



COLLEGE *of* LAW

**BELMONT**  
UNIVERSITY

**STUDENT HANDBOOK**

2024-25 Academic Year

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## MISSION & OBJECTIVES

The Mission of Belmont University College of Law is to prepare qualified students with an excellent understanding of the law that will equip them to become professional counselors, advocates, and judges; researchers, teachers, and philosophers of the law; entrepreneurs; and engaged citizens. Belmont University College of Law is committed to the Christian tradition. We believe that instilling the highest standards of personal and professional conduct is our ethical and communal responsibility. We seek to ensure that the knowledge and values that we transmit to our students serve the ends of justice.

To fulfill this mission, the College of Law seeks to accomplish the following objectives:

- The College of Law shall offer an innovative curriculum that integrates traditional legal analysis and practical skills.
- The College of Law shall instill ethics, professionalism, and integrity into curricular and co-curricular activities.
- The College of Law shall graduate practice-ready attorneys and community leaders.
- The College of Law shall make legal education available to diverse and non-traditional law students.
- The College of Law shall offer specialty programs that complement Belmont University's areas of expertise and that are suited to the Nashville area.
- The College of Law shall offer legal education in a global context.
- The College of Law shall appoint a local attorney as a mentor for each new law student.

## ACADEMIC STANDARDS

### **Purpose of Academic Standards**

The function of these academic standards is to provide a comprehensive set of academic rules to be applied to the students at Belmont University College of Law (“College of Law”). A copy of the academic standards is available online, and students are deemed to have notice thereof. To the extent not covered in this document, the College of Law adopts the academic standards generally applicable to all students at Belmont University. Where inconsistent, this Handbook supersedes Belmont University’s academic standards.

Neither these standards nor any other College of Law publication constitutes a contract or the terms and conditions of a contract with any prospective student, applicant, or student. Therefore, nothing in these standards or on the web site should be construed to operate as, or have the effect of either abridging or limiting any of the rights, powers, or privileges of Belmont University, its Board of Trustees, the Dean, the law faculty, or any other official designee of the College of Law, to adopt, amend, or repeal rules and policies that apply to applicants or students. The College of Law reserves the right to make changes to these standards at any time that it deems necessary. Every effort will be made to communicate these changes promptly and to minimize the inconvenience such changes might create for students.

Students with questions regarding the College of Law’s program and policies should consult with the Dean’s Office. Upon acceptance to the program, each student is responsible for becoming familiar with the rules, regulations, and policies of Belmont University and the College of Law.

These academic standards may be amended by majority vote of the faculty. In extraordinary circumstances the faculty by majority vote may waive the application of these academic standards; however, the faculty has no authority to waive standards required by the American Bar Association.

### **Part 1: Academic Standards and Regulations**

#### **§ 101. Graduation Requirements**

In order to graduate, students who matriculated in Fall 2023 forward must satisfactorily complete and receive course credit for all required courses, including an upper-level rigorous writing requirement, and enough electives to reach the 90 hours required for graduation. Students who matriculated prior to Fall 2023 must satisfactorily complete and receive course credit for all required courses, including an upper-level rigorous writing requirement, and enough electives to reach the 88 hours required for graduation. A cumulative grade point average of 2.50 or higher is required for graduation. Graduates of the College of Law will be awarded the Juris Doctor (J.D.) degree.

#### **§ 102. Grading Scale and Grade Point Average**

Students are graded in most courses on a letter grading scale with grades of A, A-, B+, B, B-, C+, C, C-, D+, D, D-, and F. The letter grades shall have the following numerical values:

Letter Grade	Numerical Value
A	4.00
A-	3.70
B+	3.30
B	3.00
B-	2.70
C+	2.30
C	2.00
C-	1.70
D+	1.30
D	1.00
D-	0.70
F	0.00

A student must receive a grade of D- or higher to satisfactorily complete a course and receive course credit. If a student receives a grade of “F” in a course, the subsequent successful completion of the course shall not remove the prior failing grade from the student’s transcript, and the 0.00 for the prior failing grade shall continue to be used in calculating the student’s cumulative grade point average (“GPA”). In other words, a passing grade on the subsequent successful completion of the course shall be averaged with the previous failing grade for the purpose of computing the student’s GPA, but the course hours will only be counted once.

Certain courses in the curriculum may be graded on a Pass/Fail basis. Students receiving a “P” (Pass) in a course will receive hours of credit for completing the course but such course will not factor into the student’s GPA. The grade of “F” (Fail) shall be calculated into the student’s grade point average and reflected on the student’s transcript.

In addition to the other grades discussed herein, students may receive a grade of “I” for Incomplete. Unless an “I” is removed by the date designated, or the date is extended by the Dean or Associate Dean for Academic Affairs, an “I” grade is automatically changed to an “F”.

When the Associate Dean for Academic Affairs and the instructor authorize a student to audit a course, upon completion of the course, the student shall receive a grade of “AU”. Only students enrolled in a graduate or professional educational program at Belmont University are eligible to audit a course at the College of Law.

Generally, a student’s grade point average is computed as follows. First, the numeric value of each grade received is multiplied by the number of credit hours for the course; this product is referred to as quality points. Second, all of the student’s quality points are added together. Third, the student’s quality points are divided by the number of hours attempted, except for courses with grades of “P” (Pass), “WD” (Medical Withdrawal), “W” (Withdrawal), “I” (Incomplete), or “AU” (Audit). The College of Law will report letter grades and a numerical grade point average on official transcripts. Class ranks will be determined by computing the numerical grade point average for each student at the end of each semester.

### **§ 103. Academic Continuation Requirements**

Students are considered to be in “good standing” if they have a cumulative GPA of at least 2.50 and are not on academic probation. Students’ academic progress will be reviewed at the end of each semester. A law student will be dismissed from the program and excluded from further study for failure to attain a cumulative average of 2.0 or above at the end of the student’s first semester. A law student will be

dismissed from the program and excluded from further study for failure to maintain a cumulative average of 2.50 or above at the end of the student's second semester or at the end of any subsequent semester.

A student excluded from the program whose cumulative GPA is lower than 2.30 may not petition for readmission or be allowed to continue in the program. A student whose cumulative GPA is at least 2.30 may petition to be allowed to continue in the program on academic probation by writing a letter to the Associate Dean for Academic Affairs or the Dean's designee indicating why the student should be allowed to continue, and the Associate Dean or Dean's designee will forward the request to the Academic Standards Committee (referred to in this section as "the committee"). It should be pointed out that these petitions will be sparingly granted.

If the petition is approved, the committee may fashion appropriate requirements for continuation, including but not limited to requiring the review of all semester final exams/papers with professors, repetition of a particular course or series of courses, requiring a remedial semester or semesters of academic work in the College of Law, requiring participation in the Academic Success Program, and limiting involvement in co-curricular activities. The committee also may set certain performance standards, such as a minimum grade in a course or minimum GPA for a semester, for continuation in the program. Whether to grant or deny a petition is solely within the discretion of the committee. See §104 (Academic Continuation Process) below for further information.

If a student in the student's final semester prior to graduation fails to maintain a cumulative GPA at or above the required GPA for good academic standing (at or above 2.50), the student will be permitted to file a petition for review with the Associate Dean for Academic Affairs, requesting an evaluation of the student's academic performance and asking to be allowed to continue as a student on academic probation until the requirements for graduation are met.

#### **§ 104. Academic Continuation Process**

A student whose cumulative GPA is at least 2.30 may petition to continue in the program.

The Associate Dean for Academic Affairs and the Academic Standards Committee ("the committee") shall serve as the authorities to review student continuation petitions with the Dean of the College of Law being the final arbiter of those petitions.

All petitions for relief shall be made in writing and addressed to the Associate Dean for Academic Affairs or the Dean's designee. The petition must be received within seven (7) business days of the date of the letter notifying the student that the student has been academically dismissed. The student's petition will then be forwarded to the committee for further consideration. The petition shall set forth in detail the relief sought and the reasons that relief should be granted; these reasons should include an explanation of why the petitioning student feels that the student's past performance is not an accurate guide to the student's future academic performance, and should set forth any personal plans and procedures supporting enhanced future academic performance. While there is no fixed page limit, the suggested page limit is no more than five pages. There is no specific format for a student petition for continuation.

The committee will meet to consider the student's petition as soon as practicable after its receipt. Unless specifically requested by the committee, student petitioners will not be allowed to appear in person before the committee to make their case, and orally presented information will not be accepted by the

committee. All petitioner's evidence and factual information pertaining to the petitioner's request must be contained in a written petition. The committee may consider any relevant evidence available to it.

The petition process and the meetings and other proceedings therein is restricted to the student and faculty directly involved in the petition proceeding. Recognizing that the petition process is an internal, in-house procedure, attorneys, other legal counsel, family, and other individuals are not permitted to participate in the petition process or to appear at any meeting, hearing, or any other proceeding. All meetings, proceedings, and deliberations of the committee and faculty will be closed and attendance limited to members of the committee unless the committee decides otherwise.

There will be no transcript or recording of any meetings or proceedings regarding the petition. Rather, the record of the petition process and hearing will consist of the written statements submitted by the petitioner and the written decisions on this petition prepared by the committee.

The student who has been academically dismissed has the burden of persuading the committee that the student should be allowed to continue in the program. Upon reaching its decision, the committee will prepare a written decision and provide a copy of the decision to the petitioning student and the Dean of the College of Law.

After a student's petition for continuation has been considered on its merits by the committee and a decision reached by the committee, the petitioning student may appeal the decision to the Dean of the College of Law within seven (7) calendar days of the date of notice of the committee's decision regarding the petition for continuation. Unless otherwise determined by the Dean, this appeal will be decided based on a review of the information considered by the committee, without further submissions or appearances. Upon reaching a decision on the appeal, the Dean will notify the petitioning student and the committee of this decision. There is no right to petition or appeal beyond the Dean of the College of Law. All efforts will be made to have decisions made regarding the student's petition prior to the beginning of a new academic semester.

### **§ 105. Academic Probation**

Upon completion of the first semester of study, any student who has a semester GPA below 2.50 will be placed on Academic Probation during the following semester of study, even though the student's cumulative GPA is at or above 2.50. Students on Academic Probation are required to review all semester final exams/papers with their professors and participate in the Academic Success Program. They may also be subject to further requirements prescribed by the Dean of the College of Law or the Associate Dean for Academic Affairs, such as a more restrictive class attendance policy and a curriculum modification.

### **§ 106. Curriculum Review & Modification**

Upon completion of each academic year, any student who is not ranked in the top 75% of their class is subject to curricular review and modification. This process may include the student being paired with a faculty mentor who will work with the student to help decide which courses the student should take in order to be successful. The Associate Dean for Academic Affairs will have final approval of all such curriculum modifications made between the faculty mentor and the student.

## § 107. Grade Normalization

### A. Required Courses

For all first year required courses (except those graded pass/fail), the average grade for each class must be between 2.90 and 3.10 and the grades must be distributed in accordance with the following scale:

Grade	Norm	Mandatory Range
A, A-	30%	25-35%
B+, B, B-	55%	50-60%
C+ and below	15%	10-20%

For all second year and third year required courses (except those graded pass/fail and practicums), the average grade for each class must be between 3.00 and 3.20 and the grades must be distributed in accordance with the following scale:

Grade	Norm	Mandatory Range
A, A-	35%	30-40%
B+, B, B-	55%	50-60%
C+ and below	10%	5-15%

Faculty teaching more than one section of the same course in a single semester may aggregate the grades from all such sections for purposes of meeting the mandatory average and scale. The Dean or the Associate Dean for Academic Affairs may waive compliance with these grading rules upon a showing of good cause.

Non-J.D. students will not count towards the medians or grade distribution.

### B. Upper-Level Electives

For all electives after the first year (except those graded pass/fail, but including practicums), the average grade for each class must be between 3.10 and 3.30.

## § 108. Withdrawal from a Course

Students may not withdraw from a required course. A student may officially withdraw from an elective course with a “W” (withdraw without penalty) halfway through the term, which includes the period of examinations. After that date, no withdrawals are allowed. Any exception to this policy is the responsibility of the Dean or Associate Dean for Academic Affairs. A course dropped without permission from the Dean or Associate Dean for Academic Affairs is automatically graded “F”. A student who withdraws from the College of Law for any reason (except for a medical reason) will receive grades of “W” if the withdrawal is before the designated half-term time period. After this time a student will receive a “W” or “F” depending on the student’s grades at the time of withdrawal.



### **§ 109. Failure to Complete a Required Course**

Any student who, for whatever reason, does not successfully complete and receive credit for a required course must re-enroll in that course at the earliest available opportunity. Additionally, a student who re-enrolls in a required course is no longer eligible for that course's top performance award.

### **§ 110. Failure to Continue in the Next Semester**

If a student completes a semester but fails to continue their studies in the immediately following semester, the student shall be dismissed from the College of Law.

### **§ 111. Status of Students**

All students must be full-time students enrolled in a course load of at least 12 credit hours, except those who have received special permission from the Dean. Full-time students must enroll in the complete prescribed sequence of courses for each semester in which they are enrolled.

