

**WVU COLLEGE OF LAW
STUDENT HANDBOOK
2011-2012**

**West Virginia University
College of Law
Student Handbook
2011-2012**

All students at West Virginia University College of Law shall abide by the content of the Student Handbook and the Student Code of Professional Responsibility. Retain this document throughout your law school career, and refer to it in case of doubt as to policies of the College. You may also consult the Associate Dean for Academic Affairs at any time for advice as to any policy contained in the Handbook. From time to time the faculty of the College of Law may change the provisions of this Handbook.

Although the faculty acknowledges that students rely on this Handbook, it reserves the right to alter any portion of this Handbook at any time.

The following information was compiled by the Office of the Assistant Dean for Student Affairs. Students of the West Virginia University College of Law are charged with the knowledge of these rules and regulations, as well as those found in the College of Law Honor Code and the WVU Handbook.

Janet Long Armistead, Assistant Dean for
Student Affairs

NOTE: KEEP THIS HANDBOOK FOR YOUR ENTIRE LAW SCHOOL CAREER

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**~ Frequently Asked Questions ~
Answer Guide**

What academic honors can I earn while in law school?

Some honors are conferred based on merit (see pages 34-35), and some involve competitions and can yield academic credit (see pages 65-67).

What are the qualifications for Law Review eligibility?

See page 65.

What does it mean to be on academic probation?

See page 29.

In what student organizations can I get involved at the law school?

Many College of Law organizations welcome all students who are interested, while others require the students to excel in various legal academic areas (see pages 65-67 and <http://www.law.wvu.edu/student/orgs>).

What is the law school's grade point average system?

See page 25.

Where can I find out about careers, jobs, and summer internships?

See the section about the Meredith Career Services Center, beginning on page 84.

Where can I find the Code of Professional Responsibility (Honor Code)?

See the section on Professional Responsibility and the West Virginia University College of Law Student Code of Professional Responsibility on pages 36-55.

When I graduate from law school, what are the steps I need to take to prepare for the bar exam?

West Virginia Supreme Court Appeals Web site, www.state.wv.us/wvsca (Board of Law Examiners link);

West Virginia State Bar site, www.wvbar.org;

National Conference of Bar Examiners site at www.ncbex.org.

What is my professor's phone number, e-mail address, etc.?

See the Directory on pages 112-120.

How can I change my address with WVU so I will receive my financial aid check?

See page 90.

Whom do I call if I am sick and must miss class?

See page 56. Also, for treatment information, see the Student Health Services section on page 94.

~ Handbook 2011-2012 ~

Academic Policies and Procedures

Academic Requirements

To graduate from the College of Law, students must first satisfactorily complete the first-year curriculum. For a description of grading standards, see the Grading Information/Procedure section.

First-Year Curriculum

The first-year curriculum is a required set of courses designed by the faculty to give new law students an introduction to the fundamentals of legal practice. The Registrar will assign you to a section of each required course. The first-year curriculum consists of three types of courses:

Private Law (governs the legal relationships and disputes among private persons and entities). The "Private Law" courses you will take are Torts (civil wrongs), Contracts, and Property.

Public Law (governs relationships and disputes between government entities and private persons and entities). The "Public Law" courses are Criminal Law and Constitutional Law.

Practice (procedure, ethical issues, researching law and writing legal documents). Courses are Civil Procedure (both Jurisdiction and Rules), Professional Responsibility, and Legal Reasoning, Research, and Writing.

Students will typically take these courses as follows (except for the few students accepted into the part-time program who take this curriculum over two years):

Fall Semester: (Total Credits = 15)

- Contracts I (4 credits)
- Torts I (4 credits)
- Criminal Law (3 credits)
- Civil Procedure: Jurisdiction (2 credits)
- Legal Reasoning, Research, and Writing (LRRW) (2 credits but given at end of Spring semester)

Spring Semester: (Total Credits = 16)

- Property I (4 credits)
- Constitutional Law (4 credits)
- Professional Responsibility (3 credits)
- Civil Procedure: Rules (3 credits)
- LRRW (2 credits) (continuation of Fall semester for a total of 4 credits)

In some years, Civil Procedure: Rules (3 credits) is taught in the first semester and Civil Procedure: Jurisdiction (2 credits) is taught in the second semester.

Legal Writing Requirement

Students must obtain a C or better to satisfy the Legal Reasoning, Research, and Writing (LRRW) course requirement. Students who fail to make a C or better in the first attempt have a second opportunity to satisfy the LRRW requirement by making a C or better in Legal Research, Reasoning, Research, and Writing III (LRRW III) (offered to second-year students, when available, in the fall semester) or in a second taking of the two-semester, first-year sequence of LRRW I and LRRW II. Students who fail to make a C or better in their second attempts to satisfy the LRRW requirement will be dismissed from the College of Law. For students who make a C or better on the second attempt, both grades will count in law

school GPA but the student will receive only 4 total hours of credit toward law school graduation.

No student will be allowed to drop the required first-year LRRW course. Students needing to decelerate during the first year of law school must drop another required course. Part-time students must take LRRW during their first year of law school.

Successful completion (grade of C or better) of Legal Reasoning, Research, and Writing is a prerequisite for taking Appellate Advocacy, any seminar, or any clinic. This prerequisite may not be waived. Students will receive a detailed policy handbook at the beginning of the LRRW course; all policies will be in effect for the duration of the course.

Upper Level Courses

Required Courses after the First-Year Curriculum

- **Appellate Advocacy** (2 credits)
Students must obtain a grade of C or better to satisfy the Appellate Advocacy requirement.
- **One research seminar** (2 credits) from an extensive menu of seminars. Seminars are specifically noted by the letters "Sem." in the course title and are numbered as "Law 689 or 794." They have a common structure, and the final grade is heavily predicated on a substantial research paper. Enrollment is limited to 15 students in each seminar. Seminar courses are required to meet at least ten times for at least 100 minutes per meeting during the semester. Students must obtain a grade of C or better to satisfy the seminar requirement.

- **Perspective Requirement** The perspective requirement reflects the College of Law's conviction that legal education should expand students' horizons by connecting their studies to the traditions of the liberal arts (i.e. the humanities, social sciences, and natural sciences). Perspective courses examine law and lawyers primarily from points of view that are significantly different from the doctrinal and policy analysis taught in standard upper-level courses on various areas of practice. Rather than taking the judicial opinions, statutes, and regulations of American law as their primary texts, they immerse students in ways of thinking about the law and about lawyering that differ from the approaches most commonly used by working lawyers and judges. Perspective courses look across doctrinal boundaries, engaging the student in a conversation about the relationships between law and other disciplines; they explore the nature of the American legal system by contrasting it with other legal systems; they discuss the ways in which law and lawyers both shape and are shaped by the liberal arts and the wider culture. Some examples of perspective courses include: American Legal History, Jurisprudence, Law and Psychology, Gender & Law, Lawyers & Literature, Comparative Constitutional Law, and Empirical Legal Methods.

Students who entered the College of Law prior to Fall 2011 (or who transferred to the College of Law as second-year students in Fall 2011) must take **two** perspective courses in order to graduate. For these students, taking a seminar that is designated as a perspective can satisfy both the seminar requirement and one-half of the perspective requirement. Doing either the joint MBA or MPA program satisfies the perspective requirement. The faculty will decide in September 2011 whether the same rules will be applied to the first-year class entering in Fall 2011.

Perspective courses are designated by an asterisk on the class schedule and are collected in an official list of perspective courses. Both the latest version of the class schedule and the official perspective list can be found on the College of Law website: http://law.wvu.edu/academics/student_resources.

- **Capstone Requirement.** Students must take one course from the following list of "capstone" courses. These include:
 1. Trial Advocacy (4 credits);
 2. A Clinic. Current clinical opportunities include: Legal Clinic (14 credits over two semesters), Immigration Law Clinic (5-7 credits over one semester), Entrepreneurship Clinic (9 credits over two semesters), and Child and Family Advocacy Clinic (14 credits over two semesters);
 3. Federal Judicial Externship program (13 credits; 6 graded, 7 pass/fail);
 4. Public Service Externship with Federal Government Agency (13 credits over one semester; 6 graded, 7 pass/fail). Only full-semester externships with federal agencies qualify as capstone courses;
 5. Business Transactions Drafting Practicum (4 credits);
 6. When available: writing a faculty-supervised brief and making an oral argument before the U.S. Court of Appeals or the Supreme Court of Appeals of West Virginia as an independent study project (2 credits); and
 7. By petition only: an interdisciplinary project supervised by a law faculty member and a university faculty member who is not a law faculty member.
- The course in Evidence is a prerequisite to taking Trial Advocacy, the General Legal Clinic, the Child and Family Advocacy Clinic, or a Federal Judicial Externship. (There is no requirement that the student attain a particular grade in Evidence prior to taking the other courses.)

- Students taking Trial Advocacy must obtain a grade of “C” or better in the course in order for that course to satisfy the capstone requirement.

Requirement Waiver

In exceptionally rare circumstances, the Academic Standards Committee may exempt a student from taking a required course or may permit a student to take a course out of sequence.

Other Academic Requirements

1. **Hours to Graduate:** Every student must satisfactorily complete (see the “Passing Grades and Graduation Credit” subsection) ninety-one (91) credit hours and must be in good academic standing to graduate. Except in circumstances described in the section “Earning Law School Credit Outside the Law School,” all these credits must be earned at the West Virginia University College of Law. In any event, only WVU College of Law courses will count as part of the grade point average. All students must have a cumulative grade point average of 2.20 or above in order to graduate from the College of Law.
2. **Study Outside the Classroom:** The American Bar Association prohibits a student from taking more than a total of twenty-six (26) course hours in the following types of classes: externships, co-curricular activities (such as Law Review, Moot Court, and Lugar Trial Association), independent study, courses in other graduate departments, summer abroad programs, and distance education programs that rely on teaching outside the classroom setting.

3. **Distance Education:** No student may take more than four (4) credits per term in any class taught through distance education as defined by Standard 306 of the American Bar Association. Standard 306 states that distance education is “an educational process characterized by the separation, in time or place, between instructor and student” and includes courses offered via “technological transmission” (e.g., internet, closed circuit TV), “audio or computer conferencing,” “video cassettes or discs,” and correspondence.

No student may take more than twelve (12) credits during his/her law school career in total classes taught through distance education as defined by Standard 306. No student may take any distance education course until that student has completed at least twenty-eight (28) credits in law school.

4. **ABA Requirement:** The American Bar Association accredits American Law Schools. A Juris Doctorate (JD) degree from an ABA accredited law school entitles one to take the bar examination in any state (other individual state requirements, such as character, being met). The WVU College of Law has been fully accredited by the ABA since 1924. Four ABA requirements worth noting here are: Standard 304(c) work on the JD degree must be “completed no earlier than 24 months and no later than 84 months after a student has commenced law study”; Standard 304(d), “A Law School shall require regular and punctual class attendance”; and Standard 304(e), “A Law School shall not permit a student to be enrolled at any time in coursework that, if successfully completed, would exceed 20 percent of the total coursework required by that school for graduation . . .”; and 304(f), “A student may not

be employed more than 20 hours per week in any week in which the student is enrolled in more than twelve class hours.” The ABA standards for Approval of Law Schools are published annually and can be accessed at www.abanet.org.

5. **Full-Time Status and Tuition/Fees:** Students should be aware that the university treats 9 hours per semester as full-time status for graduate and professional students, so students will be charged full tuition and fees for taking 9 hours or more. Students taking fewer than 9 hours will receive a proportionate reduction of their tuition and fees. (E.g., students taking 8 hours will be charged 8/9 of their full-time tuition and fees.)
6. **Deficiencies after Three Years:** Full-time students who are deficient in semester hours at the end of their third year of study must make up their deficiencies in regular law school courses. No credit is awarded for summer independent study or summer research. However, credit is awarded for summer school courses here or elsewhere or in the following fall semester. Independent study and research courses are offered only during the regular academic year, not during the summer.
7. **Maximum Credits Per Semester:** A student must obtain approval from the Chair of the Academic Standards Committee to carry more than 17 credit hours per semester. For 2011-12, the Chair of Academic Standards is Professor Robert Bastress. Students can obtain the necessary form from Jackie Bennet, Law School Registrar, or Toni Sebree, Assistant to the Associate Dean for Academic Affairs. For students in joint degree programs, this rule applies only to their courses at the College of Law.

Office of the Registrar

Academic Year

The College of Law has its own academic calendar, which differs from the general West Virginia University academic calendar. For example, the Law School’s examination period extends over a two-week period, instead of the standard one week. Law students should refer only to the College of Law Academic Calendar, which can be accessed from the College of Law Web site, www.law.wvu.edu.

Scheduling

The Associate Dean for Academic Affairs and the Registrar complete the master course schedule.

The Registrar assigns first-year students to specific sections of their required courses. The students then register for these courses on the STAR system. Second- and third-year students make their own schedules through WVU’s STAR System via the Internet.

It is a violation of the College of Law’s Honor Code to create a schedule earlier than the date and time designated by the College of Law. Early schedules will be deleted, and the student will need to see the Registrar.

Auditing

A law student may audit a College of Law course (without receiving academic credit) with the permission of the professor teaching the course. A class may not be audited if it has reached its enrollment capacity. Students should register for the class as an audit using the STAR system.

Transcripts

Official transcripts can only be obtained by contacting the University Registrar’s office. Information on requesting transcripts can be found on the College of Law website as well as the website of the University Registrar: http://registrar.wvu.edu/transcript_requests.

Please note that it generally takes three to five working days for the University Registrar to produce a transcript, so it is important to plan accordingly.

Part-Time Program

Full-time students average just over 15 hours per semester in order to amass 91 credits in 6 semesters. Students taking significantly fewer hours per semester will take longer to finish their degrees, and are considered part-time students at the College of Law. (Note, however, that in the eyes of the university, graduate or professional students taking 9 hours or more are charged full tuition and fees, thus some “part-time” students who will need more than 6 semesters to graduate will still pay the same tuition and fees each semester as their full-time colleagues.)

Part-time students are subject to the same graduation requirements in terms of total credit hours (presently 91 credits), cumulative grade point average (2.2) and specific required courses. Part-time students have to complete all graduation requirements within seven years from the date of initial enrollment.

1. **Selection:** The Admissions Committee selects first-year part-time students from students already admitted to the Law School. The total size of the entering class is not increased.

Written applications for part-time status are required, and selection is based on objective indicators of the need to attend on a part-time basis. After completing the first-year curriculum, a student may become a part-time student by advising the Associate Dean for Academic Affairs at the beginning of the semester of that intention.

2. **First-Year Curriculum:** Part-time students must take both semesters of LRRW in their first year of law school. Typically, part-time students take two courses in addition to LRRW in each semester of the first year, then take the rest of the first-year curriculum in their second year of studies. Part-time students may not enroll in courses other than those in the first-year curriculum until the entire first-year curriculum has been completed, except with approval of the Associate Dean for Academic Affairs.
3. **Scheduling of Classes:** Part-time students must consult the Associate Dean in scheduling.

