

Birmingham School of Law  
Catalog & Student Handbook

School Year 2021-2022



Weekday Evening & Saturday Classes

In Continuous Service Since 1915

Graduates of Birmingham School of Law (BSL) are permitted under Alabama Code §34-3-2.1 to sit for the Alabama attorney licensing examination. Graduates who pass the licensing examination may practice law before all federal, state, and municipal courts and administrative boards or agencies within Alabama. Graduates with valid Alabama law licenses may also be eligible for a bar license in other states depending upon the rules of admission for the second state.

Birmingham School of Law has not applied for, is not seeking, and does not anticipate accreditation by the American Bar Association.

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231 22nd Street South Birmingham, Alabama 35233

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<http://www.bsol.com>

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This is the Birmingham School of Law (BSL) Catalog & Student Handbook. Please read it thoroughly, paying specific attention to the details contained in the *Reservation of Rights*, *Admission to the Alabama State Bar*, *General Information*, *Instructional Program*, *Academic Regulations*, and *Honor Code* sections. Students are deemed to have full knowledge and understanding of all information contained in this document and all subsequent versions of this document from initial enrollment through graduation. Students will be held accountable for compliance with all policies and regulations contained herein.

**S. Scott Garrett, Dean**

## RESERVATION OF RIGHTS

Birmingham School of Law reserves the right to revise academic standards and regulations, the instructional program, specific course offerings, graduation requirements, financial charges, and the contents of this Catalog & Student Handbook at any time without advance notice or approval or consent of the faculty or students. **This Catalog & Student Handbook is not intended to be, nor should it be regarded as, a contract between the law school and any faculty member, student, or third party.** Contractual terms, if any, between BSL and students, faculty, and/or other employees of the law school are contained in separate student enrollment and registration documents and/or employment contracts.

**The Dean of Birmingham School of Law retains the right to dismiss any student at any time on whatever grounds the Dean deems advisable with or without the use of the Honor Code or Honor Court procedure.** By acceptance of admission and enrollment to the law school, each student acknowledges and consents to this authority and reservation of rights. Continued enrollment, the receipt of academic credit, the granting of a degree, and certification to the Alabama State Bar (ASB) that a student has the requisite training and character to sit for the Alabama State Bar examination rests solely within the power and discretion of the Dean of Birmingham School of Law.

By acceptance of admission and enrollment in Birmingham School of Law, a student acknowledges and agrees to accept all official communications and/or financial statements transmitted by BSL to the email address on file with the Office of Administration at BSL and waive any rights to receive communication and/or bills via US Postal Service.

## ADMISSION TO THE ALABAMA STATE BAR

**Admission to BSL does not guarantee approval by the Alabama State Bar (ASB) to sit for the Alabama State Bar examination.** The ASB's Character and Fitness Committee conducts a thorough background investigation of each law student to determine each applicant's suitability to practice law and approves or denies each applicant's admission to the Bar as the merits of his or her character and fitness dictates. Prospective students with a history of serious misdemeanor or felony criminal arrests or convictions, alcohol or substance abuse, poor credit or debt history (including bankruptcies, civil judgments, or debt write-offs), or excessive or repeated traffic citations may find difficulty gaining approval from the Character and Fitness Committee to sit for the bar exam. We advise applicants with these background issues to schedule a meeting with the Assistant Dean to discuss the details of these topics prior to filing an application to attend BSL. **Except under extraordinary circumstances, applicants with felony convictions will not be considered for acceptance to this law school unless that conviction has been overturned on appeal or a full pardon has been granted.** See the Alabama State Bar's website for more information regarding admission rules and standards ([www.alabar.org](http://www.alabar.org)).

## **BSL MISSION STATEMENT**

Our mission is to offer individuals an opportunity for a high quality, affordable legal education and to prepare them to sit for the Alabama State Bar examination. Through self-discipline and dedication, BSL students learn the law from an outstanding faculty of practicing attorneys and judges. BSL's professors teach because of their love of the law and desire to encourage students to accept the opportunity for service and achievement that a law degree affords.

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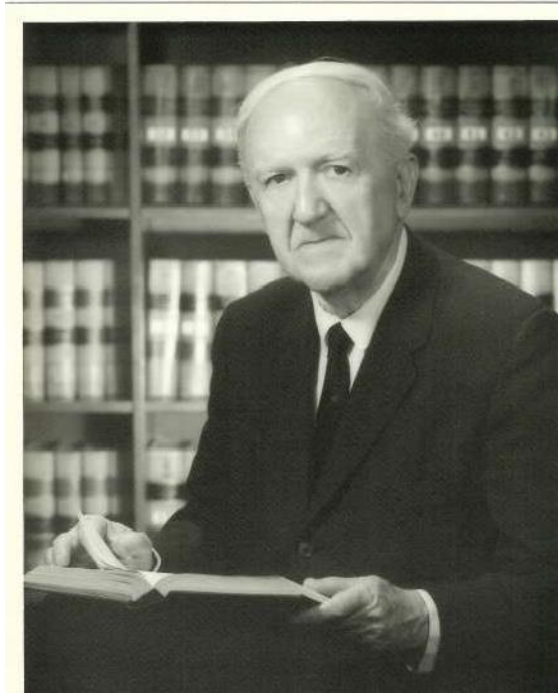
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## Birmingham School of Law History



Judge Hugh A. Locke  
1885-1971

Birmingham School of Law (BSL) was founded in 1915 when Judge Hugh A. Locke began tutoring young men for the Alabama bar exam. Judge Locke was a prominent attorney and Judge of the Chancery Court, as well as President of the Birmingham Bar Association. He also served his church and community in a number of capacities, including that of trustee of Birmingham Southern College for 55 years.

As the group of young men seeking admission to the Alabama Bar grew, other professors were added and classes were held at Birmingham-Southern College. Later, the Birmingham Y.M.C.A. housed the school as it continued to grow. During the Great Depression years of the 1930s, the school moved its classes to the Jefferson County Courthouse, where it remained until 1996. In May 1996, BSL opened new classrooms in the historic Frank Nelson Building and remained there for 18 years. In January 2014, BSL moved to its present location in the Hugh A. Locke building in Birmingham's south side. This was a milestone moment for BSL, as this was the first location wholly owned, managed, and operated by the law school.