### **§ 112. Practicum Requirement**

Students will be required to take one practicum course each semester. Practicum courses will be identified prior to registration. A student shall not be given practicum credit for a course in which the student earns credit for the upper-level rigorous writing requirement. To qualify as a practicum, a course must: (1) be primarily experiential in nature; (2) have a classroom instructional component; (3) integrate doctrine, theory, skills, and legal ethics; (4) engage students in performance of one or more professional skills (such as legal analysis, problem solving, drafting, oral or written communication in a legal context, or other skills commonly used in the attorney-client relationship); (5) develop the concepts underlying the skills taught; (6) provide substantial experience that is reasonably similar to that of a lawyer advising or representing a client or engaging in other lawyering tasks in an assigned set of facts and circumstances; (7) provide multiple opportunities for student performance; (8) include direct supervision of the student's performance by the faculty member; (9) provide opportunity for feedback from a faculty member; and (10) provide opportunity for student evaluation.

### **§ 113. Multiple Submissions**

Students may not submit one paper for two or more courses. If a student wishes to create a second paper which draws in any way on work previously used for academic credit, the student must consult with both the instructor to whom the initial work was submitted and with the instructor to whom the new work will be submitted. Before the student may use the prior work, both instructors must certify in writing that the new work is of sufficiently greater scope or depth to warrant the use of prior work for new academic credit. The instructors involved in each instance should discuss appropriate ways to make sure that the submitted work meets this greater burden prior to giving their written approval of the proposed use. This rule applies to all course offerings whether at the College of Law 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.

### **§ 114. Time for Completion of Graduation Requirements**

All coursework credited towards the completion of the J.D. degree must be completed no sooner than 24 months and no longer than 84 months after a student has commenced law study at the College of Law or a law school from which the College of Law has accepted transfer credit.

### **§ 115. Credit Hours**

A credit hour is an amount of work that reasonably approximates: (1) not less than 50 minutes of classroom or direct faculty instruction and 120 minutes of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or (2) at least an equivalent amount of work for other credit-bearing academic activities such as field placements, law review, and board of advocates.

### **§ 116. Academic Freedom and Freedom of Expression**

The College of Law encourages and supports the robust and respectful free expression of ideas. This includes the rights of students to communicate ideas, even those that may be controversial or unpopular. The College of Law reserves the right to restrict expression that violates the law, that defames a specific individual, that constitutes a genuine threat or harassment, or that unjustifiably invades substantial privacy or confidentiality interests. Disruptive conduct that hinders free expression by preventing or substantially interfering with the carrying out of law school functions or approved activities, such as classes, meetings, library services, interviews, ceremonies, and public events, is prohibited. The College of Law may reasonably regulate the time, place, and manner of expression, and its alignment with the mission of the College of Law and Belmont University. Application of the protections and limitations set forth in this Section 116 and any violations thereof are governed by the Code of Professional Conduct contained herein.

## **Part 2: Attendance, Computer Use, E-mail, Access to Student Records, and ABA Standards Compliance**

### **§ 201. Required Class Attendance**

The College of Law and the American Bar Association require regular class attendance of all students in all courses. Attendance shall be taken in all courses. No student may miss more than twenty percent (20%) of the class meetings in any course. For example, for a course that meets three times per week, a student may miss no more than eight classes; for a course that meets twice a week, a student may miss no more than five classes; for a course that meets once a week, a student may miss no more than two classes. Class meetings missed during the drop/add period shall be counted as absences for purposes of this policy. A student who is tardy or who exits class early may be marked as absent. A student who is present but unprepared for class may be marked as absent if the instructor adopts this policy in writing during the first week of the semester. A student deemed to be absent because the student is unprepared shall be so advised by the instructor during or immediately after the class in question. Any student exceeding the maximum number of absences in a course shall receive the grade of “FN” (i.e. failure due to excessive absences).

An instructor is responsible for reporting student absences. An instructor may establish more restrictive class attendance policies if the students are notified in writing during the first week of classes. The Dean or the Associate Dean for Academic Affairs may establish more restrictive class attendance policies pursuant to section 105. Conversely, on an individual basis a faculty member or the Dean or the Associate Dean for Academic Affairs may establish alternative instruction when appropriate.

A student’s attendance record may be considered in all questions of awards, scholarships, honors, petitions to faculty committees, and in such matters as the Dean and faculty deem appropriate.

## **§ 202. Computer Use**

Unless expressly authorized by the instructor, use of computers during class periods for any purpose other than note-taking is prohibited. The instructor may establish a more restrictive computer use policy. It is at the instructor's discretion to allow or prohibit use of computers on examinations.

## **§ 203. Obligation to Read University and College of Law E-mail**

E-mail is an official means of communication at Belmont University and the College of Law. The University and the College of Law may send communications to students by e-mail and have the right to expect that those communications will be received and read in a timely fashion. Information sent via e-mail has the same importance and needs to be responded to in the same manner as information sent in other ways. Students are responsible for accessing and reading their e-mail messages on a regular and frequent basis. Regular and frequent is described as almost daily, if not daily. Students will be held to have constructive notice of all campus e-mails sent to them. Furthermore, students are responsible for checking their "MyBelmont" accounts, Canvas accounts, and TWEN accounts on a regular basis.

## **§ 204. Access to Student Records**

Belmont University complies with the Family Educational Rights and Privacy Act of 1974. This act protects the privacy of educational records, establishes the right of students to inspect and review their educational records, and provides guidelines for the correction of inaccurate or misleading data through informal and formal hearings. Students also have the right to file complaints with the Family Educational Rights and Privacy Act Office concerning alleged failures by an institution to comply with the act.

In accordance with the Family Educational Rights and Privacy Act, the College of Law defines a "school official" as anyone in the full-time employ of the College of Law. Furthermore, the College of Law considers the following as directory information: student's name, address, e-mail address, telephone listing, photograph, date and place of birth, major field of study, participation in extracurricular activities, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended, grade level or year, and enrollment status. If a student does not want any or all types of information designated as directory information, the student must inform the College of Law in writing within ten (10) days of the first day of enrollment.

## **§ 205. Complaints Implicating Compliance with ABA Standards**

### **A. Right to File a Complaint**

Any student who believes the College of Law is not in compliance with the ABA Standards for Approval of Law Schools ("ABA Standards") may file a complaint with the Academic Standards Committee ("the committee").

### **B. How and When to File a Complaint**

A complaint may be filed with the committee by hand-delivering or mailing it to the Associate Dean for Academic Affairs.

### **C. Form of Complaint**

A complaint shall be addressed to the committee, must be signed by the complainant, and shall state all of the following:

1. The name of the student filing the complaint;
2. The ABA Standard(s) the College of Law is allegedly violating;
3. The basis of the claim of non-compliance; and
4. The specific relief requested.

#### **D. Resolution of Complaint**

The committee shall resolve the complaint within 60 days of the date on which the complaint is received by the Associate Dean for Academic Affairs. The committee shall issue a written report of its decision to the complainant, the Associate Dean for Academic Affairs, and the Dean.

#### **E. Appeals**

If the complainant is not satisfied with the committee's resolution of the complaint, the complainant may file an appeal with the Dean. An appeal may be filed by hand-delivering or mailing it to the Dean. The appeal must be filed within 30 days of the committee's resolution. An appeal filed by mail shall be deemed to have been filed on the date of the postmark of the petition. An appeal filed by hand-delivery shall be deemed to have been filed on the date of receipt.

An appeal shall be addressed to the Dean, must be signed by the appellant, and shall state all of the following:

1. The name of the student filing the appeal;
2. The ABA Standard(s) the College of Law is allegedly violating;
3. The basis of the claim of non-compliance;
4. The error(s) allegedly committed by the committee; and
5. The specific relief requested.

The Dean shall resolve the appeal within 60 days of the date on which the appeal was filed. The Dean shall issue a written report of its decision to the complainant and the committee.

#### **F. Retention of Records**

The College of Law shall maintain a record of student complaints and appeals and the resolutions thereof until the end of the next accreditation period.

#### **G. ABA Standards**

[http://www.americanbar.org/groups/legal\\_education/resources/standards.html](http://www.americanbar.org/groups/legal_education/resources/standards.html)

### **Part 3: Registration**

#### **§ 301. Normal Registration Times**

Registration times for courses shall be set by the Dean or Associate Dean for Academic Affairs for each semester or term.

#### **§ 302. Late Registration**

Failure to register during the normal registration time for a semester or term will cause a student to lose any priority in registration.

#### **§ 303. Maximum Student Load**

At no time may a student be enrolled in coursework that, if successfully completed, would exceed 18 total credit hours for a single semester. This standard is not subject to waiver.

#### **§ 304. Drop/Add**

Students may drop and/or add an elective course during the first week of a semester if space is available. Absences from class sessions prior to adding a course shall be counted toward the total number of absences from the class.

### **§ 305. Changes in Class Schedules**

The College of Law reserves the right to cancel or discontinue courses because of insufficient enrollment or for any other reason. In addition, the College of Law reserves the right to limit the enrollment in courses and to make changes in the schedule and/or faculty when necessary.

### **§ 306. Faculty Advisors**

A faculty member will be appointed for each student for purposes of advising the student on the College of Law's academic standards and graduation requirements, and for guidance involving course selection and sequencing.

## **Part 4: Examinations, Assessment, and Appeals**

### **§ 401. Exam Schedule**

A tentative exam schedule will be published prior to the course registration period. The College of Law reserves the right to make changes to the exam schedule.

### **§ 402. Exam Schedule Conflicts**

A student may request that a scheduled exam be rescheduled only if the student has two exams on the same day. Requests to reschedule an examination must be submitted in writing to the Associate Dean for Academic Affairs. The Associate Dean for Academic Affairs will determine which exam will be rescheduled and when the rescheduled exam will be administered.

### **§ 403. Confidential Grading**

All examinations will be graded by an anonymous grading system. Students will be issued confidential numbers for use on examinations. Students shall not place any identifying information (e.g., names, social security numbers) on examinations. For written assignments other than examinations, the instructor may, but is not required to, utilize an anonymous grading system.

### **§ 404. Procedures for Recording Grades**

To ensure compliance with the grading standards specified in Section 105, all grades shall be submitted to the Associate Dean for Academic Affairs for approval prior to entry on the students' records. When the grades submitted violate the grading standards, the Associate Dean for Academic Affairs shall confer with the instructor. The instructor may decide to adjust the grades to comply with the grading standards. If the instructor does not so adjust the grades, any decision to change the grades in order to comply with the grading standards shall be made by the Dean upon recommendation of the Associate Dean for Academic Affairs.

An instructor shall not change any students' grade after the course grade sheet has been submitted to the Associate Dean for Academic Affairs, except for documented mathematical errors or to comply with the grading standards.

### **§ 405. Retention of Exams and Graded Assignments**

The College of Law shall retain examinations and other written work on which a student's grade was based for a minimum of one calendar year.

### **§ 406. Title IX**

As a Christian community of learning and service, Belmont University is committed to the dignity and worth of every individual. Discrimination on the basis of sex, whether in the form of sexual misconduct (i.e. sexual harassment or assault), pregnancy discrimination, or retaliation for reporting such is contrary to this commitment and to Belmont's obligations under Title IX of the Education Amendments of 1972.

Accordingly, the University responds assertively to allegations of sex discrimination and if violations are found, will take appropriate action to remedy the situation. Please see the [Bruin Guide](#) for the complete Sexual Misconduct Policy. Belmont's Title IX Office ([titleix@belmont.edu](mailto:titleix@belmont.edu)) is available to all members of the College of Law community who wish to report sex discrimination including sexual misconduct or who wish to discuss available support for pregnant/parenting students.

#### **§ 407. Accommodations**

A student with a medically verifiable disability may be provided exam or other accommodations. The petition for accommodation must be made to the Associate Dean for Academic Affairs. Disability verification is conducted by Belmont University's Office of Accessibility Services. A process guide can be found at <https://www.belmont.edu/accessibility/index.html>. The student should consult with the Associate Dean for Academic Affairs to determine whether the instructor should be informed of the accommodation.

#### **§ 408. Pregnancy/Childbirth**

If there is a pregnancy or childbirth-related issue that could affect exams, attendance, or classroom participation, please contact the Associate Dean for Academic Affairs to discuss possible accommodations. The Associate Dean for Academic Affairs will coordinate with Belmont's Director of Title IX regarding these issues, or students may contact the Title IX Office directly at [titleix@belmont.edu](mailto:titleix@belmont.edu). Accommodations are considered on a case-by-case basis and determined by individual circumstances.

#### **§ 409. Lactation Room**

Belmont University provides a private lactation room in the Randall and Sadie Baskin Center in the student locker room for mothers to use to express milk. The lactation room is furnished with a chair, table, and refrigerator reserved for the storage of breast milk. Please contact the Associate Dean for Academic Affairs for any additional questions regarding this room.

#### **§ 410. Class Participation**

An instructor may use class participation points as part of the final grade if the instructor adopts this policy in writing during the first week of the semester.

