



**University of  
New Hampshire**

UNH LAW  
ACADEMIC RULES & CATALOG  
2018–2019

Academic Calendar

Juris Doctor Academic Rules & Regulations

Graduate and Diploma Programs Academic Rules & Regulations

Course Descriptions

Faculty Listing

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# LAW

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UNH Law is a Top 100 law school that balances rigorous academics with a steadfast focus on experiential education to prepare students for law practice anywhere in the world. We offer an unparalleled educational experience: classes that are small by design, outstanding faculty who are also seasoned lawyers, on-the-job experience in legal residencies and clinics, and a nationally recognized and award-winning bar alternative program. The school's Intellectual Property Law program has been ranked among the Top 10 in the country for 26 consecutive years.

Nearly every student gains practical, on-the-ground experience. UNH Law is home to five live-client clinics, an active summer internship program, and a far-reaching legal residency program. Nearly one-third of our students enroll in the Daniel Webster Scholar program, the nation's first practice-ready, bar exam-alternative program.

UNH Law is in the top six for law school employment outcomes in New England, and, because New Hampshire is a Uniform Bar Exam (UBE) jurisdiction, our graduates can apply for bar admission to more than 20 other UBE states around the country.

## 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.

## UNH Affirmative Action and Equity Statement

The University of New Hampshire (UNH) 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. Sexual harassment and sexual violence are types of sex discrimination. Inquiries regarding discriminatory harassment (including sexual harassment or violence) should be directed to Donna Marie Sorrentino, dms@unh.edu, Director & Title IX Coordinator, Affirmative Action and Equity, Room 305, Thompson Hall, 105 Main Street, Durham, N.H. 03824, phone (603) 862-2930 (voice), (603) 862-1527 (TTY), 7-1-1 (Relay NH), (603) 862-2936 (fax); or to the Office for Civil Rights, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, phone (617) 289-0111, fax (617) 289-0150, e-mail OCR.Boston@ed.gov.

There are various grievance procedures to provide for the resolution of complaints under this policy. See the UNH Discrimination and Discriminatory Harassment Policy (<http://www.usnh.edu/olpm/UNH/V.Pers/B.htm>) and Grievance and Complaint Procedures (<http://www.unh.edu/vpsas/handbook/grievance-and-complaint-procedures>) in *UNH Student Rights, Rules, and Responsibilities*. Further information may be obtained at the Affirmative Action and Equity Office or via e-mail [affirmaction.equity@unh.edu](mailto:affirmaction.equity@unh.edu).

# Academic Calendar

*Subject to change.*

## Fall

2018-2019	
Orientation LL.M. & Master Students	Aug 21-23
Orientation JD Students	Aug 21-23
Classes Begin	Aug 27
Labor Day -- No Class	Sept 3
Last Day to Add/ Drop Classes	Sept 5
Last Day to Elect S/U Grading	Sept 7
Last Day to Reschedule and Exam	Oct 1
Veterans Day -- No Classes	Nov 12
Class Make Up for Veterans Day (follows Monday Schedule)	Nov 13
Thanksgiving Holiday Break	Nov 21, 22, & 23
Classes End	Dec 7
Reading & Exam Period	Dec 8-21
Semester Break	Dec 22-Jan 13
Intersession Class	Jan 7-Jan 12

## Spring

2018-2019	
Classes Begin	Jan 14
Martin Luther King Jr. Holiday	Jan 21
Monday Schedule 8:30, 10:30 & 1:00	Saturday, January 19
Monday Schedule 3:00 & 5:00 or later	Saturday, January 26
Last Day to Add/ Drop Classes	Jan 23
Last Day to Elect S/U Grading	Jan 25
Winter Break	Feb 25-Mar 1
Last Day to Reschedule an Exam	March 4
Classes End	April 26

Reading & Exam  
Period April 27-May 10

Graduation May 18

## Summer

2018-2019	
WIPO Summer IP Academy	TBD
Clinic and Online Classes Begin	May 20
Clinic Classes End	July 26
Online Classes End	August 9

## Programs of Study

- Certificates (p. 4)
- Cognate (p. 4)
- Juris Doctor (p. 5)
- LL.M. Degrees (p. 6)
- Master's Degrees (p. 7)
- Minors (p. 7)

## Certificates

UNH Law's certificate programs are designed for lawyers, students, business executives, patent or trademark practitioners, technology managers or professionals who want to gain substantial knowledge and practical skills through academic coursework.

Curriculum in the certificate program is the same as our one-year graduate programs, but students only complete 15 credits of study in one semester. (Diploma credits earned may qualify for LL.M. or Master degree.) The certificate program is available in residential format only, and there is no part-time option available.

<https://law.unh.edu/admissions/graduate-admissions/diploma-certificate>

### Programs

- Commerce and Technology Certificate (p. 4)
- Intellectual Property Certificate (p. 4)

## Commerce and Technology Certificate

### Description

Supported by UNH Law's strong IP foundation, the Commerce and Technology program is built at the intersection of business and law to tackle evolving legal issues facing new business and e-commerce in the global information age economy.

Expert faculty tailor courses to current events and developments, and the program offers flexibility to match the career objectives of each individual student. Course work addresses rapidly-developing areas of the law, such as cybercrime and consumers' private information.

### Requirements

Requirements for candidates. (p. 45)

## Intellectual Property Certificate

### Description

With more than 40 years of experience as an IP leader, UNH Law and the Franklin Pierce Center for Intellectual Property boast a talented faculty, a global network of influential IP practitioners, and a rich array of IP resources and programs. Take advantage of one of the most

comprehensive IP curricula in the country and immerse yourself in a broad range of cutting-edge IP issues.

### Requirements

Requirements for candidates. (p. 45)

## Cognate

- Law Cognate (p. 4)

## Law Cognate

### Description

UNH Law now offers undergraduate UNH students the opportunity to earn a Cognate in Law. The Cognate in Law offers undergraduate students the opportunity to take courses that are on the Durham campus and are taught by full-time UNH Law professors. These courses impart valuable information about core legal principles and keys to the practice of law, and will also instruct on the unique – and valuable – ability to analyze legal questions. This method of education will prove intellectually enriching and also furnish valuable skills for life-long learning to succeed in an economy increasingly addressing legal questions.

While the Cognate will be of particular interest to students who are contemplating the pursuit of a law degree following their undergraduate studies, it is advantageous to other students, as well. As the 21st-century economy has become increasingly specialized and more service-oriented, numerous professions now require a core understanding of law, including: Contract managers, compliance officers, business owners, journalists, technology specialists, sports agents, lobbyists, police officers – the list of professions where law plays a critical role can go on (as illustrated in the additional listing below). Persons in those professions are more likely to succeed if they are familiar with the law. For these reasons, employers consistently reveal a need to hire skilled persons who possess familiarity with relevant legal concepts.

The following is a list of professions in which a Cognate in Law would prove advantageous:

- Banking Compliance Officer
- Broadcaster
- Business Owner
- Case Manager
- City Planner
- Civil Rights Advocate/Campaigner
- College Athletics (NCAA) Compliance Officer
- Conflict Resolution Specialist
- Congressional Staffer
- Consumer Safety Officer
- Contracts Specialist
- Entertainment Agent
- Entrepreneur
- Environmental Protection Specialist
- Financial Adviser
- Foreign Affairs Officer

- Health/Medical Administrator
- Human Resources Professional
- Human Rights Officer
- Humanitarian Affairs Officer
- Immigration/Asylum Officer
- Indian Self Determination Specialist
- Intellectual Property Research Specialist
- Intelligence Officer/Analyst
- Investigator
- IRS, FBI, ICE, or DEA Agent
- Journalist
- Legal Correspondent
- Legal Technician/Document Preparer
- Legal Technology Consultant
- Lobbyist
- Nonprofit Executive
- Paralegal
- Patent Examiner
- Policy Analyst
- Police Officer
- Politician/Legislator
- Public Interest Advocate
- Public Affairs/Media Specialist
- Social Worker
- Sports Agent
- Trade Policy Analyst
- Victim Advocate/Coordinator
- Water Manager

LAW 420	Pop Culture and the Law	4
LAW 475	Getting Ready to Succeed in Law School	2

## Juris Doctor

Our juris doctor program is rooted in practice-oriented instruction, featuring courses taught by renowned faculty – many of whom have extensive practice experience – as well as five live-client clinics and a far-reaching legal residency (externship) program that provide substantive real-world, hands-on experience. Qualified students can also take part in the Daniel Webster Scholar program, the only program in the country allowing students to graduate client-ready without the need to take the traditional two-day bar exam.

JD students can choose from a robust selection of courses and opt for a curricular track focused on:

- Business Law
- Criminal Law
- Intellectual Property: Patent Law
- Intellectual Property: Trademarks and Copyright
- Sports and Entertainment Law
- Litigation
- Public Interest and Social Justice

Offerings also include dual degrees in partnership with UNH, including JD/MBA, JD/MSW, and JD/MPP, as well as several joint degrees, including JD/LLM in Intellectual Property, and JD/LLM in Commerce and Technology.

In addition, our curriculum allows JD, joint degree, or master degree candidates to specialize further by earning a certificate in a specific area of study:

- JD or dual degree candidates with an interest in sports and entertainment can pursue a certificate in sports law, entertainment law or sports and entertainment law from the Sports and Entertainment Law Institute.
- JD, joint degree, and master degree graduates specializing in intellectual property may opt for a Franklin Pierce Intellectual Property Law certificate.
- Students interested in shaping innovative health care policies and research may earn a certificate of health law and policy.
- A limited number of outstanding JD, joint degree, and master degree graduates in the field of IP study who are named Franklin Pierce Intellectual Property Scholars are awarded certificates.

<https://law.unh.edu/academics/degrees/juris-doctor-degree>

## Programs

- Juris Doctor (J.D.) (p. 5)

## Juris Doctor (J.D.)

### Description

Our juris doctor program is rooted in practice-oriented instruction, featuring courses taught by renowned faculty – many of whom have extensive practice experience – as well as five live-client clinics and a far-

## Requirements

### The requirements for the Cognate in Law:

- Students must complete 12 or more semester hours of cognate-eligible courses with a grade of C or better and a 2.0 grade point average in order to obtain a Cognate in Law.
- Courses may be taken in any order but students are responsible for checking any prerequisites.
- Courses taken on a Pass/Fail basis may not be used toward the Cognate in Law.
- No transfer courses may be used toward the Cognate in Law.

### Cognate-eligible courses:

Code	Title	Credits
LAW 405	The American Legal System	4
LAW 410	Blockchain and the Law	4
TECH 780/880	Intellectual Property Law for Engineers & Scientists	3
INCO 460	Deflategate	4
LAW 425	Entrepreneurs and the Law: from Startups to the Fortune 500	4
LAW 415	What is Intellectual Property?	4
INCO 440A	Asking for It: The History and Law of Sexual Violence in the United States	4

reaching legal residency (externship) program that provide substantive real-world, hands-on experience. Qualified students can also take part in the Daniel Webster Scholar program, the only program in the country allowing students to graduate client-ready without the need to take the traditional two-day bar exam.

JD students can choose from a robust selection of courses and opt for a curricular track focused on:

- Business Law
- Criminal Law
- Intellectual Property: Patent Law
- Intellectual Property: Trademarks and Copyright
- Sports and Entertainment Law
- Litigation
- Public Interest and Social Justice

Offerings also include dual degrees in partnership with UNH, including JD/MBA, JD/MSW, and JD/MPP, as well as several joint degrees, including JD/LLM in Intellectual Property, and JD/LLM in Commerce and Technology.

In addition, our curriculum allows JD, joint degree, or master degree candidates to specialize further by earning a certificate in a specific area of study:

- JD or dual degree candidates with an interest in sports and entertainment can pursue a certificate in sports law, entertainment law or sports and entertainment law from the Sports and Entertainment Law Institute.
- JD, joint degree, and master degree graduates specializing in intellectual property may opt for a Franklin Pierce Intellectual Property Law certificate.
- Students interested in shaping innovative health care policies and research may earn a certificate of health law and policy.
- A limited number of outstanding JD, joint degree, and master degree graduates in the field of IP study who are named Franklin Pierce Intellectual Property Scholars are awarded certificates.

## Requirements

Requirements for the Juris Doctor Degree (p. 9)

## LL.M. Degrees

Our LL.M. program allows lawyers and non-lawyers to pursue a post-graduate degree in three specialized areas of the law - Intellectual Property, Commerce & Technology, and International Criminal Law & Justice. The master of laws (LL.M.) is a professional degree designed for students from the United States or abroad who have a law degree and now want to specialize in a particular aspect of the law.

Applicants to the LL.M. program must hold a bachelor's degree from an accredited college or university and a J.D. degree from a law school prior to matriculation into the program. International applicants must hold a baccalaureate law degree from a foreign law faculty prior to matriculation.

## Programs

- Commerce and Technology Law (LL.M.) (p. 6)
- Intellectual Property (LL.M.) (p. 6)
- International Criminal Law and Justice (LL.M.) (p. 6)

## Commerce and Technology Law (LL.M.)

### Description

Supported by UNH Law's strong IP foundation, the Commerce and Technology program is built at the intersection of business and law to tackle evolving legal issues facing new business and e-commerce in the global information age economy.

Expert faculty tailor courses to current events and developments, and the program offers flexibility to match the career objectives of each individual student. Course work addresses rapidly-developing areas of the law, such as cybercrime and consumers' private information.

The program is available in residential format only. Credit requirements: 24 credits, or 30 credits for candidates without a law degree. Program is available full-time only, and must be completed within 12 months.

### Requirements

Degree Requirements for LL.M. Candidates (p. 42)

## Intellectual Property (LL.M.)

### Description

With more than 40 years of experience as an IP leader, UNH Law and the Franklin Pierce Center for Intellectual Property boast a talented faculty, a global network of influential IP practitioners, and a rich array of IP resources and programs. Take advantage of one of the most comprehensive IP curricula in the country and immerse yourself in a broad range of cutting-edge IP issues.

Our LLM in IP is available in residential, limited residential, and online formats (online and limited residential focus on patent law.)

### Requirements

Degree Requirements for LL.M. Candidates (p. 42)

## International Criminal Law and Justice (LL.M.)

### Description

UNH Law's LLM degree in International Criminal Law and Justice is available 100 percent online and addresses fast-paced developments in



the globalization of commerce, terrorism, human rights, and criminal law, especially over the past 30 years.

The program is ideal for practicing lawyers, professionals, students, and scholars in diplomatic, criminal justice, military, and law enforcement communities around the world. Students gain insight from the program's multi-national approach and master transnational law courses focused on domestic crimes with international implications, and also study the implications of nations expanding the reach of their domestic criminal statutes, the creation of the International Criminal Court and Special Tribunals and United Nations conventions, with bi- and multi-lateral treaties.

Our program offers a diverse selection of courses focusing on critical current issues around the globe, including Drugs & Weapons Trafficking, International White Collar Crime, CyberCrime, Human Trafficking, and Piracy & Terrorism.

## Requirements

Degree Requirements for LL.M. Candidates (p. 42)

## Master's Degrees

UNH Law's master's degree program allows students to earn global credentials that can help pave the way to becoming a respected specialist in a chosen field of law. Master's degrees are available in three specialized areas of the law: Intellectual Property, Commerce & Technology, and International Criminal Law & Justice.

Applicants to the master's program must hold a baccalaureate degree prior to matriculation into the master's program.

<https://law.unh.edu/academics/degrees/masters-degrees>

## Programs

- Commerce and Technology Law (M.C.T.L.) (p. 7)
- Intellectual Property (M.I.P.) (p. 7)
- International Criminal Law and Justice (M.I.C.L.J.) (p. 7)

## Commerce and Technology Law (M.C.T.L.)

### Description

Supported by UNH Law's strong IP foundation, the Commerce and Technology program is built at the intersection of business and law to tackle evolving legal issues facing new business and e-commerce in the global information age economy.

Expert faculty tailor courses to current events and developments, and the program offers flexibility to match the career objectives of each individual student. Course work addresses rapidly-developing areas of the law, such as cybercrime and consumers' private information.

The program is available in residential format only.

## Requirements

Degree Requirements for Master's Candidates (p. 44)

## Intellectual Property (M.I.P.)

### Description

With more than 40 years of experience as an IP leader, UNH Law and the Franklin Pierce Center for Intellectual Property boast a talented faculty, a global network of influential IP practitioners, and a rich array of IP resources and programs. Take advantage of one of the most comprehensive IP curricula in the country and immerse yourself in a broad range of cutting-edge IP issues.

The master's in IP is available in residential, limited residential, and online formats (online and limited residential focus on patent law.)

## Requirements

Degree Requirements for Master's Candidates (p. 44)

## International Criminal Law and Justice (M.I.C.L.J.)

### Description

UNH Law's master's degree in International Criminal Law and Justice is available 100 percent online and addresses fast-paced developments in the globalization of commerce, terrorism, human rights, and criminal law, especially over the past 30 years.

The program is ideal for practicing lawyers, professionals, students, and scholars in diplomatic, criminal justice, military, and law enforcement communities around the world. Students gain insight from the program's multi-national approach and master transnational law courses focused on domestic crimes with international implications, and also study the implications of nations expanding the reach of their domestic criminal statutes, the creation of the International Criminal Court and Special Tribunals and United Nations conventions, with bi- and multi-lateral treaties.

Our program offers a diverse selection of courses focusing on critical current issues around the globe, including Drugs & Weapons Trafficking, International White Collar Crime, CyberCrime, Human Trafficking, and Piracy & Terrorism.

The master's in International Criminal Law and Justice is available in full- and part-time options, with entry points in fall and spring.

## Requirements

Degree Requirements for Master's Candidates (p. 44)

## Minors

- Law Minor (p. 8)



# Law Minor

## Description

UNH Law now offers undergraduate UNH students the opportunity to earn a Minor in Law. The Minor in Law offers undergraduate students the opportunity to take courses that are on the Durham campus and are taught by full-time UNH Law professors. These courses impart valuable information about core legal principles and keys to the practice of law, and will also instruct on the unique – and valuable – ability to analyze legal questions. This method of education will prove intellectually enriching and also furnish valuable skills for life-long learning to succeed in an economy increasingly addressing legal questions.

While the Minor will be of particular interest to students who are contemplating the pursuit of a law degree following their undergraduate studies, it is advantageous to other students, as well. As the 21st-century economy has become increasingly specialized and more service-oriented, numerous professions now require a core understanding of law, including: Contract managers, compliance officers, business owners, journalists, technology specialists, sports agents, lobbyists, police officers – the list of professions where law plays a critical role can go on (as illustrated in the additional listing below). Persons in those professions are more likely to succeed if they are familiar with the law. For these reasons, employers consistently reveal a need to hire skilled persons who possess familiarity with relevant legal concepts.

The following is a list of professions in which a Minor in Law would prove advantageous:

- Banking Compliance Officer
- Broadcaster
- Business Owner
- Case Manager
- City Planner
- Civil Rights Advocate/Campaigner
- College Athletics (NCAA) Compliance Officer
- Conflict Resolution Specialist
- Congressional Staffer
- Consumer Safety Officer
- Contracts Specialist
- Entertainment Agent
- Entrepreneur
- Environmental Protection Specialist
- Financial Adviser
- Foreign Affairs Officer
- Health/Medical Administrator
- Human Resources Professional
- Human Rights Officer
- Humanitarian Affairs Officer
- Immigration/Asylum Officer
- Indian Self Determination Specialist
- Intellectual Property Research Specialist
- Intelligence Officer/Analyst
- Investigator
- IRS, FBI, ICE, or DEA Agent

- Journalist
- Legal Correspondent
- Legal Technician/Document Preparer
- Legal Technology Consultant
- Lobbyist
- Nonprofit Executive
- Paralegal
- Patent Examiner
- Policy Analyst
- Police Officer
- Politician/Legislator
- Public Interest Advocate
- Public Affairs/Media Specialist
- Social Worker
- Sports Agent
- Trade Policy Analyst
- Victim Advocate/Coordinator
- Water Manager

## Requirements

### The requirements for the Minor in Law:

- Students must complete 20 or more semester hours of minor-eligible courses with a grade of C or better and a 2.0 grade point average in order to obtain a Minor in Law.
- Courses may be taken in any order but students are responsible for checking any course prerequisites.
- Courses taken on a Pass/Fail basis may not be used toward the Minor in Law.
- No transfer courses may be used toward the Minor in Law.

Code	Title	Credits
LAW 405	The American Legal System	4
LAW 410	Blockchain and the Law	4
TECH 780/880	Intellectual Property Law for Engineers & Scientists	3
INCO 460	Deflategate	4
LAW 425	Entrepreneurs and the Law: from Startups to the Fortune 500	4
LAW 415	What is Intellectual Property?	4
INCO 440A	Asking for It: The History and Law of Sexual Violence in the United States	4
LAW 420	Pop Culture and the Law	4
LAW 475	Getting Ready to Succeed in Law School	2

# Juris Doctor Academic Rules & Regulations

UNH Law offers a Juris Doctor degree in which students may select from several curricular focal points, including Business Law, Criminal Law, Intellectual Property, Litigation, Public Interest and Social Justice, and Sports and Entertainment Law. Intellectual Property Law includes patent law, copyrights and trademarks. UNH Law also offers dual degrees in partnership with UNH, including JD/MBA, JD/MSW, and JD/MPP, as well as several joint degrees, including JD/LLM in Intellectual Property, and JD/LLM in Commerce and Technology.

In addition, certificates are available in Entertainment Law, Fiscal Responsibility and the Law, Health Law and Policy, Intellectual Property, Sports and Entertainment Law, and Sports Law.

The University of New Hampshire School of Law, formerly Franklin Pierce Law Center, has been fully accredited by the American Bar Association since 1974. In addition, UNH Law is accredited by the New England Association of Schools and Colleges.

<http://law.unh.edu/academics/degrees/juris-doctor-degree>

## 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:

1. **Undergraduate Degree** - Receive an undergraduate degree from an accredited college or university; and
2. **Grade Point Average** - Achieve a grade point average equivalent to a C (2.00) or higher in all enrollment for credit toward the Juris Doctor degree; and
3. **Offset of Credits Below C Minus** - 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
4. **Minimum Credits** - Earn a minimum of eighty-five (85) credits not more than
  - a. Nine (9) of which are earned at grades below C minus,
  - b. Eighteen (18) of which are earned in clinical work,
  - c. The number of credits for distance learning permitted by the American Bar Association (ABA). Caution: Some states set their own maximum and students should check for states where they are likely to take the bar exam. (Revised by faculty 10/5/2017.)
  - d. Eight (8) credits may be earned in Independent Study,
  - e. Fifteen (15) 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:
    - 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.

5. **Curriculum** - Complete the required curriculum (adopted by faculty 5/1/2014) (revised by faculty 5/4/2017)

Code	Title	Credits
<b>First Year Required Courses</b>		
LGP 969	Article II Sales	2
LGP 909	Civil Procedure	4
LGP 916	Constitutional Law	4
LGP 920	Contracts	3
LGP 900	The Legal Profession	1
LSK 919	Legal Analysis and Writing 1 (Fall)	2
LSK 920	Legal Analysis and Writing 2 (Spring)	3
LSK 900	Legal Research and Information Literacy	2
LGP 952	Property	4
LGP 960	Torts	3
<b>Perspectives Course:</b>		
LPI 912	Fundamentals of Law Practice	3
or LIP 944	Fundamentals of Intellectual Property	
<b>Upper Level Required Courses</b>		
LGP 903	Administrative Process	3
LCR 906	Criminal Procedure I: The Law of Criminal Investigation	3
LGP 951	Professional Responsibility	3
<b>Upper Level Writing Requirement</b>		
Select 2 or 3 credits		2-3
<b>Upper Level Experiential Learning Requirement (6 credits) (required for all students in the classes graduating in 2019 or later as defined by Rule I.C.)</b>		
Total Credits		48-49

#### a. Upper Level Writing and Experiential Learning requirements – separate courses

Students must complete separate courses to fulfill the Upper-Level Writing and Experiential Learning requirements. A course may be designated as meeting each of the Upper-Level Writing and Experiential Learning requirements, but a student cannot fulfill both requirements by taking a single course.

