) Admitted international students may be eligible for extra time on examinations. Students who seek such accommodations must comply with UNH Law Juris Doctor Academic Rules and Regulations rule III F (9)..
- (4) Deferred Admission.** If after an applicant has been accepted to a graduate program and has made the nonrefundable deposit the student must request deferred admission due to unforeseen circumstances, the Graduate Program Office will consider a student's request to defer admission to the following semester or to the same term (spring/fall) the following year subject to the following conditions:
- (a) The request must be made in writing. If approved, the applicant will be required to submit a nonrefundable deferment deposit within thirty (30) days. The deferment deposit, along with the seat deposit, will be credited toward the applicant's tuition.
 - (b) An admitted student may only defer admission one time.
 - (c) The tuition noted on the applicant's original Letter of Admission is valid only for the term in which the applicant has been admitted. Any deferred applicant who later matriculates is charged the tuition of the academic year in which the matriculant enrolls. Likewise, any financial assistance awarded is offered for the term accepted. Deferred applicants must apply for new financial assistance prior to the semester in which the applicant will matriculate. Financial assistance requests must be received prior to April 1st for programs beginning in the fall semester and September 1st for programs beginning in the spring semester.

C. GRADUATE PROGRAM GRADING

- (1) Letter Scale.** All graduate degree candidates, except joint degree candidates, will be graded on a "High Honors", "Honors", "Pass", and "Fail" grading scale.
- (2) S/U Option.** A student may exercise the option not to receive a letter grade (HH-F scale) in one elective offering, unless the instructor has limited the evaluation to letter grades only. This option is available for a (1-3) credit course. A student may not exercise the S/U option for a course needed to fulfill a degree requirement or for a course needed

to fulfill an elective requirement. For this purpose, a course which would qualify as meeting a requirement, which the student has already satisfied is an elective. In the event of successful completion of such offering, the student shall receive a grade of Satisfactory (S). In the event that such offering is not successfully completed, the final grade shall be Unsatisfactory (U). A grade of S is not calculated in the GPA, while a grade of U is equivalent to a failing grade and impacts the GPA. No student under the jurisdiction of the Committee for Academic Standing and Success shall be allowed to opt for S/U grading without permission of the committee. (Adopted by faculty 3/5/2015)

- (3) **Rank and Curve.** Graduate degree candidates will not be given a class rank nor will their grades be factored into any curve applicable to JD students enrolled in the same course.
- (4) **Assessments.** In courses in which graduate and JD program students are enrolled, a professor may administer alternative exams or assessments for non-JD students.
- (5) **Grade Values.** For purposes of converting graduate program grades into a grade point average, the following values will be applied:
 - (a) A High Honors equals 4 points;
 - (b) A Honors equals 3 points;
 - (c) A Pass equals 2 points; each
 - (d) A Fail grade equals zero points.
- (6) **Numerical Equivalents.** A “High Honors average” will include any numerical average of grades on this scale falling at or above 3.5. An “Honors average” will include any numerical average of grades on this scale falling at or above 3.0 and below 3.5. A “Pass average” will include any numerical average of grades on this scale falling at or above 2.0 and below 3.0.
- (7) **LL.M. Degree Candidates GPA Requirements**
 - (a) Degree candidates who hold a JD degree must maintain an “Honors” average to be granted the LL.M. degree.
 - (b) Degree candidates who do not hold a JD degree must maintain a “Pass” average to be granted the LL.M. degree.
- (8) **Master’s Degree GPA Requirements.** Master’s candidates must maintain a “Pass” average or higher to be granted the Master’s degree.
- (9) **Diploma GPA Requirements.** Diploma candidates must maintain a “Pass” average or higher to be granted the Diploma.
- (10) **Advanced Standing Applicants.** Paragraphs (1) through (9) are inapplicable to graduate degree candidates who seek advanced standing admission to the J.D. program. Such candidates must notify the registrar of their intent to apply to the J.D. program no later than 6 weeks after matriculating at UNH Law. Advanced standing applicants will be graded according to J.D. Rule IV, including taking the same assessment as J.D. students except that such applicants shall not be included in the course’s B-mean calculation, if applicable. Degree candidates who do not matriculate into the J.D. program may elect to have their Rule IV grades converted into the graduate program grading scale described above. Professors will assign advanced standing applicants grades on the J.D. and graduate grading scale. Students who are not admitted to the J.D. program may elect to receive their graduate grades. (Adopted by faculty 10/1/2015)
- (11) **Joint Degree Candidates GPA Requirements**
 - (a) To graduate with the LL.M., Joint Degree candidates must complete their 24-credit program of study with an overall GPA of at least 3.0. In order to qualify for the program of study, 18 credits must be taken for a letter grade. The GPA shall be computed based upon 24 credits earned in core courses and approved electives required for the program of study. Joint Degree candidates who do not meet the 3.0 GPA requirement will be offered the option of being awarded the Master’s degree if they can meet its requirements.