#### **§ 411. Procedures Governing the Appeal of a Final Grade**

These procedures are an attempt to ensure fairness in the independent and professional judgment of faculty members with regard to the assignment of final grades for students. These procedures are intended to serve the mission of the College of Law through the preservation of integrity in the achievement of its academic and professional goals.

##### **A. Right to Petition**

Any student who has received a final grade in a course at the College of Law may initiate a claim with regard to the grade by filing a petition with the Associate Dean for Academic Affairs, who will forward it promptly to the members of the Academic Standards Committee (referred to in this section as "the committee") and to the affected faculty member.

##### **B. How and When to File a Petition**

A petition may be filed with the committee by delivering it to the Associate Dean for Academic Affairs, by any reasonable means, no later than seven (7) days after the end of the formal grade review period. The "formal grade review period" shall be the time designated by the College of Law after the semester has been completed for students to review their final exams. Students will receive notification

through the Associate Dean for Academic Affairs or their designee regarding the dates for each formal grade review period. A petition shall be deemed to have been filed when received by the office of the Associate Dean for Academic Affairs. The first day of the seven-day period after the end of the formal grade review period shall be the first calendar day following the last weekday of the formal grade review period. The last day of the seven-day period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday. The committee in its discretion may for good cause shown extend the seven-day period.

**C. Form of Petition**

A petition shall be addressed to the Dean, must be signed by the petitioner, and shall state all of the following:

1. The name and student number of the student filing the petition;
2. The title of the course in which the final grade was received;
3. The name of the instructor who taught the course;
4. The date on which the final grade in question was posted;
5. The reason(s) the petitioner believes they are entitled to relief in accordance with the requirements set forth in subsection (D) hereof and any evidence the petitioner possesses to support those reasons; and
6. The specific relief requested.

**D. Requirements of a Claim**

In order for a petition to state a claim upon which relief can be granted, it must satisfy the requirements of both subsection (1) and subsection (2) hereof. A petition states a claim upon which relief can be granted if it specifies that:

1. The petitioner has consulted or attempted to consult with and requested relief from the professor involved, and the professor either (i) has refused to consult with the student, or (ii) has not been conveniently available in person or by other means of communication during or in the five days following the formal grade review period , or (iii) after consultation with the petitioner, has declined to grant relief acceptable to the petitioner;

AND

2. The grade received was unfair or substantially inappropriate, for one or more of the following reasons:
  - a. An error in computation was made in calculating the grade; or

b. The grade received was the result of arbitrary and capricious grading by the instructor against the student by which the instructor did not make a good faith effort to assign final grades in accordance with the instructor's academic judgment. In addition, if the grade was received in a course graded anonymously, in whole or in part, and the claim of arbitrariness or capriciousness relates to that part of the grade that was anonymous, there must also be a colorable allegation of a breach of anonymity. Moreover, the student must establish, by a preponderance of evidence, that anonymity was breached.

**E. Instructor's Academic Judgment**

In no event shall there be an inquiry into the instructor's academic judgment or prerogative and responsibility for assigning grades as the instructor's judgment and conscience dictate.

**F. When and How the Committee Shall Consider Petition**

Unless the Associate Dean for Academic Affairs or the committee determines that an expedited review is needed, the committee shall make reasonable efforts to act on a petition within a period of 14 days from the time a petition was filed. Unless the committee notifies the Associate Dean for Academic Affairs otherwise, the petition shall be deemed denied if, for any reason, it is not acted upon within this period.

**G. Actions and Procedures Available to the Committee**

The committee, after due deliberation and by majority vote, may take one or more of the following actions and allied procedures in response to a petition:

1. Determine that the facts stated in the petition, if true, do not state a claim upon which relief can be granted: in which case the committee shall write a decision to that effect and send a copy, with any dissenting opinion, to the petitioner and to the instructor.
2. Determine that the facts stated in the petition, if true, state a claim upon which relief can be granted. In such a case, the committee:
  - a. may decide the case on the submissions of the parties and such other information that is available to the committee from the administration.
  - b. may, in its sole discretion, select a time when the petitioner and the instructor can be present for a hearing on the petition. Both the petitioner and the instructor shall be permitted to be present during the hearing, but no person shall be required to attend the hearing. Any such hearing will be conducted using such rules and procedures as the committee considers most conducive to its resolution of the matter.



3. In a case where the committee finds no action is appropriate, the committee shall so notify the petitioner and the instructor.

4. If any recommendation is made by the committee, it shall be made to the instructor in writing, stating the recommendations and the reasons therefore. If the instructor accepts the recommendations of the committee, the instructor may change the disputed grade pursuant to the recommendation of the committee. An instructor may acquiesce with the committee's recommendation and initiate the change of grade by forwarding a copy of the recommendation and written acquiescence thereto to the Associate Dean for Academic Affairs, who, upon receipt of same, shall effect the change of grade. If the instructor declines to accept the recommendation of the committee within a period of 3 days from receipt of the recommendation, the committee shall then issue a written decision, and provide a copy to the instructor and the petitioner. The grade shall be changed only if a majority of the committee finds that the final grade was assigned for one or more of the reasons listed in (D)(2) above; in the case of such a finding, the committee shall provide copies of its written decision to the instructor, the petitioner, the faculty, and the Associate Dean for Academic Affairs, who shall effect the change of grade upon receipt of the written decision.

## **Part 5: Honors**

### **§ 501. Dean's List**

At the conclusion of each semester, the Dean shall publish a "Dean's List." To qualify for the Dean's List, a student must be a full-time student (i.e., 12 or more credits) and earn a semester grade point average that places the student in the top 25% of the student's class for courses taken during the relevant semester.

### **§ 502. Graduation Honors**

#### **A. Summa Cum Laude**

Any student who graduates in the top 2% of the graduating class shall be designated as graduating summa cum laude.

#### **B. Magna Cum Laude**

Any student who graduates between the top 3% and the top 7% of the graduating class shall be designated as graduating magna cum laude.

#### **C. Cum Laude**

Any student who graduates between the top 8% and the top 15% of the graduating class shall be designated as graduating cum laude.

#### **D. Dean's Award for Academic Excellence**

Each year, the graduate who has achieved the highest cumulative grade point average upon completion of the Juris Doctor degree at the College of Law will be awarded the Dean's Award for Academic Excellence.

#### **E. Publication of Honors in Commencement Exercise Materials**

Publication of graduation honors in graduation related materials ordinarily will be based on academic standing after the fifth semester (i.e., the penultimate semester).

### **§ 503. Rounding**

For purposes of sections 501 and 502(A)-(C), the College of Law where necessary will round up.

## **Part 6: Student Organizations and Student Conduct**

### **§ 601. Student Organizations**

The process for University Recognition initiates when the student leader(s) have an informational meeting with the Office of Student Organizations and Activities. This meeting provides an opportunity to discuss the intention of the organization, assures that there is not mission duplication with other existing organizations, addresses alignment with Belmont University's mission and provides support in navigating the recognition process.

In order to assure consistent training and education for all student organizations, the University considers new organization requests for recognition once per year. All applications must be submitted by the fourth Friday of classes after the start of the fall term to the Office of Student Organizations and Activities.

Belmont University classifies student organizations either as "chartered and affiliated" or registered. An "affiliated" group is one created by an academic department or a group of students to assist an academic department in achieving its institutional objectives. To affiliate with the College of Law, a group must support the professional growth of law students, shall comply with federal and state laws, and shall comply with the missions and visions of Belmont University and the College of Law. Furthermore, the following criteria must be met to receive endorsement by the College of Law:

1. The organization must be affiliated with a national or regional parent organization, which is necessary for professional development and financial support. The parent organization's mission statement must include professional development of law students and lawyers. The College of Law will not endorse advocacy groups that serve no professional development purpose.
2. The organization must have a membership roster of ten students or more.
3. The organization must develop a strategic plan to ensure sustainability and growth.
4. The organization must have at least one law faculty advisor.
5. The organization must conduct one public service project each academic year.
6. Officers must hold and maintain a cumulative grade point average of 2.75 or higher. A student who does not meet this requirement forfeits their office immediately. An organization may require a higher grade point average as a prerequisite for holding office.

### **§ 602. Student Conduct**

Students at the College of Law are subject to the rules and procedures set forth in the Student Code of Academic and Professional Conduct. Furthermore, students at the College of Law must adhere to all Belmont University policy statements, which are outlined in the [Bruin Guide](#), and applicable rules governing Student Organizations as set forth in the Student Organization Handbook, except where such Bruin Guide policy statements and Student Organization Handbook rules are in conflict with any provisions of this Student Handbook.

### **§ 603. Student Organization Events Off Campus**

Student Organizations approved under this Section 601 of the Student Handbook may host events off campus so long as those events are in furtherance of the organization's purpose, mission, and strategic plan, which must include the professional development of law students and lawyers. This may include networking events at which alcohol is available to attendees for purchase through a properly licensed third-party vendor. College of Law students who are of legal age to consume alcohol may purchase alcoholic beverages at any Student Organization events or College of Law events if all beverages are purchased using personal funds from a cash bar staffed by properly licensed personnel. No University funds or Student Organization funds may be used for the purchase of alcohol. When renting space for an event at which a cash bar will be available to students at the event, the Student Organizations will be required to purchase third party insurance to cover any associated liability with the event. This liability insurance shall be at the expense of the Student Organization.

College of Law students attending events permitted by this Section 603 must refrain from unsafe and irresponsible behavior regarding the use of alcohol including but not limited to:

- Possession, consumption, and distribution of alcohol contrary to applicable law;
- Behavior that is disruptive or endangers themselves or others – being under the influence of alcohol shall not be a mitigating factor for an individual's behavior;
- Consumption of an excessive quantity in a short amount of time;
- Participation in or facilitation of drinking games;
- Use or attempted use of fraudulent identification or another's identification to obtain alcohol;
- Distribution of alcohol to underage drinkers.

In addition, the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited on the campus of Belmont University and at any University, College of Law, or Student Organization events taking place off campus.

A violation of these standards of conduct shall be governed by the Student Code of Academic and Professional Conduct set forth herein.

### **§ 604 Student Organization Administration**

Student Organizations must follow applicable College of Law policies regarding establishment of a TWEN page or other organization page to provide information regarding events and other Student Organization business to students. Although Student Organizations will not be required to post events in BruinLink, Student Organizations must have all events approved in advance by their faculty advisor and comply with all applicable rules set forth in the Bruin Guide and the Student Organizations Handbook for the reserving of meeting space on campus and have such spaces reserved in EMS.

## **Part 7: Admissions**

### **§ 701. Admissions Goals**

The mission of the College of Law is to prepare qualified students with an excellent understanding of the law that will equip them to be outstanding contributors to the legal profession. The College of Law admits applicants who meet its educational prerequisites and who appear capable of completing its curricular requirements and passing the bar examination.

### **§ 702. Non-Discrimination Statement**

Belmont University College of Law is committed to the principle of equal opportunity for all applicants for admission without regard to race, color, military or veteran status, religion, ethnicity, political affiliation, sex, sexual orientation, gender identity or expression, age, or disability in the administration of

educational policies, admission policies or financial aid. Inquiries or complaints concerning the application of these policies to students should be directed to the Associate Dean for Student Services, 2nd floor Baskin Center, [law@belmont.edu](mailto:law@belmont.edu) or 615.460.8400.

### **§ 703. Educational Prerequisites**

The College of Law requires for admission a bachelor's degree from an institution that is accredited by an accrediting agency recognized by the Department of Education.

### **§ 704. Law School Admission Test (LSAT)**

The College of Law requires the majority of applicants for admission as a first-year J.D. student to take the LSAT sponsored by the Law School Admission Council. The College of Law considers an LSAT score so long as it is reported by the Credential Assembly Service (CAS). If taken multiple times, the College of Law considers all scores as an overall profile.

### **§ 705. Authority of Admissions Committee**

The Admissions Committee shall have exclusive and final jurisdiction over the enrollment decisions of first-year J.D. applicants.

### **§ 706. Previously Disqualified Applicant**

#### **A. Previously Disqualified Applicant by Another Law School**

The College of Law shall not admit a student who has been disqualified previously by another law school for academic reasons without an affirmative showing that the prior disqualification does not indicate a lack of capacity to complete the program of legal education and be admitted to the bar.

#### **B. Previously Disqualified Applicant by the College of Law**

The College of Law shall not readmit a student who has been disqualified previously for academic reasons from the College of Law without an affirmative showing that the prior disqualification does not indicate a lack of capacity to complete the legal education program and be admitted to the bar.

#### **C. Statement of Consideration**

For every admission or readmission of a previously disqualified applicant, a statement of the considerations that led to the decision shall be placed in the admittee's file.

#### **D. Forfeiture of Credit**

A previously disqualified applicant who is granted admission forfeits all credits previously earned and shall matriculate as a first year, first semester student.

## **Part 8: Leaves of Absence, Transfers, and Visits**

### **§ 801. Leaves of Absence**

The Dean may grant a leave of absence to a student who requests such a leave for good cause for a maximum of one academic year. The term and conditions of the leave are at the discretion of the Dean and shall be clearly stated at the time the leave is granted. A student who obtains a leave of absence before completing the first academic year of the program may be required to restart the program from the beginning. Students who are granted a leave of absence are encouraged to contact the University's Student Financial Services Office to determine their eligibility for refunds of tuition in accordance with the University's policies.

