



# Texas Wesleyan University School of Law

Programs, Policies & Procedures

2003-2004

# MISSION STATEMENT

To provide excellence in legal education,  
emphasizing service to our diverse student body,  
our profession, and our community.



Texas Wesleyan University School of Law is fully accredited by the American Bar Association (ABA), 550 West North Street, Suite 349, Indianapolis, Indiana 46202, 317-264-8340.

Texas Wesleyan University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia 30033-4097;

Telephone number 404-679-4501) to award bachelors, masters and the doctor of jurisprudence degree.

Texas Wesleyan University does not discriminate on the basis of sex, race, color, creed, handicap, or national or ethnic origin in any of the operations or activities of the University.

The statements in this publication are for

information only and do not constitute a contract between the student and Texas Wesleyan University. Degree requirements in force at the time of initial enrollment will be honored for an individual student. However, the University reserves the right to change any policy, requirement or fee at any time during the student's enrollment.

# Student Programs, Policies & Procedures

2003 - 2004



TEXAS  
Wesleyan  
UNIVERSITY  
SCHOOL OF LAW



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# THE ACADEMIC PROGRAM

The juris doctor degree is conferred on students who satisfactorily complete an 88-unit course of study and a 30-hour *pro bono* requirement. The curriculum is divided among "lockstep courses" (required courses that must be taken in a prescribed sequence), advanced core curriculum required courses, core curriculum electives and general curriculum electives, providing training in a variety of specialized areas. Upper-class seminars provide students an opportunity for individual research and presentation of their own concepts.

## Academic Calendar

### Fall Term 2003

First-Year Orientation .....	August 9
First-Year Classes Begin .....	August 11
Upper Division Classes Begin .....	August 18
Labor Day .....	September 1
Classes End .....	November 24
Exam Period .....	December 1-11
Hooding Ceremony .....	December 12
Commencement .....	December 12

### Spring Term 2004

Classes Begin .....	January 12
M.L. King Day .....	January 19
Spring Break .....	March 15-19
Good Friday .....	April 9
Classes End .....	April 27

Exam Period .....	May 3-13
Hooding Ceremony .....	May 14
Commencement .....	May 14

## Day Division

The day division program includes a three-year course of study, consisting of 14-week fall and spring semesters. Day students are admitted in the fall of each academic year. One summer session with a limited course load is available for both day and evening students.

**Schedule.** Classes are scheduled Monday through Friday. The classes are scheduled between 9 a.m. and 4 p.m. and vary in length from one to two hours. A day student is required to take between 12 and 15 units per semester. Thus, students can expect to spend 12 to 15 hours per week in class.

**Classes.** The prescribed regular sequence of lockstep courses for full-time students is as follows:

First semester courses include:

Analysis, Research & Writing I .....	2 credits
Civil Procedure .....	4 credits
Contracts I .....	3 credits
Introduction to Law I .....	1 credit
Property I .....	3 credits
Torts I .....	2 credits

Second semester courses include:

Analysis, Research & Writing II .....	2 credits
Contracts II .....	3 credits
Criminal Law .....	3 credits
Property II .....	3 credits
Torts II .....	3 credits

Third semester required courses, which can be supplemented with elective courses, are as follows:

Constitutional Law .....	4 credits
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In addition to the previously listed required courses, students must successfully complete the following courses prior to graduation:

Business Associations .....	4 credits
Estates & Trusts .....	4 credits
Criminal Procedure .....	3 credits
Evidence .....	4 credits
Professional Responsibility .....	2 credits

## Evening Division

The evening division program is offered on a part-time basis for students who wish to work full time while pursuing their legal education. This program includes a four-year curriculum consisting of evening classes. The program is comprised of 14-week fall and spring semesters.

Evening students are admitted in the fall of each academic year. One summer session with a limited course load is available for both day and evening students.

**Schedule.** Evening classes are scheduled Monday through Thursday, with an occasional course offered on a Friday or Saturday. Classes vary in length from one to one and a half hours, and are scheduled between 6 and 9:30 p.m. In the first year, the typical evening student's schedule includes three courses per semester. During the first year, an evening student will normally attend classes four evenings per week.

**Classes.** Evening students are required to carry eight to 11 units each semester and may take an additional three during each summer session. The prescribed regular sequence of lockstep courses for part-time students is as follows:

First semester courses include:

Analysis, Research & Writing I	2
	credits
Contracts I	3
Introduction to Law I	1
Property I	3
Torts I	2

Second semester courses include:

Analysis, Research & Writing II	2
	credits
Contracts II	3
Property II	3
Torts II	3

In the third semester, evening students take the following courses:

Civil Procedure	4
Constitutional Law	4
Criminal Law	3

In addition to the previously listed required courses, evening students must successfully complete the following courses prior to graduation:

Business Associations	4
Estates & Trusts	4
Criminal Procedure	3
Evidence	4
Professional Responsibility	2

### Summer Term

The law school offers a limited number of courses during one 7-week summer session. Summer classes meet during the day and in the evenings. Students can enroll in up to 8 units per session for full-time students, 5 units per session for part-time students and 4 units per session for extended part-time students.

### Equal Justice Program

In keeping with its mission to provide excellence in legal education, emphasizing service to its diverse student body, the legal profession and its community, the School of Law requires each of its students to perform 30 hours of law-related *pro bono* service through the Equal Justice Program.

Students must have completed their pro bono requirement by the end of their next to the last semester of law school. It is, therefore, highly recommended that students complete their required 30 hours sooner, rather than later, so that the law school has the time to process the

paperwork and so that students can be credited with having completed the requirement.

The program's purpose is two-fold. First, it ensures that all students will have the opportunity to practice lawyering skills in a real-world setting before they graduate. Second, it imparts to our students the importance of giving back to the community in recognition of the privileged status lawyers occupy.

### Externship Program

The Externship Program enables students to work with practicing attorneys for academic credit and provides a supervised context in which students will be exposed to front-line practice through a variety of externships with trial and appellate courts, as well as government agencies. Students perform legal tasks and apply their academic studies to real client cases, gaining valuable insight into the operation of legal institutions.

The program is coordinated by a full-time professor, ensuring significant legal experience in interviewing, negotiating, counseling clients and/or alternative dispute resolutions.

Externships are unpaid positions assigned to each student after a prescreening process to make certain each student is in good standing with the law school. Students must have completed at least three semesters (45 hours) of credit and have at least a 2.33 (C+) GPA to be eligible.

### Skills Training

In order to implement a curriculum that allows students to develop necessary practical



lawyering skills, the law school has developed a series of courses in its juris doctor program, each termed a "practicum," in discrete substantive areas, as well as in particular skills areas. The term "practicum" involves the supervised practical application of previously studied theory to prepare prospective practitioners. See the Practicum Courses section, which begins on page 34, for more information on these courses.

The law school also promotes active mock trial and moot court programs, with a required intramural program in the first year, voluntary intramural competitions for upper division students and participation in several inter-school competitions.

## Law Clinic

The law clinic is an actual law office operated by law students and a faculty supervisor. It also functions as a class where students represent indigent clients in court under the direction of the faculty supervisor.

## Audit Policy

Any student who is currently enrolled in Texas Wesleyan University School of Law may audit a class offered by the law school if space is available and upon approval of the professor. An Audit application must be submitted prior to attending class and payment arrangements may be made with the cashier. The student must honor attendance requirements.

- The fee for a currently enrolled student to audit one class is \$100 per class.

Any graduate of Texas Wesleyan University School of Law may audit a class offered by the law school if space is available in the class and upon approval of the professor. An Audit application must be submitted prior to attending class and payment must be made to the cashier in advance.

- The fee for alumni to audit one class is fifty percent of the highest credit hour fee charged to the current students.

A graduate of Texas Wesleyan University School of Law may audit classes for the purposes of qualifying to retake the State of Texas Bar Exam upon approval of the Associate Dean of Academic Affairs. A letter requesting to audit classes for this purpose must be submitted to the Associate Dean of Academic Affairs. In addition, scores from the graduate's bar exam and the letter from the State Bar of Texas, instructing the graduate to retake courses as a prerequisite to sitting for future Bar Exams, must be submitted to the Associate Dean of Academic Affairs. An Audit application must be submitted prior to attending class. Payment arrangements may be made with the cashier. All auditing is subject to space availability in the class and subject to the approval of the professor.

- The fee for a graduate of Texas Wesleyan University School of Law to audit classes for the purpose of retaking the Bar Exam is one-third of the highest credit hour charged to the current students.

A graduate of any other School of Law may audit classes for the purposes of qualifying to retake the State of Texas Bar Exam upon approval of the Associate Dean of Academic Affairs. A letter requesting to audit classes for this purpose must be submitted to the Associate Dean of Academic

Affairs. In addition, scores from the graduate's bar exam and the letter from the State Bar of Texas, instructing the graduate to retake courses as a prerequisite to sitting for future Bar Exams, must be submitted to the Associate Dean of Academic Affairs. An Audit application must be submitted prior to attending class. Payment arrangements may be made with the cashier. All auditing is subject to space availability in the class and subject to the approval of the professor.

- The fee for a graduate of any other law school to audit classes for the purpose of retaking the Bar Exam is the full fee for the credit hour charged to the current students.

Any person who holds a Juris Doctorate Degree may audit a class offered by the law school if space is available in the class. An Audit application must be submitted prior to attending class and payment must be made to the cashier in advance.

- The fee for an attorney to audit one class is the full fee for the credit hour charges to the current students

No credit hours will be earned when a course is audited.

Auditing of a law school class is not permitted by a person, other than a current student, who has not graduated from a law school.

# ACADEMIC STANDARDS

## Function of these Standards

### Comprehensive Rules and Interstitial Rulemaking

The function of these academic standards is to provide comprehensive academic rules to be applied to students of the institution. To the extent the rules fail to provide adequate guidance for administering a particular aspect of the students' academic program, the Academic Standards Committee may adopt temporary rules which shall have full force and effect for one semester or until the faculty adopts a permanent standard (whichever occurs earlier).

### Adoption and Amendment

The academic standards are adopted by majority vote of the faculty and are subject to amendment by a majority vote of the faculty.

### Constructive Notice

These standards serve as notice to all applicants, students, faculty, and others of rules, regulations, policies, and procedures described herein. This notice exists without regard to whether one has actually taken the opportunity to read the standards; the Law School will deal with all interested parties on the assumption that they have informed themselves as to these standards.

### Availability

The Law School will make efforts to provide

reasonable access to these standards to interested people. This access may include availability of the standards at the law library.

### Student Petitions and Appeals

A student who presents a petition to the Academic Standards Committee on any matter within the committee's jurisdiction may appeal to the Faculty of Law an unfavorable decision made by the Academic Standards Committee on the student's petition. The decision made by the Faculty of Law on such student's appeal shall be final and binding for all purposes. All student petitions to the Academic Standards Committee and all student appeals to the Faculty of Law must be in writing. Notwithstanding anything to the contrary herein expressed or implied, neither the Academic Standards Committee (in the case of a student petition) nor the Faculty of Law (in the case of a student appeal from an unfavorable decision made by the Academic Standards Committee) shall have jurisdiction to consider any student petition or appeal (as the case may be) more than one time.

## Categories of Students

Students shall be divided into categories by status (full-time or part-time), and, as to students in the lockstep courses, division (day or evening) and sequence (regular or extended).

## Status

**Full-time.** All full-time students who have not completed lockstep courses must be in the day division, regular sequence. Advanced full-time students must enroll in at least twelve credit hours per semester (and a proportionate load in a shorter term) and take the bulk of their schedule in the day. No full-time student may work more than twenty hours per week during any week in any term or semester for which the student is enrolled. The student bears the burden of proving compliance with this work limitation, and the Law School, at its sole discretion, may at any time require the student to provide proof of compliance. Any student who cannot prove satisfactorily the student's compliance with the work limitation shall be regarded as a part-time student, and the sanctions for exceeding the maximum student load for a part-time student will be imposed for any semester in which the student exceeded the maximum part-time load. Furthermore, violation of the work limitation is a Student Code of Conduct violation and is therefore subject to additional sanction through that process.

**Part-time.** A part-time student is any student:

- working more than twenty hours per week,
- taking eleven or fewer credit hours in a semester (or a proportionate load in a shorter term),



- who has not completed lockstep courses and is not in the day division, regular sequence, or
- who is not taking the bulk of his or her schedule in the day.

### Division

**Day.** The day division consists of full-time or part-time students who have not completed their lockstep courses and are attending those courses during the day.

**Evening.** The evening division consists of part-time students who have not completed their lockstep courses and are attending those courses during the evening.

### Sequence

**Regular.** Students enrolled in a regular sequence of lockstep courses are those enrolled in the full complement of courses available for their division.

**Extended.** Students enrolled in an extended sequence of lockstep courses are those enrolled in less than the full complement of courses available for their division.

## Curriculum

### Lockstep sequences

**Full-time, Day Division, Regular Sequence.** The prescribed regular sequence of the lockstep courses for full-time students is as follows:

First Semester:  
Analysis, Research & Writing I

Civil Procedure  
Contracts I  
Introduction to Law  
Property I  
Torts I

Second Semester:  
Analysis, Research & Writing II  
Contracts II  
Criminal Law  
Property II  
Torts II

Third Semester:  
Constitutional Law

**Part-time, Day Division, Extended Sequence.** A day division, extended sequence is available by petition to the Academic Standards Committee, which must approve the sequence of lockstep courses to be taken by a part-time student in the day division.

**Part-time, Evening Division, Regular Sequence.** The regular sequence of the lockstep courses for part-time, evening division students is as follows:

First Semester:  
Analysis, Research & Writing I  
Contracts I  
Introduction to Law  
Property I  
Torts I

Second Semester:  
Analysis, Research & Writing II  
Contracts II  
Property II  
Torts II

Third Semester:  
Civil Procedure  
Constitutional Law  
Criminal Law

**Part-time, Evening Division, Extended Sequence.** The extended sequence of the lockstep courses for part-time extended students in the evening division is as follows:

First Semester:  
Analysis, Research & Writing I  
Contracts I  
Introduction to Law  
Torts I

Second Semester:  
Contracts II  
Analysis, Research & Writing II  
Torts II

Summer:  
Civil Procedure

Third Semester:  
Constitutional Law  
Criminal Law  
Property I

Fourth Semester:  
Property II

**Two-Semester Lockstep Courses.** Each semester of all two-semester lockstep courses, namely, Analysis, Research, & Writing I & II; Contracts I & II; Property I & II; and Torts I & II; is a separate course for which students receive a final grade.



**Introduction to Law.** The Introduction to Law course is a one-credit-hour course which is graded on a Pass/Fail basis.

**Deviations from Lockstep Sequences.** Students may not deviate from their lockstep sequence. Students in the Evening Division may opt for the Evening Division extended sequence anytime before the beginning of the eighth week of the first semester. Students in the Day Division may petition the Academic Standards Committee for a Day Division extended sequence anytime before the beginning of the eighth week of the first semester. After this time period, no changes in sequence are permissible (even at semester breaks) absent approval of the Academic Standards Committee.

**Failure to Complete a Lockstep Course Successfully.** Any student who, for whatever reason and in whatever fashion, does not successfully complete and receive credit in a lockstep course must enroll in that course at the earliest available opportunity. The grade for a repeat of a failed lockstep course shall be Pass or Fail. The original grade will remain on the transcript and be calculated in the cumulative grade point average. Furthermore, until the student has successfully completed all lockstep courses, his or her registration for courses each semester must be approved by the Associate Dean for Academic Affairs.

**Advanced Required Courses.** In addition to completing the lockstep courses, every student, during some semester or term prior to graduation, must successfully complete the following advanced required courses: Business Associations, Criminal Procedure, Estates & Trusts, Evidence, and Professional Responsibility. If a student fails an advanced required course,

the course must be repeated. The grade for a repeat of a failed required course shall be Pass or Fail. The original grade will remain on the transcript and be calculated in the cumulative grade point average.

**Failing an Elective Course.** A student who fails an upper-level, non-required course may, but is not required to, repeat that course. The failing grade as well as any subsequent grade will be shown on the transcript and will be calculated into the student's cumulative grade point average.

**Pass/Fail Course Limitation.** No student may count more than twelve credit hours earned in courses graded on a Pass/Fail basis toward the total number of hours required for graduation. These twelve hours are exclusive of (i.e., in addition to) the one Pass/Fail credit hour received for Introduction to Law.

**Non-classroom Course Limitation.** No student may count more than twelve credit hours earned in courses without a regularly scheduled classroom component toward the total number of hours required for graduation.

#### **Rigorous Writing Requirement**

Each student will, under the supervision of a full-time faculty member, complete one research paper in connection with a seminar, a non-required course which has 16 or fewer students (provided, however, that the Associate Dean for Academic Affairs has approved the course to satisfy the rigorous writing requirement) or the law review. As used herein, "research paper" means either an expository or argumentative writing of at least twenty double-spaced, typed pages of text exclusive of footnotes. Drafting projects such as briefs, memoranda, and other

legal documents do not satisfy the rigorous writing requirement. A student may, however, use a brief, memorandum, or other document as the basis for the writing project if the result is a research paper as defined above.

#### **Requirement of Multiple Drafts**

To comply with the rigorous writing requirement, the student's final paper must be at least a second draft of his or her work, and as part of the writing process, the Faculty member supervising the work must have conferred individually with the student during the term in which the writing occurs.

#### **Grade Standard to Satisfy Requirement**

In order to receive credit for the rigorous writing requirement, the student's final paper must be of sufficient quality to receive a grade of at least a C+ (2.33).

**Independent Study.** Independent Study is a one-credit-hour program graded on a Pass/Fail basis. To receive credit, the student must spend at least sixty hours during or after the semester in which the student enrolls in Independent Study. The student may satisfy the requirements of Independent Study by researching and writing a paper of at least ten pages in length or reading materials assigned by the sponsoring faculty member. Assigned readings must relate to a particular theme, and the student must produce either a single descriptive paper illustrating a knowledge of the subject or a series of papers summarizing the contents of the assigned reading materials. A single student may earn no more than two credit hours through Independent Study.

**Supervision.** Independent Study must be supervised by a full-time faculty member. The Dean or the Associate Dean for Academic Affairs may approve Independent Study credit with an

adjunct faculty but only if a full-time faculty member acts as a co-sponsor for the student and reviews all of the student's work product.

**Faculty Supervisor Consent Required for Registration.** Students may not enroll for Independent Study without already having obtained the consent of a faculty sponsor. Each student who enrolls for Independent Study will be assigned to a section which will correspond with the student's faculty sponsor; thus a change of faculty sponsor would be a change of section and would require compliance with the Law School's add/drop policies and procedures.

**Topics.** Topics for Independent Study must be topics not covered in the regular curriculum. They may include specialized topics not taught in traditional courses or advanced work building on a topic covered in the curriculum; however, a student may not do advanced work through Independent Study without having completed the course or courses upon which the Independent Study will build.

## Registration

### Normal Registration Times

Registration times for each semester or term shall be set by the administration but will typically be a period of about two weeks held approximately two months before the start of the semester or term.

### Late Registration

Failure to register during the normal registration time for a semester or term will cause a student to incur a late fee to be set by the Law School administration and to lose any priority in registration.

## Add/Drop Policies

**Normal Time Period.** Students may add or drop classes during the free add/drop period prior to each semester. Students adding or dropping classes after the semester begins will be subject to the Refund Policy posted in the Administrative Offices and printed on the Add/Drop form.

**Late Adds.** After the normal add/drop period, a student may only add a course with the permission of the Academic Standards Committee.

**Late Drops.** After the normal add/drop period, a student may only drop a course with the permission of the Dean or the Associate Dean for Academic Affairs.

### Absences Prior to Adding a Course

Absences from class sessions prior to adding the course will be counted toward the maximum number of unexcused absences from a class.

### Maximum Student Load

**Full-time Student.** A full-time student may not register for more than sixteen credit hours in any one semester. This includes non-classroom courses as well as classroom courses.

**Part-time Student.** A part-time student may not register for more than eleven credit hours in any one semester. This includes non-classroom courses as well as classroom courses.

**Correction of Excessive Course Loads.** A student who enrolls for more than the permissible number of hours shall be withdrawn from a course or courses until the registration complies with the maximum load requirements.