4. **Probation and Dismissal:** Students entering the part-time program during the first-year curriculum are subject to the probation and dismissal rules applicable to full-time students who have completed the first-year curriculum only when the part-time students have completed the entire first-year curriculum. Part-time students do not receive a class rank until they have completed the entire first-year curriculum.

In all other respects, part-time students and full-time students attending more than six semesters are subject to probation and dismissal rules substantially equivalent to those applicable to full-time students.

Withdrawal from Program

There are three types of withdrawals that are governed by this rule: (a) partial withdrawal from some part of a student’s course work; (b) in-semester withdrawal from all College of Law courses in which a student is registered; and (c) between-semester withdrawal after the completion of one semester and before the start of the next semester. Any student considering withdrawing from school must see the Associate Dean for Academic Affairs. The faculty and staff of the College of Law are available and willing to help resolve any difficulties that may be hindering a student’s legal studies. Any student wishing to withdraw must also see the Registrar and withdraw according to guidelines set by the College of Law and by the University.

Please note that the deadlines described below are for fall and spring courses. Summer courses are often shorter in length, and may have very short deadlines (i.e. a couple of days) for dropping without a W.

Partial Withdrawal (a.k.a. dropping some, but not all, courses for a semester)

1. **Reduction in the First Year**
Because the first-year curriculum must be completed before the student may take upper division courses, full-time students are not permitted to reduce the course load in the first year by dropping courses except with the permission of the Associate Dean for Academic Affairs. By faculty resolution, no student shall be allowed to drop the required first-year course in Legal Reasoning, Research, and Writing.

2. **Dropping Courses After the First Year**

(a) **First Week.** During the first week of the semester, upper level students may drop any course without having a W (“withdrew”) placed on their transcripts. (See the College of Law Academic Calendar for the specific date each semester.) If the dropped course brings a student’s course load below 9 hours, the student should be eligible for a reduction in tuition and fees.

(b) **First Six Weeks.** During the first six weeks of any semester, a student (other than one enrolled in the first-year curriculum) may withdraw from any course (some courses, such as Clinic, may restrict this option) or courses without penalty, if the student processes a withdrawal slip. The grade for a course dropped during this period shall be a “W.” Please note that under university policy, students who drop some but not all of their courses during this period receive no refund of tuition or fees. See http://studentaccounts.wvu.edu/refunds/reduction_schedule.

3. **Courses Dropped before the University Deadline**

After the first six weeks of a semester and up through the last date for withdrawal from a course set by the University, no student may withdraw from any course without the faculty member’s approval. Any student permitted to withdraw from a course during this period will receive a grade of “W” or “WU” (Unsatisfactory Withdrawal) depending upon whether, in the faculty member’s judgment, the student was doing passing work at the time of withdrawal. In the absence of written work to evaluate, the grade of “WU” is assigned only if the student has missed more than twenty-five percent (25%) of the classes scheduled to the date of withdrawal. The faculty member teaching the course in question may deny the student permission to withdraw only if the student fails to show good cause for the withdrawal.

4. **Courses Dropped after the University Deadline**

After the University’s last date for withdrawal from a course (see the Academic Calendar), no student may withdraw from a course for any reason. Students who do not complete course requirements will receive an F for the course. Specifically, students denied permission to sit for a final because of excessive absences will receive an F if the last date for withdrawal has passed. This is a university rule, and no exceptions can be made.

In-Semester Withdrawal from All Classes

1. **Withdrawal during First Twelve (12) Weeks**

During the first 12 weeks of any semester, a student may withdraw totally from the West Virginia University College of Law by obtaining permission from the Associate Dean of Academic Affairs, and any student withdrawing from the West Virginia University College of Law during this period receives a grade of “W” in all courses dropped pursuant to this withdrawal. Students who withdraw completely within the first six weeks of class may be eligible for a partial refund of tuition and fees according to the University Refund Schedule.

See http://studentaccounts.wvu.edu/refunds/reduction_schedule.

2. **Withdrawal after First Twelve (12) Weeks**

After the first twelve (12) weeks of a semester, a student may be permitted to withdraw totally from the West Virginia University College of Law only with the permission of the Academic Standards Committee. The Committee shall grant permission upon a showing by the student that continuation in school will create a severe hardship on the student because of some substantial physical, emotional, or family problem. If permission is granted, the student receives a grade of “W” in all courses dropped; if permission is denied, then the student remains responsible for his or her performance in all courses and will be graded accordingly. The last day to withdraw from all classes is the final day of class, as marked on the College of Law Academic Calendar.

Between-Semester Withdrawal

After the end of a semester and prior to the start of the next semester, a student may withdraw from the West Virginia University College of Law. In all such cases, the West Virginia University College of Law shall advise the student of its requirement that studies must be completed within seven (7) years from the date on which the studies began.

Resumption of Studies

1. **First Semester, First Year**

A student who withdraws from the West Virginia University College of Law before completing the first semester of the first year must, except as herein provided, be readmitted by making application for an initial admission to the West Virginia University College of Law.

A student who withdraws during the first semester may petition the Dean at the time of such withdrawal for permission to be readmitted at the next regular fall semester of the West Virginia University College of Law. If the Dean determines that such withdrawal is for causes beyond the control of the student, the Dean will verify this fact in writing at the time of withdrawal and grant such permission. Permission to be readmitted to the West Virginia University College of Law applies only for admission for the beginning of the next academic year. An adverse decision by the Dean on granting this privilege may be appealed to the Faculty.

2. Other Students

Any student who withdraws voluntarily after the first semester of study must petition the Academic Standards Committee to be readmitted to the West Virginia University College of Law. The Committee may readmit the student to start over as a person seeking initial admission to the West Virginia University College of Law. The Committee considers the length of the interruption of studies, the causes for the interruption of studies, the intervening activities of the student and how they relate to the intellectual activities of a law student, changes in curriculum and the teaching program of the West Virginia University College of Law, and any other factor deemed relevant. The student may be required to repeat, without credit, work previously done, or be required to audit certain courses. Any student who is readmitted may have the student's overall academic program adjusted to meet the requirements at the time of readmission. Resumption of studies is permitted only at the beginning of a semester. A first-year student whose last complete semester was a fall semester is normally permitted to return only at the beginning of a spring semester.

Grades of "Incomplete" in Non-Examination Courses

1. **Granting an "Incomplete":** A student may request an "Incomplete" in any non-examination course. The faculty member teaching the course shall determine whether an "Incomplete" is appropriate.
2. **Time Limit:** By university policy effective for the Fall 2011 semester and beyond, a student has one semester in which to complete the requirements for any non-examination course in which he or she has been given an "Incomplete." More specifically, a student receiving an incomplete for a fall semester class must complete the work by the end of the final day of classes of the following spring semester. A student receiving an incomplete for a spring semester

class must complete the work by the end of the final day of classes of the following fall semester. A student receiving an incomplete for a summer class must complete the work by the end of the final day of classes of the following fall semester.

3. **Shortening Time Limit:** A faculty member who assigns an "Incomplete" to a student may shorten the completion deadline to an earlier date than those specified in the last paragraph, but may not extend the deadline beyond that limit.
4. **Failure to Complete:** If the student does not complete the course requirements within the required time period, the "I" automatically converts to an "F."
5. **Semester Awarded:** When the student completes the course requirements, the credits are assigned to that semester in which the student originally enrolled in the course.
6. **No Repeating:** Receipt of an "Incomplete" for a course precludes the student from taking that course again.
7. **Shortened Time Limit for Students on Probation:** Students who are on academic probation and who receive an "Incomplete" on work undertaken during the student's probationary term shall complete requirements for the course and procure the faculty member's removal of the "Incomplete" within 8 weeks following the last examination date in the semester in which the student was registered for the course. Except for this reduced time limitation, all other provisions of this subsection and the "Deferment of Exams or Assignment Deadlines" subsection apply in the case of such a student on probation.

Rules Governing Certain Special Situations

1. **Independent Study:** A student may earn two hours of credit by arranging a suitable research project with a member of the faculty. The Chair of the Academic Standards Committee must approve the project. A second faculty reviewer must approve the grade given for an independent study. The Registrar has the forms to be submitted to the Chair of the Committee. Independent Study does not satisfy the seminar requirement.

- 2. Graduate and Post-Graduate Students:** Graduate and post-graduate students from other colleges, schools, and divisions within the university may enroll in WVU College of Law courses with the permission of the Associate Dean for Academic Affairs; the appropriate officer of the college, school, or division within the university to which they are attached; and the faculty member teaching the course. The Associate Dean shall not permit a student to enroll in a course under this provision if the student (1) would have taken more than 21 credit hours under this provision upon completion of the course or (2) has been excluded from the College of Law for any reason. The student's college, school, or university division will determine to what extent courses taken under this provision will be credited toward completion of the requirements for the student's graduate degree.

A student admitted to the College of Law after completing one or more courses under this provision (1) shall not receive any credit toward the JD degree for those previously completed courses, (2) must retake for credit, on a pass/fail basis, any course required for law school graduation that was previously taken, and (3) may not retake any elective course that was previously taken.

- 3. Transient Students - Incoming:** The West Virginia University College of Law accepts transient students only from other law schools accredited by the American Bar Association.

A transient student is one who has taken or will take most of his or her work toward a JD at another ABA-approved law school and will earn a degree from that institution. Transient students are permitted to earn some credits toward that JD while in temporary residence at the West Virginia University College of Law, provided that they obtain permission from their school and the Associate Dean for Academic Affairs.

Earning Law School Credit Outside the Law School

- 1. Individual Courses in Other WVU Colleges:** In addition to any credit earned in a joint degree program, a student may receive law school credit for one graduate level course in another discipline at WVU. No student may receive more than four credits under this rule. The student must obtain prior approval from the Associate Dean for Academic Affairs. Grades earned in other WVU colleges do not affect the student's law school GPA. Students should

choose the pass/fail option when registering to take courses in other WVU colleges in order to prevent grades for these courses from being included in the cumulative GPA on the student's professional school transcript.

Law students may also register for courses in other WVU colleges (e.g., physical education courses) that would not qualify for law school credit. Students should also register pass/fail for these courses so that the courses do not affect the cumulative GPA on the student's professional school transcript.

- 2. Study at Another School - Visiting:** A student in good academic standing may take up to thirty (30) credits toward graduation at another ABA-accredited law school. Upon completion at that law school of all the requirements necessary for the JD from West Virginia University College of Law, the West Virginia University College of Law JD will be awarded. Such students require advance approval of their curriculum by the Associate Dean for Academic Affairs. Only grades of C or better will be transferred to the West Virginia University College of Law. Students may transfer credits for pass/fail courses only with the advance approval of the Associate Dean. Grades earned at other law schools will not be included in the calculation of the student's cumulative law school GPA. Students who take required courses (as listed on pages 1-4 of this Handbook) for credit at other law schools are not eligible for election to Order of the Coif at the West Virginia University College of Law.

- 3. Study at a Foreign Law School - Visiting:** The College of Law, in cooperation with the WVU Office of International Programs, permits individual students to take courses toward their law degree at foreign law schools. Applications are reviewed by the Associate Dean for Academic Affairs and must comply with the "Criteria for Student Study at a Foreign Institution" promulgated by the American Bar Association. Their application must also be approved by the Office of International Programs.

Students seeking such credit must establish an educational purpose that both is consistent with the aims of the College of Law and can be met only through the proposed foreign study. Examples could include students seeking proficiency in the legal vocabulary of a foreign country, students seeking international credentials to support their practice of law, or students interested in the study of

comparative legal systems.

Students must have completed their first year in law school prior to application and can take only one semester under such a foreign program.

Transfer Students - Incoming

A transfer student is a student who has taken some or all of his or her first-year curriculum at another law school and is admitted to earn a JD degree at the West Virginia University College of Law.

The College of Law accepts transfer students only from other law schools accredited by the American Bar Association. Starting in the summer of 2012, the College of Law will no longer accept transfer applicants from law schools that do not award letter grades (or their numerical equivalent) during the first year.

All candidates who transfer to the College of Law from another ABA-accredited law school must satisfactorily complete courses aggregating at least 45 credit hours at the College of Law. In addition, the last 30 credit hours for transfer students must be earned at the College of Law.

The College of Law will accept transfer credits only for courses where the student earned a grade of C or better. In exceptional circumstances, the Associate Dean for Academic Affairs may approve the transfer of a small number of pass/fail credits. The Associate Dean will determine the total number of credit hours that will transfer; only in exceptional cases would credit be given for more than 32 credit hours. The Associate Dean will also determine whether particular courses taken at another law school satisfy specific course requirements at the College of Law.

Graded credits at other law schools that transfer to the College of Law will be entered on the student's College of Law record as pass/fail credits and hence will not affect the student's College of Law grade point average. In order to graduate, all transfer students must obtain a cumulative grade point average of 2.20 or better on courses taken at the College of Law. Transfer students are not eligible for election to Order of the Coif at the West Virginia University College of Law.

Admissions Policies for Transfer Students

The deadline for transfer applications is July 1. The West Virginia University College of Law has established the following guidelines for the Admissions Committee to use in reviewing transfer applications.

- I. In reviewing applications for advanced standing, preference will be given by the Admissions Committee to West Virginia residents.
- II. Applicants must have completed at least one academic year of studying or its equivalent at the institution from which transfer is being sought. For admission purposes, one year of study or its equivalent is equal to a minimum of twenty-eight (28) credit hours of coursework.
- III. Applications from students seeking to transfer from schools which are not accredited by the ABA will not be accepted under any circumstances. (The applicant may apply as a first-year student.)
- IV. Applications for transfer to the College of Law for the second year will be considered by the Committee on the basis of:
 - A. The size of the returning second-year class.
 - B. The applicant's grades and/or class rank at her/his law school. **Applicants from law schools who do not provide either a GPA or class rank for 1L students will not be considered for transfer.**
 - C. Whether the applicant would have been admitted to the College of Law in the first year had the applicant applied.
 - D. The academic strength of the law school attended by the applying student, including whether it is accredited by the AALS. (ABA accreditation is required.)
 - E. Recommendation(s) from a law professor in whose class the applicant was enrolled. (At least one is required.)
 - F. Residency of the applicant.
 - G. All of those facts, performance records, recommendations, and other matters which the Committee normally considers for applicants to the first-year class, including everything that might implicate the student's fitness for the practice of law.
 - H. Any other activities and experiences of the applicant occurring since the student began law school.
 - I. Any other information regarding the applicant that may

be considered relevant to success in law school.

V. In addition to the aforementioned criteria, applicants must meet the requirements set forth below.

- A. Applicants must conform to all other relevant criteria relating to first year entering students as found in the admission policy of the West Virginia University College of Law.
- B. Applicants must submit a certified official transcript of their first year law school grades and class ranking. If class ranking from the law school is unavailable, the applicant must submit sufficient information about grades from the law school attended to make a reasonable estimation of class ranking. No one will be admitted for transfer without class rank (or its reasonable equivalent) based on a full year of law school attendance.
- C. Applicants must provide a letter of good standing from the Dean of the law school (or his or her designee) from which the student is transferring.
- D. Applicants must submit a copy of their most recent LSAC Credential Assembly Service (CAS) report including a certified transcript of undergraduate school grades and the LSAT writing sample.
- E. Applicants must fully explain any ethical or other problems with admission that may appear in the applicant's file.
- F. Applicants must submit the completed file to the Admission Office by July 1, in order to be considered for transfer.

