

**UNIVERSITY OF THE PACIFIC
McGEORGE SCHOOL OF LAW**

**MASTER OF LAWS
GRADING AND GRADUATION POLICIES
RULES, REGULATIONS AND PROCEDURES**

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CONTENTS

SECTION	SUBJECT
100	Introduction
200	Courses
300	Withdrawal
400	Attendance, Preparation & Participation
500	Examinations
600	Grades and Grading
700	Graduation Requirements
800	Repeating Courses
900	Work Taken at Other Law Schools
1000	Amendment & Reservation of Powers
1100	Procedural Rules

100. INTRODUCTION

All Master of Laws (“LL.M.”) candidates are responsible for knowing and understanding these rules, regulations, and procedures. Failure to be familiar with these regulations does not excuse a student from the obligation to comply.

Although every effort has been made to ensure the accuracy and completeness of these regulations, students are advised that the information contained in this document is subject to change. The Law School reserves the right to modify or change the curriculum, admission standards, course content, degree requirements, regulations, tuition or fees at any time without prior notice. The information in these regulations is not to be regarded as something that creates a binding contract between the student and the school. (added 3/31/16)

101. Authority

The Graduate Studies Committee (“the Committee”) is the body duly authorized by the Faculty and Administration of McGeorge School of Law, University of the Pacific (“McGeorge”), to study, develop, adopt and apply rules, regulations and procedures pertaining to course requirements, examinations, grading, graduation, and related matters as these matters particularly apply to Master of Laws (“LL.M.”) students. The Grading and Advancement Committee implements grading policies affecting Juris Doctor candidates and shall exercise authority over LL.M. students as provided for herein. (See section 400 & 500) (amended 11/16/12, 3/31/16)

102. Membership

The Graduate Studies Committee shall consist of a minimum of five faculty members, two alternate faculty members, and three student members.

- a. The three student members, one each from the M.P.P or M.P.A., LL.M and M.S.L program, shall be selected by the McGeorge School of Law’s Director of Graduate Programs.
- b. Student members of the Graduate Studies Committee shall participate in Committee meetings and vote on general policy considerations. However, they shall not be present when petitions or other matters regarding individual students are being considered.
- c. Regular and alternate faculty members shall be appointed by the Dean from among the voting members of the faculty of the School of Law. Alternate faculty members shall serve, in rotation, in the place of any regular faculty member who is unable to attend an Executive Meeting of the Committee, as defined in Rule 1001. If fewer than five regular faculty members and alternate faculty members are available for a scheduled Executive Meeting, the Dean shall appoint a sufficient number of temporary members from among the voting members of the faculty to achieve a faculty membership of five. References in these rules to

members of the Graduate Studies Committee include alternate and temporary members during the time they are serving in the place of any regular faculty member. (Adopted –03/09/17)

103. Scope and Definitions

The rules, regulations and procedures contained in this document are intended to serve as a supplement to the official catalog of the law school and the Grading and Advancement Committee rules referred to herein. This principle applies both to residential and online programs, and online programs are considered to be offered by the Sacramento McGeorge campus for purposes of these rules, except where a rule provides otherwise. As used herein:

- a. “LL.M. student” refers to a student who has already received a juris doctor degree or a comparable first professional degree in law and is currently enrolled in an LL.M. program offered by McGeorge.
- b. “Graduate work” refers to course work undertaken for academic credit while enrolled as an LL.M. student in a program offered by McGeorge .

(amended 11/16/12, 3/31/16, 08/22/18)

104. Petitions

Any LL.M. student who is affected adversely by the application of these rules may file, in the Office of the Director of Graduate and International Programs, a written petition for relief setting forth the nature of the request and the applicable rule, and the reasons why it should be granted.

- a. Written petitions must be filed within fifteen (15) days of notice of the application of the rule from which the student seeks relief.
- b. No specific format is required for a student petition, the substance being more important than the form.
- c. The Committee shall consider the written petition and grant, modify, or deny the relief requested.
- d. The Committee shall be the final decision-making body in matters concerning LL.M. student petitions.

(amended 11/16/12, 3/31/16, 3/9/17)

105. Personal Appearances

Any LL.M. student submitting a petition to the Committee pursuant to Section 104 shall have the right to appear personally before the Committee. Such personal appearance by the

individual petitioner shall be limited to the purpose of informing the members of any new facts that have a significant and substantial bearing upon the issue before the Committee or to answer any questions which the members may have relevant to the issue before the Committee.

Personal appearances may be made by attending the meeting in person, or by attending via Skype, Webex, or similar technology.