The choice of courses from which the student will be withdrawn is in the sole discretion of the Associate Dean for Academic Affairs. However, if the overload is not discovered until after grades have been given for the courses, the Academic Standards Committee may withdraw the student from a sufficient number of courses in that semester or term to bring the course load into compliance. Furthermore, any fraud, deceit, misrepresentation, or dishonesty in creating the overload will be a violation of the Student Code of Conduct.

**Registration in Non-Classroom Courses.** Absent approval of the Academic Standards Committee, no student may register in any course without a regularly scheduled classroom component unless the student is also enrolled, in the same semester or term, in at least one course with a regularly scheduled classroom component.

## Attendance

### Requirement

Regular and punctual class attendance is required of all students in all courses.

### Sanctions for Excessive Unexcused Absences

**Two Weeks.** A student with unexcused absences exceeding two weeks in a course will receive no grade higher than a C (2.0) in that course. As used herein, a week's absence means absences equal to the number of times that course meets in a week. Absences need not be consecutive to count toward this total.

**Three Weeks.** A student with unexcused absences exceeding three weeks in a course will



receive no grade higher than F (0.00) in that course. As used herein, a week's absence means absences equal to the number of times that course meets in a week. Absences need not be consecutive to count toward this total.

**Courses in Shorter Terms.** In terms shorter than a regular semester (including summer terms), absence for a total of fifty minutes times the number of credits in the course equals one week's absence.

#### **Notice**

The Law School shall notify students when their absences exceed the limits noted above. Notice shall be sent by regular mail to the student's address of record in the Registrar's office, and shall be sent once for each class in which a student has excessive absences.

#### **Excused Absences**

**All Absences Are Presumptively Unexcused.** All absences are presumed to be unexcused. The only method for excusing an absence is by petition to the Academic Standards Committee.

**Committee Procedure for Determining Excused Absences.** Students who receive notice of excessive absences may submit excuses in writing to the Academic Standards Committee which will determine their legitimacy. Examples of excused absences include but are not limited to: death of a family member, illness, or accident. Outside employment excuses are ordinarily not acceptable because students are expected to schedule work so that it will not interfere with school requirements; however, in exceptional circumstances, employment requirements may be acceptable.

#### **Sanction for Excessive Excused Absences**

A student whose total absences (excused and unexcused) in a non-lockstep course exceed four weeks shall be withdrawn from that course, shall have a W grade entered on his or her transcript, and shall not receive credit for the course. A student whose total absences (excused and unexcused) in a lockstep course exceed four weeks shall be withdrawn from that course, shall have a W grade entered on his or her transcript, shall not receive credit for the course, and may be permitted to continue in law school upon such terms and conditions as the Academic Standards Committee deems appropriate including, without limitation, the requirement that the student immediately withdraw from and subsequently restart the law school program.

### **Examinations**

#### **Anonymity**

**Confidential Examination Numbers Assigned.** Each semester all students enrolled at the Law School are assigned a number to use instead of their name or Social Security number on Law School examinations. These examination numbers are confidential.

**"Blind" Examination Grading.** Students enrolled in classes in which the primary means of evaluation is an examination receive a "blind" examination grade. In those courses, the instructors assign grades to examinations without knowing the name or identity of the test taker. After instructors turn in the "blind" examination grades for their courses, they have the opportunity to match student examination numbers with student names. Sometimes instructors adjust the "blind" examination grades

to reflect class participation and other relevant factors in evaluating student work; therefore, the final grade that a student receives in a given course may differ from his or her "blind" examination grade. Instructors are expected to inform students about course evaluation procedures at the beginning of each course.

**Retention of Work upon which Grades Are Based.** The Law School will retain examinations and other written work on which a student's grade for a given course is based for a period of not less than one year following completion of the course. Students will be afforded some opportunity to review, within a reasonable time, written work upon which a grade is based.

#### **Inviolability of Exam Times**

All students shall take examinations as scheduled, except in the case of an extreme emergency beyond the control of the student. Students who must miss a scheduled examination shall submit to the Dean or the Associate Dean for Academic Affairs a written statement setting forth the nature of the emergency as soon after the emergency arises as is practicable. The Dean or the Associate Dean for Academic Affairs will either approve or disapprove the student's failure to take the scheduled examination. An unapproved failure to take a scheduled examination will be recorded as a grade of F (0.00) for the course.

#### **Take-Home Pass/Fail Remedy for Extraordinary Circumstances**

In the event of a student's excused failure to take a scheduled examination, the Dean or the Associate Dean for Academic Affairs may approve having the student take an appropriate take-home exam for the course on



a Pass/Fail basis. The student taking an examination in this manner waives all right to anonymity.

#### Extra Time for Students with Disabilities

Students with medically verifiable disabilities may be provided extra time to complete examinations. Petitions for extra time must be made to the Associate Dean for Student Affairs by November 1 of each academic year for which the student desires extra time. Each petition should be accompanied by evidence of the medical condition and evidence of extra time given in past educational settings or examinations. Particular weight is given to the time allowed for taking the LSAT. The student whose request is granted is responsible for making appropriate arrangements with the student services office.

## Papers and Projects

#### Anonymity Optional

In any course that requires papers or projects other than in-class or take-home examinations, the instructor for the course may, but need not, make such arrangements for anonymous grading of such papers or projects as he or she deems appropriate.

#### Citation Rules

The responsibility for learning the proper forms of citation lies with the individual student. Quotations must be properly placed within quotation marks and must be fully cited. In addition, all paraphrased material must be completely acknowledged. Whenever ideas or facts are derived from a student's reading and research, the sources must be clearly indicated.

#### Own Work Requirement

**Identification of Sources.** All work submitted to meet course requirements is expected to be the student's own work. In the preparation of work submitted to meet course requirements, students should always take great care to distinguish their own ideas and knowledge from information derived from other sources. The term "sources" includes not only published primary and secondary material, but also information and opinions gained directly from other people.

**Permissible Collaboration.** The amount of collaboration with others that is permitted in the completion of assignments may vary, depending upon the policy set by the instructor for the course. Students must assume that collaboration in the completion of assignments is prohibited unless explicitly permitted by the instructor. Students must acknowledge any collaboration and its extent in all work submitted.

**Resolution of Doubts.** Students who are in any doubt about the preparation of academic work should consult their instructor before it is prepared or submitted. Students who, for whatever reason, submit work that is either not their own or that does not include clear attribution of all sources will be subject to disciplinary action.

#### Double Dipping

Occasionally students seek to submit one paper for two or more courses or seminars. In such cases, the paper must be of sufficiently greater scope or depth to warrant such multiple credit. The instructors involved in each instance should discuss appropriate ways to make sure that the submitted work meets this greater burden and must each give his or her prior

written approval of the proposed multiple use before multiple credit may be given. This rule applies to all course offerings whether at the Law School or elsewhere. A student who submits the same, or substantially the same, work in more than one course without obtaining such prior written approval will be subject to disciplinary action.

#### Use of Typing or Computer Equipment on Examinations

Students may not use computers, word processors, or other machines with permanent or retained memory functions on closed-book examinations. Students may not use computers, word processors, or other machines with permanent or retained memory functions on open-book examinations unless the instructor informs the entire class in the syllabus or otherwise in writing that these are permissible. Students may use computers, word processors, or other machines with permanent or retained memory functions on take-home examinations.

## Grades and Grading Policies

#### Grades

**Available Grades.** The grades at the Law School shall be in letter grades between A+ (4.01) and F (0.00) or P, W, X, and I. No other grades exist at the Law School. Prior to the Fall of 2003, the Law School employed a numerical grading scale. The particulars of that prior numerical scale are explained on the impacted students' transcripts.

**Interpretation and Uses of Letter Grades.** Each letter grade will have a corresponding numerical value assigned to it for purposes of

calculating a student's grade point average (GPA). The assigned numerical values are as follows:

A+	4.01
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-	0.67
F	0.00

#### Interpretations and Uses of Certain Letter Grades

I. An I is given to a student who has not completed the requirements for a course in a timely fashion, but has arranged with the instructor to do so within no more than one calendar year. After one year, an unresolved I becomes an F (0.00). At no time does an I confer credit for the course.

X. An X grade is posted on the transcript if the student through no fault of his or her own has not yet received a grade for a course. This grade is designed to cover those situations in which a course is expected to take more than one semester to complete. The X grade does not confer credit for the course and is not calculated in the grade average.

W. A grade of W is posted on the transcript whenever a student withdraws from a course after

the drop deadline. This withdrawal may only be done with permission. The W grade confers no credit and is not calculated in the grade average.

P. A grade of P is given to any student who passes a Pass/Fail course or who successfully completes a repeat of a failed lockstep or required course. This grade confers credit for the course, but is not calculated in the grade average.

#### Pass/Fail Grading

**Pass/Fail in Retaking Failed Course.** Students who retake a failed course are graded in that course on a pass/fail basis.

**Pass/Fail Grading.** Any course in which letter grades are not expected to be given will be graded on a Pass/Fail basis. Students who pass the course receive a P for the course. Students who fail a Pass/Fail course will receive an F (0.00). A failing grade will be calculated as part of the grade average.

**Pass/Fail Only for Entire Class.** Absent approval of the Academic Standards Committee, Pass/Fail grading may only be used for an entire class; no student or students shall be given a Pass/Fail option either before or after posting of letter grades.

#### Grade Standards

**Maximum Allowed Average.** For lockstep courses the maximum allowed class GPA is 2.50. For non-lockstep courses with enrollments of over twenty students the maximum allowed class GPA is 2.75. For non-lockstep courses with enrollments of twenty or fewer students the maximum allowed class GPA is 3.00. There is no minimum allowed class GPA for any class except the grade of F (0.00).

#### Procedures for Implementing Standards

**Submission of Final Grades.** Final grades are to be submitted to the Associate Dean for Academic Affairs, who will check for their compliance with the grading standard. Grades in compliance will be posted and grades not in compliance will be returned to the instructor.

**Petition to the Academic Standards Committee.** An instructor wishing to grant grades for a course which fall outside the grading standards shall petition the Academic Standards Committee in writing.

**Failure to Bring Grades into Compliance.** If an instructor, after a reasonable period of time, fails to bring the grades for a course into compliance with the grading standards or petition for and receive a waiver, the Academic Standards Committee shall act in its discretion to bring the grades into compliance.

**Changing Grades.** After an instructor has submitted grades to the Associate Dean, the grades are final and may not be changed except with permission of the Academic Standards Committee. The committee shall freely allow changes in the case of a grade that was incorrectly given as a result of an arithmetical, administrative, or other "mechanical" error. Other changes will only be permitted in the most extraordinary circumstances.

#### Dean's List Honors

**Requirements.** To be eligible for the Dean's List, a student must be registered for eight credit hours, five of which must be graded hours, and have earned a term grade point average of a B



(3.0) or better. Dean's List honors are not available for summer terms.

**Dean's List Notation on Resume.** If a student wishes to list Dean's List honors on a resume, a student must specify the term or terms for which the honor was awarded.

## Student Retention

### Student Is on Notice of Own Grades and Grade Average

Every student shall be deemed to be on notice of the student's own grades and grade average as well as these rules for student retention. Any student who, by virtue of these rules has been dismissed from the Law School, but who nevertheless attempts to continue enrollment and attendance in classes, is responsible for tuition and fees charges incurred by the student's fraudulent attendance at the Law School.

### Dismissal

**Automatic Withdrawal.** A student dismissed for academic deficiency shall be immediately withdrawn from all classes in which he or she is then enrolled and shall be fully refunded the tuition and fees paid for that term; provided, however, that, in the case of a student who petitions the Academic Standards Committee for probation or a student who appeals to the Faculty of Law an adverse decision of the Academic Standards Committee on such student's petition for probation, such student shall be immediately withdrawn from all classes upon the Academic Standards Committee's adverse decision or the Faculty of Law's denial of appeal (as the case may be).

**Automatic Withdrawal During Summer Term.** Notwithstanding anything to the contrary herein expressed or implied, a student who is enrolled in one or more classes during the summer term shall be immediately withdrawn from all such classes upon notice that the student's cumulative grade point average is below 2.00 (C) as of the end of the immediately preceding spring term; such student shall not be permitted to take any examinations, or to complete other course assignments, during the summer term.

### Probation

**At Discretion of Academic Standards Committee.** Students who are dismissed for academic deficiency may petition the Academic Standards Committee to be placed on probation.

**Effective Date of Probation.** Probation shall not begin until the first full semester after the student was dismissed and then, by virtue of the Academic Standards Committee's grant of a petition, placed on probation.

**Schedule Approval.** A student on probation must have his or her class schedule approved by the Academic Standards Committee.

**Additional Terms and Conditions.** The Academic Standards Committee may include in a probation any additional terms or conditions the committee deems appropriate.

**Resolution of Probation.** A student whose average remains below 2.00 (C) after the semester in which he or she was placed on academic probation shall be dismissed for academic deficiency, unless the Academic Standards

Committee again votes to place the student on probation, but the committee may not under any circumstances grant probation for more than two semesters.

### Re-starts

**Re-start Available in Extraordinary Circumstances.** Under petition from the student, the Academic Standards Committee may allow a student who has been dismissed for academic deficiency to re-enroll as a first year student and re-start the law school program if the committee finds the student (1) faced extraordinary circumstances which unquestionably greatly interfered with his or her ability to perform at the level he or she would perform in law school absent those extraordinary circumstances and (2) the extraordinary circumstances no longer exist.

**One Year Delay before Re-start.** A student who is permitted to re-start the law school program must wait one calendar year from the time the re-start is granted before re-enrolling, unless the Academic Standards Committee also reaches the conclusion that the one year delay would cause substantial hardship to the student.

**Effect of Past Performance.** A student who is permitted to re-start will not receive credit for any courses taken before the re-start regardless of the grade received in the course. The prior performance will remain on the transcript; however, the transcript will clearly state that the student has re-started and the prior grades will not affect the grade average.

**Restart After Withdrawal.** A student who has



voluntarily withdrawn from the Law School may petition to restart studies at the Law School. When a student withdraws prior to taking any examinations, the petition to restart will be treated as an application to begin law school education as part of the entering class. The Admissions Committee shall review the petition/application as part of its responsibility to review applications and determine the applicants to whom an offer to attend the Law School shall be made. If the student has taken any exam and received a grade, the Academic Standards Committee shall review the petition and determine whether the student may restart law school.

## Leaves of Absence

### Not Available for First Year Students

A student who has not completed the first two semesters of the student's program (regardless of status, division, or sequence) may not obtain a leave of absence. The student may petition the Academic Standards Committee to be allowed to withdraw from school with a right to re-start the first year program.

### Limited Availability

#### Prior to Completing Lockstep Courses

A student who has not completed the lockstep courses (regardless of status, division, or sequence) may only obtain a leave of absence by permission of the Academic Standards Committee. The committee may impose any conditions on that leave, particularly relating to the date of the student's return and the plan for completing lockstep courses.

### Leaves for Advanced Students

Advanced students (those who have completed lockstep courses) may obtain one leave of absence

of up to one calendar year from the Dean or the Associate Dean for Academic Affairs. A second leave of absence, a leave of duration longer than one year, or an extension to a leave which has been granted, may only be obtained from the Academic Standards Committee.

### Standards for Granting Leave

A student's request for a leave of absence is not to be granted automatically; however, requests based on reasonable grounds, such as hardship arising from family, economics, employment, medical conditions, or the like, shall be granted liberally.

### Visits to Another ABA Approved Law School

A leave of absence for a visit to another ABA approved law school is handled in the same fashion as any other leave of absence; there typically must be a demonstrable hardship leading to the request to attend another law school. A leave of absence for a visit to another ABA approved law school may be conditioned on the availability of certain courses at the visited school. Under no circumstances will more than thirty credit hours of work be transferred back from the visited school (regardless of the length of the leave approved) and no credits will be accepted which do not meet or exceed the grade average required to graduate from the visited school. Transfer credit will be accepted for courses graded pass/fail at the visited school so long as the course graded pass/fail at that school is one that is typically graded pass/fail.

### Sanctions

Failure to comply with the provisions on leaves of absence or with conditions on a leave granted shall be grounds for the Academic Standards Committee to impose any sanction it deems

appropriate, including but not limited to refusal to accept transfer credits (regardless of the grade received), probation (with conditions it deems appropriate attached), or dismissal.

## Change of Status, Division, or Sequence

### Prior to Completing Lockstep Courses

A change of status, division, or sequence prior to completion of lockstep courses shall only be allowed upon the approval of the Academic Standards Committee, which permission will only be granted in the most extraordinary circumstances.

### After Completing Lockstep Courses

A change of status after completing lockstep courses may be done in conjunction with registration for any semester or term. However, a change from part-time status to full-time status must be accompanied by an affidavit swearing that the student shall not be employed more than twenty hours per week at any time during any semester or term for which the student is a full-time student.

## Graduation Requirements

**Required Courses.** A candidate for graduation must have received credit in all required courses, namely Analysis, Research, & Writing I & II; Business Associations; Civil Procedure; Constitutional Law; Contracts I & II; Criminal Law; Criminal Procedure; Estates & Trusts (Estate Planning I); Evidence; Introduction to Law; Professional Responsibility; Property I & II; and Torts I & II.

**Total Hours.** A candidate for graduation must have received a minimum of eighty-eight credit hours.

## Grade Average Requirements

**Cumulative.** A candidate for graduation must have a cumulative average no lower than 2.0 (C). There is no waiver of this standard.

**Residence Requirements.** A candidate for graduation must have completed six semesters in residence to be eligible to graduate. No residence credit is earned for a course that the student fails. Residence for regular semesters (14 weeks of classroom instruction plus two weeks of final examinations) will be calculated as follows:

12+ credits earned:

1.00 semester in residence

8-11 credits earned:

0.75 semester in residence

7 credits earned:

0.66 semester in residence

6 credits earned:

0.56 semester in residence

5 credits earned:

0.47 semester in residence

4 credits earned:

0.38 semester in residence

3 credits earned:

0.28 semester in residence

2 credits earned:

0.19 semester in residence

*1 credit earned*

0.09 semester in residence

Residence credit for terms shorter than a semester will be calculated from this formula on a pro rata basis.

**Time for Completion of Degree.** A full-time law student must complete the requirements for the J.D. degree in five years. A part-time law student must complete the requirements for the J.D. degree in six years.

**Compliance with Curricular Requirements.** A candidate for graduation must have complied with all curricular requirements, i.e., course prerequisites, rigorous writing requirement, standards relating to credit hours of pass-fail courses, standards relating to non-classroom courses, and the like. Any credits received in contravention of these curricular requirements shall not be counted toward the eighty-eight credit hours required for graduation.

**Equal Justice Requirement.** In keeping with its mission to provide excellence in legal education, emphasizing service to its diverse student body, the legal profession and its community, the School of Law requires each of its students to perform thirty hours of law-related *pro bono* service through the Equal Justice Program. The program's purpose is two-fold. First, it ensures that all students will have the opportunity to practice lawyering skills in a real-world setting before they graduate. Second, it imparts to our students the importance of giving back to the community in recognition of the privileged status lawyers occupy.

## Graduation Fee

*Each student shall pay a graduation fee to be set*  
by the administration.

## Honors

**Summa Cum Laude.** Any student who graduates in the top two percent of the graduating class shall be designated as graduating summa cum laude.

**Magna Cum Laude.** Any student who does not graduate in the top two percent of the graduating class but who does graduate in the top five percent of the graduating class shall be designated as graduating magna cum laude.

**Cum Laude.** Any student who does not graduate in the top five percent of the graduating class but who does graduate in the top ten percent of the graduating class shall be designated as graduating cum laude.

## Bar Certification

According to the Rules Governing Admission to the Bar of Texas, a law student may be certified to take the Texas Bar Examination by satisfying all requirements for graduation with a J.D. degree, except for not more than four credit hours. In no event, however, will a student be certified to take the July Texas Bar Examination unless the student has earned eighty-four credit hours by the end of the preceding Spring semester.