- (b) All Joint Degree candidates will be graded on a letter grade scale (A, A-, B+, B, B- etc.) for all courses completed for credit. The two exceptions are when a course has a mandatory S/U grading scale or the student has elected S/U grading.

D. LEGAL RESIDENCIES

(1) Eligibility.

- (a) Residential LL.M. and Master's candidates with an "Honors" average or better at the end of their first semester may be eligible for a legal residency.
- (b) Online LL.M. and Master's candidates are not eligible for a legal residency.
- (c) Limited Residential LL.M. and Master's candidates are not eligible for a legal residency.
- (d) Joint degree candidates must refer to the JD Academic Rules and Regulations (Legal Residency Program) to determine legal residency eligibility.
- (e) Diploma candidates are not eligible for a legal residency.

(2) Legal Residency Credits.

- (a) Residential LL.M. and Master's candidates may elect a six (6) week legal residency at an approved law firm, corporate or government office, as part of their regular academic program. The legal residency is four (4) credits. Candidates electing a legal residency must accept the administrative policies set up by the Graduate Programs Office. Candidates will be awarded a Satisfactory/Unsatisfactory grade based on the supervisor evaluation and the candidate's submission of weekly journal entries.
- (b) Joint degree candidates may count four (4) credits of their JD legal residency towards their LL.M. or Master's degree.

E. INDEPENDENT STUDY

(1) Eligibility.

- (a) Residential LL.M. and Master's candidates may elect to enroll in Independent Study credits.
- (b) Online LL.M. and Master's candidates are not eligible for Independent Study credits.
- (c) Limited Residential LL.M. and Master's candidates are not eligible for Independent Study credits.
- (d) Joint degree candidates must comply with the requirements in the JD Academic Rules and Regulations (Independent Study) to determine applying Independent Study credits towards their program.
- (e) Diploma candidates are not eligible for Independent Study credits.

(2) Grading and Supervision.

- (a) Independent Study courses for Residential LL.M. and Master's candidates will be graded on the Satisfactory/Unsatisfactory (O/S/U) basis.
- (b) A candidate is responsible for coordinating with a full-time IP or CT faculty member to complete the required forms to register for an Independent Study course. The candidate must have the approval and supervision of a full-time faculty member.
- (c) The Associate Dean may approve a part-time faculty member to supervise an Independent Study course.

F. TRANSFER CREDITS

- (1) **Prohibition.** No transfer credits are accepted in any LL.M., Masters' or Diploma programs.
- (2) **Joint Degree Credit Transfer.** Joint Degree credits are governed by IV, below.
- (3) **Required Course Waiver.** Upon petition by a residential graduate degree candidate, the Associate Dean may waive a graduate course requirement if the candidate has achieved a grade with a value of 2.0 or greater in a course, offered by an ABA-approved law school, that is substantially the same as the UNH Law required course. Such a waiver does not transfer credits in but does permit the student to substitute another UNH Law course for the waived required course.

G. PROGRAM PLAN

- (1) All Residential LL.M., Master's and Diploma candidates will consult with their faculty advisor and the Director of Graduate Programs to complete a Program Plan. (Since all courses do not run every semester, once a Program Plan has been established, the candidate should be cautious in changing it.) A completed Program Plan signed by the faculty advisor and candidate must be submitted to the Director of Graduate Programs prior to registration for the first semester.
- (2) All Online LL.M and Master's candidates should consult with their faculty advisor each semester, prior to the selection of their courses.