In no event shall any inference, either adverse or beneficial, be drawn from an individual petitioner's decision to forego a personal appearance in support of his or her petition (amended 11/16/12, 3/31/16, 3/9/17)

106. Reconsideration

A student may file a petition for reconsideration of the Committee's decision. Such petitions shall be filed within 15 calendar days from the date of notice of the decision on the underlying petition. Upon the filing of a student's written petition for reconsideration, the Committee, by majority vote, may reconsider its decision in any matter previously decided. A petition for reconsideration shall be limited to a written statement of any new matter that has arisen or has come to the petitioner's attention subsequent to the original petition. In no event, however, shall the Committee reconsider the same matter more than once, nor shall a denial of a petition for reconsideration be subject to further reconsideration. Whenever the Committee elects to reconsider a decision, the student requesting reconsideration shall not be entitled to appear personally before the Committee. The composition of the Committee when considering a petition for reconsideration shall, to the extent practicable, be the same as when it decided the original petition. (Adopted- 03/09/17)

107. Ex Parte Communications

Students are encouraged to seek academic advice from members of the faculty, and members of the faculty are encouraged to provide such advice to the extent that it is consistent with their other obligations. Faculty members of the Graduate Studies Committee must be cautious that such academic advice efforts do not impair their ability to bring independent judgment to matters that come before the Committee.

- a. Where any member of the Committee believes that his or her independence of judgment (or the appearance thereof) has been impaired, the member should not participate in the Committee discussion or decision of any petition that may be so affected.
- b. Except as provided herein, a student and any voting faculty member of the Graduate Studies Committee must not discuss with each other any petition that a student has filed, intends to file, or is considering filing under these rules.
- c. Students desiring information about the petitioning process should confer with the Director of Graduate Programs. A student may also discuss Graduate Studies Committee rules and procedures with the Chairperson of the Committee.

- d. This rule does not impair any student's right to appear personally before the Committee upon request pursuant to Rule 105. (Adopted- 03/09/17)

200. COURSES

201. Required Courses

The McGeorge School of Law website lists required and elective courses for candidates for the Master of Laws degree. All required courses shall be taken on a graded basis.

202. Electives

Elective courses to fulfill the unit requirements for the LL.M. degree must be selected from the approved list of graduate elective courses for that degree, or be approved by the Director of Graduate and International Programs or his/her designee. Elective courses may be either "graded" or "honors/pass/low pass/unsatisfactory/fail," and are further described in the Grading and Advancement Committee Rules. (amended 11/16/12, 3/31/16)

203. Auditing Courses

Degree seeking students may not audit courses. (amended 11/16/12, 3/31/16, 3/09/17)

204. Graduation Credit

Of the 24 semester units required for graduation, candidates for the LL.M. degree must earn no less than 14 semester units in graded courses. (amended 11/16/12, 3/31/16)

205. Maximum Time for Completion of Degree/Minimum Course Load

Candidates for the LL.M. degree must complete degree requirements in three (3) consecutive years from the date they begin graduate law studies. Upon petition filed under section 104, this period may be extended for good cause. There is no minimum course load during any academic period. (amended 11/16/12)

300. WITHDRAWAL

301. Withdrawal from a Course

After the add/drop deadline has passed (but prior to the end of the last day of class), requests to drop courses must be made to the Director of the program or his/her designee. Requests are normally approved only if the student demonstrates some special situation or hardship. A course that a student is allowed to drop after the deadline appears on the student's transcript with the notation "W" but does not count in the units earned or in the calculation of the grade point average.

Tuition and fee refunds, if any, are based on the date the student submitted the request.
(amended 3/31/16)

302. Leave of Absence and Withdrawal from McGeorge

Students who intend to request a leave of absence for up to two semesters or to withdraw from the degree program have to initiate the process with the program director. The date used by Financial Aid for Return in the return of Title IV Aid calculation and the effective date used by the Business Office for tuition refunds, if any, is based on the date of request to the program director.

Courses the student was registered for after the last day to add/drop appear on that student's transcript with the notation "W" but do not count in the units earned or in the calculation of the grade point average.

If the student has not been enrolled for more than two semesters at McGeorge and wishes to return, he/she must apply for re-admission.

All rights and privileges offered to currently enrolled students are terminated upon the effective date of the withdrawal or leave of absence.

400. ATTENDANCE, PREPARATION & PARTICIPATION (amended 11/16/12, 3/9/17)

401. Attendance, preparation and participation are governed by Grading and Advancement Rules for the JD program sections 300, et seq., except as otherwise provided herein. All appeals by LL.M students regarding matters covered in the 300 section of the Grading and Advancement Rules shall be heard by the Grading and Advancement Committee.