VI. In considering applications for admission from individuals with credits or degrees from foreign institutions, the Admissions Committee shall have the authority to make any of the below stated decisions with regard to the applicant:

- A. The Committee may admit the applicant as a first-year entering student.
- B. The Committee may admit the applicant with advanced standing by granting credit for specific course work completed at another institution. (AALS executive Committee Regulations 2.8 and 2.9 prescribe

limitations on the award of advanced standing.)

- C. The Committee may admit the applicant as a special student for the purposes of auditing courses or transferring course work to another institution.
- D. The Committee may deny admission to the applicant.

Dual Degree Programs

Students may enroll in an approved joint degree program with another College of the University. At present there are two such programs: a joint JD/MBA (Master of Business Administration) and a joint JD/MPA (Master of Public Administration).

A JD/MBA student may earn law school credit pursuant to the joint degree requirements approved by the faculties of the College of Law and the College of Business and Economics and published to students admitted to that program. JD/MBA students receive 12 credits toward the JD degree if the MBA degree is awarded before or concurrently with the JD degree. Grades earned in business school classes do not affect the cumulative law school GPA. Law Professor Barton Cowan is the contact person for the JD/MBA program.

A JD/MPA student may earn law school credit for one MPA course (up to four hours) if that course is taken after the student has entered the College of Law. In addition, if the MPA degree is awarded before or concurrently with the JD degree, an MPA student may receive an additional two (2) hours of law school credit for courses included in the MPA degree that the student takes while enrolled in the College of Law. Grades earned in public administration do not affect the cumulative law school GPA. Associate Dean John Taylor is the contact person for the JD/MPA program.

Summer School

Summer credits may be earned only at the West Virginia University College of Law, other ABA-accredited law schools, or their ABA-approved programs abroad. Students who are on academic probation may earn summer school credits only with the permission of the Academic Standards Committee. The College of Law will accept transfer credits only for courses where the student earned a grade of C or better. Students may transfer credits for pass/fail courses only with the advance approval of the Associate Dean.

Externships

The Public Service Externship program serves to bridge the gap between law and practice by providing valuable experiential learning opportunities in various public service organizations, including non-profit, judicial, and other government entities. Externships are available in the fall and spring for 2-5 credits. In the summer, students may receive up to 6 credits. The program also includes a small number of full semester externships with federal judges or approved government agencies. Students must attend the informational meetings held in early October or early April in order to participate in the program. For more details, please contact Professor Annitto.

Grading Information/Procedures

Examinations

1. **Attendance and Exam Eligibility:**

The faculty subscribes to the principle that class attendance is important and necessary to the successful study of law. Therefore, a faculty member may deny permission to sit for an examination to a student because of poor class attendance. Furthermore, a student who is absent from as many as 25 percent of the scheduled class hours for any given course shall not be permitted to take an examination in the course except by special permission of the faculty member. Prior to the last day to withdraw from a course (as indicated on the College of Law Academic Calendar), the faculty member may permit a student who is denied permission to sit for an examination to withdraw from the course or may assign that student a failing grade. After the last day for withdrawal has passed, denial of permission to sit for the final examination automatically results in a grade of F for the course.

2. **Exam Numbers:**

The West Virginia University College of Law Registrar randomly selects and assigns official student examination numbers for students' anonymity in the grading process. Prior to the examination period, the Registrar notifies students that they may pick up their numbers. The Registrar protects the anonymity of student examination numbers throughout the examination and grading period.

3. **Exam Accommodation Requests:**

During the final examination period, any student who has three (3) or more finals on **consecutive days** may request to move the third final to the next day (excluding Sunday or other religious holiday) on which he or she does not have a final scheduled. The purpose of this rule is to prevent a student from having more than two consecutive days of law school finals. To obtain relief under this rule, a student must notify the Registrar before the specified deadline so that the exam can be rescheduled and the appropriate faculty member notified.

4. Deferment of Exams or Assignment Deadlines:
A student with a substantial physical, emotional, or family problem that would make it impractical or grossly unfair to take a scheduled examination or meet another class-wide or general deadline may submit in advance a written request to be excused from taking the examination as scheduled or complying with the deadline as fixed. All such requests must be in writing, must be directed to the faculty member teaching the course in question, and must be substantiated by a physician's statement or some other written evidence of the emergency.

A faculty member acting alone or in consultation with the Associate Dean for Academic Affairs shall either deny the request or grant the request and require the student to take the examination at a later date or comply with a new deadline.

5. When Request Is Denied or Extended Deferment Sought:
If any request made under section 4 above is denied, or if a student requests a deferment for reasons or to a time that would not comply with section 4, the student may obtain the requested deferment only by approval of the Academic Standards Committee. Appeal from a denied request or an original request for an extended deferment may be made by giving the Associate Dean for Academic Affairs a copy of the request as described in section 4, together with any appropriate supporting documents.

6. Completion of Examinations or Other Class-Wide Assignments:
A student granted a deferment has a reasonable time after the emergency is dissipated to complete the examination or other assignment. A reasonable time is established by agreement of the Associate Dean for Academic Affairs and the faculty member.

7. Failure to Take Examination or Comply with Deadline:
A student who fails to take an examination or comply with a deadline and who does not receive a deferment under this rule shall be penalized in whatever fashion the faculty member teaching the course deems appropriate. There is no responsibility on the part of any faculty member to accept or evaluate any work that is not done in a timely fashion unless relief has

been granted pursuant to this rule.

Faculty Presence During Exams:

It is the policy of the faculty of the College of Law that each faculty member either be in the law school building during his or her classroom examination or find a substitute.

Faculty or Staff Loss of Student Examination or Paper:

If a faculty member or staff person loses a student examination or paper before the grade is recorded, the faculty member shall immediately notify the student of the loss. The student has the option of (a) taking another examination covering the same material or writing another paper, (b) receiving a grade of "pass" for the course, or (c) taking his or her semester grade point average for the course.

Grading Scale

The College of Law grading scale is as follows:

A+ 4.3 quality points	C+ 2.3 quality points
A 4.0 quality points	C 2.0 quality points
A- 3.7 quality points	C- 1.7 quality points
B+ 3.3 quality points	D+ 1.3 quality points
B 3.0 quality points	D 1.0 quality points
B- 2.7 quality points	F 0.0 quality points

- 1. Semester Grade Point Average or Semester GPA:**
Semester grade point average is the average of all grades earned by a student in a given semester. All semester grade point averages are calculated using the grading scale of the West Virginia University College of Law.
- 2. Cumulative Grade Point Average (GPA or Cum.):**
The cumulative grade point average is the average of all grades earned by a student while enrolled in the West Virginia University College of Law. All cumulative grade point averages are calculated using the College of Law's grading scale. Only grades earned at the College of Law affect the law school cumulative GPA. Grades for courses taken in other WVU colleges or at other law schools are not included in the student's cumulative law school GPA.

3. **Grade Normalization:**

The faculty members in the first-year sections, as well as the Associate Dean for Academic Affairs, shall review the respective grades in each section before the grades are finalized, in order to detect and avoid any substantial disparity in the grading patterns of the faculty members.

The grades in Appellate Advocacy also shall be monitored to detect significant disparities and are subject to this process.

Passing Grades and Graduation Credit

To satisfactorily complete most courses and to earn credit toward graduation, a student must receive a grade of D or better. However, in the following courses, a student must receive a grade of C (2.0) or better to earn credit toward graduation: Legal Reasoning, Research, and Writing; Appellate Advocacy; a required seminar, and Trial Advocacy.

Students must achieve a grade of C or better in at least one seminar to satisfy the seminar requirement for graduation. Students who have taken a second seminar but failed to make a C will receive graduation credit for the second seminar so long as they attain a passing grade (i.e. D or better).

Students who use Trial Advocacy to satisfy the Capstone Requirement must obtain at least a C to do so; students who take Trial Advocacy as an elective (i.e. they have taken and passed another capstone course) need only a passing grade for the Trial Advocacy credits to count toward graduation.

Academic Difficulty

1. **Good Academic Standing**

A student is in good academic standing if that student has not been dismissed and is not on academic probation as those terms are defined in this handbook.

2. **Repeating Courses:**

Receiving an F in a course does not generally require retaking the course. The F simply is added to one's GPA, and no credit hours toward graduation are given. However, if a student receives a failing grade in a course required for graduation, the student must repeat that course and receive a passing grade. If a

student does not pass a required seminar or capstone course, that student may retake that seminar or capstone or take any other.

When a course is repeated, both grades appear on the student's transcript, and both grades are calculated into the student's GPA, but credit toward the graduation requirement is awarded for only one enrollment.

3. **Receiving Credit for Less Than an Entire Course:**

No credit is given for less than an entire course except by special order of the Academic Standards Committee.

4. **Grade Changes:**

A student may request a grade review anytime during the academic month following the student's receipt of the grade. A faculty member may not change a grade following the last day of classes in the semester following that in which a grade was awarded.

Any proposed grade change must be submitted in writing by the faculty member to the Associate Dean for Academic Affairs with stated reasons for the change.

Grade changes proposed because of arithmetic errors will be approved by the Associate Dean. Grade changes proposed because of changes in evaluation must be approved by the full faculty.

Grade Appeal

A student may initiate a formal grade appeal prior to the end of the seventh week of classes of the semester following the one in which the grade was awarded pursuant to the West Virginia University College of Law Grade Appeal Policy and Procedure. Students with questions about the grade appeal policy or procedure should consult the Administrative Assistant to the Associate Dean for Academic Affairs. Students who fail to begin the grade appeal process by meeting with the instructor prior to the end of the seventh week of classes of the succeeding regular (i.e. fall or spring) term have waived all rights to a grade appeal. (E.g, a student appealing a grade from a fall class would need to meet with the instructor prior to the end of the seventh week of the spring semester in order to preserve his or her right to appeal a grade.)

Grade Appeal Procedure

Step I. The student shall discuss the complaint with the instructor involved prior to the end of the seventh week of the succeeding regular (i.e. fall or spring) term, whether the student is enrolled or not. If the two parties are unable to resolve the matter satisfactorily or if the instructor is not available, or if the nature of the complaint makes discussion with the instructor inappropriate, the student shall notify the Associate Dean. The Associate Dean shall assume the role of an informal facilitator and assist in resolution attempts. If the problem is not resolved within fifteen calendar days from when the complaint is first lodged, the student may proceed directly to Step II. To mount a successful appeal of a grade under Steps II or III below, a student must demonstrate that the professor's action in assigning that grade were arbitrary and capricious.

Step II. The student must prepare and sign a document that states the facts constituting the basis for the appeal within thirty calendar days from when the original complaint was lodged. Copies of this document shall be given to the instructor and to the Associate Dean. If, within fifteen calendar days of receipt of the student's signed document, the Associate Dean does not resolve the problem to the satisfaction of the student, the student will forward the complaint to the instructor's Dean. (See Step III.)

Step III. Within fifteen calendar days of receipt of the complaint, the Dean shall make a determination regarding the grade, making any recommendations for a grade change to the instructor involved. If the instructor involved does not act on the Dean's recommendation, or if the student is in disagreement with the decision of the Dean, the Dean will refer the case to a representative committee appointed by the Dean for final resolution. This committee shall consist of three or more faculty members, including at least one person outside the instructor's discipline.

1. Upon receiving an appeal, the committee will provide the grade challenge by written notification to the faculty member involved, which shall include a statement of the facts and evidence to be presented to the student.
2. The committee shall provide the faculty member involved and the student making the appeal written notification of

their right to appear at a hearing to be held before the department, college, or school representative committee, together with notice of the date, time, and place of the hearing.

3. The administrative procedure is not adversarial in nature; the formal rules of evidence do not apply.
4. The final decision of this committee shall be forwarded to the instructor and to the Dean involved. If the decision requires a change of grade, the instructor shall take action in accordance with the committee's decision.
5. If the instructor does not act within five days, the Dean shall make any necessary grade adjustment.
6. In the case of grade appeals, the Dean functions as the President's designee; therefore, implementation of this decision shall end the appeal procedure.

ACADEMIC PROBATION & DISMISSAL

Notification

The Associate Dean for Academic Affairs notifies in writing any student who is not in good academic standing. The notice sets forth the student's academic situation and advises the student of actions available to the student under this section. The notice is sent as soon as possible after the student's academic standing is determined. Students who do not receive notice are nevertheless responsible for knowledge of their academic situation and for taking actions necessary under this section. A student is in good academic standing if that student has not been dismissed and is not on academic probation as those terms are defined in this Handbook.

Summary of Probation and Dismissal Rules

For all rules regarding academic probation and dismissal, the relevant GPA figures are semester and cumulative law school GPA's. Law school GPA does not include grades earned in other WVU colleges or at other law schools. The following is a summary of the probation and automatic dismissal requirements:

End of First Semester

Students whose first semester grades fall below 2.20 receive a letter from the Associate Dean's Office to that effect, offering consultation and referral to the Academic Excellence Program. Such students must participate in the Academic Excellence Program in the second semester.

End of Second Semester Only

Any student whose cumulative average is below 1.85 at any time after his or her second semester in law school is automatically dismissed.

If a student dismissed at the end of the second semester has a GPA in any semester during the first year of less than 1.5, that student may be readmitted to the West Virginia University College of Law only by making an initial application through the admissions process. This application is only made in accordance with the regular admissions cycle, so most applicants will be required to wait a year before their application is processed. If readmitted, the applicant begins law school as if she or he were a first-time student.

If a student dismissed at the end of the second semester has no GPA in any semester of the first-year curriculum of less than 1.5, that student may apply for readmission by following the procedures set forth in this handbook under "Readmission."

A student is placed on academic probation when that student's cumulative grade point average falls below 2.20 but is above 1.85 after the conclusion of his or her first-year curriculum. A student on academic probation has one semester in which to raise his or her cumulative grade point average to 2.20. Failure to meet this requirement results in dismissal.

End of Third through Sixth Semesters ***Cumulative Grade Point Average***

Any student whose cumulative grade point average is below 1.85 at any time after his or her third semester in law school is automatically dismissed.

A student whose cumulative grade point average falls between 1.85 and 2.20 any time after his or her third semester in law school is placed on academic probation. A student on academic probation has one semester in which to raise his or her cumulative grade point average to 2.20. Failure to meet this requirement will result in dismissal.

Under no circumstances will a student be allowed to graduate unless his or her cumulative grade point average is 2.20 or better.

Semester Grade Point Average

Any student who fails to attain a grade point average of 2.20 in any individual semester of his or her second or third year in law school is placed on academic probation, regardless of his or her cumulative grade point average.

Any student placed on academic probation under this sub-section is dismissed for failure to meet academic requirements, regardless of his or her cumulative grade point average, if he or she fails to attain a grade point average of 2.20 for the courses taken in the probationary semester.

