

Texas Wesleyan University



School of Law



2006 | 2007



# student programs, policies & procedures

2006 - 2007



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**Wesleyan**  
UNIVERSITY  
SCHOOL OF LAW

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# mission statement *the school of law*

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), 321 N. Clark St, Chicago, Illinois 60610, 800-285-2221.

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 School of Law does not discriminate on the basis of race, color, religion, national origin, sex, age, handicap or disability, or sexual orientation.

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.

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# the academic program

The juris doctor degree is conferred on students who satisfactorily complete a 90-credit course of study and a 30-hour *pro bono* requirement.

The curriculum consists of lockstep courses (required courses that must be taken in a prescribed sequence), advanced required courses, core curriculum electives, and general curriculum electives. In addition to providing a solid grounding in the basics of the law, the school's curriculum provides many opportunities for students to take courses in a variety of specialized areas.

## Full-Time Day Division

Full-time day students are admitted in the fall of each academic year. The full-time day division program is a three-year course of study consisting of 14-week fall and spring semesters. A seven-week summer session with a limited course schedule is provided.

A full-time student is required to take between 13 and 16 credits each semester and may take up to 8 credits in the summer session.

**Schedule.** Classes are scheduled Monday through Friday between 8:30 a.m. and 6:15 p.m., and they vary in length from one to two hours.

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

First semester (fall) courses:

Analysis, Research & Writing I	3 credits
Civil Procedure I	3 credits
Contracts I	3 credits
Property I	3 credits
Torts	4 credits

Second semester (spring) courses:

Analysis, Research & Writing II	3 credits
Civil Procedure II	3 credits
Contracts II	3 credits
Property II	3 credits
Criminal Law	3 credits

Third semester (fall) lockstep courses, which are supplemented with upper level required courses or elective courses:

Analysis, Research & Writing III	2 credits
Constitutional Law	4 credits

## Part-Time Day Division

Part-time day students are admitted in the fall of each academic year. The part-time day division program is generally a four-year course of study consisting of 14-week fall and spring semesters. A seven-week summer session with a limited course schedule is provided.

A part-time day student is required to take between 8 and 12 credits per semester and may take up to 6 credits in the summer session.

**Schedule.** Classes are scheduled Monday through Friday between 8:30 a.m. and 6:15 p.m., and they vary in length from one to two hours.

**Classes.** The prescribed regular sequence of lockstep courses for part-time day students is:

First semester (fall) courses:

Analysis, Research & Writing I	3 credits
Contracts I	3 credits
Torts	4 credits

## Second semester (spring) courses:

Analysis, Research & Writing II	3 credits
Contracts II	3 credits
Criminal Law	3 credits

Third semester (fall) lockstep courses, which may be supplemented with certain elective courses:

Analysis, Research & Writing III	2 credits
Civil Procedure I	3 credits
Property I	3 credits
Constitutional Law*	4 credits

\*In the third semester, *Constitutional Law* is offered only in a day class. In the fourth semester, it is offered only in an evening class. Part-time day or evening students may take *Constitutional Law* in the fall or spring of the second year.

Fourth semester (spring) lockstep courses, which may be supplemented with certain elective courses:

Civil Procedure II	3 credits
Property II	3 credits
Constitutional Law*	4 credits

\*In the third semester, *Constitutional Law* is offered only in a day class. In the fourth semester, it is offered only in an evening class. Part-time day or evening students may take *Constitutional Law* in the fall or spring of the second year.

### Part-Time Evening Division

Part-time evening students are admitted in the fall of each academic year. The part-time evening division program is a four-year course of study consisting of 14-week fall and spring semesters. A seven-week summer session with a limited course schedule is provided.

A part-time evening student is required to take between 8 and 12 credits per semester and may take up to 6 credits in the summer session.

**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 two hours and are scheduled between 6 and 10 p.m.

**Classes.** The prescribed sequence of lockstep courses for part-time evening students is:

#### First semester (fall) courses:

Analysis, Research & Writing I	3 credits
Contracts I	3 credits

Torts	4 credits
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#### Second semester (spring) courses:

Analysis, Research & Writing II	3 credits
Contracts II	3 credits
Criminal Law	3 credits

Third semester (fall) lockstep courses, which may be supplemented with certain elective courses:

Analysis, Research & Writing III	2 credits
Civil Procedure I	3 credits
Property I	3 credits
Constitutional Law*	4 credits

\*In the third semester, *Constitutional Law* is offered only in a day class. In the fourth semester, it is offered only in an evening class. Part-time day or evening students may take *Constitutional Law* in the fall or spring of the second year.

Fourth semester (spring) lockstep courses, which may be supplemented with certain elective courses:

Civil Procedure II	3 credits
Property II	3 credits
Constitutional Law*	4 credits

\*In the third semester, *Constitutional Law* is offered only in a day class. In the fourth semester, it is offered only in an evening class. Part-time day or evening students may take *Constitutional Law* in the fall or spring of the second year.

### Advanced Required Courses

In addition to the required lockstep courses, all students must successfully complete these courses:

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

### Equal Justice Program

In keeping with its mission to provide excellence in legal education and 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 complete their *pro bono* requirement by the end of their next-to-last semester of law school.

The program's purpose is twofold. 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 supervision for practice in trial and appellate courts, federal and state government entities, and public interest organizations. Students perform legal tasks and apply their academic studies to real cases, gaining valuable insight into the operation of legal institutions. Students gain significant legal experience in areas such as interviewing, researching, drafting, negotiating, counseling clients, and/or alternative dispute resolution.

Externships are unpaid positions. Prescreening is required. Students must have completed at least 45 hours and have at least a 2.33 (C+) GPA to be eligible for placement.

### Skills Training

To help students develop necessary practical lawyering skills, the law school offers practicum courses in substantive areas of law and practice. These courses involve the student in the supervised practical application of previously studied theory. (See the Practicum Courses section on page 36 for more information.)

The School of Law also provides 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 regional and national competitions.

### Law Clinic

The law clinic is a law office operated by law students and a faculty supervisor. In the clinic, students earn class credit while representing 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 the professor

approves. An audit application must be submitted prior to attending class. The student must honor attendance requirements. The fee for a currently enrolled student to audit one class is \$100.

Any graduate of Texas Wesleyan University School of Law or any other law school may audit a class offered by the law school if space is available in the class and the professor approves. An audit application must be submitted prior to attending class. The fee for alumni to audit one class is 50 percent of the highest credit hour fee charged to current students; the fee for other law graduates is the full fee for the credit hours charged to current students.

A graduate of Texas Wesleyan University School of Law or of any other law school may audit classes for the purpose of qualifying to retake the state of Texas bar exams 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. All such audits are subject to space availability in the class and 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, the fee for other law graduates is the full fee for the credit hours charged to current students.

No credit hours are 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

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## 20.2. Purpose: A ...

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## Categories of Students

2.1. General ...

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# academic *standards*

## Function of These Standards

### 1.1. Comprehensive Rules and Interstitial Rulemaking.

The function of these academic standards is to provide comprehensive academic rules for the faculty and students of the Law School. To the extent the rules fail to provide adequate guidance for administering a particular aspect of the 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).

**1.2. 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.

**1.3. 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.

**1.4. 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 and on the Law School web site.

**1.5. 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 Faculty's decision on a student's appeal is 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. 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) has jurisdiction to consider any student petition or appeal (as the case may be) more than one time.

## Categories of Students

**2.1. General.** Students are divided into categories by status (full-time or part-time), and, as to students in the lockstep courses, by division (day or evening).

### 2.2. Status

**2.2.1. Full-time.** A student enrolled in thirteen to sixteen credit hours in a fall or spring semester, or seven or eight hours in a summer session, is considered a full-time student. All full-time students who have not completed lockstep courses must be in the day division. Full-time students must 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 semester in 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 his or her compliance with the work limitation is considered 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. Violation of the work limitation is a Code of Conduct violation and is subject to additional sanction under the Code.

**2.2.2. Part-time.** A student enrolled in twelve or fewer credit hours in a fall or spring semester or six or fewer hours in a summer session is considered a part-time student.

**2.3. Division**

**2.3.1. 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.

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

**Curriculum**

**3.1. Lockstep Sequences**

**3.1.1. Full-time, Day Division.** The prescribed sequence of lockstep courses for full-time students is:

First Semester (Fall):

Analysis, Research & Writing I	3 credit hours
Civil Procedure I	3 credit hours
Contracts I	3 credit hours
Property I	3 credit hours
Torts	4 credit hours

Second Semester (Spring):

Analysis, Research & Writing II	3 credit hours
Civil Procedure II	3 credit hours
Contracts II	3 credit hours
Property II	3 credit hours
Criminal Law	3 credit hours

Third Semester (Fall):

Analysis, Research & Writing III	2 credit hours
Constitutional Law	4 credit hours

**3.1.2. Part-time, Day Division.** The prescribed sequence of lockstep courses for part-time, day division students is:

First Semester (Fall):

Analysis, Research & Writing I	3 credit hours
Contracts I	3 credit hours
Torts	4 credit hours

Second Semester (Spring):

Analysis, Research & Writing II	3 credit hours
Contracts II	3 credit hours
Criminal Law	3 credit hours

Third Semester (Fall):

Analysis, Research & Writing III	2 credit hours
Civil Procedure I	3 credit hours
Property I	3 credit hours
Constitutional Law*	4 credit hours

(\*Constitutional Law may be taken in the day in the fall or in the evening in the spring).

Fourth Semester (Spring):

Civil Procedure II	3 credit hours
Property II	3 credit hours
Constitutional Law*	4 credit hours

(\*Constitutional Law may be taken in the day in the fall or in the evening in the spring).