H. TIMING OF, AND ACCESS TO, REQUIRED GRADUATE COURSES

- (1) **Course Offerings.** Courses required for, or qualifying for, any Residential LL.M., Master's or Diploma program are offered annually (except as expressly noted in the published course descriptions) as part of the JD degree course of study. UNH Law is not obliged to offer LL.M., Master's or Diploma courses in the summer or in the same semester every year (if not otherwise offered annually), or to give priority or access to any limited-enrollment course in the JD degree course of study, solely for the purpose of enabling a candidate to complete a LL.M. or Master's degree within a certain time period or within a specific enrollment sequence.
- (2) **Online Course Offerings.** Courses required or qualifying for any Online LL.M., Master's degree or diploma are offered annually.
- (3) **Limited Residential Offerings.** Courses required for, or qualifying for, any Limited Residential LL.M. or Master's degree are offered annually.

I. PROGRAM TIME LIMITS

A candidate must meet the requirements for any UNH Law LL.M. or Master's degree within five academic years of matriculation or such shorter period as provided in L below for limited residential and non-residential programs.

J. ACADEMIC STANDING

- (1) **Standard.**
 - (a) **Residential Students.** A "Fail" grade in any required course, or failure to meet the minimum GPA at the end of any semester, will place a graduate candidate within jurisdiction of the committee charged with academic standing review ("the committee").

- (b) **Online Students.** A “Fail” grade in any required course, or failure to meet the minimum GPA at the end of attempting eight credits, will place a graduate candidate within jurisdiction of the committee charged with academic standing review (“the committee”).
- (2) **Committee Review.** The committee will review the candidate’s academic record and academic statement to determine the probability of academic rehabilitation, will provide written direction on how the candidate may repair their academic standing, and will specify in writing the consequences of continued failure to meet standards.
- (3) **Option for Master’s Degree.** *Residential and Online LL.M.* candidates who are unable to meet the minimum GPA requirement will be offered the option of a Master’s degree if they meet that program’s requirement.
- (4) **Committee Plan for Remediation; Academic Dismissal.**
 - (a) The committee may permit residential LL.M. and Master’s degree candidates under its jurisdiction to continue one additional semester beyond their two semester and one summer tuition year if there is reason to believe the candidate may be able to reach minimum standards by the end of his or her third semester of studies. Thus, during the first semester immediately following the student’s tuition year, such candidates may take up to seventeen credits as part of their committee plan to meet the credit and GPA requirements of their degree program. Students electing to earn these additional credits will pay the per credit charge for all credits beyond 30 for the LL.M. degree and 36 for the Master’s degree.
 - (b) The committee may permit online LL.M. and Master’s degree candidates under its jurisdiction to continue one additional semester beyond the semester in which they attempted their eighth credit if there is reason to believe the candidate may be able to reach minimum standards by the end of his or her next eight credits of studies.
 - (c) If the residential candidate is unable to meet minimum GPA and credit requirements at the end of the additional semester permitted under (a), above, the candidate will be academically dismissed from the LL.M. or Master’s program. If the candidate holds a US JD and cannot meet the minimum 3.0 GPA requirement, but meets the 2.0 GPA requirement, the candidate will be awarded the Master’s degree.
 - (d) If the online candidate is unable to meet minimum GPA requirements at the end of the additional eight credits permitted under (b), above, the candidate will be academically dismissed from the LL.M. or Master’s program. If the candidate holds a US JD and cannot meet the minimum 3.0 GPA requirement, but meets the 2.0 GPA requirement, the candidate will be allowed to continue as the Master’s candidate.
 - (e) Any graduate candidate subject to the terms of any academic probation must satisfy such terms or be automatically dismissed from the program.

K. GRADUATION

- (1) **Recommendation and Timing.** A graduate degree or diploma candidate must file an Intent to Graduate form in the time frame and manner prescribed by the Registrar. Diplomas are conferred in May, July, and December.
- (2) **Participation in Ceremony.** Residential LL.M. and Master’s candidates who enroll in Intellectual Property Summer Institute (IPSI) credits, legal residency or other summer programs immediately following their academic program may participate in the May graduation ceremony, but the degree will not be conferred until after completion of their academic coursework. Candidates for graduate degrees who have completed more than half the required credits and residency for a degree may participate in Commencement, receiving a blank diploma. Their names will be foot or end noted in the program. As before, January matriculants for graduate degrees are ineligible to participate in Commencement at the end of their first semester.