Students may not aggregate summer sessions into one individual semester for the purpose of applying this sub-section.

Failing a Majority of Credit Hours

Any student who, after completing the first-year curriculum in the West Virginia University College of Law, receives failing grades in courses aggregating one-half or more of the student's credit-hour load for a given semester is dismissed. For the purposes of this rule, it does not matter what the student's grade point average is for the semester in question, nor does it matter what the student's cumulative grade point average might be. However, this rule does not apply to students taking two or fewer courses in a semester.

Transfer Students with a West Virginia University College of Law Grade Point Average below 2.20

A transfer student cannot graduate from the West Virginia University College of Law if the cumulative grade point average of the grades that the student earned at the West Virginia University College of Law is less than 2.20.

Readmission

Students seeking readmission should file petitions with the Chair of the Academic Standards Committee, and the petitions should demonstrate that the reasons for the student's academic deficiencies no longer exist. The Committee shall review each petition based upon this standard. If the Committee denies readmission, the student may appeal to the Dean, who may remand, affirm, or reverse the Committee's decision. The Dean has the discretion to seek the advice and counsel of the full faculty.

A student may petition for readmission for the semester immediately following the semester he or she is dismissed. To do so, the student must deliver a petition for readmission to the Chair of the Academic Standards Committee within ten days of his or her receipt of notification of dismissal from the Registrar. If the tenth day is a weekend or holiday, then the student must deliver the petition on the next business day.

A student also may petition for readmission after two academic semesters have passed following the student's dismissal (even if the student has already petitioned immediately after his or her dismissal). For purposes of this rule, summer sessions shall not count as academic semesters.

Permanent Dismissal

The West Virginia University College of Law shall not readmit any student who has been dismissed twice under these rules for failure to meet academic requirements.

In addition, students readmitted through petition to the Academic Standards Committee have two semesters within which to bring their cumulative grade point average up to 2.20, as follows: (1) if the readmitted student fails to earn a 2.20 or better grade point average for the first semester following readmission, the student is

permanently dismissed and is not eligible for readmission and (2) if that semester's grade point average is 2.20 or better but the cumulative grade point average remains below 2.20, the student has one additional semester in which to bring the cumulative grade point average up to 2.20. If, after that second semester following readmission by petition to the Academic Standards Committee a 2.20 cumulative grade point average has not been attained, the student is permanently dismissed and is not eligible for readmission.

Honors

Class Rank

The following rules apply to class rank:

Top 25%

Students in the top 25% of each class are individually informed of their class ranks. These rankings are not publicly announced. Students who graduate in the top 25% have their class ranks noted on their university transcripts.

Second Quarter

Students falling between the top 50% and top 25% of each class are permitted access to their individual class ranks. In other words, they can learn their class ranks if they ask the Associate Dean's office or the Registrar.

Students outside the top 50% of the class are not ranked.

Grade Point Averages

The grade point averages that demarcate the top 25%, 33%, and 50% are publicly announced.

Order of the Coif

Order of the Coif is an academic honor conferred by the faculty upon its graduates from among the top 10% of the graduating class. Coif graduates have this honor noted on their university transcripts.

To be eligible for election, students must complete all of their required courses (see above "Courses Required to Graduate," pp. 1-4) at the WVU College of Law. A student may transfer up to nine (9) credit hours of a law school's regular curriculum taken at an Association of American Law Schools (AALS) approved law school during that school's academic year, summer terms on campus, or summer abroad programs approved by the ABA. For purposes of Coif, the grade(s) earned for these hours will not be averaged into the student's GPA but shall be treated as pass-fail credit. The effect of this rule is that the grade point average used for selection to the Order of the Coif is based solely on the grades earned at the West Virginia University College of Law.

Order of Barristers

A national honorary organization, the Order of Barristers, encourages oral advocacy and brief writing skills through effective law school moot court programs. Members of the Marlyn E. Lugar Trial Association, the Moot Court Board, and students who have outstanding oral advocacy achievements are eligible for the award. See Associate Dean's assistant for applications in March.

Patrick Duffy Koontz Award

The Patrick Duffy Koontz Award is a monetary prize whose recipients are selected by the College of Law scholarship committee. The award is announced at graduation, and is given to students from West Virginia who demonstrate excellence in scholarship, character, and leadership potential.

Professional Responsibility

About the Student Code of Professional Responsibility

The students and faculty of the College of Law have adopted a Code of Professional Responsibility to prevent and punish academic misconduct by students in the College. A copy of that Code is included in this Student Handbook and is binding on all students. Enforcement of the Code rests principally in the hands of the student body with oversight by the faculty and the designee of the President of the University. Infractions are investigated and adjudicated by the Student Ethics Council.

Dismissal for Misconduct

In view of its public and professional responsibilities with respect to admission of candidates to the practice of law, the West Virginia University College of Law reserves the right to drop any student from the rolls whenever, by formal decision reduced to writing, the faculty finds that the student is unfit to meet the qualifications and responsibilities of the legal profession. Dismissal is considered whenever a student is involved in serious criminal conduct or conduct that would justify professional disciplinary action if the person were a lawyer. Students remain subject to all general rules and regulations of the University and the West Virginia Board of Governors and to the Student Code of Professional Responsibility.

Academic Rights and Responsibilities (WVU)

The Office of Student Judicial Affairs, located in Boreman North, is staffed by a member of the Office of Student Life and is available to assist any student, student organization, staff member, faculty member, or administrator in understanding and applying the West Virginia University Student Conduct Code.

The Mountie is the WVU Student Handbook. It contains the full document outlining the West Virginia University Student Conduct Code and is available online at <http://www.arc.wvu.edu/rightsa.html>. Please contact Kim Mosby, Assistant Dean of Student Life, at 304-293-5611 for assistance. In case of conflicts, the Law Student Code of Professional Responsibility controls.

WVU College of Law Student Code of Professional Responsibility

PREAMBLE

The cornerstone of our legal system is the integrity of the individual lawyer. As future lawyers, our conduct is governed by the highest standards of ethics. As students enrolled in the West Virginia University College of Law, we recognize and accept the following standards, obligations, and responsibilities as governing our actions and conduct. This Student Code of Professional Responsibility (the "Student Code") is intended to supplant Article III, B.1., governing acts of academic dishonesty, of the West Virginia University Student Conduct Code for students enrolled in the College of Law.

I. THE ETHICS COUNCIL

A. COMPOSITION

- 1) There is hereby created an Ethics Council composed of three members from each class.
- 2) The members of the Council shall be elected at the end of the spring semester in conjunction with the election of class officers. Any student, full or part time, who is in good academic standing, shall be eligible to run for a seat on the Ethics Council. An elected member of the Ethics Council must relinquish the office if he/she fails to remain a student in good academic standing. First-year members shall be elected in the fall of their entering year. Such elections shall be conducted by the Student Bar Association. The terms of office for the members of the Ethics Council shall run from their election to the election of their successors, with the following qualifications:

- a) The terms of graduating members shall expire on graduation;
 - b) The terms of members who are in the process of hearing a case when their successors are elected shall be extended to allow the members to complete the proceeding;
 - c) The elected representatives of the second-year class to the Ethics Council not re-elected in the spring election and, if necessary, the elected representatives of the first-year class not re-elected in the spring election, shall continue to serve until the election of the first-year class members of the Ethics Council. Upon the election of the first-year representatives to the Ethics Council, the holdover members' term shall end.
- 3) A vacancy on the Ethics Council shall be filled by appointment by the remaining members of the Ethics Council. The individual selected to fill the vacancy shall be a member of the class in which the vacancy occurs. The appointee shall serve for the remainder of the unexpired term.
 - 4) The Chairperson shall be elected from among the third-year class representatives to the Ethics Council within two weeks of the election of the first-year class representative. From the time of the election of the representatives of the Ethics Council in the spring semester until the selection of the Chairperson after the first-year election in the fall semester, the rising third-year student to receive the greatest number of votes in the most recent election shall serve as Chairperson.

B. INVESTIGATIVE PANEL AND HEARING PANEL

- 1) **Composition:** Following the elections in the spring semester, after the election of the Chairperson in the fall semester and at the beginning of the second semester, the Chairperson shall appoint from the members of the Ethics Council an Investigative Panel of three persons, no more than two of whom shall be from the same class in law school. The Chairperson of the Ethics Council shall designate one member of the Investigative Panel to serve as its Chairperson.
- 2) **Duties:** The Investigative Panel shall investigate and collect evidence and information concerning any complaints involving an alleged violation of this Student Code. Upon completion of the investigation, the Investigative Panel shall take action as set forth in Section III (A)(1).
- 3) **Hearing Panel:** The remaining members of the Ethics Council will serve as the Hearing Panel for the purpose set forth in Section III (C).

C. QUORUM AND MARGIN OF DECISION

- 1) Two members shall constitute a quorum for the Investigative Panel, and the decision to charge a violation of the Student Code must be concurred upon by two members of the Investigative Panel.
- 2) Four members shall constitute a quorum of the Ethics Council Hearing Panel, and the vote of 60% of those in attendance shall be necessary to find a violation of the Student Code. For all other purposes, a simple majority shall decide issues which may arise, including votes on recommended sanctions.

D. DUTIES OF THE ETHICS COUNCIL

- 1) The Ethics Council shall promulgate, consistent with the provisions of this Student Code, such rules and regulations and prescribe such procedures as shall be necessary and proper to fairly and impartially fulfill its obligations under this Student Code. Upon the approval of the faculty, the rules and regulations shall become final unless subsequently amended as provided for in this paragraph.
- 2) Before each examination period, the Ethics Council shall take appropriate action to remind the student body of its obligation and responsibilities under the Student Code.
- 3) At the beginning of each school year, the Ethics Council will make a presentation on the Student Code as part of the orientation of incoming students.
- 4) The Ethics Council shall be responsible for the investigation and adjudication of alleged violations of this Student Code as set forth herein.

II. ACADEMIC RESPONSIBILITY AND DUTIES

A. ACADEMIC RESPONSIBILITY

The West Virginia University College of Law expects every member of its academic community to share the historic and traditional commitment to honesty, integrity, and the search for truth. In keeping with this spirit, it shall be a violation of this Student Code for any student or applicant for admission to commit any act of academic dishonesty, which is defined to include, but is not limited to, the following:

Plagiarism: Plagiarism is defined in terms of proscribed acts: Students are expected to understand that such

practices constitute academic dishonesty regardless of motive. Those who deny deceitful intent, claim not to have known that the act constituted plagiarism, or maintain that what they did was inadvertent are nevertheless subject to penalties when plagiarism has been confirmed. Plagiarism includes, but is not limited to, the following:

1. Submitting as one's own work the product of someone else's research, writing, artistic conception, invention, or design; that is, submitting as one's own work any report, notebook, speech, outline, theme, thesis, dissertation, commercially prepared paper, musical piece or other written, visual, oral or electronic/computerized material that has been copied in whole or in part from the work of others whether such source is published or unpublished;
2. Incorporating in one's submission, without appropriate acknowledgment and attribution, portions of the work of others; that is, failing to use the conventional marks and symbols to acknowledge the use of verbatim and near-verbatim passages of someone else's work or failing to name the source of words, pictures, graphs, etc., other than one's own, that are incorporated into any work submitted as one's own.
3. A student has a duty to report any other student(s) that he/she sees violating this rule against plagiarism in any way.

Every professor is allowed to establish a collaboration policy for his/her own course. Please refer to the course syllabus to learn what is permissible. However, one should always assume that collaboration is not permitted, unless the syllabus or professor specifically allows it.

Cheating and dishonest practice in connection with examinations, papers and projects, including but not limited to:

1. Obtaining help from another student during examinations;
2. Knowingly giving help to another student during examinations, taking an examination or doing academic work for another student, or providing one's own work for another student to copy and submit as his/her own;
3. The unauthorized use of notes, books, or other sources of information during examinations;
4. Obtaining without authorization an examination or any part thereof;
5. Obtaining without authorization any help from another student.
6. Forgery, misrepresentation, or fraud:
Forging or altering, or causing to be altered, the record of any grade in a grade book or other educational record;

Use of university documents or instruments of identification with intent to defraud;

Presenting false data or intentionally misrepresenting one's records for admission, registration, or withdrawal from the university or from a university course;

Knowingly presenting false data or intentionally misrepresenting one's records for personal gain;

Knowingly furnishing the results of research projects

or experiments for the inclusion in another's work without proper citation;

Knowingly furnishing false statements in any university academic proceeding.

It is a violation of the Code for any student who witnesses a Student Code violation or who has credible information that a violation was committed to fail to report the violation to the Ethics Council, a faculty member, or a dean.

It is a violation of the Student Code for any student or applicant for admission at any time to intentionally lie, give false information, make material misrepresentations, or omit material facts to the faculty, administration, or any student organization in the course of the academic, extracurricular, co-curricular, admissions, or placement programs of the College of Law.

It is a violation of the Student Code for an officer or member of a student organization to (a) discourage observing members from reporting questionable conduct to the Ethics Council, or (b) sanction an organization member for reporting possible violations of the Student Code to the Ethics Council.

It is a violation of the Student Code for any student to refuse to cooperate with the Ethics Council in its conduct of an investigation or hearing.

B. DUTIES

- 1) Faculty members have a responsibility to support and enforce the Student Code and should report suspected violations to the Ethics Council.
- 2) If a faculty member reduces a student's grade because of a suspected violation of the Student Code, the faculty member must give the student written notice of the fact and size of the penalty. If

the faculty member learns of the suspected violation after grades were submitted, the faculty member may reduce the student's grade upon notice to the student and without faculty approval.

- 3) If the student elects not to contest the grade reduction, that reduction shall become final and no further action, pursuant to this Code, shall be taken. If the student whose grade has been reduced because of a suspected violation elects to contest the grade, he or she may do so by invoking the procedures described in Part III, below. The faculty member's notice to the student shall then serve as a complaint to the Ethics Council, and the Council shall process the charge as it would any other. Both the Ethics Council and, if review is sought, the faculty, retain the discretion to overrule, decrease, or increase the penalty imposed by the faculty member and to assess any other sanction in addition to or instead of the original penalty. In all cases in which a student challenged a grade that was reduced because of a suspected violation of the Student Code, the procedures in Part III shall supersede the normal grade appeal procedures as to all issues relating to academic dishonesty.

III. ADJUDICATORY PROCEDURES

A. COMPLAINT

- 1) **Initial Inquiry:** Upon receipt of a complaint alleging a violation of the provisions of this Student Code, the Chairperson of the Investigative Panel of the Ethics Council will convene a meeting of the Investigative Panel. The Investigative Panel will convene within seven calendar days from receipt of the complaint when classes are in regular session; or within four days after classes resume if the complaint is received during a period in which classes are not

scheduled to meet including examination periods. It shall be the duty of the Investigative Panel to conduct such investigations as necessary, being as discrete as possible, into the allegations. When the initial inquiry is completed, the Investigative Panel shall either (1) close the case by recording its findings of fact and conclusion that no violation occurred and providing the charged student(s) with a copy (with the name of any complaining student deleted); or (2) upon a finding concurred in by two or more of its members that there is reason to believe a violation of the Student Code exists, institute a formal investigation of the charges.