## **§ 802. Transfer Students**

### **A. Authority of Dean**

The Dean, or the Associate Dean for Academic Affairs when the Dean so authorizes, shall have exclusive and final jurisdiction over the enrollment decisions of transfer students and the awarding of transfer credit.

### **B. Good Standing**

A student must be in good standing at their law school to apply as a transfer student and at the time of transferring to the College of Law.

### **C. Transfer Limitations**

All academic credits accepted for transfer must have been completed at an ABA-approved law school. No more than one-third of academic credits required for graduation at the College of Law shall be accepted for transfer. The College of Law shall accept transfer credit only for courses in which the grade received is equal to or higher than the grade point average required for graduation at the College of Law. Credit for any course required for graduation from the College of Law shall be accepted for transfer only when the course was comparable to the course offered at the College of Law.

### **D. Transfer Credit**

All grades for which credit is transferred shall be entered as “Pass” on the student’s records and shall not affect the student’s cumulative grade point average.

### **E. Transfer Student Ranking**

A transfer student shall receive a class rank once one semester of study at the College of Law is completed. A transfer student’s class rank shall not displace any continuously enrolled student’s class rank. Furthermore, a transfer student retaking a required course is not eligible for that course’s top performance award.

## **§ 803. Visiting Students**

### **A. Students from Other Law Schools Requesting Visits to Belmont University College of Law**

The Dean, or the Associate Dean for Academic Affairs when the Dean so authorizes, shall have exclusive and final jurisdiction over the extension of visiting privileges to students from other law schools for matriculation at the College of Law. A visiting student must be in good standing at the law school of residence at the time of application as a visiting student and at the time of matriculation to the College of Law. One may be extended visiting privileges at the College of Law only if they are a student at an ABA-approved law school and has been approved for visiting privileges here by an appropriate official at the student’s school of residence. Credits earned by a visiting student at the College of Law shall not be applied toward a degree from the College of Law. A student may be admitted for visiting privileges only if the visit serves the best interest of the College of Law.

### **B. Students from Belmont University College of Law Requesting Visits to Other Law Schools**

The College of Law will not accept more than six credit hours from visits to other law schools, including summer study. The Associate Dean for Academic Affairs must approve in advance all visits to other law schools.

## COURSE DESCRIPTIONS

### Required Courses

#### **Bar Refresher I – LAW 6351, 2 or 3 credits**

This course is designed to prepare students for the writing portions of the required professional licensing exam required for graduates to be admitted to practice law in each state. The primary focus of the course will be to refresh legal analysis and writing skills introduced in Legal Information and Communication and practiced in doctrinal courses and practicum classes throughout law school. Students will be provided with bar exam techniques and opportunities for practice across a variety of legal tasks expected of new lawyers. In addition to regular writing practice, the course will include graded essay and performance task examinations throughout the course.

#### **Bar Refresher II – LAW 6352, 3 or 4 credits**

This course is designed to prepare students for the substantive legal content of the required professional licensing exam required for graduates to be admitted to practice law in each state. The primary focus of the course will be to practice the legal reasoning and writing skills learned in Bar Refresher I and apply them while reviewing substantive legal content. Students will be provided with bar exam techniques and opportunities for practice across a variety of legal tasks expected of new lawyers. The course will include graded performance task examinations throughout the semester

#### **Business Associations – LAW 6200, 4 credits**

This course studies basic corporate law, including formation, management, and dissolution of corporations, and the rights and duties of those involved with corporations. The law related to business organizations such as partnerships and limited liability companies is covered.

#### **Civil Procedure I: Mechanics – LAW 6218, 3 credits**

This course is a study of the process of civil litigation from the commencement of a lawsuit through final judgement, with an emphasis on the Federal Rules of Civil Procedure. Study may include rules and law concerning pleading, joinder of claims and parties, trial and pretrial motions, and basic tools of discovery.

#### **Civil Procedure II: Jurisdictions – LAW 6219, 3 credits**

This course is a continuation of the process of civil litigation from the commencement of a lawsuit through final judgement. Study may include the binding effect of judgements, selecting the proper court (including subject matter jurisdiction, personal jurisdiction, and venue), service of process, and choice of law themes.

#### **Constitutional Law I: Powers and Structures – LAW 6358, 3 credits**

This course examines the structure of governance created by the United States Constitution and the roles that separate powers, federalism, and judicial review play in that governmental structure. The course explores the relationship among the three branches of the federal government, the allocation of power between the states and the federal government, and the principles that govern judicial review of governmental action.

#### **Constitutional Law II: Individual Rights – LAW 6359, 3 credits**

This course examines the individual rights provided by the United States Constitution. This course will examine the Fifth and Fourteenth Amendment protections for procedural and substantive due process, equal protection, and the First Amendment protection of religious liberty and freedoms of speech and association.

#### **Contracts & Sales – LAW 6100, 4 credits**

This course studies the creation, enforcement, transfer, and termination of contract rights and duties, as well as performance and enforceability of contracts, contract defenses, and contract remedies. Fundamental

common law principles such as capacity to contract, mutual assent, consideration, and legality of subject matter are addressed. Pertinent portions of the Uniform Commercial Code, particularly Article 2 dealing with sales, are covered.

**Criminal Constitutional Law – LAW 6180, 3 credits**

The major constitutional restraints upon the criminal justice process are the focus of this course. Particular attention is given to the provisions of the Fourth, Fifth, and Sixth Amendments to the United States Constitution, including such specific issues as arrest, search and seizure, interrogations and confessions, the exclusionary rule, and the right to defense counsel.

**Criminal Law – LAW 6170, 3 credits**

This course studies substantive criminal law, including an examination of crimes and their elements. Specific common law and statutory crimes and defenses will be covered.

**Evidence – LAW 6210, 4 credits**

This course studies the techniques by which facts are presented in litigation before judicial tribunals. It focuses on the Federal Rules of Evidence, but also touches on the Tennessee Rules of Evidence and common law evidentiary rules.

**Legal Process – LAW 6109, 1 credit**

This course introduces students to key foundations of and strategies for the study of law that cut across the content area of other law school courses. By the end of the semester, students will be able to draw connections to core legal concepts across courses and utilize a variety of strategies to improve understanding of legal analysis and required skills for practice readiness.

**Practicum: Legal Information and Communication I – LAW 6120, 3 credits**

This course provides an introduction to legal analysis, research, and writing through the preparation of legal memoranda and other written assignments.

**Practicum: Legal Information and Communication II – LAW 6121, 3 credits**

This course builds upon the legal research, analysis, and writing skills taught in Legal Information and Communication I. Students will develop their persuasive writing skills through the preparation of briefs and other assignments. Oral advocacy will also be covered.

**Professional Responsibility – LAW 6250, 3 credits**

This course explores the professional obligations of attorneys and judges as prescribed by regulation and tradition.

**Property – LAW 6110, 3 or 4 credits**

This course studies rights and interests in personal and real property. Topics covered include the acquisition of rights in property, possessory and non-possessory interests, estates in land, concurrent ownership, landlord-tenant relations, and land-use regulation.

**Secured Transactions – LAW 6430, 2 to 3 credits**

This course explores the law of secured transactions, focusing on Article 9 of the Uniform Commercial Code.

**Torts – LAW 6130, 4 credits**

This course explores the legal rules that determine whether non-contractual civil liability arises from conduct resulting in harm to others. Topics covered include intentional torts, negligence, and strict liability torts, as well as defenses commonly asserted in tort actions.

**Wills and Trusts – LAW 6260, 3 credits**

This course explores the gratuitous transfer of property at death, including intestate and testate succession. It also examines the nature, establishment, management, and termination of inter vivos and testamentary trusts.

**Other Courses (Electives and Practicums)****Administrative Law – LAW 6401, 3 credits**

This course studies the administrative process and practice before administrative agencies at all levels of state and federal government. The provisions of the state and federal Administrative Procedures Acts are explored. In addition, constitutional issues, such as procedural due process, are examined.

**Belmont Law Journal – LAW 6436, 1 to 4 credits**

The Belmont Law Journal is a student organization composed of second-year and third-year law students who host law symposiums and/or forums and produce a published journal with the purpose of advancing discussion of timely criminal, entertainment, and health law related legal issues among the professional and academic communities. The students will also run, under the supervision of their faculty advisor, website content with the purpose of disseminating news and information about important developments and issues in criminal, entertainment, and health law for professional practitioner and academic law communities. This offering is available to students selected for membership and all students will produce a note of publishable quality as part of journal activities. This course will be graded on a pass/fail basis.

**Biomedical Ethics – LAW 6404, 2 to 3 credits**

This course provides a thorough grounding in some important areas at the intersection of law and bioethics. Some of these topics include the physician-patient relationship, medical research, organ transplantation, death and dying, abortion, and maternal-fetal conflicts. At times, the course compares medicine to law to help examine the issues involved.

**Business Torts – LAW 6406, 2 to 3 credits**

This course covers the commercial tort claims most frequently asserted in business litigation. Topics include unfair competition, fraud, interference with contract and economic advantage, breach of fiduciary duty, trade secret misappropriation, trade libel and false advertising, professional malpractice, and misuse of judicial process.

**Conflict of Laws – LAW 6407, 2 to 3 credits**

This course explores the law relating to transactions in which any operative fact occurs outside the state where the legal proceedings are instituted, or which involve other significant extrastate elements. The course examines choice of law methods utilized by various courts to decide the applicable law in given cases and examines the logic and constitutionality of such methods.

**Copyright Law – LAW 6408, 3 credits**

This course covers the basics of copyright law, including determinations of what is copyrightable, formalities for obtaining protection, and copyright registration practices and procedures. The substantive and procedural elements of infringement actions are examined, including defenses.

**Corporate and Partnership Taxation, LAW 6409, 2 to 3 credits**

This course examines the federal income taxation of corporations, partnerships, and other entities.



**Cyber Law – LAW 6356, 2 credits**

This course will explore specific programs in applying the law to cyberspace in areas such as intellectual property, privacy, content control, and the bounds of jurisdiction.

**Debtor-Creditor Law – LAW 6410, 2 credits**

This course focuses on the rights and remedies of debtors and their creditors under the United States Bankruptcy Code. In addition, the interplay of the Bankruptcy Code and the provisions of Article 9 of the Uniform Commercial Code and other provisions of state law are examined. This course will also provide an overview of state law rights and remedies of judgment of debtors and creditors.

**Disability Law – LAW 6324, 2 to 3 credits**

This course looks at the various laws that have been enacted to protect individuals with disabilities, primarily focused on the Americans with Disabilities Act of 1990, which has changed the legal landscape for employers, government, and businesses with regard to their treatment of disabled individuals. Specifically, it examines the basic framework under applicable laws to protect against discrimination of disabled individuals, including public accommodations, and also analyzes some of the challenges that organizations face in implementation of the law.

**Elder Law – LAW 6412, 2 credits**

This course examines the legal issues particularly relevant to the elderly. Topics covered will include disability, health care, and related decision making tools such as conservatorships, expedited limited healthcare fiduciaries and health care powers of attorney. The Elder Law Practicum is designed to convey the essential principles, skills and values that a lawyer must master in order to provide competent counsel in conservatorship cases. Students will consider the potential effects of the substantive law, procedural rules, and ethical guidelines, as well as the accepted customs and practices of lawyers.

**Election Law – LAW 6540, 2 to 3 credits**

This course will address the constitutional aspect of election law, including applicable laws regarding voting and voting rights, legal status of political parties, campaign finance laws, the electoral college, and redistricting. This upper level elective is intended to teach students about the constitutional basis for voting and voting rights in the United States and the various laws that surround the voting process and conducting of elections.

**Employment Discrimination – LAW 6265, 3 credits**

This course examines federal constitutional and statutory law as it applies to employment discrimination. The course includes a discussion of the prohibitions of discrimination based on race, sex, color, ethnicity, national origin, religion, and age. The course also will explore the most prominent statutes in this area including Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, and an older civil rights statute from the Reconstruction era, 42 U.S.C. §1981. The course considers the basic framework for proving discrimination under Title VII, the substantive meanings of “discrimination” under these acts, and some of the procedural and remedial issues relevant to employment discrimination law. The course provides both the practical knowledge necessary to identify and analyze employment discrimination problems and a theoretical foundation relevant to antidiscrimination law.

**Employment Law – LAW 6413, 3 credits**

This course studies state and federal employment law. Topics covered include common law claims such as breach of contract and wrongful discharge; wage and credit laws; anti-discrimination laws; and concerted labor activity and collective bargaining.

**Entertainment Law – LAW 6414, 2 to 3 credits**

This course studies the legal and business aspects of the entertainment industry. In particular, the course emphasizes the aspects of contract and intellectual property law unique to this subject area.

**Environmental Law – LAW 6415, 3 credits**

This course explores state and federal environmental regulation. Relevant state and federal statutes, regulations and case decisions are examined, with particular emphasis afforded federal statutes such as the National Environmental Policy Act (NEPA), the Clean Water Act (CWA), and the Comprehensive Environmental Response and Liability Act (CERCLA).