**3.1.3. Part-time, Evening Division.** The prescribed sequence of lockstep courses for part-time, evening division students is:

First Semester (Fall):

Analysis, Research & Writing I	3 credit hours
Contracts I	3 credit hours
Torts	4 credit hours

Second Semester (Spring):

Analysis, Research & Writing II	3 credit hours
Contracts II	3 credit hours
Criminal Law	3 credit hours

Third Semester (Fall):

Analysis, Research & Writing III	2 credit hours
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Civil Procedure I	3 credit hours
Property I	3 credit hours
Constitutional Law*	4 credit hours

(\*Constitutional Law may be taken in the day in the fall or in the evening in the spring).

#### Fourth Semester (Spring):

Civil Procedure II	3 credit hours
Property II	3 credit hours
Constitutional Law*	4 credit hours

(\*Constitutional Law may be taken in the day in the fall or in the evening in the spring).

**3.1.4. Multi-semester Lockstep Courses.** Each semester of all multi-semester lockstep courses, namely, Analysis, Research & Writing I, II & III; Civil Procedure I & II; Contracts I & II; and Property I & II, is a separate course for which students receive a final grade.

**3.1.5. Deviations from Lockstep Sequences.** Students may not deviate from the lockstep sequence without approval of the Academic Standards Committee, which is granted only in extraordinary circumstances and only upon such terms and conditions as the Academic Standards Committee deems appropriate.

**3.1.6. Failure to Complete a Lockstep Course Successfully.** Any student who, for whatever reason and in whatever fashion, does not successfully complete and receive credit for a lockstep course must enroll in that course at the earliest available opportunity. The grade for a repeat of a failed lockstep course is Pass or Fail. The original grade remains on the transcript and is calculated in the cumulative grade point average. 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.

### 3.2. Upper-level Courses

**3.2.1. Upper-level Required Courses.** In addition to completing the lockstep courses, every student, during some semester before 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 is Pass or Fail. The original grade remains on the transcript and is calculated in the cumulative grade point average.

**3.2.2. 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 remains on the transcript and is calculated into the cumulative grade point average.

**3.2.3. 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.

### 3.3. Rigorous Writing Requirement

**3.3.1. General.** Under the supervision of a faculty member, every student must complete one research paper in connection with a seminar or the law review. A "research paper" is an expository or argumentative writing of at least twenty double-spaced, typed pages of text, exclusive of footnotes.

**3.3.2. 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 confer individually with the student during the term in which the writing occurs.

**3.3.3. Grade Standard to Satisfy Requirement.** The student's final paper must be of sufficient quality to receive a grade of at least a C+ (2.33) to receive credit for the rigorous writing requirement.

### 3.4. Independent Study

**3.4.1. General.** 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 thorough understanding of the subject or a series of papers summarizing the contents of the assigned reading materials. A student may earn no more than two credit hours through Independent Study.

**3.4.2. 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 member, but only if a full-time faculty member acts as a co-sponsor for the student and reviews the student's work product.

**3.4.3. Faculty Supervisor Consent Required for Registration.** Students may not enroll for Independent Study without the consent of a faculty sponsor. Each student who enrolls for Independent Study will be assigned to a section that is specific to the student's faculty sponsor; thus, a change of faculty sponsor is a change of section and requires compliance with the Law School's add/drop policies and procedures.

**3.4.4. 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.

### 3.5. Audit

**3.5.1. Upper-level Students may Audit Classes.** See the *Audit Policy*, page 8 for details.

## Registration

**4.1. Normal Registration Times.** Registration times for each semester are set by the administration; registration typically occurs during a period of about two weeks, occurring approximately two months before the start of the semester.

**4.2. Late Registration.** A student who fails to register during the normal registration time for a semester will incur a late fee, the amount of which is set by the Law School administration. The student will also lose any priority in registration.

### 4.3. Add/Drop Policies

**4.3.1. Adds.** Students may add classes during the free add period beginning before each semester and ending, usually, at the end of the first week of the semester.

**4.3.2. Late Adds.** After the free add period, a student may add a course only with the permission of the Associate Dean for Academic Affairs.

**4.3.3. Absences Before Adding a Course.** Absences from class before adding the course are counted toward the number of absences from the class.

**4.3.4. Drops.** A student may drop any non-lockstep course other than the Law Clinic at any time until noon on the last day of scheduled classes. A student may drop a course after that deadline with the permission of the Associate Dean for Academic Affairs, which will be granted only in extraordinary circumstances. Dropping a course after the fourth week of classes in a fall or spring semester or after the second week of classes in a summer session will result in a W (withdrawal) being entered on the student's transcript. A student may drop Law Clinic only during the first two weeks of class.

### 4.4. Maximum Course Load

**4.4.1. Full-time Student.** A full-time student may not register for more than sixteen credit hours in a fall or spring semester or for more than eight credit hours in



a summer session without permission of the Associate Dean for Academic Affairs. This limitation applies to non-classroom courses as well as to classroom courses.

**4.4.2. Part-time Student.** A part-time student may not register for more than twelve credit hours in a fall or spring semester or for more than six credit hours in a summer session. This limitation applies to non-classroom courses as well as to classroom courses.

**4.4.3. Correction of Excessive Course Loads.** A student who enrolls for more than the permissible number of hours will be withdrawn from a course or courses until his or her 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. 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. Fraud, deceit, misrepresentation, or dishonesty in creating the overload is a violation of the Code of Conduct.

**4.4.4. Registration in Non-classroom Courses.** Without advance approval of the Academic Standards Committee, no student may register in any course that has no regularly scheduled classroom component unless the student is also enrolled, in the same semester, in at least one course with a regularly scheduled classroom component.

**4.4.5. Minimum Student Load.** No student may register for fewer than eight credit hours in a fall or spring semester without permission of the Associate Dean for Academic Affairs.

## Attendance

**5.1. Requirement.** Regular and punctual class attendance is required of all students in all courses. Students are expected to attend regularly scheduled classes as well as make-up classes scheduled during the official make-up times. Official make-up times are noted on the registration materials each semester.

Students are expected to adhere to special attendance requirements for some classes, such as Law Clinic, intensive weekend classes, or condensed format classes. Law Clinic has office attendance requirements in addition to classroom attendance requirements.

**5.2. Sanction for Excessive Absences in Non-lockstep Courses.** A student whose total absences in a non-lockstep course exceed twenty-five percent of the regularly scheduled class meetings and make-ups scheduled during official make-up times will be withdrawn from that course, will have a W entered on his or her transcript, and will not receive credit for the course. In extraordinary circumstances, the Academic Standards Committee may grant a student relief from this rule upon such terms and conditions as the committee deems appropriate.

**5.3. Sanction for Excessive Absences in Lockstep Courses.** A student whose total absences in a lockstep course exceed twenty-five percent of the regularly scheduled class meetings and make-ups scheduled during official make-up times will be withdrawn from that course, will have a W entered on his or her transcript, will not receive credit for the course, and may continue in law school only 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.

### 5.4. Excessive Absences in fall and spring classes:

#### If a class meets

1 time every other week, and a student misses more than 1 class, he or she will be withdrawn.

#### If a class meets

1 time every week, and a student misses more than 3 classes, he or she will be withdrawn.

#### If a class meets

2 times every week, and a student misses more than 7 classes, he or she will be withdrawn.

**If a class meets**

3 times each week, and a student misses more than 10 classes, he or she will be withdrawn.

**5.5. Excessive Absences in summer classes:****If a class meets:**

1 time every week, and a student misses more than 1 class, he or she will be withdrawn.

**If a class meets:**

2 times every week, and a student misses more than 3 classes, he or she will be withdrawn.

**If a class meets:**

3 times each week, and a student misses more than 5 classes, he or she will be withdrawn.

**Examinations**

**6.1. Inviolability of Exam Times.** All students must take examinations as scheduled, except in the case of an extreme emergency beyond the control of the student.

**6.2. Rescheduling Exams.** Students who miss a scheduled examination must submit to 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 Associate Dean will either approve or disapprove the student's failure to take the examination at the scheduled time. If the Associate Dean excuses the student's failure to take the examination at the scheduled time, the Associate Dean will arrange for the student to take the examination under appropriate circumstances. An unapproved failure to take the examination will be recorded as a grade of F (0.00) for the course. Adverse decisions by the Associate Dean regarding a failure to take an examination at the scheduled time may be appealed to the Academic Standards Committee.

**6.3. Accommodations for Students with Disabilities.** Students with medically verifiable disabilities may be provided extra time or other appropriate accommodations for examinations. Petitions for

accommodations should be made to the Assistant Dean for Student Affairs by November 1 of the fall semester and April 1 of the spring semester. Each petition should be accompanied by evidence of the medical condition and evidence of the accommodation given in past educational settings or examinations. Particular weight is given to the accommodation allowed for taking the LSAT. The student whose request is granted is responsible for making appropriate arrangements with the Office of Student Services.

**6.4. Anonymity****6.4.1. Confidential Examination Numbers Assigned.**

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

**6.4.2. "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.

**6.4.3. 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 course is based for a period of at least one year following completion of the course. Students will be given an opportunity to review, within a reasonable time, written work upon which a grade is based.



**6.5. 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 unless approved by the Associate Dean for Academic Affairs and the course professor. 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.

## Papers and Projects

**7.1. 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 arrangements for anonymous grading of papers or projects as he or she deems appropriate.

**7.2. Quotation and Citation Rules.** The responsibility for learning the proper rules for quoting material and the 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.

**7.3. 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 credits. The instructors involved in each instance should discuss appropriate ways to make sure that the submitted work meets this greater burden and each instructor must 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.

## 7.4. Own Work Requirement

**7.4.1. 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.

**7.4.2. 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.

**7.4.3. 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.

## Grades and Grading Policies

**8.1. Available Grades.** The grades at the Law School are letter grades between A+ (4.01) and F (0.00) or P, W, X, and I. No other grades exist at the Law School. Before fall 2003, the Law School employed a numerical grading scale. An explanation of that prior numerical scale appears on the affected students' transcript.