Graduates of BSL have achieved recognition as judges, Alabama Bar officials, revisionists of the rules of practice, district attorneys, and attorneys highly respected in their communities. A number of graduates have made outstanding contributions through political positions while others have excelled in the field of business.

## **ADMINISTRATIVE STAFF**

S. SCOTT GARRETT	Dean
VICTORIA EBRAHIMI CHARLES	Assistant Dean
DEEDEE LOWE BLY	Financial Manager
KERRI STONE	Registrar
MILA PORTNOY	Program Assistant
BECKY DANIELSON	Executive Assistant to the Dean
KATE BISHOP	Receptionist

## **FULL TIME FACULTY**

S. SCOTT GARRETT B.A., Oglethorpe University J.D., Birmingham School of Law	VICTORIA EBRAHIMI CHARLES B.A. University of Alabama at Birmingham J.D., Cumberland School of Law
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## **GENERAL INFORMATION**

### **I. CONTACTING THE SCHOOL**

Our telephone number: (205) 322-6122

Our fax number: (205) 322-2822

Our website URL: [www.bsol.com](http://www.bsol.com)

Our physical location and mailing address:

Birmingham School of Law  
231 22nd Street South  
Birmingham, Alabama 35233

### **II. STAFF CONTACTS/AREAS OF RESPONSIBILITY**

A. **Financial matters** including current balances, charges to student accounts, and payments to student accounts:

Financial Manager – Deedee Bly [dbly@bsol.com](mailto:dbly@bsol.com)

B. **Student Records** including applications, registration documents, and grades/transcripts:

Registrar – Kerri Stone [kstone@bsol.com](mailto:kstone@bsol.com)



- C. **Matters** involving applications, tuition payments, internships and special testing accommodations:  
                   Program Assistant – Mila Portnoy [mportnoy@bsol.com](mailto:mportnoy@bsol.com)
- D. **Student Counseling & Class Schedules**, including general administrative policies, graduation plans, class sequence and scheduling, Honor Code reports/violations, and legal and judicial internships:  
                   Assistant Dean – Victoria Ebrahimi Charles [vcharles@bsol.com](mailto:vcharles@bsol.com)
- E. **Appeals** from decisions made by staff members or Honor Code discipline  
                   Dean – S. Scott Garrett [sgarrett@bsol.com](mailto:sgarrett@bsol.com)
- F. Please see Email Protocols in the Appendix for a more detailed list of proper channels for student inquiries.

### **III. HOURS OF OPERATION**

The Administrative Office and Student Store is open for most business transactions Monday through Friday between the hours of 9:00 am and 6:00 pm and Saturdays between the hours of 8:00 am and 12:30 pm with the exception of national holidays and term break periods. Specific closing periods are posted on the school’s website under Current Students/Academic Calendar.

### **IV. CAMPUS FACILITIES**

BSL is located in a three-story building on Birmingham’s southside at the corner of 22nd Street and Third Avenue South. Acquired in 2013, the three-story building was completely gutted and modernized and now hosts the school’s administrative offices, ten (10) classrooms, law library, three (3) conference rooms, student commons (lounge), a fifty-five (55) seat mock trial practice courtroom, and a one hundred fourteen (114) seat theater with tiered seating. The total seating capacity of all classrooms exceeds six hundred eighty (680) persons.

The fifty-six thousand (56,000) square foot building is ADA-compliant and energy efficient, using multiple computer programs and sensors to control the temperature and lighting throughout the day. All classrooms are wired for PowerPoint and other computer-generated presentations and have complete wifi coverage. Please see the BSL website ([www.bsol.com](http://www.bsol.com)) for current photographs of the school’s classrooms and other facilities.

### **V. ADMISSION REQUIREMENTS/LIMITATIONS OF FOREIGN DEGREES**

- A. Prospective students must earn and receive a baccalaureate degree from a college or university accredited by a U.S. accrediting **agency PRIOR** to commencing law school classes. A student may apply before completing all degree requirements, but must receive the degree before attending any law school classes. This is a hard requirement by the Alabama Supreme Court and the Alabama State Bar and cannot

be waived by BSL. College and university accreditation agencies may be researched at the U.S. Department of Education's website ([www.ed.gov](http://www.ed.gov)).

- B. Prospective students must complete and submit the BSL online application form, a personal statement, and two (2) letters of recommendation by the deadline published for the year and term of desired entry. The application form, instructions, and applicable deadlines may be found at [www.bsol.com](http://www.bsol.com). Hardcopy paper documents, such as the personal statement, letters of recommendation or application amendments, may be emailed to [jhail@bsol.com](mailto:jhail@bsol.com), faxed to (205) 322-2822, or mailed to our street address and marked Attention: Registrar.

The application is continuing in nature. If any information regarding the application changes, it must be updated, even after admission to BSL, within ten (10) days of the change of circumstances.

- C. Prospective students must pay the currently listed non-refundable application fee by the stated deadline listed on the Academic Calendar, found on our website [www.bsol.com](http://www.bsol.com).
- D. Prospective students must submit official transcripts from ALL colleges and universities attended, including junior college, undergraduate school, graduate school, or prior law schools, regardless if the prospective student did or did not receive a degree. Official transcripts may be submitted through the Law School Admission Council (LSAC), Credential Assembly Service (CAS), or individually from each college or university directly to the BSL Registrar. Unofficial or personal photocopied transcripts are not acceptable. More information about LSAC, CAS, and required fees may be found at [www.lsac.org](http://www.lsac.org).
- E. Most applicants are not required to take the Law School Admission Test (LSAT). However, we strongly urge applicants with an undergraduate GPA of less than 2.75 on a 4.00 scale take the LSAT.