**Estate and Gift Taxation – LAW 6416, 2 credits**

This course examines the tax consequences of gratuitous transfers of property under federal and state law.

**Externship – LAW 6326, 2 credits**

An externship is an elective course that allows students to diversify their experiential learning and supplement their legal work portfolio. Externship students integrate legal doctrine, theory, skills, and ethics through their work in a judge's chambers, public law office, governmental agency, public interest organization, the pro bono arm of a private law firm, or the in-house counsel's office of a company under the direct supervision of a licensed attorney. To earn two academic credits, students must successfully complete the same assignments required by the Field Placements Program, including, among other requirements: performance of at least 100 hours of work on site, completion of required documentation, and attendance at the initial classroom component in May, as well as the second classroom component during the semester in which the student is enrolled in the externships course. Course is repeatable up to three times. Pass/Fail.

**Family Law – LAW 6240, 3 credits**

This course covers a variety of laws impacting the family unit and defining the rights and duties of family members. Topics covered include marriage, annulment, separation, divorce, support, custody, and equitable distribution.

**Federal Courts – LAW 6417, 2 to 3 credits**

This course examines jurisdiction of the federal courts over federal questions and diversity of citizenship cases; distribution of powers between state and federal courts; use of state law in federal courts; civil procedure in federal districts courts; and appellate review of federal and state court decisions.

**Federal Income Taxation – LAW 6418, 3 credits**

This course explores the basic principles of federal taxation of income. It focuses primarily on the provisions of the Internal Revenue Code addressing taxation of individuals. Concepts such as adjusted gross income, exemptions, deductions, and tax credits are examined.

**First Amendment – LAW 6419, 2 to 3 credits**

This course deals with the complex and ever-evolving jurisprudence regarding the First Amendment to the United States Constitution. Primary emphasis is on the many facets of freedom of expression, freedom of religion, and the Establishment Clause.

**Franchise Law – LAW 6258, 2 to 3 credits**

This course examines the legal, practical, and conceptual aspects of franchising, including the review of franchise agreements, federal and State franchising regulatory systems, and legal issues associated with the franchise relationship.

**Health Care Business and Finance – LAW 6322, 3 credits**

This course focuses on health care transactions and the various legal and business issues that affect and inform such transactions. Specifically, it examines various business transactions and structures, including mergers, acquisitions, joint ventures, network affiliations, and other business arrangements, and also explores basic corporate organizational structures, including considerations for transactions involving nonprofit organizations. It also examines the various legal issues related to business operations of health care organizations, including financing, reimbursement, and taxation.

**Health Care Fraud and Abuse Regulation – LAW 6337, 3 credits**

With federal healthcare programs such as Medicare and Medicaid providing healthcare coverage for Americans, a body of laws have developed to ensure that individuals and organizations that provide services to Medicare/Medicaid beneficiaries are not defrauding or abusing such programs either by billing the government for services that were not provided or were not medically necessary. This course focuses primarily on the federal Antikickback Statute, the Physician Self-Referral Statute (commonly known as the Stark Law), the False Claims Act, and the Civil Monetary Penalties Law, examining the basic framework behind the laws, the complex legal structures and arrangements that result from complying with such laws, and the steep penalties assessed for failure to comply.

**Health Law – LAW 6420, 3 credits**

This course covers the major legal issues related to the health care system. Health care decision making through various legal documents, e.g., health care powers of attorney and living wills, is addressed. In addition, issues related to representing medical personnel and hospitals, including defense of medical malpractice suits, are discussed.

**Immigration Law – LAW 6421, 2 to 3 credits**

This course examines United States immigration and naturalization law. Federal statutes and regulations addressing admission of foreign nationals, removal, citizenship, and employment will be addressed.

**Immigration Law Practicum – LAW 6437, 2 to 3 credits**

This course will provide students with skills on common immigration situations such as immigration background analyses, client interviews with interpreters, affirmative employment- and family-based petitions, immigration court practice, and applications for relief from removal. Prerequisite: Immigration Law

**Insurance Law – LAW 6422, 2 to 3 credits**

This course covers the basics of insurance law, including the nature of insurance, insurance contract formation and interpretation, and government regulation of the insurance industry. Various types of insurance, such as property, health, life, and disability, are covered.

**Intellectual Property – LAW 6220, 3 credits**

This course covers the basic principles of intellectual property law in the United States and internationally. The course provides an overview of the law governing the securing and exploitation of property and other rights in ideas, including protection by patents, copyrights, trademarks, state legislation, and the common law.

**International Business Transactions – LAW 6271, 3 credits**

This course explores selected issues encountered in private international transactions and emphasizes the options available to counsel engaged in the preventive practice of law.

**International Criminal Law – LAW 6441, 3 credits**

This course will introduce students to international criminal law during the semester with a focus on four aspects of this area of law. First, we will begin the semester with a general introduction to the historical evolution of international criminal law over time. Second, we will focus on a number of U.S. domestic statutes that criminalize international conduct. Third, we will examine the application of the U.S. Constitution and U.S. Rules of Criminal Procedure to international criminal cases. Fourth, towards the end of the semester, we will examine more closely the evolution of international tribunals to prosecute crimes of “international concern” and learn more about the elements of these four fundamental international crimes. The materials covered in this course will be vital to those planning to undertake any type of criminal law career, whether with a domestic or international focus.

**Judiciary Practicum – LAW 6344, 2 credits**

This course has a two-fold purpose: to explore the constitutional and legal role of the judiciary in our tripartite system of government; and, second, to explore the role of the judge, judicial ethics and the role of law clerks. The purpose of the practicum is to better prepare students for clerkships and for eventual judgeships. It is also beneficial to anyone interested in litigation to gain additional insight into the functioning of a judicial officer.

**Juvenile Law – LAW 6423, 2 credits**

Criminal and non-criminal offenses of youths that bring them within the jurisdiction of juvenile courts are the focus of this course.

**Land Use – LAW 6212, 2 to 3 credits**

This course focuses on public and private controls of land use. Topics to be considered include zoning, subdivision controls, building codes, and covenants. Students explore how governments accommodate the conflicting interests of landowners, their neighbors and the community. Additionally, students consider the direct and indirect limitations on government regulation imposed by the Takings Clause.

**Law and Economics – LAW 6424, 2 to 3 credits**

This course explores economic analysis as it affects both legal theory and practical problems of practice. Among the topics that may be explored in the course are: the economics of law firms; the economics of intellectual property; behavioral economics; the use of game theory in transactional practice and in litigation; international trade and globalization; political economy and the evolution of institutions; and the effect of option theory on legal rules and on the practice of law.

**Law and Religion – LAW 6425, 2 credits**

This course focuses on the relationship between governments (federal and state) and religious organizations.

**Law Review – LAW 6426, 2 credits**

The Belmont Law Review is a student organization composed of second-year and third-year law students who publish a varied body of legal scholarship with the purpose of advancing discussion of timely legal issues among the professional and academic communities. This offering is available only to students selected for membership. In this offering, successful completion of the requirements is determined by the Law Review’s faculty advisor and graded on a pass/fail basis.

**Legal Entrepreneurship – LAW 6520, 2 credits**

This course will introduce the fundamental concepts of entrepreneurship to law students in a way that enhances their understanding of their future clients, future employers and themselves. The course will focus on the key theoretical foundations of entrepreneurship and provide insights into entrepreneurial thinking and strategy. Specifically, students in the course will: learn about the entrepreneurial mindset and the start-

up process in order to enable them to better understand and serve their business clients; utilize the “business model canvas” to evaluate existing businesses, plan and model new ventures, and vet strategic growth initiatives; apply entrepreneurial mindset and concepts to the legal industry in order to understand and optimize law firm management and growth; and embrace the concept of a “solo-practitioner mindset,” regardless of intended career path, in order to thrive as an attorney.

### **Legal Globalization and Comparative Law – LAW 6512, 2 to 3 credits**

This course introduces students to the phenomenon of globalization and its impact on cultures and legal systems using different countries and topics of examination as case studies. Students in this course learn about a particular country and a specific legal topic. This might include examination of a country’s history, legal system, culture, and languages. Students also travel to the comparison country with their instructor, typically for a period of one week, to continue their studies. Activities in the country of destination might include cultural and historical tours, experiential learning opportunities, lectures from foreign academics, business leaders, governmental officials, and attorneys, and visits to legal institutions.

### **Legal Technology Practicum – LAW 6510, 2 credits:**

Many states currently include an ethical duty of technology competence for lawyers, this course aims to bolster that competency in Belmont Law students. This course will provide students with exposure to forms of legal technology currently in use in the profession. Students will explore courtroom technology, productivity software, and near future technologies (AI, Blockchain & Bitcoin, and Legal Analytics) along with additional resources. Instruction methods will include lecture, hands-on use, and guest demonstration.

### **Mass Media Law – LAW 6357, 3 credits**

This course surveys the law of multimedia including print, radio, television, Internet, and other forms of distribution. The subject matter addressed includes the First Amendment, defamation, invasion of privacy and the right of publicity, Federal Communications Commission regulation, advertising and commercial speech, fair use, newsgathering and other relevant subjects.

### **Mediation Practicum – LAW 6273, 2 to 3 credits**

This practicum provides students with mediation theoretical concepts, explores key mediation techniques and strategies, and develops practical skills in students in order for them to serve as effective legal advocates during mediation or as neutral third-party mediators in various conflict situations, including legal and transactional disputes. As one form of alternative dispute resolution, students will learn the stages of the mediation process and the different styles, approaches, techniques, and strategies used by effective mediators to assist parties with resolving their disputes. Students will also learn about ethical issues in mediation. Students will acquire practical, hands-on experience in the mediation process and will develop their skills in mediating different types of disputes through the use of interactive, in-class exercises and simulated mediations.

### **Mental Health – LAW 6339, 2 credits**

This course examines the unique set of laws and regulations that govern patients with mental health issues. Specifically, the course looks at the various complexities of the treatment of mental health patients, including issues surrounding informed consent, involuntary admissions, privacy of patient information, competency for decision making, patient safety, conservatorships, and guardianships. This course also examines important issues at the intersection of law and psychology/psychiatry, both civil and criminal.

### **Music Industry Contracts, LAW 6895, 2 credits**

This is a practicum course that will give students a 360-degree look at the key contracts that are entered into by music industry clients. The students will draft an engagement letter, assist the client in securing management and then spend the semester working on negotiation of the most common industry deals, including artist management; recording contracts (with major label and indie label options); production

deal; producer's contract; music publishing deal; split sheets; synchronization deal; touring/live concert agreement; filing a copyright registration; and registration of works with the PROs, the MLC and SoundExchange.

#### **National Security Law – LAW 6215, 2 credits**

This seminar addresses national security law related issues, beginning with an examination of the national security interagency process. This seminar also focuses on the role of national security lawyers in the midst of an emergency or threat, and the authorities and processes that shape the responses of decision makers in a national security crisis. Specific areas of study includes preventive detention, surveillance standards, enemy combatants, military commissions, the role of international tribunals, the targeting of foreign nationals for killings by drones, enhanced interrogation techniques, and the regulation of speech and association. Students lead one class discussion and prepare a 20-page paper on a topic covered in the seminar.

#### **Non-Profit Organizations – LAW 6341, 2 to 3 credits**

This course prepares students to interact with nonprofit organizations in a variety of capacities, from board member to founder to advisor. Topics discussed will include nonprofit corporations, tax exempt organizations, the role and duties of the board of directors, standards of conduct and fiduciary duties of directors, conflicts of interest, record keeping, annual compliance, indemnification and protection of board members, board operations, and board staff relationship. In addition, students will discuss the process for forming a new organization, including drafting governance documents and the application to the IRS for recognition of tax exempt status. These issues will be examined in an interactive setting using real world examples.

#### **Patent Law – LAW 6550, 2 credits**

This course examines the legal, practical, and conceptual aspects of patent law and practice, including the requirements for patent protection, administrative procedures before the Patent and Trademark Office, patent rights and remedies, infringement and preemption. In the past we have had perhaps one or two students in a class with the requisite scientific or technical background to qualify to practice before the Patent and Trademark Office in patent matters. At present we have at least eight, and perhaps as many as 12 or 15 such students. Lisa Doster has had a number of student inquiries, and we had a meeting of students interested in patent law. Eleven students attend that meeting, and 2 others notified Lisa that they were interested but unable to attend. Patent law is an excellent opportunity for those students who are qualified to practice it. The compensation is higher than that in other areas of practice, and the law school class rank is of less significance. The intellectual property class offers only 4 weeks of patent law and is necessarily geared toward those who will not practice in the area. In the past, when we have had only one or two students qualified to practice patent law, I have offered an independent study. With this many students, that is not practical. I intend to offer the course with the participation of an attorney in the active practice of patent law in order to bring the practical aspects of patent practice into the course.