**8.2. 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 [confers no course credit]

**8.3. Maximum Allowed Average.** For all lockstep courses, except Constitutional Law and the Analysis, Research & Writing course sequence, the maximum allowed class GPA is 2.60. For Constitutional Law; the Analysis, Research & Writing course sequence; and all non-lockstep courses with enrollments of over twenty students, the maximum allowed class GPA is 2.80. For non-lockstep, non-seminar courses with enrollments of twenty or fewer students, the maximum allowed class GPA is 3.00. For seminar courses, the maximum allowed class GPA is 3.33. There is no minimum allowed class GPA for any class except the grade of F (0.00).

#### 8.4. 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 six calendar months from the last day of exams for the applicable semester. After six months, an unresolved I becomes an F (0.00). At no time does an I confer credit for the course.

**X.** An X 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 does not confer credit for the course and is not calculated in the grade point average.

**W.** A W is posted on the transcript whenever a student withdraws from a course after the fourth week of classes in a fall or spring semester or after the second week of classes in a summer session. The W confers no credit and is not calculated in the grade point 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 it is not calculated in the grade average.

#### 8.5. Pass/Fail Grading

**8.5.1. Pass/Fail Credit Hour 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. No student may earn more than six Pass/Fail credit hours in any one activity (e.g., law review, externship, law clinic, etc.).

**8.5.2. Pass/Fail in Retaking Failed Course.** Students who retake a failed course are graded in that course on a Pass/Fail basis. Any credit hours earned on retaking a failed course will not count toward the Pass/Fail twelve credit-hour limitation.

**8.5.3. 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 is calculated as part of the grade point average.

**8.5.4. Pass/Fail Election.** A student may take elective (i.e., non-required) courses for not more than seven credit hours of the maximum twelve credit hours graded as Pass/Fail. Courses taken to satisfy the rigorous writing requirement are excluded from this election option. A student must designate the election of the



Pass/Fail option on his or her registration form or not later than the last day of the first week of classes in the term. To preserve anonymity, a student's election to take a course on a Pass/Fail basis is not communicated to the instructor by the school administration. It is a violation of the Code of Conduct for a student to reveal the election to the professor.

## 8.6. Procedures for Implementing Standards

**8.6.1. 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.

**8.6.2. Petition to the Academic Standards Committee.** An instructor wishing to grant grades for a course with an average above that allowed under the grading standards must petition the Academic Standards Committee in writing.

**8.6.3. 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 fails to petition for and receive a waiver, the Academic Standards Committee will act in its discretion to bring the grades into compliance.

**8.6.4. 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 freely allows changes in the case of a grade that was incorrectly given as a result of an arithmetical, administrative, or other "mechanical" error. Other changes are permitted only in the most extraordinary circumstances.

## 8.7. Dean's List Honors

**8.7.1. Requirements.** To be eligible for the Dean's List, a student must be registered for at least eight credit hours, at least five of which must be graded hours, and must

have earned a term grade point average of 3.00 or better. Dean's List honors are not available for summer terms.

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

## Student Retention

**9.1. Student Is on Notice of Own Grades and Grade Point Average.** Every student is on notice of the student's own grades and grade point 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.

## 9.2. Dismissal

**9.2.1. Dismissal Automatic if Average Is Below 2.00.** At any time after two semesters in the Law School, any student with a grade point average below 2.00 will be dismissed for academic deficiency.

**9.2.2. Automatic Withdrawal.** A student dismissed for academic deficiency is immediately withdrawn from all classes in which he or she is then enrolled and is fully refunded the tuition and fees paid for that term; except that, if a student petitions the Academic Standards Committee for probation or appeals to the faculty an adverse decision of the Academic Standards Committee on a petition for probation, he or she will not be withdrawn unless and until there is an adverse decision by the Academic Standards Committee or a denial of an appeal to the faculty (as the case may be).

**9.2.3. Automatic Withdrawal During Summer Term.** Notwithstanding section 9.2.2., a student who is enrolled in one or more classes during the summer term will be immediately withdrawn from all classes upon notice that the student's cumulative grade point average is below 2.00

as of the end of the immediately preceding spring term; the student will not be permitted to take any examinations or to complete other course assignments during the summer term.

### 9.3. Probation

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

**9.3.2. Effective Date of Probation.** Probation does 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.

**9.3.3. Schedule Approval.** A student on probation must have his or her class schedule approved by the Associate Dean for Academic Affairs.

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

**9.3.5. Resolution of Probation.** A student whose average remains below 2.00 after the semester in which he or she was placed on academic probation will 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.

### 9.4. Restarts

**9.4.1. Restart Available in Extraordinary Circumstances.** Upon 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 restart the law school program if the Committee finds that the student (1) faced extraordinary circumstances that unquestionably greatly interfered with his or her ability to perform at the required level in law school and (2) the extraordinary circumstances no longer exist.

**9.4.2. One Year Delay Before Restart.** A student who is permitted to restart the law school program must wait one calendar year from the time of dismissal before restarting, unless the Academic Standards Committee reaches the conclusion that the one year delay would cause substantial hardship to the student.

**9.4.3. Effect of Past Performance.** A student who is permitted to restart will not receive credit for any courses taken before the restart 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 restarted and the prior grades will not affect the grade point average.

**9.4.4. 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 is treated as an application to begin law school as part of the entering class and is determined by the Admissions Committee. If the student has taken any exam and received a grade, the student who wishes to restart must petition to the Academic Standards Committee, if the petition is within two years of the last date the student was in attendance at the Law School. After the two-year period has elapsed, a student who wishes to restart the Law School must reapply through the Office of Admissions. The Academic Standards Committee will consider only one petition for restart from any student. A student who wishes to make a second request must reapply through the Office of Admissions.

### Leaves of Absence

**10.1. Not Available for First-year Students.** A student who has not completed the first two semesters of the student's program (regardless of status or division) may not obtain a leave of absence.

**10.2. Limited Availability Prior to Completing Lockstep Courses.** A student who has not completed the lockstep courses (regardless of status or division)



may obtain a leave of absence only with the 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.

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

**10.4. 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, military service, or the like, are granted liberally.

**10.5. 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 where the grade earned for the course does not meet or exceed the grade point 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 is one that is typically graded Pass/Fail at that school.

**10.6. Visits for Summer Abroad Programs.** A leave of absence for a visit to attend a "Summer Abroad" program associated with an ABA approved law school will normally be allowed. Under no circumstances will more than eight credit hours of work be transferred

back from a Summer Abroad program or programs, regardless of the length of the leave approved or the number of leaves approved. No credits will be accepted where the grade earned for the course does not meet or exceed the grade point average required to graduate from the school sponsoring the Summer Abroad program. Transfer credit will be accepted for courses graded Pass/Fail in a Summer Abroad program.

**10.7. 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

**11.1. Prior to Completing First Year of Lockstep Courses.** A change of status or division prior to completion of the first year of lockstep courses is allowed only upon the approval of the Academic Standards Committee, which is granted only in the most extraordinary circumstances.

**11.2. After Completing First Year of Lockstep Courses.** A change of status after completing lockstep courses may be done in conjunction with registration for any semester or term. A change from part-time status to full-time status must be accompanied by an affidavit in which the student swears that he or she will not be employed more than twenty hours per week at any time during any semester or session when the student is a full-time student.

## Graduation Requirements

**12.1. Required Courses.** A candidate for graduation must have received credit in all required courses, namely, Analysis, Research & Writing I, II & III; Business Associations; Civil Procedure I & II; Constitutional Law; Contracts I & II; Criminal Law; Criminal Procedure;

Estates & Trusts; Evidence; Professional Responsibility; Property I & II; and Torts.

**12.2. Total Hours.** A candidate for graduation must have earned a minimum of ninety credit hours. Credit for the J.D. degree is given only for course work completed after matriculation in the Law School or for transfer credit granted for course work completed at another ABA accredited law school.

**12.3. Grade Point Average Requirements.** A candidate for graduation must have a cumulative grade point average no lower than 2.00. There is no waiver of this standard.

**12.4. Time for Completion of Degree.** A law student must complete the requirements for the J.D. degree within six years.

**12.5. 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 will not be counted toward the ninety credit hours required for graduation.

**12.6. Equal Justice Requirement.** Each student must perform 30 hours of law-related *pro bono* service through the Equal Justice Program. Students should have completed their *pro bono* requirement by the end of their next-to-last semester of law school.

**12.7. Graduation Fee.** Each student must pay a graduation fee, the amount of which is set by the administration.

## 12.8. Honors

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

**12.8.2. 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 is designated as graduating magna cum laude.

**12.8.3. 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 is designated as graduating cum laude. ■



# code of conduct

## Policy

### Statement of Purpose and Application

1.1. 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 that conduct when he or she is aware of the nature of that conduct or that those 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 Texas Wesleyan University School of Law, including University employees who are 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 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, that 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 advisers 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, database, 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.

3.4.6. No student may, without the consent of the Dean of the Law School, post the logo of Texas Wesleyan University School of Law or any other trademark belonging to the Law School on any web site. No student may, without the consent of the Dean of the Law School, represent that the Law School endorses a particular web site or any statement therein.

### 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 that 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 student may, while on the Law School premises, intentionally or knowingly display on any 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 required to do so 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.

**3.8.3.** Students are under a continuing obligation to report any arrest, citation, ticket, or charge of any violation of the law, excluding minor traffic violations, regardless of whether charges were formally brought against the student, regardless of whether charges against the student were dismissed, regardless of whether the student was acquitted, and regardless of whether adjudication was withheld or a conviction was reversed, set aside, or vacated. This obligation begins from the date of acceptance by the Law School and continues until graduation. Students are obligated to make this report in writing to the Associate Dean for Academic Affairs as a petition to amend (update) the Law School application.