# CODE OF CONDUCT

## Policy

### Statement of Purpose and Application

1.1. The Texas Wesleyan University School of Law expects students to conduct themselves at all times in a manner that is consistent with the highest ethical standards of integrity and honesty required by the legal profession. As part of their preparation for the legal profession, students at Texas Wesleyan University School of Law will better understand their duties as lawyers by practicing and by upholding ethical standards of conduct throughout their time as students.

1.2. By ensuring academic integrity, the standards of conduct are designed to provide an environment in which each student can be evaluated fairly, free from the inequity of competing with others who attempt to enhance their own efforts unfairly.

1.3. Upon enrollment at Texas Wesleyan, all entering students will be provided a copy of this Code of Conduct and will be charged with notice of, and be bound by, this Code. The Law School reserves the right to amend this Code and shall provide notice of those amendments. Students are bound by the Code provisions in effect at the time of the alleged misconduct.

1.4. Although remedies for violation of the standards of conduct may be imposed by the University or local law enforcement bodies, the School of Law may elect to impose its own sanctions as well.

1.5. All confidentiality provisions of this Code of Conduct are subject to the reporting requirements of bar licensing authorities or as otherwise required by law.

## Definitions

2.1. Associate Dean: the Associate Dean for Academic Affairs or such other tenured faculty member as may be designated by the Dean of the Law School

2.2. Code: the Texas Wesleyan University School of Law Student Code of Conduct.

2.3. Committee: the Hearing Committee, as defined in 5.3.1

2.4. Instructor: a person who teaches, instructs, directs, supervises, or oversees students on a full-time, part-time, adjunct, visiting, advisory, or any other basis whether compensated or not. Instructor also includes assistants, student teaching assistants and guest lecturers.

2.5. Intentionally: A person acts intentionally, or with intent with respect to an act or to a result,

when it is his or her intention, conscious object, or desire to engage in the act or to cause the result.

2.6. Knowingly: A person acts knowingly, or with knowledge, with respect to the nature of his or her conduct or to the circumstances surrounding such conduct when he or she is aware of the nature of such conduct or that such circumstances exist. A person also acts knowingly, or with knowledge, with respect to the result of his or her conduct when that person is aware that the conduct is reasonably likely to cause that result.

2.7. Law School community: the students, faculty, deans, and all employees of the Texas Wesleyan University School of Law, including University employees assigned duty at the Law School.

2.8. Law School: Texas Wesleyan University School of Law.

2.9. Publish: to make public, to circulate or to make known to people generally.

2.10. Sponsored activity: any activity, program or event with which the Law School is connected in any way, both directly, such as activities, programs or events that are Law School funded, or indirectly, such as activities, programs or events that students attend as representatives of the Law School.

2.11. Standards of conduct: the rules listed in Section 3 of this document.

2.12. Student: any person currently or formerly enrolled in the Law School. "Student" also includes a student from another law school taking a course or participating in a program at the Texas Wesleyan University School of Law.

2.13. University: Texas Wesleyan University.

## Standards of Conduct

### 3.1. Examinations

3.1.1. No student may intentionally or knowingly breach the administrative security maintained for preparation and storage of exams.

3.1.2. No student may intentionally or knowingly give, solicit, receive, or obtain aid of any nature from any source during an examination, unless expressly authorized by the instructor.

3.1.3. No student may use any materials, aids, or devices during an examination unless expressly authorized by the instructor.

3.1.4. No student may work on his or her examination other than during the time prescribed, or in a room other than the one designated for the taking of the examination, nor may a student remove it from that room, unless expressly authorized by the instructor.

3.1.5. No student may intentionally or knowingly act in any manner which would unreasonably interfere with other examinees during the time set for the examination.

3.1.6. No student may discuss an examination with any other student while the examination is in progress.

3.1.7. No student may take an examination for another student or permit another person to take an examination for the student.

3.1.8. No student who has taken an examination may intentionally or knowingly convey, directly or indirectly, to another student any information about the contents of that particular examination that the other student has yet to take.

3.1.9. No student who has not yet taken the same examination may intentionally or knowingly solicit or receive information about the contents of that particular examination from a student who has already taken it.

3.1.10. No student may intentionally or knowingly convey to an instructor any information that tends to identify his or her authorship of an examination yet to be graded.

### 3.2. Classroom Conduct

3.2.1. No student may intentionally or knowingly fail to acknowledge his or her presence when called upon in class.

3.2.2. No student may mark as present or otherwise indicate the presence in class of another student who is not actually present.

3.2.3. No student may permit another to mark or otherwise indicate the student's presence in class when in fact that student is not present.

3.2.4. No student who is not present for the entire class may sign the attendance roster, unless

the student notes the portion of the class missed on the roster, or, in the event of an emergency, the student reports the portion of class missed to Student Services as soon as practicable.

3.2.5. No student may intentionally or knowingly disrupt the classroom or otherwise interfere with the right of others in the class to learn.

### 3.3. Student Work Product

3.3.1. No student may intentionally or knowingly represent as his or her own the research, ideas, or writing of another without acknowledging and clearly identifying such material in an appropriate manner.

3.3.2. No student may use or submit the same or eSsentially the same paper or other work product, or a substantial portion thereof, for credit in more than one course at any law school without making full disclosure to the instructors or advisors involved and obtaining their express consent.

3.3.3. No student may intentionally or knowingly solicit or receive assistance in the preparation of work to be submitted for academic credit or in connection with a Law School academic activity from any person unless authorized by the instructor.

3.3.4. No student may intentionally or knowingly give assistance in the preparation of work to be submitted for academic credit or in connection with a Law School academic activity unless that assistance is authorized by the instructor.

3.3.5. No student may work with another in the preparation of work to be submitted for academic



credit or in connection with a Law School academic activity unless that collaboration is authorized by the instructor.

3.3.6. No student may intentionally or knowingly falsify or invent any information or citation in work to be submitted for academic credit or in connection with a Law School academic activity.

#### 3.4. Misuse of Property or Services

3.4.1. No student may intentionally or knowingly conceal, damage, deface, destroy, or retain without authorization any book, material, or equipment belonging to the Law School.

3.4.2. No student may intentionally or knowingly conceal, damage, deface, destroy, misuse, or retain without authorization the property of any member of the Law School community.

3.4.3. No student may intentionally or knowingly take or copy material (such as personal items, books, notebooks, outlines, papers, or notes) belonging to another student without the consent of the latter.

3.4.4. No student may intentionally or knowingly alter or damage or gain unauthorized access to any computer, computer system, computer file, data base, or other data maintained or provided by or through the Law School or the University.

3.4.5. No student may obtain, use, or consult any teacher's manual being used in a course unless expressly authorized by the instructor.

#### 3.5. Mistreatment or Endangerment of Others

3.5.1. No student may employ force or violence, or the threat of force or violence, against any person on Law School or University premises, or at any Law School or University sponsored activity.

3.5.2. No student may engage in conduct which threatens or endangers the health or safety of any person on Law School or University premises, or at any Law School or University sponsored activity.

3.5.3. No student may intentionally or knowingly harass, intimidate, or invade the privacy of any student or employee of the University. Harassment includes engaging in a course of conduct directed at a specific person that causes substantial emotional distress in that person, or would tend to cause such distress in a reasonable person. The conduct may be words, gestures, or actions which tend to annoy, taunt, alarm, tease, or otherwise abuse the victim.

3.5.4. No student may intentionally or knowingly publish any statement directed at a person, with the intent to vilify or stigmatize that person and which has the effect of harassing, intimidating, or invading the privacy of that person.

3.5.5. No person may intentionally or knowingly display on any University computer material that would reasonably be considered offensive to others.

3.5.6. No student may possess a firearm or explosive material or device on University or Law School property, with the exception of a law enforcement officer who may carry a firearm if so required by law.

#### 3.6. False Statements

3.6.1. No student may intentionally or knowingly furnish false, misleading, or incomplete information in connection with his or her admission to, or retention in, the Law School. For purposes of this section, 'admission' and 'retention' include all matters relating to financial aid and scholarships.

3.6.2. No student may forge, alter, or use school documents, records, or identification cards with intent to defraud or mislead.

3.6.3. No student may intentionally or knowingly make any false representation on a resume, transcript, or other written material relating to his or her Law School credentials, nor may any student falsely represent his or her Law School credentials in any other way to a potential employer or academic institution.

#### 3.7. Abuse of Process

3.7.1. No student may intentionally or knowingly falsely accuse another student of violating the standards of conduct.

3.7.2. No student may induce or attempt to induce a person to violate the standards of conduct.

3.7.3. No student may intentionally or knowingly give false information, refuse to give information, refuse to testify, or otherwise refuse to cooperate in any investigation, proceeding, or hearing involving a violation of the standards of conduct.

3.7.4. No student may intentionally or

knowingly solicit another to give false information, refuse to give information, refuse to testify, or otherwise refuse to cooperate in any investigation, proceeding, or hearing involving a violation of the standards of conduct.

3.7.5. No student may retaliate against anyone who has made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing brought under this Code.

3.7.6. No student may breach the confidentiality of any proceeding brought under this Code.

3.7.7. No student may refuse to comply with any requirement or sanction imposed upon him or her under this Code.

### 3.8. Criminal Offenses

3.8.1. No student may intentionally or knowingly engage in any conduct that is unlawful on Law School or University premises or at a Law School or University sponsored activity.

3.8.2. Any student convicted of a federal, state, or local felony or any federal, state, or local offense involving dishonesty, fraud, deceit, or misrepresentation is subject to sanction under this Code.

### 3.9. Reporting Obligations

3.9.1. Any person who has knowledge that test security has been breached either intentionally or otherwise and who fails to report that breach to the instructor whose test is concerned or to the Associate Dean is subject to sanction under this Code.

3.9.2. Any student who has knowledge that a violation of the standards of conduct has occurred and who fails to report that violation is subject to sanction under this Code.

## Reporting Charges of Misconduct

4.1. Each member of the Law School community should assist in ensuring compliance with the Code by immediately bringing to the attention of the Associate Dean any act that may reasonably be considered to constitute a violation of the standards of conduct. All members of the Law School community share a responsibility to take appropriate action when potential violations of the standards of conduct occur. All members of the Law School community should also be mindful of the fact that bar licensing authorities, including the Texas Board of Law Examiners, require that the Law School report all allegations, whether proven or not.

4.2. The failure to report violations of the standards of conduct is itself a chargeable offense under this Code. The Code cannot function, and the standards of conduct cannot be appropriately promoted, if members of the Law School community do not report violations when they occur. This requirement is supported by the reporting requirement in Rule 8.03 of the Texas Disciplinary Rules of Professional Conduct.

4.3. Students who have committed violations of the standards of conduct are encouraged to report themselves. Self-reporting does not excuse any violation, but may be considered in determining the appropriate sanction.

## Procedures for Administration

### 5.1. Initial procedures

5.1.1. Any person who becomes aware of behavior that may reasonably be considered to violate the standards of conduct shall bring the matter to the attention of the Associate Dean by filing a complaint.

5.1.2. The complaint shall be in writing, identify the complainant and state in plain language and with reasonable particularity the date, place, and act complained of, and if possible, identify the standard of conduct that may have been violated.

5.1.3. The Associate Dean shall conduct an initial investigation into any allegation of conduct in violation of the standards of conduct.

5.1.4. If the alleged violation occurred in connection with a course, the Associate Dean shall notify the instructor.

### 5.2. Informal Resolution

5.2.1. If, after investigation, the Associate Dean determines that the behavior complained of does not constitute a violation of the standards of conduct, the Associate Dean will dismiss the complaint and so notify the complainant and, if applicable, the instructor.

5.2.2. If, after investigation, the Associate Dean determines that a violation may have occurred, the Associate Dean shall meet with the student alleged to have committed the violation and shall



inform the student of the evidence upon which the Associate Dean is acting. The student shall be entitled to speak on his or her own behalf. The identity of the complainant shall remain confidential.

5.2.3. If the Associate Dean is persuaded that the alleged violation did not occur, the Associate Dean shall record that the allegation was not substantiated and shall report that conclusion to the student alleged to have committed the violation, and, if the alleged violation occurred in connection with a course, to the instructor.

5.2.4. If the Associate Dean determines that a violation of the standards of conduct did occur, the Associate Dean will prepare a charge, which will include a description of the findings, and the proposed sanction to be imposed.

5.2.5. Upon presentation of the findings and the sanction drafted by the Associate Dean, the charged student shall respond to the charge in writing within fourteen calendar days of receiving it.

5.2.6. If the student admits the charge and agrees to the imposition of the proposed sanction, the student shall so indicate on the charge form and sign the form, and the sanction shall be imposed. A copy of the signed form shall be kept by the Associate Dean, who will forward a copy to the instructor if the violation occurred in connection with a course.

5.2.7. If the charged student believes that the charge is not accurate or that the sanction imposed is inappropriate, or if the charged student fails to respond to the charge within the time specified in section 5.2.5, the case shall be referred to the Hearing Committee, as outlined

in section 5.3.2.

5.2.8. Any person who feels aggrieved by the failure of the Associate Dean to take appropriate action with regard to any alleged violations of the standards of conduct may report the matter to the Dean.

### 5.3. Hearings

5.3.1. Appointment, composition, and role of Hearing Committee

5.3.1.1. The Dean of the Law School will appoint a standing Hearing Committee. The Hearing Committee shall be composed of three faculty members and two students. The Hearing Committee shall choose one of the faculty members to act as the chair of the committee.

5.3.1.2. The role of the Hearing Committee is to call and question relevant witnesses, determine the facts, decide upon clear and convincing evidence whether the charged student has committed an act in violation of the standards of conduct, and if so, determine what sanction is appropriate.

5.3.1.3. If any member of the Hearing Committee is the charging party, the instructor in the course involved, a witness, or is alleged to have any bias, the charged student may petition the Dean for the recusal of that member. If the Dean finds that such petition has merit, then the Dean shall appoint a replacement for the recused member of the Hearing Committee.

### 5.3.2. Hearing Procedures

5.3.2.1. The Associate Dean shall supply the

Hearing Committee and the charged student with the charge and the proposed sanction and the names of persons who have knowledge of relevant facts.

5.3.2.2. The Hearing Committee shall give the charged student at least seven calendar days to prepare for the hearing and shall notify the student of witnesses who are expected to appear at the hearing.

5.3.2.3. The Hearing Committee may, in its discretion, request that the Associate Dean, or his or her designee, present evidence and question witnesses so as to bring out evidence related to the charge.

5.3.2.4. The charged student may have an adviser of his or her choice, who is not an employee of Texas Wesleyan University, to assist during the hearing. The adviser shall not address the committee or question witnesses unless the committee has requested someone present evidence and question witnesses under section 5.3.2.3, or unless the committee, in its discretion, permits the adviser to do so.

5.3.2.5. The charged student may question witnesses called by the Hearing Committee. The charged student may also call and question additional witnesses who have relevant facts, provided the student notifies the Hearing Committee at least three days prior to the hearing. The committee (and/or its designee under section 5.3.2.3) may question these witnesses and the charged student.

5.3.2.6. The hearing shall be informal. The Hearing Committee shall be guided by fundamental principles of fairness and shall not

be bound by strict rules of evidence or procedure. The hearing may proceed even if the charged student, having been notified of the hearing, fails to attend.

5.3.2.7. The committee may limit the presentation of evidence so as to avoid undue delay, waste of time, or needless presentation of cumulative evidence.

5.3.2.8. If the alleged violation occurs in connection with a course, the committee is encouraged to seek the opinion of the course instructor regarding whether any sanction imposed should affect the student's grade. The committee may obtain the instructor's opinion in writing (with a copy provided to the charged student) or by testimony at the hearing.

5.3.2.9. The hearing and the fact of the hearing shall be confidential. Except as required by law or the rules of bar licensing authorities, members of the committee and any witnesses or other participants in the hearing shall not disclose either the fact of the hearing or information given or learned at the hearing to anyone other than members of the committee, the Dean, the Associate Dean, or the Dean of Students.

5.3.2.10. Hearings shall be tape-recorded, and the tapes shall be retained a minimum of three years.

### 5.3.3. Post-Hearing Procedures

5.3.3.1. After the conclusion of the hearing, the Hearing Committee shall render a decision as soon as practicable.

5.3.3.2. If the Hearing Committee determines

that the charged student did not commit an act in violation of the standards of conduct, the committee shall issue a written finding to that effect. The Hearing Committee may issue a written opinion setting forth its findings of fact and its conclusion. Any members of the committee who dissent from the findings or conclusion may express their dissents in writing, which shall be attached to the committee's written opinion. These opinions will be forwarded to the Associate Dean who will provide a copy to the student.

5.3.3.3. If the Hearing Committee determines that the student committed an act in violation of the standards of conduct, it shall issue an opinion in writing, setting forth its findings of fact, conclusion, and the appropriate sanction. At least four members of the committee must agree with a determination that the charged student committed an act in violation of the standards of conduct and with the sanction imposed. Any member of the committee who dissents from the committee's findings, conclusion, or sanction may express his or her dissent in writing, which shall be attached to the committee's written opinion. These opinions will be forwarded to the Associate Dean who will provide a copy to the student.

5.3.3.4. In determining the appropriate sanction, the Hearing Committee shall consider the seriousness of the offense, and it may consider the student's prior disciplinary record and the student's truthfulness and cooperation in the investigation and hearing. The committee may take into consideration other appropriate factors, including mitigating circumstances such as any physical, mental, financial, or emotional problems of the charged student. The sanction imposed by the committee may be equal to, less

than, or greater than the sanction initially proposed by the Associate Dean.

5.3.3.5. The finding or opinion of the committee shall be the final decision of the Law School. The sanction set forth, if any, in the committee's opinion, shall be imposed ten calendar days from the issuance of the opinion, unless the student appeals as provided in section 5.4.

## 5.4. Appellate Review

5.4.1. If the charged student disagrees with the Hearing Committee's opinion, he or she has the right to appeal to the University's Provost.

5.4.2. A student wishing to appeal shall, within ten calendar days of the issuance of the Hearing Committee's opinion, provide the Associate Dean with a Letter of Appeal stating the grounds for the appeal.

5.4.3. An appeal may be based only on new evidence that was not available at the time of the hearing and that could not have been discovered by due diligence by that time, evidence of bias on the part of the Hearing Committee, or failure of the Hearing Committee to follow the procedures specified in this Code. Mere dissatisfaction with the outcome of the hearing is not a ground for appeal. Harmless error shall be disregarded on appeal.

5.4.4. Upon receiving the Letter of Appeal, the Associate Dean shall transmit the complete case file, including the Hearing Committee's written opinion and the Letter of Appeal, to the Provost. The Associate Dean may include a response on behalf of the Law School to the student's Letter of Appeal.



5.4.5. The Provost shall render a written decision on the appeal and return the file to the Associate Dean.

## Sanctions

Any one or more of the following sanctions may be imposed for a violation of the standards of conduct.

6.1. Warning: an oral statement to the student that he or she has violated the standards of conduct and that continuation or repetition of the conduct found wrongful may be cause for more severe disciplinary action in the future.

6.2. Private Reprimand: a written letter of reprimand sent to the student, with a copy placed in the student's permanent file, but which may not be disclosed to third parties.

6.3. Formal Reprimand: a written letter of reprimand that is placed in the student's permanent file, and may be disclosed to any bar association, prospective or current employer, or law school officials of any law school to which the student applies for admission.

6.4. Transcript Notation: the permanent notation "Student Code of Conduct Violation—Coursework" or "Student Code of Conduct Violation—Not Coursework", as appropriate, on the student's transcript.

6.5. Disciplinary Probation: the restriction, suspension, or exclusion from participation in moot court, law review, or other co-curricular activity, from working as a teaching assistant, or from holding office in any student organization.

6.6. Loss of Academic Credit: for misconduct related to course work, change in a course grade, withdrawal of academic credit for a course, or withdrawal of credit for a course assignment, with or without an opportunity to redo the assignment.

6.7. Loss or denial of, or disqualification for, scholarships, academic prizes, awards, or honors.

6.8. Restitution: financial reimbursement for damage or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.

6.9. Suspension: exclusion from classes for a specified period of time, not to exceed one year. During the period of suspension, the offender may receive no credit toward a law degree.

6.10. Expulsion: termination of the student's status for an indefinite period of time. The conditions for readmission, if readmission is contemplated, shall be stated in the order of expulsion.