#### **Practical Issues in the Judiciary – LAW 6895, 1 credit**

In this course students explore in a classroom setting issues confronting law clerks in the context of their work in a judge's chambers. Topics include legal research and writing (bench memos, judicial opinions, rulings on motions), docket management, rules of evidence and procedure, preparation for oral arguments and other proceedings, the role of trial courts versus appellate courts, judicial philosophies, and ethical concerns. This class is combined with a field placement in a judge's chambers during the same semester (students must register separately for the field placement).

#### **Practicum: Advanced Legal Research – LAW 6402, 2 credits**

This course is designed to provide students with the research skills needed in the practice of law. Topics covered include the use of primary and secondary sources; case law research; statutory law and legislative

history; administrative law; effective use of Lexis, Westlaw, and other electronic databases; international law research; and public records. Emphasis is placed on appropriate and effective research strategies and evaluation of sources, both print and electronic.

**Practicum: Advanced Trial Advocacy – LAW 6330, 3 credits**

This course builds on the skills learned in Trial Advocacy. Each participant takes part in at least one full simulated trial. Prerequisite: Trial Advocacy

**Practicum: Alternative Dispute Resolution – LAW 6300, 2 credits**

This course studies various forms of ADR, including mediation and arbitration. The course examines the appropriateness and effectiveness of various forms of ADR in particular situations and types of action.

**Practicum: Applied Legal Ethics – LAW 6312, 2 credits**

Applied Legal Ethics explores emerging and complex topics in legal ethics. It focuses on application of the Tennessee Rules of Professional Conduct. Topics vary as developments occur in the legal profession, and may include: technology; advertising; pro bono; judicial selection and ethics; specialized conflicts (e.g., criminal defense, insurance, relationships with clients); attorney-client privilege; bar admission; lawyer discipline; legal malpractice; and law firm structures. Students prepare work product typical of lawyers who practice the “law of lawyering” by advising other lawyers, law firms, and their clients. Students may draft client engagement or declination letters, opinion letters, conflict of interest waivers, disqualification motions or responses, or papers on topics of interest to the student and approved by the professor. Prerequisite: Professional Responsibility.

**Practicum: Appellate Practice – LAW 6331, 2 credits**

This course focuses on the art of oral advocacy and provides further instruction in persuasive writing. Students write appellate briefs and present oral arguments.

**Practicum: Board of Advocates Competition – LAW 6435, 2 credits**

This practicum is available for students who are selected to participate as a part of a competition team through the Board of Advocates. Two hours of credit will be awarded in the semester during which the student takes part in a competition if the student satisfies all applicable requirements. The grade for this course is determined on a pass/fail basis by the Director of Advocacy. A student may earn a lifetime maximum of four credits for advocacy competitions. Participation in a competition may also occur without receiving course credit.

**Practicum: Client Interviewing, Counseling, and Communication – LAW 6230, 2 to 3 credits**

This course focuses on the skills lawyers need when dealing with clients, including interviewing and counseling skills and the ability to communicate (orally and in writing) effectively with a client.

**Practicum: Contract Drafting – LAW 6301, 2 credits**

This course reinforces the substantive law learned in Contracts and Sales by allowing students to apply the law they have learned. Students learn about contract negotiation, planning, and drafting, and draw on these practical skills, as well as their substantive knowledge, in representing clients in simulated contract exercises.

**Practicum: Criminal Procedure – LAW 6380, 2 to 3 credits**

This course focuses on post-arrest aspects of the criminal justice system that are not covered in Criminal Constitutional Law. Topics may include prosecutorial charging decisions, indictments, preliminary hearings, joinder and severance, bail and pretrial release, discovery, plea bargaining and guilty pleas, speedy

trial, jury composition and selection, confrontation, jury instructions, sentencing, double jeopardy, direct appeals, post-conviction petitions, and petitions for writs of habeas corpus.

**Practicum: Entertainment Law Practice – LAW 6334, 2 credits**

This course is designed to give students a look into the actual practice of entertainment law and into the role of lawyers in the modern entertainment world. Prerequisite: Entertainment Law

**Practicum: Estate Planning – LAW 6333, 2 credits**

This course focuses on the role of careful planning and drafting in the estate and gift transfer areas, with particular attention to the goal of minimizing estate and gift tax liability.

**Practicum: Family Law Practicum – LAW 6434, 2 credits**

This practicum parallels the progression of a relationship that begins with marriage and ends in divorce and covers legal issues commonly encountered by family law practitioners. Topics may include: client interviewing; filing for dissolution; depositions and interrogatories; property division; child custody and visitation; child support; spousal support; enforcement of pre-nuptial agreements; mediation; and trial. Dissolution in the context of domestic violence may also be addressed. Prerequisite: Family Law.

**Practicum: Field Placement – LAW 6325, 2 credits**

The field placement allows students to apply the skills learned in the core curriculum to live-client situations. Field placement students work in a judge's chambers, public law office, governmental agency, public interest organization, the pro bono arm of a private law firm, or the in-house counsel's office of a company under the direct supervision of a licensed attorney. To earn two academic credits, students must successfully complete the requirements of the Field Placements Program, including, among other requirements: performance of at least 100 hours of work on site, attendance at two classroom components, and completion of required documentation. Course is repeatable up to three times. Pass/Fail.

**Practicum: Film and Television Transactional Law – LAW 6346, 2 credits**

This course provides a comprehensive overview of the legal, business and financial aspects of filmed entertainment, with pertinent comparisons and contrasts between the motion picture and television industries, and between studio and independent production. The course will cover issues relevant to acquisitions, financing sources and structures, personal service contracts, theories of protection, completion risks and guarantees, distribution, revenues and contingent proceeds, litigation, reality television, and idea disclosure.

**Practicum: Health Law Practicum – LAW 6321, 2 credits**

This course provides practical application of the various aspects of a transactional health law practice. Students participate in a number of activities including drafting of contracts, contract negotiations, business planning analyses, strategic planning for legal structure, and drafting research memoranda in connection with applicable healthcare laws. Prerequisite: Health Law

**Practicum: Law Office Management – LAW 6335, 2 credits**

This course focuses on the management of a small law office. Topics include: structure of law firms; financial issues (including compensation, billing, fees, and trust accounts); business development (marketing and advertising); law practice tools; and personnel, office, and operational issues.

**Practicum: Medical Malpractice – LAW 6247, 2 to 3 credits**

This course examines the substantive and procedural aspects of medical malpractice litigation, including issues arising out of submission of evidence, discovery and records requests, expert witness testimony, and notice requirements for filings. It also examines internal investigations in connection with such malpractice actions, peer review protection, and the challenges of a medical malpractice trial.



**Practicum: Negotiations – LAW 6233, 2 to 3 credits**

This course examines and practices theories of effective negotiating in a transactional context.

**Practicum: Practical Issues in Criminal Law – LAW 6313, 1 to 2 credits**

In this course students explore in a classroom setting issues confronting attorneys for both the prosecution and the defense. Topics include conflicts of interest, discovery and exculpatory evidence, plea negotiations, sentencing considerations, and ethical concerns. This class is combined with a field placement in a criminal law setting during the same semester (students must register separately for the field placement).

**Practicum: Pretrial Litigation – LAW 6232, 2 credits**

This course covers the major steps in the pretrial litigation process. Topics covered include litigation planning, fact investigation, legal research, pleading, discovery, pretrial motions, and settlement strategy.

**Practicum: Products Liability – LAW 6428, 2 to 3 credits**

This course studies the tort liability of suppliers of products, focusing primarily on manufacturers and retailers. The course examines the likely causes of action and defenses in such actions and review pertinent state and federal statutes and regulations, particularly in the area of tort reform.

**Practicum: Real Estate Transactions – LAW 6332, 2 credits**

This course focuses on how commercial and residential real estate is conveyed. Topics covered include legal theories of title, transfer, and ownership issues. The skills portion of this course may include real estate title search; drafting of purchase and sales agreements, deeds, mortgages, UCC statements, closing settlement statements, and leases; drafting and review of easements, attachments, and other encumbrances; and drafting and scheduling of foreclosure sales.

**Practicum: Trial Advocacy – LAW 6310, 2 to 3 credits**

This is an intensive course in the analysis, skills, and techniques of trials. The course includes simulated exercises on all aspects of in-court trial practice, including opening statements, development of witness testimony on direct and cross-examination, use of illustrative aids and exhibits in evidence, impeachment, expert testimony, and summations. Prerequisite/Corequisite: Evidence

**Public Health Law – LAW 6342, 2 to 3 credits**

This course examines both the authority and limitations of the government in the provision, promotion, and regulation of health of its citizens. It explores the various aspects of public health law, including laws and regulations designed to prevent illness and disease and promote good health and the agencies charged with enforcement and implementation of such efforts (e.g., USDA, FDA, etc.), and examines the private enforcement mechanisms to regulate the same concerns such as the litigation against the tobacco companies. This course also examines the establishment and operation of government safety net programs for certain underserved populations, such as public health centers and federally qualified health care centers.

**Race and the Law – LAW 6530, 2 credits**

This course examines the idea of race as a constitutive element of modernity, focusing specifically on its impact on the intellectual underpinnings of historical and contemporary American legislative and judicial doctrine and public policy. In this context, our course considers a broad range of comparative judicial, legislative, administrative policy and political concepts and strategies that might be most effective in vindicating and advancing human and civil rights.

**Remedies – LAW 6429, 3 credits**

This course examines the various legal, equitable, and restitutionary remedies available to claimants in civil litigation.

**Sales – LAW 6213, 2 to 3 credits**

A study of the law of contracts for the sale of tangible, movable items. The course focuses on Articles 2 and 2A of the Uniform Commercial Code.

**Sentencing Law – LAW 6381, 2 to 3 credits**

This course addresses state and federal criminal sentencing. Potential topics include capital sentencing procedures and substantive constitutional limitations on the application of the death penalty, federal and state sentencing guidelines, use of diversion and other alternative forms of sentencing, Sixth Amendment right to counsel requirements as applied to sentencing procedures, the role of the trial court and juries in sentencing, the intersection between plea bargaining and sentencing, and standards of appellate review for sentencing determinations.

**Separation of Powers – LAW 6225, 2 credits**

This seminar addresses advanced issues raised by the interaction of the three branches of the federal government, beginning with an examination of each branch's authority to interpret the Constitution and the interplay between the branches in checking each other's assertions of power. This seminar also examines how the political popularity and personal characteristics of decision makers affect their ability to exercise power in Washington. Specific areas of study includes executive immunity and privilege, congressional oversight of executive actions, judicial selection, foreign affairs, the war power, the issues raised by the executive branch's refusal to defend the constitutionality of acts of Congress, and judicial review of executive branch efforts to address foreign terrorism. Students lead one class discussion and prepare a 20-page paper on a topic covered in the seminar.

**Sports Law – LAW 6355, 2 credits**

This course examines legal issues impacting amateur and professional sports. Students analyze sports cases and materials that cover multiple disciplines, including contracts, torts, constitutional law, antitrust (including collective bargaining, player drafts and other player restraints), labor and employment, intellectual property, criminal law, individual player-club contract issues, gender equity issues, and disability discrimination issues.

**State and Local Taxation – LAW 6363, 2 credits:**

This course examines various issues in state and local taxation, including ad valorem (property), sales and use, individual, and corporate income taxes. It also studies federal cases and statutes that limit states in design and implementation of their tax systems.

**Tennessee Attorney General Field Placement – LAW 6235, 2 credits**

Consumer Advocate and Protection Division: As the state's chief legal officer, the Tennessee Attorney General represents state officials, departments, boards, agencies, and commissions in matters arising from their public duties. The Consumer Advocate and Protection Division protects consumers and businesses from unfair and deceptive trade practices, enforces state and federal antitrust laws, and enforces the unauthorized practice of law statutes. That division also represents the interest of consumers in utility ratemaking proceedings before the Tennessee Regulatory Authority. A student's duties in the clinic include drafting memoranda, briefs, and motions, and researching statutory and case law on specific consumer protection related topics. Among other things, students will have the opportunity to learn about the investigation process, including the pre-filing subpoena process and the relationship between state and federal consumer enforcement authorities, and will likely assist with cases in active litigation. Students are supervised on-site by deputy and assistant attorneys general. To earn two academic credits, students must successfully complete 100 hours at the clinic and complete the clinic's classroom component.

**Trademark Law – LAW 6432, 3 credits**

This course covers the procedural and substantive law of trademarks and trade names.

**White Collar Crime – LAW 6365, 2 to 3 credits**

This course examines issues in the prosecution and defense of white collar crime. Coverage includes the liability of corporations and executives of the acts of agents, the federal sentencing guidelines and their effects on investigation and plea bargaining, substantive federal crimes (including health care fraud, perjury, mail fraud, and obstruction of justice), parallel civil proceedings, internal investigations, grand jury investigations, multiple representation, and joint defense agreements. Class visits by local practitioners, judges, and other officials supplement the readings.

**Wrongful Convictions: Reasons and Remedies – LAW 6375, 2 credits**

This course examines the reasons innocent people are convicted of crimes they did not commit and explores ways criminal justice practices can be reformed to prevent future miscarriages of justice. The class explores topics frequently associated with wrongful convictions such as faulty eyewitness identification, unreliable confessions, jailhouse informants, questionable science, police and prosecutor error, and ineffective assistance of counsel. We consider whether ethical lapses, poor tactical decisions, strategic blunders, or lack of adequate training and experience contributed to the erroneous conviction. In addition, we review proposed reforms designed to prevent such mistakes in the future.