500. EXAMINATIONS

501. LAW Courses

For LAW courses, examinations will be administered as provided for in the then current rules of the Grading and Advancement Committee for the J.D. program, with the exception of rule 407 and 410 that do not apply to online courses. (See sections 401, et seq.) (adopted 3/9/17)

502. PUB Courses

For PUB courses, examinations will be administered as provided for in the then current MSL, MPP, MPA Grading and Advancement Rules. (See sections 501, et seq.) (adopted 3/9/17)

503. Additional Time on and Use of Dictionary during Assessments and Examinations

A candidate for the Master of Laws or the Doctor of Juridical Science degree who received her or his first law degree outside of the United States is entitled to receive time and one half on, and to use an English dictionary provided by McGeorge during, each proctored essay and multiple choice assessment or examination for which less time than 4 hours has been allotted and that constitutes more than 5% of the final grade. (amended 09/26/2016)

600. GRADES AND GRADING

601. Procedures

Grades and grading are governed by Grading and Advancement Rules for the JD program sections 501, et seq., except as otherwise provided herein. All appeals by LL.M students regarding matters covered in the 500 section of the Grading and Advancement Rules shall be heard by the Grading and Advancement Committee. (amended 11/16/12, 3/31/16)

700. GRADUATION REQUIREMENTS

701. Cumulative GPA

“Cumulative GPA” is the grade point average for all graduate work undertaken at the School of Law computed as provided in the Grading and Advancement Rules.

702. Graduation Requirements

A candidate for the Master of Laws degree must obtain passing grades in each of the courses designated as a required course in the Master of Laws program within the time prescribed in Section 205. The minimum cumulative grade point average required for conferral of a Master of Laws degree is 2.33. This grade point average must be achieved at the end of the semester or other academic period in which the first 24 earned units of graduate work are completed. (revised 4/2006, 4/2011)

703. Applying Credits Earned for the J.D. Degree toward LL.M. Degree

J.D. units earned at McGeorge School of Law in excess of the minimum required to earn the J.D. degree may be applied toward the LL.M. degree if the J.D. course meets the LL.M. curricular degree requirements, and if the student received a grade of C+ or higher. When J.D. credit is granted, both the units and the grade will be transferred for courses offered by the Sacramento McGeorge campus, whereas only the units, but not the grade, will be credited for courses not offered by the Sacramento McGeorge campus, including courses in the McGeorge Summer Abroad Programs. (adopted 11/16/12) (amended 3/31/16)

704. Applying Credits Earned for the J.D. Degree toward Fast-Track LL.M. in Water and Environmental Law Degree

Up to 12 J.D. units earned at McGeorge School of Law may be applied toward the LL.M. in Water and Environmental Law degree if the J.D. course meets the LL.M. curricular degree

requirements, and if the student received a grade of C+ or higher. When J.D. credit is granted, both the units and the grades will be transferred for the courses offered by the Sacramento McGeorge campus. For courses not offered by the Sacramento McGeorge campus or courses in the McGeorge Summer Abroad Programs, only the units will be credited. This rule cannot be combined with rule 703. (Adopted 11/17/16)

705. Applying Credits Earned as an Exchange Student at McGeorge toward LL.M. Degree

Units earned in a course offered by the McGeorge Sacramento campus as an exchange student may be applied toward the LL.M. degree if the courses meet the LL.M. curricular degree requirements, and if the student received a grade of C+ or higher. When credit is granted, both the units and the grade will be transferred for courses offered by the Sacramento McGeorge campus, whereas only the units, but not the grade, will be credited for courses not offered by the Sacramento McGeorge campus, including courses in the McGeorge Summer Abroad Programs. (added 3/31/16)

706. Applying Credits Earned as a Visiting Student in McGeorge Summer Abroad Programs toward LL.M. Degree

Units earned in one of the McGeorge Summer Abroad Programs may be applied toward the LL.M. degree if the courses meet the LL.M. curricular degree requirements, and if the student received a grade of C+ or higher. When credit is granted, only the units, and not the grade, will be credited. (added 3/31/16)

707. Failure to Satisfy Graduation Requirements - Academic Probation

A candidate for the Master of Laws degree must achieve a minimum cumulative GPA of 2.33 upon completion of 24 units. An LL.M student whose cumulative GPA falls within the range from 2.180 through and including 2.324 after meeting the 24 unit requirement may continue enrollment through the end of the next semester on academic probation. During the probationary period, an LL.M. student must enroll in a minimum of nine units and a maximum of 12 units. Successful completion of probation requires achievement of a cumulative GPA of 2.33 at the end of the probationary semester. No student may repeat probationary status. (amended 11/16/12, 3/31/16)