6.11. Withdrawal of degree: withdrawing award of a degree.

## Publication

7.1. Any student who has been subject to any sanction for a violation of the standards of conduct must, upon requesting a reference from any faculty member, inform the faculty member of the sanction. The Associate Dean shall remind students of this obligation at the time any sanction is imposed. Any faculty member who has been asked to give a recommendation

regarding a student may inquire of the Associate Dean as to whether that student has been sanctioned under this Code.

7.2. The Associate Dean and the Hearing Committee shall annually prepare and distribute a report summarizing all charges made under this Code in the previous academic year and the disposition of such charges, including the sanctions imposed, if any. The report shall not give the names of the students involved. The report shall be distributed to the faculty and deans and to the President of the Student Bar Association and shall be made available upon request to any student.

# COURSE DESCRIPTIONS

Texas Wesleyan University School of Law offers a curriculum designed to provide fundamental knowledge and skills required of the legal advocate, together with specialty courses drawing upon substantial professional experience of the Fort Worth/Dallas Metroplex bench and bar.

Following is a list of courses typically offered at the law school during a three-year period. Some courses are offered only in alternate years, and the curriculum varies slightly from year to year. Lockstep courses (required courses that must be taken in a prescribed sequence) and other required courses are offered every year.

## Lockstep Courses

### *Civil Procedure (4)*

A study of the rules and doctrines that define the process of civil litigation in American courts, with primary emphasis on the U.S. Constitution, the federal judicial code, and the Federal Rules of Civil Procedure. The course will cover topics such as the jurisdiction and competence of courts, conflicts between state and federal law, pleading, joinder of claims and parties, disposition without trial, trial and post-trial process, appellate review, and the effects of judgment.

### *Constitutional Law (4)*

A study of the provisions in the U.S. Constitution governing the form of government and the powers of

the federal judiciary, legislature, and executive; the relations between the federal government and the states; the limitations on governmental power over individuals inherent in constitutional provisions relating to due process and equal protection; and the restrictions on private action mandated or permitted by these constitutional provisions.

### *Contracts (6)*

A study of the enforceability of promises, the creation of contractual obligations, performance and breach, the impact of the contract on the legal relationships of non-parties, and the examination of contract doctrine in three settings: personal service, sales of goods, and construction contracts.

### *Criminal Law (3)*

An inquiry into the sources and goals of criminal law, the concepts of *actus reus* and *mens rea*, characteristics of specific offenses, inchoate crimes, accomplice liability, and general defenses.

### *Introduction to Law (1)*

An introduction to legal study, including topics such as case analysis, statutory interpretation, judicial process, American legal history, jurisprudence, and professionalism.

### *Legal Analysis, Research & Writing (4)*

A study of analysis, research, and writing skills underlying the solution of legal problems.

Analysis skills cover both case law and statutes. Legal research skills include locating primary and secondary legal authorities and federal and state citation practice. Writing skills include drafting and editing legal memoranda and court documents.

### *Property (6)*

An introduction to personal property and real property laws, including estates and future interests in land, landlord-tenant problems, and issues relating to private and public land use.

### *Torts (5)*

A review of standards and principles governing civil liability for intentional and unintentional invasions of personality and property interests.

## Advanced Core Curriculum Required Courses

### *Business Associations (4)*

A study of business organizations, including partnership, limited partnership, and other unincorporated business forms and business corporations; the factors affecting the selection of the form of a business enterprise; the nature of corporate entities; the promotion, organization, activities, financing, management, and dissolution of business corporations.

### *Criminal Procedure (3)*

This course will consider issues relating to



constitutional constraints on the investigation and prosecution of criminal offenses.

#### *Estates & Trusts (4)*

A study of intestate succession, wills, trusts, probate and trust administration, and an introduction to estate planning.

#### *Evidence (4)*

An examination of the problems of proof, including study of the admission and exclusion of evidence on the basis of relevancy, policy and protection of the individual or the state, the examination of witnesses, substitutes for evidence, and procedural considerations.

#### *Professional Responsibility (2)*

A study of the rules regulating the practice of law.

## Core Curriculum Elective Courses

#### *Administrative Law (3)*

A study of the legal principles and procedures to which an unelected bureaucracy must conform to achieve legitimacy. The course reviews the problems inherent in a relatively disunited body of law derived from disparate sources, but concentrates on the Constitution and other federal law as the primary sources of organizing principles for administrative law and procedure. Topics addressed may include the constitutional underpinnings of the federal bureaucracy, judicial review of agency fact-finding and legal interpretation, extra-statutory administrative common law, the grounds for dividing administrative actions into adjudication and rule making, the essential components of due process in agency

adjudication, and the availability of judicial review of agency action. No concurrent registration with Constitutional Law is permitted for this course.

#### *Agency & Partnership (2)*

A study of the common law of principal and agent, and the law of unincorporated business entities, including general and limited partnerships and limited liability companies.

#### *Family Law (3)*

A study of legal problems related to the establishment, dissolution, and reorganization of family relationships, including marriage, divorce, parental responsibility, alimony and child support, adoption, and injuries to family relations.

#### *Federal Income Taxation (4)*

A study of the basic principles of federal income tax, concentrating upon individual taxpayers, business taxpayers, and investors as taxpayers. Particular emphasis is placed on the use of the Internal Revenue Code and the regulations thereunder.

#### *Marital Property (3)*

A study of the property rights of husband and wife under the Texas community property system, including coverage of the law relating to homestead.

#### *Oil & Gas (3)*

A study of oil and gas law with emphasis upon the interests that may be created in oil and gas, the transfer and conveyance of such interests, rights of operators and landowners, provisions in the oil and gas lease, the rights of assignees, and regulations dealing with exploration, production, and conservation.

#### *Remedies (3)*

A review of the forms of legal and equitable relief a court is equipped to grant by way of redress to those who have been or may be injured, including alternative choices and the tactical advantages of each. The course also discusses the scope of judges' powers of contempt.

#### *Texas Criminal Procedure (3)*

A study of laws regulating Texas' criminal process, arrest to post conviction review, emphasizing its unique characteristics.

#### *Texas Pre-trial Procedure (3)*

A study of the Texas law in civil cases pertaining to processes before trial, including jurisdiction, venue, initiating legal proceedings, obtaining factual information from parties and non-parties, and terminating litigation prior to trial.

#### *Texas Trials & Appeals (3)*

A study of the Texas law in civil cases pertaining to trial and appellate procedure concerning the jury, presentation of the case, motions for instructed verdict, the court's charge, the verdict, trial before the court, post-trial motions and procedures, final and appealable judgments, appellate jurisdiction, perfection of appeal, the courts of appeal, the Supreme Court of Texas, and original proceedings in appellate courts.

#### *U.C.C. Articles 3 & 4 (3)*

A study of the provisions of the Uniform Commercial Code relating to negotiable instruments, bills, notes, checks, drafts and bank deposits, and collections.

#### *U.C.C. Article 9 (3)*

A study of personal and commercial financing by loans and credit sales under agreements creating security interests in the debtors' personal

property (Article 9 of the U.C.C. and relevant provisions of the Bankruptcy Code).

## General Curriculum Elective Courses

### *Accounting for Lawyers (2)*

This course will provide students with a fundamental understanding of accounting and will highlight the importance of accounting issues to the practice of law. This course will also cover important accounting terminology, generally accepted accounting principles and common-sense finance topics such as present value concepts and their effect on damage calculations.

### *American Legal History Seminar (2)*

An exploration of the role and importance of law in American history through examination of significant cases, statutes and constitutional provisions, and relevant theoretical, philosophical, and other historical materials.

### *Antitrust (3)*

A study of the national antitrust policy under the Sherman, Clayton, Robinson-Patman, and Federal Trade Commission Acts, and the application of these laws to individual action and restrictive agreements involving price fixing, market division, resale price maintenance, price discrimination, trade boycotts and refusals to deal, exclusive arrangements, patents, monopolies and industrial concentration, and public and private remedies.

### *Bankruptcy (3)*

A study of the law relating to individual and business liquidations and reorganizations under the Bankruptcy Code.

### *Banking Law (3)*

A study of the law of commercial banking with special emphasis on banking as a regulated industry. Among the topics included are the history and structure of the American banking system and of the federal regulatory agencies and the regulation of traditional banking activity, including lending limitations, discrimination based on sex or marital status, usury, reserve requirements, capital adequacy, interest limits, the formation of a new bank or branch, management interlocks, criminal liability, attainment of competitive markets, banks' trust powers, and failing banks and the R.T.C.

### *Children & the Law (2)*

This two-hour course studies the three-sided relationship between children, their parents (or other conservators), and the state. It examines the many complex problems inherent in the questions of when a state should, must, or should not interfere in the parent-child relationship. It tries to define what that relationship includes and looks at the ways that relationship is evolving in the United States today. The course examines the parent-child relationship through the many forms of Suits Affecting the Parent-Child Relationship (SAPCRs), which are common to most states today in their statutes/codes. It does not include any questions of tort liability of parents to/or for their children.

### *Civil Rights (3)*

This course will provide an overview of federal legislation designed to provide private actions to enforce constitutional rights, including the kinds of relief available and limits on recovery.

### *Commercial Arbitration (2)*

A theory and practice course providing

arbitration training. Mock arbitrations are included.

### *Complex Litigation (2 or 3)*

A study of the procedural rules and doctrines relating to the litigation of complex cases involving multiple parties and/or claims. Particular emphasis will be placed on the Federal Rules of Civil Procedure that relate to class action litigation, joinder of parties and claims, and transfer and consolidation of action.

### *Computer Law Seminar (2)*

A seminar that allows participants to make an in-depth study of a particular substantive legal issue of their choice related to computer technology. Examples of such topics include problems involving computer related transactions (hardware, software, or data), transactions occurring in an electronic environment, liability arising from such transactions, and the use of computer-related or -generated evidence at trial. Selection of a particular topic is with the assistance of the instructor. Upon completion of this course, the student will have demonstrated the ability to perform in-depth research and to communicate that research both orally and through a substantial paper.

### *Conflict of Laws (3)*

A study of legal problems arising when a legal dispute touches more than one state. Topics include choice of law, jurisdiction over the parties, and the recognition and enforcement of foreign judgments and decrees in situations involving torts, contracts, property, marriage, divorce, and various procedural problems.

### *Consumer Law (2)*

A study of the current state of the law as it applies to consumer transactions. Topics include debt



collection practices, credit disclosure and regulation, product liability, the Texas Deceptive Trade Practices Act, the work of the Federal Trade Commission, truth in lending laws, and fair credit laws.

### *Copyrights (3)*

A study of federal and international laws protecting the innovative endeavors of authors. The topics in the course include the history of copyright law, fair use of copyrighted materials, what can be copyrighted, and the interaction of copyright law with other concepts of unfair competition and intellectual property.

### *Criminal Appellate Procedure (2)*

A study of appellate procedure on the criminal side of the docket. The course will cover the basic rights of appeal, court structure and appellate jurisdiction, the major legal areas in which relief is usually sought on appeal, the harmless error rule, frivolous appeals, and the remedies available to an appellant. There will be some focus on post-conviction writs of habeas corpus and writs of certiorari. Also covered will be some of the pertinent mechanics to an appeal such as briefing, petitions for discretionary review, and the Rules of Appellate Procedure.

### *Death Penalty Seminar (2)*

A study of the law of capital punishment in an effort to understand the guiding legal principles and parameters of this most severe form of criminal sanction. Specific issues addressed include, among others, narrowing capital punishment to certain crimes and particular types of defendants, the role of race in the death penalty, death qualified juries, and the function of "guided discretion" in the use of the sanction.

### *Debtor/Creditor Relations (3)*

A survey of creditors' remedies and debtors' rights under state law, including exempt property, remedies of unsecured creditors to collect debts by individual and by collective action, and the law of fraudulent conveyances.

### *Dispute Resolution (3)*

A study of the lawyer's role in dispute resolution, emphasizing negotiation, mediation, arbitration, and legislation in selected and illustrative areas of substantive law. The course thus allows students to learn additional means of enabling clients to resolve disputes either before litigation or as part of a litigation strategy.

### *Education Law (3)*

A study of the law that relates to schools, students, teachers, and administrators. Among the topics included are the legal basis for public and private schools, the basis and scope of compulsory schooling, separation of church and state, the organization and power of school boards, and balancing the rights, duties, and responsibilities of parents, students, teachers, and administrators, including teachers' academic freedom and symbolic speech.

### *Elder Law (3)*

A study of U.S. law affecting the elderly, including the law of Social Security, Medicaid, Medicare, estate planning, advance directives, etc.

### *Emerging Legal Issues (2)*

A seminar which will examine various aspects of constitutional law. The precise content will change from year to year depending on which issues are most troubling at the time the seminar is offered.

### *Employment Discrimination (3)*

An in-depth examination of the federal law concerning discrimination in employment on the basis of race, sex, religion, national origin, age, and disability. Topics covered include Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Reconstruction Era Civil Rights Act, the Equal Pay Act, the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990.

### *Employment Law (3)*

A study of the law of employer-employee relations in a non-union context. Students examine issues such as employment at will, retaliatory discharge, and wage and hour laws. The class introduces students to laws relating to employment discrimination.

### *Entertainment Law (2)*

Basic legal concepts that govern transactions in the entertainment industry, including the constitutional protections of entertainment speech, the rights of individuals who restrict it, copyright fundamentals, contract issues peculiar to the field, and prevailing standards and practices of "the Business."

### *Environmental Law (3)*

A study of various approaches for dealing with adverse environmental effects, including private litigation, regulation, and financial incentives. The course surveys air and water pollution, solid and hazardous waste problems, and the National Environmental Policy Act. Attention is also paid to judicial review of legislative and administrative action, the special problems raised by our federal form of government, and the administrative regulatory process in pollution control.

*Environmental Law Seminar (2)*

A seminar dealing with a variety of environmental issues presented by students in connection with paper writing.

*Estate & Gift Tax (3)*

A study of income, gift, estate, and generation-skipping transfer taxes relevant to the estate planning process. Planning and drafting principles for complex estate planning are introduced.

*Federal Courts (3)*

A study of the constitutional and practical doctrines that define the judicial power of the United States, with particular emphasis on the role of federal courts in the American system of government, including the federal courts' relationship to the other branches of the federal government and their relationship to the separate state systems of government. The course will cover topics such as the constitutional cases and controversies requirement, congressional control of the federal courts, Supreme Court review of state court decisions, the power of the federal courts to create federal law, abstention, suits against state governments, and the enforcement of federal rights.

*Feminist Jurisprudence (2)*

A seminar that examines the relationship between law and society from the point of view of all women. The class discusses areas of law that maintain society's status quo of the inequality of women. Specific topics that may be addressed include rape, reproductive rights, employment, marriage and economics, and prostitution and pornography.

*First Amendment (2)*

A study of the U.S. Constitution's First

Amendment. The course addresses the First Amendment's effect on government attempts to regulate content of speech and to restrict speech by regulating one's method of speaking. Also included is the right of free speech in various physical settings. In addition, the freedoms of assembly and press, free exercise of religion, and the prohibition on governmental establishment of religion will be studied.

*Government Contracts (2)*

An exploration of the statutes, regulations, and case precedents relating to the formation and execution of government contracts. Special care is taken to ensure that students understand the myriad roles lawyers play in the government contract process.

*Health Law (3)*

This course focuses on key concepts in health law such as the structure of health care organizations, quality of health care, and liability of health care providers. It also addresses access to health care, financing mechanisms of health care, including Medicare and Medicaid, regulation of health care, and oversight of managed health care. New developments in health care law concerning reproduction, bioethics, and human genetics are also examined.

*History of the English Common Law (2)*

A study of the history, development, and intricacies of the English common law from about 500 B.C. to modern times. The course includes a study of common law sources, methods, the court system, and major personalities who contributed to the development of the common law. Some emphasis is given to the review of common law forms of action and to the law as and in literature.

*Immigration Law (3)*

A course covering basic immigration statutes, including cases and doctrines that control immigration and naturalization. This course will also explore the treatment of undocumented immigrants and those seeking protection from persecution.

*Independent Study (1)*

An opportunity for students to do specialized reading or research in an area of interest to the student under a full-time faculty member's supervision.

*Insurance Law (3)*

A study of fundamental legal principles relating to the construction of various types of liability and first-party insurance contracts. Topics include insurance regulation, application for coverage and acceptance of risk, and the rules of construction, bad faith, and insurance litigation strategy.

*Intellectual Property (3)*

An overview of the basic principles of intellectual property law, including coverage of trade secret, trademark, patent, and copyright fundamentals.

*International Business Transactions (2)*

A survey of legal problems encountered in international trade, including an overview of international trade and financial institutions such as G.A.T.T., I.M.F., and World Bank.

*International Litigation (2 or 3)*

A study of disputes touching more than one jurisdiction, including selecting the proper forum, discovery, parallel law suits, choice of law, sovereign immunity, the recognition and enforcement of foreign judgments, and arbitration.



*Jurisprudence (3)*

An introduction to legal philosophy. The major jurisprudential issues, the definition of law, the concept of justice, the relation of law and morality, and the function of legal analysis will be considered in the light of specific legal theories, including modern American legal philosophies.

*Juvenile Justice (2)*

A review of the juvenile's substantive and procedural rights.

*Labor Law (3)*

A study of the National Labor Relations Act and its implementation.

*Land Use (3)*

A study of private and public means of controlling land use. Emphasis is placed on the areas of planning and zoning, including the emerging problem of exclusionary land use controls. Further discussion topics include subdivision controls, restrictive deed covenants, eminent domain proceedings, and urban renewal.

*Law & Literature (2)*

This course considers writings from many cultures and analyzes how problems of justice, legality, morality and ethics are presented. Various approaches to the field are considered. Students present reports and a substantial paper is required.

*Law & Psychology (2)*

A study of the intersection between law and psychology, with particular emphasis on the application of forensic psychology in the criminal justice system. Specific issues addressed include, among other topics, the evidentiary standard

governing the admissibility of scientific evidence, false confessions, eyewitness testimony, repressed memories, and sex offenders.

*Law Clinic (3)*

The law clinic is both a credit course and a functioning law office, allowing students to practice law while in law school. Students represent indigent clients in court under direct faculty supervision. A classroom component meets weekly to study the substantive law, to learn essential practical skills, and to discuss client cases.

*The Law of Electronic Commerce (3)*

This class will focus on the impact of new technologies on commercial transactions and intellectual property rights. Topics will include Internet governance, information and software licensing, web site agreements, hosting agreements, online contracting issues, online payment system, security, privacy, and intellectual property rights in digital media. This class will study recent statutes relating to E-commerce and proposed legislations and regulations on E-commerce. This class will also examine social, political, and economic issues underlying the impact of new technologies. Each student will write a major paper and present his or her topic to the class.

*Law Office Management (2)*

A review of the professional, ethical, and management requirements for starting and operating a law practice. The course will review the statutory and regulatory aspects of practice, including labor and employment, partnerships and professional corporations, trust and IOLTA accounts, advertising, and solicitations. The course will also review management skills and technology related to time, billing, accounting, docketing, legal research, document preparation, filing, and client development.

*Law Review (1)*

An invitation-only course that involves the preparation of articles and comments on current legal and social problems for inclusion in the *Texas Wesleyan Law Review*.

*Legislation (2)*

A study of the state and federal legislative processes, statutory and constitutional issues, and drafting principles.

*Medical Malpractice (2)*

A review of topics relating to medical malpractice litigation, including pleadings, expert testimony, damages, statutes of limitations, res ipsa loquitur, informed consent, and independent contractor issues.

*Patents (2)*

The study of how proprietary interests in technology are protected by patent law, with a focus on issues relating to validity, the nature of the subject matter protected, and enforcement of proprietary rights.

*Products Liability (2)*

An overview of strict liability, negligence, and warranty claims based on consumer products sales.

*Public International Law (3)*

An introduction to key concepts and doctrines of international law, including topics such as the sources and evidence of international law, the bases of international jurisdiction, the law governing the use of force, the protection of human rights, the law of treaties, and state succession.

*Race & Racism in American Law (2)*

A course addressing the many and various ways in which race and the American legal system interact. As a survey course, the class deals with various topics ranging from affirmative action, the criminal justice system, and racist/hate speech to interracial adoption, issues of minority women, and housing discrimination.