#### b. Upper Level Writing and Experiential Learning requirements – credits

- i. Students must complete a minimum of 2 credits for the Upper-Level Writing requirement.
- ii. Students in the class of 2019 and thereafter must complete a minimum of 6 credits of Experiential Learning.

#### c. Upper Level Writing and Experiential Learning requirements - timing. Students may complete courses fulfilling the Upper Level Writing and Experiential Learning requirements after they have earned at least 26 credits. Students are encouraged to

start fulfilling the Upper Level Writing and Experiential Learning 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.

6. Advanced standing students (adopted by faculty 10/1/2015)

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:

Code	Title	Credits
LBS 907	Business Associations I	3
LCR 905	Criminal Law	3
LGP 924	Evidence	3
LBS 942	Wills Trusts and Estates	3
Total Credits		12

Students who transfer into the JD program from UNH Law's residential LL.M. program will not be required to take LGP 920 Contracts, LSK 919 Legal Analysis and Writing I, LSK 900 Legal Research and Information Literacy if in LIP 894 American Legal Process and Analysis I, LIP 895 American Legal Process and Analysis II, LIP 855 Graduate Programs Contracts if:

- a. They have achieved a grade of HH; and
- b. 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.

7. **Residency** - 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
9. **Academic Probation** - 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
10. **Financial Responsibility** - Satisfy outstanding financial obligations to UNH Law; and

11. **Conduct Code Violation** - Not be subject to a complaint of an alleged violation *of the Conduct Code that if determined against the student could result in the suspension or dismissal of the student.*

12. **Preliminary Bar (adopted by faculty 5/1/2014) (revised by faculty 5/4/2017)** - 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 and transfer 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:

- a. 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 (or, if they are transfer students, the spring of their first year at UNH Law);
- b. 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 (or, if they are transfer students, the spring of their second year of studies at UNH Law), should they not receive the set score in their 1L year (or, if they are transfer students, the spring of their first year at UNH Law). Students who first took the exam in the spring of their 1L year and 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.

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:
    - i. 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;
    - ii. Competencies taught in the course and whether students are expected to be exposed to, practice or become competent in the identified competencies;
    - iii. A brief description of how the course fulfills the law school's information literacy policy.
    - iv. 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."
    - v. A clear description of the course attendance policy and how the professor will determine attendance.
    - vi. 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.
    - vii. TA sections and other activities assigned outside meetings;
    - viii. 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;
    - ix. Irregularities in the class meeting schedule known when the syllabus is published; and
    - x. 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

## 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



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, Skills Training, and Experiential Learning Requirements.** Courses that meet the Upper-Level Writing, Skills Training, and Experiential Learning 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 approve specific courses offering experiential learning, skills training and writing experiences. (Amended by faculty 5/1/14; revised by faculty 5/4/17)
- 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 Experiential Learning requirement- content (adopted by faculty 5/4/2017).** To satisfy the Experiential Learning requirement (or, for the classes graduating in 2017 or 2018 as defined in Rule I.C., the upper Level Skills Training requirement), a course must be a simulation course, a law clinic, or a field placement. To satisfy this requirement, a course must be primarily experiential in nature and must:
  - i. integrate doctrine, theory, skills, and legal ethics, and engage students in individually performing professional skills related to the various responsibilities which lawyers are called upon to meet, such as interviewing, counseling, negotiation, fact development and analysis, trial practice, document drafting, conflict resolution, organization and management of legal work, collaboration, cultural competency, and self-evaluation;
  - ii. develop the concepts underlying the professional skills being taught;
  - iii. provide students with multiple opportunities for performance;
  - iv. provide meaningful evaluation and feedback of such performance by the professor; and
  - v. provide opportunities for self-evaluation and reflection.

Additionally, a simulation course meeting the Experiential Learning requirement must provide substantial experiences that are reasonably similar to those a lawyer advising, representing a client, or engaging in other tasks would face. A simulation course must involve realistic facts and circumstances, provide direct supervision of the student's performance by the faculty member; feedback from the faculty member; and a classroom instructional component.

## 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 nonrequired 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 non-matriculated students, permission of the Assistant Dean for Registration and Records 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. The instructor will communicate the requirements for attendance, participation, and any written work to the auditor. Audited courses for non degree-seeking students appear on the academic transcript with a notation of "AU". No credits are earned for audited courses. Tuition for auditing by nono-matriculated and/or non-degree seeking auditors is set by the Business Services Center. Auditors are responsible for paying all related tuition and fee; 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 (repealed by faculty 5/3/2017)**

## 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 semesters, offerings the conduct of which requires a reliable enrollment at the beginning of the term, and other, similar offerings.
5. **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 examination 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 consideration 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.
    - i. Advanced Standing Students accepted directly from UNH Law's residential LL.M degree program may receive 50% additional time their first two semesters in the JD program and an extra 25% time in their third and fourth semesters. If an advanced standing student continues in the program beyond four semesters, no extra time will be permitted. (Revised by faculty 6/1/2018)
  - 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
A	4.00
A-	3.67
B+	3.33
B	3.00
B-	2.67
C+	2.33
C	2.00
C-	1.67
D+	1.33
D	1.00
D-	.67
F or U	0

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.

### 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
A	3.83 through 4.16
A-	3.50 through 3.82
B+	3.17 through 3.49
B	2.83 through 3.16
B-	2.50 through 2.82
C+	2.17 through 2.49
C	1.83 through 2.16
C-	1.50 through 1.82
D+	1.17 through 1.49
D	.83 through 1.16
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

- 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)
- To be eligible for honors designation a student must either:
  - successfully complete at least 75 graded credits, or,
  - successfully complete at least 75 credits which are graded, required, or earned from a Legal Residency, The Legal Profession course 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 has begun, those credits count toward the 75 in either case a or b above.
- 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

- A student who at the end of any semester:
  - Has achieved a cumulative grade average of below 2.0;
  - Has failed timely to satisfy course requirements prescribed for a student in the student's class year; or
  - 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.
- 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 CASS and must comply with the rules of said Committee.
- 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 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

- 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 CASS. The student will be placed on probation if allowed to continue, and will meet with CASS. (Revised by faculty 3/4/2010.)
- 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 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 2020 semester. Three year extension adopted by faculty on 5/4/2017.)

- A student who at the end of any semester:
  - 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
  - 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.
- A student on "early intervention status" must complete the following requirements:
  - 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
  - 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.
- 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.
- 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 Meeting

(Adopted by faculty 4/17/14.) (Rule VI(D) shall expire at the end of the spring 2020 semester. Three year extension adopted by faculty on 5/4/2017.)

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:

1. Assure an understanding of the student’s rights and obligations;
2. 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
3. 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 CASS before the deadline set by CASS. 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 CASS a statement indicating that such counseling took place.

CASS 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, CASS 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 CASS 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 CASS member is not able to be objective. The fact that the student received a low and/or failing grade from the CASS member, standing alone, is not grounds for recusal.

## H. Committee Review of Plan

CASS shall review each student’s case to determine the probability of academic rehabilitation. CASS’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. CASS’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 CASS 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 CASS.
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 CASS'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 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, CASS 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 CASS.)
2. If, based on its review of the student's abilities and the feasibility of the student's plan, CASS does not find that rehabilitation is probable, CASS may suspend or dismiss the student notwithstanding that:
  - a. The student has not previously been before CASS 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 CASS 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. CASS 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 CASS in accord with the criteria of G(8) of this rule.

## K. Committee Findings

1. In each case, CASS 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 CASS's decision. The notice shall state the time period within which the student may appeal CASS'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 CASS shall not participate in the consideration of any appeal. However, CASS 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 CASS 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. CASS 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 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, CASS 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 CASS shall be dismissed from UNH Law.
5. Notwithstanding the other provisions of this section, 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 CASS under subdivision I(1)(c), may seek readmission only if 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 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 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 CASS. Such student would be required to satisfy the requirements for the class entering the law program that year. 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 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 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 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 CASS was clearly unreasonable on the evidence before it.
2. The conditions of probation imposed or insisted upon by CASS are clearly unreasonable on the evidence before it.
3. The failure of CASS to waive violations of conditions of probation was clearly unreasonable on the evidence before it. (repealed 1/26/06)
4. The conclusion of 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 CASS, in accord with the criteria of Rule VI-G(8); was clearly unreasonable on the evidence before it.
5. The failure of 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 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 CASS. 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 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 CASS.

## C. Notice of Appeal and Memoranda in Support or Opposition

1. To appeal a decision of 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 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 CASS which are not a part of CASS file.

The appellant shall promptly serve copies of the memorandum on the individual members of 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, CASS may file in reply a memorandum in opposition to the appeal with the Assistant Dean of Students. In such case 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 CASS, and the student may choose either body.
3. 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 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. CASS's file on the case.
  - b. Any other writings submitted by the student to 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 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 CASS, including their recollections about proceedings or inquiries of 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 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, CASS may make an oral argument through one of its members. If 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 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. Decision of Appeals

1. Deliberations of the appellate body shall be private and confidential.
2. Members of 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 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 and Other Credit

### A. Independent Study

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 Committee on Academic Standing and Success 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 Committee on Academic Standing and Success (CASS) or in the event the student is within the jurisdiction of CASS, is signed by the Chair of CASS.

- 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 CASS 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 Legal Residency credits shall be credited toward the eighty-five (85) credit hours required for the Juris Doctor degree. Only 15 of said 18 credits may be Legal Residency 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

### A. DEFINITIONS

1. Legal Residency means a UNH Law curricular offering through which students earn academic credit while developing legal and professional skills under the close supervision of a practicing lawyer or other professional.
2. Faculty Supervisor means the full-time or part-time faculty member who has responsibility for assuring that the legal residency is created and conducted so as to achieve the purposes of the legal residency program, as specified in subdivision B below.
3. Legal Residency Director or Director means the full-time faculty member directing UNH Law's legal residency program.
4. Student means, for the purposes of a legal residency, a student in UNH Law's or another law school's Juris Doctor program who is enrolled in a legal residency.
5. Field Supervisor means a qualified professional practitioner who has immediate responsibility for supervising the student in his or her legal residency.

### B. PURPOSES OF THE LEGAL RESIDENCY PROGRAM

1. The purpose of the legal residency program is to, among other things:
  - a. give students opportunities to apply classroom knowledge in real-world legal settings;
  - b. help students develop legal skills, professional competencies, and characteristics necessary for practice and begin the transition from a student to a legal practitioner;
  - c. teach students to be thoughtful and self-directed about personal development; and

- d. educate students about different types of legal practices and careers.
2. A legal residency should provide the student with opportunities to, for example:
    - a. learn legal doctrine and theory, and about practice and procedure;
    - b. develop or hone fundamental lawyering skills and professional values such as those described in the "MacCrate Report"—the Report of the ABA Task Force on Law Schools and the Profession: Narrowing the Gap and the "Foundations for Practice" Report of the Educating Tomorrow's Lawyers Initiative at the Institute for the Advancement of the American Legal System;
    - c. observe experienced attorneys, judges, and other professional practitioners;
    - d. begin forming a professional identity;
    - e. cultivate independent professional judgment and practice exercising such judgment;
    - f. reflect about his or her field placement experience; and
    - g. recognize and take steps to address ethical problems.

### C. ENROLLMENT IN A LEGAL RESIDENCY

#### 1. Eligibility.

- a. **During the fall and spring semesters.** To be eligible to enroll in a legal residency during the fall or spring semesters a student must have:
  - i. completed a minimum of 28 credit hours toward the J.D. degree program;
  - ii. satisfactorily completed the Professional Responsibility course requirement for earning the UNH Law Juris Doctor degree, unless the student will be in an approved judicial residency and concurrently enrolled in Professional Responsibility and the judicial residency; and
  - iii. a cumulative GPA of 2.5 or better for an 11 credit legal residency.
- b. **CASS Approval.** Any student who is within the jurisdiction of CASS, as set forth in Rule VI, must seek CASS approval in the semester prior to registering for the legal residency program.
- c. **Legal Residency After Visiting At Another Law School.** A student shall not enroll in a full-time legal residency in the semester before or after that student has been, or plans to be, a visitor at an approved law school other than UNH Law. This provision may be waived by a joint decision of the Assistant Dean of Students and the Associate Dean of Academic Affairs only for a compelling reason.

2. **Academic Credits.** Students may apply up to fifteen (15) credit hours earned through legal residencies toward the eighty-five (85) credits required for the Juris Doctor degree.

- a. **Credits earned for work at the field placement.** During the fall and spring semesters, as defined in Rule I, D(2), students are awarded the following clinical credits for the time spent at the legal residency: 16 hours/week earns **4 credits**; 24 hours/week earns **6 credits**; 40 hours/week earns **11 credits**.
- b. **Legal Residency Class.** Students enrolled in a legal residency must concurrently take a one (1) credit legal



residency class. The one (1) credit does not fall within the fifteen (15) credit cap for legal residencies or the eighteen (18) credit cap for clinical work. See Rules I, (B)(4) and VIII, (D).

- c. As set forth in Rule X, legal residency or externship credit earned while visiting at an approved law school other than UNH Law is governed by the host school's academic rules and requirements, subject to UNH Law's requirements for transfer of credits.
3. **Approval.** All legal residencies must be approved by the Legal Residency Director or her/his designee. Approval is within the Director's sole discretion. The Director will provide the student written notice of basis for denial, and the student may appeal the Director's decision in accordance with Rule XII within 10 days of receiving the written denial. Students should consult the Legal Residency Policies for further information on the approval process.
4. **Registration.** After the Director approves a legal residency, the student must enroll in the appropriate legal residency and in the 1 credit legal residency class. Students may only enroll in one legal residency per semester.
5. **Grading.**
  - a. The professor teaching the legal residency class determines the clinical and class component grades.
  - b. In accordance with Academic Rule IV, B(6), grading for the clinical and class component is Satisfactory (S) or Unsatisfactory (U), or Outstanding (O).
6. **Disenrollment.** Participation in the legal residency program is a privilege, not a right. The Legal Residency Director may disenroll a student from the Legal Residency and/or the Legal Residency Class for any of the reasons set forth in Rule II, (C)(6), or if the student has engaged in conduct that is A) in violation of the school's Conduct Code; B) criminal; C) unethical, or; D) unprofessional as defined in the Legal Residency Policies and Procedures.
7. **Compensation.** Effective January 2017, students in legal residencies approved by the Director may receive both academic credit and compensation for work performed in the legal residency so long as (a) the Field Supervisor agrees to sign and abide by a Legal Residency Agreement and (b) the Director concludes that the Field Supervisor (i) is committed to the legal residency program's educational purposes, (ii) is willing to ensure that the program's purposes are fulfilled and to abide by the field supervisor's handbook, (iii) is ready and able to provide regular supervision and feedback to the legal resident, and (iv) understands that effectively supervising a student in an educational program is different from supervising an employee.

(Rule IX revised by faculty 12/15/2016)

## 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. (Amended by faculty 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, non-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

- 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. (Revised by faculty 6/1/2018)
- 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.
- Students transferring into UNH Law are required to complete four (4) semesters of residency.
- 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.

than one year must reapply for admission, with advance standing, through the Admission's office.

- 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:
  - 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.
  - 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 2(a) through (b) of this rule has the right to rematriculate as an entering student without going through the Admissions process again.

- 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 Comomitetee on Academic Standing and Success, 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

- 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.
- 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.
- The following decisions by the Dean, Associate Dean or Assistant Dean of Students are final and not appealable to the faculty:
  - 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 professorial 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

## Rule XI: Student Leaves of Absence and Rights of Return

- 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

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 XIII B2).
  - 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 community, 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 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 Committee on Academic Standing and Success 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 Dean, and the Assistant Dean for 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 Committee on Academic Standing and Success in accord with their appeal procedures. The Committee on Academic Standing and Success 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 may be found on UNH Law's Student Handbook (<http://law.unh.edu/academics/student-handbook>) and the Office of the Assistant Dean for Students (<http://law.unh.edu/dean-of-students>)' webpage.

## 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.

### A. 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.

### B. Certificate Programs

#### 1. 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.

## 2. 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.

## 3. 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.

## 4. Certificate in Fiscal Responsibility and the Law (Repealed by faculty 6/1/2018)

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

## A. Degree Offered with UNH

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.
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.
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).

## B. Admission Requirements

1. 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.
2. 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.
3. Admissions Requirements
  - a. 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.
  - b. Admission to the business school is governed by its admissions policies, including that:
    - i. 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.
    - ii. Admission to the MBA program is conditioned on achieving of a B (3.0) average at end of first JD year.
    - iii. A successful interview with MBA program director is required.

## C. Degree Requirements for JD/MBA Candidates

1. 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.

## 2. Courses Transferred

- a. The business school will accept 9 Law credits toward the MBA. Courses eligible for transfer from the JD program to the MBA program are<sup>1</sup>:

Code	Title	Credits
LGP 920	Contracts	3
LGP 960	Torts	3
LGP 952	Property	4

- b. The law school will accept up to 12 MBA credits toward the JD, from among the following:

Code	Title	Credits
ADMN 840	International Business	3
ADMN 912	Managing Yourself & Leading Others	3
ADMN 919	Accounting/Financial Reporting, Budgeting, and Analysis	3
ADMN 930	Financial Management/Raising and Investing Money	3
ADMN 956	Managerial Decision Making	3
ADMN 960	Marketing/Building Customer Value	3
ADMN 970	Economics of Competition	3

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;

## c. Other classes

The law school may accept other classes than those noted in 2.B provided that the student's law school faculty advisor concludes a different course will be appropriate to the student's educational objectives.

## d. 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 2.B above, and receipt of the MBA transcript showing successful completion of the business school courses.

## e. 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.

<sup>1</sup> This totals 10 credits, but UNH will adjust the transfer number of credits to total 9.

## D. JD/MBA Program Academic Information

### 1. 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.

### 2. 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.

### 3. Other Law Program Eligibility

JD/MBA candidates are eligible to participate in law programs as follows:

#### a. 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.

#### b. 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. 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.

#### d. 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.

#### e. 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.

### 4. 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.

### 5. JD/MBA Planning and Advising

- a. 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.

- b. 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.

### 6. 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 for Students.

Adopted by Faculty 05/15/2014

# 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. LL.B., or
  - c. recognized "equivalent law degree" or credentials that demonstrate "equivalent qualification" through relevant professional experience outside the United States as determined by the Graduate Program Admissions Committee. As a general rule, the Committee only reviews "equivalent qualification" where the applicant has earned a baccalaureate degree, has membership in a foreign general bar or patent bar membership, and five years experience in international intellectual property law experience as a practitioner or academic. Candidates admitted without a law degree under this provision must complete thirty (30) credits from a selection of required and elective curriculum. (amended by faculty 12/15/2016; 6/1/2018)
  - 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 deferral deposit within thirty (30) days. The deferral 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.
7. LIP 962 Patent Practice and Procedure II
8. LIP 951 Technology Licensing
- d. Limited Residential LL.M. candidates must complete the following required courses for the Intellectual Property degree:
  1. LIP 944 Fundamentals of Intellectual Property
  2. LIP 894 American Legal Process and Analysis I or equivalent training
  3. LIP 972 Intellectual Property and International Trade
  4. LIP 801 Graduate Legal Research and Information Literacy
  5. LIP 954 Patent Law
  6. LIP 967 Patent Office Litigation
  7. LIP 961 Patent Practice and Procedure I
  8. LIP 962 Patent Practice and Procedure II
  9. LIP 951 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. LCR 925 Comparative Criminal Justice Systems
  2. LCR 924 International Criminal Law and Justice Seminar
  3. LCR 923 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. LIP 912 Copyright Law
  2. LIP 950 Copyright Licensing
  3. LIP 944 Fundamentals of Intellectual Property
  4. LIP 954 Patent Law
  5. LIP 961 Patent Practice and Procedure I or LIP 962 Patent Practice and Procedure II
  6. LIP 951 Technology Licensing
  7. LIP 977 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. LCR 914 CyberCrime
    - b. LCR 928 Drugs and Weapons Trafficking
    - c. LCR 921 Human Trafficking I
    - d. LIP 957 Intellectual Property Crimes
    - e. LCR 922 International White Collar Crime
    - f. LCR 927 Piracy and Terrorism
    - g. LCR 926 International Criminal Court and Special Tribunals
  2. Intellectual Property degree
    - a. LIP 928 Intellectual Property Management
    - b. LIP 906 Patent Strategies for Business

## C. Coursework

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. LIP 801 Graduate Legal Research and Information Literacy
    2. LIP 894 American Legal Process and Analysis I or equivalent training
    3. LIP 895 American Legal Process and Analysis II
  - b. Online LL.M. candidates must complete the following required courses for the International Criminal Law and Justice degree:
    1. LCR 923 International Legal Research
    2. LCR 924 International Criminal Law and Justice Seminar
    3. LCR 925 Comparative Criminal Justice Systems
    4. LCR 929 Capstone Research Project
  - c. Online LL.M. candidates must complete the following required courses for the Intellectual Property degree:
    1. LIP 913 International and Comparative Intellectual Property
    2. LCR 923 International Legal Research
    3. LIP 944 Fundamentals of Intellectual Property
    4. LIP 954 Patent Law
    5. LIP 907 Pretrial Patent Litigation
    6. LIP 961 Patent Practice and Procedure I



- c. LIP 913 International and Comparative Intellectual Property
  - d. LIP 997 Mining Patent Information in the Digital Age
  - e. Limited Residential IP LL.M. candidates must complete their electives from the following approved curriculum:
    1. LIP 928 Intellectual Property Management
    2. LIP 906 Patent Strategies for Business
    3. LIP 913 International and Comparative Intellectual Property
    4. LIP 997 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.)

- b. Online Master's candidates may attempt 30 credits.
- c. Limited Residential Master's candidates may attempt 30 credits.