L. RESIDENCY AND CONSECUTIVE ENROLLMENT REQUIREMENTS

- (1) **Residential LL.M.** candidates must complete two (2) semesters of full-time enrollment (defined in (9) below) at UNH Law, or an approved equivalent enrollment in a part-time UNH Law program.

- (2) **Limited Residency LL.M.** candidates must complete one (1) semester of full-time enrollment at UNH Law during the fall semester and two (2) consecutive semesters of online enrollment.
- (3) **Full-time Online LL.M.** candidates must complete three (3) consecutive enrollment terms (8 credits per term) including two (2) semesters and one (1) summer term.
- (4) **Part-time Online LL.M.** candidates must complete their degree requirements within thirty-six (36) months.
- (5) **Residential Master's** candidates must complete two (2) semesters of full-time enrollment (defined in (9) below) at UNH Law, or an approved equivalent enrollment in a part-time UNH Law program.
- (6) **Limited Residency Master's** candidates must complete one (1) semester of full-time enrollment at UNH Law during the fall semester and two (2) consecutive semesters of online enrollment.
- (7) **Full-time Online Master's** candidates must complete three (3) consecutive enrollment terms (minimum 8 credits per term) including two (2) semesters and one (1) summer term.
- (8) **Part-time Online Master's** candidates must complete the degree requirements within sixty (60) months.
- (9) **Online Diploma candidates** must complete their diploma requirements in five (5) semesters Online Diploma candidates must complete their diploma requirements in five (5) semesters.
- (10) **Joint degree candidates** must complete both degree requirements within six (6) consecutive Residential semesters of full-time enrollment (defined in (9) below). Both degrees will be conferred at the same time after the sixth semester. One degree cannot be conferred without the other degree.
- (11) **Residential Diploma candidates** must complete one (1) semester of full-time enrollment at UNH Law or an approved equivalent enrollment in a part-time UNH Law program.
- (12) For the purposes of §§ (1), (2), (5), (6) and (10) above, at least 10 credits must be completed in a semester to qualify as full-time enrollment.

M. PART-TIME ENROLLMENT

- (1) Residential LL.M. or Master's candidates may enroll on a part-time basis, or change their status from full-time to part-time. Requests for a change in status must be in writing and approved by the Associate Dean for Academic Affairs. Candidates who change their status from full to part-time will no longer be eligible for any Graduate Programs awarded scholarships.
- (2) Full-time Online LL.M. or Master's candidates may change their status from full-time to part-time. This status change may only be made one time after the completion of the first semester. Requests for a change in status must be in writing and approved by the Associate Dean for Academic Affairs.
- (3) Part-time Online LL.M. or Master's candidates may change their status from part-time to full-time. This status change can only be made one time after the completion of the first semester. Requests for a change in status must be in writing and approved by the Associate Dean for Academic Affairs.
- (4) Full-time Limited Residential LL.M. or Master's candidates may change their status from full-time to part-time. This status change can only be made one time after the completion of their residential semester. Requests for a change in status must be in writing and approved by the Associate Dean for Academic Affairs.
- (5) Online Diploma candidates may elect to change their status to that of an online LL.M. or online Master's candidate.

N. ENROLLMENT IN J.D. COURSES

Graduate students may enroll in upper level J.D. course only where required by their degree program. Reasonable numerical limits on LL.M enrollment in upper level required courses or “bar courses” may be imposed by the Associate Dean for Academic Affairs. Graduate students may not enroll in first-year J.D. required courses.