**PLEASE NOTE THE FOLLOWING TWO IMPORTANT POINTS WHEN  
CONSIDERING AN APPLICATION TO BSL:**

- 1) **Admission to the Alabama State Bar is not automatic:** Successful admission to Birmingham School of Law does not guarantee admission to the Alabama State Bar (ASB or "the Bar") or approval to sit for the Alabama State Bar attorney licensing examination (the bar exam). The ASB's Character & Fitness Committee conducts a detailed background investigation to determine the suitability of each applicant for the practice of law. Bar applicants with a history of criminal arrests and/or convictions; alcohol or substance abuse issues; poor credit or debt management history (including bankruptcies, civil judgments, or debt write-offs); or excessive/repeated traffic citations may encounter difficulty gaining approval for admission to the Bar. We strongly advise applicants or current students with any of these background issues to meet with the Assistant Dean to discuss the details of

these matters. Please see the ASB's website ([www.alabar.org](http://www.alabar.org)) for more information regarding current admission rules and administrative procedures.

- 2) **U.S. Accredited Baccalaureate Degree Required:** The baccalaureate degree customarily requires four (4) years of study and approximately one hundred twenty (120) to one hundred forty (140) term hours of academic credit. The typical Bachelor of Arts (B.A.) or Bachelor of Science (B.S.) degree from a college or university accredited by one or more U.S.-based regional or national accrediting associations complies with this requirement. Baccalaureate degrees from colleges or universities foreign to the U.S. may be accepted by the Alabama State Bar but must first be evaluated by a credentialing service recognized by the Department of Education (for example, the LSAC or World Education Service ("WES")).

Associate degrees (with only two (2) years of study) DO NOT meet the minimum requirements for admission to BSL. The equivalent of a U.S.-accredited baccalaureate degree is a minimum requirement and is not subject to waiver by BSL. Other non-baccalaureate degrees, or advanced degrees without benefit of an underlying baccalaureate degree (i.e., DC, LLB, LPN, MSC, etc.) may not be used in substitution for the baccalaureate degree. Please see the Dean or Assistant Dean for more details on these requirements.

## **VI. FOREIGN STUDENT VISA APPLICATIONS**

BSL is not authorized by the U.S. Department of Homeland Security to issue student visas, and a student cannot obtain a student visa through BSL. Prospective students must have the appropriate student visa or some other permanent residency status before applying to BSL. Please contact a suitable immigration attorney for any additional questions about residency requirements.

## **VII. ALABAMA STATE BAR ADMISSION & STUDENT REGISTRATION**

**Student Registration.** BSL students who wish to sit for the Alabama State Bar examination **must register** with the Secretary of the Alabama State Bar as a law student **within sixty (60) days following the first day of class in law school.** This is an extensive multi-page document that must be **completed online** (<https://admissions.alabar.org/information-and-applications>) and must be accompanied by the required fee as set by the Alabama State Bar AND the BSL-issued Dean's Certificate specially corresponding to the exact law school starting date. NOTE: An official copy of the student's undergraduate transcript must be sent by the college/university directly to the Alabama Bar. This official transcript must indicate the date of graduation and the degree awarded. Do not send the Bar an unofficial or student transcript copy.

If a student misses the initial sixty (60) day filing deadline before registering with the Alabama Bar, the student then is subjected to sanctions and increased filing fees. Further, if the registration form is filed more than three hundred and ninety (390) days after commencing law school classes, the student must demonstrate to the Bar's Committee on Character and Fitness the **reasonable cause** as to why the student failed to meet the stated deadlines. The student should also expect to

appear in person before the committee in Montgomery, Alabama, to explain the failure to comply with the stated deadlines.

BSL **requires** each student to present to the Administrative Office a copy of his/her completed and approved law student registration. Each student must provide proof that the Alabama Bar approved his/her law student registration NO LATER THAN the end of his/her third term. The last day of each term is located on the Academic Calendar tab on BSL's website, [www.bsol.com](http://www.bsol.com).

**Students who fail to provide proof of approval to the Administrative Office by the end of the third term may be dismissed from BSL.**

The Dean's Certificate forms will be distributed to all new students during new student orientation. Currently enrolled students may obtain a replacement copy by requesting a replacement from the Registrar in BSL's Administration Office. We advise all students to send the student registration packet to the Alabama State Bar by certified mail and in sufficient time to meet the Bar's sixty (60) day deadline. If a student needs to add or supplement information, please do so as expediently as possible. For further information regarding Student Registration with the Alabama State Bar, please visit <https://admissions.alabar.org/law-student-registration-requirement-fees>

**Student relationships and issues with the Alabama State Bar are between the student and the bar, and not BSL.**

**Bar Examination Application.** BSL graduates seeking admission to the Alabama State Bar are required to pass the Alabama State Bar examination. The examination is administered by the Alabama State Bar twice per year, in February and July, under rules approved by the Alabama Supreme Court. The format and specific subjects tested are subject to change. The examination is currently composed of both multiple-choice and essay test formats covering general principals of the law.

Application forms to sit for the Alabama State Bar examination must be made online via the Alabama State Bar's website ([www.alabar.org](http://www.alabar.org)). Bar exam applications must be filed during the thirty (30) day application period immediately prior to the published deadline for each examination. The application deadlines are firm, and the Bar will not extend the deadline or allow late applications beyond the deadlines. Applications can be supplemented after the application date closes, but the Bar limits the time and types of supplements they will accept. Questions concerning an application to sit for the attorney licensing examination should be directed to the Alabama State Bar. Applications to take the February bar exam must be received by the Alabama State Bar between the dates of September 1<sup>st</sup> and October 1<sup>st</sup> of the calendar year preceding the examination. Applications to take the July bar exam must be received between the dates of January 1<sup>st</sup> and February 1<sup>st</sup> preceding the exam.

In addition to the Alabama State Bar examination, each applicant for admission to the Bar must successfully pass the Multistate Professional Responsibility Examination (MPRE or the "ethics exam") independently of the bar examination. This examination is administered in March, August and November of each calendar year. More information regarding the MPRE is available from the National Conference of Bar Examiners at [www.ncbex.org](http://www.ncbex.org). Students should sit for the MPRE about

six (6) months prior to their selected bar exam date and may do so prior to graduating from law school.