## C. Course Work

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. LIP 894 American Legal Process and Analysis I or equivalent training
  2. LIP 895 American Legal Process and Analysis II
  3. LIP 801 Graduate Legal Research and Information Literacy
- b. Online International Criminal Law and Justice Master's candidates must complete the following required curriculum:
  1. LCR 929 Capstone Research Project
  2. LCR 925 Comparative Criminal Justice Systems
  3. LCR 914 CyberCrime
  4. LCR 928 Drugs and Weapons Trafficking
  5. LCR 921 Human Trafficking I
  6. ILCR 924 International Criminal Law and Justice Seminar
  7. LCR 923 International Legal Research
  8. LIP 957 Intellectual Property Crimes
  9. LCR 922 International White Collar Crime
  10. LCR 927 Piracy and Terrorism
  11. LCR 926 International Criminal Court and Special Tribunals
- c. Intellectual Property degree:
  1. LIP 913 International and Comparative Intellectual Property
  2. LIP 928 Intellectual Property Management
  3. LIP 906 Patent Strategies for Business
  4. LIP 913 International and Comparative Intellectual Property
  5. LIP 801 Graduate Legal Research and Information Literacy
  6. LIP 997 Mining Patent Information in the Digital Age
  7. LIP 944 Fundamentals of Intellectual Property
  8. LIP 954 Patent Law
  9. LIP 907 Pretrial Patent Litigation
  10. LIP 961 Patent Practice and Procedure I
  11. LIP 962 Patent Practice and Procedure II
  12. LIP 951 Technology Licensing
- d. Limited Residential Master's candidates must complete the following required curriculum:
  1. LIP 894 American Legal Process and Analysis I or equivalent training
  2. LIP 928 Intellectual Property Management
  3. LIP 906 Patent Strategies for Business
  4. LIP 913 International and Comparative Intellectual Property
  5. LIP 801 Graduate Legal Research and Information Literacy
  6. LIP 997 Mining Patent Information in the Digital Age
  7. LIP 944 Fundamentals of Intellectual Property
  8. LIP 954 Patent Law
  9. LIP 907 Pretrial Patent Litigation
  10. LIP 961 Patent Practice and Procedure I

## 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.

11. LIP 962 Patent Practice and Procedure II
12. LIP 951 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. LIP 912 Copyright Law
  2. LIP 950 Copyright Licensing
  3. LIP 944 Fundamentals of Intellectual Property
  4. LIP 954 Patent Law
  5. LIP 961 Patent Practice and Procedure I or LIP 962 Patent Practice and Procedure II
  6. LIP 951 Technology Licensing
  7. LIP 977 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:

Code	Title	Credits
LIP 894	American Legal Process and Analysis I	3

- b. Commerce & Technology Diploma candidates must complete the following required curriculum:

Code	Title	Credits
LIP 894	American Legal Process and Analysis I	3
LIP 980	E-Commerce and The Law	2

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 the Director of Commerce & Technology Program or the Director of Intellectual Property Center, as appropriate.)
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:

Code	Title	Credits
LIP 954	Patent Law	3
LIP 944	Fundamentals of Intellectual Property	3
LIP 961	Patent Practice and Procedure I	3
LIP 962	Patent Practice and Procedure II	3

- b. International Criminal Law & Justice Diploma Candidates must complete the following required curriculum:

Code	Title	Credits
LCR 924	International Criminal Law and Justice Seminar	3
LCR 925	Comparative Criminal Justice Systems	3

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 Director of Online Programs.)
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.

## Course Descriptions

- Business Law (LAW) (LBS) (p. 47)
- Clinical (LAW) (LCL) (p. 49)
- Criminal Law (LAW) (LCR) (p. 53)
- Daniel Webster Scholar (LAW) (LDWS) (p. 55)
- General Practice (LAW) (LGP) (p. 56)
- Intellectual Property (LAW) (LIP) (p. 63)
- Law (LAW) (LAW) (p. 70)
- Public Interest Law (LAW) (LPI) (p. 71)
- Research (LAW) (LRS) (p. 71)
- Skills (LAW) (LSK) (p. 72)

## Business Law (LAW) (LBS)

### LBS 904 - Antitrust Law

#### Credits: 3

This course will explore the operation of the competitive market process, the issues that have arisen, and how the federal judiciary has construed the antitrust laws. In addition, state antitrust activities will be briefly covered. Finally, in recognition of the emergence of the global economy, we will also discuss the international application of U.S. antitrust laws, as well as a brief mention of the antitrust regulations of foreign countries. The primary emphasis is how the federal antitrust laws have been interpreted and applied. Since the U.S. Supreme Court is the most important interpreter of the antitrust laws, we will analyze a number of cases decided by the Court. Over the years the Supreme Court has changed its attitude about certain business practices, in response to developments in economic conditions, the political climate, or the Court's understanding of their effects on other businesses and the public. To further complicate matters, and to make client advising difficult in this area is the fact that the Court appears to have different goals at different times: at one time the goal may be economic efficiency; at another time it may be the preservation of small businesses; at another the decentralization of economic (and political) power; and, at yet another time it may be the protection of consumers. From the text, readings, cases, classroom discussion, lectures, and multimedia presentations you will learn tools and analytical techniques for assessing the antitrust risks of corporate and individual behavior. Eligibility: Open to all except 1Ls. Grading Information: final examination 70%; midterm examination 20%; and class preparation and participation 10%. This course may be taken for an S/U grade.

### LBS 905 - European Union Competition Law

#### Credits: 1

To explore the basis for the inclusion of competition law and policy, together with the rules on state aid, within the European Union founding treaties and subsequent amendments. To examine the similarities in the structure of EU competition law and US antitrust legal provisions. To contrast the role of the state in the enforcement of competition law in the EU when compared with the role of the state and the private citizen in US antitrust procedure. To determine the effectiveness of sanctions in EU competition law, including the powers of EU and member state enforcement agencies and the role of intra member state and international co-operation. Pre-req: Antitrust.

### LBS 906 - Bankruptcy

#### Credits: 2

This is a basic course designed to provide all students with a familiarity and working knowledge of the United States Bankruptcy Code, bankruptcy courts and how each work in practice. In general, the course will be divided into three main topics. First, the class will review and discuss the fundamental principles on which the entire Bankruptcy Code is based. Second, there will be a review of consumer bankruptcies under Chapter 7s and Chapter 13s. Thereafter, the balance of the course will focus on corporate and business reorganizations under Chapter 11. The class utilizes a casebook together with the Bankruptcy Code and the bankruptcy rules. The course involves substantial reading and preparation. Eligibility: Open to 2Ls and 3Ls. This course may be taken on an S/U basis. Prereqs: Business Associations is recommended. Grading: See syllabus.

### LBS 907 - Business Associations I

#### Credits: 3

This course introduces the basic concepts of business associations. While the primary emphasis is on corporations, the course also provides coverage of partnerships, limited liability companies and other unincorporated business entities. In the course we examine the core concepts of agency and authority and both state and federal aspects of corporate law. Corporate law subjects will include the roles, responsibilities and liabilities of shareholders, directors and officers; fiduciary principles; the organization and operation of closely held corporations; and the basic aspects of the Securities Act of 1933 and the Securities Exchange Act of 1934. In addition, recent developments in corporate governance law and concepts will also be covered. Eligibility: Open to all except 1Ls. Course format: lecture. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

### LBS 910 - Business Entities Taxation

#### Credits: 3

This course will examine the federal taxation of pass-through entities and corporations. In short, the course will cover the taxation of the formation, ongoing operations, and termination of partnerships, corporations, and various limited liability entities. As in other tax courses, emphasis will be placed upon your ability to read and interpret the statutes and regulations, examine the policy underlying our system of federal taxation, and use your new knowledge to solve problems facing a wide variety of clients. Eligibility: Open to all except 1Ls. May not be taking on an S/U basis. Prereqs: Personal Income Tax.

### LBS 923 - Estate Planning

#### Credits: 3

This seminar is intended to focus on the situational application of the principles examined in the Wills, Trusts and Estates course, and on the practical considerations most frequently encountered in an estate planning law practice. Eligibility: Open to 2Ls and 3Ls. Prerequisites: Personal Income Taxation and Wills, Trusts & Estates; contemporaneous enrollment is permitted. Course format: lecture. Grading: final exam, 80%; class prep. and participation, 20%. This course may be taken for an S/U grade.



**LBS 932 - Personal Income Taxation****Credits: 3**

This course is an introductory course to federal taxation. We will cover a range of topics including: Income and deductions, accounting methods, transactions resulting in capital gain, deferral of tax, and choice of the taxable person. In essence, this course is about the Internal Revenue Code (Title 26 of the United States Code) and related Regulations promulgated by the United States Treasury Department. The course has three fundamental objectives. 1. Statutory Analysis. This course should improve your ability to comprehend and apply complex statutes and regulations. Tax laws change every year, and this skill will help you regardless of what field you practice in. 2. Income Tax Policy and Evaluation. The course is also designed to provide a basic understanding of federal tax policy. Sometimes, if we know the why behind a code section, it helps us to understand how or what the code section is trying to do. In addition, the Internal Revenue Code is also used to motivate certain behaviors (buying a home, saving money, investing in certain types of real estate). It is helpful to examine whether those behaviors should be legitimized and, if so, whether the Code effectively promotes the desired behaviors. 3. Overview of Tax Issues in Other Practice Areas. We will also address how the tax law affects other areas of the law, including: family law, litigation, business, health and medicine and real property (among others). Eligibility: Open to all except 1Ls. Course format: problem-based. This course is recommended for taking the bar exam. Grading: final exam, 60%; midterm exam, 30%; class prep. and participation, 10%. This course may be taken for an S/U grade.

**LBS 934 - Real Estate Transactions****Credits: 2**

The course will consider legal principles and practice issues involved in common real estate transactions, and require the exercise of related legal practice skills. Topics will include: marketing and contracts for the sale of real estate, real estate brokers, mortgage financing, recording acts, title examination, deeds, closing and escrow, title insurance, surveys and boundary lines, mortgagor's and mortgagee's rights, foreclosures, distressed real estate, and transaction accounting. Eligibility: Open to 2Ls and 3Ls. Course format: lecture. Grading: final exam, 50%; other (see syllabus), 50%.

**LBS 939 - Mergers and Acquisitions****Credits: 3**

This course will introduce students to U.S. mergers & acquisitions ("M&A") law and provide a fundamental understanding of the legal aspects of corporate M&A transactions. This course will cover the following topics: (a) business considerations for conducting M&A transactions; (b) the different forms of M&A transactions; (c) M&A mechanics; (d) M&A documentation; (e) legal duties of the board of directors, senior executives and controlling shareholders; (f) federal securities regulations; and (g) basic tax and accounting consequences. A solid understanding of M&A is core to students who wish to practice as business lawyers. The buying and selling of companies is a fundamental concept to almost every business in the world. Students will be pushed to understand both the business and legal concepts involved in M&A transactions. Eligibility: Open to all except 1Ls. Prerequisites: Business Associations (may be taken concurrently). Students who have not satisfied the prerequisite, but have a business-related background, may seek a waiver from the professor.. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LBS 942 - Wills Trusts and Estates****Credits: 3**

This course examines the various methods by which property is transferred at death. Topics covered include: 1. the law of intestacy; 2. wills, including the interpretation of wills, the formalities of execution and revocation, testamentary capacity, and undue influence; 3. will substitutes, such as inter vivos gifts and joint tenancies; and 4. trusts, including modification and termination, administration, and the rights and interests of beneficiaries and creditors. The course will also examine the inheritance rights of surviving spouses and children, and special considerations regarding health care directives and living wills. The estate, gift and income tax provisions of the Internal Revenue Code affecting gratuitous property transfers will be reviewed in limited detail. Eligibility: Open to 2Ls and 3Ls. This course is recommended for taking the bar exam. Grading: see syllabus. This course cannot be taken for an S/U grade.

**LBS 943 - Securities Regulation: Public and Private Securities Markets****Credits: 3**

This course will introduce students to U.S. securities regulation, with a particular focus on the securities regulation issues faced by startup companies. This course will provide a detailed look at startups and their securities regulatory environment, including coverage of both private and public securities markets. In broad categories, this course will cover: (a) the Securities Act of 1933 and the Securities Exchange Act of 1934; (b) the basic principles of securities law; (c) private securities offerings; (d) initial public offerings and public securities offerings; (e) deal mechanics and documentation; (f) disclosure; (g) securities regulation liabilities (e.g., antifraud provisions and insider trading); (h) state securities regulation; (i) secondary trading of securities; and (j) significant regulatory reforms such as the Sarbanes-Oxley Act and the JOBS Act. While primarily a law course, this course will also include significant business, economic and finance elements (although a background in those areas is not necessary). It is not possible to be a competent securities regulation lawyer without understanding those business, economic and finance elements. This course qualifies for the upper-level writing requirement. Eligibility: Open to all except 1Ls. Prerequisites: Successful completion of, or current enrollment in, Business Associations. Students who have not satisfied the prerequisite, but have a business-related background, may seek a waiver from the professor.. Course format: lecture. Grading: other (see syllabus), 100%. Course has an ungraded component or practicum. This course may be taken for an S/U grade.

**LBS 946 - In-House Counsel****Credits: 2**

This course focuses on the unique aspects of working as a lawyer within a corporation. Practice in this setting (whether as the sole in-house lawyer or one of several hundred in a global company) can be intellectually challenging and personally and professionally fulfilling. In-house practice can also involve issues and risks which are different from practicing law in a firm. This course covers the role and function of in-house lawyers; how legal departments can be organized and effectively managed; retaining and working with outside counsel; and special ethical and policy challenges for in-house counsel, including compliance; attorney-client privilege; ethical dilemmas; and prosecutions of in-house attorneys. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LBS 947 - Business Associations****Credits: 4**

This course introduces the basic concepts of business associations. The primary emphasis is on corporations, the course also coverage of partnerships, limited liability companies and other unincorporated business entities. In the course we examine the core concepts of agency and authority and both state and federal aspects of corporate law. Corporate law subjects will include the roles, responsibilities and liabilities of shareholders, directors and officers; fiduciary principles; the organization and operation of closely held corporations; and the basic aspects of the Securities Act of 1933 and the Securities Exchange Act of 1934, in addition, recent developments in corporate governance law.

**LBS 986 - Insurance Law****Credits: 3**

Insurance Law is designed to introduce students to the basic principles governing the creation, sale and enforcement of the most common forms of insurance in the U.S. Students will be introduced to the following insurance lines: personal liability, professional liability, commercial general liability, homeowners, automobile, life and casualty and health. The peculiarities of each line will be discussed as well as the problems common to all lines: moral hazard, adverse selection and outright fraud. The social function of insurance as well as historical anomalies are covered in order to give the student the broadest possible exposure to the issues lawyers confront regularly in this area of practice.

## Clinical (LAW) (LCL)

**LCL 908 - Advanced Intellectual Property and Transaction Clinic****Credits: 2**

The Advanced IP & Transaction Clinic will continue the clinical component of the (basic) IP & Transaction Clinic. Students taking the Advanced IP & Transaction Clinic will take on more challenging projects, will assist with supervision of basic IP & Transaction Clinic students, and will gain the proficiency to more quickly and independently bring strategic plans for client objectives to conclusion. In addition to enhancing and solidifying the knowledge, skills, and values the students attained in the basic Intellectual Property & Transaction Clinic, students taking the Advanced IP & Transaction Clinic will be expected to develop a mastery of trademark and copyright prosecution that can be more independently applied in developing strategic IP protection and management schemes, will be expected to be more proficient in start-up law and transactional practice sufficient to independently design strategic plans for clients, and to routinely incorporate the values of sound legal judgment and ethics in coming to client solutions. As with the basic IP & Transaction Clinic, the Advanced IP & Transaction Clinic will incorporate very frequent usage of the Patent and Trademark and Copyright Office websites to conduct legal research, factual research, and prepare and submit filings, as well as frequent use of the USPQ and secondary sources for legal research. Advanced IP & Transaction Clinic students do not take a companion lawyering course; only the clinic component may be taken for credit, and that is because real-life client cases generate a continually new and changing curriculum. Eligibility: Open to all except 1Ls. Prerequisites: IP & Transaction Clinic & Class. Instructor permission required to enroll. Course enrollment is limited to 4 students. Course format: clinic. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCL 917 - Criminal Practice Clinic****Credits: 3**

The Criminal Practice Clinic is an intensive clinical experience in which students represent indigent clients accused of crimes. This Clinic focuses on courtroom advocacy and the development of client-centered skills. Students interview and counsel clients, engage in plea negotiations with prosecutors, conduct witness examination at hearings, and represent clients in all phases of criminal trials in the circuit and superior courts. Grading is based on student performance during client representation. Grading factors include communication with clients, file organization, case analysis and preparation, hearing/trial advocacy, plea negotiations, and interaction with the clinical supervisor. Eligibility: Open to 2Ls and 3Ls. Prerequisites: Evidence and Professional Responsibility. Course enrollment is limited to 8 students. Course format: clinic. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCL 918 - Criminal Practice Class****Credits: 2**

This course is the class component of the Criminal Practice Clinic. Each class session focuses on a particular aspect of criminal practice, such as witness examination or sentencing. This is a practice-oriented class that emphasizes the practical realities of criminal law practice. Students prepare and execute bail arguments, direct and cross examinations, and sentencing arguments. The class tours the NH State Prison. Panels of experienced prosecutors, defense attorneys and judges appear in this class to discuss the practice of criminal law. Grading is based on classroom participation and the quality of the student presentations. Eligibility: Open to 2Ls and 3Ls. Prerequisites: Evidence and Professional Responsibility. Course format: clinic. This course cannot be taken for an S/U grade.

**LCL 924 - Advanced Criminal Practice Clinic****Credits: 3**

This course is an intensive clinical experience in which students primarily focus on representation of indigent clients accused of felony-level crimes. Students will also have the opportunity to work on a federal criminal case, at the trial and/or appellate level. This advanced clinical course concentrates on the further development of such skills as interviewing and counseling clients, plea negotiation with prosecutors, and trial advocacy. This course also focuses on written advocacy through motions, memoranda, and briefs. Grading is based on multiple factors including communication with clients, pre-trial preparation, plea negotiations, legal writing, trial advocacy, and interactions with the clinical supervisor. Eligibility: Open to 3Ls only. Prerequisite: Criminal Practice Clinic. Course enrollment is limited to 6 students. Course format: clinic. This course cannot be taken for an S/U grade.

**LCL 927 - Civil Practice Class****Credits: 2**

On behalf of clients we prosecute and defend cases involving identity theft, unfair trade practices, mortgage foreclosure defense, predatory lending, auto fraud, bankruptcy, unfair sales practices, and debt collection defense. Students are required to interview clients and witnesses, investigate facts, research applicable state and federal law, write pleadings and briefs, and conduct court proceedings from motion hearings to trials. We appear in District, Superior, Federal and Bankruptcy courts. The clinic is operated as a small law firm to familiarize students with many of the practice management systems used by firms throughout the country, including calendaring, conflicts checking, time and billing, word processing, case management and specialized practice software. We will use clinic cases during class to discuss theories and strategy, to practice direct and cross examination and to learn creative analysis and problem solving for our clients. Before all significant court appearances, we spend adequate time practicing clinical exercises in the courtroom. Eligibility: Open to 2Ls and 3Ls. Course enrollment is limited to 8 students. Course format: seminar. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade. Rule 36 applications must be submitted three weeks prior to the start of class.

**LCL 928 - Civil Practice Clinic****Credits: 2**

On behalf of clients we prosecute and defend cases involving identity theft, unfair trade practices, mortgage foreclosure defense, predatory lending, auto fraud, bankruptcy, unfair sales practices, and debt collection defense. Students are required to interview clients and witnesses, investigate facts, research applicable state and federal law, write pleadings and briefs, and conduct court proceedings from motion hearings to trials. We appear in District, Superior, Federal and Bankruptcy courts. The clinic is operated as a small law firm to familiarize students with many of the practice management systems used by firms throughout the country, including calendaring, conflicts checking, time and billing, word processing, case management and specialized practice software. We will use clinic cases during class to discuss theories and strategy, to practice direct and cross examination and to learn creative analysis and problem solving for our clients. Before all significant court appearances, we spend adequate time practicing clinical exercises in the courtroom. Eligibility: Open to 2Ls and 3Ls. Course enrollment is limited to 8 students. Course format: clinic. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade. Rule 36 applications must be submitted three weeks prior to the start of class.

**LCL 932 - Advanced Civil Practice Clinic****Credits: 2**

The Advanced Civil Practice Clinic will provide students the opportunity to further develop the skills to which they were introduced during the basic Civil Practice Clinic, as well as continuing to work on many of the same cases. Students will interview and counsel clients, investigate facts, research and write pleadings and briefs, and solve clients' problems by applying legal principles and theories. I will also try to provide each of the enrolled students an opportunity to represent a client in court proceedings. Advanced CPC is a two credit course. The two credits are earned by working on cases for our clinic clients. There is no classroom component to this clinical offering. Students in the Daniel Webster Scholars Program may take the basic and advanced Civil Practice Clinic simultaneously during their third year. Prereq: Civil Practice Clinic, Evidence, Pro Res. Pre- or Co-req: Trial Advocacy.

**LCL 935 - Intellectual Property and Transaction Class****Credits: 2**

The Clinic class is the lecture component of the Clinic experience. Unless the student has previously taken the Intellectual Property & Transaction Clinic-Class combination, enrollment in the class is required in conjunction with enrollment in the Clinic. The class will cover lawyering skills and the mechanics, skills, ethics, and decision-making exercises which reflect many of the projects assigned to students in the clinic. In particular, students will be asked to demonstrate literacy in obtaining information through public and fee-based databases, through client interviews, and internal resources to properly identify client issues, analyze information, strategize options, engage in participatory model client decision-making, and take and complete action on the strategic plan, reflecting on each step in a weekly journal. Eligibility: Open to all except 1Ls. Prerequisites: I will enroll up to 8 students having an interest in practical experience in IP, ranking them for enrollment purposes based on prior class work. In particular, I look to prior and current enrollment in Trademarks, Copyrights, Trademark Registration, and Business Associations, but I also consider other (similar) courses and life experience. Email me (Ashlyn.Lembree@Law.UNH.edu) for questions/clarification/submission of additional information beyond the above 4 courses.. Corequisites: See prerequisites. Course enrollment is limited to 8 students. Course format: lecture. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCL 936 - Intellectual Property and Transaction Clinic****Credits: 2**

In this live client clinic, students will conduct interviews, research, draft documents and advise clients in a variety of intellectual property and transactional matters. This clinic regularly receives requests for services from the New Hampshire Chapter of Lawyers for the Arts and via a link on the U.S. Patent & Trademark web site for law school clinics in a student representation program (which UNH is) among other sources. Clinic clients include authors, artists, musicians, publishers, and individuals operating small businesses or non-profit organizations with transactional and adversarial issues (including TTAB cases and litigation) pertaining to copyright and trademark registration and protection (or infringement), licensing, small business transactions, as well as assistance forming and managing non-profit corporations. The clinic does not handle patent prosecution for any clients. Students are expected to devote at least 6 hours per week working in the clinic law office (8.5 in summer). Students enrolled in IP Clinic for the first time must also enroll in the two hour/week lecture component for IP Clinic. Students may take the IP & Transaction Clinic (but not the classroom component) in multiple semesters and receive academic credit. Students will be asked to demonstrate literacy in obtaining information through public and fee-based databases, through client interviews, and internal resources to properly identify client issues, analyze information, strategize options, engage in participatory model client decision-making, and take and complete action on a strategic plan. Eligibility: Open to all except 1Ls. Prerequisites: I will enroll up to 8 students having an interest in practical experience in IP, ranking them for enrollment purposes based on prior class work. In particular, I look to prior and current enrollment in Trademarks, Copyrights, Trademark Registration, and Business Associations, but I also consider other (similar) courses and life experience. Please email me (Ashlyn.Lembree@Law.UNH.edu) with questions/clarification/submission of additional information beyond the above 4 courses.. Corequisites: See prerequisites. Course enrollment is limited to 8 students. Course format: clinic. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCL 938 - International Technology Transfer Institute Class****Credits: 2**

ITTI promotes science, technology and innovation in developing countries by building capacity and capability in intellectual property (IP) management, technology transfer (TT) and patent information access, assembly and analysis. This is essential for accelerating knowledge-based, innovation-driven development; ITTI projects thereby promote the public interest by facilitating the development of knowledge, skill and abilities which will catalyze global access to essential, inclusive innovations having broad societal benefit, such as vaccines, medicines, diagnostics, green energy and agricultural technologies. Students are actively involved in ITTI programs and projects, performing patent landscape construction, forging international networks, formulating strategic plans, drafting reports, authoring publications, presenting at professional meetings, and engaging in detailed strategic discussions with key organizations such as the U.S. Departments of Energy and Commerce, the White House Office of Science and Technology Policy, AUTM, USPTO, the World Bank, WHO, WTO and WIPO. The Advanced ITTI Clinical Course offering typically builds on a previous semester's work product, with greater attention to detail, professional refinement, project completion and possible publication in an academic or scientific journal. ITTI clinical projects include: 1. Working with IP/TT professionals from developing countries to formulate strategies for building capacity towards sustainable technology transfer offices (TTOs) that will serve as hubs for accelerating the development of globally-networked innovation ecosystems. 2. Contributing to training and capacity building to help establish working relationships and future collaborations with colleagues from developing countries. 3. Working with key international and governmental entities, to forge synergistic relationships. 4. Presentations at national and international professional meetings. 5. Preparation of the patent landscape reports. 6. Publications/scholarship.