#### *Real Estate Transactions (3)*

A review of the acquisition, disposition, and financing of real estate. Aspects of real estate development and operation (including leasing) are also considered.

#### *Securities Regulation (3)*

A review of federal and state regulation of the public distribution, offer, and sale of corporate securities. The course includes a study of the Securities Act of 1933 and portions of the Securities Exchange Act of 1934. Types of securities and underwriting techniques are surveyed, and the key definitions and exemptions in the statutes are studied. State securities law is also studied with emphasis on the securities registration and anti-fraud aspects of the Texas Securities Act.

#### *Sports Law (3)*

A thorough look at both the academic (e.g., labor and antitrust) and practical (e.g., contracts and agents) aspects of professional sports and the emerging field of sports law, including rules governing Olympic competition, the NCAA, and other amateur athletics.

#### *State & Local Government Law (3)*

A study of the legal problems facing states and local governments and their constituents in the context of a federal system. The course explores the conflicts inherent in allocating power among

national, state, and local governments. In this context, the course reviews local government formation and annexation, statutory and home rule powers, taxes, finances, and tort liability.

#### *State Constitutional Law Seminar (2)*

A seminar requiring a paper on a state constitutional law subject.

#### *Supreme Court Seminar (2)*

A seminar in which students act as U.S. Supreme Court members, reading briefs in selected cases presently before the Supreme Court, discussing the cases, and writing opinions deciding the cases.

#### *Taxation of Business Entities (3)*

A study of the federal income tax treatment of C corporations and pass-through entities, such as partnerships, S corporations, and limited liability companies. The course examines on a comparative basis the formation, operation, and sales and liquidation of these entities. Corporate reorganizations and related transactions are also covered.

#### *The Jury Process (2)*

This seminar will focus on various aspects of the jury process, including the social and historical context of the jury, the right to a jury trial, selection and disqualification of jurors (including voir dire), juror misconduct, issues related to jury psychology and attitude, tailoring evidence and argument for the jury, jury nullification, verdicts, and other public policy and legal issues relating to juries.

#### *U.C.C. Article 2 (3)*

A study of Article 2 of the Uniform Commercial Code that covers the law of sales. Included are

the requirements for formation of a sales contract, problems in enforcement, and determination of remedies for breach of contract.

#### *Unfair Trade Practices (3)*

A study of the private actions and available damages resulting from unfair competition or unfair trade practices. Primary concern is given to the topics of privilege to compete and tortious interference with contracts, trademarks and trade names, imitation and counterfeiting of goods, the appropriation of trade secrets, confidential information and other business ideas, false advertising, product and competitor disparagement, and the Texas Deceptive Trade Practices Act.

#### *White Collar Crime (3)*

An exploration of the substantive and procedural problems connected with the federal prosecution and defense of white collar crime. The course examines selected federal statutes, including the Racketeer-Influenced and Corrupt Organizations Act (RICO). Topics include mail and wire fraud, securities fraud, money laundering, corporate criminal liability, and grand jury investigations.

#### *Women & the Law (3)*

A study of legal issues that particularly affect women and how the law, in its choices regarding these issues, has helped to form women's position in American society. Issues discussed will include spousal abuse, rape, employment discrimination, marriage and divorce, child custody, reproductive rights, and privacy.

## Practicum Courses

In order to implement a program that allows students to develop necessary practical lawyering skills, Texas Wesleyan University School of



Law has developed a series of courses in its juris doctor curriculum, each termed a "practicum," in discrete substantive areas as well as in particular skill areas. The term "practicum" identifies courses involving the supervised practical application of previously studied theory to prepare prospective practitioners.

Many of the lawyering skills identified in the American Bar Association's "MacCrate Report" will be learned in each practicum – problem solving, legal analysis and reasoning, legal research, factual investigation, communication, counseling, negotiation, litigation and alternative dispute resolution procedures, organization and management of legal work, and recognizing and resolving ethical dilemmas.

#### *Appellate Practicum (2)*

Students take a simulated case through the appellate process, possibly including such topics as mandamus and other special proceedings before appellate courts. Students prepare a written brief and present an oral argument.

#### *Business Planning Practicum (3)*

In a simulated setting, students examine the characteristics of a variety of business entities, choose the most appropriate business entity, draft the necessary documents for formation of that business entity and finally, preside over the entity's termination.

#### *Commercial Law Practicum (3)*

This course provides an opportunity to work through complex commercial law transactions, including secured transactions and negotiable instruments.

#### *Corporate Practicum (1 or 2)*

In an externship setting, students are placed with a corporate legal department.

#### *Criminal Law Practicum (3)*

Students function as prosecuting and defense attorneys, taking a hypothetical case from arrest through post-conviction remedies. The course may include such topics as legal limits on criminal investigation, the grand jury process, setting bail, negotiating plea bargains, drafting pre-trial motions, the discovery process, trial rights and tactics, habeas corpus, and appeals.

#### *Estate Planning Practicum (3)*

This course involves working through hypothetical clinical problems, including extensive drafting, working closely with the professor. The problems involve comprehensive planning and drafting of estate planning documents to effectuate the plan.

#### *Family Law Practicum (3)*

This course focuses on the practical lawyering aspects of child custody, adoption, and suits affecting the parent-child relationship and pre-nuptial agreements. Special attention is paid to handling divorce and property division issues.

#### *Family Mediation Practicum (2)*

Students build on previously learned mediation skills by exploring issues specific to family mediation. Students then function as mediators for real family disputes at local mediation centers.

#### *Government Practicum (1, 2 or 3)*

In an externship setting, students are placed in a government office such as the district attorney or public defender's office, federal agency, etc.

#### *Judicial Practicum (1, 2 or 3)*

In an externship setting, students work with a federal or state judge.

#### *Law Firm Practicum (1 or 2)*

In an externship setting, students work in a law firm.

#### *Legal Research Practicum (2)*

This course involves learning the process of legal research, as well as sources of federal and Texas legal information in a simulated law firm setting. Students perform legal research under the professor's direction in the role of senior partner.

#### *Legal Writing Practicum (2)*

This advanced writing course builds on the basic skills students learned in first-year LARW. The class is conducted as a workshop: students write in class as well as outside class, and both fellow students and the professor critique your writing. Students work on skills such as improving clarity, brevity, organization, and persuasiveness in the context of writing letters, memos, transactional documents, trial pleadings, and parts of trial and appellate briefs.

#### *Mediation Practicum (3)*

Students learn mediation through lecture and role-play, earn a mediation certificate, and then function as mediators for actual disputes.

#### *Negotiations, Interviewing & Counseling Practicum (2)*

Students "learn by doing" the important lawyering skills of negotiation, interviewing, and counseling clients.

#### *Pre-trial Practicum (2)*

This course gives students an opportunity to participate in simulated pleadings, discovery proceedings, and motion hearings. The applicable rules, as well as tactical use of the pre-trial process, are covered.

*Real Estate Practicum (2)*

Students learn the practical aspects of real estate acquisition, disposition, and financing, focusing on negotiating and drafting the documentation for various types of real estate transactions.

*Taxation Practicum (3)*

In a simulated clinical setting, students learn major aspects of tax practice and procedure and resolve complex problems relating to business taxpayers, investors as taxpayers, and the individual taxpayer. The substantive tax law on which drafting assignments are based will be varied, and may relate to individual income tax, business tax, and estate and gift tax.

*Transition to Practice Practicum (3)*

Students work practice problems under close faculty supervision, after forms for various transactions are reviewed. Subjects covered include selected aspects of probate, guardianship,

wills, trusts, life insurance, avoidance of probate, purchase of a home, purchase of investment real estate, organization of a business, delegating authority through various powers of attorney, lifetime gifts, leases, lawyer's engagement letters, installment sales, retirement benefits, etc. Practice problems are selected by the students subject to professor approval and can include a broader range of subjects than those treated during class.

*Trial Advocacy Practicum (3)*

A study of civil and criminal trials, taught through lectures, demonstrations, and simulations. Each trial segment is examined separately, and accompanying exercises are conducted with students acting as attorneys, witnesses, and judges. The course culminates in a mock trial at a local courthouse, where students have the opportunity to present an entire case from jury selection through verdict.



# FACULTY & ADMINISTRATION

## Faculty

The current faculty consists of 28 full-time professors, plus adjunct professors and legal writing instructors, who provide a considerable range of academic and professional experience. Law schools represented by the faculty's degrees include Columbia, Chicago, George Washington, Harvard, Texas and Yale, with graduate law degrees from such schools as Columbia, Harvard, Virginia and Yale. Non-law doctoral and master's degrees include Stanford, Michigan, Chicago, Columbia, Harvard and Wisconsin.

In addition to their academic backgrounds, the faculty's diverse professional and community interests are represented in their experiences and activities. Faculty members have held significant positions with the American Bar Association, American Association of Law Libraries, the Law School Admission Council, the National Judicial College and the Southwestern Legal Foundation. They have served in a variety of governmental positions with the Department of Health and Human Services, the EEOC, the Judge Advocate General Corps and in the judiciary, state legislatures and as state prosecutors.

Faculty members have contributed numerous articles, essays and other materials for legal publishers and law journals around the country. In addition to pursuing academic, professional

and community service interests, the faculty considers effective interaction with individual students to be an extremely important support function.

### Stephen R. Alton Professor of Law

LL.M. 1992 Columbia University School of Law. Ed.M. 1986 Harvard University Graduate School of Education. J.D. with honors 1981 University of Texas School of Law. A.B. magna cum laude 1978 Harvard College. Member, Order of the Coif.

Managing general partner and general counsel, G&S Investment Co.; associate, Mayer, Brown & Platt; attorney, Union Texas Petroleum Corp.; associate, Johnson, Swanson & Barbee. Published articles in the *American Journal of Legal History*, the *University of Kansas Law Review*, the *Loyola University-Chicago Law Journal*, the *Texas Wesleyan Law Review*, the *William & Mary Bill of Rights Journal* and the *Texas Bar Journal*. 1996-97 First-Year Evening Professor of the Year and 1998-99 First-Year Day and First-Year Evening Professor of the Year. Fulbright Professor of Law, Wuhan University, Wuhan, China (Spring 2001).

Courses: Property, Real Estate Transactions, Real Estate Practicum, State & Local Government, Constitutional Law, American Legal History and Environmental Law.

### Rachel S. Arnow Richman Associate Professor

J.D. cum laude 1995 Harvard Law School. B.A. summa cum laude 1992 Rutgers University.

Abraham L. Freedman Fellow, Temple University School of Law; associate, Drinker Biddle & Reath L.L.P.; law clerk, New Jersey Supreme Court, Justice James H. Coleman Jr. Published in the *Oregon Law Review*, the *Indiana Law Journal* and the *Berkeley Women's Law Journal*.

Courses: Labor & Employment Law and Contracts.

### Susan Ayres Associate Professor

Ph.D. 1997 Texas Christian University. J.D. 1988 Baylor University School of Law. M.A. 1985 University of Texas at San Antonio. B.A. magna cum laude 1982 Baylor University.

Visiting assistant professor, Roger Williams University School of Law; law clerk, Supreme Court of Rhode Island; assistant district attorney, Tarrant County district attorney's office; associate, McGinnis, Lochridge and Kilgore; briefing attorney, 3<sup>rd</sup> Court of Appeals (Austin). Published in the *Albany Law Review*, the *Texas Journal of Women and the Law*, and the *Yale Journal of Law and Feminism*.

Courses: Civil Procedure, Law & Literature and Property.

**Wayne R. Barnes**  
Associate Professor of Law

J.D. 1995 Texas Tech University School of Law. B.B.A. 1992 University of North Texas. Editor-in-chief, *Texas Tech Law Review*. Member, Order of the Coif. Scribes Award—Excellence in Legal Writing.

Associate, Strasburger & Price; associate, Gibson, Ochsner & Adkins. Published in the *Texas Tech Law Review*.

Courses: Contracts and U.C.C. 9

**J. Richard Broughton**  
Associate Professor of Law

LL.M. with distinction 2000 Georgetown University Law Center. J.D. cum laude 1999 Widener University School of Law. B.A. cum laude 1995 Hampden-Sydney College. Editor-in-chief, *Delaware Journal of Corporate Law*. Member, Phi Kappa Phi.

Assistant attorney general and attorney general's fellow, Office of the Attorney General of Texas; law clerk, the Hon. Sharon Keller, Texas Court of Criminal Appeals; law clerk, United States House of Representatives. Published in *Delaware Journal of Corporate Law*, the *Dusquesne Law Review*, the *Law Review of Michigan State University*, the *Oklahoma Law Review*, *Seton Hall Constitutional Law Journal*, the *West Virginia Law Review* and *Whittier Law Review*.

Courses: Constitutional Law and Criminal Procedure.

**John C. Cady**  
Professor of Law

J.D. with highest honors 1980 George Washington University National Law Center. M.S. 1969 Washington State University. B.A. 1963 University of Omaha. Member, Order of the Coif.

Associate dean and professor, Reynaldo Garza School of Law; associate dean and assistant professor, George Mason University; professor of data processing, Northern Virginia Community College; vice president, Data Systems & Software Corporation; systems engineer, International Business Machines Corp.

Courses: Computers & Law Seminar, Torts, Unfair Trade Practices, Copyrights and Remedies.

**Brigid M. Davis**  
Writing Instructor

LL.M. (Taxation) Southern Methodist University School of Law. J.D. Southern Methodist University School of Law. B.B.A. 1984 Texas A&M University.

Instructor, Texas Wesleyan University School of Law; associate, Jones, Day, Reavis & Pogue; senior manager, Ernst & Young L.L.P.; senior tax attorney, Unocal Corporation; lecturer, Southern Methodist University School of Law & Ministry of Finance of Taiwan Joint Program; associate, Holmes, Millard & Duncan; accountant, Dr Pepper/Seven-Up Companies, Inc.; accountant, Pearle Health Services, Inc.

Course: Legal Research & Writing.

**Frank W. Elliott**  
Professor of Law

LL.B. with honors 1957 University of Texas School of Law. B.A. 1951 University of Texas. Comment editor, *Texas Law Review*. Member, Order of the Coif.

Dean, Texas Wesleyan University School of Law (1992-94); dean, Dallas/Fort Worth School of Law (1989-92); of counsel, Ramirez & Associates; partner, Baker, Mills & Glast; president, Southwestern Legal Foundation; dean and professor, Texas Tech University; visiting professor, the Judge Advocate General's School; director of research, Texas Constitutional Revision Commission; parliamentarian, Texas Senate; professor, University of Texas; briefing attorney, Supreme Court of Texas; assistant attorney general, state of Texas. Member of the American Law Institute. Published several books, book supplements and articles, including casebooks on evidence, Texas pre-trial procedure and Texas trials and appeals, as well as one of the most widely used resources on Texas civil practice, Texas forms and Texas pre-trial procedure.

Courses: Evidence, Advanced Evidence Seminar, Texas Pre-trial Procedure and Texas Trial & Appellate Procedure.

**Cynthia L. Fountaine**  
Professor of Law

J.D. 1988 University of Southern California. B.S. 1984 Indiana University. Publications editor, *Southern California Law Review*.

Instructor, University of Cincinnati College of Law; associate, O'Melveny & Myers. Published



in the *Michigan Journal of Race & Law*, the *American University Law Review*, *University of Pittsburgh Law Review* and the *Southern California Law Review*.

Courses: Civil Procedure, Federal Courts, Civil Rights, Complex Litigation, The Jury Process and Professional Responsibility.

**James P. George**  
Professor of Law

LL.M. 1983 Columbia University School of Law. J.D. 1978 University of Tulsa. B.A. 1973 Oklahoma State University.

Associate dean, Texas Wesleyan University School of Law (1994-97; 1998-99); of counsel, Kirkley, Schmidt & Cotten, Fort Worth; attorney, North Central Texas Legal Services; adjunct professor, Southern Methodist University; instructor, Columbia University; law clerk, U.S. District Judge H. Dale Cook. Author, *The Federal Courthouse Door* (Carolina Academic Press, 2001). Published 12 law review articles, mostly on jurisdiction and conflict of laws. Member, American Law Institute; master, American Inns of Court; director, American Society of Comparative Law.

Courses: Agency & Partnership, Civil Procedure, Federal Courts, Public International Law, Conflict of Laws and International Litigation.

**I. Richard Gershon**  
Professor of Law

LL.M. 1983 University of Florida. J.D. with honors 1982 University of Tennessee. B.A. 1979 University of Georgia.

Dean, Texas Wesleyan University School of Law; professor and associate dean, Stetson University College of Law; director, Institute for Space Law and Commerce; assistant professor, Ohio Northern University College of Law; special assistant general counsel, State Bar of Georgia. Published in the *Nova Law Review*, the *Cumberland Law Review* and the *Ohio Northern Law Review*. Author of *A Student's Guide to the Internal Revenue Code* and co-author of *U.S. Tax Guide: International Taxation*. Co-authored taxation and life planning books. Member of the Florida Bar, the Georgia Bar and the International Tax Section of the Texas Bar.

Courses: Estates & Trusts, Federal Income Taxation, Federal Taxation of Estates & Trusts and Property.

**Jason A. Gillmer**  
Associate Professor of Law

LL.M. 2002 Harvard Law School. J.D. summa cum laude 1996 The American University, Washington College of Law. B.A. cum laude 1992 Carleton College. Note and comment editor, *The American University Law Review*.

Teaching fellow, Stanford Law School; law clerk, the Hon. Kim McLane Wardlaw, United States Court of Appeals for the 9<sup>th</sup> Circuit; law clerk, the Hon. Donald D. Alsop, United States District Court for the District of Minnesota; associate, Robins, Kaplan, Miller & Ciresi L.L.P. Published in *The American University Law Review*, the *North Carolina Law Review* and the *William Mitchell Law Review*.

Courses: Race & the Law and Torts.

**W. Robert Gray**  
Professor of Law

J.D. 1981 University of Chicago Law School. M.A. 1974 University of Chicago Divinity School. M.A. 1971 University of Wisconsin at Madison. B.A. summa cum laude 1969 University of Texas. Comment editor, *University of Chicago Law Review*. Member, Phi Beta Kappa.

Partner, Perry-Miller, Hawkins, Beasley & Gray; assistant attorney general, state of Texas; attorney, U.S. Securities and Exchange Commissions Office of the General Counsel; associate, Van Ness, Feldman, Sutcliffe, Curtis & Levenberg. Published in the *University of Chicago Law Review*, the *South Texas Law Review*, the *New Mexico Law Review* and the *Texas Wesleyan Law Review*; published book *The Four Faces of Affirmative Action: Fundamental Answers and Actions*, 2001. Received the Paul Tillich Award (students' award for inaugural publication by a professor of the law school); teaching excellence awards by students in 1991, 1993 and 1997; and the Law Review Award 1997.

Courses: Torts, Administrative Law, Constitutional Law, Employment Discrimination, First Amendment and Jurisprudence.

**Michael Z. Green**  
Associate Professor of Law

LL.M. 1999 University of Wisconsin - Madison Law School. J.D. cum laude 1992 Loyola University of Chicago School of Law. M.S. 1992 Loyola University Chicago Institute of Industrial Relations. M.B.A. 1989 California Lutheran University. B.S. 1985 University of Southern California. Hastie Teaching Fellowship. Chief lead articles editor, *Loyola Consumer Law Review*.

Associate professor of law, Florida Coastal School of Law; Hastie teaching fellow, University of Wisconsin Law School; of counsel, associate, Franczek Sullivan P.C.; lecturer, Loyola Institute of Industrial Relations; associate, Lord, Bissell & Brook; associate, Brown, Todd & Heyburn; law clerk, Dowd & Bloch; law clerk, Navistar Corporation; manufacturing manager, Procter & Gamble. Published in *Florida Coastal Law Journal*, *Dickinson Law Review*, *Rutgers Law Journal* and *Loyola Consumer Law Reporter*.

Courses: Civil Procedure, Dispute Resolution, Employment Discrimination, Employment Law and Labor Law.

#### James Hambleton

Professor of Law & Associate Dean |  
for Budgeting and Planning

J.D. 1978 George Washington University National Law Center. A.M.L.S. 1971 University of Michigan. B.A. cum laude 1969 Middlebury College.