- 2) **Formal Investigation:** If the Investigative Panel determines there is reason to believe a violation of the Student Code has occurred, it shall select one or more of its members or some other student enrolled within the College of Law to serve as Presenter of the alleged violation. In deciding who should serve as Presenter, the Investigative Panel shall consider:
 - a) The student's ability to perform the duties of Presenter with discretion and without prejudice;
 - b) Whether personal relations with the accused or known witnesses would inhibit or unduly influence the performance of his or her duties;
 - c) Whether the reported violation occurred during a course of activity in which he or she has an interest; and
 - d) any other conflict.
- 3) When the Investigative Panel reports to the Hearing Panel that probable cause for a violation exists, the Ethics Council Hearing Panel will contact the

accused in writing and inform him or her:

- a) of the alleged violation and course of conduct to be investigated as a violation of the Student Code; and
- b) that he or she is entitled to be assisted by an advisor of his or her choice, provided, however, the advisor may not be a member of the College of Law faculty. The advisor may fully represent the student in all capacities as the accused finds necessary.

an advisor of his or her choice provided, however, the advisor is not a member of the College of Law faculty. The advisor may fully represent the student in all capacities as the accused finds necessary or appropriate.

B. PROCEDURE

- 1) Within twenty (20) regularly scheduled class meeting days after his or her appointment, the Presenter will complete the investigation of the charges and will prepare a written account of the relevant facts.
- 2) Upon completion of the investigation, the Presenter will meet with the Ethics Council Investigative Panel and present a detailed summary of the result of the investigation. If it is reaffirmed that probable cause for a violation exists, the Investigative Panel shall advise the Chairperson of the Ethics Council Hearing Panel of the formal charges and request a date for a hearing.

At least twenty (20) regularly scheduled class days before the hearing date, the Chairperson of the Hearing Panel will notify the accused, in writing:

- a) of the date, time, and place of the hearing;
- b) of the specific charges and course of conduct alleged to constitute a violation of the Student Code; and
- c) that he or she is entitled to the assistance of

- 3) If upon hearing the report of the Presenter, the Ethics Council Investigative Panel concludes probable cause for a violation does not exist, it shall dismiss the charges.
- 4) If the matter is dismissed, the Ethics Council Investigative Panel will notify the accused, in writing, of the final disposition of the complaint. Once a matter is finally disposed of at this stage, it shall not be re-opened by the Ethics Council, but the decision to dismiss may be appealed to the faculty pursuant to III(C)(6).
- 5) Should a violation occur at the end of a semester, the Ethics Council shall delay the proceedings until the next semester unless the accused makes a written request to expedite the matter and the Ethics Council concludes that the matter may be fairly adjudicated. The accused's ability to prepare and present his or her defense shall be a persuasive factor. If the violation involves a "graduating senior," see sections V and VII.
- 6) Upon a showing of good cause, the time periods set forth in this section may be altered by the Ethics Council Hearing Panel.

C. HEARING

- 1) The Chairperson will preside over the hearing which may be attended by all members of the Ethics Council, the accused, the accused's advisor, and testifying witnesses. Members of the

Hearing Panel shall have the duty to disqualify themselves from the Hearing Panel if they believe that they cannot reach an impartial decision, or if there is a conflict of interest or if he or she has a personal involvement in the matter. Once a member has disqualified him or herself, he or she shall not participate any further in the proceedings against the accused. In addition, the student accused of a violation of the Student Code shall have the right to challenge a member of the Hearing Panel for good cause shown. Upon such a challenge, the remaining unchallenged members of the Hearing Panel shall decide the merits of the challenge. Except for witnesses, who shall be sequestered, the hearing will be open to the public unless the accused requests a closed hearing. A request for a closed hearing must be made in writing to the Chairperson at least forty-eight hours before the scheduled time of the hearing. It shall be within the discretion of the Hearing Panel to grant the accused's request for a closed hearing.

- 2) At the hearing it will be the duty of the Presenter to seek the truth. The accused may rebut any testimony presented and present his or her defense or proof of such mitigating circumstances as the accused deems necessary or appropriate, or both.
- 3) The hearing will be conducted under the following rules of procedure:
 - a) the Ethics Council Hearing Panel may admit and give probative effect to evidence, including hearsay which possesses probative value. It may exclude incompetent, irrelevant, immaterial, and unduly repetitious evidence;

- b) documentary evidence may be received in the form of copies, excerpts, or incorporated by reference;
- c) the accused and the Presenter will have the right on every issue:
 - i) to call witnesses and present evidence;
 - ii) to cross-examine all witnesses called to present evidence at the hearing;
 - iii) to examine and rebut all documents;
 - iv) to submit rebuttal evidence; and
 - v) to present summation and argument.
- d) The Hearing Panel shall decide the issue of guilt solely upon the evidence presented at the hearing. The burden of proof required to sustain any violation of the Student Code lies with the Presenter. The standard of proof is by a preponderance of the evidence.

- 4) At the conclusion of the hearing, the Ethics Council Hearing Panel will resolve the issue of guilt of the accused.
- 5) Within two regularly scheduled class days, but in no event more than seven days, of the conclusion of the hearing, the Ethics Council Hearing Panel will inform the accused, in writing, of its decision, and if guilty, the sanctions it will recommend.
- 6) If the accused is found to be not guilty, the Ethics Council shall set forth its findings in writing and dismiss the charges with prejudice and any and all records except the academic records, examination

or seminar papers of the College of Law, will be sealed and, after the expiration of any appeal time, may be destroyed with the written consent of all parties. A decision of not guilty may be appealed to the faculty by the Presenter or by the faculty member whose course is involved, if any, or the advisor of the co-curricular or extracurricular activity, if one is involved.

- 7) If the accused is found guilty of a violation of the Student Code, the Ethics Council Hearing Panel will prepare a complete report of findings of fact, together with a recommendation of sanction, and submit the report, in writing, to the Associate Dean for Academic Affairs (hereinafter the Associate Dean) for faculty action. Notice of such submission and a copy of such shall be given promptly to the accused. The accused may also submit his or her written recommendations of sanctions or explain mitigating circumstances. The accused shall have the right to appeal to the faculty.
- 8) An appeal to the faculty of the College of Law of a decision by the Ethics Council Hearing Panel shall be made in writing, within thirty calendar days from the date of written decision of the Ethics Council Hearing Panel.

IV. FACULTY REVIEW

A. SCOPE OF REVIEW

It is expressly provided that all findings of guilty or not guilty, dismissal, or the recommended sanctions may be appealed to the College of Law faculty. Upon appeal, the faculty shall have the discretion (1) to review the records from the Ethics Council Hearing Panel, (2) to permit appellate argument on the record

of the proceedings before the Ethics Council Hearing Panel, or (3) to hear the case de novo. The faculty may review the legal standards applied by the Ethics Council and procedures it employed.

B. PROCEDURE

- 1) The Associate Dean or the Associate Dean's designee shall preside at the faculty hearing.
- 2) For the purposes of an appeal under the Student Code, the faculty shall consist of those individuals entitled to attend executive sessions of the faculty.
- 3) Any faculty member who has a conflict of interest or personal involvement in the matter shall excuse himself or herself from hearing the case on appeal. The accused shall have the right to challenge a faculty member for good cause shown. Upon such challenge, the remaining unchallenged members of the faculty shall decide the merits of the challenge.
- 4) A majority of the faculty entitled to hear the case shall constitute a quorum.
- 5) A vote of sixty percent (60%) of the faculty hearing an appeal shall be necessary to find a student accused of violating the Student Code guilty. All other matters, including a recommendation of sanctions if the student is found guilty, shall be resolved by majority vote.
- 6) The accused shall have the right to be assisted by an advisor at all proceedings before the faculty on appeal, provided, however, the advisor shall not be a member of the College of Law faculty.
- 7) If the proceeding before the faculty is a de novo

hearing, the rules set forth in III (C) shall apply, including the standard of proof.

- 8) If the proceeding before the faculty is a review of the record or a review of the record with arguments, the Ethics Council's Hearing Panel shall be affirmed if its decision is supported by substantial evidence.
- 9) If the appeal from the Ethics Council concerns only the recommended sanction, then all arguments to the faculty shall be submitted in writing and without oral arguments.
- 10) In the event of an appeal of a decision of the Ethics Council, the Associate Dean for the College of Law shall designate the Presenter, provided, however, the Presenter shall not be a member of the College of Law faculty.
- 11) The Associate Dean shall establish such additional procedures as necessary and as are consistent with the Student Code for conducting appeals from the Ethics Council Hearing Panel.

C. FACULTY DECISION

Consistent with the ABA Standards and its Interpretations (Standard 205), the decision of the faculty shall be final subject only to an appeal as set forth in Section VI. If the decision of the faculty is guilty, the faculty shall recommend appropriate sanctions to the Associate Dean.

V. SANCTIONS

A. OVERVIEW

The following sanctions are not intended to constitute the exclusive list of sanctions which may be recommended to

the Associate Dean of the College of Law by the Hearing Panel or the faculty.

- 1) Reconsideration by the professor of the grade or credit to the violator of the specific course involved;
- 2) Written reprimand to be placed in a student's College of Law academic file;
- 3) Ineligibility to participate in any co-curricular activity, or to receive a scholarship, loan, grant in aid, or employment, any of which are administered by the College of Law;
- 4) Suspension for 1 or 2 semesters, the first being the semester during which the offense occurred; or
- 5) Dismissal from the College of Law.

B. IMPOSED SANCTIONS

The sanctions imposed shall be commensurate with the nature of the violation. Failure to report a violation shall constitute grounds for the sanction of public censure, written reprimand placed in a student's academic file, or ineligibility to participate in any co-curricular activities.

VI. APPEAL

An appeal of the faculty's decision or the sanctions imposed by the Associate Dean may be made to the Dean of the College of Law who, pursuant to the provision of Section 6.3.4 of the West Virginia University Board of Governors Policy 15, Student Academic Rights, has been designated by the President of West Virginia University as the President's designee to hear such appeals. Before reaching a decision on the Appeal, the Dean, as the designee of the President, shall

consult with University Counsel to assure that all applicable procedural policies and rules have been followed. Following this consultation with University Counsel, the Dean shall render his or her decision within thirty calendar days after the receipt of written notice of the appeal. The decision of the Dean, as designee of the President, shall be final.

VII. COMPLAINTS AGAINST GRADUATING STUDENTS

If a complaint is received by the Ethics Council within the fourteen calendar days preceding the date of graduation of the accused student, the Ethics Council has authority to expedite the procedure outlined so long as the Ethics Council believes that the matter may be fairly adjudicated. If the Council concludes the matter cannot be fairly adjudicated before graduation, the student's diploma will be withheld pending resolution of the charge. If the accused is found guilty of a violation of the Student Code, the Ethics Council may recommend that he or she not be allowed to graduate from the College of Law or that graduation be delayed until prescribed conditions are met.

VIII. MISCELLANEOUS PROCEDURES

All hearings described in Section III will be documented and a record maintained. A permanent record of all documents will be kept for all findings of guilt by the Ethics Council. For findings of not guilty, all such documents, except records the College of Law maintains for all students as a normal part of the records, will be sealed, and, with the written consent of all parties, destroyed after expiration of the appeal period. An audiotape or written transcript of the hearing delineated in Section III (C) shall be made and provided for use on appeal. Thereafter, it may be destroyed.

IX. AMENDMENT OR REPEAL PROCEDURE

A. STUDENT-INITIATED AMENDMENT OR REPEAL

This Student Code may be amended or repealed at any time. In order to initiate such amendment or repeal, a petition which sets forth the proposed amendment or calls for the repeal of this Student Code that contains the signatures of fifteen percent of the entire student body of the College of Law shall be presented to the Ethics Council. The proposed amendment or petition to repeal shall be posted for two weeks upon the appropriate bulletin boards within the College of Law. Approval of 60% of the student body shall be required for adoption of the amendment or repeal of the Student Code. The election shall be by secret ballot.

B. ETHICS COUNCIL OR FACULTY-INITIATED AMENDMENT OR REPEAL

Amendment or repeal may also be proposed by a resolution approved by either a majority of all the members of the Ethics Council or a majority vote of the faculty. An amendment or repeal of this Code shall be effective upon ratification by the College of Law faculty.

C. INVALIDATION

Invalidation of any part of this Student Code for any reason shall not affect the validity of the rest of the Student Code.

X. ADOPTION PROCEDURE

This Student Code must be ratified by the faculty of the College of Law followed by approval of 60% of the students. The students shall vote in a referendum by secret ballot. The election shall be conducted by the Student Bar Association.

Adopted: April 4, 1991
Last Revised: July 1999

Non-Academic Policies and Procedures

Social Justice Policies

Non-Discrimination and Equal Opportunity

The West Virginia University College of Law is an affirmative action/equal opportunity institution. The College does not discriminate on the basis of age, color, disability, national origin, race, religion, sex, sexual orientation, or veteran status in the administration of any of its education programs or activities or with respect to admission and employment.

The College neither affiliates knowingly with nor grants recognition to any individual, group, or organization having policies that discriminate on the basis of age, color, disability, national origin, race, religion, sex, sexual orientation, or veteran status as defined by the applicable laws and regulations.

Implementation of this policy is spelled out in the West Virginia University Student Handbook and in other pertinent University documents.

Missing Class Due to Illness

If you are ill and you must miss class, call or e-mail the professor whose class you will miss, unless the professor has another specific policy about absenteeism. If the illness is extended, contact the Associate Dean for Academic Affairs.

If you are struggling with physical or stress-related problems, please see someone right away! Students can go to the Student Health Service center for a \$10-per-visit co-payment for in-office treatments (such as flu shots, cold treatments, etc.). Student Health Services is located in the basement of the Robert C. Byrd Health Sciences Center. For more information, see the "Health Services" subsection under the University Services section in this handbook, or see the Student Health Service Web site at www.hsc.wvu.edu/shs or call 304-293-2311.

If you are experiencing family or school stress, the Assistant Dean for Admissions and Student Affairs is always available to help you find the best solution.

Students with Disabilities

Students with disabilities receive appropriate accommodation on a case-by-case basis. Any student seeking an accommodation must submit proof of disability to the University Office of Disability Services and obtain from that office a letter setting forth recommended accommodations. That student shall present that letter to the Associate Dean for Academic Affairs, who shall arrange appropriate accommodation. A student seeking accommodation in a given semester must complete this process four (4) weeks before the end of the semester. If the disability arises from an emergency illness or injury, the student shall notify the Associate Dean as soon as the emergency occurs and shall complete the process under the direction of the Associate Dean. No student may receive retroactive accommodation for any disability.

Sexual Harassment

The College of Law liaison for sexual harassment for faculty, staff, and students is Janet Long Armistead, Assistant Dean for Admissions and Student Affairs. Discussions are in complete confidence, and most problems can be resolved without the involvement of anyone other than the liaison and the persons directly involved. Referrals, if necessary, are made in confidence to Jennifer McIntosh, Executive Officer for Social Justice. Services are also available to students, staff, and faculty through the liaison's access to educational materials.