**LCL 939 - International Technology Transfer Institute Clinic****Credits: 2**

ITTI promotes science, technology and innovation in developing countries by building capacity and capability in intellectual property (IP) management, technology transfer (TT) and patent information access, assembly and analysis. This is essential for accelerating knowledge-based, innovation-driven development; ITTI projects thereby promote the public interest by facilitating the development of knowledge, skill and abilities which will catalyze global access to essential, inclusive innovations having broad societal benefit, such as vaccines, medicines, diagnostics, green energy and agricultural technologies. Via the ITTI Clinical Course offering, UNH-Law students are actively involved in ITTI programs and projects, performing patent landscape construction, forging international networks, formulating strategic plans, drafting reports, authoring publications, presenting at professional meetings, and engaging in detailed strategic discussions with key organizations such as the U.S. Departments of Energy and Commerce, the White House Office of Science and Technology Policy, AUTM, USPTO, the World Bank, WHO, WTO and WIPO. The Advanced ITTI Clinical Course offering typically builds on a previous semester's work product, with greater attention to detail, professional refinement, project completion and possible publication in an academic or scientific journal. ITTI clinical projects include: 1. Working with IP/TT professionals from developing countries to formulate strategies for building capacity towards sustainable technology transfer offices (TTOs) that will serve as hubs for accelerating the development of globally-networked innovation ecosystems. 2. Contributing to training and capacity building to help establish working relationships and future collaborations with colleagues from developing countries. 3. Working with key international and governmental entities, to forge synergistic relationships. 4. Presentations at national and international professional meetings. 5. Preparation of the patent landscape reports. 6. Publications/scholarship.



**LCL 940 - Advanced International Technology Transfer Institute Class Credits: 2**

ITTI promotes science, technology and innovation in developing countries by building capacity and capability in intellectual property (IP) management, technology transfer (TT) and patent information access, assembly and analysis. This is essential for accelerating knowledge-based, innovation-driven development; ITTI projects thereby promote the public interest by facilitating the development of knowledge, skill and abilities which will catalyze global access to essential, inclusive innovations having broad societal benefit, such as vaccines, medicines, diagnostics, green energy and agricultural technologies. Via the ITTI Clinical Course offering, UNH-Law students are actively involved in ITTI programs and projects, performing patent landscape construction, forging international networks, formulating strategic plans, drafting reports, authoring publications, presenting at professional meetings, and engaging in detailed strategic discussions with key organizations such as the U.S. Departments of Energy and Commerce, the White House Office of Science and Technology Policy, AUTM, USPTO, the World Bank, WHO, WTO and WIPO. The Advanced ITTI Clinical Course offering typically builds on a previous semester's work product, with greater attention to detail, professional refinement, project completion and possible publication in an academic or scientific journal. ITTI clinical projects include: 1. Working with IP/TT professionals from developing countries to formulate strategies for building capacity towards sustainable technology transfer offices (TTOs) that will serve as hubs for accelerating the development of globally-networked innovation ecosystems. 2. Contributing to training and capacity building to help establish working relationships and future collaborations with colleagues from developing countries. 3. Working with key international and governmental entities, to forge synergistic relationships. 4. Presentations at national and international professional meetings. 5. Preparation of the patent landscape reports. 6. Publications/scholarship.

**LCL 941 - Advanced International Technology Transfer Institute Clinic Credits: 2**

ITTI promotes science, technology and innovation in developing countries by building capacity and capability in intellectual property (IP) management, technology transfer (TT) and patent information access, assembly and analysis. This is essential for accelerating knowledge-based, innovation-driven development; ITTI projects thereby promote the public interest by facilitating the development of knowledge, skill and abilities which will catalyze global access to essential, inclusive innovations having broad societal benefit, such as vaccines, medicines, diagnostics, green energy and agricultural technologies. Via the ITTI Clinical Course offering, UNH-Law students are actively involved in ITTI programs and projects, performing patent landscape construction, forging international networks, formulating strategic plans, drafting reports, authoring publications, presenting at professional meetings, and engaging in detailed strategic discussions with key organizations such as the U.S. Departments of Energy and Commerce, the White House Office of Science and Technology Policy, AUTM, USPTO, the World Bank, WHO, WTO and WIPO. The Advanced ITTI Clinical Course offering typically builds on a previous semester's work product, with greater attention to detail, professional refinement, project completion and possible publication in an academic or scientific journal. ITTI clinical projects include: 1. Working with IP/TT professionals from developing countries to formulate strategies for building capacity towards sustainable technology transfer offices (TTOs) that will serve as hubs for accelerating the development of globally-networked innovation ecosystems. 2. Contributing to training and capacity building to help establish working relationships and future collaborations with colleagues from developing countries. 3. Working with key international and governmental entities, to forge synergistic relationships. 4. Presentations at national and international professional meetings. 5. Preparation of the patent landscape reports. 6. Publications/scholarship.

**LCL 942 - Immigration Law Class****Credits: 2**

The Immigration Law Clinic (ILC) provides students an opportunity to begin practicing law by handling legal matters on behalf of clinic clients. Students will interview and counsel clients, investigate facts, research and answer pleadings, write briefs, and solve clients' problems by applying legal principles and theories you have learned in the classroom. ILC is a four-credit course. Two credits are earned through the classroom component for which regular attendance and preparation is essential. In class we will discuss on-going cases, conduct moot exercises and work on practical skills such as interviewing, researching, writing and advocacy. The other two credit hours are earned by working on cases with clinic clients. You will be assigned a supervising Catholic Charities attorney housed at the ILC to supervise your clinic hours and casework. Eligibility: Open to all except 1Ls. Course enrollment is limited to 6 students. Course format: skills training. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCL 943 - Immigration Law Clinic****Credits: 2**

The Immigration Law Clinic (ILC) provides students an opportunity to begin practicing law by handling legal matters on behalf of clinic clients. Students will interview and counsel clients, investigate facts, research and answer pleadings, write briefs, and solve clients' problems by applying legal principles and theories you have learned in the classroom. ILC is a four-credit course. Two credits are earned through the classroom component for which regular attendance and preparation is essential. In class we will discuss on-going cases, conduct moot exercises and work on practical skills such as interviewing, researching, writing and advocacy. The other two credit hours are earned by working on cases with clinic clients. You will be assigned a supervising Catholic Charities attorney housed at the ILC to supervise your clinic hours and casework. Students will appear before both the Immigration Court in Boston as well as USCIS administrative hearing offices including asylum officers and immigration case officers. Cases include defense from removal, adjustment of status, naturalization, relief under the Violence Against Women Act and applications for humanitarian relief including asylum, temporary protected status and U visas. Eligibility: Open to all except 1Ls. Course enrollment is limited to 6 students. Course format: clinic. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCL 947 - Advanced Immigration Law Clinic and Class****Credits: 2**

Students in the Advanced Immigration Clinic will build upon beginning skills as they tackle more complicated cases and work with greater independence. Advanced Level Clinic students will attend Immigration Court in Boston as well as accompany clients to meetings before USCIS in Bedford, NH. By the completion of the Advanced Immigration Clinic, students will work on a greater variety of immigration issues including status adjustment, naturalization, family reunification, inadmissibility issues, removal and deportation and domestic violence, sexual assault and/or trafficking cases.

## Criminal Law (LAW) (LCR)

**LCR 905 - Criminal Law****Credits: 3**

The course covers the concepts and topics typical of substantive criminal law courses. We investigate the elements that define crimes and defenses. We look at certain constitutional doctrines as bearing on the limits of legislative authority to define conduct as criminal. The course offers a good opportunity to practice the skills of statutory interpretation, and confronts students with the policy and ethical questions underlying choices and implementation about what conduct should be defined as criminal, and under what circumstances the law should recognize excuses or justifications for otherwise criminal conduct. Eligibility: Open to all except 1Ls. Course format: lecture. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCR 906 - Criminal Procedure I: The Law of Criminal Investigation****Credits: 3**

This course falls within the categories of constitutional law and criminal practice. It focuses on the Fourth, Fifth and Sixth Amendments to the U.S. Constitution, and investigates the constitutional regulation of police investigatory activity. Specifically, and although it may also cover other related topics, its principal focus relates to the law governing searches and seizures, and the law regulating police interrogation of suspects. Eligibility: Required JD course. Course format: lecture. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCR 907 - Criminal Procedure II: The Law of Criminal Adjudication****Credits: 2**

This course familiarizes students with the Constitutional requirements of a fair criminal trial. Despite the name, students may take this course prior to completing Criminal Procedure I. Eligibility: Open to all except 1Ls. Course enrollment is limited to 40 students. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LCR 914 - CyberCrime****Credits: 3**

As society becomes more dependent on data and networks to operate our businesses, government, national defense and other critical functions, the risks posed by hacking, 'malware' and cyberattacks escalate. Although cybercrimes can be analogized to more traditional criminal law violations, the technology that offenders employ is very new, making hackers more elusive and the damage they cause often more widespread. Cybercrime examines both new and traditional laws that govern damage caused to or through networks, especially the Internet. With good preparation, good class attendance and constructive participation, students will gain the following: 1. an intermediate technical understanding of cyberattacks; 2. knowledge of conduct that is prohibited under security and privacy laws; and 3. an ability to critically evaluate the strengths and weaknesses of security laws and relevant case law. Cybercrime will provide students with a competitive advantage for practicing law in this cutting-edge field.

**LCR 919 - International Criminal Law Seminar****Credits: 2****LCR 921 - Human Trafficking I****Credits: 3**

This seminar will explore legal and social issues confronting both human trafficking survivors (foreign nationals and U.S. citizens) and law enforcement within the United States and globally. The seminar will begin with an overview of legal systems for prosecuting traffickers and legal systems affecting survivors of human trafficking, including international law, U.S. criminal, immigration law and labor law. The seminar will then be devoted to exploring advocacy efforts in the U.S. Congress and executive branch to date to hold traffickers accountable while providing assistance to victims of trafficking. In particular, the seminar will look at: U.S. Congress' efforts to combat trafficking through the Trafficking Victims Protection Act, and executive branch action and federal appropriations funding to implement the Act. The class will also cover challenges to these efforts including inter-agency coordination, definitional issues and political and ideological cleavages within the broader anti-trafficking movement. The seminar will also focus on the Department of State's Office to Monitor and Combat Trafficking in Persons, the Department of Justice's efforts to prevent and prosecute human trafficking and protect the victims of trafficking, the Department of Labor's efforts to better document and deter trafficking and the Department of Health and Human Services efforts to provide services to victims of trafficking, especially children.

**LCR 922 - International White Collar Crime****Credits: 3**

This course will introduce students to the study of contemporary forms of white collar crime and its explanations, theories, and accounts along with its investigation, adjudication, and regulation. Eligibility: Open to all except 1Ls. Prerequisites: Criminal Procedure I. Course enrollment is limited to 16 students. Course format: online. Grading: class prep. and participation, 50%; research paper, 50%. This course may be taken for an S/U grade.

**LCR 923 - International Legal Research****Credits: 2**

This course will introduce you to the standard sources used in foreign and international law as well as introduce you to tools and strategies needed to effectively research a relevant topic. An introductory lecture is coupled with a hands-on approach to explore sources of international law in print resources, subscription electronic sources including Lexis and Westlaw, and free internet tools. We will also discuss strategies and methods for finding foreign law. We will discuss research strategy and create research plans; living documents that can keep you on track and can serve as a way to evaluate your own progress. You will practice the skills you have learned to solidify the process and method of foreign and international legal research with a culminating project. There is no final exam but each student will create an annotated bibliography or research guide throughout the semester on an international legal topic of his/her own choosing (with the instructor's approval). You will meet with the instructor periodically to report on your research process and discuss obstacles and strategies. At the end of the semester, each student will then present the topic and their research strategy and process to the class. The final written research plan is also due the last day of class. Format: Online. Eligibility: Open to all except 1Ls. Course may be taken on a S/U Basis. Grading: Regular submissions/quizzes 45; Research paper: 35; Class prep. and participation: 10; and, Other – see syllabus: 10.

**LCR 924 - International Criminal Law and Justice Seminar****Credits: 3**

This is a research and writing seminar that satisfies the Upper Level Writing Requirement. This seminar is REQUIRED for all students seeking the LLM or Interdisciplinary Master's degree in International Criminal Law and Justice. Students will be required to conduct original research and writing, with multiple edits, on a topic to be agreed upon with the instructor. Students will present their research to the class. Eligibility: Open to all except 1Ls. REQUIRED for ALL students seeking the LLM or Masters in International Criminal Law and Justice. Course enrollment is limited to 14 students. Course format: writing. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LCR 925 - Comparative Criminal Justice Systems****Credits: 3**

Only a small portion of international criminal law disputes are resolved in some form of international court like the International Criminal Court or a special tribunal. The majority are instead resolved in a domestic court system, meaning that, effectively, the practice of international criminal law occurs in a number of different criminal justice systems. This course familiarizes students with the varieties of criminal justice systems around the world. Though each country or region has its own individual system tailored to its history and culture, regional and cultural similarities exist in the structure and approach of individual systems. The course will ground students in the major types of criminal justice systems around the world, from the Anglo-American system to a European system to an Islamic system. The course will look both at individual systems from countries that have a strong presence in the world of international criminal law and at the general principles that underlie the differences in major systems.

**LCR 926 - International Criminal Court and Special Tribunals****Credits: 3**

The International Criminal Court (ICC) is the only permanent international mechanism for prosecuting international crimes. Though the scope of its jurisdiction is limited, it has had a powerful presence in the development of international criminal law principles. The special tribunals for the former Yugoslavia (ICTY) and for Rwanda (ICTR), both UN-created ad hoc tribunals, have played a significant role in the aftermath of two international crises. This course will ground students in the jurisdictional scope of the ICC; the substantive definition of crimes within its jurisdiction; its procedural rules and the substance and nature of its rulings. The course will also ground students in the practice, procedure of the ICTY and the ICTR.

**LCR 927 - Piracy and Terrorism****Credits: 2**

This course will explore the law and practice relating to crimes of terrorism and piracy. We will explore how states have come to define and prosecute these crimes and the subsequent implications for individual liberties, international norms, and the ever evolving role of the state in protecting national security. Course materials will include treaties, statutes, case law, historical essays, contemporary commentary and news articles, executive orders, and other works. We will cover various themes including: competing international and domestic definitions of the crimes of terrorism and piracy; the law governing states' jurisdiction to prosecute such crimes; the nexus between terrorism and piracy and the laws of armed conflict—such as that governing detention, trials, and targeted killing; as well as the law governing surveillance for counter-terrorism purposes and the anti-piracy efforts of non-state actors. The course will focus on contemporary U.S. law and policy, but will also provide historical context.

**LCR 928 - Drugs and Weapons Trafficking****Credits: 3**

Weapons and drug trafficking are among the largest underground industries in the world. Generating hundreds of billions of dollars in annual revenue, and spawning a global industry of money laundering, trafficking has profound effects not only in the developing world but also in the well-established economies of Europe, Asia and North America. Trafficking leads also to a series of collateral social issues including increased crime rates, profound societal effects and costs, rampant public corruption and large-scale funding of terrorist activities. This course familiarizes students with the origins and present state of international trafficking in weapons and drugs and the money laundering practices used to conceal it from detection. It includes an examination of how trafficking is conducted on a global scale, what efforts have been undertaken to combat it, and what the international community is doing to address the many complex issues involved. International standards and cross-cultural obstacles are examined, as are political implications. The course will examine the approaches to these problems used in countries that have a strong interest or participation in trafficking. In addition, international best practices and standards will be critically assessed.

**LCR 929 - Capstone Research Project****Credits: 3**

This course serves as the capstone to the process begun with the International Criminal Law Survey course. Students will complete a significant research and writing project on a subject of their choice under the supervision of a faculty member. The project will include a set of deadlines for outlines and drafts as well as frequent interaction with the Professor.

### **LCR 930 - Human Trafficking Laws: Criminal, Civil and Regulatory Process**

**Credits:** 3

Forced labor is a crime that affects individuals around the world. This crime affects many different kinds of people in different situations, and as a result, the legal means for addressing human trafficking, and the implications of their use are varied. The course will provide practitioners with background, and information about the scope and breadth of legal tools to address different forms of human trafficking. This course is a follow-up to the Human Trafficking I. That course is a survey course broadly covering the field. This focuses on a particular area. In addition, we will be working with the Polaris Project, a major international non-profit advocacy group to offer webinars/online symposia to expand our visibility in this area.

## **Daniel Webster Scholar (LAW) (LDWS)**

### **LDWS 901 - DWS Trial Advocacy**

**Credits:** 3

Trial Advocacy is a 2-L simulation course. Using the interrogatories and deposition transcripts they obtained in Pretrial Advocacy, students try their hand at controlling the witnesses in the trial setting. They also participate in a simulated criminal trial from beginning to end, complete with a student jury that deliberates. Students are taped so that they can watch and reflect upon their performance, keeping weekly logs of their progress. They receive feedback from peers, professors, lawyers, judges, jurors and witnesses. At the end of the course, each scholar prepares a reflective paper in which, using the MacCrate skills and values as a guide, the student identifies those skills and values that were addressed in the course, reflects upon the student's own perceived strengths and weaknesses, and discusses how the student plans to cultivate strengths and improve weaknesses. Eligibility: Required DWS course. Course enrollment is limited to 12 students. Course format: skills training. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

### **LDWS 902 - DWS Business Transactions**

**Credits:** 3

Business Transactions is a 3-L course which focuses upon the processes by which businesses are formed, financed, operated, altered and sold. Unlike a typical business course, the students are involved in simulations. They create documents and receive substantial feedback. They are asked individually to issue-spot in complex fact patterns, and they then analyze the fact patterns as a group. Students receive review and feedback from their peers and from their professor. There is some negotiations practice. At the end of the course, each scholar prepares a reflective paper in which, using the MacCrate skills and values as a guide, the student identifies those skills and values that were addressed in the course, reflects upon the student's own perceived strengths and weaknesses, and discusses how the student plans to cultivate strengths and improve weaknesses. Eligibility: Required DWS course. Course format: simulation. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

### **LDWS 903 - DWS Miniseries**

**Credits:** 2

The Miniseries is a number of short course modules which expose 2-L students to numerous areas of practice, including family law, conflicts of law, secured transactions and negotiable instruments. Students are also exposed to client counseling skills which will be further developed in the Capstone during the 3-L year. The family law section includes simulation involving typical family law problems and the completion of documents required for an uncontested divorce. Students also receive training to become qualified as DOVE (Domestic Violence Emergency) attorneys so they can participate in DOVE's North Country Project providing telephone advice as part of their experience. Conflicts of law, secured transactions and negotiable interests are presented primarily in a lecture format. Eligibility: Required DWS course. Course format: simulation. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

### **LDWS 904 - DWS Negotiations & ADR**

**Credits:** 3

DWS Negotiations & ADR is a 2-L simulation course primarily involving interest-based negotiation, mediation, arbitration and collaborative resolution. Students role-play in a variety of settings. The skills and theories introduced are applicable to life generally and practice specifically. Student performances are often taped so that students can observe themselves and learn from that experience. Students prepare negotiation outlines in advance of each session and keep weekly skills logs reflecting upon their progress. They also receive feedback from their peers and professors as well as from practitioners who observe sessions. In addition to the negotiation problems that are designed by the professors, the scholars may be asked to find problems from current events. At the end of the course, each scholar prepares a reflective paper in which, using the MacCrate skills and values as a guide, the student identifies those skills and values that were addressed in the course, reflects upon the student's own perceived strengths and weaknesses, and discusses how the student plans to cultivate strengths and improve weaknesses. Eligibility: Required 2-L DWS course. Course format: skills training. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

### **LDWS 905 - DWS Capstone**

**Credits:** 2

This course primarily focuses upon the client/lawyer relationship and developing the listening, analytical and counseling skills necessary to be a competent lawyer; it also provides exposure to the law office management/business side of law practice. In this course, as in the real world, students are assigned roles in various given factual situations that involve multiple areas of substantive law, without being first guided as to what issues are relevant. Clients are then interviewed, necessary research is performed, and advice is given. Students observe and provide feedback to each other using the same assessment forms that standardized clients will later use. This familiarizes the students with what is later being tested and makes them more conscious of the skills necessary to interview a client successfully. Twice during the semester, students interview trained standardized clients who use a standardized fact pattern. The standardized clients provide written and oral assessments of student interviewing skills based upon a standardized form. A satisfactory competency score for at least one of the interviews is required as a component of the DWS alternative bar exam. Anyone not receiving a satisfactory score will have an opportunity to conduct another interview after receiving feedback. Eligibility: Required DWS course. Course format: lecture. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.



**LDWS 942 - DWS Pretrial Advocacy****Credits: 4**

Pretrial Advocacy is a 2-L simulation course. Each of the two sections is a law firm. Each firm has an experienced litigator/professor in the role of "senior partner," and the 2L scholars are "junior associates." There are also two 3L scholars in each firm who serve as "senior associates". Actors play the roles of the parties and various witnesses. Working both in small groups and alone, the junior associates: interview clients and witnesses; prepare or answer a complaint; prepare and answer interrogatories; take and defend a deposition with an actual court reporter who takes it in "real time" and provides a transcript; prepare a motion or an objection to a motion for summary judgment which is then argued before a real judge in the judge's courtroom; and prepare a final pretrial statement for submission to the court. Throughout the semester, the "junior associates" also submit time sheets to their "senior partners." "Junior associates" receive constructive feedback from their "senior partners," "senior associates," and each other, as well as from court reporters, judges, attorneys, standardized clients and witnesses. They also observe and critique their taped deposition and oral argument performances. At the end of the course, each scholar prepares a reflective paper in which, using the MacCrate skills and values as a guide, the student identifies those skills and values that were addressed in the course, reflects upon the student's own perceived strengths and weaknesses, and discusses how the student plans to cultivate strengths and improve weaknesses. Eligibility: Required DWS course. Non-DWS students may apply by lottery. Course enrollment is limited to 20 students. Course format: simulation. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LDWS 943 - DWS Advanced Pretrial Advocacy****Credits: 3**

In order to be client-ready, a lawyer needs to be able to integrate many skills and correctly apply many values. As students progress through the DWS Program, they reflect upon the MacCrate Skills and Values, and how they apply to the students' development as a lawyer. This course will include the further development and refinement of many of those skills and values, with particular emphasis on the skills and values involved in the lawyer's relationship with the client. In order to emphasize the appropriate focus of that dynamic, we will refer to it as the client-lawyer relationship, rather than vice-versa. The skills focused upon include: 1. fact investigation; 2. client and witness interviewing; 3. client counseling; 4. problem solving; 5. organization and management of legal work; and, 6. recognizing and resolving ethical dilemmas. The values include: 1. provision of competent representation; 2. striving to promote justice, fairness and morality; 3. striving to improve the profession; and, 4. professional self-development. The course focus will include both litigation and transactional practice. There will be substantial role-playing. It will not be one continuous simulation, but rather a number of modules that are designed to build upon prior experiences. Students will all play various roles, including the roles of client and attorney. Students will also have the experience of interviewing a standardized client on three occasions. By the end of the course, students will demonstrate competency with the skills identified above and comprehension of and ability to apply the values.