### **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.

**3.9.3.** Any student who has been charged with a violation of the law is obligated to report that charge to the Associate Dean for Academic Affairs in accordance with section 3.8.3. of 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 it 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 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 that 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 charged 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 that 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

**T**exas Wesleyan University School of Law offers a curriculum designed to provide fundamental knowledge and skills required of the legal advocate, together with specialty courses enabling students to obtain a rich and varied legal education.

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

#### *Analysis, Research & Writing (8)*

A study of analysis, research and writing skills essential to the solution of legal problems and the practice of law. Analytical skills, essential for all of law school and law practice, are covered throughout the course. Students learn the methods of legal research through hands-on library experience. Students will write at least two legal memoranda and a trial brief in the first year. In the fall of the second year, the focus is on appellate brief writing and advocacy.

#### *Civil Procedure (6)*

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 may cover topics such as the jurisdiction and competence of courts, conflicts between state and federal law, pleading, discovery, 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.

#### *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 (4)*

A study of the basic principles of civil liability for harm to persons or property. Topics include intentional torts, negligence, strict liability, defenses and damages. Additional topics may be included.

### 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; and the promotion, organization, activities, financing, management and dissolution of business corporations.

#### *Criminal Procedure (3)*

This course considers issues relating to constitutional constraints on the investigation and prosecution of criminal offenses.

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

A study of intestate succession, wills, trusts, guardianships, probate and trust administration, and an introduction to estate planning. Prerequisites: Property I and Property II.



**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. Prerequisite: Civil Procedure.

**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.

**Advanced Torts (3)**

Building on the material covered in Torts, this course examines various topics in the law of torts, such as products liability, defamation, invasion of privacy, and business torts, including misrepresentation and interference with contractual relations.

**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, reorganization, and evolving definitions of the family and family-like relationships in America, including premarital arrangements, marriage (formal and informal), divorce, parent-child relationship, division of marital property, spousal and child support, domestic violence within the family, and same-sex unions.

**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 federal tax regulations.

**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. Prerequisites: Property I and Property II.

**Payment Systems (3)**

This course explores commercial paper, bank deposits and collections under U.C.C. Articles 3 and 4. Topics covered include negotiability and the rights and obligations of parties to commercial paper, defenses to liability, relationship of banks and customers, check collection, and suretyship.

**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 may also discuss the scope of judges' powers of contempt.

**Secured Transactions (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).

**Texas Criminal Procedure (3)**

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

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

A study of 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. Prerequisite: Civil Procedure.

**Texas Trials & Appeals (3)**

A study of 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.



**General Curriculum Elective Courses*****Accounting for Lawyers (2)***

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

***Adoption Law (2)***

This course covers many aspects of adoption law, including consent of birthparents, termination of parental rights, Indian Child Welfare Act, transracial and transcultural adoption, international adoption, access to information, the effects of adoption, and actions for wrongful adoption. Prerequisite: Constitutional Law.

***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.

***Arbitration (2)***

A theory and practice course providing arbitration training. This course will include mock arbitrations.

***Art Law (2)***

This course provides a thorough introduction to the growing area of legal practice known as art law. Students will examine legal and ethical issues relating to the creation, discovery, ownership, transfer, and use of works of visual art, from the ancient to the contemporary. Stakeholders in this field are diverse: they include artists and their subjects, individual and corporate collectors, museums, dealers, auction houses, cultural institutions, treasure hunters, scholars, indigenous groups, sovereign nations, and the general public. Students will examine, discuss and debate applicable civil and criminal laws and regulations, case law, international treaties and codes of ethics, as well as contracts and other documents used in the practice of art law. Daily visits to museums will enhance the class discussions and readings, providing an opportunity to experience firsthand the objects of our study and to interact with museum personnel who

deal with many of these issues. Students will visit the Amon Carter Museum, the Kimbell Art Museum, the Nasher Sculpture Center, and the Modern Art Museum of Fort Worth.

***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 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.

***Bankruptcy (3)***

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

***Bioethics & the Law Seminar (2)***

A seminar that examines the legal, ethical and policy aspects of current issues in bioethics, including patient autonomy, the right to refuse treatment, euthanasia and physician-assisted suicide, genetics, reproductive technologies, fetal treatment and research, human experimentation, and organ transplantation.

***Children & the Law (2 or 3)***

This 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 (SAPCR), 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 provides an overview of federal legislation designed to provide private actions to enforce constitutional rights, including the kinds of relief available and limits on recovery. Prerequisite: Constitutional Law.

***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.

#### *Construction Law (2)*

An introduction to the legal issues surrounding the construction process. The course will address the relationships among members of the construction team and the resolution of disputes that arise out of construction projects.

#### *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. Topics 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.

#### *Corporate Governance Seminar (2)*

An advanced course dealing with the legal, financial, ethical, theoretical and practical issues involved in the management and control of large publicly held business entities. The course may include discussions of various methods of corporate governance, including state corporate laws, federal securities laws, criminal laws, and stock exchange regulations, with particular focus on the complex relationships among shareholders,

management, employees and the public. Prerequisite: Business Associations.

#### *Criminal Appellate Procedure (2)*

A study of appellate procedure on the criminal side of the docket. The course will cover direct appeal in criminal cases, including the basic rights of appeal, court structure, appellate jurisdiction, rules for seeking discretionary appellate review, the major legal areas in which relief is generally sought on appeal, the harmless error rule, frivolous appeals, and remedies available to the appellant. The course will also address post-conviction remedies, with substantial focus upon the writ of habeas corpus and the requirements for obtaining a federal writ of habeas corpus for a state prisoner.

#### *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 Rights (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 seminar that examines the law that relates to schools, students, teachers and administrators. Among the topics that may be covered 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)*

This course presents an overview of the law relating to aging individuals and an older American society, including employment and disability discrimination;



retirement, property management, guardianship and protection, health care financing, health care decision-making, housing, and family issues unique to grandparents. When possible, Texas law on particular subjects will also be covered.

#### *Emerging Legal Issues Seminar (2)*

A seminar examines 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 the employment relationship.

#### *Entertainment Law (2)*

An examination of 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.

#### *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. Prerequisite: Estates & Trusts.

#### *European Union Law (1)*

This course examines the EU's multi-level system of governance, its principles of law, and the reach of its powers, both economic and political. Substantive areas covered will

include the free movement of goods and people, and the EU's power in global trade and development.

#### *Externship (1, 2 or 3)*

Students earn credits for working with practicing attorneys in a formal, supervised program. There is a classroom component as well. Placements are in corporate and government offices, law firms, public interest groups, and federal and state courts.

#### *Family Mediation Clinic (3)*

Students learn mediation skills through lecture and role play, and attend some classes in the courtrooms of two family judges. Students observe and mediate real family disputes at local mediation centers. An exam and a mediation journal are used in grading this pass/fail course. A family mediation certificate is given on completion of this course and the mediation clinic.

#### *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 Seminar (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 (3)*

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.

**Immigration Law (3)**

This course covers basic immigration statutes, including cases and doctrines that control immigration and naturalization. The course also explores 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. Prerequisites: All lockstep courses.

**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 Intellectual Property (2)**

A study of the international laws that govern the applications of patents, copyrights and trademarks. The course will examine the foundation of international intellectual property policies, inspect the development of those rights, and investigate how they are enforced in the international arena.

**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.

**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 Seminar (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.

**Jury Process Seminar (2)**

This seminar focuses 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.

**Juvenile Justice (2)**

A review of the juvenile's substantive and procedural rights. Prerequisite: Criminal Procedure.

**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 Seminar (2)**

This seminar examines the nature, practice and institutions of law as depicted in a variety of literary texts. The course also explores how techniques associated with literary criticism may be applied to selected legal texts.

**Law & Psychology Seminar (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 twice weekly to study the substantive law, to learn essential practical skills, and to discuss client cases.

*Law Practice 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.

*Legislation (2 or 3)*

A study of the state and federal legislative systems examining (1) the relationship between the legislative, executive and judicial processes; (2) the philosophies of legislative operations and judicial interpretation; (3) statutory and constitutional issues involved in interpreting and applying legislation; and (4) the principles of drafting legislation. The course includes tracking actual legislative sessions, introduced bills, the activity of a student-selected member of choice in the Texas Legislature, and getting practical experience through conducting a mock session of the Legislature to include committee activity, floor debate, voting, and post-legislative activities by means of four extracurricular volunteer Saturday class meetings.

*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.

*Mediation Clinic (3)*

Students learn the mediation process through lecture and role play, and then observe and mediate actual disputes in dispute resolution centers in Dallas and Fort Worth. An exam and a mediation journal are used in grading this pass/fail course. A mediation certificate is given on completion.

*Mergers & Acquisitions (2)*

A study of legal and business issues relating to the acquisition of businesses through asset and stock acquisitions and corporate mergers. This advanced course examines applicable state corporate law, relevant federal securities regulations and tax provisions, accounting methods, antitrust implications, duties of officers and directors, valuation and the structure of acquisition agreements.

*National Security Law (3)*

An examination of an emerging branch of legal inquiry that addresses threats to the autonomy of American nationhood. The sources of this law are not unified, ranging from early landmark cases in the Supreme Court to statutes, executive orders and "practices." The basic theme of the course is the counterbalancing of legal protection from genuine threats to our national life and the need to preserve our fundamental rights under the rule of law.

*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.

*Preparing for the Bar Exam (2)*

This class familiarizes students with the contents of the bar exam and imparts the critical skills and strategies necessary for success on each day of the exam. The class will cover selected sections of several MBE and essay-tested subjects. Students will complete several diagnostics tests that simulate portions of the bar exam and will receive feedback on their performance. Evaluation for the pass/fail grade will be based on homework (the diagnostic tests) and a short exam. The course is not intended as a substitute for a commercial bar review course; students should also take a commercial bar review course.