Law Center Facilities Policy and Procedure

Building Hours

The College of Law building hours coincide with the Law Library hours. Students should not be in the building when the building is officially closed unless they have written permission from the Dean's Office. WVU Public Safety Officers or custodial staff may ask individuals to leave if the building is closed.

Any building problems should be reported to Renee Sulipeck, Administrative Assistant, or, in her absence, Dan Fitzpatrick, Associate Dean for Administration & Finance.

Parking

The paved and gravel parking lots surrounding the Law Center are University permit parking areas only. Contact the Parking Management Office for fees at 304-293-5502 or visit their website at www.transportation.wvu.edu/permits/students.

These parking permits will be valid August 1 through July 31 annually. Permits must be purchased by the first day of classes from the Parking Management Office located at 1112 Van Voorhis Rd. (Directly across 4-lane highway from Starbucks). Each student must present a valid vehicle registration card to receive a parking permit.

Vehicles parked in any of the parking lots (gravel or paved) without a valid area parking permit displayed on the windshield will receive a \$20.00 parking ticket. Vehicles parked in the gravel lots may not block the entrances or exits. Vehicles must park facing bumper blocks and follow all traffic/parking signs and regulations.

Parking on Football Saturdays

West Virginia University Parking Management Office regulations state that parking permits are required for all campus parking areas between the hours of 7:00 a.m. and 5:00 p.m. Monday through Friday. On home football Saturdays, West Virginia University utilizes most Evansdale Campus parking areas exclusively for football-related parking. At the Law Center, the Continuing Legal Education office purchases the paved lot (Area 42) for attorneys attending CLE seminars at the Law Center on home football Saturdays. The gravel lot (Area 76) is used by WVU

for press parking on home football Saturdays.

On home football Saturdays, a parking office attendant will be stationed at the bottom of the hill. You will be allowed to park at the Law Center only if you have a parking pass. Parking passes not purchased by CLE seminar attendees are made available to students at a cost of \$5.00 each. Students will be notified by e-mail regarding the availability of parking passes. It is only because of the CLE seminars that parking at the Law Center on home football Saturdays is made available.

Students who desire to use the library on home football Saturdays may be able to find alternative parking on side streets in the vicinity of the Law Center. The paved Law Center parking lot will be open when the game ends.

This policy affects the entire University, including the Medical Center, and we have no control over it. The University community directly benefits from the purchase of football parking passes. Funds derived from parking fees are used to maintain and improve parking facilities at the University, including the Law Center parking lots.

Safety

An emergency telephone is located in the parking lot on the stadium side of the building. Just picking up the receiver will cause the phone to automatically dial and connect you to 911.

Notice the evacuation plans posted on the walls of the building. These show exits to use in case of fire or other evacuation emergency. All planned fire alarm tests will be announced. Evacuation of the building at the sound of an alarm is mandatory except for pre-announced planned testing.

The College of Law Emergency Evacuation Policies and Procedures are outlined beginning on page 63.

Student Lounge

The student lounge located on the second floor of the Law Center, Room 200, is available for student use during the hours in which the Law Center is open. A television is available in the lounge.

The lounge was furnished and decorated with funds provided by West Virginia University and a private donor. No funds exist to repair or replace this furniture should it be damaged. Accordingly, the College of Law urges students to make full use of the lounge in a responsible manner.

Vending Machines, Microwave Ovens, and Refrigerator

Vending machines are available in the student lounge, operated by coin, bill, or Mountaineer Card (your student ID). Please report loss of money resulting from machine malfunction to the receptionist in Room 100.

A refrigerator and microwave ovens are available for student use in the kitchen off the student lounge. Students are responsible for cleaning the refrigerator, which is emptied each Friday.

Mailboxes

Student mailboxes are located in the student lounge. The mailboxes are for internal College of Law communications only. Please do not use the College of Law as your mailing address. The College of Law lacks the staff and resources to sort and deliver student mail.

Lockers

Lockers are available in the second floor hallway across from Room 232. Locker preference will be given to third-year and second-year students on a first-come/first-served basis. Third-year and second-year students will be allowed to sign up for their lockers during the summer preceding the academic year until August 31. First-year students must wait until September 1 to begin locker sign-up. If there happens to be a shortage of locker space, first-year students will be asked to share lockers. Please give the receptionist at the main desk your name, class year, and the number of the locker you have chosen.

The College of Law does not provide locks; students must furnish their own. Therefore, it is impossible for the College of Law to retrieve any material from lockers.

The College of Law is not responsible for lost or stolen items. All

locks must be removed from lockers held by third-year students by July 1. After this date, locks will be cut off in order to allow the area to be cleaned. Any materials found in the lockers will be stored for a short period of time and may be claimed during the summer. After October 1, the materials become property of the College of Law and will be disposed of appropriately.

If you wish to continue to use the locker from the previous year, you must let the receptionist know before leaving for the summer. Unregistered locks will be cut off.

The locker arrangement is a service provided by the Law School. Abuse of this area will result in the area being closed to students or the establishment of rental charges to meet maintenance costs.

Bulletin Boards

1. Administrative Office Bulletin Boards

The glass-enclosed bulletin boards located next to the door of the reception area are for important notices and announcements from the administration.

2. Main Lobby Bulletin Boards

The largest enclosed glass bulletin board is used for posting class assignments and other announcements, such as class cancellations, make-ups, and new assignments. Students are responsible for checking the assignment board daily.

The other enclosed glass bulletin board marked "Registrar's Office" is for general information relating to course schedules, examinations, and academic regulations.

There are two small cork boards in the lobby used for notices and urgent messages. Notes should be dated on the outside and will remain posted for three days. Students are responsible for checking their messages daily.

3. Meredith Career Services Center Bulletin Boards

Announcements for overseas educational opportunities, as well as summer and full-time job opportunities, will be posted

outside the Meredith Career Services Center. Job opportunities are posted also in the glass-enclosed bulletin board in the hallway opposite the administrative reception area.

4. Student Lounge Bulletin Boards

There are multiple bulletin boards in the student lounge designated for student organization and general use, as well as a board designated for each Law School class.

Do not post material on the doors, windows, or walls of the Law School. It is a violation of University regulations, and **notices posted on glass and doors will be removed.**

Smoking Policy

The College of Law abides by the West Virginia University Smoking Policy, which prohibits smoking in all University buildings. Smoking is prohibited in all areas of the Law Center. Smoking is permitted outside in the designated parking area. Students smoking outside should deposit their cigarette butts in the clay urns provided for this purpose. Please do not block the building entrances/exits.

Emergency Phone Numbers

All Emergencies from Campus Telephone. **9-911**
(Including fire)

All Emergencies from Off-Campus Telephone. **911**

University Security (non-emergency). **293-3136**

State Police (non-emergency). **285-3200**

Local Hospitals

Ruby Memorial Hospital Emergency Room. **598-4171**
Monongalia General Hospital Emergency Room. **598-1460**
Morgantown EMS. **296-1190**

Building Evacuation

The following are guidelines for the purpose of evacuation in case of fire or other dangerous emergency situations. A comprehensive evacuation procedure is available at the reception desk.

1. Detection of Fire

- a. If you are the first to detect a fire: Pull the nearest fire alarm and notify the nearest faculty or staff member. Faculty or staff should contact MECCA 911. Report the following information: building, floor, and area involved. MECCA operator will notify Fire Department, Public Safety, Physical Plant, and Environmental Health and Safety.
- b. Attempt to extinguish the fire ONLY if your judgment tells you it is possible, and you are trained to do so.
- c. Evacuate immediately.

2. Bomb Threat

If a bomb threat is called in to any employee for his or her building or any other building, the employee should:

- a. Call MECCA 911 immediately after the caller hangs up.
- b. Notify the Dean if it concerns this building.
- c. Complete a copy of the WVU Bomb Threat Data Form for the investigating officer.
- d. The Dean will make the decision to evacuate the building based on information received. If the decision to evacuate the building is made, the alarm will be sounded and evacuation should begin.

3. Evacuation Procedures

- a. IF THE FIRE ALARM IS SOUNDED, EVACUATE IMMEDIATELY. The only exception to this is if the alarm system is being tested. If this is the case, you will be notified in advance of the actual testing date and time.

- b. GO TO THE NEAREST EXIT OR STAIRWAY WHEN THE ALARM SOUNDS. Most stairways are fire resistant and present barriers to smoke if the doors are kept closed. If the stair tower is involved or obstructed, select another route.
- c. DO NOT USE THE ELEVATORS.
- d. REMAIN CALM. Walk – do not run.
- e. ONCE YOU EXIT THE BUILDING, MOVE AWAY FROM THE ENTRANCES OF THE BUILDING.
- f. DO NOT REENTER THE BUILDING UNTIL NOTIFIED BY A REPRESENTATIVE OF THE DEAN'S OFFICE THAT IT IS SAFE TO RETURN.

Special Concern in an Emergency

Persons With Disabilities

At the beginning of each semester, the Assistant Dean for Student Affairs and the Building Supervisor will meet individually with any students who identify themselves as persons with disabilities. The purpose of this meeting will be to discuss the emergency and evacuation procedures at the College of Law and any special concerns or needs the individual may have. A copy of the floor plans reflecting emergency exits will be given to the student.

Student Organizations and Services

College of Law Organizations

Co-Curricular Organizations:

1. Law Review

The *West Virginia Law Review* is a professional, student-governed legal journal that publishes articles of interest to legal scholars, students, legislators, and members of the practicing bar. Founded in 1894, the *West Virginia Law Review* is the fourth oldest law review in the United States and publishes three issues each year. Student members of the *Law Review* write, solicit, select, and edit articles and are involved in all stages of preparing issues for publication.

Membership on the *Law Review* is available only to second- and third-year students. To be eligible for membership, students must obtain a minimum GPA of 2.5 in first-year courses. The maximum *Law Review* membership is 42, a number which ensures that all members may earn academic credit and have a reasonable chance of being published. *Law Review* participants who complete membership requirements receive up to four hours of credit, which are awarded in the third year.

Invitations for membership are based on a summer writing competition where students must write a short student article on a predetermined issue of law. After completing the write-on competition, there are two ways in which students are extended membership: 1) academic performance combined with writing score or 2) writing score alone. For students ranking in the top fifteen percent of their class at the end of the first year, the student article accounts for 35 percent of the total score, and first-year grades account for 65 percent of the total score. For all other students, the student article accounts for 100 percent of the total score. The number of invitations extended in this competition is dependent upon the quality of papers submitted.

2. M.E. Lugar Trial Association

The Lugar Trial Association is a co-curricular course designed to assist students in developing litigation skills through a mock trial program. Teams of students compete in a minimum of four mock trials per year, as well as participate in various other trial competitions. Each trial is presided over by a practicing attorney or judge, and following the trial, each advocate is critiqued by the judge.

Membership is available to second- and third-year students who have completed the Trial Advocacy course with a grade of B or better. If more than 30 students wish to participate, members will be selected by lottery. Students who successfully complete all the requirements for Lugar membership are awarded 3 credit hours in spring of the third year.

3. Moot Court Board

Moot Court Board is a co-curricular organization designed to recognize and reward students for their oral and written appellate advocacy skills, as well as to strengthen and further refine those skills. Board members compete in and manage the George C. Baker Cup intramural appellate moot court competition; participate in various intercollegiate, national, and international moot court competitions; and conduct monthly meetings. Each member is required to compete in an "outside" competition.

Early spring semester, the Moot Court Board invites second-year students to be members of Moot Court Board based upon their work in Appellate Advocacy, a required upper-level course. To be eligible for Moot Court Board, students must have completed Appellate Advocacy during the previous fall semester or in the summer session immediately preceding fall semester. In evaluating Appellate Advocacy student work, the Moot Court Board bases its decisions on appellate brief writing scores and oral advocacy scores earned in the Appellate Advocacy course. A maximum of 18 members are chosen at that time.

The remaining second-year justices are selected through the Baker Cup Competition, which is held annually each spring

semester. The Baker Cup competition is open to all second-year students who have passed Appellate Advocacy in the fall or are currently taking Appellate Advocacy in the spring. Newly selected members must participate in the competition. The Baker Cup competition ranks all competitors; uses that ranking to determine the National Moot Court Team (top six members); awards other prizes such as Best Brief and Best Oralist; and sets priorities for other outside competitions.

Justices are required to maintain a 2.0 GPA and participate in at least one interscholastic appellate advocacy competition in their third year. Part-time justices must find a competition that does not require full-time status. The justices are awarded three credit hours when they have completed all the requirements.

No member of the Moot Court Board may be a member of the West Virginia Law Review. Students who successfully complete all the requirements for Moot Court Board membership receive 3 hours of academic credit in spring of the third year.

4. Jessup International Moot Court

Jessup International Moot Court is a co-curricular class in which 4-5 students prepare for and compete in the Jessup International Moot Court Competition. Participation in Jessup is open to second- and third-year students. Preparing for and participating in the competition begins early in the fall semester and continues until mid-spring. Students participating in Jessup sign up for a two-credit, graded class in the spring semester. Jessup students must have the course in International Law as a prerequisite or co-requisite.

Student Organizations:

A list and full description of WVU College of Law student organizations can be found on the Web at <http://www.law.wvu.edu/student/orgs>.

Student Bar Association

Constitution of the Student Bar Association of West Virginia University College of Law

PREAMBLE

In order to represent the law school student body individually and organizationally; to further organizational communication and cooperation; and to maximize student involvement in academic and administrative processes; we, the students of West Virginia University College of Law, do hereby ordain and ratify this Constitution.

ARTICLE I: Name of Organization

This organization shall be known as the Student Bar Association, hereinafter referred to as the "SBA," of the West Virginia University College of Law, hereinafter referred to as the "Law School" or the "College of Law."

ARTICLE II: Constituency

All students enrolled in the Law School are members of the SBA and shall be represented by and permitted to participate in SBA meetings. All students enrolled in the Law School are permitted to vote in SBA elections.

ARTICLE III: Composition of the Council

The SBA Council shall be composed of the Organizational Board, the Executive Board, and a representative from four of the five standing committees: the Fund-raising Committee, the Community Services Committee, the Social Activities Committee, and the

Ethics Committee. The SBA Executive Board shall have the authority to assess dues, propose a budget and make all necessary expenditures. All other business of the SBA, including approval of the budget, shall be conducted by the Council.

ARTICLE IV: Organization Board

Section 1: The Organizational Board shall consist of representatives from the active student organizations of the Law School. Each organization shall be represented in the SBA Council by one member to be determined by the respective organization.

Section 2: The Organizational Board shall elect from within its membership two Council Representatives to serve on the Executive Board.

Section 3: It is the responsibility of each organization to send a representative to each regularly scheduled SBA meeting. Two consecutive absences or four absences in one semester shall result in that organization being placed on inactive status. The SBA Council quorum requirement shall be reduced accordingly. Organizations having assumed a non-active status seeking reinstatement must comply with the requirements contained in Section 4 of this article.