## General Practice (LAW) (LGP)

**LGP 900 - The Legal Profession****Credits: 1**

In this course, students acquire a basic understanding of the numerous career paths available to lawyers, explore basic concepts of legal professionalism, understand the fundamentals of the business of law, practice the "soft skills" necessary for effective lawyering, and develop an individual career development strategy for exploring their unique professional interests throughout the next three years. During classes, students meet practitioners from a variety of practice areas. The attorneys address various business and professional issues they handle on a daily basis so that students can begin to discern not only the legal and business issues in different legal practices, but also the professional standards that attorneys will expect of them in the workplace. During a portion of each class, students apply the information they learned from the attorneys to a practical aspect of their own professional development. Students also research and establish a mentoring relationship with a practitioner, attend networking events, participate in community service projects, attend additional events, meetings, and conferences and practice other "soft skills" as requirements of the course. This class meets for two hours every other week. Students are expected to complete several specific written assignments. Grading is S/U and is based on attendance, participation and satisfactory completion of all projects and written assignments. This is a required 1L course.

**LGP 902 - Access to Justice****Credits: 1**

This class is designed for upper-level students interested in exploring the barriers that low-income and vulnerable individuals often face when interacting with the civil side of the justice system, as well as how effective advocacy can help overcome these obstacles. It is also designed for students planning to sit for the Uniform Bar Exam (UBE). Understanding complex access to justice issues involves a range of different doctrinal topics (that are also bar-tested)—many of which students will have already taken but can now review and master further—including Property, Civil Procedure, and Family Law. This class provides students with significant opportunities to practice analyzing these issues by writing responses to bar exam style essays, as well as engaging in other forms of problem-solving and analysis. Students thinking about taking the Uniform Bar Exam (UBE) are especially encouraged to take this class, as it will offer in-depth immersion into the strategies and tactics necessary for succeeding on all MEE (Multi-State Essay Exam) essays.

**LGP 903 - Administrative Process****Credits: 3**

Administrative law can be a complicated subject, but it is a fundamental component of American law. It is highly likely that lawyers will encounter administrative law and procedure in their legal careers, regardless of practice area. For these reasons, the course is required. By the end of the semester, when challenged with a set of facts, students will be able to understand the scope of legislative, executive, and judicial authority, and the limitations on each branch of government in the administrative context; accurately identify and analyze the stages of the administrative rulemaking process and their legal requirements; accurately identify and analyze the stages of administrative adjudications and their legal requirements; understand and apply Constitutional requirements in the administrative process such as due process analysis, delegation of power, and separation of powers; and accurately identify, apply, and synthesize the relevant legal authority governing an administrative proceeding, including, but not limited to: the Constitution, the Administrative Procedure Act, 5 U.S.C. Section 551 (2006), or other federal or state statutes, and judicially created rules and doctrines of administrative law. Eligibility: Required JD course. Prerequisites: Constitutional Law Civil Procedure. Course enrollment is limited to 70 students. Course format: lecture. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 904 - Current Issues in Health Law and Policy****Credits: 2**

This course will teach students key provisions of federal law regulating the health care delivery and finance system through an analysis of the Affordable Care Act and its historic implementation. Students will review currently debated policy implications of the ACA and analyze legal challenges to it. Students will be guided through two short writing assignments, and choose a longer in depth client oriented analysis of a health care law or issue. Satisfies upper level writing requirement.

**LGP 906 - Statutory Interpretation****Credits: 2**

This two-credit course, taught by the Chief Judge of the U.S. District Court for the District of NH, offers instruction in statutory interpretation, with emphasis on three areas: (1) practice, meaning advocacy in litigation and judicial opinions; (2) doctrines: textual and substantive canons of statutory construction; and (3) competing theories: textualism, intentionalism, purposivism (legal process theory), and pragmatism. Despite its theoretical aspects, this is a highly practical course.

**LGP 908 - Public International Law****Credits: 3**

This course is designed to cover the main aspects of public international law and the international legal system in a globalized world. We will discuss a range of topics to learn how international law, norms and processes interact with states, organizations and individuals. Subjects include treaties, customary international law and soft law, how international law is created and applied by domestic and international courts and institutions, who are the main players in international legal processes, the interaction of international law and domestic law, international criminal and civil jurisdiction, human rights and obligations in the international arena, the conduct of states and officials in war and conflict situations, and how international law and institutions relate to the environment, international business and peace and security. COURSE MATERIALS. The main text for the course is listed below. Supplemental materials will also be assigned. Jeffrey L. Dunoff, Steven R. Ratner, and David Wippman, eds., INTERNATIONAL LAW: NORMS, ACTORS, PROCESS (3rd ed., Aspen Publishers, 2010) COURSE REQUIREMENTS. The reading assignments will be listed in the syllabus. The readings will be analyzed in class through a combination of lectures, student presentations and discussion. Regular attendance and active participation in class sessions are expected. Students may write an intensive research paper in lieu of a portion of the final exam. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: final exam, 75%; class prep. and participation, 25%. This course may be taken for an S/U grade.

**LGP 909 - Civil Procedure****Credits: 4**

This course surveys the civil litigation process, beginning with the pretrial phase of litigation: the requirements for complaints and answers, procedures for joining additional parties and claims, the discovery process for gathering information, and pretrial motions (such as motions to dismiss or for summary judgment). The course considers also some of the procedural aspects of trials: when does a right to trial by jury exist and various motions for judgment made during trial. (Detailed exploration of trial rules and process is available in upper-class courses such as Trial Advocacy and Evidence). Additional topics include the remedies that are available to prevailing parties, the effect of a judgment in one case on litigation involving the same parties and/or facts, and some of the difficult constitutional issues at play in civil litigation (including jurisdiction, i.e., which courts have power over which kinds of cases and over which parties). Throughout the semester, the course emphasizes not only the mechanics of the litigation process but also application of procedural rules to actual and hypothetical disputes, including strategy considerations and lawyers' ethical and professional responsibilities in the litigation process. Eligibility: Required JD course. Course format: lecture. This course is recommended for taking the bar exam. Grading: final exam worth 75% or 100%, depending on quiz performance, with adjustments allowed for class participation. Quiz grades will comprise 25% of the final grade unless performance on the final examination exceeds that on the quizzes. There also will be an ungraded practice midterm exam.

**LGP 913 - Negotiable Instruments - UCC Articles 3 and 4****Credits: 1**

Negotiable instruments are commonly used in business transactions to finance the movement of goods and to secure and distribute loans. This course analyzes and applies the rules governing the "payment systems" of negotiable instruments and focuses on the processes by which a party's paper or electronic promise (note) or order (draft) to pay money can be acquired by subsequent parties (negotiability) and what are the rights and liabilities of the parties involved. The course will also introduce the students to the on-going evolution of commercial practice in response to the transformation from purely paper-based payment methods to credit card payments and electronic funds transfers, and to the new technological systems of debit cards and stored-value cards. Since many bar examinations include coverage of UCC Articles 3 and 4 this course can be critical for successful bar passage in those jurisdictions. Eligibility: Open to all except 1Ls. Course format: lecture. This course is recommended for taking the bar exam. Grading: final exam, 100%. Course has an ungraded component or practicum. This course must be taken for an S/U grade.

**LGP 914 - Secured Transactions-UCC Art 9****Credits: 1**

The Uniform Commercial Code has eleven substantive articles and according to the Uniform Law Commission "Article 9, Secured Transactions, may be the most important of the eleven." Debt and buying on credit is a common, if not essential, element of modern life. In the process of acquiring debt our creditors may want some assurance that they will be repaid. This is often in the form of collateral. When the collateral is personal property, we often become party to secured transactions governed by Article 9 of the Uniform Commercial Code. This course is focused on providing a foundational understanding of Article 9 and to help develop the skills necessary to identify and analyze situations involving secured transactions. Since most bar examinations include coverage of UCC Article 9 this course can be critical for successful bar passage. Eligibility: Open to all except 1Ls. Course format: lecture. This course is recommended for taking the bar exam. Grading: final exam, 100%. Course has an ungraded component or practicum. This course must be taken for an S/U grade.

**LGP 915 - Conflict of Laws****Credits: 2 or 3**

This is an introductory course in Conflicts of Law. In our complicated and ever shrinking world, the power of different bodies to make or administer law is often unclear. And even when there is clarity, law-making powers frequently overlap. Thus, conflicts arise, and a way is needed to resolve them. Broadly speaking, this is the subject matter of Conflicts of Law. This course will focus on ensuring that students have a sound understanding of the basic model for choice of law and its underlying theories. This is the subject of part I of the casebook, which covers chapters 1-3. We will cover all of this material. In the time remaining, we shall cover Chapter 8 - International Conflicts - because many of the students will be taking the course to supplement their understanding of international law. Conflicts of Law is often a bar course, so intense study of the topics covered in chapters 1-3 should prove very helpful in terms of bar preparation. Eligibility: Open to 2Ls and 3Ls. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LGP 916 - Constitutional Law****Credits: 4**

The Constitution allocates power among the three branches of the federal government, between the federal government and the states, and between all government and individuals. Reflecting this division of responsibility, the course divides into three main units: (1) the separation of powers between the branches of the federal government; (2) the relationship between the federal government and the states; and (3) the basic structure of the Constitution's protection of individual rights, including the specific protections of due process and equal protection. Significant portions of the Constitution will not be covered. In particular, constitutional provisions regarding the rights of criminal defendants and the protections provided by the First Amendment are topics covered in other courses. Eligibility: Required JD course. Course format: lecture. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 919 - Contract Design****Credits: 3**

When a transaction and the relevant law are thoroughly understood, a good lawyer should be able to write a clear and effective contract before consulting forms and checklists. Although transactions are infinitely varied, there is a structural logic common to all contracts that can help the lawyer clarify the parties' objectives and understandings, see alternatives, organize the performances, anticipate difficulties, minimize or allocate risks, and provide for contingencies or disputes. First we will study this structural logic, the anatomy and physiology of contracts. The second part of the course will be more detailed application to several archetypal transactions, with their characteristic problems and solutions: Commercial Services, Purchase and Sale of Real Estate and of a Business, LLC Operating Agreement. The reading will be a short drafting text, cases involving drafting or design problems or oversights, and a bunch of clauses and contracts. In each part of the course there will be drafting exercises in class and out, starting with individual clauses. Early assignments will come back with comments or a "do-over." Later assignments may be graded. Around week 9 or 10 I will assign a fairly complex hypothetical for which you will have a substantial time to draft a complete proposed contract. I'll give you comments and suggestions toward a final draft. These drafts will be the principal basis for your grade. There will be no final exam. Eligibility: Open to 2Ls and 3Ls. Course enrollment is limited to 14 students. Course format: simulation. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 920 - Contracts****Credits: 3**

Contracts is your introduction to the law of voluntary transactions. How do we make enforceable promises? How do we interpret them? When and how can they be undone or excused? If they are broken without lawful excuse, what will the law do about it? There are other things going on in a Contracts class. With trivial exceptions, contracts are made of words. Care in using and interpreting words is vital for lawyers. Contract-making also requires anticipating and providing for contingencies. The course is as much about developing professional habits of thought as it is about rules and vocabulary. Eligibility: Required JD course. Course format: lecture. This course is recommended for taking the bar exam. Grading: final exam, 85%; midterm exam, 10%; class prep. and participation, 5%. This course cannot be taken for an S/U grade.

**LGP 922 - Employment Law****Credits: 3**

Using the Case File method developed in business schools, this course hones students' legal analysis skills in the context of a wide array of employment law problems. For each class students will read a case file that includes a memo from a senior attorney presenting a client with an employment problem and a number of relevant cases and statutes. During class discussion students will be required to analyze the relevant law in the context of the client's problem. Students analyze problems concerning employment contracts, wrongful termination claims, employees' rights to privacy, defamation in employment, and a variety of employment discrimination claims. Throughout the course, students are challenged to make nuanced judgments necessary to advise clients about likely outcomes. To make these judgments students must consider and weigh the law, facts, procedural hurdles, legal costs, business realities and human consequences of the problems their clients face. Eligibility: Open to 2Ls and 3Ls. Course enrollment is limited to 20 students. Course format: problem-based. Grading: final exam, 50%; class prep. and participation, 50%. This course cannot be taken for an S/U grade.

**LGP 924 - Evidence****Credits: 3**

Evidence is a Prerequisite for Trial Advocacy, Expert Witnesses & Scientific Evidence and Patent Litigation. This course involves the study of law governing the flow of information into trials, focusing on the Federal Rules of Evidence. The course emphasizes the development of the skill of factual analysis and of the methods for analyzing evidentiary problems. It is not a course on the memorization of a body of rules. Rather, the principles underlying the rules and, in particular, their application are the focus. Eligibility: Open to all except 1Ls. Course format: lecture. This course is recommended for taking the bar exam. Grading: see syllabus. This course cannot be taken for an S/U grade.

**LGP 925 - Expert Witness and Scientific Evidence****Credits: 3**

This class is a Prerequisite for Advanced Patent Litigation. This course recognizes that whatever type of lawyering one does (from patent litigation to criminal defense or other civil litigation), one must have an ability to manage effectively expert witnesses and scientific evidence. This course functions as an Advanced Evidence and Advanced Trial Advocacy course. It examines the law as to the admissibility of and limitations on expert testimony and on scientific evidence. It requires students to develop a competence in the use of experts during litigation by participation in simulated direct and cross-examination exercises as well as admissibility exercises. Eligibility: Open to 3Ls only. Prerequisites: Evidence and at least concurrent enrollment in Trial Advocacy. Corequisites: Trial Advocacy. Course enrollment is limited to 26 students. Course format: skills training. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 926 - Family Law****Credits: 3**

This course provides an overview of the law as it relates to modern families, including defining a family, the parties' relationships with each other and their children as well as the consequences of dissolution of the family. The main topics covered will be marriage, divorce, spousal and child support, encroachments on family privacy, and rights and obligations of individuals in families. The subject matter also covers abortion, alternative methods of bringing a child into a family as well as government involvement in the family. Family law is in a period of rapid change in the 21st. century. Participants in various family situations search for legal change to accommodate the rapid change in society. Court decisions, lawyers' arguments and the legal issues themselves all show the impact of societal, political, and economic change in the field of family law practice. The course will also explore how the law has evolved, and is continuing to evolve, in recent years. Class time will be used for lecture and discussion regarding text materials. The course is designed to cover the law on a national scope. We shall use a basic family law text. Classroom attendance and participation are required. Eligibility: Open to 2Ls and 3Ls. Course format: lecture. Grading: final exam, 85%; midterm exam, 15%. This course may be taken for an S/U grade.

**LGP 928 - Federal Courts****Credits: 3**

Federal Courts examines the scope of and limitations on the federal judicial power, focusing on three main themes: (1) the courts' relationship to the other two branches of the federal government, (2) the proper relationship between the federal and state governments, and (3) the mechanisms employed by federal and state courts to enforce rights created by federal constitutional and statutory law. The topics covered include congressional control of federal court jurisdiction, justiciability, Supreme Court review of state court decisions, sovereign immunity and its abrogation, abstention, civil rights lawsuits, judicially created rights of action, and habeas corpus. Superior or deficient class participation may contribute an additional single grade step up or down (e.g. from B to B+ or B to B-). Eligibility: Open to 2Ls and 3Ls. Course format: lecture. Grading: final exam, 75%; midterm exam, 25%. This course cannot be taken for an S/U grade.

**LGP 929 - First Amendment Law****Credits: 3**

This course will provide an intensive examination of the First Amendment's free speech and religion clauses. The freedom of speech aspect of the course will consider the various theoretical underpinnings for affording protection to expression and will explore how the protections afforded speech vary depending on (1) the kind of speech regulated, (2) the location where the speech occurs, and (3) the nature of the regulation at issue. The religion aspect of the course will consider the different doctrinal approaches to enforcing the free exercise clause and explore the limitations on government action imposed by the establishment clause. Course readings will include a case book and additional readings provided by the instructor. Eligibility: Open to 2Ls and 3Ls. Course format: lecture. Grading: final exam, 80%; class prep. and participation, 20%. This course may be taken for an S/U grade.



**LGP 930 - Health Law and Industry Regulation****Credits: 3**

This course will provide students the practical regulatory knowledge base necessary to practice in the area of health law by teaching how the health care delivery system is regulated from a business perspective. Students analyze how providers navigate a complex and changing regulatory environment by reviewing the basic federal and state legal frameworks regulating health insurance, payment reform mandates and the Affordable Care Act implementation, business structures and tax, Medicare and Medicaid, fraud and abuse including Stark/Antikickback and antitrust. Students review a variety of case studies and hear from experts in the field of health law on current topics in order to highlight the interplay between health care delivery, business and regulation. Eligibility: All but 1Ls. Prereq: Admin Pro recommended Grading: see syllabus. Course may be taken S/U.

**LGP 931 - Health Law****Credits: 2**

This course provides a general introduction to the law of health care in the United States. Students will gain an understanding of the legal and policy considerations that shape the relationships between providers (physicians and hospitals) and patients and how different areas of law have developed when applied within the health care industry. Because health law is a broad subject matter, this course will cover a wide range of topics in brief, including the physician-patient relationship, informed consent, privacy and confidentiality, medical malpractice, regulatory compliance, conflicts of interest, human subjects research, and end-of-life decision-making.

**LGP 933 - Immigration Law****Credits: 3**

Immigration law is complex and multi-faceted; it touches on other substantive areas of the law including constitutional law, criminal law and foreign policy. By the end of the semester students should be able to think critically about the historical, theoretical and constitutional context of immigration law, including division of immigration power between federal and state government as well as limits to the federal immigration power under the United States Constitution and the Amendments; possess a good understanding of the core principles of immigration law, its norms and practices; develop analytical skills to question and appraise immigration law policies and practices; identify current immigration issues in the United States, including analyzing the constitutionality and rationality of recent state and federal legislative enactments and proposals; and explore causes of present immigration problems and violations and what possible steps might Congress or states take to remedy flaws in current legislation on immigration. Eligibility: Open to 2Ls and 3Ls. Course format: lecture and problem based. Classroom attendance and participation are required. Grading: see syllabus. This course cannot be taken for an S/U grade.

**LGP 937 - Law Practice Management****Credits: 3**

The practice of law is both a profession and a business. Attorneys have obligations to themselves, their colleagues, the profession, and their families. Achieving a balance is important to personal growth and development. This course will provide students with a foundation in both the business aspects of a law firm and individual practice management. It will acquaint students with an overview of the skills necessary for setting up and operating a law office, managing client relationships, and managing the substantive aspects of a practice. It will give students an introduction to management and administrative functions, procedures and policies that law firms typically follow. This course provides essential information for those students considering setting up an office as a solo practitioner, or in a small firm with other recent graduates. For those students accepting positions with existing firms, the course offers an opportunity to gain insight into the workings of a law firm, thereby improving the chances for long-term success with a firm and within the profession. Students will be organized into separate classroom "law firms," and will be guided through many steps toward establishing a firm. Class time will include lectures, discussions, individual and group presentations, and work on group projects. Eligibility: Open to 2Ls and 3Ls. Course enrollment is limited to 24 students. Course format: seminar. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 939 - Privacy Law****Credits: 2**

Privacy is the study of society's efforts to draw boundaries between different contexts in which information flows. In the last few decades, privacy law has gone from being a minor issue largely confined to a few specific industries to one of the most important and pressing issues for businesses, consumers, and government officials of all kinds. This course will survey legal regimes governing the collection, use, and dissemination of information. Topics of discussion will include information dissemination and the First Amendment, associational privacy, the privacy torts, consumer privacy on the internet, the role of the Federal Trade Commission, medical privacy, government surveillance and the Fourth Amendment, privacy and national security, and international privacy regimes.

**LGP 940 - European Union Privacy & Data Governance Law****Credits: 1**

This course will examine the background to the emergence of privacy and data governance law in the European Union. It will contrast the English common law approach to privacy with that of France and Germany. It will examine the establishment of a European wide approach to data protection and privacy. In particular it will examine in detail the new General Data Protection Regulation provisions, including the discretion of member states. It will further explore the responsibility of non EU entities when acquiring data on EU citizens and the ability to transfer that data outside of EU using data protection equivalency, international agreements or contractual provisions between private entities. Finally the course will examine the protection of e-Privacy and the move towards an Open Data society in the EU for non-personal data.

**LGP 951 - Professional Responsibility****Credits: 3**

Professional Responsibility provides an in-depth study of the law of lawyering. The coverage includes the provisions of the Model Rules of Professional Conduct, bar admission, malpractice, and the "business of law," such as multijurisdictional practice, advertising, and practices with professionals from other disciplines. The course will also expose students to the criticism of the ethics of the legal profession and discuss the use of the adversarial system as the dominant model for our justice system. The course will use the problem-method as its primary vehicle to structure the discussion. Eligibility: Required JD course. Course enrollment is limited to 50 students. Course format: problem-based. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 952 - Property****Credits: 4**

This course will introduce and illustrate the fundamental legal concepts and terms involved in the control of three kinds of property: real estate, chattels (goods), and intellectual property. With primary emphasis on real property, we will study the rights and powers of ownership, how they are acquired and transferred, how ownership can be shared (either simultaneously or over time, including future interests, leases, and licenses), recording systems and the rights of purchasers or lien holders, and sovereign powers (grant, escheat, eminent domain, regulation, and forfeiture). Grading methods may vary depending on which professor is teaching Property. For Professor Hurn attendance and preparation do not count for points, but excessive neglect of either will result in disenrollment. Otherwise his grades are based on one closed-book final exam. For Professor Massey, attendance, preparation, and useful class participation count as no more than 15% towards the final grade; sustained disengagement (as manifested by poor attendance and poor preparation) will result in reduction of the course grade by no more than 15%. The final exam will be closed book and consist of multiple choice questions and one essay. Eligibility: Required JD course. Course format: lecture. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 953 - Remedies****Credits: 3**

In this course students review the major kinds of relief clients can obtain in claims involving torts, contracts, property and other civil causes of action - all of which are tested on the bar exam. The course focuses on three major kinds of remedies - damages, injunctions, and restitution - through readings, solving problems, and short writing assignments. Classes will be focused on solving problems through active team-based learning strategies. During the course students will show in writing and orally how lawyers solve problems in the area of remedies- what laws they use, how they apply them to new facts, and how they use those facts to make arguments to judges or juries. To successfully complete this course students will: 1. Analyze and synthesize primary and secondary authorities; 2. Solve legal problems; 3. Investigate facts, including developing and questioning inferences; 4. Make legal arguments; 5. Understand how to access and information related to remedies; 6. Think critically about law, policy and alternatives to legal remedies; 7. Draft legal documents that communicate clearly, are persuasive, and comply with applicable rules; 8. Learn the basic law and policy of remedies: damages, injunctions, and restitution; 9. Evaluate the advantages of pursuing different remedies to achieve clients' objectives; and 10. Participate professionally in class. Eligibility: Open to 2Ls and 3Ls. Prerequisites: First year required courses.. Course format: problem-based. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LGP 956 - Pro Sports Law: Unique Relationship, Leagues, Team and Players****Credits: 2**

Pro Sports Law: The Unique Relationship Between Leagues, Teams & Players. This course examines various legal issues affecting professional sports industries and the relationship between leagues, teams, players and affected third-parties. Topics include related issues in antitrust, labor, work stoppages, contracts, intellectual property, advertising/brand management, torts, franchise relocation, immigration, disability and pension systems, anti-discrimination, regulation of private associations, regulation of athlete agents and their ethical duties, sports broadcasting and eSports (sports games played on video game systems and computers). Pursuit of careers in sports law, especially becoming attorneys for teams or leagues or becoming sports agents, is also covered. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: final exam, 100%. This course may be taken for an S/U grade.