*Race & the Law Seminar (2)*

This seminar studies the many and various ways in which race and the American legal system interact, from both a historical and contemporary standpoint. Particular emphasis will be placed on the role the law has played in reinforcing slavery, shaping Reconstruction, and influencing the lives of various racial groups. The seminar culminates with an examination of some of the current issues surrounding the legal treatment of race, including reparations and affirmative action.

*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. Prerequisites: Property I and Property II.

*Religion & the Law Seminar (2)*

This seminar uses historical writings, the text of the Constitution, and Supreme Court opinions in the explorations of one, central question: How should civil government treat the religious beliefs of society? In considering the scope of religious clauses of the First Amendment, the course relies heavily on doctrine created by the Supreme Court as it has wrestled with contentious issues such as federal funding of religious



activities and the free exercise of religious beliefs in schools. The study of these topics grounded in a problem method encourages students to apply and consider varying approaches to the sometimes-conflicting guarantees found in the First Amendment.

#### *Sales & Leases (2)*

A study of Article 2 of the U.C.C. 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.

#### *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 (2)*

An analysis of the civil liberties protections that state constitutions provide and of other state constitutional restrictions on state and local government action. Students will examine the relationship between federal and state law and will learn how to frame a state constitutional law argument. The class will also focus on separation of powers and other state constitutional issues relating to the governance of state and local political subdivisions.

#### *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.

#### *Taxation Procedure (2)*

This course studies the Internal Revenue Service and the functions and responsibilities of the IRS's various divisions. It explores choice of forum in civil tax litigation, including the tax court, district court, and claims court. This course also addresses statute of limitations; burden of proof; administrative procedures, including audits, appeals, request for rulings and technical advice; settlements; closing agreements; and compromises.

#### *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. Prerequisite: Criminal Law.

#### *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 "practicum" courses in discrete substantive areas, as well as in particular skill areas. These courses involve the supervised practical application of previously studied theory.

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.

#### *Advanced Trial Advocacy Practicum (2)*

This course gives students the opportunity to learn the art of trial advocacy. Students will learn and practice fundamental litigation skills; they will develop skills necessary for successful motion practice; they will argue a substantive motion before a sitting state court judge; and they will conduct a voir dire and an opening statement before a mock jury and a sitting state court judge, all with extensive feedback. Prerequisite: Trial Advocacy Practicum.

#### *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. The course may be taught from either a civil or criminal law perspective.

#### *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. To enroll, a student must have completed one of the following courses: Sales & Leases, Payment Systems, or Secured Transactions.

#### *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. Prerequisites: Criminal Law, Criminal Procedure, and Evidence.

#### *Employment Discrimination Practicum (2)*

This course focuses on litigating the employment discrimination lawsuit, with an emphasis on pre-trial activities. The class will permit students to participate

in a variety of litigation-oriented activities such as interviewing clients, drafting and responding to pleadings, drafting and answering discovery, participating in mock depositions, and drafting and arguing a summary judgment motion.

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

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

#### *Ethical Lawyering Practicum (1)*

This course is designed to engage law students in an exploration of ethical issues that attorneys face in the daily practice of law. The assignments and the course are designed to develop healthy, prudent and ethical practices teaching students skill sets in an effort to avoid potential malpractice pitfalls, professional burn out, and other hazards of the profession.

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

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

#### *Federal Practice Practicum (2)*

This course focuses on problems unique to practice in federal courts. Students will work on issues involving pleading, scheduling orders, sentencing, motions for summary judgment, motions to dismiss, removal, jurisdiction, discovery, and class certification.

#### *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 ARW. The class is conducted as a workshop: students write during as well as outside class, and both fellow classmates and the professor critique students' 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 or 3)*

Students "learn by doing" the important lawyering skills of negotiation, interviewing and counseling clients. Students work on skills such as strategic planning, creative problem solving, forming a collaborative relationship with clients, and persuasive communication. An examination and a negotiation journal are used for grading.

### *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. Prerequisites: Property I and Property II.

### *Settlement Advocacy Practicum (3)*

This course focuses on providing advocacy training for the settlement of civil lawsuits. Because more than 90 percent of civil lawsuits are settled before trial, settlement advocacy is the essence of pre-trial procedure. This lawyering skills course will enhance the students' effectiveness in problem solving, and will include classroom discussions, written assignments, and role-playing exercises.

### *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. Prerequisite: Federal Income Taxation.

### *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 and witnesses. The course culminates in a mock trial at a local courthouse, where students have the opportunity to present an entire case through verdict. Prerequisite: Evidence. ■

# faculty & administration

## 2006 - 2007

The current faculty consists of 32 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 American University, Columbia, George Washington, Texas and the University of Southern California, with graduate law degrees from such schools as Chicago, Georgetown, Harvard, New York University and the University of Virginia. Non-law doctoral and master's degrees include Stanford, Michigan, Chicago, Columbia and Harvard.

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 in *American Journal of Legal History*, *University of Kansas Law Review*, *Loyola University-Chicago Law Journal*, *Texas Wesleyan Law Review*, *William & Mary Bill of Rights Journal*, and *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, Estates & Trusts, and American Legal History Seminar.

### Susan Ayres

Professor of Law

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. Member, Phi Beta Kappa.

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 *Fordham Urban Law Journal*, *Albany Law Review*, *Hastings Women's Law Journal*, *Nevada Law Journal*, *Texas Journal of Women and the Law*, *Texas Wesleyan Law Review*, and the *Yale Journal of Law and Feminism*.

Courses: Criminal Law, Family Law, Gender & the Law, and Law & Literature Seminar.

### 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*. Scribes Award - Excellence in Legal Writing. Member, Order of the Coif.

Associate, Strasburger & Price; associate, Gibson, Ochsner & Adkins. Published in *UC Davis Law Review*, *Louisiana Law Review*, *Texas Tech Law Review*, and *Texas Wesleyan Law Review*.

Courses: Bankruptcy, Contracts, and Secured Transactions

### Mark Edwin Burge

Writing Instructor

J.D. with honors 1997 University of Texas School of Law.



B.A. summa cum laude 1992 University of Houston.  
Associate editor, *Texas Law Review*.

Civil litigation partner, Bodoin, Burnside, Burge & Agnew, P.C.; bankruptcy litigation associate, Andrews Kurth, L.L.P.; commercial and business litigation associate, Hill Gilstrap, P.C. Published articles in *Texas Law Review*.

Course: Analysis, Research & Writing and Sales & Leases

**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: Computer Law Seminar, Torts, Unfair Trade Practices, Copyrights, and Remedies.

**Margarita Trevino Balli Coale**  
Associate Professor of Law

J.D. 1999 University of Texas School of Law. M.A. 1994 University of Texas. *Licenciatura* in International Studies, 1990 Universidad de Monterrey, Monterrey, Nuevo Leon, Mexico. Articles editor, *Texas International Law Journal*.

Associate, bankruptcy and financial reorganization section, Weil, Gotshal & Manges, L.L.P.; law clerk, Chief Judge Jerry Buchmeyer, U.S. Northern District of Texas; visiting professor, School of Law & Social Sciences, Universidad de Monterrey. Published in *Texas International Law Journal*, *Connecticut Journal of International Law*, *Boston University International Law Journal*, and *Denver Journal of International Law and Policy*. Twice named as a "Rising Star" in the area of bankruptcy in *Texas Monthly*. Recognized as one of the "best students in Mexico" by President Carlos Salinas.

Courses: Dispute Resolution and International Business Transactions.

**Meredith R. Conway**  
Associate Professor of Law

LL.M. 2003 New York University School of Law. J.D. 1999 Rutgers School of Law. B.A. 1996 Drew University.

Business tax associate, Drinker Biddle & Reath L.L.P. Published in *Pennsylvania Bar Institute*. Member of the American Bar Association Tax Section and the taxation sections of the New York Bar Association, the New Jersey Bar Association, and the Pennsylvania Bar Association.

Courses: Federal Income Taxation, Taxation of Business Entities, and Taxation Procedure.

**Frank W. Elliott**  
Professor of Law

LL.B. with honors 1957 University of Texas School of Law. B.A. 1951 University of Texas. Comments 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, Settlement Advocacy, Texas Pre-trial Procedure, and Texas Trials & Appeals.

**Cynthia L. Fountaine**  
Interim Dean and Professor of Law

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

Visiting professor, Washington & Lee University School of Law; instructor, University of Cincinnati College of Law; associate, O'Melveny & Myers. Published in *Washington University Law Quarterly*, *University of Cincinnati Law Review*, *Michigan Journal of Race & Law*, *American University Law Review*, *University of Pittsburgh Law Review*, *Southern California Law Review*, and *Widener Law Journal*.

Courses: Civil Procedure, Federal Courts, Civil Rights, Complex Litigation, Jury Process Seminar, 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); 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 14 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, International Law, Conflict of Laws, and International Litigation.

#### Jason A. Gillmer

Associate Professor of Law

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

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

**Courses:** Criminal Law, Race & the Law Seminar, 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. Comments 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 Commission's Office of the General Counsel; associate, Van Ness, Feldman, Sutcliffe, Curtis & Levenberg. Published in *University of Chicago Law Review*, *South Texas Law Review*, *New Mexico Law Review*, and *Texas Wesleyan Law Review*. Author, *The Four Faces of Affirmative Action: Fundamental Answers and Actions* (Greenwood Publishing Group, 2001). Received the Paul Tillich Award from his students, 1998; students' award for inaugural publication by a professor of the law school, 1991; teaching excellence awards by students in 1991,

1993 and 1997; and the Law Review Award, 1997.

**Courses:** Administrative Law, Constitutional Law, Employment Discrimination, First Amendment, Jurisprudence Seminar, Labor Law, National Security, Law and Torts.

#### Michael Z. Green

Professor of Law

LL.M. 1999 University of Wisconsin-Madison Law School. J.D. cum laude 1992 Loyola University 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, Florida Coastal School of Law; Hastie Teaching Fellowship, University of Wisconsin Law School; of counsel, associate, Franczek Sullivan P.C.; lecturer, Loyola University Chicago 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*, *Loyola Consumer Law Reporter*, and *Texas Wesleyan Law Review*.