O. FINANCIAL OBLIGATIONS AND TUITION

- (1) **Satisfying Financial Obligations.** All graduate candidates must satisfy outstanding financial obligations to UNH Law. Any candidate who has not paid outstanding tuition at the end of any given semester may not register for the next semester or enroll in a legal residency. A business office hold will be placed on their record. Any candidate with a business office hold on their account will not be allowed to receive official grades or transcripts and they will not be eligible to graduate.
- (2) **Tuition and Completion of Degree.** All full time residential graduate candidates, except joint degree candidates, are expected to complete their program within one year of enrollment (one fall, one spring, and one summer semester). Any full-time residential candidate who continues their studies beyond one year of enrollment will be charged additional tuition. Courses taken after the first full year of enrollment will be charged at the current per credit rate, with no tuition waiver. The only exception to this policy are for (1) those Residential candidates who attend the summer session immediately preceding their one year program; the first and second summer, to a combined total of six (6) credits will be considered as part of their one year of enrollment for tuition purposes.
- (3) **Joint Degree Tuition**
 - (a) Juris doctor candidates who enter the joint degree program will be charged additional tuition to cover the extra credits required for the graduate degree.
 - (b) JD candidates who apply for admission to the joint degree program will be charged four semesters of joint degree tuition based on the joint degree tuition rate during the candidate’s 2L and 3L years, plus an application fee.
 - (c) Joint degree candidates may withdraw from the joint degree program no later than the first day of classes in the JD’s sixth semester but all money paid toward the joint degree up until the time of withdrawal is non-refundable.

II. DEGREE REQUIREMENTS FOR LL.M. CANDIDATES

A. GENERAL REQUIREMENTS. To be recommended for the LL.M. degree all candidates must successfully complete a minimum number of credits, complete the required coursework, meet the school residency or continuous enrollment requirements, fulfill all financial obligations to UNH Law, and comply with UNH Law’s Conduct Code. Unless otherwise stated, all rules apply to LL.M. candidates regardless of the program in which they are enrolled.

B. REQUIRED CREDITS

- (1) **Number of Credits to earn degree.** LL.M. candidates must successfully complete a minimum of twenty-four (24) credits from a selection of required and elective courses. Those LL.M. candidates admitted without a law degree must complete thirty (30) credits from a selection of required and elective curriculum.
- (2) **Maximum Number of Credits**
 - (a) Residential LL.M. candidates may not enroll in more than 17 credits per academic semester.

- (b) Online LL.M. candidates may not enroll in more than 12 credits per academic semester or 12 credits in the summer term.
- (c) Limited Residential LL.M. candidates may not enroll in more than 12 credits when they are in residence. Thereafter, their maximum credit enrollment is the same as online LL.M. candidates.

(3) Maximum Number of Credits a Candidate May Attempt

- (a) Residential LL.M. candidates who hold a law degree may attempt, as part of their tuition 30 credits.
- (b) Residential LL.M. candidates who do not hold a law degree may attempt, as part of their tuition 36 credits.
- (c) Additional credits may be taken at the current per/credit rate if the candidate desires, subject to the per semester credit limitations noted above in (a) through (c).
- (d) Online LL.M. candidates may attempt no more than 28 credits.
- (e) Limited Residential LL.M. candidates may attempt no more than 28 credits.

C. COURSEWORK. LL.M. candidates must complete a variety of required and elective courses, depending on the program in which the candidate is enrolled.

(1) Required Courses

- (a) Effective January 1, 2015 residential LL.M. candidates must complete the following required graduate skills curriculum, unless the candidate has successfully completed equivalent courses in a US J.D. program:
 1. American Legal Process and Analysis I or equivalent training
 2. American Legal Process and Analysis II
 3. Graduate Legal Research and Information Literacy
- (b) Online LL.M. candidates must complete the following required courses for the International Criminal Law and Justice degree:
 1. Capstone Research Project
 2. Comparative Criminal Justice Systems
 3. International Criminal Law Survey
 4. International Legal Research
- (c) Online LL.M. candidates must complete the following required courses for the Intellectual Property degree:
 1. Intellectual Property and International Trade
 2. Graduate Legal Research and Information Literacy
 3. Fundamentals of Intellectual Property
 4. Patent Law
 5. Patent Litigation
 6. Patent Practice and Procedure 1
 7. Patent Practice and Procedure 11
 8. Technology Licensing
- (d) Limited Residential LL.M. candidates must complete the following required courses for the Intellectual Property degree:
 1. Fundamentals of Intellectual Property
 2. American Legal Process and Analysis I or equivalent training
 3. Intellectual Property and International Trade
 4. Legal Research and Information Literacy
 5. Patent Law