Legal information resources manager, Haynes and Boone; director, Texas State Law Library; head of public services, University of Texas Tarlton Law Library. Published in the *American Bar Association Journal*, the *Texas Bar Journal*, the *Arkansas Lawyer* and the *Law Library Journal*; co-authored book and served as subject editor for law in *Texas Reference Sources*. Named one of the five Best Law Librarians of 1986 by Legal Information Alert. Co-recipient, The West Excellence in Academic Law Librarianship Award, 1995.

Course: Legal Research & Writing.

**Maxine M. Harrington**  
Associate Professor of Law

J.D. with high honors 1977 the George Washington University National Law Center. B.A. magna cum laude 1969 University of North Dakota. Member, Order of the Coif and Phi Beta Kappa.

Of counsel, Watson, Caraway, Harrington, Nelson, Midkiff & Lunningham, L.L.P.; partner, Broude, Nelson & Harrington, P.C.; attorney, Office of Legal Advisor, Saint Elizabeth's Hospital, Washington, D.C.; law clerk, District of Columbia Court of Appeals, the Hon. George R. Gallagher. Published in the *Bulletin of the American Academy of Psychiatry and the Law*, *State Bar of Texas Handbook of Alternative Dispute Resolution* (forthcoming 2003), and the *Texas Lawyer*.

Courses: Health Law, Torts and Medical Malpractice.

#### Charlotte A. Hughart

Clinical Professor of Law & Director of Law Clinic

J.D. 1977 University of Oklahoma College of Law. B.S. 1972 Oklahoma State University.

Visiting assistant professor, assistant director and staff attorney, University of Oklahoma College of Law clinical program; staff attorney, Legal Aid of Western Oklahoma. Named 1999 Public Citizen of the Year for the state of Texas and Tarrant County by the National Association of Social Workers of Texas. *Fort Worth Star-Telegram* Hometown Hero. 2001 Urban Attorney of the Year for West Texas Legal Services *pro bono* program.

Courses: Trial Advocacy and Law Clinic.

**Denny O. Ingram Jr.**  
Professor of Law

J.D. with honors 1957 University of Texas School of Law. B.A. 1955 University of Texas. Editorial officer, *Texas Law Review*. Member, Order of the Coif.

Presently of counsel, McGinnis, Lochridge & Kilgore, Austin and Houston. Private practice 22 years in Austin. Quizmaster, *Texas Law Review*; chancellor, Order of the Coif; member, American Law Institute; fellow, American College of Trust and Estate Counsel and American College of Tax Counsel. Formerly on faculty at the universities of Texas, Utah, New Mexico, California at Davis (vis.) and San Diego (vis.). Author of various articles.

Courses: Estates & Trusts, Estate Planning Practicum and Law & the Elderly Seminar.

**H. Dennis Kelly**  
Writing Instructor

J.D. with honors 1981 Texas Tech University. B.S. 1973 Texas A&M University.

Attorney, The Law Offices of H. Dennis Kelly; partner, Timmons & Kelly; associate, Kanz, Scherback & Timmons; associate, Gardere & Wynne; partner, Felsman, Bradley, Gunter & Kelly; associate, Felsman, Bradley & Gunter. Published two articles in the *Texas Tech Law Review*.

Course: Legal Research & Writing.

**Jeffrey A. Maine**  
Professor of Law

LL.M. 1994 University of Florida College of Law. J.D. 1993 Stetson University College of Law. M.B.A. 1990 Florida Atlantic University. B.B.A.



1989 Florida Atlantic University. Managing editor, *Florida Tax Review*. Editor-in-chief, *Stetson Law Review*. Certified Public Accountant.

Visiting professor, University of Maine School of Law; visiting associate professor, University of Idaho College of Law; adjunct professor, Stetson University College of Law; associate, Holland & Knight. Co-author, *Intellectual Property Taxation* (BNA 2003); co-author, *Intellectual Property Taxation: Cases, Materials, & Problems* (Carolina Academic Press 2003). Published in the *University of Pittsburgh Law Review*, *Corporate Practice Commentator*, *The Tax Lawyer*, *Family Law Quarterly*, *Idaho Law Review* and *Stetson Law Review*. Voted 1997-98 and 1999-2000 Upper Division Professor of the Year.

Courses: Federal Income Tax, Taxation of Business Entities, Taxation of Intellectual Property and Taxation Practicum.

#### Earl F. Martin

Associate Dean for Academic Affairs & Professor of Law

LL.M. with honors 1996 Yale University Law School. J.D. with distinction 1987 University of Kentucky College of Law. B.A. with high distinction 1984 University of Kentucky. Technical editor, *Journal of Natural Resources and Environmental Law*. Member, Order of the Coif.

Visiting associate professor, University of Illinois College of Law; legal officer, U.S. Air Force. Published in the *Maryland Law Review*, the *American Criminal Law Review*, the *George Washington Law Review*, *Law and Psychology Review*, the *Air Force Law Review* and the *Journal of Natural Resources and Environmental Law*.

Courses: Criminal Law, Criminal Procedure, Torts, Death Penalty Seminar and Law & Psychology Seminar.

#### Susan T. Phillips

Professor of Law & Associate Dean/Director of the Law Library

M.S.L.S. 1991 the Catholic University of America. J.D. 1990 the Catholic University of America. B.A. 1987 University of Dallas.

Senior director of law library operations, director of public services, coordinator of public services, research and reference librarian, Texas Wesleyan University law library; adjunct professor, Texas Wesleyan University School of Law; assistant satellite librarian, 11<sup>th</sup> U.S. Circuit Court of Appeals, Miami; reference librarian, Pepperdine University School of Law. Co-author of *West Group's Legal Research Exercises* (6<sup>th</sup> ed. 1999), *Legal Research Exercises, Following the Bluebook: A Uniform System of Citation* (7<sup>th</sup> ed. 2001) and *Legal Research Exercises, Following the ALWD Citation Manual* (7<sup>th</sup> ed. 2001).

Course: Legal Research Practicum.

#### Vickie Rainwater

Director of Legal Writing  
& Director of Academic Support Programs

J.D. 1984 University of Texas School of Law. M.L.S. 1978 University of Texas. B.A. cum laude 1977 University of Texas.

Associate, Watson & Caraway, P.C.; associate, Gardner & Watson, P.C.; associate, Hooper & Evans, P.C. Voted 1997-98, 1998-99, 1999-2000 and 2000-01 Legal Writing Instructor of the Year.

Course: Legal Research & Writing.

#### Lynne H. Rambo

Professor of Law

J.D. magna cum laude 1987 University of Georgia School of Law. B.A. magna cum laude 1981 Barnard College of Columbia University. Editor-in-chief, *Georgia Law Review*. Member, Order of the Coif.

Employment litigation associate, Paul, Hastings, Janofsky & Walker; litigation associate, Arnall, Golden & Gregory; law clerk, 11<sup>th</sup> U.S. Circuit Court of Appeals. Published in the *Georgia Law Review*, the *Texas Wesleyan Law Review* and the *Washington Law Review*.

Courses: Constitutional Law, Criminal Law Practicum and Evidence.

#### Malinda L. Seymore

Professor of Law

J.D. cum laude 1986 Baylor University School of Law. B.A. 1982 Rice University. Editor, *Baylor Law Review*.

Staff attorney, research attorney and briefing attorney, 5<sup>th</sup> Court of Appeals (Dallas). Published articles in the *Northwestern University Law Review*, the *Texas Wesleyan Law Review*, the *Voice for the Defense* and the *American Journal of Criminal Law*.

Courses: Criminal Law, Criminal Procedure, Evidence, Feminist Jurisprudence, Texas Criminal Procedure, Women & the Law and Property.

#### Joseph Shade

Professor of Law

J.D. with honors 1960 University of Texas School of Law. B.B.A. with honors 1958 University of Texas at Austin. Associate editor, *Texas Law Review*. Member, Order of the Coif and Phi Delta Phi.

Practiced law for 30 years – 18 with large law firms and major corporations and 12 as sole owner of a law firm he founded. Published a book, *Primer on the Law of Oil and Gas*, and articles in the *Baylor Law Review*, the *University of Tulsa Law Journal* and the *Natural Resources Journal*. His Baylor article received an award of special merit from the College of the State Bar of Texas as one of the Top Three Continuing Legal Education Articles of the Year.

Courses: Contracts, Oil & Gas, Business Associations, Securities Regulation and Advanced Oil & Gas.

#### **Roger Simon**

Writing Instructor

J.D. with honors 1997 University of Texas School of Law. M.A. 1986 New York University. B.A. 1984 Rice University.

Staff attorney, Texas Court of Criminal Appeals (1999-2002); briefing attorney, Texas Court of Criminal Appeals (1998-99); visiting lecturer, Rice University (1992); director of exhibitions, Southwest Alternate Media Project (1991-93); catalog researcher, American Film Institute (1989-90).

Course: Legal Research & Writing.

#### **Frederick G. Slabach**

Dean & Professor of Law

LL.M. 1991 Columbia University School of Law.

J.D. 1982 University of Mississippi School of Law. B.S. with high honors 1979 Mississippi College. Member, *Mississippi Law Journal*.

Vice dean and professor of law, Florida Coastal School of Law; interim dean and associate professor of law, Whittier Law School; associate dean, Whittier Law School; assistant secretary of agriculture for congressional relations and counsel to the secretary for the U.S. Department of Agriculture; associate dean for academic affairs, Mississippi College School of Law; deputy director/general counsel, John C. Stennis Center for Public Service Training and Development; chief legislative assistant/legal counsel, U.S. Sen. John C. Stennis; administrative assistant, Gov. William A. Allain; executive director, Mississippi Democratic Party; law clerk, U.S. District Court for the Northern District of Mississippi; Chief Judge William C. Keady. Slabach is the author of *The Constitution and Campaign Finance Reform* and has published numerous articles in various law journals, including the *Cincinnati Law Review* and the *Mississippi Law Journal*.

#### **Franklin G. Snyder**

Associate Professor

LL.M. 1998 Temple University School of Law. J.D. 1983 University of Missouri School of Law. B.A. 1977 California State University, Fullerton. Editor-in-chief, *Missouri Law Review*. Member, Order of the Coif.

Visiting associate professor, University of Idaho College of Law; Freedman Teaching Fellow, Temple University School of Law; associate and partner, Latham & Watkins, Washington, D.C.; law clerk, the Hon. George E. MacKinnon, U.S.

Court of Appeals for the D.C. Circuit. Published in *William & Mary Law Review*, *Missouri Law Review* and Alfred Hitchcock's *Mystery Magazine*.

Courses: Business Associations, Contracts and Sales.

#### **Joe Spurlock II**

Professor of Law

LL.M. 1992 University of Virginia School of Law. J.D. 1962 University of Texas School of Law. B.A. 1960 Texas A&M University. Member, Delta Theta Phi.

Adjunct professor, University of Texas at Arlington; adjunct professor, Tarrant County College; adjunct professor, University of Michigan; justice, 2<sup>nd</sup> Court of Appeals (Fort Worth); judge, 231<sup>st</sup> District Court of Texas; counsel to Governor Dolph Briscoe; member, Texas Legislature; assistant criminal district attorney; president, Texas Judicial Council. Voted Adjunct Professor of the Year for 1990-91. Professor of the Year 1997-98 and 2000-01. Selected by Delta Theta Phi International Law Fraternity as Outstanding Faculty Member in the Nation for 1992-93.

Courses: Contracts, Legislation, Family Law, Children & the Law, U.C.C. 3 & 4, and Family Law and Appellate Practice seminars.

#### **Richard F. Storrow**

Professor of Law

J.D. 1993 Columbia University School of Law. M.A. 1989 Columbia University. B.A. magna cum laude 1987 Miami University. Member, *Columbia Human Rights Law Review*. ACLU Herbert L. Rausher Fellow.



Visiting assistant professor, University of Illinois College of Law; instructor of law, Hamline University School of Law; law clerk, Minnesota Court of Appeals; litigation associate, Katz & Manka, Ltd. Published articles in the *Hastings Law Journal*, the *American University Law Review*, the *Missouri Law Review* and the *Michigan Journal of Gender and Law*. Voted 1998-99 Upper Division Professor of the Year, 1999-2000 1L Day Professor of the Year and 2000-01 Evening Professor of the Year (with Earl Martin).

Courses: Estates & Trusts, Family Law and Property.

## Adjunct Faculty

**Sydney A. Beckman**  
J.D. 1991 Baylor University.

**William Blackburn**  
LL.B. 1964 University of Texas.

**The Hon. Jean H. Boyd**  
J.D. with honors 1978 South Texas College of Law.

**William J. Brotherton**  
J.D. 1994 Texas Wesleyan University.

**Cynthia H. Camuel**  
LL.M. 1983 Southern Methodist University.  
J.D. 1971 University of Mississippi.

**Celestina Contreras**  
J.D. 1989 University of Texas.

**David M. Curtis**  
J.D. 1972 University of Oklahoma.

**Patrick S. Dohoney**  
J.D. 1985 Baylor University.

**Kathi Drew**  
J.D. 1977 Southern Methodist University.

**Kay Elkins-Elliott**  
J.D. 1964 University of Oklahoma.

**Arturo Errisurez**  
J.D. 1999 University of Oklahoma.

**The Hon. Gordon G. Gray**  
J.D. 1957 University of Houston.

**Douglas C. Greene**  
J.D. 1983 Howard University.

**David Hitchcock**  
J.D. 1976 University of Toledo.

**Leah "Toni" Horn**  
J.D. 1995 University of Texas.

**Roland Johnson**  
J.D. 1979 Baylor University.

**Michael W. Johnston**  
J.D. 1980 Baylor University.

**The Hon. Ed Kinkeade**  
J.D. 1974 Baylor University.

**Annette Loyd**  
J.D. 1987 Southern Methodist University.

**Charles M. Mallen**  
J.D. 1972 Southwestern University.

**The Hon. Robert McCoy**  
J.D. 1981 University of Houston.

**Randyl Meigs**  
J.D. 1985 University of Texas.

**Thomas J. Moses**  
J.D. 1984 University of the Pacific.

**Roger Neely**  
J.D. 1981 Southern Methodist University.

**The Hon. Barbara Rosenberg**  
J.D. 1972 St. Mary's University.

**Lee C. Schroemer**  
J.D. 1972 Texas Tech University.

**Joe Shannon Jr.**  
LL.B. 1963 University of Texas.

**Stephen L. Skov**  
J.D. 1988 University of Texas.

**Jeffrey Storie**  
J.D. 1981 Cumberland Law School.

**The Hon. Bonnie Sudderth**  
J.D. 1985 University of Texas.

**Anna Teller**  
J.D. 1994 Southern Methodist University.

**Donald E. Teller**  
J.D. 1995 Southern Methodist University.

**David A. Tijerina**  
J.D. 1994 Southern Methodist University.

**Elizabeth Tindall**  
J.D. 1979 Southern Methodist University.

**Behrooz Vida**  
J.D. 1990 Texas Tech University.

**R.K. Weaver**

J.D. 1977 University of Texas.

**Mark Zimmermann**

J.D. 1975 University of Virginia.

## Law School Administration

**Doug Akins**

Financial Aid Officer

M.B.A. 1999 Texas Wesleyan University. B.B.A. 1974 Baylor University.

Area sales manager, Marine Midland Banks, Inc.; area sales manager, General Electric Credit Corporation; taxpayer service representative, Internal Revenue Service.

**Katherine L. Chapman**

Assistant Dean

& Director of Career Services

J.D. 1976 St. Mary's University School of Law. M.A. 1974 University of Texas at San Antonio. B.A. 1970 University of Texas at Austin. Member, Phi Delta Phi.

Private law practice and educational consulting; vice president for legal affairs, the University of Texas Southwestern Medical Center at Dallas; associate general counsel, Southwest Research Institute; attorney, Office of General Counsel, the University of Texas System; assistant attorney general, state of Texas; adjunct instructor of Ethics, the University of Texas Southwestern Medical School. Published book chapters in *Understanding Biotechnology Law and Techniques of Patient-Oriented Research*; published in the *Journal of the*

*Association of Technology Managers* and the *Manual of the Association of Technology Managers*. Founding steering committee member for Tarrant Area Partnership for End of Life Care; member of ethics committee at Baylor All Saints Hospital.

**Lynda L. Culver**

Director of Admissions/Operations

B.B.A. 1992 Southwestern Adventist University.

Staff accountant, Adventist Home Health Services; executive secretary for youth ministry and church development, Texas Conference of Seventh-day Adventists; computer scopist, John Foster, certified shorthand reporter; small business owner/manager, Genesis Jungle; volunteer chaplain, prison ministries.

**Arturo Errisuriz**

Director of Admissions/Recruiting  
& Adjunct Professor

J.D. 1999 Ohio Northern University Pettit College of Law. B.A. 1996 University of Texas.

Assistant criminal district attorney, 212<sup>th</sup> Judicial District Court, Galveston County criminal district attorney's office; law admissions associate, Ohio Northern University Pettit College of Law.

**Glenn R. Goodspeed**

Director of Information  
and Technology Services

B.A. 1976 North Texas State University.

Computer network technician, computer graphics

specialist, communications associate, United Way of Metropolitan Tarrant County.

**Jennifer L. Lehman**

Assistant Director of Alumni Relations  
& Career Services

J.D. 1996 University of North Carolina at Chapel Hill. M.P.A. 1995 University of North Carolina at Chapel Hill. B.S. summa cum laude 1992 Texas Christian University.

Assistant district attorney, Tarrant County district attorney's office; special projects assistant, Gardere & Wynne; law clerk, the Hon. John C. Martin, North Carolina Court of Appeals; program manager, University of North Carolina at Chapel Hill School of Law. Licensed to practice in North Carolina and Texas.

**Rene Newsom**

Records Supervisor

B.B.A. magna cum laude 1996 Northwood University.

Outplacement representative/compensation analyst, Superconducting Super Collider Laboratory; Laubach certified literacy tutor and founder of Adult Literacy Program; volunteer grade school reading tutor.

**Rita G. O'Donald**

Assistant to the Dean  
& Director of Administration

B.S. 1983 West Texas State University.

Patient advocate, risk management, High Plains Baptist Hospital; executive assistant to director



of developmental pediatrics, Texas Tech Medical School; former member of board of directors for March of Dimes.

**Patti Gearhart Turner**

Assistant Dean of Student Affairs  
& Director of Externship Program

J.D. magna cum laude 1994 Texas Wesleyan University. M.S.W. 1977 Our Lady of the Lake University. B.S. 1975 Texas Woman's University.

Court investigator (staff attorney), Tarrant County Probate Court Two; private law practice; briefing attorney for the 2<sup>nd</sup> Court of Appeals (Fort Worth); adjunct professor, Texas Christian University. 1999 Field Instructor of the Year, Texas Christian University social work department; founding board member of Fort Worth Area Habitat for Humanity; board member of Women's Haven.

**John M. Veilleux**

Director of Marketing and Communications

B.S. 1993 University of North Texas. Texas Teacher Certification in English 1997 Tarleton State University.

Director of communications, Fort Worth Country Day School; English and journalism teacher, Weatherford High School; received Silver Star from the UIL's Interscholastic League Press Conference for excellence in high school journalism (1995-96 and 1996-97); named best high school publication by *The Dallas Morning News* (1997-98); Who's Who Among America's Teachers (1997, 1998 and 1999).

## University Officers

**Dr. Harold G. Jeffcoat**, president

**Dr. Douglas M. Nancarrow**, provost

**Bill Bleibdrey**, vice president for finance

**Dr. Harold G. Jeffcoat**, interim vice president for university advancement

**Patti Alexander**, associate vice president for student life

## Law School Administrators

### Academic Affairs

Earl F. Martin, associate dean

### Admissions

Arturo Errisuriz, director/recruiting

Lynda C. Culver, director/operations

### Administration

Rita O'Donald, director

### Budgeting & Planning

James Hambleton, associate dean

### Business Manager

Carolyn Hiebert

### Career Services & Alumni Relations

Katherine L. Chapman, assistant dean

Jennifer L. Lehman, assistant director

### Financial Aid

Doug Aikins, financial aid officer

### Facilities

Becky Key, director

### Law Library

Susan T. Phillips, associate dean/director

**Anna K. Teller**, associate director

### Marketing and Communications

John Veilleux, director

### Registration and Records

Rene Newsome, records supervisor

### School of Law

Frederick G. Slabach, dean

### Student Affairs

Patti Gearhart Turner, assistant dean

# STUDENT LIFE

**T**exas Wesleyan University School of Law supports and encourages a variety of student activities. Student organizations provide professional contacts, social activities and exposure to legal specialties.