## **UPPER-LEVEL “RIGOROUS WRITING REQUIREMENT”**

A Rigorous Writing Requirement must be completed by all students after their first two semesters of law school as a requirement for graduation. To satisfy the Rigorous Writing Requirement, a student must prepare a paper of at least 20 pages in length, exclusive of footnotes and endnotes, and: (1) the topic of the paper must be approved by the professor; (2) the student must submit one or more drafts; (3) the professor must review such draft(s) prior to at least one conference between the student and the professor; and (4) the student must submit a final paper, which the professor certifies as satisfying the Rigorous Writing Requirement.

## **CURRICULUM**

<https://www.belmont.edu/law/academics/index.html>

## **CRIMINAL LAW CERTIFICATE**

<https://www.belmont.edu/law/academics/index.html>

## **ENTERTAINMENT & MUSIC BUSINESS LAW CERTIFICATE**

<https://www.belmont.edu/law/academics/index.html>

## **HEALTH LAW CERTIFICATE**

<https://www.belmont.edu/law/academics/index.html>

## ACADEMIC CALENDAR 2024-2025

### **Fall Semester 2024**

August 7-9 – Orientation for First-Year Students

August 12 – Orientation for Second-Year Students

August 13 – Orientation for Third-Year Students

August 14 – First Day of Classes

September 2 – Labor Day – No Classes

November 22 – Last Day of Classes

November 25-26 – Reading Days – No Classes

November 27 – 29 – Thanksgiving Break – No Finals

December 2 – December 12 – Final Exam Period

December 13 – Graduation (TBD)

December 14 – Christmas Break Begins

### **Spring Semester 2025**

January 8 – First Day of Classes

January 20 – MLK Holiday – No Classes

March 10-14– Spring Break – No Classes

April 16 – Last Day of Classes\*

April 17-20 – Reading Days and Easter Break – No Classes

April 21 – May 1 – Final Exam Period

May 2 – Summer Break Begins

May 2 – Graduation (TBD)

*\*The last day of class on April 16 will run as a Monday schedule. Therefore, while the day is technically a Wednesday, the classes will be on Monday schedule. All Monday/Wednesday classes and all Monday-only classes will be held.*

BELMONT UNIVERSITY COLLEGE OF LAW  
STUDENT CODE OF ACADEMIC AND PROFESSIONAL CONDUCT

**I. General Expectations**

Belmont University College of Law students are expected to maintain the highest ideals of academic and professional conduct and are responsible for knowing the College of Law's and Belmont University's published policies and standards. Furthermore, students are expected to respect the views and personal dignity of other members of the Belmont community.

Additionally, students should learn about the expectations required of lawyers. The codes of professional responsibility published by each state's bar association, including the Tennessee Rules of Professional Conduct, describe these expectations. Students should begin practicing these concepts while in law school.

**II. Purpose and Scope**

The College of Law has two codes that govern student conduct: the Academic Honor Code ("Honor Code") and the Code of Professional Conduct ("Conduct Code"). The primary purpose of the Honor Code is to promote academic integrity. The primary purpose of the Conduct Code is to promote appropriate professional conduct.

The Code of Student Conduct applies to all students admitted to and enrolled in courses at Belmont University College of Law. Furthermore, law students are subject to standards and policies published by Belmont University; however, process and procedures outlined herein supersede those outlined in Belmont University's Bruin Guide where they conflict.

Investigations of violations of these codes may be initiated or continued after a student has graduated, or after the student has completed a course, if the conduct at issue occurred while the individual was enrolled in the College of Law. If a matter is pending when a student is scheduled to graduate, the student's degree may be withheld until the matter is resolved.

If a violation of academic integrity should be suspected during a professional conduct investigation, then the academic violation shall be addressed by the Honor Code and its procedures. The professional conduct violation shall be addressed by the Conduct Code and its procedures. In the event of any overlap between the Honor Code and the

Conduct Code, the matter will be combined and addressed by the Honor Code and its procedures.

### **III. Reporting**

Violations of the Student Code of Academic and Professional Conduct shall be reported in writing to the appropriate law school administrator. The reporting relationships are as follows:

1. For Honor Code violations, notice must be given to the Associate Dean for Academic Affairs.
2. For Conduct Code violations, notice must be given to the Associate Dean for Student Services.

Complaints will be handled with confidentiality.

### **IV. Definitions**

- A. “Class” and “Course” refer to any class or course at Belmont University College of Law. The terms should be construed broadly, and include graded and non-graded courses, courses offered for credit and not for credit, and courses offered on or off campus. The terms specifically include clinics, field placements, summer abroad programs, and advocacy competitions.
- B. “Dean” refers to the Dean of Belmont University College of Law, or that person’s designee.
- C. “Notice” means written notice and includes, but is not limited to, e-mail messages.
- D. “Property” includes physical property, intellectual property, and computing and communication files and resources.
- E. “Writing” includes e-mail messages sent to a student’s University e-mail account.
- F. “Organization Leadership” includes each officer of a student organization.

### **V. Academic Honor Code**

#### **A. General Provisions**

1. Members of the College of Law community must notify the Associate Dean for Academic Affairs if they believe an Honor Code violation has occurred or is about to occur. Failure to report an Honor Code violation is a violation of the Honor Code.

2. Members of the College of Law community are expected to cooperate fully with the Associate Dean for Academic Affairs and others in connection with the Honor Code, and may not retaliate against, threaten, or harass anyone participating in a process under the Honor Code. Participating in a process under the Honor Code includes, but is not limited to, making a good faith report that the Honor Code has been violated.
3. The Honor Code provides a non-adversarial process designed to resolve matters concerning academic misconduct and dishonesty. It is not designed to be a legal or judicial process. Accordingly, legal counsel will not be permitted to attend or participate in meetings and other proceedings initiated under the Honor Code.

#### B. Collaborative Work

Faculty members may ask students to collaborate with others on written projects or other course work. Although the guidelines for collaborative work may differ from course to course, in most cases, part or all of a collaborative project must be completed independently. Faculty members are encouraged to be as clear as possible about when collaboration is allowed and what work must be completed independently. It is helpful when these expectations can be communicated in writing, especially in the course syllabus or when requested by students. Students should make sure they understand what is expected of them; they are responsible for knowing when collaboration is permitted, and when it is not. When in doubt, students should seek clarification from the professor.

#### C. Academic Misconduct

Academic misconduct can be defined generally as all acts of dishonesty in an academic or related matter. All forms of academic misconduct are subject to disciplinary action. Academic misconduct includes, but is not limited to, the following categories of behavior.

1. Cheating. Using or attempting to use unauthorized materials or sources in connection with any assignment, examination, or other academic exercise, or having someone else do work for you when not expressly authorized by the professor.
2. Unauthorized assistance or collaboration. Giving or receiving aid on an assignment, examination, or other academic exercise without the express prior approval of the professor.



3. Inappropriate use of others' work. Using the words, thoughts, or ideas of another without attribution consistent with standard legal citation manuals (e.g. *Bluebook* or *ALWD Citation Manual*), so that they seem as if they are your own. An inference that you have inappropriately used the work of others will arise when significant sections of the paper match other sources and no attribution is given to those sources; when any portion of the paper borrows heavily from a particular source, including the Internet, and the source is not acknowledged; or when you fail to follow conventions for indicating direct quotations.
4. Misappropriation of and damage to academic materials. Damaging, misappropriating, or disabling academic resources so that others cannot use them. This includes, but is not limited to, removing pages from books, stealing books or articles, hiding resources, and deleting or damaging computer files intended for others' use.
5. Compromising examination security. Invading the security maintained for the preparing or storing of examinations, tampering with exam-making or exam-taking software, or discussing any part of a test or examination with a student who has not yet taken that examination, but is scheduled to do so.
6. Compromising examination anonymity. Writing your name, or other identifiable mark, on an examination or assignment when the use of a secret number is required. This includes any act whether intentional or unintentional that may reveal your identity to your professor, unless authorized to do so by the professor. This provision shall not be construed to conflict with any provision of the Americans with Disabilities Act.
7. Multiple submissions. Submitting work you have done in previous classes as if it were new and original work. Students seeking to submit a piece of work to more than one class must have the written permission of both professors.
8. Deception and misrepresentation. Lying about or misrepresenting your work, academic records, credentials, or other academic matters or information. Examples of deception and misrepresentation include forging signatures (e.g., signing someone else's name to an attendance sheet or asking another student to sign your name), forging letters of recommendation, falsifying field placement or clinic documentation, falsifying pro bono records, and falsifying information in an application or on a resume.
9. Electronic dishonesty. Using network or computer access inappropriately, in a way that affects a class or other students' academic work. Examples of electronic dishonesty include tampering with another student's account so that student cannot complete or submit an assignment, stealing a student's work through electronic means, or knowingly spreading a computer virus. This is not an exhaustive list.

10. Facilitating academic dishonesty. Helping someone else to commit an act of academic dishonesty. This includes but is not limited to giving someone work product to copy or allowing someone to cheat from your examination or assignment.
11. Writing past end of examination. Continuing to write a test or examination when the time allotted has elapsed.
12. Failure to report. Knowing failure to report a violation of the Honor Code, conspiring to violate the Honor Code, or knowingly making a false report that another student has violated the Honor Code.

#### D. Process

After an alleged violation is reported to the Associate Dean for Academic Affairs, the Associate Dean shall interview the person reporting the violation and other persons with information, and shall seek additional information regarding the allegation. The student accused of violating the Honor Code will be promptly notified, in writing, of the allegation and a fact-finding meeting will be scheduled.

If the Associate Dean for Academic Affairs determines that the Honor Code has not been violated or that a violation cannot be substantiated, the investigation will end; however, the Associate Dean shall maintain a confidential file that includes a summary of the matter, explaining that no violation occurred or cannot be substantiated, and will use it only to respond to specific inquiries about the matter received from the student whose conduct was at issue or from a board of bar examiners or similar organization to which the student has applied. Furthermore, the student accused shall receive a copy of the summary.

If the Associate Dean for Academic Affairs determines there is sufficient evidence to support an Honor Code violation, then the student whose conduct is at issue will be promptly notified, in writing, of this determination and a hearing will be scheduled.

At the hearing, the student will be provided with an explanation of any Honor Code section at issue, a summary of the information gathered, a reasonable opportunity to respond, and an explanation of the potential sanctions. During the hearing, the Associate Dean for Academic Affairs and the student may have witnesses available, but the witnesses need not be in the same room as the student, and the student, while having the right to understand the witnesses' positions, does not have the right to examine the witnesses. The hearing may be recorded (video or audio). A student who fails to attend the hearing will forfeit the right to respond regarding the alleged

violation, unless excused, and the Associate Dean for Academic Affairs may proceed to render a decision and impose a sanction. A student may request in writing to the Associate Dean for Academic Affairs a waiver of the hearing and process outlined herein.

Following the hearing, the Associate Dean for Academic Affairs will inform the student of the decision in writing. The written decision will describe the violation, the determination, and any sanctions. A written summary of the matter and the decision letter shall be kept in the student's file.

If a student wishes to contest the decision, the student may do so by submitting a written statement to the Associate Dean for Student Services within three business days from the issuance date of the Associate Dean for Academic Affairs' decision letter. The Associate Dean will immediately forward the student's statement and the Associate Dean for Academic Affairs' decision letter to the Academic Standards Committee ("Committee") for review. There will be no additional testimony permitted at the appeal and the Committee shall decide the appeal based solely upon the written documents in the case and recordings of the meeting, if any. At its discretion, the Committee may allow oral argument. The Committee will inform the student of the decision, in writing, and will provide a rationale for the decision.

A student may appeal the Committee's decision to the Dean by submitting a written statement to the Dean within three business days from the issuance date of the Committee's decision letter. There will be no additional testimony permitted at the appeal to the Dean and, at the Dean's discretion, oral argument may be allowed. The Dean shall be the final arbiter of the matter and will inform the student of the decision in writing. A summary of the matter, along with all decision letters, shall be kept in the student's file.

#### E. Sanctions

Pursuant to ABA Standard 501(b), the College of Law shall not retain students who do not appear capable of being admitted to the bar. The list of sanctions is not all-inclusive, and sanctions are not listed in any particular order. One or more sanctions may be imposed in response to one or more violations. The sanction selected depends on the nature and severity of the violation. Prior violations or mitigating factors may be considered when imposing sanctions under the Honor Code.

1. Expulsion
2. Suspension for a specified period of time.
3. Probation for a specified period of time.
4. Suspension or revocation of a degree, certification, or other award conferred by the College of Law.
5. Oral or written warning.
6. Oral or written reprimand.
7. Academic penalty, such as a lower or failing grade or no credit for an assignment or course; this penalty may be imposed only after the Associate Dean for Academic Affairs consults with and receives the concurrence of the course professor.
8. Payment to compensate for any injury or loss caused, provided that the amount of such injury or loss has been proved by a preponderance of the evidence.
9. Exclusion or suspension from one or more activity, event, function, benefit, or privilege of the College of Law.
10. Letter of apology or explanation of conduct.
11. Denial of a Dean's certificate.