6. Patent Litigation
 7. Patent Practice and Procedure 1
 8. Patent Practice and Procedure 11
 9. Technology Licensing
- (e) Part-time online LL.M. candidates must complete the following required courses for the International Criminal Law and Justice degree before enrolling in any elective offered towards the degree:
1. Comparative Criminal Justice Systems
 2. International Criminal Law Survey
 3. International Legal Research

(2) Elective Courses

- (a) Residential LL.M. Intellectual Property candidates must complete a minimum of three (3) courses and a minimum of seven (7) credits from the following elective curriculum:
1. Copyright Law
 2. Copyright Licensing
 3. Fundamentals of Intellectual Property
 4. Patent Law
 5. Patent Practice and Procedure I or Patent Practice and Procedure II
 6. Technology Licensing
 7. Trademarks and Deceptive Practices
- (b) Residential LL.M. Commerce and Technology candidates must complete a series of courses in three (3) elective component areas: Intellectual Property, Transactions/Information Age Commercial Law, International Perspective and Regulation /Tax.
- (c) Residential IP and CT LL.M. candidates must complete their program requirements by selecting additional approved electives or by selecting courses made available under (3) Other Course Selection, below.
- (d) Online LL.M. candidates must complete their electives from the following approved curriculum:
1. International Criminal Law and Justice degree
 - a. CyberCrime
 - b. Drug & Weapons Trafficking
 - c. Human Trafficking
 - d. Intellectual Property Crimes
 - e. International White-Collar Crime
 - f. Piracy & Terrorism
 - g. The International Criminal Court & The Special Tribunals
 2. Intellectual Property degree
 - a. Intellectual Property Management
 - b. Intellectual Property Valuation
 - c. International and Comparative Patent Law
 - d. Mining Patent Information in the Digital Age
- (e) Limited Residential IP LL.M. candidates must complete their electives from the following approved curriculum:
1. Intellectual Property Management
 2. Intellectual Property Valuation
 3. International and Comparative Patent Law
 4. Mining Patent Information in the Digital Age

(3) Other Course Selection

- (a) Subject to any limitations set forth in the Academic Rules specified in I.A.(2), above, residential LL.M. candidates may enroll in up to three (3) upper-level law credits for their program. Course approval is subject to the permission of the Program Chair. Absent a waiver granted by the UNH Law faculty an LL.M. candidate may not enroll in any first year JD courses.
- (b) Residential LL.M. candidates may enroll in up to six (6) Intellectual Property Summer Institute (IPSI) credits.
- (c) Residential LL.M. candidates may take up to four (4) Legal residency credits. LL.M. candidates who elect to take IPSI credits or Legal residency credits as part of their academic program will not be awarded their degree until all course work is complete. (Clinics conducted in the summer term are not considered part of the Intellectual Property Summer Institute.)

III. DEGREE REQUIREMENTS FOR MASTER'S CANDIDATES

A. GENERAL REQUIREMENTS. To be recommended for the Master's degree all candidates must successfully complete a minimum number of credits, complete the required coursework, meet the school residency or continuous enrollment requirement, fulfill all financial obligations to UNH Law, and comply with UNH Law's Conduct Code. Unless otherwise stated, all rules apply to Master's candidates regardless of the program in which they are enrolled.

B. REQUIRED CREDITS

- (1) **Number of Credits.** Master's candidates must successfully complete a minimum of thirty (30) credits from a selection of required and elective curriculum.
- (2) **Maximum Number of Credits per Semester**
 - (a) Residential Master's candidates may not enroll in more than seventeen (17) credits per academic semester.
 - (b) Online Master's candidates may not enroll in more than twelve (12) credits per academic semester or 12 credits per summer term.
 - (c) Limited Residential Master's candidates may not enroll in more than twelve (12) credits when they are in residence. Thereafter, their maximum credit enrollment is the same as online Master's candidates.
- (3) **Maximum Number of Credits per Program**
 - (a) Residential Master's candidates may attempt, as part of their tuition thirty-six (36) credits. Additional credits may be taken at the current per/credit rate if the candidate is in good academic standing and will not exceed the semester credit limits set forth in (2) above.
 - (b) Online Master's candidates may attempt 30 credits.
 - (c) Limited Residential Master's candidates may attempt 30 credits.