**LGP 960 - Torts****Credits: 3**

Torts exposes you to the fundamentals of the major tort doctrines, focusing primarily on negligence and introducing intentional torts and products liability. Through reading primary authorities - cases and statutes - and secondary authorities such as the Restatement of Torts, jury instructions, and related materials, you will learn legal principles. Working on skills-based exercises, you will practice analyzing and applying torts principles to factual scenarios. During the course you will show in writing and orally how lawyers solve problems in the area of torts - what laws they use, how they apply them to new facts, and how they use those facts to make arguments to judges or juries. To successfully complete this course you will: 1. Analyze and synthesize cases; 2. Solve legal problems; 3. Investigate facts; 4. Make legal arguments; 5. Understand how to access information related to tort law; 6. Think critically about law, policy and the torts system; 7. Draft legal documents that communicate clearly, are persuasive, and comply with applicable rules; 8. Learn: A. The basic law and policy of torts: negligence, intentional torts and products liability; B. Which tort issues are decided by judges, which by juries (or judges sitting as fact finders); C. The interrelationship of different torts causes of actions; and 9. Participate professionally in class. Eligibility: Required JD course. Course format: problem-based. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LGP 963 - Law and Mental Health****Credits: 2**

This two-credit course, meeting on selected Mondays (and one Saturday), equips students to manage all phases of legal proceedings in which mental health evidence and testimony are utilized. Students will review theories of law and mental health; assessment, treatment, credentialing, ethics, and practice standards; competency, sanity, and commitment proceedings; mental injury, antidiscrimination, and educational entitlements; delinquency, abuse/neglect, and child custody determinations; and practical aspects of forensic consultation, expert witness retention, and the lawyer's own mental health. Open to all except 1Ls. Grading Information: Final examination= 50%; Class Preparation And Participation= 20%; and Brief Research Paper= 30%.

**LGP 969 - Article II Sales****Credits: 2**

The Sales course is a continuation of contract doctrine from your first semester Contract Law course. While Contract Law focused on the common law's approach to contracts, Sales will focus on statutory approaches. U.C.C. Article 2 (sale of goods) will be the main focus of the course, but we will also explore other code approaches to sales. We will explore international sales and the Convention on Contracts for the International Sale of Goods (the CISG). We will also look at electronic commerce through the Uniform Electronics Transactions Act (UETA) and Electronic Signatures in Global and National Commerce Act (E-Sign). Eligibility: Required JD course. Course format: lecture. This course is recommended for taking the bar exam. Grading: final exam, 100%. This course cannot be taken for an S/U grade.

**LGP 970 - Preliminary Bar Exam****Credits: 0**

The preliminary bar exam is a requirement for all 1L students, as set forth in the Student Handbook p.53 The prelim will assess students' substantive knowledge of Torts, Contracts, Property, and Civil Procedure, as well as the essential skills necessary for success on the bar exam. Students will not receive course credit for the prelim, and it will not be used to calculate GPA or class rank.

**LGP 971 - BioInnovation Research Collaboration and the Law****Credits: 2**

This course will explore the legal, regulatory and business issues that arise from the research, development, manufacturing and sale of innovative bio-medical products. Students will work through a case study to simulate the collaborative development of a product, learning in a dynamic and multi-disciplinary classroom. The curriculum will track key areas of the law that impact the development of innovative products, specifically cutting edge issues that arise when bringing together industry, academia and government collaboration around bio generation. Students will emerge from this pilot program ready for the challenge of identifying the issues facing companies working in bioinnovation space and specifically those companies seeking services from ARMI, Inc.

**LGP 972 - Valuation and the Law****Credits: 2**

Valuation is a prerequisite for thoughtful decision-making. The old management adage—you can't manage what you don't measure—remains true today. In business, sound decision-making involves placing reasonable values on assets and strategies to identify the best decisions among competing, but uncertain, choices. While valuation has long been used by businesses to improve decisions, it has been slow to develop as a wide-ranging decision tool in the legal setting. As a result, valuation principles are too often ignored or poorly implemented in legal settings. Valuation should be a fundamental skill possessed by most lawyers. Consider just a few of the legal settings that require valuation to make properly informed decisions: • Developing remedies in the litigation context. • Making sue-or-settle decisions. • Crafting effective laws and regulations. • Determining how much to spend on legal services. • Developing and executing business strategies that are based on legal rights (such as intellectual property strategies). • Evaluating the success or failure of negotiations. In each of these contexts, the decision-maker must make a value judgment (the option chosen is better than options not chosen), whether the decision-maker appreciates it or not. For example, when a client decides to settle a lawsuit, she has valued the settlement alternative higher than the litigation alternative. Therefore, the choice is not whether to employ a valuation analysis. Rather, the choice is whether to employ an intelligent valuation analysis that helps inform the decision or to employ a sloppy process that ignores such valuable information. One reason (and probably the most powerful reason) for the slow development of valuation analysis in the legal setting is the common misperception that valuation is too difficult. This course will seek to disprove that notion. This course will teach students how to apply valuation principles in their future legal practice and become more effective lawyers. Strong math skills are not required. We will not employ any mathematical concepts beyond what is required in a 6th grade math class.

**LGP 981 - Consumer Law****Credits: 3**

Consumer Law examines contemporary consumer law, situating its statutes in the common law of tort and contract. The class is organized around a consumer transaction, including how businesses attract consumers, the terms of the products or services purchased, and the remedies or enforcement tools available if the deal does awry. In addition to longstanding important topics such as unfair or deceptive acts and practices, warranties, and consumer credit law, the class examines how the consumer law landscape is changing. Issues include technological advances that raise privacy concerns; the increase in automobile debt and student loans; and the work of the newest federal agency, Consumer Financial Protection Bureau. This class will not be exclusively about "consumer protection" but instead will consider consumer law from multiple viewpoints, including those of businesses that are regulated by consumer law and those of policymakers who are charged with protecting the public interest in a fair marketplace.

**LGP 982 - Corporate Finance****Credits: 3**

Corporate Finance is designed to provide students with an understanding of the funding sources and the structure of corporate financial transactions. The course will focus on the tools necessary for a lawyer to render legal opinions in the financial sector; and will help students understand the finances behind negotiating a merger, taking a client private (LBO) or public (IPO) and litigation of complex class actions and derivative suits. Topics covered include: time value of money, workings of capital markets, valuation, basic accounting, and basic corporate securities.

**LGP 983 - Economics for Lawyers****Credits: 3**

Economics for lawyers exposes students to a broad survey of economic, statistical, financial and accounting concepts which play a crucial role in determining the outcome of legal disputes. Students will not become expert in these technical areas but will be exposed to both the mechanics and subtleties of these tools. The goal is to educate and train students so that they will be better prepared to understand a dispute, craft an argument, or prepare a witness.

**LGP 984 - Intl Sales & Comm. Arbitration****Credits: 3**

International Sales and Commercial Arbitration provides an overview of the law governing international sales of goods and international commercial arbitration, focusing primarily on the U.N. Convention on the International Sale of Goods, the UNCITRAL Model Law on International Commercial Arbitration, and the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards.

**LGP 985 - Natl Security:Counterterrorism****Credits: 3**

National Security: Counterterrorism is an in-depth look at counterterrorism in the United States. Examines the competing conceptions and definitions of terrorism at the national level and the institutions and processes designed to execute the national security on terrorism. Includes the study of the balance between national security interests and civil liberties found in the following topical areas: relevant Supreme Court decisions, legislative provisions in response to acts of terrorism, operational counter-terrorism considerations (including targeted killing), intelligence gathering (including interrogations), policy recommendations, the use of military tribunals or civil courts in trying suspected terrorists, the emerging law regarding enemy combatants and their detention, and the arguable need for new self-defense doctrines at the global level.

**LGP 987 - Int'l Business Transactions****Credits: 3**

International Business Transactions is a general course covering the fundamental issues that affect business in today's global marketplace. Topics covered include legal issues associated with financing commercial transactions, transnational contracts, and foreign direct investment in countries abroad. The course will emphasize the role of international trade institutions, GATT treaties, and federal trade law.

## Intellectual Property (LAW) (LIP)

**LIP 801 - Graduate Legal Research and Information Literacy****Credits: 1**

This required one credit course introduces graduate students to the basic research tools and strategies a beginning intellectual property or commerce and technology professional needs to work in their practice area and engage in lifelong learning to keep their education current. The course focuses on: primary and secondary legal authority with lesser coverage on fact research, current awareness and practice tools and strategies; mandatory and persuasive authority; accessing, evaluating and updating secondary legal sources, court decisions, statutes and administrative rulemaking; developing a coherent research strategy including cost effective research; and appropriate choice of electronic formats. Students will be exposed to LEXIS, Westlaw and free web sites. At the end of the first semester students should be able to take a legal issue and determine the extent of legal information needed; access the needed legal information effectively and efficiently; evaluate legal information and its sources critically; incorporate the selected legal information into their understanding of the issue; understand the economic, legal and social issues surrounding the use of legal information; access and use information ethically and legally. Classes involve a mix of lecture, discussion and the opportunity to work directly with relevant print and electronic resources through assigned problems. In addition to a graded research midterm and final, students must successfully complete weekly research assignments. Eligibility: Graduate Students - required course. Prerequisites: none. Course format: skills training. Grading: final exam, 60%; class prep. and participation, 05%; regular submissions/quizzes, 35%.

**LIP 802 - Intellectual Property, Technology Transfer and Global Development****Credits: 2**

With an open seminar format for discussion and exploration of emerging topics in the field of IP and global development, this course is open to all students, does not have a formal prerequisite, but students are expected to understand the fundamental principles of IP covered and conduct rigorous interdisciplinary research: as such, this course will contribute to the students' overall information literacy. Students are therefore expected to be diligent, professional, independent and responsible for their project deliverables. Topics to be covered in this course include, but are not necessarily limited to, the WIPO Development Agenda, WTO TRIPs, International Technology Transfer and Access to medicines. Assigned readings will not be reviewed in class via recitation, but rather as a springboard for informed discussion and formulation of concepts which add to the knowledge base in this complex and rapidly evolving field of study. Specific, measurable, student learning outcomes include greater knowledge of the role of IP in economic development, skills in performing complex interdisciplinary research and values related to formulating policy and strategic options which foster equitable and sustainable application of IP to the development of emerging economies. Students will be graded on an S/U/O basis. Evaluation will be based on equal weighting of 1) Attendance and thoughtful participation, 2) Professional presentation of a project paper to the class, 3) Final project paper of approximately 25 pages. Project subjects will be determined during the initial several weeks of the course, in consultation with the professor. Class size: 12 students.



**LIP 803 - International and Comparative Intellectual Property****Credits: 3**

This graduate course examines select issues of intellectual property law in both an international and comparative context. The course introduces the basic contours of international principles, treaties and institutions regarding IP, including significant substantive and procedural differences between the United States and other countries (with a focus on the U.S., Europe, and Asia). The course explores why and how international and regional IP regimes have been created, and how they have been implemented, interpreted, and enforced. Students will become familiar with some of the most significant of these regimes in each area of IP. While the course assumes a general background in IP law, in-depth knowledge of IP law in the U.S. or in any other country is not required. Grading will be determined by participation in on-line discussion fora (which will require answering and discussing weekly questions), and by a final exam/paper.

**LIP 804 - Film and TV Law****Credits: 1**

This course examines the legal aspects of film and TV Law, with a focus on how legal rules meet the realities of business in the context of film and TV production. Topics include rights clearance issues, talent contracts, copyright and trademark issues for films as well as copyright and administrative issues unique to television. The course also discusses the organization of the film and TV industries in this time of transition for the entertainment industry, and situate the relevant law in this context. Prereq: Contracts. Pre-Coreq: Copyright Law, Trademark Law, Fundamentals of IP, or instructor permission.

**LIP 855 - Graduate Programs Contracts****Credits: 3**

In its simplest form, contract law deals with the world of legally enforceable agreements. The goal of this course is to introduce students to U.S. contract law, focusing primarily on the common law's approach to contract law. While U.C.C. Article II (sale of goods) is an important component of contract law and will be mentioned, it will not be a focus of the course. Eligibility: Open to international LL.M. students and students pursuing a master degree. Course format: lecture. This course is recommended for taking the bar exam. Grading: final exam, 100%. Course has an ungraded component or practicum. This course cannot be taken for an S/U grade.

**LIP 894 - American Legal Process and Analysis I****Credits: 3**

This course introduces UNH Law graduate students to American common law and statutory legal reasoning, predictive legal writing, and American civil procedure. Through a combination of reading court documents, visiting court, lectures, group work, and written assignments, students will gain a working knowledge of the intersection of First Amendment law and Intellectual Property law. Students will also gain a working knowledge of American civil procedure. This will enhance the practical legal skills students need to think, write, and work effectively in their studies at UNH Law and in subsequent careers. The course is required for all students who do not hold a US JD degree. The course is also tailored for students whose first language is not American English, as well as those who are likely to pursue their legal careers outside the US. Credits: 3. Prerequisites: None. Grading: Writing exercises 70%, class preparation 20% and other (see syllabus) 10%.

**LIP 895 - American Legal Process and Analysis II****Credits: 2**

This course builds upon the work begun in American Legal Process and Analysis I. Students continue to develop their analytical skills regarding American common law and statutory legal reasoning and are introduced to persuasive writing. Through reading court documents, visiting court, lecture, group work, and assignments, students gain a working knowledge of client advocacy in the U.S. system. Students also gain some experience with Alternative Dispute Resolution techniques by participating in a simulated negotiation at the end of the course. The course is required for all students who do not hold a U.S. JD degree. The course is tailored for students whose first language is not American English. Prereq: American Legal Process and Analysis I.

**LIP 903 - Advanced Patent Practice****Credits: 2****LIP 906 - Patent Strategies for Business****Credits: 2**

This course covers legal strategy and best practices for obtaining, evaluating, and monetizing patents, primarily in the US, but also with international considerations. Students learn to tailor their patent activities based on the size and situation of the relevant organization. Examples will focus on the differences between the needs of: a small entrepreneurial startup, a growing small-to-medium sized enterprise, a large established commercial business, and a licensing-based entity. Patent application claim techniques, filing decisions, cost concerns, pre-litigation opinions, cease and desist letters, and due diligence methods will be compared and contrasted based on the goals and competitive positions of the organization. Freedom to operate steps to avoid litigation will also be covered. Pre- or Coreq: Patent Law.

**LIP 907 - Pretrial Patent Litigation****Credits: 3**

This course is designed to provide students a roadmap of the pretrial activities that occur in all patent litigations and then teach them the how to's with respect to these activities. Students learn how to draft documents such as complaints, answers, discovery requests and responses, privilege logs, subpoenas, discovery motions, infringement contentions, and Markman briefs. Students also learn the basics of preparing for and participating in oral argument and deposition practice. The course also introduces students to some of the strategy considerations that surround the various pretrial activities. Pre - Coreq: Patent Law.

**LIP 911 - Global Perspectives in Copyright****Credits: 2**

Copyright law has become an increasingly complex area, particularly in the face of new technologies that challenge and call into question existing copyright laws and doctrines. This advanced seminar explores these legal complexities and relevant policy considerations in light of 21st century realities. This seminar focuses on selected issues of copyright law in greater detail than is possible in the Copyright Law course. Specifically, this course deals with cutting-edge issues through the examination of recent court decisions, laws (both domestic and international), scholarly and related works, and proposed laws regarding copyright. Students are assisted in writing articles of publishable quality on important issues facing the entertainment, computer, online services, publishing, and other industries. The course will include guest speakers who are involved in cutting edge issues in copyright, which will allow students to hear directly from and start networking with practitioners and others involved in copyright law. Prereq: Copyright Law (LIP 912) or IP Survey (LIP 944).

**LIP 912 - Copyright Law****Credits: 3**

This course will introduce students to fundamental principles of U.S. copyright law. The legal protection of "creative" content as an intangible property right has been statutorily recognized in the U.S. for over 200 years. While legal rights in such works are often seen as rooted in economic rationale, the law has changed over time, in response to technological challenges and international developments. The course will therefore also provide students with an understanding of how U.S. copyright law functions and adapts in this changing environment. Students with an interest in any branch of modern intellectual property law and how it responds to modern challenges will benefit from this course. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: final exam, 100%.

**LIP 913 - International and Comparative Intellectual Property****Credits: 3**

This graduate course examines select issues of intellectual property law in both an international and comparative context. The course introduces the basic contours of international principles, treaties and institutions regarding IP, including significant substantive and procedural differences between the United States and other countries (with a focus on the U.S., Europe, and Asia). The course explores why and how international and regional IP regimes have been created, and how they have been implemented, interpreted, and enforced. Students will become familiar with some of the most significant of these regimes in each area of IP. While the course assumes a general background in IP law, in-depth knowledge of IP law in the U.S. or in any other country is not required. Grading will be determined by participation in on-line discussion fora (which will require answering and discussing weekly questions), and by a final exam/paper.

**LIP 914 - Amateur Sports Law: Legal Issues in Youth, College and Rec Sport****Credits: 2**

Amateur Sports Law: Legal Issues in Youth, College and Recreational Sports. This course examines various legal issues in interscholastic and intercollegiate sports. Topics include issues in Title IX gender discrimination, antitrust (including combinations of competing schools/conferences), constitutional law (including freedom of speech/association/religion), contract law, land use and environmental law issues for recreational sports, the regulatory authority of the National Collegiate Athletic Association and of high school athletic associations, regulation of private educational institutions and sports associations, torts and insurance-related issues of schools for injuries suffered by athletes and spectators, the evolving conception of college athletes as professionals, athletic participation in taxpayer funded youth sports by homeschooled students, drug testing and rights to appeal, legal responsibilities of coaches to safeguard amateur players (including from concussions and unsafe practice conditions), and participation in sports by disabled athletes. Pursuit of careers in sports law, especially compliance positions at universities and colleges, is also covered. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: final exam, 100%. This course may be taken for an S/U grade.

**LIP 915 - Entertainment Law****Credits: 2**

This course will address the legal and transactional issues involved with live performance, recording agreements, motion picture licensing, finance, and development, virtual entertainment of computer gaming and virtual worlds, and new media. Students will immerse themselves in the deal-making aspects of practice in the entertainment industry and the relationships between the media producers, distributors and artists in these industries. Eligibility: Open to all students. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 917 - Federal Trademark and Copyright Registration Practice****Credits: 2**

This course will educate students in federal TM registration, from pre-application trademark searching through post-registration maintenance and monitoring. Students will become familiar with USPTO practice and procedures, including information literacy of PTO database searching, e-filing at the PTO (one of the assignments will be to prepare an electronic trademark application) and paper filing (another assignment is to draft a paper filing response to an office action). USPTO guidelines and governing principles for handling various rejections will be addressed. The course will also cover ex parte appeals to the Trademark Trial and Appeal Board. By applying the students' trademark law knowledge to USPTO practices, students will be expected to develop strategies for hypothetical trademark clients to best meet trademark registration objectives in order to prepare them to counsel clients on mark development, the benefits of federal registration, cost concerns, and other trademark matters. The copyright registration portion of the course will cover statutes, rules, and practice impacting copyright registration. For example, the course will address the benefits of copyright registration (including statutory damages, presumption of validity, and other advantages), categorization of works under the Copyright regulations (for proper form selection), putting the work for hire doctrine into application in the process, the single work rule, copyright notice, handling multiple authors for different contributions to a work, determining the "publication date," and the difference between an "author" and a "claimant." The course additionally addresses the reason and process for the recordation of instruments at the USPTO and the Copyright Office. Eligibility: Open to all except 1Ls. Prerequisites: Concurrent or prior completion of Fundamentals of Intellectual Property OR Trademarks & Deceptive Practices; OR, prior trademark experience (see Prof. Lembree with questions). Corequisites: Concurrent or prior completion of Fundamentals of Intellectual Property OR Trademarks & Deceptive Practices; OR, prior trademark experience (see Prof. Lembree with questions). Course enrollment is limited to 25 students. Course format: problem-based. Grading: final exam, 25%; class prep. and participation, 5%; other (see syllabus), 70%. This course may be taken for an S/U grade.

**LIP 918 - Trade Secrets Law****Credits: 2**

The focus of this course will be on understanding the nature and impact of trade secrets law in the US on domestic and global business practices. The course will examine: (a) the theory behind trade secret protection; (b) comparisons with approaches to the protection of valuable commercial information in other jurisdictions; (c) the definition of a "trade secret" in the US; (d) elements of the misappropriation of trade secrets tort at the state level; (e) the Economic Espionage Act of 1996 and the Defend Trade Secrets Act of 2016 at the federal level; (f) scope of civil and criminal liability for trade secret misappropriation; (g) duties of confidentiality in relation to trade secrecy; (h) loss of status of a trade secret; (i) trade secrets as a(n) (intellectual) property right; (j) defenses to trade secret actions; (k) remedies for misappropriation of a trade secret. Eligibility: Open to 1Ls. Prerequisites: None. Grading 90% final exam, 10% class participation.

**LIP 919 - Advanced Patent Litigation****Credits: 2**

This course will develop skills necessary for effective trial advocacy using the framework of a patent case. The course will cover generating a theory of a case, opening statements, direct and cross examination of lay and expert witnesses, and closing arguments, as well as other trial skills such as voir dire, impeachment, and handling adverse witnesses. Students will also focus on patent-specific trial skills such as arguing claim construction and questioning a technical expert witness. The students will primarily "learn by doing" and so the course will focus on oral advocacy and trial practice. Students will receive individual feedback on their performances. The course will culminate in a full patent mock trial. Eligibility: Open to all except 1Ls. Prerequisites: Evidence and Patent Law. Trial Advocacy and Expert Witnesses and Scientific Evidence recommended. Instructor permission required to enroll. Course enrollment is limited to 8 students. Course format: skills training. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 928 - Intellectual Property Management****Credits: 2**

Intellectual Property (IP) Management is intended for third year law students as a "capstone" course building on IP courses taken in the second and third years of law school. It is a practical, hands-on course designed to bridge academia and real-life private or corporate practice and is meant to provide the IP professional with a solid foundation in proactive counseling in the area of intellectual property. Exemplary topics include invention harvesting or extracting; invention records and disclosures; inventorship and ownership issues; laboratory notebook practice; patent searching; criteria and procedures for determining type of IP protection, particularly whether to file for patent protection or maintain as trade secret; trade secret policies and protection; IP education; IP audits and due diligence investigations; outside submissions; trademark practice (searching and clearance); international filing considerations, agreement practice, and other aspects of corporate IP management including understanding, developing, executing and/or managing IP strategies, IP committees, and IP budgets consistent with overall business objectives. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 929 - WIPO Summer Academy on Intellectual Property****Credits: 1**

Students are exposed to various aspects of Intellectual Property, including the international nature of IP protection and the interface between IP and other disciplines. The program takes an interdisciplinary, problem-oriented approach through lectures, simulation exercises, group discussions on selected IP topics, panel discussions, and case studies. The program will provide exposure to how the international IP system functions and its intersection with other policy areas such as health, climate change, and agriculture.