Section 4: Organizations attempting to attain representation in the SBA must comply with the following:

- 1) Submittance of a proposal of representation stating the group's objectives, membership and

compliance with the requirements for student organizations pursuant to the West Virginia University Student Handbook;

And at a meeting subsequent thereto:

- 2) Approval by two-thirds of the total membership of the SBA Council.

ARTICLE V: Executive Board

Section 1: The Executive Board shall consist of nine officers to be elected annually as follows:

- 1) An SBA President shall be elected by the entire student body. The President's duties shall consist of the following:
 - a) Calling of and precedence at all scheduled and emergency meetings of the SBA and Executive Board;
 - b) Attendance at all Faculty meetings and representation of the SBA thereto;
 - c) Liaison to the Student Administration of West Virginia University;
 - d) Appointment of student members to law school student-faculty committees; appointment of officers to any vacancy on the Executive Board; all with the advice and consent by the majority of the SBA Council;
 - e) Appointment of various SBA committees as

the need arises; and all other ceremonial and administrative functions ordinarily assumed by the President.

- 2) A Vice-President shall be elected by the entire student body. The Vice-President duties shall consist of the following:
 - a) Accession to the Presidency in the event of the President's death, removal, or withdrawal during the President's term of office;
 - b) Attendance at all SBA and Executive Board meetings and preside at such meetings in the event of absence of the President;
 - c) Representation of the President at any ceremonial or administrative functions at the President's request;
 - d) Management of all SBA funds; and
 - e) Presentation of the SBA's financial report at all SBA and Executive Board meetings.
- 3) A Secretary shall be elected by the entire student body. The Secretary's duties shall consist of the following:
 - a) Attendance at, recordation and dissemination of the minutes of all SBA and Executive Board meetings;
 - b) Assistance to the President in formulation of meeting agendas and advance notice to

- the student body thereof;
 - c) Personal notice to all Executive Board members of the scheduling of emergency Executive Board meetings; and
 - d) Conducting all official correspondence of the SBA and Executive Board.
- 4) A Third-Year Class President shall be elected exclusively by the members of the third-year class. The Third-Year Class President's duties shall be as follows:
- a) Attendance at all SBA and Executive Board meetings; and
 - b) All other functions traditionally assumed by the Third-Year Class President.
- 5) A Second-Year Class President shall be elected exclusively by the members of the second-year class. The Second-Year Class President's duties shall be as follows:
- a) Attendance at all SBA and Executive Board meetings; and
 - b) All other functions traditionally assumed by the Second-Year Class President.
- 6) A First-Year Class President shall be elected exclusively by the members of the first-year class. The First-Year Class President's duties shall be as follows:
- a) Attendance at all SBA and Executive Board meetings; and
 - b) All other functions traditionally assumed by the First-Year Class President.
- 7) Two Organizational Representatives shall be elected by and from the Organizational Board. The Organizational Representative's duties shall consist of the following:
- a) Accession of one representative to the Vice President in the event of the Vice President's death, removal, withdrawal or accession to the Presidency during the Vice President's term of office; this representative to be chosen of the two representatives by the SBA President, all with the advice and consent of the SBA council.
 - b) Attendance at all SBA and Executive Board meetings and preside at such meetings in the event of absence of the President and Vice President; and
 - c) The Organizational Representative shall be elected by the Organizational Board at the first meeting of the SBA held in October.

Section 2: Removal of SBA Officers. This section shall apply to SBA officers and elected committee members. Impeachment proceedings may be initiated by one of two methods: 1) Absolute majority vote of the SBA Council; or 2) a petition including the signatures of one-quarter of

all Law School students. If either of these two alternatives occurs, the officer will face public trial before the full SBA Council. For removal to occur, 75% of all SBA Council members must vote in favor of removal.

Section 3: The Executive Board shall assume all other duties not previously detailed as may be delegated to the Board by the SBA, Faculty or Administration of the Law School.

Section 4: There shall be five standing committees which report directly to the Executive Board.

1) A Social Activities Committee which will consist of a Chairperson elected from the entire student body and one representative from each class. The duties of the Social Activities Committee shall consist of the following:

- a) Planning all social functions sponsored by the SBA; and
- b) Presenting timely reports on their activities to the Executive Board.

2) An American Bar Association/State Bar Association/Law Student Division Committee which shall consist of three officers of the ABA Chapter. Their duties shall consist of the following:

- a) Be a liaison with the ABA and the State Bar;

b) Promotion and coordination of their activities;

c) Membership and recruitment to these organizations; and

d) Other duties as defined by the chapter bylaws.

3) An Ethics Committee which shall consist of nine members, three members elected from each class. Their duties, including the election of the Chairperson, shall be defined by the Ethics Committee in accordance with the Student Code of Professional Responsibility.

4) A Community Services Committee which will consist of a Chairperson elected from the entire student body and one representative from each class. The duties of the Committee shall consist of the following:

- a) Planning all community services sponsored by the SBA; and
- b) Presenting timely reports on their activities to the Executive Board.

5) A Fund Raising Committee which will consist of a Chairperson elected from the entire student body and one representative from each class. The duties of the Fund Raising Committee shall consist of the following:

- a) Planning all fund raising activities sponsored by the SBA; and

- b) Presenting timely reports on their activities to the Executive Board.

ARTICLE VI: Meetings

Section 1: The SBA Council shall meet not less than once monthly for a minimum of eight meetings during the academic year.

- 1) Scheduled meetings of the SBA shall be announced at least three days in advance.
- 2) Emergency meetings of the SBA shall be announced at least twenty-four hours in advance, the subject matter of which shall be limited to one topic.
- 3) Fifty percent of the SBA Council plus one member shall constitute a quorum.
- 4) Meetings shall be conducted pursuant to Robert's Rules of Order.

Section 2: The Executive Board shall meet independently of the SBA not less than once monthly for a minimum of eight meetings.

- 1) Scheduled meetings of the Executive Board shall be announced at least twenty-four hours in advance.
- 2) Emergency meetings of the Executive Board shall be called with reasonable notice to all Executive Board Members.

Section 3: Officers of the SBA must attend all

meetings. Removal procedures shall be initiated against any SBA Executive Board officer who misses two consecutive meetings or three meetings within one semester.

Section 4: All matters shall be decided by a simple majority vote unless otherwise stipulated in the Constitution.

Section 5: All meetings shall be open to the public.

ARTICLE VII: Elections

Section 1: The SBA Council Officers, with the exception of the Organizational Board, shall be elected by the entire student body annually in the first half of the spring semester, and they shall assume their duties at the end of the semester.

Section 2: The class officers and committee representatives for each incoming first-year class will be elected within the latter half of the first full month of the fall semester and shall assume their duties within two weeks of the election's certification. The class officers for the prospective second-and third-year classes shall be elected by their respective classes in the first half of the spring semester, and they shall assume their duties at the end of the semester.

Section 3: Election proceedings shall begin with the opening of nominations in the last full week of February. The proceedings shall run as follows:

- 1) The Friday before nominations, posters will be

placed to announce an election schedule to include the nomination period, campaigning period, forum, election, and run-off dates.

- 2) Nominations will be accepted on Wednesday, Thursday and Friday of the last full week of February. Each candidate may be nominated for only one office. Nominations will be closed at 4:30 p.m. on Friday.
- 3) At the close of nominations, campaigning will begin. Each candidate will be permitted two posters of no greater size than 12 x 18 inches. Hand billing is to be encouraged through the use of the student mailboxes.
- 4) During the following week on Monday during the noon hour, a candidate forum must be held.
- 5) The following Wednesday, elections will be held. Polling hours will be from 10:00 a.m. to 2:00 p.m. Polling will be conducted in the lobby. While the polls are open, candidates will not be allowed to solicit in the lobby. Violations will be ruled on by the Ethics Committee. If found guilty of violations, the candidate will be removed from the office, and the runner-up installed in his/her place.
- 6) In the event that no candidate receives a majority of the vote (50% plus one vote) in the first balloting, a run-off will be held on Friday following the election. The run-off will be between the two candidates with the most votes. In the event of a tie, there may be three

or more candidates.

- 7) In the run-off, the candidate who receives the most votes will be the winner.

Section 4: The Executive Board shall conduct all elections, prepare all ballots, and approve all voters. The Ethics Committee shall certify all results pursuant to procedures and policies adopted by that Committee.

Section 5: No student may run for SBA office, if, at the time of nominations, that student holds a grade point average which is less than 2.0.

Section 6: After the election is complete, all candidates have a right to review all election results.

ARTICLE VIII: Amendments

Section 1: Amendments to the Constitution may be proposed:

- 1) By presentation to the SBA of a petition bearing the proposed amendment and the signature of at least twenty-five percent of the student body; or
- 2) By passage of an amendment resolution by the SBA Such a resolution must receive approval of at least two-thirds of the members of the SBA Council.

Section 2: This Constitution shall be amended upon the approval of the proposed amendment described in the preceding paragraph and the

support of at least a majority of the students voting in the election to be held at least one week after its approval in Section 1.

ARTICLE IX: Autonomy

All student organizations shall enjoy political, physical, and administrative autonomy. The SBA is not empowered to control the member organizations' internal affairs in any way.

ARTICLE X: Honor Code

The SBA, as an organization, its officers, and members agree to abide by the Honor Code of the College of Law.

ARTICLE XI: Non-Discrimination

The SBA shall not discriminate against any person on any basis prohibited by the United States Constitution or the Constitution of the State of West Virginia.

Ratified: February 24, 1993

College of Law Services

Academic Excellence Program

Contact: Grace Wigal, Teaching Professor and Program Director
Academic Excellence Center
Room 112
Phone: 304-293-7774
grace.wigal@mail.wvu.edu

Fall Programs for Incoming Students

The Academic Excellence Program (AEP) seeks to enhance the academic performance of all students in their first year of law school. Because new law students must rapidly adjust to the heightened expectations of a professional school, the Academic Excellence Center provides an array of services designed to empower first-year students to quickly integrate “how to learn” with “what to learn.” The Center’s ultimate goal is to help students thrive in their first year of law school, not merely survive. To this end, the Center provides (1) weekly workshops on critical skills such as notetaking, outlining, time management, and test taking; (2) helpful handouts with tips for success and other important information about resources available to law students; and (3) individual counseling to address the needs of students who could benefit from personalized assistance.

Additionally, an early orientation and Fall Study Session Program is conducted for incoming students who would benefit from additional support activities. Enrollment in the Fall Study Session Program (FSSP) is limited and participation is by invitation only. Several factors are considered in choosing students to participate, *e.g.*, whether the student has been out of school for a significant time, has a nontraditional background for law, has learning disabilities, speaks English

as a second language, or has a GPA or LSAT score below the average of the incoming class. The goal of FSSP is to assist students in achieving maximum performance in legal writing assignments and casebook examinations.

Spring Study Session Program for At-Risk Students

A different kind of AEP program is offered in the spring for students whose first-semester GPA is at 2.2 or below. Because first-time bar passage has been statistically linked to performance in law school, the common goal of the College of Law and AEP is to improve analytical and writing skills of students before the end of the first year of law school. The Spring Study Session Program (SSSP) therefore concentrates on the Property, Contracts, Professional Responsibility, and Constitutional Law classes that first-year students are taking in second semester (content areas covered by the bar examination).

Students who participate in SSP attend weekly study sessions that provide opportunities for review of important legal concepts covered in the spring courses, as well as guidance about how to create strong study outlines and master exams. Specially trained student teaching assistants, known as Deans Fellows, lead these small study session groups (6 - 10 students per session). The Deans Fellows work closely with the course professors to lead the study group through review materials and practice tests.

Bar Preparation Course

The Academic Excellence Center also provides a bar preparation course open to all third-year students in the spring semester. The short course consists of a series of workshops addressing the content of the bar exam, tips on how to study for the exam, and practice in writing the essay and performance sections of the bar exam. Additionally, a select

group of third-year students are invited to attend a supplemental enrichment course designed to assure first-time success with the bar exam. Participation in the enrichment course is by invitation only and targets students with greater need for supervised review.

Professional Writing Center

West Virginia University, College of Law
Room 228 Law Center
Jean Dailey, Writing Specialist
jean.dailey@mail.wvu.edu, 293-2414

In collaboration with the director of the Academic Excellence Program, the writing specialist in the Professional Writing Center provides a full array of academic support services to students of all abilities at all stages of the writing process. Assistance is available through both workshops and individual conferences in the writing center.

If students have questions about any aspect of their writing, the writing specialist is available to provide assistance. With the professor's permission, students may consult with the writing specialist about grammar, punctuation, and sentence structure on appellate advocacy papers, on seminar papers, and on LRRW papers. Also, the specialist will work with students on resumes and letters of application. Writing workshops presented throughout the year are open to all law students. Look for that schedule in September.

The Professional Writing Center, room 228, is open from 8 a.m. until noon Monday through Friday. The writing specialist can be reached in person at the center, by phone, and via e-mail.

Meredith Career Services Center

www.law.wvu.edu/career_services

Assistant Dean

Jennifer Powell, MSW, JD jennifer.powell@mail.wvu.edu
Phone 293-6792 Room 130

Assistant Director

Rosalind Lister, MSEd rosalind.lister@mail.wvu.edu
Phone 293-7750 Room 100J

The Meredith Career Services Center is open year round. Office hours are Monday through Friday from 8:30 a.m. until 4:30 p.m. The Assistant Dean's office is in room 130. The Assistant Director's Office is Room 100J.

Students must register with the Career Services office to use its services and participate in on-campus interviews. First-year students will register at the Career Services Orientation program held the first week of November. Second- and third-year students must update their registration forms each year. The forms are on our website at:

http://law.wvu.edu/career_services/students/getting_started.

Students must complete the forms to provide Career Services with current contact information and to give permission to release resume and other employment information to prospective employers.

The Career Services office has an open door policy. The Assistant Dean and Assistant Director may schedule days that are "appointment only" days to provide students with an opportunity to meet individually. Otherwise, students may walk in without an appointment. The Assistant Dean and Assistant Director will work individually with each student to develop a job search plan, to write or revise a

resume or cover letter, to discuss interviewing skills, or to implement job search strategies. If you would like to schedule an appointment, please contact either the Assistant Dean or the Assistant Director by e-mail, telephone, or in person.

1. Career Center Workshops

There are a series of workshops held for students each semester. The workshops that are held in the fall semester generally focus on second- and third-year students' needs; spring workshops often target first-year students. Frequently offered topics include

- Resume writing/editing and cover letter writing/editing
- Interview preparation and interview skills workshops; mock interview program
- Job search strategies beyond on-campus interviews
- Using Web-based resources in the job search
- Working in public interest law
- Alternative careers for lawyers
- Working as a judicial clerk
- How to have a successful summer work experience.

Many of these workshops are co-sponsored and given by the hiring partners of local law firms, public interest organizations, and corporations.

A mandatory "Orientation to Career Services" workshop is held during the first week of November, and all first-year students are required to attend. First-year students will register to use the Career Services office at this time, and the Career Services office will provide handouts on writing a resume,

writing effective cover letters, preparing for spring interview season, and organizing a job search. The Assistant Dean for Career Services and the Assistant Director conduct this workshop each year.