Students who successfully pass the Alabama State Bar examination and MPRE must also complete the Alabama Mandatory Professionalism Seminar. The seminar must be completed within twelve (12) months of successfully passing the Alabama State Bar examination and completing all other requirements as set forth by the Alabama Bar. Dates and locations of the Alabama Mandatory Professionalism Seminar can be found at [www.clealabama.com](http://www.clealabama.com).

**PLEASE NOTE:** You should retain copies of all documents, forms, correspondence and supplemental information submitted to the Alabama State Bar for any purpose.

### **VIII. ACCREDITATION**

BSL is not accredited by the American Bar Association (ABA) and is not seeking accreditation by the ABA. Graduates of BSL are eligible to take the Alabama State Bar examination pursuant to Alabama state law as governed by the rules established by the Alabama Supreme Court. For additional information and details, see the Section 34-3-2 of the Code of Alabama (ALA. CODE § 34-3-2.1 (1975)) and Rule IV of the Rules Governing Admission to the Alabama State Bar.

Upon passing the attorney licensing examination, BSL graduates are admitted to the Alabama State Bar and may practice law without restriction before any state court, municipal court, or administrative agency within the state of Alabama. Our graduates who are admitted to practice law in Alabama are then eligible to apply for admission to the Alabama federal district courts (Northern, Middle, and Southern District Courts) and to the federal appellate courts (United States Eleventh Circuit Court of Appeals and the United States Supreme Court). BSL graduates who are admitted to one of the federal districts are also eligible to be admitted to other federal courts, such as U.S. Bankruptcy, U.S. Immigration, and U.S. Tax Courts.

BSL graduates may also be eligible for admission to the state bar of other states by complying with their bar admission rules. A comprehensive list of admission requirements of other states is available at [www.ncbex.org](http://www.ncbex.org).

### **IX. TUITION, FEES, AND EXPENSES**

Initial Deposit	\$2,000.00/one-time; applied to first term tuition
Tuition, weeknight classes	\$815.00/course (\$271.67/credit hour)
Tuition, Saturday classes	\$972.00/course (\$324.00/credit hour)
Tuition, Lawyering Fundamentals Course	\$972.00/course (\$486.00/credit hour)
General Student & Technology Fee	\$275.00/term (includes technology, reasonable printing & supplies, Westlaw access, TWEN access, and CALI access)

Late Registration Fee	\$200.00/registration period
Missed/Late Installment Payment	\$25.00/first occurrence \$35.00/all subsequent occurrences
Official Transcript Fee	\$10.00 for 1st transcript \$5.00 for each additional copy
Drop/Add Course Fee	\$25.00/course for changes made after the registration period closes

These fees are subject to change. Please see our website [www.bsol.com](http://www.bsol.com) for a complete and updated list of fees.

**X. FINANCIAL ASSISTANCE/STUDENT LOAN APPLICATIONS & DEFERMENTS**

BSL students are not eligible to receive federally insured student loans. BSL cannot provide loan deferment enrollment certifications for current and/or outstanding federally insured student loans. BSL is neither accredited by the American Bar Association nor a Title IV school as defined under the Higher Education Act of 1965 (34 C.F.R. 600 et. al.).

BSL can provide enrollment certification for the limited purpose of obtaining a forbearance of student loans. Although the distinction may seem trivial, the difference between “deferment” and “forbearance” has a significant impact for lenders and debtors alike. Students with questions must contact the loan provider for more information.

BSL is less restricted by federal law concerning enrollment certifications for non-federal student loans. For those seeking federal forbearance or non-federal loan deferments, please contact the Assistant Dean and provide detailed information about the loan, including the name of the lending institution or loan servicing company (if different), the name of the contact person/department, the loan number or other loan identifier information, and the mailing address.

We will certify enrollment verification to the lending institution/loan servicing organization via letter and will provide a copy for the student’s file. **PLEASE NOTE:** We cannot certify enrollments for law school applicants until the student is admitted to the law school and has registered for classes.

For identification purposes, almost all forms asking for an “OPE” or “OPE ID” number concern federally insured student loans. We may not be able to execute those types of documents depending on the lenders’ requirements.

Sometimes, loan customer service representatives will insist that BSL is eligible for deferment/enrollment certification purposes. That information is inaccurate. BSL is not a Title IV

institution and, by federal law, cannot participate in the federal student loan program or the federal student loan clearinghouse management system. If a student has questions about a loan or loan documents, the student must contact his or her lender for clarification.

## **XI. FINANCIAL OBLIGATIONS, TUITION PAYMENT PLANS, & FINANCIAL RELATED PENALTY FEES**

One of a lawyer's most important professional obligations is full and fair financial dealing with all parties. This obligation begins the first day of law school and continues through graduation until the last day of professional practice. BSL expects all students to be conscientious in the satisfaction of their financial obligations to the school and proactively accept responsibility for the costs of their legal education.

Tuition and fees must be paid by the payment deadline (see the current Academic Calendar at [www.bsol.com](http://www.bsol.com) for specific dates). If tuition and fees are not paid by the payment deadline, the student will be charged a late fee of two hundred dollars (\$200.00). The student may not register for future academic terms, receive grades or transcripts, participate in graduation exercises, or receive a diploma or Dean's Certificate (both of which are required to complete the application to sit for the bar exam) until all past due amounts are paid in full.