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

#### James Hambleton

Associate Dean for Budget & Planning, Director of Legal Writing and Professor of Law

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 *American Bar Association Journal*, *Texas Bar Journal*, *Arkansas Lawyer*, and *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:** Analysis, Research & Writing.

#### Maxine M. Harrington

Associate Professor of Law

J.D. with high honors 1977 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 *Health Matrix: Journal of Law-Medicine*, *Bulletin of the American Academy of Psychiatry and the Law*, *State Bar of Texas Handbook of Alternative Dispute Resolution*, and *Texas Lawyer*.

**Courses:** Health Law, Torts, Medical Malpractice, and Bioethics and the Law Seminar.

#### Terri Helge

Associate Professor of Law

J.D. summa cum laude 2001 South Texas College of Law. B.S. with highest honors 1994 University of Illinois at Urbana-Champaign. Notes and comments editor and assistant managing editor, *South Texas Law Review*.

Associate, Thompson & Knight, L.L.P.; law clerk, Crady, Jewett & McCulley, L.L.P.; tax manager, Arthur Anderson, L.L.P.

**Course:** Estates & Trusts.

#### Charlotte A. Hughart

Clinical Professor of Law and 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 Practicum and Law Clinic.

#### 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, Kelly & Hubbard; 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:** Analysis, Research & Writing.

#### Jana R. McCreary

Writing Instructor

LL.M. candidate 2005 Southern Methodist University Dedman School of Law. J.D. summa cum laude 2002 Texas Wesleyan University School of Law. B.S. 1989 Texas A&M University. Member, Phi Delta Phi.

Solo staff attorney and briefing attorney, Court of Appeals, 5<sup>th</sup> District of Texas; state of Texas qualified mediator; state of Texas qualified family law mediator; volunteer, Dispute Resolution Services of Tarrant County, Inc.

**Course:** Analysis, Research & Writing and Elements of Legal Studies.

#### James McGrath

Associate Professor of Law

LL.M. 2002 Temple University Beasley School of Law. M.P.H. 2000 Harvard School of Public Health. J.D. cum laude 1997 Howard University School of Law. B.A. 1994 San Jose State University.

Associate and assistant professor, Appalachian School of Law; visiting assistant professor and Abraham L. Freedman Teaching Fellow, Temple University Beasley School of Law; visiting professor, University of San Diego; associate, Shipman & Goodwin L.L.P. Published in *Rutgers Law Review* and *University of San Francisco Law Review*.

**Course:** Torts.

#### Neal F. Newman

Associate Professor of Law

J.D. cum laude 1998 Howard University School of Law. B.B.A. 1991 University of Michigan.

Associate, Alston & Bird, L.L.P.; honors program intern, Securities and Exchange Commission; staff accountant, Robert Half International; audit and tax associate, George Johnson & Company; audit associate, Coopers & Lybrand, L.L.P. Certified public accountant, state of Michigan.

**Courses:** Business Associations, Payment Systems, and Securities Regulation.

#### Reginald Oh

Professor of Law

LL.M. 1998 Georgetown University Law Center.  
J.D. 1995 Boston College Law School. B.A. 1992 Oberlin College.  
Executive editor, *Boston College Third World Law Journal*.

Associate and assistant professor, Appalachian School of Law; visiting assistant professor, Mercer University School of Law; teaching fellow, Stanford Law School; LL.M. teaching fellow and adjunct professor, Georgetown University Law Center; judicial clerk, the Hon. John Dooley, Vermont Supreme Court. Published in *UC Davis Law Review*, *American University Law Review*, *University of Pennsylvania Journal of Constitutional Law*, *Villanova Law Review*, *Temple Political and Civil Rights Law Review*, *Cleveland State Law Review*, *Cardozo Women's Law Journal*, *Michigan Journal of Race & Law*, and *Boston College Third World Law Journal*.

**Courses:** Constitutional Law and Civil Procedure.

#### Huyen Pham

Associate Professor of Law

J.D. cum laude 1996 Harvard Law School. A.B. magna cum laude 1992 Harvard College.

Associate professor, University of Missouri-Columbia School of Law; associate attorney general, Office of the Attorney General, Jefferson City, Missouri; associate, Hill & Barlow; law clerk, Hon. George A. O'Toole, U.S.D.C.; executive board member, Harvard Legal Aid Bureau; summer associate, Coudert Brothers, New York; law clerk, Public Defenders Service, Washington, D.C.; Echoing Green Public Service Fellowship, Philippines. Published in *University of Cincinnati Law Review* and *Florida State University Law Review*.

**Courses:** Immigration Law and Criminal Law.

#### Susan T. Phillips

Associate Dean, Director of the Dee J. Kelly Law Library, and Professor of Law

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 Dee J. Kelly 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 ALWD Citation Manual* (7<sup>th</sup> ed. 2001), and *Legal Research Exercises, Following the Bluebook: A Uniform System of Citation* (7<sup>th</sup> ed. 2001) (8<sup>th</sup> ed. 2003) (9<sup>th</sup> ed. 2005).

**Course:** Legal Research Practicum.

#### Vickie Rainwater

Associate Dean for Academic Affairs, Director of Legal Writing, and Professor of Law

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, 2000-01 and 2003-04 Legal Writing Instructor of the Year.

**Courses:** Analysis, Research & Writing and Legal Writing Practicum.

#### 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. Elected Outstanding Upper Division Professor (2000-01, 2001-02 and 2002-03); received the Trustees Award for Distinguished Scholarship, 1992. Published in *Georgia Law Review*, *Texas Wesleyan Law Review*, and *Washington Law Review*.

**Courses:** Constitutional Law, Criminal Law Practicum, Evidence, First Amendment, and Supreme Court Seminar.

#### 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 in *Brigham Young University Law Review*, *Yale Journal of Law & Feminism*, *Northwestern University Law Review*, *Texas Wesleyan Law Review*, *Voice for the Defense*, and *American Journal of Criminal Law*.

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



**Aric K. Short**

Associate Professor of Law

J.D. with honors 1996 University of Texas School of Law. A.B. 1993 magna cum laude Georgetown University. Associate editor, *Texas Law Review*. Member, Order of the Coif.

Associate, Vinson & Elkins L.L.P.; associate, Wilmer, Cutler & Pickering. Published in *New York University Journal of International Law and Politics*. 1L Day and Evening Professor of the Year 2004-05; 1L Day Professor of the Year 2005-06.

Courses: Environmental Law, Religion & the Law Seminar, Property, and Water Law.

**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.

Law clerk, 2<sup>nd</sup> Court of Appeals of Texas; law clerk, Federal Magistrate Judge Charles Bleil; 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: Analysis, Research & Writing.

**Frederick G. Slabach**

Dean Emeritus and 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*.

Executive secretary and chief executive officer, Harry S. Truman Scholarship Foundation; Vice dean and professor, Florida Coastal School of Law; interim dean and associate professor, 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. Author, *The Constitution and Campaign Finance Reform* (Carolina Academic Press, 2<sup>nd</sup> ed. 2005). Published numerous articles in various law journals,

including *Cincinnati Law Review* and the *Mississippi Law Journal*.

Course: Professional Responsibility.

**Franklin G. Snyder**

Professor of Law

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 professor, Notre Dame Law School; 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*, *American University Law Review*, *Delaware Journal of Corporate Law*, *Texas Wesleyan Law Review*, *Missouri Law Review*, and Alfred Hitchcock's *Mystery Magazine*. Member, executive committee of the Contracts Section of the AALS; editor-in-chief, *AALS Contracts Newsletter*; co-editor, *ContractsProf Blog*, AALS Section on Contracts.

Courses: Business Associations, Contracts, Corporate Governance, and Sales & Leases.

**Neil Sobol**

Writing Instructor

J.D. cum laude 1988 Southern Methodist University School of Law. M.A. with distinction 1985 Stanford University. B.A. 1985 Stanford University. Notes and comments editor, *Southwestern Law Journal*. Member, Order of the Coif.

Partner, Thomas & Sobol; of counsel, Roberts & Smaby, P.C.; associate, McCauley, McDonald, Love & Devin, P.C.; associate, Locke Purnell Rain Harrell. Voted Outstanding 1L Night Writing Professor of the Year 2001-02, 2003-04; Voted 1L Writing Professor of the Year 2005-06.

Course: Analysis, Research & Writing.

**Joe Spurlock II**

Professor of Law and Director of the Asian Judicial Institute

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 Gov. Dolph Briscoe; member, Texas Legislature; assistant criminal district attorney, Tarrant County district attorney's office; president, Texas Judicial Council. Voted Adjunct Professor of the Year for 1990-91 and 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, Payment Systems, and Family Law and Appellate practicums.

#### Law School Administrators

##### 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.

##### Angela M. Crowley, Ph.D.

Assistant Dean for Advancement

Ph.D. 2001 University of California, Irvine; M.A. 1993 University of California, Irvine; B.A. 1988 University of California, Irvine.

Director, major gifts, Habitat for Humanity International; major gifts officer, McGill University; community relations director, Project Independence. Fulbright Scholar (Sweden) and member of the research staff collegium, Stockholm International Peace Research Institute; lecturer, sociology department, University of California, Irvine.

##### Lynda L. Culver

Director of Admissions

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

Assistant Dean for Career Services

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

Adjunct professor of law, Texas Wesleyan University School of Law; assistant criminal district attorney, Galveston County criminal district attorney's office, Galveston, Texas; felony prosecutor, 212th judicial district court, Galveston, Texas; misdemeanor prosecutor, county court at law No. 1, Galveston, Texas; bond forfeiture prosecutor, county court at law No. 1, Galveston, Texas; law admissions associate, Ohio Northern University Pettit College of Law; associate justice, moot court executive board, Ohio Northern University Pettit College of Law; Order of Barristers.