708. Academic Disqualification

An LL.M. student whose cumulative GPA is below 2.18 after meeting the 24 unit requirement is automatically disqualified and may not re-enroll. (added 11/16/12) (amended 3/31/16)

800. REPEATING COURSES

801. Repeat of Courses

A candidate for the LL.M. degree who receives a grade of “C” or lower in a course may repeat the course once. The original grade shall remain on the transcript, but once the course has been repeated, only the repeat grade, even if lower than the original grade, will be counted for GPA purposes and the student’s transcript will include a notation that the first attempt is excluded from the GPA. Once excluded, the units from the first attempt will not count towards the minimum units required for the degree.

A candidate for the LL.M. may repeat only up to 25% of the total units required for the degree.

900. WORK TAKEN AT OTHER LAW SCHOOLS

901. Course Work Taken at Other Schools by McGeorge LL.M. Students

Admitted LL.M. degree students who wish to transfer law school credits previously taken at another ABA accredited law school towards the LL.M. in Water and Environmental Law must obtain approval from the Director of Graduate and International Programs prior to matriculation.

LL.M. students enrolled in a program offered by the Sacramento McGeorge campus who wish to take an elective course at another ABA-accredited law school must obtain advance approval from the Director of Graduate and International Programs.

- a. Requests for this approval must include the school, course description, syllabus, and professor.
- b. Permission may be granted for a total of six (6) semester units of credit.
- d. Students must earning passing grades in a course, as defined by the host institution, to qualify for transfer credit for that course. When transfer credit is granted, only the units, and not the grade, will be credited. The course will be treated the same as an “honors/pass/no credit/fail” course for GPA purposes and for calculation of the ten-unit maximum in Section 204.

(amended 11/16/12, 3/31/16, 11/17/16)

902. Concurrent Enrollment Prohibited

Concurrent enrollment at McGeorge and any other school is prohibited unless written permission has been obtained advance from the Director of Graduate and International Programs or the Associate Dean for Academic Affairs. Courses in English as a second language do not require such permission. (amended 11/16/12, 3/31/16)

1000. AMENDMENT AND RESERVATION OF POWERS

1001. Amendment

These rules and procedures are subject to amendment at any time by the Faculty upon recommendation of the Committee. No student shall have a vested right in the continued enforcement of the rules as now set forth, but amendments shall not be applied in a manner which would result in preventing a student who is satisfactorily following a regular course of study from graduating at the normal time. (amended 11/16/12)

1002. Reserved Powers

As described in the catalog, the School of Law reserves the right to modify or change the curriculum, admission standards, course content, advancement or degree requirements, regulations, tuition or fees at any time without prior notice. Information in this set of regulations or the catalog shall not be regarded as creating a binding contract between the student and the school. (amended 11/16/12)

1100. PROCEDURAL RULES FOR THE GRADUATE STUDIES COMMITTEE

1101 Committee Operating Procedures.

The Committee shall have two types of meetings:

- a. **Regular Meetings.** Regular meetings shall be held at the call of the Chair or upon request of any two members of the Committee. A proposed agenda shall be distributed to Committee members at least two days before such meetings. Persons who are not members or ex-officio members of the Committee may attend such meetings if the majority of the Committee determines that such attendance is appropriate. Regular meetings shall consider all policy questions within the province of the Committee. Regular meetings shall not consider or pass upon individual student petitions concerning relief from the application of LL.M. rules.
- b. **Executive Meetings.** Executive meetings shall be attended only by non-student members of the Committee. They shall be called by the Chair as needed and shall be concerned only with individual student petitions.

(Adopted 3/9/17)

1102. Agenda

The Chair shall prepare an agenda of all regular meetings that shall be available to any member of the McGeorge Community. (Adopted 3/9/17)

1103. Voting

No Committee members may vote by proxy. (Adopted- 3/9/17)

1104. Faculty Action

All decisions of the Graduate Studies Committee involving major policy considerations are subject to faculty review. Where the majority of the members of the Graduate Studies Committee so determine, decisions of the Committee shall not become effective until reviewed and approved by the faculty. (amended 11/16/12, amended 3/9/17)

1105. Record of Petitions

The Chair or the person he/she so designates will be responsible to keep a log-in, log-out record of all petitions submitted by students to the Executive Committee of the Graduate Studies Committee. The Director for Graduate Law Programs shall notify the student when his/her petition will be heard. When the Executive Committee has decided a petition, the Director for Graduate Law Programs shall notify the student of the Committee's decision and shall record the Committee's decision in the student's permanent record file. (adopted- 3/9/17)