### **Tuition Payment Plans**

Please refer to the section on Tuition, Fees and Expenses in the Student Handbook or the school's website ([www.bsol.com](http://www.bsol.com)) for the current tuition and student fee schedule. The only payment plans offered are as follows:

- (1) **Payment-in-full.** One-time payment of the full amount of all tuition, fees, and any outstanding charges at the time of registration.
- (2) **Installment plan.** The student must pay a minimum amount equal to one-third (1/3) of the tuition charges and student fees for the current term prior to the tuition payment deadline. The remaining balance of the tuition must be paid in two (2) equal installments over the course of the term according to the payment schedule published in the Academic Calendar (see [www.bsol.com](http://www.bsol.com))

The privilege of making installment payments will be revoked if a student fails to make timely payments in accordance with the installment agreement. Students with outstanding balances fifteen (15) days after the final payment due date each term may take final exams but will not receive transcripts, may not register for classes in subsequent terms, may not participate on the Mock Trial Competition team and, if otherwise eligible, will not be issued a Juris Doctor degree or Dean's Certificate (graduate certification).

## **Penalties for Untimely Payments or Non-Payments**

Students will be charged a late fee of twenty-five dollars (\$25.00) for missing the first installment payment deadline and thirty-five dollars (\$35.00) for missing the second or subsequent installment payment deadline. Interest in the amount of 1% per month (12% per annum) will be charged on the total unpaid balance after the fifth day of the month following the second installment payment deadline. If at any time any installment account becomes ninety (90) days past due, the student agrees to pay all costs of collection of the delinquent account, including reasonable attorney's fees, until the account is paid in full.

A student may be dismissed from BSL and/or denied permission to register for a future term for non-payment or untimely payments of the BSL installment tuition payment plan or any modified installment plan approved in writing by the Assistant Dean and the student.

## **Check Policies**

All payments by check must include the student's identification number to ensure proper crediting of the student's account. If a check is returned for insufficient funds or any reason, a returned check charge of fifty dollars (\$50.00) will be added to the student's account. If a student's check is returned for non-payment a total of two (2) times, the student's check payment privileges will be revoked and the student will be required to pay thereafter by cash, money order, or cashier's check. Postdated checks are not accepted. Checks returned for insufficient funds may subject the student to dismissal from BSL or denial of permission to register for a future term.

## **Credit Card Policies**

Merchandise sales or account payments may be made by credit card. We accept Visa, MasterCard, Discover, and American Express. To make a credit card purchase or account payment via credit card, one of the following procedures must be followed: (1) login to the student portal to pay by credit card, (2) the named cardholder and the valid credit card must be physically present in the administrative office or, (3) by telephone, fax, or mail when accompanied by a written request for the charge by the cardholder, including the authorized signature, billing address with zip code, card number, expiration date, and the card's listed security code. Transactions conducted on the student portal, by telephone, fax, or mail will have a three-dollar (\$3.00) convenience fee added to the amount. Payments made in person at the Administration Office do not incur a convenience fee.

If a credit card charge is denied, the student will be notified and must immediately pay in cash or by certified bank/credit union check. A denied charge will be treated as nonpayment under the school's untimely payments or non-payment policy as discussed above, and penalty fees will be applied to the student account. A denied or returned credit charge could result in the denial of the student's enrollment for the upcoming term. Credits will be issued only to the original card account number and holder listed on the original charge. Under no circumstances will a cash refund be made for charged costs.



## **XII. VA PROGRAMS (U.S. DEPARTMENT OF VETERANS AFFAIRS)**

In December 2016, President Obama signed into law a revised version of 28 U.S.C § 3676, which provides that Veterans Administration (VA) benefits can no longer be used to fund a veteran's education at non-ABA accredited law schools.

Therefore, beginning with the Fall 2017 term, no incoming student will be able to use his or her VA educational benefits to attend classes at BSL. The BSL administration is actively seeking a waiver to this provision of 28 U.S.C. § 3676 and will keep the VA students posted on its progress.

BSL has not been approved for educational benefits or training using the Tuition Assistance (TA) program available to those on active duty, selected reservists, or various National Guard units.

## **XIII. PARKING**

Parking is available for a free on a term-by-term basis in the BSL-owned surface lot located on Third Avenue South between 22nd Street South and Richard Arrington Jr. Boulevard or at the City of Birmingham's Parking Deck located at the corner of Richard Arrington Jr. Boulevard and Third Avenue South. Access to the parking lot is via a color-coded rearview mirror hangtag. Access to the parking deck is via an electronic pass card issued to the student by BSL when the student chooses this parking option. Parking application forms and electronically coded access cards are available in the school's administrative offices. Check with the Administration Office for current parking rates or visit our website, [www.bsol.com](http://www.bsol.com).

**PLEASE NOTE:** Birmingham School of Law accepts no responsibility for vehicle damage, whether parked in the BSL surface lot or the City of Birmingham's parking deck. We recommend students do not leave anything of value in plain view in a vehicle while parked in either lot.

## **XIV. SCHOLARSHIP AND STUDENT RECOGNITION**

### **Student Scholarships:**

Currently, there are no scholarships available to entering students. Our scholarships, awards, and endowments are reserved for currently enrolled students, who have completed a minimum of eighteen (18) credit hours, based upon past academic performance and financial need. In the event of a tie, some scholarships and awards may be split among the recipients.

Applications for all scholarships are available online on our website ([www.bsol.com](http://www.bsol.com)). Most applications must be submitted no later than April 15th of each calendar year unless the scholarship requires a different date or is otherwise modified or extended (change notifications will be emailed to students). All scholarships will be paid via credit to the student's financial account.

For a list of the current scholarships offered, please visit our website, [www.bsol.com](http://www.bsol.com).

## NOTICE

- (1) All scholarship funds are applied to the recipient's tuition and fees at Birmingham School of Law. Any unused scholarship funds credited to the recipient's account will be forfeited if the recipient voluntarily leaves, graduates, or is dismissed from Birmingham School of Law. Under no conditions will a cash refund be made for any unused scholarship awards.
- (2) Scholarship awards are not guaranteed. Scholarships are funded year-to-year when resources are available. If a scholarship is not funded in any particular year, then that scholarship will not be awarded.

### **Graduation Recognition**

The **Valedictorian [#1]**, **Salutatorian [#2]**, and **Summa Cum Laude [#3]** graduates are selected and notified prior to graduation according to their rank in the group of Honor Graduates from the combined senior graduating classes (August, December, and May.) Only the Valedictorian and Salutatorian from the combined senior graduating classes will be asked to speak at the graduation commencement ceremony. The Summa Cum Laude graduate may replace as a speaker either the Valedictorian or Salutatorian who is unable to attend the May graduation ceremony. The Assistant Dean will address any questions regarding the graduation speakers.