##### 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

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

Assistant Dean for Marketing and Communications

MBA 2004 Texas Wesleyan University. B.S. 1993 University of North Texas. Texas Teacher Certification in English 1997 Tarleton State University. Member, Sigma Beta Delta, International Business Honor Society.

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).

#### Law School Administrative Offices

##### Academic Affairs

Vickie Rainwater, associate dean

##### Admissions

Lynda C. Culver, director

##### Administration

Rita O'Donald, director

##### Budgeting & Planning

James Hambleton, associate dean

##### Business Office

Carolyn Hiebert, business manager

##### Career Services

Arturo Errisuriz, assistant dean

##### Dean

Cynthia L. Fountaine, interim dean

##### Development

Angela M. Crowley, Ph.D., assistant dean

##### Financial Aid

Doug Akins, 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, assistant dean

##### Registration and Records

Rene Newsome, registrar

##### Student Affairs

Patti Gearhart Turner, assistant dean

##### University Officers

Dr. Harold G. Jeffcoat, president

Dr. Allen Henderson, provost and senior vice president

William Bleibdrey, senior vice president for finance and administration

Gary Cumbie, vice president for advancement

Patti Alexander, vice president for enrollment and student services ■

# 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 legal scholarship on issues of interest to academicians, practitioners, and law students. *Law Review* is published by student editors with faculty cooperation. Participation is limited to those who meet academic requirements and those who are selected through a writing competition.

## 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 affecting legal education, and creates a forum for law student views.

### *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 Trial Lawyers of America*

ATLA promotes justice and fairness for injured persons, safeguards victims' rights — particularly the right to trial by jury — and strengthens the civil justice system through education and disclosure of information critical to public health and safety.

### *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 Association of Young Lawyers*

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 that promotes justice and seeks to provide professional and social programs for students and alumni in order to "bridge the gap" to successfully practicing law.

### *Family Law Student Association*

Brings together students who are interested in learning about the field of family law. Sponsors speakers and events to promote awareness of family law issues and career opportunities, and serves as a source for family law information to both the law school community and the local community.

### *Federalist Society*

The Federalist Society for law and public policy studies is an organization of conservatives and libertarians interested in the current state of the legal order. It is founded on the principles that the state exists to preserve freedom. The separation of governmental powers is central to the Constitution. It is emphatically the province and duty of the judiciary to say what the law is, not what it should be.

### *Health Law Society*

Promotes an understanding of health law issues and career opportunities while facilitating relationships between current and prospective health law professionals.

### *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.

*Longhorn Society*

Promotes the spirit of the University of Texas alumni in the legal community.

*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 to students involved in moot court and mock trial competitions.

*Order of Themis*

Provides services to promote the law school, advance the community, and perpetuate general fellowship within the organization.

*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.

*Sports & Entertainment Law Society*

Promotes and encourages academic and professional involvement in the area of sports and entertainment law.

*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 Bar Association/Law Student Division*

Provides opportunities for law students to engage in activities of the Tarrant County Bar, to receive bar-related information, and to participate in various bar functions and events.

*Tarrant County Trial Lawyers Association/Law Student Division*

The TCTLA is an organization of over 175 local trial lawyers dedicated to the right of trial by jury and the civil justice system. Student members are invited to participate in monthly lunch meetings and periodic social events. TCTLA offers a mentoring program that places interested students with individual mentors and small resource groups. Students also may find clerking and employment opportunities as well as scholarships through the TCTLA.

*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.

*Texas Aggie Legal Society*

Promotes the spirit of Texas A&M University alumni in the legal community.

*Texas Wesleyan Law Fellowship*

Strengthens the legal scholarship of law students while providing support to public interest organizations that cannot afford the internship support they need. The organization provides summer stipends to law students who wish to explore opportunities in the public service environment.

*Texas Wesleyan School of Law Rugby Football Club*

Promotes the fun and camaraderie of rugby. Also supports the law school through volunteer work and good sportsmanship for both playing and non-playing members alike.

*Wesleyan Innocence Project*

Provides *pro bono* legal assistance to factually innocent prisoners who have been convicted of serious crimes in the state of Texas. WIP works in conjunction with a faculty sponsor and under the direction of a local criminal defense attorney. WIP also provides training for Wesleyan law students in case investigation and analysis, and educates the student body about the realities of wrongful convictions in the Texas criminal justice system.

*Wesleyan Law Gay-Straight Student Alliance*

Dedicated to being a supportive and educational organization by fostering awareness of LGBT issues, concerns and contributions within the law school and legal communities. We strive to achieve this through

guest speakers, political activism and social events. Membership is open to all individuals regardless of sexual orientation.

#### *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 Fellowship*

Strengthens the legal scholarship of law students while providing support to public interest organizations that cannot afford the internship support they need. The organization provides summer stipends to law students who wish to explore opportunities in the public service environment.

#### *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 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.

#### *Wesleyan Student Trial Advocacy Association*

Promotes the principles of the Association of Trial Lawyers of America by establishing, empowering and unifying students with an interest in trial advocacy at Texas Wesleyan University School of Law.

#### **Children in the Law School Policy**

Periodically the law school will offer or sponsor a program allowing children, of the appropriate age, to attend class with their parents. On these special occasions, minor children are invited to the law school to participate with appropriate parental supervision.

Apart from those special occasions, students may bring children to law school classes only on an exceptional and temporary basis and only with the prior approval of the instructor.

Texas Wesleyan School of Law seeks to ensure the safety of all children on the campus and, to provide an environment that is conducive to study. Therefore, parents should take caution to ensure that children are supervised at all times.

#### **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 and Commencement Ceremony. During the Hoarding and Commencement Ceremony, the law school dean presents candidates with their academic hoods and the University president confers the degrees.

#### **Law School Bookstore**

The law school bookstore is located on the second floor of the law school. In addition to required textbooks, it offers 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 is 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 located in the Sid W. Richardson Center on the main campus, provides for most routine health needs of the University community. A registered nurse operates the center and administers first aid, provides treatment of minor illness and is available for counseling regarding personal health needs. Nominal fees are charged for some services and supplies. ■



# the law library

The primary mission of the Texas Wesleyan University Dee J. Kelly Law Library is to provide access to support the educational, instructional, curricular and research needs of the faculty, students and staff of the law school. The Dee J. Kelly Law Library will be the Wesleyan law student's "lab" during his/her law school career. It is in the law library where students will learn the tools of the trade: where to find and how to use the law sources that will be applied in legal dispute resolution.

## Library Resources

Legal information storage, access and delivery encompass various media including paper, microform and electronic formats. The Dee J. Kelly Law Library's collection is comprised of these various formats so students may become familiar with each medium to better prepare for the practice of law. In addition to its law book collection, the library subscribes to major online legal research services. Students will have access to these electronic services from their home computers after completing training.

The library also permits authorized users access to various legal and non-legal internet information services through its proxy server, expanding the access to information beyond the library walls. Complementing book and electronic sources is an extensive collection of congressional documents available on microfiche, including the *Nineteenth and Twentieth Century Treatises*, *AALS Law Books Recommended for Libraries*, and federal legislative documents since 1970.

## Library Staff

The law librarians will help educate the students in using the library's resources efficiently. Most of the law librarians have juris doctor degrees and all full-time librarians have earned a master's degree in library science.

The Dee J. Kelly 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

### 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 and Public Services Librarian

J.D. 2003 Texas Wesleyan University School of Law. M.L.I.S. 1996 University of Michigan. B.A. 1993 University of Michigan.

Public services librarian, Texas Wesleyan University Dee J. Kelly Law Library; adjunct professor, Texas Wesleyan University School of Law. Published the "Professional Readings" column in the *DALL Advance Sheet* (1997-2003). Published in the *Tarrant County Bar Association Bulletin*.

### Stephanie K. Marshall

Faculty Services Librarian and Assistant Professor of Law

M.L.S. 2004 Texas Woman's University. J.D. 2000 Texas Wesleyan University School of Law. B.A. 1997 University of Texas at Tyler.

Electronic services librarian, Indiana University School of Law; general counsel, Knowles Publishing, Inc.

### Susan T. Phillips

Associate Dean, Director of the Dee J. Kelly Law Library, and Professor of Law

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 Dee J. Kelly 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 ALWD Citation Manual* (7<sup>th</sup> ed. 2001), and *Legal Research Exercises, Following the Bluebook: A Uniform System of Citation* (7<sup>th</sup> ed. 2001) (8<sup>th</sup> ed. 2003) (9<sup>th</sup> ed. 2005).

#### **Joan Stringfellow**

Head of Technical & Electronic Services

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

Law librarianship program of study as part of the master of science (2002). Co-presented "Can You Vouch for Me? How to Request and Give Employee Job References" at the Southwestern Association of Law Libraries annual meeting, April 2003.

#### **Karin Strohbeck**

Circulation Librarian

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

Evening access services librarian, Texas Wesleyan University Dee J. Kelly Law Library (2001-03); archivist/librarian assistant, Amon Carter Museum (1993-2003); project archivist, Eliot Porter Papers; Roman Bronze Works Archives, Getty Grant Program; law librarian, Cantey & Hanger, LLP. (1987-1996).

#### **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 Dee J. Kelly Law Library (1996-98); adjunct professor, Texas Wesleyan University School of Law. Published "Conflict of Laws," 56 *SMU L. Rev.* 1283 (2003, with Professor James P. George); "Conflict of Laws," 57 *SMU L. Rev.* (2004, with Professor James P. George); "Conflicts of Laws," 58 *SMU L. Rev.* 679 (2005, with Professor James P. George). ■



## career services

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**T**he Office of Career Services at Texas Wesleyan University School of Law provides students and alumni with career development 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.