C. COURSEWORK. All Master's candidates must complete a variety of required and elective curriculum, depending on the program in which the candidate is enrolled.

(1) Required Courses

- (a) Residential Master's candidates must complete the following required curriculum:
 - 1. American Legal Process and Analysis I or equivalent training
 - 2. American Legal Process and Analysis II
 - 3. Graduate Legal Research and Information Literacy

(b) Online International Criminal Law and Justice Master's candidates must complete the following required curriculum:

1. Capstone Research Project
2. Comparative Criminal Justice Systems
3. CyberCrime
4. Drug & Weapons Trafficking
5. Human Trafficking
6. International Criminal Law Survey
7. International Legal Research
8. Intellectual Property Crimes
9. International White-Collar Crime
10. Piracy & Terrorism
11. The International Criminal Court & The Special Tribunals

(c) Intellectual Property degree:

1. Intellectual Property and International Trade
2. Intellectual Property Management
3. Intellectual Property Valuation
4. International and Comparative Patent Law
5. Legal Research and Information Literacy
6. Mining Patent Information in the Digital Age
7. Fundamentals of Intellectual Property
8. Patent Law
9. Patent Litigation
10. Patent Practice and Procedure I
11. Patent Practice and Procedure II
12. Technology Licensing

(d) Limited Residential Master's candidates must complete the following required curriculum:

1. American Legal Process and Analysis I or equivalent training
2. Intellectual Property and International Trade
3. Intellectual Property Management
4. Intellectual Property Valuation
5. International and Comparative Patent Law
6. Legal Research and Information Literacy
7. Mining Patent Information in the Digital Age
8. Fundamentals of Intellectual Property
9. Patent Law
10. Patent Litigation
11. Patent Practice and Procedure I
12. Patent Practice and Procedure II
13. Technology Licensing

(2) Elective Courses

(a) Residential Master's IP candidates must complete a minimum of three (3) courses and a minimum of seven (7) credits from the following elective curriculum:

1. Copyright Law
 2. Copyright Licensing
 3. Fundamentals of Intellectual Property
 4. Patent Law
 5. Patent Practice and Procedure I or Patent Practice and Procedure II
 6. Technology Licensing
 7. Trademarks and Deceptive Practices
- (b) Residential Master's CT candidates must complete a series of courses in three (3) elective component areas: Intellectual Property, Transactions/Information Age Commercial Law, International Perspective and Regulation/Tax.
- (c) Residential IP and CT Master's candidates must complete their program requirements by selecting additional electives from an approved elective curriculum list or by selecting courses made available under (3) below. (This approved list will be provided by Graduate Program Office.)

(3) Other Course Selection

- (a) Residential Master's candidates may not enroll in courses other than the approved courses, without permission of the Program Chair and the Associate Dean.
- (b) The Associate Dean may schedule courses designed for and open only to graduate students.
- (c) Residential Master's candidates may enroll in up to six (6) Intellectual Property Summer Institute (IPSI) credits
- (d) Residential Master's candidates may take up to four (4) legal residency credits. Master's candidates who elect to take IPSI credits or legal residency credits as part of their academic program will not be awarded their degree until all course work is complete. (Clinics conducted in the summer term are not considered part of the Intellectual Property Summer Institute.)

IV. DEGREE REQUIREMENTS FOR JOINT DEGREE CANDIDATES

A. GENERAL REQUIREMENTS

- (1) **Purpose.** The UNH Law Joint Degree program allows candidates to complete both a Juris Doctor and a Residential Master's of Laws (LL.M.) or an interdisciplinary Master's degree in the period they have committed to the Juris Doctor program. Juris Doctor candidates may not elect the Online LL.M. or Master's degree as a method of completing a joint degree.
- (2) **Application.** Candidates can apply for joint degree status at the beginning of the second semester of the first JD year. Applicants will not be formally enrolled in the Joint Degree program until completion of their first year of JD study. Joint degree candidates are required to submit a shortened application and pay a small processing fee. Application forms are available online and in the Graduate Programs Office. Applications for joint degree status will not be accepted after the first day of classes in the JD applicant's sixth semester.