### **Academic Recognition**

Each term, students shall be recognized who excelled academically. BSL honors academic success in the following three (3) ways each term:

- Honor Roll: Student's cumulative GPA is 3.50 to 3.74 after completing a minimum of eighteen (18) credit hours
- Dean's List: Student's cumulative GPA is 3.75 or above after completing a minimum of eighteen (18) credit hours
- BSL Star: Student's GPA is 3.50 or higher this term while taking a course load of nine (9) credit hours or more of graded (not pass/fail) courses

If a student defers examinations or otherwise has an incomplete ("INC") that is not remedied by the time BSL posts the academic recognitions, the student will not be formally recognized in the term. Academic recognitions are normally posted within fourteen (14) days of the end of the final exam period each term.

**Class Rank:** Class rankings are not computed or published on an ongoing basis. We compute class rankings once per year and only for the graduating class at the time of graduation. This information is noted on the student's final transcript.

**The Judge Hugh Locke Scholastic Achievement Award** honors the JHL Honor Society member with the highest scholastic average in the graduating class. This award is available to the graduate who completed his/her degree within four (4) calendar years (forty-eight (48) months or less).

## **XV. STUDENT LIFE & ORGANIZATIONS**

Student organizations:

**The Judge Hugh Locke Honor Society [JHL]** is an honorary fraternity organized for the advancement of legal scholarship and ethics. Full time students who have completed at least two (2) terms, accumulated a minimum of fifteen (15) term hours of course work at BSL, and attained a minimum 3.00 GPA are eligible for membership. Applications for new membership are available in the administrative office and in the law library. As recognition of their membership and support of the school, JHL Honor Society members wear gold tassels on their tams and gold medals during commencement exercises. More information can be found on the JHL Honor Society TWEN site.

**The American Association for Justice [AAJ]** is a national organization focused on plaintiff's rights through trial advocacy and a focus on education and guest lecturer programs. The local chapter is the Alabama Association for Justice [ALAJ]. Membership in this organization is open to any student interested in joining. Membership may be particularly helpful to those students interested in becoming trial lawyers because of the unique training programs in trial advocacy sponsored by AAJ (see Mock Trial competition below). Additionally, AAJ provides networking opportunities and extra-curricular education through its mentoring programs, student newsletters, ambassador program, law student information website, etc. Check the organization's TWEN site for more information. As recognition of their membership, members may wear silver cords during commencement exercises.

**The Black Law Students Association [BLSA]** is a chapter of the National Black Law Students Association. This organization is open to all students without regard to hours completed or GPA. The mission of this association is to articulate, promote, and discuss issues of concern among law students and to facilitate interaction among its members, African-American alumni of BSL, and the legal community in Alabama. As recognition of their membership, members may wear purple-striped cords during commencement exercises.

**Delta Theta Pi [DTP]** is a law fraternity and service organization. This organization is open to all students without regard to hours completed or GPA. See the DTP TWEN site for more information. As recognition of their membership, members may wear red cords during commencement exercises.

**Birmingham School of Law Women's Association [BSLWA]** is a school association that represents the women attending the Birmingham School of Law. As an association, we encourage mentorship, fellowship, and scholarship. It is BSLWA'S mission to foster a community of support within BSL for women in law and to provide resources for networking and mentorship opportunities to advance women in the legal profession, and to advocate for the equality of women under the law.

### **Mock Trial Competition:**

During the spring term, BSL students compete in regional mock trial competitions sponsored by the American Association for Justice [AAJ]. Past competition meets have included other Alabama law schools (Alabama, Cumberland, and Jones) as well as other regional law schools such as Emory, Florida, Florida State, Georgia, and John Marshall. Notices are posted during the fall term each year for tryouts. Members of the Mock Trial Team may earn elective course credits for participation. For more information, email the Assistant Dean.

Mock Trial members must have a minimum 2.75 GPA, the commitment to engage in multiple daily practice sessions as the competition nears, and the job flexibility to attend multi-day competitions in other cities or states at least once per year.

### **XVI. DISABILITY / SPECIAL TESTING ACCOMMODATIONS**

Students with a medically diagnosed and defined disability who desire reasonable testing accommodations at BSL must send a written request for the accommodation to the Assistant Dean. The request should be made as soon as possible after the start of the **FIRST** term of law school in which the student is enrolled or as soon as the disability has been diagnosed/defined by a competent physician. Students and their providers **MUST** use the special testing accommodations form found on our website, [www.bsol.com](http://www.bsol.com).

In support of the application for disability accommodations, the attending physician must complete BSL's qualified professional form detailing the physical or educational/learning disability. For learning disabilities, the report should address the severity of the disability (including diagnostic testing results such as the WAIS-IV, Woodcock-Johnson, Bender Gestalt tests, etc.), the history of prior accommodations (if any), and the specific accommodation(s) requested. A summary letter cannot be used in substitution for the full report.

The Administration will review all requests and decide what accommodation, if any, will be allowed. Additional medical records and supporting medical information may be helpful in the decision process and should be provided upon request. All requests for accommodation are confidential and, if an accommodation is granted, the information will be released only to the Dean, Assistant Dean, the student's professors, and, to the extent required, administrative office personnel.

Students who desire accommodations for the Alabama State Bar attorney licensing exam are advised to seek law school accommodations while attending BSL in order to establish a record of accommodations prior to the application to sit for the Alabama State Bar attorney licensing exam.

Accommodations only apply to in-class testing. As a general matter, special testing accommodations do not extend to written assignments to be completed outside of class.

## THE INSTRUCTIONAL PROGRAM

### **I. GENERAL INFORMATION**

The curriculum at Birmingham School of Law is designed to provide students with a strong base of legal knowledge, legal analysis skills, an understanding of the legal processes in our legal system, and the role of law in our society. Students must complete thirty-one (31) academic courses (twenty-five (25) required courses, six (6) electives), and the Lawyering Fundamentals Course in order to earn sufficient credits for graduation and the award of a Juris Doctor (J.D.) degree.