Our philosophy is that virtually all students seeking a job can find one, and we can teach a student how to do so. We begin meeting students during orientation and establish real relationships during the 1L Career Week in November of each year. Those relationships last throughout the students' internships, externships, interviewing for full-time jobs and receiving and accepting job offers. We are there for our students, providing resources, expertise and practical tools throughout their careers as students and as alumni.

### Tools

The Office of Career Services teaches students the tools they need to find jobs. Those tools are made available to students through voluntary seminars – both regularly scheduled and specially planned during the day and evening – to instruct students on the proper methods of deciding what they want to do, of exploring career opportunities, and of practically going after and getting a job. Presented by the career services staff or by an attorney from outside the law school, the seminars provide an invaluable opportunity for students to learn techniques for maximizing their job choices, as well as to learn about what it is like to practice a particular area of law. Running the gamut from helping students write cover letters that will actually be read to learning what to say and what not to say during an interview, the seminars provide students with the tools to get the jobs they want.

### Personal Counseling

Individuals are encouraged to talk to the career services experts on a one-on-one basis after attending the seminars. Each student is unique and it is only through discussion that the student and career service professional can create a career strategy specially

designed for that student. Texas Wesleyan offers students the opportunity to obtain valuable expert advice for the student's specific situation. The assistant dean and assistant director of career services are both experienced lawyers, knowledgeable about the variety of practice settings available, as well as about the tools needed to get the job once an area of interest is chosen. The aptitudes and goals of the individual student are central to deciding upon the best career options, and to developing a strategy that will work.

### Career Resource Library

The Office of 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. In addition, we receive job bulletins from law schools across the United States and subscribe to important legal periodicals. As part of the library, computers, a laser printer and fax are provided so that students may produce professional résumés and cover letters.

### Online Job Bank

Our office maintains an extensive list of specific job openings on our web site, including paid and unpaid internships and clerkships for students, and full-time attorney positions for graduates. In addition, the office posts announcements for other opportunities, such as contract positions, research assistantships, special projects, and non-traditional 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 ways for students to get summer clerking positions as well as full-time jobs following law school.

### 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 (and received jobs through) the Texas in Washington Recruitment Program, Public Interest Job Fair, Patent Law Interview Program, as well as 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.

#### **Hours**

The office is open from 8:30 a.m. to 6 p.m. or later. The office staff encourages students to come in and talk about jobs with staff and other students. Students can schedule appointments at times convenient to them, or, if a staff member is available, the student can meet with that staff member right away. Evening or weekend appointments are available for students who have difficult schedules.

#### **Texas Wesleyan University Non-Discrimination Policy and Military on Campus Recruiting**

Texas Wesleyan University School of Law is committed to ensuring equal opportunity for all its students and alumni and is committed to a policy against discrimination in employment based on race, color, national origin, religion, sex, sexual orientation, age, veteran status, or disability. The facilities of the career services office may be denied to employers whose conduct contravenes this policy. Employers who use campus facilities or post jobs on the law school web site must agree to comply with this non-discrimination policy. Students may file complaints against an employer who asks discriminatory questions in any program or activity sponsored or conducted at the law school.

The U.S. Armed Forces and JAG violate the law school's non-discrimination policy in their hiring practices. In compliance with the American Association of Law School's rules, employers who violate this law school's non-discrimination policy are normally denied access to law school facilities. Under the threat of the withdrawal of federal funds to this university posed by federal law under the 'Solomon Amendment,' the law school makes a limited exception for the U.S. Armed Forces and JAG to recruit on law school premises.

#### **Additional Information**

If you are interested in services offered by the Office of Career Services at Texas Wesleyan University School of Law, call 800.733.9529 ext. 4050 or e-mail [jbarnes@law.txwes.edu](mailto:jbarnes@law.txwes.edu) or [ckey@law.txwes.edu](mailto:ckey@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.

## Costs

The School of Law operates on a block tuition policy. Tuition and general fees vary by course load. For 2006-07, the tuition schedule is as follows:

- 13-16 hours - \$10,530
- 9-12 hours - \$7,515
- 8 hours and below - \$715 per hour
- Application fee - \$55
- Late registration fee - \$25
- Graduation fee - \$100
- Other fees - \$300 per semester; \$150 per summer term

Thus, a first-year full-time program of 31 hours (16 hours in the fall term, 15 hours in the spring term) would cost \$21,660 (including fees); a first-year part-time program of 19 hours (10 hours in the fall term, nine hours in the spring term) would cost \$15,630 (including fees). Students can expect tuition and fees to increase during law school attendance.

## Scholarships

Texas Wesleyan University School of Law is committed to helping students finance their legal education by offering numerous scholarship awards each year. Academic achievement, aptitude, and professional promise are among the factors considered by our scholarship committee when making a scholarship offer.

It is not necessary to complete a separate scholarship application to be considered. Admitted students are automatically considered for scholarships, and awarded students are notified by mail together with or soon after an offer of admission. Scholarship award amounts vary, and scholarship awards are renewable each year subject to academic performance criteria. Students entering without a scholarship may receive a scholarship based on outstanding law school performance after the first year.

All scholarship award offers are based on availability. For additional scholarship information, including

scholarship award amounts and scholarship requirements, please contact the admissions office at 800.733.9529.

## Employment Opportunities

For a limited number of students, university employment is available in the law library, the bookstore, and with various professors as research assistants. These positions are subject to an application and interview process. Students may obtain additional information from the library or the student services office.

## Grants

A Tuition Equalization Grant is a state grant providing funds to Texas residents who are enrolled full time and 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 2006-07 of \$3,444 per year for full-time enrollment. Awards are made on a first-come, first-served basis and are contingent on appropriation of grant funds by the Texas Legislature.

## Loans

**Federal Stafford Loans:** These loans are federally guaranteed, fixed 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, increasing to \$20,500 after July 1, 2007. 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. The standard repayment term for these loans is 10 years, though lenders can offer extended repayment terms up to 25 years if needed. These loans may



be included in a federal consolidation loan after the student is out of school. Depending on the student's total debt, the consolidation loan repayment term can be up to 30 years.

**Graduate PLUS Loans:** These loans are also federally guaranteed, fixed interest loans. Standard repayment begins after the loan is fully disbursed, but these loans can be deferred while in school at the student's request. Lenders can grant forbearance to align entry into repayment with Federal Stafford Loans. Graduate PLUS Loans can be obtained by the student as borrower for cost of attendance, less other aid, with no aggregate limit. The borrower must meet credit criteria. Although a credit score is not used to determine eligibility, the student borrower must not have adverse credit as defined in federal regulations. If the student borrower does not qualify for credit approval, an endorser may be obtained to achieve approval.

**College Access Loans:** College Access Loans 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 Federal Stafford Loan limits within the university-designated cost of attendance. A credit worthy co-signer is required. The interest rate is currently fixed at 5.25 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 creditworthiness 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 Preparation Loans are available from a variety of lenders and are based on creditworthiness of the student. Some lenders may permit or encourage co-signers for approval. More information is available from the financial aid office.

#### Process

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) for further instructions and helpful links to financial aid-related web sites.

**Free Application for Federal Student Aid (FAFSA):** The FAFSA is required to establish eligibility for federal loans and the Tuition Equalization Grant. 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 made available electronically 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 from the Department of Education.

Priority will be given to students who have both the FAFSA results and any additional documents needed to determine their eligibility on file by April 1.

The FAFSA data is used for qualification for all need-based aid. Upon receipt of the FAFSA results, we will review each student's financial aid application file. We will contact you if additional documents are needed.

Once a file is complete, the results of the FAFSA and other documents will be reviewed to determine eligibility for aid. An award notice will be mailed to a new student or made available online to continuing students. The student must read and follow the accompanying instructions carefully to accept award offers and put aid funds in place.

If a student is eligible to receive a Federal Stafford Loan, information will be provided with the award notice referring the student to the university web site for further instructions on the loan application process. Loan processing may require two to three weeks after loan eligibility is determined.

Loan refunds are released to the student account after the start of the semester. First-time loan borrowers must complete a federally required loan entrance counseling session before release of funds. This is generally included as a step in the online loan activation process after receipt of the award notice.

Qualified personnel are also available to answer questions during 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 provided in this manual which is available free of charge from the student services office.

#### For More Information

For more information on financial aid, contact the Office of Financial Aid/Texas Wesleyan University School of Law at 1515 Commerce Street, Fort Worth, Texas 76102 or call 817.212.4090 or 800.733.9529 ext. 4090 or email [dakins@law.txwes.edu](mailto:dakins@law.txwes.edu). You can also access our web site at [www.law.txwes.edu](http://www.law.txwes.edu) for more information. ■



# unified sexual harassment 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, and 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. 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 assistant 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 2006**

First-Year Orientation | August 17-19  
Classes Begin | August 21  
Labor Day | September 4  
Thanksgiving Break | November 22-24  
Classes End | November 30  
Exam Period | December 4-14  
Hooding & Commencement  
Ceremony | December 15

## **Spring Term 2007**

Classes Begin | January 8  
M.L. King Day | January 15  
Spring Break | March 12-16  
Good Friday | April 6  
Classes End | April 24  
Exam Period | April 30-May 10  
Hooding & Commencement  
Ceremony | May 11

## **Summer Term 2007**

Classes Begin | May 21  
Memorial Day | May 28  
Independence Day | July 4  
Classes End | July 10  
Exam Period | July 12-13



Notes:

# policies and procedures for students with disabilities

This document outlines the policies and procedures for students with disabilities. It covers the following areas:

- Admission and Enrollment
- Classroom Management
- Instruction and Assessment
- Behavior Management
- Physical Access
- Transportation
- Extracurricular Activities
- Complaints and Grievances

The purpose of these policies is to ensure that all students have an equal opportunity to learn and succeed in our schools. These policies are based on the Individuals with Disabilities Education Act (IDEA) and other federal and state laws.

For more information, please contact the Special Education Department at [phone number] or visit our website at [website address].

Notes:





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