## Publications

**Texas Wesleyan Law Review** – Established to encourage scholarly criticism and analysis of legal issues of interest to practitioners, law students and academicians. Law Review is published by academically qualified students with demonstrated writing proficiency under the direction of student editors with faculty cooperation. Participation is limited to those who meet academic requirements and those who are selected by “writing on.”

**Lex Et Veritas** – Law student newspaper published at intervals throughout the academic year.

**The Rambler** – The University-wide student newspaper.

## Competitions

**Mock Trial & Moot Court** – Participation in these competitions provides students with an opportunity to develop advocacy skills while competing against students within the law

school, as well as from other law schools across the nation.

## Organizations

**American Bar Association/Law Student Division** – Represents law students in the American Bar Association, shapes policies that affect legal education and creates a forum for law student views.

**American Civil Liberties Union** – A student chapter of a national organization that litigates, legislates and educates the public about a broad array of issues affecting individual freedom and civil rights.

**Amnesty International** – The law school chapter is part of an independent, worldwide movement working impartially for the release of prisoners of conscience, for fair and prompt trials for all political prisoners, and for an end to torture and execution in all classes. Amnesty International is independent of any political, ideological or religious affiliations.

**Asian-Pacific American Law Students Association** – Promotes the interests of Asian-Pacific American law students and attorneys within the legal and general community.

**Association of Public Interest Lawyers** – Promotes public interest law by helping to

engage students in summer and post-graduate public interest employment and improving the law school's public interest programming.

**Black Law Students Association** – Fosters and develops professional competence and leadership, while providing a forum in which the unique needs of Black and other minority law students may be addressed. Encourages openness of communication within the law school community.

**Christian Legal Society** – Cultivates spiritual growth through communal prayer, fellowship, study and worship. Within the legal profession and beyond, members strive to live lives of integrity and assist in numerous charitable endeavors.

**Dallas County Young Lawyers Association** – Provides members networking opportunities and participation in activities and events sponsored by Dallas County's legal community. Also, educates the local legal community about the law school.

**Delta Theta Phi** – A legal fraternity which promotes justice and seeks to provide professional and social programs for students and alumni in order to “bridge the gap” to successfully practicing law.

**Environmental Law Society** – Promotes an understanding of legal environmental issues.



**Health Law Society** – Encourages health law curriculum development, educates the law school community about health law issues and participates in community outreach.

**Hispanic Law Students Association** – Promotes legal academic excellence, cultural awareness and community service; provides a support system to all students with an emphasis on tutoring and emotional support.

**Intellectual Property Law Association** – Promotes the study of legal issues and the development of law related to all forms of intellectual property, including software, developing technologies, and recorded and written works.

**International Law Society** – Promotes the understanding of international law principles, as well as proficiency and skill in the practice of international law. Active participant in the development of a relationship with a sister city law school in Toluca, Mexico.

**Jewish Law Students Association** – Provides support and promotes cultural awareness of and for Jewish law students.

**Moot Court Board** – Promotes excellence in trial or appellate advocacy through participation in intramural competitions.

**Order of the Barristers** – Rewards oral advocacy and brief writing skills of students involved in moot court and mock trial competitions.

**Phi Alpha Delta** – A legal fraternity that offers opportunities for leadership, community involvement and academic assistance, while

fostering camaraderie among its members. Phi Alpha Delta membership is open to all law students.

**Phi Delta Phi** – A legal fraternity that promotes ethical, intellectual, social and professional advancement of law students and the legal profession at large. The “Elliott Inn” chapter is an honors inn of Phi Delta Phi with membership by invitation to those who have met the academic requirements.

**Pro Bono Board** – Encourages students, as early as during their first year, to participate in volunteer legal services by providing ample volunteer opportunities. Outstanding *pro bono* service is recognized by an annual award.

**Rutherford Institute** – A service-oriented organization that seeks to preserve free speech in the public arena, protect the right of religiously affiliated organizations to operate without improper government intrusion and defend family autonomy.

**State Bar of Texas/Law Student Division** – Provides opportunities for law students to engage in activities of the State Bar of Texas, to receive bar-related information, and to participate in various bar functions and events.

**Student Bar Association** – Represents the entire student body, encourages fraternity and fellowship and provides a collective voice for students. Board members are selected by vote of the students, but any student may attend SBA meetings.

**Tarrant County Young Lawyers Association** – Provides members networking opportunities

and participation in activities and events sponsored by Tarrant County’s legal community. Also, educates the local legal community about the law school.

**Tax & Estate Planning Law Society** – Promotes academic and professional involvement in the taxation and estate planning areas. Coordinates involvement in the Volunteer Income Tax Assistance program each spring.

**Texas Aggie Legal Society** – Promotes the spirit of Texas A&M University alumni in the legal community.

**Wesleyan Law Democrats** – Assists in the advancement of the Democratic Party through campaigning, educating the law school community about issues and being the visible voice of the Democratic Party.

**Wesleyan Law Republicans** – Promotes increased political activity and influence of law students in politics and government by providing a forum that encourages interaction with legislators, judges and other elected officials.

**Women Law Students Association** – Promotes female leadership and ensures equality within the Texas Wesleyan University School of Law, the legal profession and the Metroplex. WLSA is a proactive organization working to achieve these goals by presenting and leading discussions on emerging legal issues affecting women. WLSA embraces diversity and welcomes all students, regardless of gender, to join the effort to eliminate all forms of discrimination against women and people of all races.

## Hoarding Ceremony & Commencement

In December and May of each academic year, candidates for the juris doctor degree are eligible to participate in the law school's Hoarding Ceremony and the University's Commencement Ceremony. During the Hoarding Ceremony, the law school dean presents candidates with their academic hoods.

## Law School Bookstore

The law school bookstore is located at 1313 Calhoun Street, two blocks north of the law school. In addition to required textbooks, it features study aids, code books for class and the practitioner, law-related gifts, office supplies, apparel and snacks.

## Recreational Facilities

A wide range of recreational facilities on the main campus are available to law students. Those facilities include a swimming pool, gymnasium, fitness center, tennis courts, beach and grass volleyball, billiards and darts. Visit the Student Services Office for more information.

## Health Services

The University's health center is located in the Sid W. Richardson Center on the main campus and provides for most routine health needs of the University community. A registered nurse operates the center and administers first aid, provides treatment of minor illnesses and is available for counseling regarding personal health needs. Nominal fees are charged for some services and supplies.



# THE LAW LIBRARY

## Mission

Texas Wesleyan University School of Law Library's primary mission is to support the educational, instructional, curricular and research needs of the faculty, students and staff of the School of Law. The library's collection is also available to alumni of the School of Law and the University community at large.

The library's collection may be accessible to secondary patrons including members of the bench and bar, other librarians and libraries and the general public. When financial resources and academic priorities allow, limited services and materials may be provided to secondary patrons.

## Library Resources

Legal information storage, access and delivery encompass various media including paper, microform and electronic formats. The law library's collection is comprised of these various formats so students may become familiar with each media to better prepare them for the practice of law.

In addition to its law book collection, the library subscribes to major online electronic information services. After attending training, students will have access to some of these electronic services from their home computers,

expanding the access to legal information outside the library walls.

In addition to online services, the law library subscribes to several sources of law published in CD-ROM format. CD-ROM servers provide networked access to these resources. Complementing book and electronic sources is an extensive collection of U.S. Congressional documents available on microfiche. This collection includes full transcripts of all congressional hearings since 1970.

## Library Staff

The law librarians will help educate the students in using the library's resources efficiently. Several law librarians have juris doctor degrees and all full-time librarians have earned a master's degree in library science. The law library's regular operating schedule, in effect when classes are in session, provides more than 110 hours per week of access, 85 of which reference services are available.

## Professional Librarians

### Susan T. Phillips

Professor of Law & Associate Dean/  
Director of the Law Library

M.S.L.S. 1991 the Catholic University of America. J.D. 1990 the Catholic University of America. B.A. 1987 University of Dallas.

Senior director of law library operations, director of public services, coordinator of public services, research and reference librarian, Texas Wesleyan University law library; adjunct professor, Texas Wesleyan University School of Law; assistant satellite librarian, 11<sup>th</sup> U.S. Circuit Court of Appeals, Miami; reference librarian, Pepperdine University School of Law. Co-author of *West Group's Legal Research Exercises* (6th ed. 1999), *Legal Research Exercises, Following the Bluebook: A Uniform System of Citation* (7<sup>th</sup> ed. 2001) and *Legal Research Exercises, Following the ALWD Citation Manual* (7<sup>th</sup> ed. 2001).

### Cynthia B. Burress

Reference Librarian

J.D. 2003 Seattle University School of Law. M.L.I.S. 2000 University of Washington. B.A. 1997 University of Washington.

### Wendy Law

Senior Reference  
& Collection Access Librarian

M.A. 1996 University of Michigan. B.A. 1993 University of Michigan.

Public services librarian, Texas Wesleyan University law library (1996-99); adjunct professor, Texas Wesleyan University School of Law. Published the "Professional Readings" column in the *DALL Advance Sheet* (1997-99).

Published in the *Tarrant County Bar Association Bulletin*.

**Anna K. Teller**

Associate Director of the Law Library

M.L.I.S. 1995 University of North Texas. J.D.  
1994 Southern Methodist University. B.A. 1988  
Spring Hill College.

Senior public services librarian, public services librarian, Texas Wesleyan University law library (1996-98); adjunct professor, Texas Wesleyan University School of Law. Published "Advanced Legal Research: Search Strategies of Search Engines," *Practical Computing Course* 1999, State Bar of Texas. Published "Advanced Internet Research: Search Engines, Search Strategies and Sites," *Legal Assistant University* 2001, State Bar of Texas.

**Joan Stringfellow**

Catalog Librarian

M.S.L.S. 2002 University of North Texas. B.S.  
2000 Texas Wesleyan University.

**Karin Strohbeck**

Evening Reference Librarian (part time)

M.S.L.S. 1989 Texas Women's University. B.S.  
1986 University of Louisville.

Archivist/librarian assistant, Amon Carter Museum; project archivist, Eliot Porter Papers; Roman Bronze Works Archives, Getty Grant Program; law librarian, Cantey & Hanger, L.L.P.



# CAREER SERVICES

The Office of Career Services at Texas Wesleyan University School of Law provides students and alumni with career development and counseling services and resources from the first year of law school throughout their careers. The proximity of the law school to a large and diverse legal community in the Fort Worth/Dallas Metroplex offers students a wide variety of career opportunities, and the Office of Career Services teaches students how to take advantage of those opportunities.

Career Services' philosophy is that virtually all students seeking a job can find one. Career Services can teach a student how to do so. Career Services begins establishing relationships with the students after November of their first year so that students might better take advantage of the resources and tools the office can provide students throughout their careers.

Among services offered for students, alumni and faculty are:

## Personal Counseling

It is natural for most law students not to know what type of law they want to practice. The Office of Career Services provides information on the wide range of practice areas available to attorneys, including opportunities that exist in a nontraditional legal career. Individualized counseling is available with Kathy Chapman,

assistant dean for career services, and/or Jennifer L. Lehman, assistant director. Both individuals have extensive experience in a variety of practice settings and knowledge of the range of possibilities for the legal graduate. The aptitudes and goals of the individual student are considered central to deciding upon the best career options.

## Seminars

Voluntary classes – both regularly scheduled and specially planned seminars – are offered during the day and evening to instruct students on the proper methods of exploring career opportunities and obtaining information. Presented either by the assistant dean or assistant director for career services, an attorney from outside the law school, or a faculty member, the classes provide an invaluable opportunity for students to learn techniques for maximizing their job choices, as well as to learn about what it's like to practice different areas of law. Running the gamut from helping students decide what they want to do to writing résumés and learning what to say in an interview, Career Services offers students the chance to learn the skills needed to get a job.

In addition, in November of each year, the Career Services staff teaches a mandatory class specifically for 1L's covering all aspects of job hunting, including what steps need to be taken during the first year.

## Career Resource Library

Career Services maintains an up-to-date collection of books, directories, other specialized publications and videotapes for students' use in researching potential employers and areas of practice, as well as seeking particular jobs. A registered member of eAttorney, an online multi-faceted legal job site, the office provides students with access via the internet. In addition, Career Services receives job bulletins from law schools across the United States and subscribes to pertinent periodicals. As part of the library, a computer and laser printer are provided so that students may produce professional résumés and cover letters.

## Online Job Bank

Career Services maintains an extensive list of specific job openings on its web site, including paid and unpaid clerkships for students and full-time attorney positions for graduates. In addition, the office posts announcements for other opportunities, such as contract research, special projects and nontraditional opportunities.

## On-Campus Interviews

Private law firms, state and government agencies and other potential employers are invited to interview students on campus during the fall and

spring semesters. Called "OCI," the activity is one of the most traditional ways for students to get summer clerking positions. Students may take advantage of these opportunities to talk to a number of employers in a short amount of time.

## Job Fairs

Texas Wesleyan University School of Law is an active member of the Texas Job Fair Consortium, and students are invited to participate in several regional and national job fairs throughout the academic year. For instance, students have participated in the Texas in Washington Recruitment Program, Public Interest Job Fair, Patent Law Interview Program, as well as the minority-directed job fairs, such as the Sunbelt Minority Recruitment Program in Dallas, Minnesota Minority Recruitment Program and the southeastern Minority Job Fair in Atlanta. In addition, the Texas Young Lawyers' Association, in conjunction with the Texas Job Fair Consortium, holds a spring recruiting program in Houston each year.

## Externships

The Office of Student Services at the law school offers a variety of externships with trial and appellate courts, government agencies and private law offices. Students perform legal tasks

and apply their academic studies to real world cases, gaining valuable insight into the operation of legal institutions. Students with a GPA of at least 75 who have earned 44 hours academic credit are eligible and can receive academic credit. The assistant dean for student services handles externships.

## Open Door

As students passing by will notice, the assistant dean for career services has an "open door" policy, permitting students to drop in as well as schedule appointments at times convenient to the student. Open from 8:30 a.m. to 6:30 p.m. or later, the office encourages students to come in and talk about jobs with staff and other students. Evening or weekend appointments are available for students who have difficult schedules.

## Additional Information

If you are interested in services offered by the Texas Wesleyan University School of Law's Career Services office, call 800-733-9529 (ext. 4050) or e-mail [kchapman@law.txwes.edu](mailto:kchapman@law.txwes.edu). The Office of Career Services is a member of the National Association for Law Placement. All services are provided in a manner which safeguards the students' privacy and prohibits discriminatory hiring practices by potential employers.



# FINANCIAL AID

**T**exas Wesleyan University School of Law offers a low tuition relative to other private law schools. The University works with individual students to provide the best financial aid package the student is eligible to receive. The financial aid package may include several types of assistance for financing a law school education, including scholarships, grants, employment opportunities and loan programs. A majority of law students receive some form of financial assistance.

## Costs

The School of Law operates on a block tuition policy. Tuition and general fees vary by course load. For 2003-04, the tuition schedule is as follows:

12-16 hours .....	\$8,900
9-11 hours .....	\$6,350
8 hours and below .....	\$600 per hour
Application Fee .....	\$50
Late Registration Fee .....	\$25
Graduation Fee .....	\$100
Other Fees .....	\$260/semester

Thus, a first-year full-time program of 29 hours (15 hours in the fall term, 14 hours in the spring term) would cost \$18,320 (including fees); a first-year part-time program of 22 hours (11 hours per term) would cost \$13,220 (including fees). Students can expect tuition and fees to increase during law school attendance.

## Scholarships

In addition to loans and grants, the Committee on Financial Aid, Scholarships, Honors and Awards offers scholarships to qualified students. New students are automatically considered for scholarships, and no scholarship application form is needed. Contact the Office of Admissions or the Office of Financial Aid for more information.

## Employment Opportunities

For a limited number, University employment is available in the law library, the bookstore and with various professors as student assistants. Students may obtain additional information from the library or the student services office.

## Grants

A Tuition Equalization Grant (TEG) is a state grant providing funds to Texas residents who show a demonstrated financial need. The Office of Financial Aid determines individual eligibility based on the results of the Free Application for Federal Student Aid and supporting documents. The grant amount varies with a maximum award for 2003-04 of \$3,000 per year for full-time enrollment. Awards are made on a first come, first served basis.

## Loans

**Federal Stafford Loans.** These loans are federally guaranteed, variable interest loans. Repayment can be deferred until completion of the program of study or until enrollment is less than half time.

There are two types of Federal Stafford Loans. The Subsidized Federal Stafford Loan is based on demonstrated financial need. For a qualified student, the government pays the lender the interest due on the loan while the student is in school and during grace and deferment periods. A student may borrow up to \$8,500 annually with this loan. The Unsubsidized Federal Stafford Loan is for students who may not qualify for the Subsidized Federal Stafford Loan, or who would like to borrow more than their eligible subsidized amount. The student is responsible for all accrued interest. A graduate student may be eligible to receive Subsidized and Unsubsidized Federal Stafford Loans, up to a combined total of \$18,500 per year. Each Stafford borrower must select a lender who participates in the program. It is usually a good idea for a student to continue to borrow through the same lender if there are outstanding prior loans.

**College Access Loans.** College Access Loans (CAL) are available through the state of Texas to students who have been Texas residents for at

least one year before entering school. They can be used to help pay educational expenses beyond Stafford Loan limits within the university-designated cost of attendance. A credit worthy co-signer is required. The interest rate is fixed at 9 percent, and repayment begins six months after half-time enrollment ceases.

**Private Loan Programs.** Private loan programs are available to law students from several private lenders, and each lender sets its own guidelines and criteria. These loans are all based on individual student credit worthiness and are usually limited to the university-designated cost of attendance. Repayment is normally deferred while the student is in school. Contact the financial aid office for further information on these or any other private loan programs.

**Bar Examination Preparation Loans.** The law school is committed to helping Wesleyan graduates become successful members of the legal profession. Because the law school recognizes the importance of proper preparation for the bar examination, it encourages loans for this purpose. Bar Examination Loans (BEL) are available from The Access Group, 800-282-1550; Bar Study Loans (BSL) are available from Law Loans, 888-2-SALLIE; and LawAchiever BarLoans are available from Key Education Resources, 800-KEY-LEND. More information is available from the financial aid office.

## Process

To apply for financial aid, applicants must complete and submit the following forms:

Applicants may visit the law school web site at [www.law.txwes.edu](http://www.law.txwes.edu), or the Texas Wesleyan

University web site at [www.txwes.edu](http://www.txwes.edu) to download and print an Institutional Application for Financial Aid. These forms are available in the financial aid section. Applications are also available directly from the financial aid office after February 1 for attendance the following fall. Instructions accompany the forms. To complete the process, applicants must submit the following:

**Free Application for Federal Student Aid (FAFSA).** File the FAFSA electronically on the web at [www.fafsa.ed.gov](http://www.fafsa.ed.gov) using your tax return information for the appropriate year. If you do not have web access, you may mail a completed FAFSA form to the federal processing center. FAFSA forms are also available in the Office of Financial Aid. This should be done as soon as possible after January 1. Do not send tax forms to the processing center. Please enter our Title IV Institutional Code, 003645, on the FAFSA, so that we may obtain the report information electronically.

The FAFSA results – a Student Aid Report (SAR) – will be mailed directly to the student. Review the SAR for accuracy and further instructions. If corrections are needed, contact the financial aid office. If a student has authorized Texas Wesleyan to receive the information, the financial aid office should be sent an Institutional Student Information Record (ISIR) from the Department of Education. Priority will be given to students who have both the FAFSA results and the completed Institutional Financial Aid Application on file by May 15.