#### **A. ACADEMIC REQUIREMENTS**

Beginning with the onset of the Fall 2021 term, any student with a GPA of 2.25 or below will be classified under “Academic Warning” status. Please see the section Academic Warning / Probation herein the student handbook.<sup>1</sup>

#### **B. MBE SUBJECT CLASS PASSAGE REQUIREMENT**

Beginning with the Fall 2017 term, the minimal passing grade in classes covering subject matter contained on the Multistate Bar Exam (MBE)<sup>2</sup>, Legal Research & Writing, Legal Methods, and the Upper Level Writing Requirement is “C-.” Students who earn a “D+”, “D”, or “D-” in such courses may be required to retake the course until they earn at least a “C-” in the course. After achieving a “C-” or better, the better grade will replace the failing grade, thus improving the student’s GPA. Of course, a grade of “F” in any course necessitates a retaking of the class. No elective credit will be given for the retaking of a class under this provision.

#### **C. CLASSES**

**Weekday Classes.** BSL weekday classes meet one time per week, Monday through Friday, for fourteen (14) weeks from 6:00 pm to 8:45 pm. Occasionally, we offer Friday afternoon classes beginning at 3:00 pm and lasting until 5:45 pm. Students must schedule and attend a minimum of three (3) classes per week unless given explicit permission by the Dean.

**Saturday Program.** BSL Saturday Program classes meet on Saturdays for fourteen (14) weeks, in one of four separate class periods: First Period from 9:00 am to 11:45 am; Second Period from 12:30 pm to 3:15 pm; Third Period from 3:30 pm to 6:15 pm; and Fourth Period from 6:30 pm to 9:15 pm. Students must schedule and attend a minimum of three (3) classes each Saturday unless given explicit permission by the Dean.

All classes, except judicial or legal internships and participation in the mock trial competition program, require regular in-class attendance at one-week intervals throughout the term. Students

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<sup>1</sup> Students graduating in the Fall 2021 term and the Spring 2022 term only are held to the previous 2.00 GPA standard. All other students are held to the 2.25 GPA standard.

<sup>2</sup> Including Civil Procedure I and II, Constitutional Law I and II, Contracts I and II, Criminal Law, Criminal Procedure I and II, Evidence I and II, Real Property I and II, and Torts I and II.

must attend a minimum of ten (10) of the regular class meetings in order to receive course credit for the class. See “Attendance Policy” in the Academic Regulations section for details.

Correspondence or online classes are not offered under normal conditions.

## **II. COURSE COMPLETION VS. CREDIT HOUR REQUIREMENTS**

BSL administrators, faculty, and students must comply with current Alabama Code § 34-3-2.1 with regard to the instructional program, subjects offered, and the minimum graduation requirements. Succinctly, this code section requires, among other things, that every student must complete courses in every subject tested on the Alabama attorney licensing examination in order to graduate. Simultaneously, the Alabama State Supreme Court requires each BSL graduate accumulate a minimum of eighty (80) term hours of academic credit to meet the minimum qualifications to sit for the bar exam. Due to the extensive list of subjects required for bar exam qualifications under state code, BSL graduates will accumulate approximately ninety-five (95) hours of academic credit before achieving bar exam eligibility. For BSL students and graduates, the state code subject matter requirements override the minimum credit hour requirement stated in the Bar’s *Rules Governing Admission to the Alabama State Bar*.

## **III. GRADUATION PLANS & CLASS SCHEDULING**

At New Student Orientation, all students will be given a written list of courses needed for graduation and the recommended graduation plan sequence to efficiently schedule these courses. Students who follow the graduation plan of three (3) courses per term can expect to graduate within ten (10) terms, provided the student undertakes four (4) classes during one of his or her ten (10) terms. Because not every law school course is taught in every term, and approximately five (5) of our classes are taught only in a fall-spring sequence, those who deviate from the recommended sequence and substitute or skip courses may encounter significant delays to their original graduation date.

### **A. MATRICULATION ACCELERATION POLICY**

Beginning with the Fall 2017 term, absent a compelling reason, students with a GPA lower than 3.50 will not be allowed to take five (5) classes in a given term, irrespective of whether the fifth class is an elective. Similarly, absent a compelling reason, students with a GPA lower than 3.00 will not be allowed to take more than three (3) courses in a given term, regardless of whether the courses are required courses, elective courses, or a mixture of both. Requests to exceed the allowed number of classes may be considered by the Dean and Assistant Dean. Such requests will be considered on a case-by-case basis and will take into account all surrounding circumstances. Factors to be considered when entertaining such a request include, but are not limited to, the student’s familial and employment obligations, the student’s travel time to and from campus, and the student’s GPA relative to 3.00. There is a strong presumption that limiting the number of classes in accordance with the policy is in the best interest of the student.

Absent explicit permission from the Dean or Assistant Dean, all students must schedule a minimum of three (3) courses per term. After completing the first term of law school, students may

schedule a fourth class each term as long as their cumulative GPA is at least 3.00 on a 4.00 scale. Exceptional students with a cumulative GPA of 3.50 or better may schedule a fifth class each term if they wish. Students with a cumulative GPA less than 3.00 cannot take five (5) class in a term.

Those who qualify to schedule a fourth class at least six (6) times may possibly graduate two (2) terms earlier. Those taking a fifth class may accelerate their graduation date by an additional term depending upon when they begin taking the extra classes and their initial beginning term (fall or spring). Generally, additional classes scheduled earlier in the matriculation have greater effect; those who wait until late into their matriculation are unlikely to benefit from an acceleration.