**LIP 943 - Music Law****Credits: 2**

Music Law is a seminar designed to provide students with an introduction to the areas of law and types of contracts involved in a transactional music law practice. Students will learn how copyright and trademark rights are created, protected and exploited and how various contracts are handled within the music industry. Students will submit a final paper on a provided topic that demonstrates a mastery of the topics covered during the term. Eligibility: Open to all students. This course may be taken on an S/U basis. Grading information: regular submissions/quizzes 20% and research paper 80%.

**LIP 944 - Fundamentals of Intellectual Property****Credits: 3**

S/U grading option not available for first-year students. But other students who have completed any course covering the substance of U.S. copyright, patent or trademark law may receive only S/U grades. Objectives: To introduce basic substantive requirements and procedures for obtaining, maintaining and enforcing patents, copyrights, trade secrets, trademarks and related subject matters such as rights of publicity and domain names. Description: Beyond the basics, the course explores underlying policy goals and conflicts among types of intellectual property, for example, the tension between patent and copyright protection or the tension between federal and state protection. It also considers goals and conflicts with other laws such as free speech. It also considers matters such as the extent to which various types of IP are "property," available remedies, sources of law, and responsibilities of the two main IP agencies as well as those of various courts. Eligibility: Open to all students. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 947 - Current Issues in Intellectual Property****Credits: 3**

This seminar will investigate a variety of legal and policy issues underlying the development of intellectual property law (patent, trademark, copyright, trade secret, and related areas). The investigation will focus on issues that may affect all areas of IP, such as, regulating non-practicing entities ("trolls"), protecting three-dimensional objects, or specific areas (depending on student interest), such as: excluding protection of abstract ideas/natural laws in patent law; the scope of "fair use" in copyright law in the digital age; the availability of trademark protection against off-shore counterfeiters, or the newly-passed federal trade secrets act. These, of course, are only examples of the myriad of issues raised in our global and rapidly changing economy. Prereq: One IP course or Prior Work.

**LIP 950 - Copyright Licensing****Credits: 2**

This course will cover the principal international conventions, namely, Universal Copyright, Berne, Rome, and Geneva, WIPO Copyright Treaty and WIPO Performances and Phonograms Treaty, including current problems in the international copyright arena in light of recent tendencies toward greater reciprocity and the emergence of new kinds of works – computer programs, data bases, multi-media works, etc.– and new rights, –digital transmission right, etc.– involving, in particular, problems due to new technologies. It will also deal with WTO/Trips, NAFTA, bilateral treaties and unilateral measures as a new mechanism in international copyright relations. The last part of the course will cover copyright within the European Union (EU) including European Court of Justice jurisprudence and EU harmonization measures. Comparative copyright law in terms of principles, methods and problems as well as the differences between the system of copyright and the system of droit dauteur will also be covered. Format: Lecture. Eligibility: Open to all except 1Ls. Course may be taken on an S/U basis. Prereqs: Some understanding of basic copyright law is desirable.

**LIP 951 - Technology Licensing****Credits: 2**

This course will focus on general licensing concepts and principles, as well as more creative licensing arrangements involving the licensing of patents, trade secrets and trademarks. The course will provide an emphasis on understanding and drafting key licensing clauses, valuation and royalty determinations, antitrust and misuse problems, international licensing, negotiation strategies including understanding the role of the lawyer and client, and administration of license agreements. The course will address various licensing scenarios including licensing in (your client licenses from a third party), licensing out (your client licenses to a third party), university licensing and collaborative licensing arrangements. The course may involve legal research in select areas and hands-on negotiation as part of the grading. A technological background is not a prerequisite, but preferred. Some knowledge of intellectual property law (patents, trade secrets and trademarks) is necessary for this course. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 954 - Patent Law****Credits: 3**

Patent systems and patent laws exist to promote investment in and development of technology. The recently-enacted America Invents Act (AIA) and certain U.S. Supreme Court decisions over the last 5 years have brought the most dramatic changes to U.S. patent law in more than 50 years. This course focuses on the fundamentals of U.S. patent law including patentability, infringement, inventorship, and ownership. The course will also explore some of the underlying themes in patent law as well as the purpose of and justifications for a patent system. The course reading includes the patent statute (Title 35 of the United States Code) both pre-AIA and post-AIA and selected case law primarily from the U.S. Supreme Court and U.S. Court of Appeals for the Federal Circuit. The course will generally address both the procurement and enforcement of U.S. patents. Although this course will cover the legal principles underlying patent claim drafting and patentability, this course will not focus on patent practice and procedure.

**LIP 956 - Professional Sports Law****Credits: 2**

Pro Sports Law covers various legal issues affecting professional sports industries and the relationship between leagues, teams, players and affected third-parties. Topics include related issues in antitrust, labor, contracts, torts, property, environmental/ energy, criminal, immigration, disability, anti-discrimination, regulation of private associations, regulation of athlete agents and their ethical duties, intellectual property and sports broadcasting. Pursuit of careers in sports law—especially becoming attorneys for teams or leagues or becoming sports agents—will also be covered.

**LIP 957 - Intellectual Property Crimes****Credits: 3**

This course will provide a survey of the growing body of criminal law that relates to the misappropriation and infringement of intellectual property, primarily in the area of copyright, trademarks and trade secrets. The coverage will be presented in a manner that is accessible to students whose primary career interest is either criminal practice or IP practice. Eligibility: Open to all except 1Ls. Course enrollment is limited to 16 students. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 959 - Patent Application Preparation and Prosecution****Credits: 2**

This course provides students with an opportunity to write a complete patent application in a field in which the law is in flux. Each student's writing is critically reviewed, and feedback is offered to improve quality. In addition to application review and discussion of drafting techniques, a substantial portion of the class time is spent in discussion of related patent practice topics and of recent patent cases that may affect the manner in which applications and claims are drafted. Grading: Participation: 30% and other (Patent Application): 70%. Prerequisites: Patent Law and Patent Practice and Procedure II.

**LIP 961 - Patent Practice and Procedure I****Credits: 3**

Students will learn to draft patent claims that are acceptable to the United States Patent and Trademark Office (USPTO) and to the United States courts. Students will become familiar with the statutes, regulations, practice, and customs that guide the drafting of acceptable patent claims. The course format consists of lecture and small section meetings. The entire class meets with the Professor for lecture 1 1/2 hours per week to cover theory and general principles. Students meet in small sections with local practicing patent attorneys 1 1/2 hours per week to practice and review the mechanics of claim drafting. Students weekly draft and turn in claims for review and feedback by the practicing patent attorneys. Eligibility: Open to all except 1Ls. Prerequisites: None. Patent Law is highly recommended and may be taken concurrently.. Course format: lecture. Grading: final exam, 60%; midterm exam, 30%; class prep. and participation, 10%. This course cannot be taken for an S/U grade.



**LIP 962 - Patent Practice and Procedure II****Credits: 3**

Students will build on their basic claim drafting skills by learning the rules, regulations, customs, and practices for dealing with the United States Patent and Trademark Office (USPTO) when filing and prosecuting patent applications. Students will draft one complete patent specification and claims as well as responses to two USPTO Office Actions. Students may also prepare additional documents for filing with the USPTO. The course format is 2 hours per week of traditional lecture and discussion to cover theory and general principles plus regularly scheduled small group section meetings with a local practicing attorney. During the small group section meetings, the practicing attorney will discuss and provide feedback on the patent application and responses prepared for the course. Eligibility: Open to all except 1Ls. Prerequisites: PPI and Patent Law. Course format: lecture. Grading: final exam, 25%; class prep. and participation, 5%; regular submissions/quizzes, 10%; other (see syllabus), 60%. This course cannot be taken for an S/U grade.

**LIP 967 - Patent Office Litigation****Credits: 1**

Patent Office Litigation includes powerful proceedings for challenging the validity of a U.S. patent. Learn to assess various options for clients and maximize potential positive outcomes of the process, regardless of your client's legal position, in a practical, hands-on, two-day intensive Master Class. Patent Office Litigation refers to post grant proceedings before the USPTO. This class previously focused on ex parte and inter partes reexamination. The Leahy-Smith America Invents Act (AIA) created new proceedings for challenging the validity of patents at the USPTO and did away with inter partes reexamination. These new proceedings include inter partes review, post grant review, and covered business method proceedings. The course now focuses on basic strategy considerations, procedure and practice tips for these new proceedings as well as for ex parte reexamination. Since a large number of inter partes reexaminations are still pending before the USPTO, that proceeding will also be briefly covered. Eligibility: Open to all except 1Ls. Prerequisites: Patent Practice and Procedure I. Course enrollment is limited to 20 students. Course format: skills training. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LIP 972 - Intellectual Property and International Trade****Credits: 3**

In the world of intellectual property, international borders can be both nebulous and critically important. The rapid development of international trade and information technologies makes it increasingly important for lawyers to understand the international aspects of practicing intellectual property law, particularly those aspects involving copyrights, trademarks and patents. Media (including books, music, and movies) can be easily uploaded to the Internet and copied and made instantaneously available everywhere in the world. Products implicating multiple patents and trademarks can be designed and developed in one country, assembled in another, and imported and marketed in still a third. Clients may need to enforce their rights against foreign parties domestically or overseas, or to engage in international licensing transactions. This course will provide a survey of cross-border legal issues that general face lawyers who counsel clients on matters of intellectual property and international trade. The course will introduce the basic contours of international principles, treaties, and institutions regarding intellectual property, and will introduce significant substantive and procedural differences between the United States and other countries in the world. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 973 - Advanced Patent Law Seminar****Credits: 1**

The America Invents Act (AIA) is the most significant reform of US patent law in over sixty years. It brings in its wake numerous procedural changes that will transform how patent attorneys approach their filing and litigation strategies, in addition to difficulties that are certain to arise due to the continuing application of the current patent law. Case law from the US Court of Appeals for the Federal Circuit (CAFC), which has exclusive jurisdiction over patent cases emanating from all the district courts, already illustrate some of the issues that the AIA is likely to give rise to. Following the implementation of the AIA, the CAFC will have an even greater influence over the development of patent jurisprudence. This course will examine some of the more significant changes under the AIA through the use of statutory interpretation and in-depth analysis of CAFC case precedents. It will complement the existing doctrinal patent law courses and develop students' awareness of the intricacies of patent practice as well as their skills in statutory analysis and case law interpretation. Eligibility: Open to all except 1Ls. Prerequisites: Patent Law. Course enrollment is limited to 20 students. Course format: lecture. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LIP 974 - Copyright and Trademark Litigation Strategies****Credits: 1**

As the commercial value of brands and creative works grow, effective enforcement of the intellectual property rights relating to those brands and creative works is becoming more important. At the same time, intellectual property litigation is becoming more expensive and complex, forcing transactional and litigation lawyers to develop better case assessment and dispute resolution techniques and strategies. This course will provide students with a basic insight into the process of copyright and trademark litigation, from the inception of a case through its progress at various stages in federal court. Real-life documents, case law and examples will be used to enable students to analyze copyright and trademark enforcement problems, with a view toward developing the skills necessary to counsel clients through the litigation process. Eligibility: Open to all except 1Ls. Prerequisites: Fundamentals of IP; or Copyright Law; or Trademark Law. Course enrollment is limited to 20 students. Course format: skills training. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LIP 977 - Trademarks and Deceptive Practices****Credits: 3**

The goal of this course is to review trademark and other state and federal law designed to protect commercial goodwill; to explore the tension between trademark and related rights as intangible commercial property, on the one hand, and as devices to further competition and to prevent consumer deception, on the other; to explore trademark-related issues raised by commerce and speech on the Internet; to evaluate the rights of authors, artists, and other celebrities to trademark-like protection of their personae; and to analyze advertising claims against the backdrop of consumer perception. (The U.S. is a common law country in which trademarks are established through use and not registration. This course does not address the process for federal trademark registration; rather, it approaches trademark law from the standpoint of establishing trademark validity and enforcing valid trademarks through litigation or other dispute resolution mechanisms.) Eligibility: Open to all except 1Ls. Course format: lecture. Grading: final exam, 70%; midterm exam, 30%. This course may be taken for an S/U grade.

**LIP 979 - Intellectual Property Enforcement at the International Trade Commission****Credits: 1**

This course examines the role of the International Trade Commission (ITC) in investigating allegations of unfair trade practices relating to intellectual property rights. While up to 90% of the ITC's cases revolve around patents, the ITC also investigates cases relating to copyright, trademark and trade secret violations. The focus of this course will be on Section 337 of the Tariff Act of 1930, which establishes the ITC's jurisdiction, and will cover all aspects of litigation at the ITC, from the institution of an investigation under Section 337 to available remedies. The course will also review recent ITC decisions and appeals from the ITC to the Federal Circuit. Eligibility: Open to all except 1Ls. Prerequisites: US patent law. Subject to the instructors' approval, international students who are concurrently taking Patent Law or Fundamentals of IP may be permitted to enroll in the course, provided they have substantial patent prosecution or other patent practice experience. Grading: see syllabus. Course must be taken on a S/U basis.

**LIP 980 - E-Commerce and The Law****Credits: 2**

Thousands of years ago our ancestors made the leap from a culture and economic system based on hunting and gathering to one of domesticated animals and planned agriculture. That change transformed the existing social, political, and, eventually, legal structures to accommodate new challenges. Today we are in the midst of another transformation that is testing the existing social, political, economic and legal structures, so painfully wrought to serve the needs of the Industrial Age. At the most fundamental level commerce, the basis of the economy, has changed. Although in the strictest technical sense electronic commerce has been around since the invention of the telegraph, the emergence of computer networks has propelled e-commerce to the forefront of modern business practice. Today, the use of electronic information and communication technologies to facilitate the buying and selling of goods and services is both commonplace and essential. This course is designed to provide the student with a foundational understanding of how the legal system in the United States is struggling to accommodate the challenges of the Information Age as the economy, society and everyday lives are transformed by new and emerging technologies. During the term, we will explore the emerging (and sometimes conflicting and uncertain) body of case and statutory law, and discuss the underlying policy concerns, as they apply to the use of new information technologies in the increasingly interconnected global society. Eligibility: Open to all except 1Ls. Course format: lecture. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LIP 981 - Online Brand Management****Credits: 2**

This course will cover Internet governance, domain name creation, domain name rights, dispute resolution options, and literacy in obtaining information about changing policies and opportunities for participation in Internet governance. The course format will comprise lectures (including ICANN and Internet industry leaders), online attendance at ICANN meetings, and collaboration meetings. Students will be asked to choose a topically relevant output, which may include a white paper, news briefs/blog, submission of comments to ICANN, a best practices document, or some other written medium to utilize the knowledge gained during the class to move forward the discussion of rights and claims in the management on a brand in the online environment. Eligibility: Open to all except 1Ls. Course enrollment is limited to 20 students. Course format: lecture. Grading: research paper, 75%; other (see syllabus), 25%. Course has an ungraded component or practicum. This course may be taken for an S/U grade.

**LIP 983 - Intellectual Property Issues in Sports and Entertainment Law****Credits: 2**

This course approaches sports and entertainment law through the lens of intellectual property. By studying cases, current events, and controversial disputes, students will expand their substantive doctrinal knowledge of the major IP rights regimes, including copyright, trademark, trade secret, right of publicity, and patent law, all in the context of the sports and entertainment industries. Over the course of the semester, they will learn about how each regime factors into the legal challenges that arise within the sports and entertainment industries, and will consider how each set of rights can be used to protect the various entities that comprise each industry.

**LIP 984 - Intl and Comparative Sports Law: Examining the Global Perspective****Credits: 2**

This course will examine the international and comparative dimensions of sports and the law. These dimensions are increasingly important as the practice of sports law becomes more global. Topics will include, but not be limited to: the Olympic movement (IOC and the Olympic Charter) and the governance of international sports competitions including international federations (FIFA, IAAF) and national governing bodies; the World Anti-Doping Agency, the United States Anti-Doping Agency, and the World Anti-Doping Code including the prohibited list; issues surrounding the regulation of supplements and performance enhancing drugs; the Court of Arbitration for Sport in Lausanne, Switzerland; professional athletes as "amateurs" and their eligibility for Olympic competition; international torts and dispute resolution; the internationalization of U.S. sports leagues; ambush marketing; international marketing of athletes; representation of athletes in international sports; and other discussion driven based on current events, including the 2014 Olympic Winter Games to be held in Sochi, Russia. Students will be expected to come ready for a lively discussion and are encouraged to raise additional topics of interest related to the themes of the course. Eligibility: Open to all except 1Ls. Course enrollment is limited to 25 students. Course format: lecture. Grading: other (see syllabus), 100%. Course has an ungraded component or practicum. This course may be taken for an S/U grade.

**LIP 987 - Internet Law****Credits: 1****LIP 993 - Inter Partes Practice at the TTAB****Credits: 1**

Inter partes procedure before the Patent and Trademark Office Trademark Trial and Appeal Board, principally oppositions and cancellation proceedings. Pleadings, discovery, motion practice, testimony and other evidentiary methods, briefs, oral arguments and ethics of TTAB practice. The course will include some writing exercises. Eligibility: Open to all except 1Ls. This course may be taken on an S/U basis. Prerequisites: Trademark law. Corequisites: Highly desirable - previous or contemporaneous course in civil procedure and evidence. Grading Information: final examination 100%

**LIP 997 - Mining Patent Information in the Digital Age****Credits: 2**

This course, evolving since 1993, is a unique academic offering at any U.S. law school. It is a cross platform "consumer" survey course to search, mine and manipulate patent and non-patent literature data. It teaches transferable skills consistent with the UNH School of Law Information Literacy Plan. It is taught in collaboration with patent data vendors and related guest speakers. This is a hands on course. The work product is a novelty or patent landscape report. Themes of this course include: Multiplicity of sources Types of sources Applications Multiple access points to same data Who uses patent data sources Why use patent data sources Factors to choose access points Search approach Who drives the dollar chain for searches Free, low fee and premium patent sources In house and/or outsource searches Considerations as to who performs differing types of searches What is the standard of care for patent searches How to deal with questions of lack of integrity in patent documents The evolving role of the web in patent searching Eligibility: Open to all except 1Ls. Prerequisites: Lexis and Westlaw basic training.. Course enrollment is limited to 15 students. Course format: skills training. Grading: final exam, 30%; class prep. and participation, 10%; research paper, 60%. This course may be taken for an S/U grade.

**LIP 999 - International and Comparative Sports Law: Examining the Global Perspectives****Credits: 1**

This course would examine the international and comparative dimensions of sports and the law. These dimensions are increasingly important as the practice of sports law becomes more global. Topics would include, but not be limited to: the Olympic movement (IOC and the Olympic Charter) and the governance of international sports competitions including international federations (FIFA, IAAF) and national governing bodies; the World Anti-Doping Agency, the United States Anti-Doping Agency, and the World Anti-Doping Code including the prohibited list; issues surrounding the regulation of supplements and performance enhancing drugs; the Court of Arbitration for Sport in Lausanne, Switzerland; professional athletes as "amateurs" and their eligibility for Olympic competition; international torts and dispute resolution; the internationalization of U.S. sports leagues; ambush marketing; international marketing of athletes; representation of athletes in international sports; and other discussion driven based on current events.

**Law (LAW) (LAW)****LAW 9VS - Visting Scholars****Credits: 0****LAW 405 - The American Legal System****Credits: 4**

This course examines the core sources of law in the United States and how the U.S. judicial system is organized. Students will learn how the U.S. Constitution interacts with law and the judicial systems. Students will also be taught overviews of core foundations of law, such as contracts law, torts, property, privacy, defamation, and race and the law. Students will also learn key skills and engage in case analysis, legal reasoning and writing.

**LAW 410 - Blockchain and the Law****Credits: 4**

This course will provide students with an engaging overview of blockchain technology, cryptocurrency, and smart contracts to introduce them to the essential information every student should know about the legal implications of this emerging, disruptive global technology. The legal landscape includes government, payment systems, intellectual property, regulation, and civil and criminal liability. Blockchain technology is poised to disrupt virtually every industry on a global scale in ways neither rivaled nor contemplated since the advent of the internet. This course will involve individual and group work and challenge students to consider how this technology will impact their lives, their communities, and the world and prepare them to stay on the leading edge of innovation. Additionally, expert guest lecturers from the ecosystem (tech, law, business) will visit the class.

**LAW 415 - What is Intellectual Property?****Credits: 4**

This intellectual property course is open to all UNH undergrads. Intellectual property is the primary means by which the law promotes and protects investment in intangible assets like new inventions, writings and other creative expressions, and branding and other commercial indicators. Intellectual property has become one of the most important components of the economy, playing critical roles in industries as diverse as entertainment, pharmaceuticals, information technology, and even fine wines and cheeses. This course introduces the basic concepts and doctrines of intellectual property. It surveys the major regimes of intellectual-property rights, including copyright, trademark, trade-secret, patent, false-advertising, and privacy laws. The course also considers the normative cases for and against intellectual property and the challenges to intellectual-property laws posed by technological change. No technical background or expertise is necessary.

**LAW 420 - Pop Culture and the Law****Credits: 4**

It's 2018. Superhero movies dominate the box office. Instead of buying albums, we're streaming music on smartphones and laptops. Hashtag movements like #MeToo, #NeverAgain, and #BlackLivesMatter shape awareness about social issues from gun violence to sexual harassment and harassment, even as advertisers try to capitalize on and commercialize those movements. Companies pay influencers to increase their brands' market share by posting text, photos, and videos on social media to millions of loyal followers. The entire country is keeping up with the Kardashians, and we watch television while simultaneously engaging with other viewers by using a second and sometimes a third screen. Pop culture trends move quickly. But a complex web of legal regimes shapes and is shaped by those trends and by the ways in which we create and consume. This course introduces a variety of legal concepts and doctrines through the lens of pop culture, featuring but not limited to intellectual property; contract law; advertising and media law; and the First Amendment.

**LAW 425 - Entrepreneurs and the Law: from Startups to the Fortune 500****Credits: 4**

This course teaches students about the core principles of business law and deal-making. Those cores include contracts, eCommerce, brand management, corporate transactions and international business deals. Students will learn how business intersects with the law, legal institutions and regulatory bodies. Students will also learn about business attorneys and how their work is very different from that of trial attorneys.

**LAW 475 - Getting Ready to Succeed in Law School****Credits: 2**

Getting Ready to Succeed in Law School (LAW 475) will teach students how to prepare for a legal education. The course will instruct students on the LSAT exam and offer valuable strategies on how to improve LSAT scores. Such instruction will include administration of practice test questions as well as explanations for answers. This two-credit course will also explain the necessary study skills to excel in law school. Those skills include how to effectively brief a case, develop a course outline, organize an exam answer and identify and explore legal arguments from multiple—and often competing—perspectives. In addition, students will be taught IRAC (Issue, Rule, Analysis and Conclusion), the foundation of legal analysis and writing. Further, students will be exposed to core foundations of law through guest speakers including LAW faculty. Cr/F.

**Public Interest Law (LAW) (LPI)****LPI 912 - Fundamentals of Law Practice****Credits: 3**

Through criminal and civil simulations, students will 1. experience the excitement and challenges of working with individual clients; 2. practice lawyering skills, including managing projects, interviewing, counseling, negotiating, developing facts, and applying statutes and cases; and 3. observe, reflect, and learn from their classmates' and their own performances. Students will regularly practice new skills and receive feedback from classmates, TA, and teacher. The final course grade will be based on overall professional engagement - 50%, and several written pleadings and papers - 50%. Professional engagement encompasses a number of factors, including class preparation assignments, performance in short and long simulations, feedback to classmates, reflection and self-assessment, ability to learn from feedback, and engagement in classroom discussion. Eligibility: Open to 1Ls only. Course format: skills training. Grading: professional engagement 50%; other - see syllabus, 50%. This course cannot be taken for an S/U grade.