#### F. Mitigating & Aggravating Factors

In determining the sanction, the Associate Dean for Academic Affairs may consider mitigating and aggravating factors. A non-exhaustive list of factors may include:

1. Admission prior to allegation reported. It may be a mitigating factor when a student voluntarily admits misconduct before learning that someone has reported the matter or is about to report the matter. A student who has the integrity to come forth with a good-faith admission has reaffirmed a personal commitment to honor. Any student interested in making such an admission should contact the Associate Dean for Academic Affairs.
2. Other admissions. An admission made after an allegation has been reported may have some mitigating value; however, a post-report admission is not as strong a mitigating factor as a pre-report admission.
3. Cooperation. The Associate Dean for Academic Affairs may consider how cooperative, or uncooperative, the student was during the process, including whether the student responded timely to inquiries and requests for meetings, provided requested information, and dealt honestly and civilly with others involved with the process.
4. Intent. Conduct falls on an intent continuum that ranges from malicious, willful, intentional, reckless, and grossly negligent conduct on the more serious

end, to merely negligent, careless, and unintentional conduct on the less serious end.

5. Degree of harm or seriousness of offense. The degree of harm to others and the seriousness of the conduct are relevant factors in determining sanctions.
6. Prior violations.

## **VI. Code of Professional Conduct**

### **A. General Provisions**

1. Members of the College of Law community are expected to cooperate fully with the Associate Dean for Student Services and others in connection with the Conduct Code, and may not retaliate against, threaten, or harass anyone participating in a process under the Conduct Code. Participating in a process under the Conduct Code includes, but is not limited to, making a good faith report that the Conduct Code has been violated.
2. The Conduct Code provides a non-adversarial process designed to resolve matters concerning professional misconduct. It is not designed to be a legal or judicial process. Accordingly, legal counsel will not be permitted to attend or participate in meetings and other proceedings initiated under the Conduct Code.
3. In the event a student organization is responsible for a Conduct Code violation, each officer of the organization will be the responsible party subject to sanction under the Conduct Code.

### **B. On-Campus versus Off-Campus Conduct**

Generally, the College of Law will take action for misconduct that occurs on-campus, or at events sponsored by the College of Law or Belmont University, whether held on or off campus. However, the College of Law may take action for other off-campus behavior that adversely affects the College of Law community, mission, or reputation. The College of Law has a vital interest in the character of our students and may regard off-campus behavior as a reflection of a student's character and a student's fitness to continue as a member of the student body or to practice law.

### **C. Professional Misconduct**

Students are expected to conduct themselves in a manner that supports the College of Law's and Belmont University's educational missions and visions. This includes

acting in a professional, dignified, and respectful manner. All forms of professional misconduct are subject to disciplinary action. Professional misconduct includes, but is not limited to, the following categories of behavior.

1. Violating Belmont University's anti-discrimination policy. Harassment or discrimination against members of our community, or others associated with our community, based on a person's race, gender, color, national or ethnic origin, age, religion, disability, military service, sexual orientation, or political affiliation is unacceptable. Please review the [Bruin Guide](#) for details as well as the College of Law's [Non-Discrimination Statement](#).
2. Violating Belmont University's substance-free campus policy. This policy includes College of Law and University sponsored events taking place on campus. Please review the [Bruin Guide](#) for details regarding rules for on-campus events. For any College of Law events or events hosted by a Student Organization approved under Section 601 of this Student Handbook, attendees will be subject to the rules set forth in Section 603 of this Student Handbook.
3. Violating Belmont University's weapons-free campus policy. Please review the [Bruin Guide](#) for details.
4. Violating Belmont University's harassment policy. Please review the [Bruin Guide](#) for details.
5. Violating Belmont University's pets and other animals policy. Please review the [Bruin Guide](#) for details. Pets and other animals are prohibited from university-owned buildings unless the animal is in the service of a person with a disability.
6. Publication of false information. Publishing or circulating false information that is damaging to the reputation of any member of the College of Law or University community.
7. Destruction of property. Destroying, defacing, erasing, altering, hiding, limiting access to, possessing, accessing, entering or using, without authority, the property of Belmont University or the property of others located on campus or related to a College of Law or University activity.
8. Theft. Taking property of another without authorization or by fraud. Such property includes, but is not limited to, briefs, books, notes, tapes, computer software, data, or outlines belonging to a faculty member or another student.
9. Adverse fitness activity. Engaging in conduct that adversely reflects on fitness to study or practice law, including but not limited to violations of federal or state criminal law, regardless of whether such conduct is actually prosecuted in the courts, or engaging in conduct, which, if done by a lawyer, would violate state codes of professional responsibility.

10. False emergency report. Initiating or causing any false report, warning, or threat of fire, explosion, or other emergency.
11. Misuse of safety devices. Misusing or tampering with fire alarm systems, fire extinguishers, or other safety or security equipment.
12. Failure to report. Knowing failure to report a violation of this portion of the Conduct Code, conspiring to violate the Conduct Code, or knowingly making a false report that another student has violated the Conduct Code.

#### D. Professional Misconduct Observed by Faculty, Administration, or Staff

Faculty, Administration, or Staff of the College of Law and University may observe other types of professional misconduct that includes, but is not limited to, the following categories of behavior.

1. Malicious use of obscenities. Inappropriate professional conduct includes the malicious use of obscenities or the use of profane, degrading, abusive, or offensive language or gestures, except when discussing such matters from an academic perspective.
2. Disruption. Inappropriate professional conduct includes disrupting, or conspiring to disrupt, the activities or functions of the College of Law or University, or any class, library, academic, or co-curricular activity.
3. Material misrepresentation. Making a material misrepresentation to the Faculty, Administration, or Staff of the College of Law or University.
4. Failure to comply. Failing or refusing to comply with the reasonable instruction of any clearly identified College of Law or University official who is performing their duties.
5. Failure to attend. Failing or refusing to attend a mandatory event or function scheduled by a member of the College of Law administration or faculty.

#### E. Obligation to Continually Update Application

The following categories of behavior, which represent professional misconduct, relate to a student's obligation to continually update their application, pre-matriculation and post-matriculation.

1. Failure to disclose. A student must disclose to the Associate Dean for Student Services any character and fitness issue including any charge, arrest, or conviction that arises after the student has submitted an admissions application to the College of Law. Disclosure must be made immediately.

2. Failure to amend. Post-matriculation and through the course of law study, a student has a continuing obligation to insure the completeness and correctness of their admissions application to the College of Law by disclosing to the Associate Dean for Student Services any changes in character and fitness or factual irregularities or discrepancies in the student's application. Disclosure must be made immediately.

#### F. Process

1. Post-Matriculation: After an alleged violation is reported to the Associate Dean for Student Services, the Associate Dean shall interview the person reporting the violation and other persons with information, and shall seek additional information regarding the allegation. The student or organization accused of violating the Conduct Code will be promptly notified, in writing, of the allegation and a fact-finding meeting will be scheduled.

If the Associate Dean for Student Services determines that the Conduct Code has not been violated or that a violation cannot be substantiated, the investigation will end; however, the Associate Dean shall maintain a confidential file that includes a summary of the matter, explaining that no violation occurred or cannot be substantiated, and will use it only to respond to specific inquiries about the matter received from the student whose conduct was at issue or from a board of bar examiners or similar organization to which the student has applied. Furthermore, the student or organization accused shall receive a copy of the summary.

If the Associate Dean for Student Services determines there is sufficient evidence to support a Conduct Code violation, then the student or organization whose conduct is at issue will be promptly notified, in writing, of this determination and a hearing will be scheduled.

At the hearing, the student or the organization's leadership will be provided with an explanation of any Conduct Code section at issue, a summary of the information gathered, a reasonable opportunity to respond, and an explanation of the potential sanctions. During the hearing, the Associate Dean for Student Services and the student or the organization's leadership may have witnesses available, but the witnesses need not be in the same room as the student or the organization's leadership, and the student or the organization's leadership, while having the right to understand the witnesses' positions, does not have the right to examine the witnesses. The hearing may be recorded (video or audio).



A student or organization leadership who fails to attend the hearing will forfeit the right to respond regarding the alleged violation, unless excused, and the Associate Dean for Student Services may proceed to render a decision and impose a sanction. A student may request in writing to the Associate Dean for Student Affairs a waiver of the hearing and process outlined herein.

Following the hearing, the Associate Dean for Student Services will inform the student or the organization's leadership of the decision in writing. The written decision will describe the violation, the determination, and any sanctions. A written summary of the matter and the decision letter shall be kept in the individual student's file or each organization leader's file.

If a student or organization leadership wishes to contest the decision, they may do so by submitting a written statement to the Dean within three business days from the issuance date of the Associate Dean for Student Services' decision letter. There will be no additional testimony permitted at the appeal to the Dean and, at the Dean's discretion, oral argument may be allowed. The Dean shall be the final arbiter of the matter and will inform the student or the organization's leadership of the decision, in writing. A summary of the matter, along with all decision letters, shall be kept in the student's file or each organization leader's file.

2. Pre-Matriculation: After an alleged violation is reported to the Associate Dean for Student Services, the Associate Dean shall interview the person reporting the violation and other persons with information, and shall seek additional information regarding the allegation. The admitted applicant accused of violating the Conduct Code will be promptly notified, in writing, of the allegation and a fact-finding meeting will be scheduled.

If the Associate Dean for Student Services determines that the Conduct Code has not been violated or that a violation cannot be substantiated, the investigation will end; however, the Associate Dean shall maintain a confidential file that includes a summary of the matter, explaining that no violation occurred or cannot be substantiated, and will use it only to respond to specific inquiries about the matter received from the admitted applicant whose conduct was at issue or from a board of bar examiners or similar organization to which the admitted applicant has applied. Furthermore, the admitted applicant shall receive a copy of the summary.

If the Associate Dean for Student Services determines there is sufficient evidence to support a Conduct Code violation, then the admitted applicant whose conduct is at issue will be promptly notified in writing of this determination and shall be required to submit a written statement explaining their position. The matter will then be forwarded to the Admissions Committee for resolution. The Admissions Committee is the final arbiter.

If a violation is self-reported, the Associate Dean for Student Services shall require the admitted applicant to submit a written statement of disclosure detailing the violation. The matter will then be forwarded to the Admissions Committee for resolution. The Admissions Committee is the final arbiter.

## G. Sanctions

Pursuant to ABA Standard 501(b), the College of Law shall not admit or retain students who do not appear capable of being admitted to the bar. The list of sanctions is not all-inclusive, and sanctions are not listed in any particular order. One or more sanctions may be imposed in response to one or more violations. The sanction selected depends on the nature and severity of the violation. Prior violations or mitigating factors may be considered when imposing sanctions under the Conduct Code.

1. Expulsion
2. Suspension for a specified period of time.
3. Disciplinary probation for a specified period of time.
4. Oral or written warning.
5. Oral or written reprimand.
6. Payment to compensate for any injury or loss caused, provided that the amount of such injury or loss has been proved by a preponderance of the evidence.
7. Restitution.
8. Dismissal from Law Review, Board of Advocates, and any other office or position connected with a student organization or activity recognized by the College of Law.
9. Exclusion or suspension from one or more activity, event, function, benefit, or privilege of the College of Law.
10. Referral to the Tennessee Lawyers Assistance Program.
11. Referral to counseling services.
12. Community service.
13. Letter of apology or explanation of conduct.
14. Organization charter revocation.

15. Offer of admission withdrawn and seat vacated.

#### H. Mitigating & Aggravating Factors

In determining the sanction, the Associate Dean for Student Services may consider mitigating and aggravating factors. A non-exhaustive list of factors includes:

1. Admission prior to allegation reported. It may be a mitigating factor when a student voluntarily admits misconduct before learning that someone has reported the matter or is about to report the matter. A student who has the integrity to come forth with a good-faith admission has reaffirmed a personal commitment to honor. Any student interested in making such an admission should contact the Associate Dean for Student Services.
2. Other admissions. An admission made after an allegation has been reported may have some mitigating value; however, a post-report admission is not as strong a mitigating factor as a pre-report admission.
3. Cooperation. The Associate Dean for Student Services may consider how cooperative, or uncooperative, the student was during the process, including whether the student responded timely to inquiries and requests for meetings, provided requested information, and dealt honestly and civilly with others involved with the process.
4. Intent. Conduct falls on an intent continuum that ranges from malicious, willful, intentional, reckless, and grossly negligent conduct on the more serious end, to merely negligent, careless, and unintentional conduct on the less serious end.
5. Degree of harm or seriousness of offense. The degree of harm to others and the seriousness of the conduct are relevant factors in determining sanctions.
6. Prior violations.

*Attribution:* Portions of the Code of Student Conduct were derived from Faulkner University Thomas Goode Jones School of Law's Student Handbook and Stetson University College of Law's Code of Student Professionalism and Conduct and Academic Honor Code.

Approved by the faculty on April 3, 2012.

Amended on February 12, 2025.