2. On-Campus Interviewing

The Career Services Center invites law firms, public interest organizations, government agencies, businesses, and corporations to interview WVU law students for summer and full-time positions. On-campus interview season occurs in the fall semester for second- and third-year students, and generally runs from the last of August through October. The spring on-campus interview season generally features employers seeking first-year students and runs from February through April. Many employers come to campus to interview students; others ask to review student credentials through a resume mailing service.

A master schedule of interviews is posted on the WVU Career Services Symplicity website. The schedule is updated frequently each semester. Students should register for the Symplicity site @ <https://law-wvu-csm.symplicity.com/students>.

Students should participate in on-campus interviewing but should also consider alternative methods of finding a job as well. Between 40-50% of students find their permanent jobs through on-campus interviewing each year; most students find work through a self-directed job search. Career Services is here to help with either.

Students also find work by attending relevant job fairs. See Career Services for information on public interest job fairs, intellectual property job fairs, job

fairs for minority students, and job fairs based in certain geographic regions of the country.

3. Job Research

The Career Services Center has many Web-based and print resources for student use. Handouts and books are available for students to use in Room 130. Students may use Martindale Hubbell, the National Association for Law Placement Directory of Employers, and many other job-related texts and websites to find a job. See Career Services for updated passwords.

The Career Services Center has established a LexisNexis Web course that contains information on available local jobs, alumni contacts in various parts of the country, and many relevant websites and searches to aid students in finding work. All law students may access the site with their LexisNexis ID.

College of Law Bookstore

Manager

Mary Jo Fugera

bkswwulaw@bncollege.com

Phone 304-293-2492

Room 150

The WVU Law Center Bookstore is located in Room 150, off the main lobby of the Law Center. Regular operating hours are 8:15 a.m. to 4:00 p.m., Monday through Friday. Summers hours are 8:15 a.m. to 1:00 p.m. and 2:00 to 4:00 p.m. The Bookstore is also open the Saturday prior to the first day of class and prior to home football games. The WVU Law Center Bookstore offers new and used textbooks, reference books, school supplies, and imprinted clothing and giftware. Software can be ordered online at www.CampusEstore.com. Special order service is available at no extra charge. To order textbooks online,

visit the Bookstore website at www.wvulaw.bncollege.com. Textbook Rentals are now available, offering great savings on selected titles. Contact the Store Manager for details.

Financial Aid

Financial Aid Counselor

Eric Meadows eric.meadows@mail.wvu.edu
Phone 304-293-5302 Room 232

The College of Law Financial Aid Office hours are Monday through Friday 1:00 - 4:45 p.m.

To be eligible for all types of financial aid, a student must complete the Free Application for Federal Student Aid (FAFSA). This form can be completed online each year at www.fafsa.gov. Because West Virginia University is a direct lending institution, no loan applications will be accepted from lenders or banks. After all necessary forms have been completed by the student, the Financial Aid Office will determine a student's eligibility for student loans and federal work study. Financial aid awards are to be viewed, accepted, declined, or reduced online through the WVU STAR System. Each student will receive a letter when his or her financial aid award has been processed. First-time loan borrowers are required to complete a master promissory note and entrance counseling. Both are to be completed online. Alternative loans must be applied for through the organizations offering the loan.

Scholarships

A list of scholarships available from the Law School can be found on the web at:

http://law.wvu.edu/student_life/financial_aid/page_h

Scholarships available from outside sources can be found on the Web at www.fastweb.com and other helpful Web sites.

Deadlines for financial aid are as follows:

1. Federal Work Study March 1

A written request must be submitted to the Financial Aid Office.

2. Scholarships March 1

FAFSA results must be received by WVU by March 1 for first-round scholarship consideration.

3. Student Loans No deadline

The necessary documentation must be completed in a timely manner in order for the funds to be available for disbursement in August and January. WVU must receive your FAFSA results by June 30 to insure timely processing.

Graduating students must complete a Loan Exit Interview if they borrowed from the William D. Ford Federal Direct Loan program.

8 Steps to Successful Financial Aid Processing

1. Make sure all your applications are complete, correct, and submitted on time.
2. Read completely and respond quickly to all financial aid requests.

3. The following steps must be taken to have your financial aid completely processed:
 - (a) Submit all required documents so that your file is complete, which generally consists of a current FAFSA. If you are selected by the Department of Education for verification, you also must submit the WVU Verification Form and a signed copy of your most recent Federal Income Tax Return. The WVU financial aid office will send you a verification form if you are selected.
 - (b) View, accept, decline, or reduce your financial aid award online through the WVU STAR system. There is a separate application for the Grad Plus Loan.
 - (c) If you are a first-time borrower, sign your master promissory note and complete an entrance interview. Both can be done online.
 4. Mail all correspondence for financial aid to:
WVU College of Law
Financial Aid Office
P.O. Box 6130
Morgantown, WV 26506-6130
- NOTE:** Any correspondence sent to the main or medical center financial aid offices will delay the processing.
5. The Financial Aid Office may be contacted at the address, email, and phone numbers listed above, or you may use Eric Meadows's mailbox located in the reception area.
 6. Be sure to notify WVU Admission and Records of all

address changes. This is particularly important during the summer months when financial aid correspondence is being sent, i.e., award letters and any notifications.

Students can make address changes through their MIX account and the WVU Star System. Refund checks are sent to the local address on file with Admissions and Records. Make sure the office has the correct address so your check will get to you in a timely manner. You can also request Direct Deposit for your refund by calling PNC Bank at 800-745-7577.

7. Keep records of your loans. You are responsible for knowing how much you borrowed, and you will need that information if you decide to consolidate your loans once you have graduated.
8. Notify the financial aid office if you are awarded a late scholarship, tuition waiver, or some other benefit, such as VA benefits. This could affect your financial aid package, and you may have to repay some of the money you received.

Technology Services

Manager, Network Services

Keith Walton keith.walton@mail.wvu.edu
Phone 304-293-8556 Room 225

The manager services all computer and networking operations for the law school and law library. Duties include maintaining the law school network, Groupwise email accounts, law school Web calendar, Web applications, online forms, and computer software and hardware installation and troubleshooting.

Audio-Visual Technician

Lewis Mackley lewis.mackley@mail.wvu.edu
Phone 304-293-7543 Room 168

The technician manages all audio-visual equipment and classroom technology in the College of Law. Duties include student laptop configuration for networking, computer software/hardware installation and troubleshooting, AV equipment scheduling, event taping, and AV equipment maintenance.

Director of Communications

Brian Caudill brian.caudill@mail.wvu.edu
Phone 304-293-7439 Room 234B

The Director of Communications for the College of Law is responsible for assisting the administration, faculty and/or other personnel, and student organizations with integrated communication activities via Web, print, radio, television, and any other key media, in order to enhance the prestige and goodwill of the institution and to ensure that its needs and reputation are optimized.

Typing by Secretaries

All secretaries employed by West Virginia University are prohibited from typing or conducting business for students on University time. Private typing for students may be done only during off hours.

Web Information

The College of Law website, <http://www.law.wvu.edu>, offers a wealth of information. OnPoint, the weekly law

school newsletter, is archived here. Also available are a full description of scholarships; professors' curricula vitae, publications, and other information; student organization details; academic and event calendars; current news; student legal clinic information; continuing legal education offerings; and much more. Keep the site book-marked and become familiar with it.

University Services

General Information

Information regarding University services such as ID cards (Mountaineer Card), parking, Health Services, and Disability Services, as well as University student life and affairs, can be found at the WVU Division of Student Affairs website at <http://studentaffairs.wvu.edu/>.

Health Services

1. Illness

Student Health Service offers medical assessment, treatment, referrals, family planning services, and educational programs for tuition and fee-paying WVU students. Students pay a \$10 co-payment for each visit. Student Health is located on the ground floor of the Robert C. Byrd Health Sciences Center, next to Ruby Memorial Hospital and near the Law School. Students should enter through the Mary Babb Randolph Cancer Center and follow the blue signs that say "Student Health Service." To make an appointment, call 304-293-2311. For more information, see the Student Health Service website at www.hsc.wvu.edu/shs.

2. Mental Health and Counseling Services

Students who seek personal counseling may call the Carruth Center on the main campus at 304-293-4431 for appointments. Counseling services are also available at the Student Health Psychiatry in the basement of the Health Science Center. To make a psychiatric appointment, call 304-293-6972.

Please contact Janet Armistead, Assistant Dean, at 304-293-7320 if you need assistance in making an appointment.

3. Insurance

For information on University insurance programs, call 304-293-2315 or visit the web at www.uhcsr.com.

4. Alcoholism, Drug Prevention, Rape and Domestic Violence

For specialized help in any of these areas, call 304-293-6972.

Student Activities and Organizations

A complete list of all student activities and organizations sponsored by the University is available at www.wvu.edu/~sos.

Library Guide

General Information

Location: Second Floor, Law Center, Evansdale Campus
Phone 304-293-5300
law.wvu.edu/library

Schedule

Fall and Spring Semester Hours

Monday – Thursday	8:00 a.m. – 12:00 a.m.
Friday	8:00 a.m. – 10:00 p.m.
Saturday	9:00 a.m. – 8:00 p.m.
Sunday	10:00 a.m. – 12:00 a.m.

Extended hours for law student study are maintained during exam periods.

On all home football game Saturdays, the Law Library hours will be 9:00 a.m. to 2:00 p.m. regardless of the start time of the game.

Summer Hours

Monday – Friday	9:00 a.m. – 8:00 p.m.
Saturday	9:00 a.m. – 6:00 p.m.
Sunday	12:00 noon – 6:00 p.m.

Holiday and Intersession Hours

Generally, 9:00 a.m. to 6:00 p.m.
The library is closed on News Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas. It also may be closed additional days throughout the year in accordance with the University holiday schedule.

Location of Materials

1. Top Floor

Reference Collection
United States Core Collection
National Reporter System
West Virginia Core Collection
Periodicals Indices
Bound Journals

2. Middle Floor

General Books on American Law and Other Subjects:
(A-KF)
Anglo-American Collection
Foreign and International Collection

3. Bottom Floor

State Codes, Reports, and General Books on States' Laws
West Virginia Collection
General Books on American Law & Other Subjects
(KFA-Z)
Government Documents

Library Policy/Regulations

Food and tobacco products are not allowed in the library. Drinks are permitted.

Cell phones should be used only in the stairwells of the library. Cell phones should be kept on vibrate mode.

Borrowing Library Materials

1. Circulation Policy

Many items in the Law Library collection, including bound journals, do not circulate. Please inquire at the Circulation Desk for circulation information regarding the particular materials you wish to use.

Law students may check out circulating books for three weeks. Books may be renewed three times. Renewals may be made by calling the Library Circulation Desk at 304-293-5300, in person at the circulation desk, through MountainLynx, or by email to wwulawbooks@mail.wvu.edu.

2. Overdue Fines

It is the responsibility of the borrower to know when library materials are due and to return or renew them on or before the due date.

The Library collects \$1.00 per day as a fine for overdue material from the general collection. Overdue fines for reserve and course reserve materials are \$.01 per minute. If material is lost or damaged, the amount of the fine will be equal to the replacement price plus a \$10.00 processing fee.

Unpaid overdue fines will result in suspension of your borrowing privileges at all West Virginia University Libraries.

3. Library Student ID Number

To borrow library materials, all students must have a current WVU student ID card (Mountaineer Card). The Mountaineer Card allows students to check out materials at all of the libraries on campus.

4. Holds

If a book is currently checked out, you may reserve it by requesting that a hold be placed on it. When it is returned and available, you will be notified.

5. Searches

If a book is not on the shelf and not checked out, a search can be performed. Make a search request at the Circulation Desk. Interlibrary loan is an alternative means of accessing material while waiting for a search to be completed.

6. Recalls

To ensure access to library materials, the Library will, upon request, recall books from one patron for use by another. Materials that have been renewed or are charged on a long-term loan to faculty members are subject to recall. Recalled materials must be returned within five days.

The patron from whom the material was recalled has

the right to reserve it and to check the item out again later.

Services

1. Reserve

The Reserve Collection contains hornbooks and nutshells, unbound journals, audio and videotapes, course reserve materials, and frequently used titles. An ID card must be left at the Circulation Desk when checking out reserve materials.

2. WVU College of Law Examinations

Copies of some exams that are administered in the College of Law courses are compiled and placed on reserve, at the discretion of individual professors. The exams, which may be used by students as study aids, are available for photocopying.

3. MountainLynx

MountainLynx is the WVU Library's online catalog and information network. The holdings of all campus libraries are included in MountainLynx. Library materials are accessible by author, title, keyword, and Library of Congress subject heading. MountainLynx is available anywhere you have internet access.

4. Microfiche

The Library catalog and the serials list may indicate that a title is available in microfiche. The microfiche is kept in cabinets that are located on the bottom floor of the library. Some microfiche sets have printed

indexes located on top of the cabinets.

A microfiche reader is available next to the cabinets, and a reader/printer is located behind the Circulation Desk. Copies may be made at .05 cents per page. Please ask the Circulation Desk employees for help using the microfiche or the readers.

5. Computer Labs

The Library provides 41 networked computers throughout the library, each networked to a laser printer. Each computer provides access to the latest versions of Word and WordPerfect, the Internet, LexisNexis, Westlaw, e-mail, MountainLynx, Acrobat, PowerPoint, Excel, and Adobe Professional. Each seat in the library contains a network connection, and wireless access is available throughout the library.

Sixteen of these networked computers are available for training sessions. Lab computers are equipped with software for training and Internet access.

6. Computer-Assisted Legal Research

The LexisNexis and Westlaw legal research databases are available to all law students. Free access to both services is available for home use. Documents accessed on LexisNexis and Westlaw may be printed free of charge at the printers provided by those services. Printers are located inside the library in Room 201B (to the left of the main entrance) and in the Student Lounge.

7. Photocopying

One photocopier is located on the main floor of the library, to the left of the front door outside Room 201B. The machine will accept Mountaineer IDs or a copy card, which can be purchased from a machine located in Room 201B in the library. Funds can also be deposited to your card with the machine located in Room 201B.

8. Carrels

Study carrels may be reserved by College of Law students. To accommodate as many students as possible, the Library typically assigns one carrel for two people. Carrels are assigned at the beginning of the fall semester, and the assignment is effective for the academic year.

The order of preference for assignment of carrels is:

- First: Third-year students
- Second: Second-year students
- Third: First-year students

Applications are available at the Circulation Desk during the first week of classes.

9. Cassette Recorders and Typewriter

Cassette recorders are available at the Circulation Desk for twenty-four hour loan and may be taken from the Library.

The Library also provides a typewriter for the convenience of law students. Please ask at the Circulation Desk.

10. Interlibrary Loan

The Library staff is able to borrow materials not found in our collection from other libraries. The Library has access to the holdings of several thousand libraries through a computerized database. The staff can usually get requested books within two weeks and articles within several days. Inquiries concerning this service can be made at the Circulation Desk. Patrons will be notified when the material arrives.

11. For Children

If it is necessary to bring children to the Law School, there are a number of books and toys available for quiet play that can be requested at the Circulation Desk.

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