B. REQUIRED CREDITS

- (1) **Number of Credits for the LL.M..** The LL.M. degree for joint degree candidates is a 24-credit degree. To be awarded the degree, candidates must complete 12 credits over and above the minimum JD degree credit requirement (currently 85 credits), and meet Rule II requirement.

- (2) **Number of Credits for the Master's.** The Master's degree for joint degree candidates is a 30-credit degree. To be awarded the degree, candidates must complete 15 credits above the minimum JD degree credit requirement (currently 85 credits), and meet Academic Rule II requirements.
- (3) **Maximum Number of Credits per Semester.**
Joint degree candidates may not enroll in more than seventeen (17) credits per academic semester.

C. COURSEWORK. Joint degree candidates must meet Rule II (LL.M.) or Rule III (Master's) requirements for required and elective curriculum.

D. PROGRAM PLANNING. JJD candidates should plan their Joint Degree program of study well in advance of enrolling in the program, preferably during the spring semester of the first year of JD study. Candidates must develop a program plan and seek approval of the plan from their assigned IP faculty advisor.

V. REQUIREMENTS FOR DIPLOMA CANDIDATES

A. GENERAL REQUIREMENTS. To be recommended for the Diploma all candidates must successfully complete the required coursework, meet the school residency requirement for one semester, if a residential candidate, and fulfill all financial obligations to UNH Law and comply with UNH Law's Conduct Code.

B. REQUIRED CREDITS

- (1) **Number of Credits.** Diploma candidates must successfully complete fifteen (15) credits from a selection of required and elective curriculum.
- (2) **Maximum Number of Credits.** Diploma candidates may not enroll in more than seventeen (17) credits per academic semester.

C. COURSEWORK FOR RESIDENTIAL DIPLOMA CANDIDATES. All residential Diploma candidates must complete a variety of required and elective curriculums, depending on the program in which the candidate is enrolled.

(1) Required Courses

(a) Intellectual Property Diploma candidates must complete the following required curriculum:

- 1. American Legal Process and Analysis I

(b) Commerce & Technology Diploma candidates must complete the following required curriculum:

- 1. American Legal Process and Analysis I
- 2. E-Commerce and the Law

- (2) **Elective Courses.** Diploma candidates must complete their Diploma by selecting additional electives from an approved elective curriculum list or by selecting courses made available under these rules. (The approved course list will be provided by Graduate Program Office.)

- (3) **Other Course Selection.** The Intellectual Property Summer Institute (IPSI) is not included in the Diploma program.

D. COURSEWORK FOR ONLINE DIPLOMA CANDIDATES. Online diploma candidates must complete a variety of required and elective curriculum, depending on the program in which the candidate is enrolled.

(1) Required Courses

(a) Intellectual Property online Diploma candidates must complete the following required curriculum:

1. Patent Law
2. Fundamentals of Intellectual Property
3. Patent Practice and Procedure I
4. Patent Practice and Procedure II

(b) International Criminal Law & Justice Diploma Candidates must complete the following required curriculum:

1. International Criminal Law Survey
2. Comparative Criminal Justice Systems

(2) Elective Courses. Online Diploma Candidates must complete their Diploma by selecting additional electives from an approved curriculum list or by selecting courses made available under these rules. (The approved course list will be provided by the Graduate Program Office.)

(3) Other Course Selection. The Intellectual Property Summer Institute (IPSI) is not included in the Diploma program.

VI. NON-DEGREE ONLINE STUDENTS

(approved by faculty 2/4/16)

A. GENERAL REQUIREMENTS. Non-Degree online students may take online courses in the online IP and ICLJ programs, if space is available after the enrollment of program students. They will be billed at the same rate as online candidates in the IP and ICLJ programs.

B. APPLICATION. To apply to take an online course, a non-degree student must complete an application and submit a transcript that reflects completion of at least an undergraduate degree. The applicant need not submit letters of recommendation.

C. PROOF OF LANGUAGE ABILITY. A non-degree student must meet the language requirements of Rule I. B. (3) of these rules.

D. CREDIT LIMIT. A non-degree online student may take no more than 9 credits. If the non-degree online student decides at any time to enroll in the online IP or ICLJ program, that student must seek the approval of the Graduate Admissions director and the program chair.