**Texas Wesleyan Institutional Application for Financial Aid.** This form is available on the law school web site at [www.law.txwes.edu](http://www.law.txwes.edu). Download the form and print it or request the form directly from the financial aid office. Return the completed

form to the law school's financial aid office.

We will contact you if additional documents are needed.

Once a file is complete, the results of the FAFSA, financial aid application and other documents will be reviewed to determine eligibility for aid. An award notice will be mailed to the student. If a student is eligible to receive a Federal Stafford Loan, information will be provided with the award notice outlining the student loan application process. Loan processing may require three to four weeks after loan eligibility is determined. Loan refunds are released to the student account at the start of the semester.

First-time loan borrowers must attend a federally required loan entrance counseling session before release of funds. This is generally included in the new student orientation at the start of the fall semester.

## Academic Progress Standards

Federal regulations require that students who wish to receive federal financial aid must maintain satisfactory academic progress as established by the institution. Information on the law school's academic standards is available free of charge from the student services office.

## Tuition & Fees

Arrangements for payment of tuition and fees must be made by the first class day of each semester. Tuition and fees are subject to change annually. The School of Law operates on a block tuition policy. Tuition and general fees vary by course load. For 2003-04, the tuition schedule is as follows:



12-16 hours .....	\$8,900
9-11 hours .....	\$6,350
8 hours and below .....	\$600 per hour
Application Fee .....	\$50
Late Registration Fee .....	\$25
Graduation Fee .....	\$100
Other Fees .....	\$260/semester

- 60% .. during the second week of classes
- 40% .. during the third week of classes
- 20% .. during the fourth week of classes

No refund will be given after the fourth week of classes.

Students withdrawing during the law school's summer term also may receive a tuition refund. The amount of tuition refund will be:

- 80% .. after registration and during the first week of classes
- 60% .. during the second week of classes

No refund will be given after the second week of classes. This policy is subject to change.

**Federal Refund Calculation**—For students receiving Title IV (federal) financial aid, the Federal Return of Title IV Funds calculation will be performed for all students who withdraw during the first 60% of the enrollment period. Any funds that have not been “earned” during the enrollment period must be returned to the program(s) from which they were awarded. Students may obtain a copy of the full Return of Title IV Funds policy in the Office of Financial Aid. The student will owe the University any

funds which are considered to be “unearned” by the formula.

**State Refund Calculation**—Students receiving state funds who withdraw from the University will be subject to the state refund policy. This policy is also available from the Office of Financial Aid.

**Refund Availability**—Refunds are calculated from the day the Office of Student Records and Registration receives written notice of withdrawal. The Business Office will establish a time schedule for issuance of refund checks. The refunds will be available to students in accordance with the established schedule after financial aid revisions have been issued and processed against the student’s accounts.

## Tuition Refund Policy

Refunds are available only upon written notice of discontinuance. Refund requests must be submitted to the associate dean of student affairs. The amount of the refund is determined by the receipt date of the written notice and is not dependent upon the student’s class attendance.

A student formally withdrawing from the law school before the end of the fourth week of classes will be eligible for a partial refund of tuition only (see following schedule). Fees are not refundable. Students not adhering to the law school’s withdrawal process may forfeit their refund. The amount of tuition refund for the 2001-02 academic year will be:

- 80% .. after registration and during the first week of classes

## For More Information

For more information on financial aid, contact the financial aid office at 1515 Commerce Street, Fort Worth, TX 76102 or 817-212-4090 or 800-733-9529.

# UNIFIED SEXUAL HARASSMENT POLICY

## Policy

### Statement

Sexual harassment is an illegal form of discrimination under Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972 and is prohibited at Texas Wesleyan University (the "University").

The University is committed to providing an environment of academic study and employment free from sexual harassment to all segments of its community; that is, its faculty, students and employees. It is the responsibility of each member of the University Community to behave in such a manner that his/her words or actions cannot be reasonably perceived as sexually coercive, abusive or exploitative, or interfering with any other individual's ability to study or work productively at the University.

Furthermore, the University forbids retaliation by any member of the University Community against anyone who brings a charge of sexual harassment.

### Definition of Sexual Harassment

Sexual harassment is unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature in the following context:

- when submission to, or rejection of, such conduct is used as the basis for employment or academic decisions; or
- when such conduct has the purpose or effect of unreasonably interfering with one's work or academic performance by creating an intimidating, hostile, or offensive work or academic environment.

### Sanctions

Any violation of any aspect of this policy will subject the violating faculty member, student or employee to appropriate disciplinary action which may include dismissal from employment in regards to faculty and employees or, in regards to students, cancellation of student status.

## Complaint Procedures in General

To promote the achievement of this policy, the University recognizes the need for each of the three segments of the University Community with their unique missions and roles to have its respective complaint procedure. Although this policy provides a unified policy for the University Community, the specific complaint procedures for each segment, i.e. the faculty, students and employees, are contained herein as sections A, B and C, respectively.

### Who May Use Procedure

The complaint procedures embodied herein as sections A, B or C shall be available to any person who believes that he/she has been sexually harassed by a faculty member, a student, or an employee of the University, in the context of the accused individual's performance of University-related functions.

### Lodging of Complaint

Persons who have complaints alleging sexual harassment are encouraged to raise them either verbally or in writing to any of the following: department head/chairperson, academic dean, Provost, or vice president. Such complaints, once received, shall be communicated promptly, by the University person receiving such complaint, to the Provost.

### Timing of Complaint

Any complaint, either verbal or written, must be communicated to the University pursuant to the above paragraph, above, within 180 calendar days of the most recent occurrence of the allegedly sexually harassing behavior.

### Confidentiality of Proceedings and Records

All persons involved in the investigation, adjudication or resolution of sexual harassment complaints shall preserve the confidentiality of information relating to such investigation, adjudication or resolution. Such confidential



information shall only be disclosed (i) on a need-to-know basis to those in the University, or their designees, authorized to participate in the investigation, adjudication or resolution, or (ii) to those outside the University if required by law.

### Proceedings

Once the complaint is received by the Provost, he/she shall promptly initiate the specific complaint procedure applicable for the accused individual; that is, sections A, B or C. Such procedures are cross-referenced to the appropriate faculty student or employee policy and procedure manual or handbook.

## A. Sexual Harassment Complaint Procedures Against Faculty Members

### Investigation

Upon receipt of a complaint of sexual harassment against a faculty member, the Provost shall promptly assign the case to an appropriate Administrator of least the Associate V.P./Provost level. This Administrator shall investigate the complaint, interview the parties and others involved in possession of pertinent information, review relevant documentation, reach an initial determination of whether sexual harassment has occurred and seek to resolve the matter informally.

If the Administrator believes that immediate harm to either party or the integrity of the investigation is threatened by the continued performance of the accused faculty member's customary duties or responsibilities, the Administrator may recommend to the Provost that he/she may desire to suspend or reassign

the accused faculty member's duties or responsibilities, pending the completion of the investigation.

The investigation, pursuant to this Attachment, shall be completed within thirty (30) calendar days of the receipt of the complaint by the Provost. Within this time frame, the Administrator shall prepare a written report of the investigation, which report shall include his/her initial determination.

### Informal Resolution

Upon completion of the investigation, the Administrator is authorized to attempt to resolve the matter to the satisfaction of the University, the complaining party and the accused faculty member. If a resolution satisfactory to the University and both parties is reached through the efforts of the Administrator, a written statement, a copy of which shall be attached to the Administrator's report, shall indicate the agreement reached by the parties and shall be signed and dated by each party and by the Administrator. At that time, the investigation shall be closed.

### Determination of Merits of Complaint

In arriving at a determination of the existence of sexual harassment, the Administrator shall consider the evidence as a whole, the totality of the circumstances, and the context in which the alleged events occurred. The determination of the existence of sexual harassment will be made from the facts on a case-by-case basis.

**Determination of No Sexual Harassment.** If the Administrator determines that no sexual harassment has occurred, he/she shall dismiss the complaint, giving written notice of said

dismissal to each party involved. The complaining party or the University has the right to appeal said dismissal in writing, within fifteen (15) calendar days of the date of the notice of dismissal, to the Provost by requesting a Formal Hearing. If no appeal is requested within the fifteen (15) calendar day period, the case is closed.

### Determination of Sexual Harassment.

- If the Administrator determines that sexual harassment has occurred and that a particular sanction is appropriate, he/she shall so notify the parties. The accused faculty member, the complaining party or the University may appeal said determination, in writing, within fifteen (15) calendar days of the date of notice of determination, by requesting a Formal Hearing to the Provost. If no appeal is filed within the fifteen (15) calendar day period, the case is closed.
- If the Administrator determines at any stage in the investigation that the evidence of sexual harassment is sufficiently clear and serious, and the Provost concurs in writing, so as to warrant the immediate commencement of proceedings as provided in section 5.20, Termination of Employment of Tenured and Non-tenured Faculty of the Faculty Handbook, the case shall be removed from the complaint procedures contained herein and sent to the Chair of the Committee on Tenure and Academic Freedom. All further action in the case shall be governed by section 5.20.

### Formal Hearing

#### Request for a Formal Hearing

- Request for a Formal Hearing by any party or

the University shall be addressed in writing to the Provost.

- The request shall contain the particular facts upon which the sexual harassment claim is based, as well as the identity of the accused party. A copy of the request shall be given to the opposing party by the Provost with an invitation to respond to the complaint.
- All written response to the complaint shall be sent by respondent(s) to the Provost within fifteen (15) calendar days of the receipt of notice that a Formal Hearing has been requested. A copy of the response shall be given by the Provost to the party requesting the Formal Hearing.

#### **Selection of a Formal Hearing panel**

A five (5) member hearing panel shall be chosen from the University Community (i.e. faculty students and employees) within ten (10) days following the receipt of the request for Formal Hearing by the Provost. The selection process for members of the Hearing Panel shall be conducted in the following manner: the complaining party shall select two (2) panel members; the accused faculty member shall select two (2) panel members; and the fifth person shall be chosen by the other four panelists (the "Hearing panel"). The fifth person shall chair the panel (the "Chair"). Any party to the complaint or the University may request that the Provost disqualify any member of the Hearing panel upon a showing of cause and the Provost, utilizing his/her sole judgement, may so disqualify the member. Furthermore, no panel member shall serve if he/she feels that a conflict of interest exists. Replacements for disqualified panel members shall be selected in the same manner as the original panel.

The Hearing panel shall be convened by the Provost for an orientation meeting no less than five (5) calendar days prior to the Formal Hearing. At that time, each panel member shall be given a copy of the written complaint, the written response, the Administrator's report, and the Hearing Guidelines.

#### **Hearing Guidelines**

- The procedures to be followed in conducting Formal Hearings shall provide that the parties and the University may be represented by legal counsel. Any party who wishes may have legal counsel or other advisor present at the Formal Hearing must notify the Hearing Panel Chair and the other party(ies) at least five (5) calendar days in advance of the scheduled hearing. Such legal counsel or other advisors may advise their clients at the Formal Hearing but may not directly address the Hearing Panel or witnesses.
- The parties and the University may present all of the information that they consider germane to the determination.
- The parties and the University may call witnesses to provide information but such witnesses must be identified to the Chair in writing at least ten (10) days prior to the Formal Hearing.
- The parties and the University may cross-examine witnesses.
- The chair of the Hearing Panel shall notify the parties of the names of the persons the parties and the University have identified as witnesses, at least five (5) days prior to the Formal Hearing.

- The parties are responsible for giving notice to their witnesses of the date, time and location of the Formal Hearing.
- The Formal Hearing shall be closed to the public unless both the complaining party and the accused faculty member agree otherwise.
- The Formal Hearing shall be audio taped by the Chair of the hearing panel or his/her designee.
- The Formal Hearing shall be reasonably scheduled to ensure that the complaining party, the accused faculty member, and as many witnesses as possible are able to participate and shall be convened not earlier than fifteen (15) days and not later than thirty (30) calendar days after the request for Formal Hearing is received by the Provost.
- Immediately upon the conclusion of the Formal Hearing, the deliberation of the Hearing Panel shall be conducted in private without the attendance of the parties, the University or non-panel individuals.

#### **Satisfactory Resolution**

##### **Prior to Hearing Completion**

In the event the matter is resolved to the satisfaction of all parties prior to the deliberation stage, a written statement shall indicate the agreement reached by the parties and shall be signed and dated by each party and by the Chair of the Hearing Panel. The case is then closed.

##### **Hearing Panel's Findings and Recommendations**

In the event that no resolution satisfactory to the parties and the University is reached prior



to the deliberation stage, the Hearing Panel shall reduce its findings and recommendations to a written report that shall be delivered to the Provost with a copy to the President of the University. This report shall be prepared and delivered to the Provost within seven (7) calendar days after conclusion of the formal Hearing.

#### **Provost's Decision**

After considering the findings and recommendations of the Hearing Panel, within fifteen (15) calendar days of receipt of the hearing Panel's report, the Provost shall inform the complaining party and the accused faculty member in writing of his/her decision in the matter. A copy of the Provost's decision shall be delivered to the Chair, with a copy to the President of the University and to the Administrator to whom the matter was initially assigned. The Provost shall state the reasons for not following the recommendations and findings of the Hearing Panel, if such is the case.

#### **Appeal to the President**

The Provost's decision may be appealed to the President in writing by either party within fifteen (15) calendar days of receipt of notification of the Provost's decision. If the President does not act to change the decision of the Provost within fifteen (15) calendar days of receiving the appeal, the decision of the Provost should become final under the executive authority of the President.

#### **Termination as Possible Sanction for Sexual Harassment**

If the decision of the President hereunder is to terminate a tenured faculty member at any time or a non-tenured faculty member during the term of his/her contract, the matter should be referred to the Special Hearing Committee in accordance

with the provisions of section 5.20. Termination of Employment of Tenured and Non-tenured Faculty in the Faculty Handbook. The record from the Formal Hearing - the written complaint, the written response, the Administrator's report, the audio recording of the hearing, the Hearing Panel's report, and the decision of the Provost or President shall constitute the sole evidence considered by the Special Hearing Committee in this instance.

## **B. Sexual Harassment Complaint Procedures Against Students**

### **Investigation**

Upon receipt of a complaint of sexual harassment against a student, the Provost shall assign the complaint to an appropriate Administrator of, at least, the vice president level.

### **Disciplinary Procedures**

Sexual harassment is categorized as a Major Offense pursuant to the Student Handbook, with provisions for disciplinary proceedings in the form of a disciplinary hearing.

### **Disciplinary Hearing**

The University Judicial Board shall be the board to hear all sexual harassment complaints against students and should commence the hearing process upon notification by the Provost. The University J-Board shall consider all information provided by the Administrator, shall operate in accordance with the procedures established in the Student Handbook, and shall reach a determination. The Board shall submit the determination to the Administrator for implementation.

## **Appeals Decisions**

Appeals of determinations by the University J-Board regarding sexual harassment complaints against students shall be submitted to the Committee on Discipline to determine if the appeal should be heard by the President. The appeals procedures, as found in the Student Handbook, shall be utilized.

## **C. Sexual Harassment Complaint Procedures Against Employees**

### **Investigation**

Upon receipt of a complaint of sexual harassment against an employee other than a faculty member, the Provost shall assign the complaint to an appropriate Administrator of, at least, the vice president level. This Administrator shall investigate the charge, interview the parties involved, and gather all pertinent information. The investigation shall be completed within thirty (30) calendar days of receipt of the complaint. The Administrator shall not prepare a written report of the investigation except upon the advice of University legal counsel. At any stage in the investigation, the Administrator may suspend the accused employee, with or without compensation, or reassign his/her duties or responsibilities pending the completion of the investigation.

The Administrator shall promptly inform the accused employee of the complaint and shall, during the investigation, obtain the employee's version of the facts.

The Administrator, in arriving at a determination of whether sexual harassment has occurred, will review the information as a whole in the totality of the circumstances and in the context in which the alleged incident or incidents occurred. The determination will be made from the facts on a case by case basis.

#### **Determination**

Upon completion of the investigation, the Administrator is authorized to take the following actions:

- Find that no sexual harassment occurred and provide written notice of such determination to the employee and the complainant; or
- Find that sexual harassment did occur and issue appropriate disciplinary action against the employee with notification to the complainant that appropriate action is being taken against the employee without providing details of the nature of such action.

#### **Employment-at-Will**

The utilization of these procedures shall not effect the employment-at-will nature of the employment relationship.



## POLICIES & PROCEDURES FOR STUDENTS WITH DISABILITIES

**T**exas Wesleyan University seeks to comply with the Americans with Disabilities Act and with Section 504 of the Rehabilitation Act of 1973 regarding its students with disabilities. No student shall be denied access to or participation in the services, programs and activities of the university solely on the basis of his/her disability. To accomplish this goal, the university shall provide, upon request, reasonable accommodations for students who have a physical or mental impairment that substantially limits a major life activity.

If a student with a disability requires accommodation, the student must present relevant, verifiable, professional documentation or assessment reports, confirming the existence of the disability, to the assistant dean of student affairs, who will forward it to the director of the university's Career, Counseling and Testing Services (CCTS) Department for review by its professional staff. Further documentation may be required by CCTS to confirm the disability claim or to assist the university in determining

appropriate accommodation. Information concerning a student's disability will be treated in a confidential manner in accordance with university policy, as well as applicable federal and state law.

The student will be informed of CCTS's determination. The student may be required to attend the meeting with the CCTS director. A letter describing any accommodations the university will provide the student will be issued to the student. If the determination confirms the existence of a disability requiring accommodation, the accommodation(s) will be administered through the office of the associate dean for student affairs and administration. It shall be the student's responsibility to inform CCTS within a reasonable period that any required accommodation has not been provided.

If the CCTS determination does not confirm the disability or the need for accommodation, the student may challenge the determination by following these procedures:

### Informal Review

The student shall first make a written request for an informal review by the assistant dean of student affairs, within a reasonable time after the determination is made. The associate dean will review the student's request and take appropriate action if necessary.

### Formal Review

If the informal review does not resolve the issue to the student's satisfaction, the student may make a written request for formal review to the provost of the university. The Provost will appoint a five-person committee consisting of at least two faculty members to review the student's request. The committee will provide a recommendation on the matter to the provost. The student shall have no review rights beyond the five-person committee.

# ACADEMIC CALENDAR

## Fall Term 2003

First-Year Orientation .....	August 9
First Year Classes Begin .....	August 11
Upper Divisions Classes Begin .....	August 18
No Classes .....	September 1 (Labor Day)
Classes End .....	November 24
Examination Period Begins .....	December 1
Examination Period Ends .....	December 11
Hooding Ceremony .....	December 12
Commencement .....	December 12

## Spring Term 2004

Classes Begin .....	January 12
No Classes .....	January 19 (M.L. King Day)
	March 15-19 (Spring Break)
	April 9 (Good Friday)
Classes End .....	April 27
Examination Period Begins .....	May 3
Examination Period Ends .....	May 13
Hooding Ceremony .....	May 14
Commencement .....	May 14

## Summer Term 2004

First Day of Classes .....	May 24
No Classes .....	May 31 (Memorial Day) July 4 (Independence Day)
Last Day of Classes .....	July 13
Examination Period Begins .....	July 15
Examination Period Ends .....	July 16

\* Spring 2004 and Summer 2004 dates are subject to change



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# ACADEMIC CALENDAR

Fall Term 2009		Spring Term 2010	
First Day of Classes	August 24	First Day of Classes	January 12
Final Examinations Begin	November 15	Final Examinations Begin	May 12
Final Examinations End	November 18	Final Examinations End	May 15
Classes End	November 21	Classes End	May 18
Registration Period Ends	December 1	Registration Period Ends	June 1
Graduation Period Begins	December 1	Graduation Period Begins	June 1
Graduation Period Ends	December 1	Graduation Period Ends	June 1
Classes Begin	January 1	Classes Begin	January 1
Classes End	May 1	Classes End	May 1
Final Examinations Begin	May 1	Final Examinations Begin	May 1
Final Examinations End	May 1	Final Examinations End	May 1

## Summer Term 2009

First Day of Classes	June 1
Classes End	June 1
Final Examinations Begin	June 1
Final Examinations End	June 1
Classes Begin	June 1
Classes End	June 1
Final Examinations Begin	June 1
Final Examinations End	June 1



**Notes:**

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