**LPI 914 - Dispute Resolution****Credits: 3**

The vast majority of cases are resolved prior to trial. This course focuses on effective representation of a client's interests using resolution techniques before trial. Students will learn to negotiate directly, including how to deal with the many tactics employed by negotiating parties. They will also gain an understanding of when to consider mediation, arbitration, and collaborative law and how to effectively represent clients in these processes. We will critically examine negotiation, mediation, arbitration and collaborative law, including the legal, ethical and policy issues associated with each process. Classes include lecture, discussion and extensive participatory exercises. Reflective writing is an integral component of the course. Eligibility: Open to 2Ls and 3Ls. Course format: simulation. Grading: other (see syllabus), 100%. This course may be taken for an S/U grade.

**LPI 928 - Lobbying and the Legislative Process****Credits: 2**

This course is designed as a seminar to introduce students to the legislative process and the role of lawyers in legislative advocacy and policymaking. The course will offer students a fundamental overview of the processes and steps for the enactment of legislation, the manner in which legislative texts and legislative history are important to lawyers and the courts, and the connection between lawyers, legislation and the creation of public policy. In addition, students will be directly exposed to lawmaking in action by attending legislative hearings at the NH State House, meeting with state legislators, and interacting with lobbyists who advocate before the state legislature. Through practical exercises, students will develop skills in conducting policy analysis as background for lawmaking, drafting written testimony, and making oral presentations to legislative committees. This class is particularly appropriate for students who want to enhance their exposure to lawyering for social justice. Eligibility: Open to all except 1Ls and students who are current or former members of the NH General Court. Course format: seminar. Grading: class prep. and participation, 30%; research paper, 30%; other (see syllabus), 40%. This course may be taken for an S/U grade.

**Research (LAW) (LRS)****LRS 902 - Giles Sutherland Rich, Patent Law Competition****Credits: 1-2**

The patent moot court competition is sponsored by the American Intellectual Property Law Association. Must have completed 3rd semester of law school. Prereq: Advance Appellate advocacy; patent law or IP course. Must apply, audition and be accepted.

**LRS 905 - Independent Study****Credits: 1-4**

Students wishing to engage in academic work (such as authoring or co-authoring a paper under the supervision of a faculty member, working in a supervised law firm or in-house position, or some other project, the final work product to be received by the Registrar) may be eligible and able to work with a faculty member to oversee and guide the work, as well as to provide structure, milestones, and assessment of the work. Credits, grading, and prerequisites will depend on the nature of the work and determined in conjunction with the faculty member. Students seeking out independent study can obtain a form from the Registrar's Office and seek out a faculty member's agreement to supervise the independent study.

**LRS 909 - Saul Lefkowitz Trademarks Competition****Credits: 1-2**

The national trademark law moot court competition is sponsored by the Brand Names Education Foundation. Students must have completed their 3rd semester of law school. Prereq: Advance Appellate advocacy; trademark law – prior or concurrent. Must apply, audition and be accepted.

**LRS 931 - John J. Gibbons Criminal Procedure Moot Court Competition****Credits: 1-2**

National criminal procedure moot court competition focuses on timely issues of criminal procedure and criminal law at Seton Hall University School of Law. Prereq: Adv. Appellate Ad, Criminal Pro & Criminal Law. Students must have completed their 3rd semester of law school. Must apply, audition and be accepted.



**LRS 932 - Ruby R. Vale Corporate Moot Court Competition****Credits:** 1-2

National competition on Delaware corporate law. Sponsored by the Moot Court Honor Society of Delaware Law School. Students must have completed their 3rd semester of law school. Prereq: Advance Appellate advocacy; Bus. Assoc. or M & A. Must apply, audition and be accepted.

**LRS 933 - Evans V. Evans Constitutional Law Moot Court Competition****Credits:** 1-2

National constitutional law moot court competition sponsored by the University of Wisconsin. Students must have completed their 3rd semester of law school. Prereq: Advance Appellate advocacy; constitutional law. Must apply, audition and be accepted.

**LRS 934 - Touro Law Ctr Natl Moot Ct Comp in Law & Religion****Credits:** 2

Touro Law Center hosts the National Moot Court Competition in Law & Religion. This is a national competition on US Constitutional issues of freedom or religion. Prereq: Appellate Advocacy. Permission Required.

**LRS 936 - ABA Client Counseling Competition****Credits:** 2

The ABA Law Student Division Client Counseling Competition simulates a law office consultation in which law students, acting as attorneys, are presented with a client matter. They conduct an interview with a person playing the role of the client and then explain how they would proceed further in the hypothetical situation. Eligibility: Open to all JD students. Instructor permission required to enroll. Course format: competition. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LRS 939 - Intellectual Property Law Meet****Credits:** 2

This transactional lawyering competition challenges competitors to draft a term sheet for an intellectual property-focused deal, draft a mark-up of the opposing party's term sheet, and negotiate with other teams at a regional meet (location changes). The competition problem is typically released in early September, term sheets and term sheet mark-ups are typically due in October, and the East Coast meet will likely be held in late October or early November, followed by a video-conference national meet for advancing teams. For more information, visit [www.ipmeet.lawmeets.com](http://www.ipmeet.lawmeets.com). Professor Lembree selects (ideally by August 1) and coaches the 2 – 3 person team. Please reach out to her at [Ashlyn.Lembree@Law.UNH.edu](mailto:Ashlyn.Lembree@Law.UNH.edu) if interested in competing or supporting the competition team by serving as a pre-meet practice team. Prerequisites: none. Grading O/S/U.

## Skills (LAW) (LSK)

**LSK 852 - Graduate Programs Externship****Credits:** 4

Residential LL.M. and Master's candidates with an "Honors" average or better at the end of their first semester and who have completed in-school coursework may be eligible for a legal externship. Students may perform their legal externship in government agencies, law firms, nonprofit organizations, or corporations. The duration of an externship is usually 6-8 weeks. Students must meet with the Director of Graduate Programs Skills or her designee in the semester prior to enrolling in an externship, and all externships must be approved by the Director or her designee. The subject matter of the externship must relate to the student's academic program at UNH Law. UNH School of Law will provide some assistance in securing an externship but cannot guarantee a placement. Students will complete weekly reports during the externship.

**LSK 900 - Legal Research and Information Literacy****Credits:** 2

This required two credit course introduces first year students to the basic research tools and strategies a beginning lawyer needs to practice law in the United States. The course focuses on: primary and secondary legal authority; mandatory and persuasive authority; accessing, evaluating and updating secondary legal sources, court decisions, statutes and administrative rulemaking; developing a coherent research strategy including cost effective research; and appropriate choice of electronic versus print formats. Students will be exposed to traditional print sources as well as LEXIS, Westlaw and free web sites. Historical and ethical aspects of legal research will be discussed. At the end of the first semester students should be able to take a legal issue and determine the extent of legal information needed; access the needed legal information effectively and efficiently; evaluate legal information and its sources critically; incorporate the selected legal information into their understanding of the issue; understand the economic, legal and social issues surrounding the use of legal information; access and use information ethically and legally. Classes involve a mix of lecture, discussion and the opportunity to work directly with relevant print and electronic resources through an assigned problem. In addition to a graded research midterm and final, students must successfully complete 10 weekly research assignments and two research practicums. Eligibility: Required JD course. Course enrollment is limited to 24 students. Course format: skills training. Grading: final exam, 55%; midterm exam, 30%; class prep. and participation, 5%; regular submissions/quizzes, 10%. Course has an ungraded component or practicum. This course cannot be taken for an S/U grade.

**LSK 901 - Advanced Legal Research****Credits:** 2

Advanced Legal Research is designed to provide an overview of essential legal research tools and strategies to prepare students to become efficient and cost-effective researchers. Traditional and non-traditional research tools and techniques will be explored, evaluated and compared. In addition to reviewing the basic primary and secondary sources for legal research, the course will also include legislative history, administrative research, practitioner materials, topical materials, reference sources, and fact based research including: Business research including newspaper research and corporation filings Jury Verdict Reports Medical Research Criminal Records Asset Searches People Searching Other topics TBD Cost effective legal research is constantly integrated into the course to prepare students for post law school research realities. The format of the class consists of the presentation of problems, time allotted for independent group research, demonstrations, and discussions of resources, techniques, and cost-effectiveness of the research process.

**LSK 903 - Advanced Trial Advocacy****Credits: 3**

Through this course, students compete in one of two national trial advocacy competitions during the late winter, during which students intensively prepare and conduct a trial. One regional competition is held in mid-February and the other in late February. National finals (if a team advances) are held one month later. Students receive the competition problem in December, and normally return from winter break one week early to begin the intensive case analysis, brainstorming and courtroom advocacy practice necessary to prepare and conduct a jury trial in a short time period. Numerous practice rounds are held, with students arguing before a variety of visiting judges. The regional competitions are held before actual judges and lawyers, with UNH School of Law teams competing against trial teams from law schools throughout New England. Eligibility: Open to 2Ls and 3Ls. Prerequisites: Evidence & Trial Advocacy. Instructor permission required to enroll. Course enrollment is limited to 12 students. Course format: competition. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LSK 907 - Legal Residency****Credits: 4**

Through the legal residency program, students earn academic credit while developing legal and professional skills under the close supervision of a practicing lawyer or other professionals. Students may, for instance, perform their legal residencies in government agencies, law firms, judicial chambers, nonprofit organizations, or corporations. The legal residency program is governed by Academic Rule IX. Students must meet with the Legal Residency Director or her designee in the semester prior to enrolling in a legal residency and all legal residencies must be approved by the Director or her designee. Eligibility: Open to second semester 2Ls and 3Ls. Prerequisites: Professional Responsibility, except for judicial residencies. Corequisites: Legal Residency Class. Instructor permission required to enroll. Course format: clinic. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LSK 919 - Legal Analysis and Writing 1****Credits: 2**

Legal Analysis and Writing 1 introduces you to the fundamental analytical and writing skills used by practicing lawyers - these are skills important to any practice area from civil rights to tax. In successfully completing this course, you will have learned how to: 1) Read, comprehend, analyze, and synthesize legal issues and authorities; 2) Apply facts to legal issues and authorities; 3) Organize coherent predictive analysis using conventional legal structure and format; 4) Understand and accurately use legal citation; 5) Write clearly and concisely; and 6) Participate as a professional in all stages of the writing process. Achieving these goals is not a linear process. To achieve them, you will read, reread, and repeatedly consult texts, manuals, and handouts. You will prepare written and oral exercises. You will practice reasoning, researching, analyzing, organizing, citing, revising, and editing. You will build these skills by practicing them at higher levels throughout the course, receiving and reviewing feedback, and analyzing ways you can improve. In this course, you will learn how to write and format an analytical discussion, a client advice letter, and objective interoffice memos. In doing so, you will help and learn from your classmates. This course requires you to be organized, versatile, detail-oriented, responsive, communicative, hardworking, proactive, patient, humble, and open-minded - all traits that go into being a good lawyer. Eligibility: Required JD course. Course enrollment is limited to 20 students. Course format: writing. Grading: regular submissions/quizzes, 80%; other, 20%. This course cannot be taken for an S/U grade.

**LSK 920 - Legal Analysis and Writing 2****Credits: 3**

Legal Analysis and Writing II builds upon and reinforces the goals of Legal Analysis and Writing I, adding persuasive writing and speaking. Being persuasive, showing why others should agree with you, is important for lawyers in any field, not just those who want to argue in court. Lawyers need to be persuasive in their written words and when speaking with others. In addition to practicing and achieving higher proficiency in the six goals for Legal Analysis and Writing 1, in successfully completing this course, you will have learned how to: 1) Organize coherent persuasive analysis using conventional legal structure and format; and 2) Prepare and present an oral argument. As with Legal Analysis and Writing 1, you will be required to engage in a recursive process of writing, reading, analyzing, organizing, writing and rewriting. All the traits that are important in Legal Analysis and Writing I are important here as well. In this course, you will write a persuasive memo to a trial court, completing a graded outline, first draft, and final brief. You will prepare and present an oral argument to outside judges. You will earn your grade based on your individual written work, your oral argument, and your professional engagement in class. Eligibility: Required JD course. Prerequisites: Legal Analysis and Writing 1. Course enrollment is limited to 20 students. Course format: writing. Grading: regular submissions, 80%; see syllabus, 20%. This course cannot be taken for an S/U grade.

**LSK 924 - Negotiations Workshop****Credits: 2**

In this 10 week interactive workshop, students will identify and learn different theories and types of negotiations. Negotiating effectively is important in any profession, but it is critical for attorneys to sharpen and hone these skills for the benefit of clients. Negotiations occur at all levels of an attorney's practice, whether that practice is in a small firm environment, in litigation, in a corporate setting, or working with a governmental entity. Students will apply their negotiation skills to a variety of situations. Negotiations will occur in two, three or multi-party settings. Class time will be divided between discussion of selected readings, interactive negotiations, and guest attorneys who will discuss some of their own negotiated agreements. Class attendance and participation is mandatory. "Getting to Yes," Fisher, Ury, & Patton, and "Getting Past No," Ury will be required and any additional books required will be posted before the class. Eligibility: Open to all except 1Ls. Course enrollment is limited to 18 students. Course format: simulation. This course may be taken for a grade or an S/U grade.

**LSK 928 - Trial Advocacy****Credits: 3**

Sections of this course are taught by judges and experienced trial attorneys. This course provides a foundation for the development of the variety of skills necessary for effective trial advocacy no matter what the forum. Development of a theory of a case, file organization and pretrial preparation are emphasized, as well as the more traditional oral trial skills such as closing argument and cross-examination. Students regularly participate in exercises simulating segments of civil and criminal trials. Eligibility: Open to 2Ls and 3Ls. Corequisites: Evidence. Course enrollment is limited to 12 students. Course format: simulation. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LSK 934 - Legal Residency****Credits:** 11

Through the legal residency program, students earn academic credit while developing legal and professional skills under the close supervision of a practicing lawyer or other professionals. Students may, for instance, perform their legal residencies in government agencies, law firms, judicial chambers, nonprofit organizations, or corporations. The legal residency program is governed by Academic Rule IX. Students must meet with the Legal Residency Director or her designee in the semester prior to enrolling in a legal residency and all legal residencies must be approved by the Director or her designee. Eligibility: Open to second semester 2Ls and 3Ls. Prerequisites: Professional Responsibility, except for judicial residencies. Corequisites: Legal Residency Class. Instructor permission required to enroll. Course format: clinic. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LSK 939 - Legal Residency****Credits:** 2

Through the legal residency program, students earn academic credit while developing legal and professional skills under the close supervision of a practicing lawyer or other professionals. Students may, for instance, perform their legal residencies in government agencies, law firms, judicial chambers, nonprofit organizations, or corporations. The legal residency program is governed by Academic Rule IX. Students must meet with the Legal Residency Director or her designee in the semester prior to enrolling in a legal residency and all legal residencies must be approved by the Director or her designee. Eligibility: Open to second semester 2Ls and 3Ls. Prerequisites: Professional Responsibility, except for judicial residencies. Corequisites: Legal Residency Class. Instructor permission required to enroll. Course format: clinic. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LSK 940 - Moot Court Board Advisory****Credits:** 1

Moot Court Board members are typically third year students who are selected by the outgoing moot court board during the Spring semester. Board members are responsible for organizing, coaching, and developing the moot court program from year to year. The class is a year-long commitment. Typical moot court board members: 1. Participate in selection of the upcoming year's moot court competitors as well as selection of competitions and formulation of teams. 2. Coach a moot court team, often for the same competition that the Board member competed in during the prior year. Coaching duties include: supporting and facilitating team writing of the competition brief; providing feedback as competition rules allow; organizing and executing rigorous oral argument practice for competition preparation; communicating with the board's Chief Justice about team progress/needs; being a resource for team members as they prepare for competition; registering for and overseeing competition logistics such as travel plans. 3. Participate in and organize the intramural competition in October. 4. Assist the Chief Justice of the Board in any additional duties such as information sessions for 1Ls, working with the writing specialist to prepare workshop materials, timing 1L moot court arguments, and demonstrating oral advocacy skills as representatives of the Board at various school functions. Participating in the Moot Court Board challenges students to be mentors and coaches to competitors. Board members also use their leadership, organizational, and analytical skills to continually improve this student run advocacy program. Eligibility: Open to 2Ls and 3Ls. Prerequisites: Moot Court competition in 2L year and a foundation course for area coaching. Instructor permission required to enroll. Course enrollment limited to 8 students. Enrollees may not participate in other classes requiring competitions such as Advanced Trial Ad, without permission from faculty Moot Court Advisor. Course format: competition. Grading: see syllabus. Credits Fall 1 credit. Spring 1 credit. This course must be taken for an S/U grade.

**LSK 943 - Appellate Advocacy****Credits:** 2

This course fulfills the upper level writing requirement. Appellate Advocacy is a writing intensive course designed to teach the different components of appellate brief writing, as well as effective appellate oral advocacy. One or two case problems (depending upon the particular professor) are assigned throughout the semester, modeled after actual court cases. Students will be taught how to master the facts of a case, the rule of law applicable to the particular legal problem, and the policy underpinning the rule of law. Paramount goals of the course include professionalism and instructing students on clear, persuasive, organized, and strategic written and oral communication skills necessary for effective legal advocacy. While AA focuses on the appellate practice setting, the written and oral advocacy skills students will acquire are applicable to all settings of legal practice. Grading will be based on one or two appellate briefs, oral arguments, meaningful class participation and other assignments. Eligibility: Open to 2Ls and 3Ls. Prerequisites: Legal Writing & Analysis I and II; Legal Research & Information Literacy. Course enrollment is limited to 12 students. Course format: writing. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LSK 945 - Judicial Opinion Drafting****Credits: 2**

This course fulfills the upper level writing requirement. This two-credit seminar is designed to appeal to students planning either to extern with a judge or to enter the market for a judicial clerkship. Final opinion drafts will be due on a date to be determined during the semester. Course goals: (1) to discuss critically the theories of case resolution articulated and applied by several prominent jurists, (2) to encourage students to begin to develop their own theories of case resolution, (3) to identify and consider the varying audiences for trial and appellate court orders and opinions in both the state and federal court systems, and (4) to assist students in drafting and polishing a well written and principled opinion that they can use as a writing sample when applying for externships and clerkships. Course methodologies: (1) reading representative and provocative jurisprudential writings and opinions, (2) cooperative opinion drafting exercises, (3) conducting critical analysis of judicial opinions, and (4) drafting and polishing a judicial opinion. The course also features guest speakers. Means of evaluation: 75% of your final grade will be based on the judicial opinion you will draft; 25% will be based on class participation. Eligibility: Open to 2Ls and 3Ls. Instructor permission required to enroll. Course enrollment is limited to 15 students. Course format: writing. Grading: class prep. and participation, 25%; research paper, 75%. This course may not be taken for a S/U grade.

**LSK 948 - Legal Residency****Credits: 6**

Through the legal residency program, students earn academic credit while developing legal and professional skills under the close supervision of a practicing lawyer or other professionals. Students may, for instance, perform their legal residencies in government agencies, law firms, judicial chambers, nonprofit organizations, or corporations. The legal residency program is governed by Academic Rule IX. Students must meet with the Legal Residency Director or her designee in the semester prior to enrolling in a legal residency and all legal residencies must be approved by the Director or her designee. Eligibility: Open to second semester 2Ls and 3Ls. Prerequisites: Professional Responsibility, except for judicial residencies. Corequisites: Legal Residency Class. Instructor permission required to enroll. Course format: clinic. Grading: other (see syllabus), 100%. This course must be taken for an S/U grade.

**LSK 949 - Legal Residency Class****Credits: 1**

Students participating in a legal residency are required to concurrently enroll in this 1 credit legal residency class. The legal residency class is designed to provide students with opportunities to reflect upon and internalize the practical and professional skills developed through the field placement. Assignments include weekly journals, self-evaluations, discussion forums, workshops and a final paper. Eligibility: Open to second semester 2Ls and 3Ls. Prerequisites: Professional Responsibility (except for judicial residencies). Corequisites: 4, 6, or 11 credit Legal Residency. Instructor permission required to enroll. Course format: seminar. Grading: class prep. and participation, 33%; regular submissions/quizzes, 33%; other (see syllabus), 34%. Course has an ungraded component or practicum. This course must be taken for an S/U grade.

**LSK 953 - Writing for Practice****Credits: 3**

This course is designed to help second and third year students develop the kinds of writing, organization, critical thinking, editing and collaborative work skills essential to law practice and passing the bar. Students will work on multiple short (less than 5 pages) weekly assignments, engaging them in writing, researching, editing, rewriting or working on related tasks. These assignments are designed to help students sharpen their ability to efficiently research and apply practice-based resources to write about specific legal issues, using the appropriate format for the intended audience. The course will focus primarily on civil matters, and will include some writing on criminal issues. The course's focus on essential skills, organization, analysis, doctrine, precision and conciseness, will transfer to writing in any legal setting. In Prof. Hurn's section, all the work will be typical of a transactional practice rather than criminal or civil litigation. Although the courses differ, there is enough overlap with his Contract Design and Drafting course (spring semester) that students who take one may not take the other. Eligibility: Open to all except 1Ls. Prerequisites: Legal Skills I and II Legal Research Civil Procedure. Course enrollment is limited to 15 students. Course format: writing. This course is recommended for taking the bar exam. Grading: other (see syllabus), 100%. This course cannot be taken for an S/U grade.

**LSK 955 - Defamation Law and Litigation****Credits: 2**

This seminar will focus on media and defamation law, together with a significant clinical component. Each class includes student case presentations and discussion, as well as consideration of contemporary media cases such as the pending "Rolling Stone" lawsuit. Class participation is essential. Students will depose witnesses and draft pleadings. In lieu of a final exam, half the class will draft memoranda in support of summary judgment and the other half will draft opposing memos.



## Faculty Listing

The faculty listing in the catalogs are static and updated annually in the Fall. The 2018-2019 faculty listing in the catalogs will be updated in Fall 2018. The Fall 2017 faculty listing will appear in the 2018-2019 catalogs until that time.

### B

#### **Bartow, Ann M**

PROFESSOR  
UNHL FP IP Center  
B.S., Cornell University, 1985  
J.D., University of Pennsylvania, 1990  
LL.M., Temple University, 1997

#### **Brooks, Courtney E Q**

CLINICAL ASSOCIATE PROFESSOR  
UNHL JD Instruction  
B.A., University of Massachusetts - Amherst, 1998  
J.D., Univ of San Francisco, 2001

#### **Budd, Jordan C**

EXECUTIVE DIRECTOR RUDMAN CENTER  
UNHL Rudman Center  
B.A., Harvard University, 1983  
J.D., Harvard Law School, 1986

### C

#### **Cavicchi, Jon R**

PRINCIPAL LECTURER  
UNHL Library  
B.A., Stonehill College, 1981  
J.D., 1984, LL.M., Franklin Pierce Law Center, 1999  
Ph.D., IIS University, India, 2011

### D

#### **Davis, Jennifer M**

SENIOR LECTURER  
UNHL Graduate Instruction  
B.A., University of Massachusetts - Amherst, 1990  
J.D., Suffolk University, 1996

#### **Durkis-Stokes, Jessica M**

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