Students considering taking four (4) or more classes in any given term should consult with the Assistant Dean for advice regarding their expectations versus actual achievable goals. **In almost all situations, the recommended action to accelerate a graduation date is to schedule electives as the fourth or fifth class as opposed to adding extra required courses. Required classes ARE NOT offered every term, whereas suitable electives may be available nearly every term.**

Students will not be permitted to take core or elective classes without passing the required prerequisites. Saturday program students who choose to take a fourth class should choose carefully or they may find themselves with gaps between their first class at 9:00 am and the fourth period class at 6:15 pm due to no available second or third period classes on the schedule.

Classes at BSL meet year-round. Students are required to attend classes during all three (3) terms per year until graduation unless granted an exemption by the Dean for good cause. There are small breaks of approximately one week (7-10 days) between the Spring/Summer terms and the Summer/Fall terms. Students may expect a long break (approximately three (3) weeks) between the Fall/Spring terms. We recommend students plan any vacations, weddings, or other important activities during the break periods. Please check the Academic Calendar on the school's website for calendar details.

All students starting or returning to BSL on or after the Fall 2017 term must complete twenty-five (25) required courses, including the Lawyering Fundamentals Course, and six (6) elective courses for a total of thirty-two (32) course credits for graduation.

#### **IV. DESCRIPTION OF REQUIRED SUBSTANTIVE COURSES**

All courses at BSL award three (3) term hours of academic credit unless otherwise specified. All courses listed below in this section are subject to specific subject matter testing on each bar exam with the exception of the two (2) research and writing courses (Law 521 and 520) and the Lawyering Fundamentals Course (Law 500). Additionally, students are required to take an Upper Level Writing Requirement. However, while not specifically tested as a subject matter topic on the bar exam, students are expected to demonstrate a command of the English language and general legal writing principles on each bar exam. The prudent law student should attempt to “master” the material and subjects listed herein for success on the bar exam. All classes require in-class attendance. Correspondence and online/distant learning methods of course completion are not authorized for BSL required courses under normal circumstances.

### **AGENCY AND PARTNERSHIP (Law 630)**

This course is a study of the agency relationship wherein one person acts for or represents another by authority, either in the relationship of principal and agent, master and servant, or employer and employee. This course also covers the partnership relationship where two (2) or more persons agree to carry on, as co-owners, a business for profit.

### **CONTRACTS I/II (Law 721 & 722)**

These courses are a study of contract law; formation of contracts; offer; acceptance; consideration; discharge of contractual duties; grounds of enforcing promises; breaches of contract; and the rights and duties of parties and non-parties.

### **CIVIL PROCEDURE I & II (Law 511 & 512)**

These courses are a study of the procedures followed in a civil case; the right to sue; proper jurisdiction and venue; counterclaims; interrogatories; discovery procedures; default judgments; jury trials; and final judgments.

### **COMMERCIAL LAW (Law 711)**

This course is a study of the principles and rules contained in the Uniform Commercial Code, with emphasis on Article 2, which deals with transactions in goods or contracts for the sale of goods and Article 9, which deals with transactions founded on a security interest or agreement.

### **CONFLICT OF LAWS (Law 740). Prerequisites: Civil Procedure I and II.**

This course is a study of the law governing the rights of people whose legal rights or remedies are affected by the laws of more than one state; where suit can be brought; what law should be applied; and the effect of a judgment on suits in other jurisdictions.

### **CONSTITUTIONAL LAW I/II (Law 621 & 622).**

These courses are a study of the constitutional law of the United States, which deals with the organization, powers, functions of government, and the fundamental principles which regulate the relations of government and citizens; the nature and scope of judicial review; legislative power; distribution and separation of powers; protection of individual rights and freedoms; equal protection under the law; state action; civil rights; and limitations on judicial power and review.

### **CORPORATIONS (Law 550)**

This course is a study of law and procedures involved in the formation of corporations; the Alabama Business Corporation Act; an overview of state and federal securities regulations;



Alabama Limited Liability Company Act; and a detailed analysis of duties, obligations, powers, and rights of corporations, directors, shareholders, and officers.

### **CRIMINAL LAW (Law 540)**

This course is a study of violations of the duties owed to the community; the characteristics and purposes of criminal law; classification of crimes; burdens of proof; defenses to criminal acts; and criminal responsibility.

**CRIMINAL PROCEDURE I/II (Law 601 & 602).** These courses should be taken simultaneously with Evidence I and II.

These courses are a study of the procedural steps involved in a criminal case; examination of the criminal justice system; a defendant's right to counsel; 6<sup>th</sup> Amendment; due process issues; 4<sup>th</sup> Amendment; search and seizure; exclusionary rule; probable cause; 5<sup>th</sup> Amendment; privilege against self-incrimination; and police interrogation.

**DOMESTIC RELATIONS (Law 830).** Prerequisite: Civil Procedure I and II

This course is a study of the legal aspects of the marital and family relationship; formalities of marriage; common law marriage; impediments to marriage; marital breakdown; grounds for divorce; annulment; separation; economic consequences of marital dissolution; and the parent-child relationship upon marital dissolution.

**EVIDENCE I/II (Law 611 and 612).** Prerequisites: None, but these courses should be taken simultaneously with Criminal Procedure I/II.

These courses are a study of the rules governing the admission of evidence during trial; relevancy; authentication; hearsay; privileges; presumptions and burdens of proof; and the federal rules of evidence.

### **LAWYERING FUNDAMENTALS CLASS (Law 500)**

This is a first year, first term, two (2) credit hour course designed to introduce incoming students to several fundamental but important skills necessary for success in law school. This course uses basic concepts in the subject of Torts (assault, battery, intent, transferred intent, intentional infliction of emotional distress, trespass, etc.) to convey and learn the fundamental skills of legal analysis, case briefing, outlining for class preparation and exam study, and legal memo writing. This course is required for all new students. Students will receive a grade of Satisfactory or Unsatisfactory upon completion.

### **LEGAL ETHICS (Law 560)**

This course is a study of the professional duties attorneys owe to their clients, members of the bench, and to the Bar, placing an emphasis on the "Code of Professional

Responsibility” and the “Rules of Professional Conduct” of the American Bar Association. This course prepares the student for the Multistate Professional Responsibility Examination. A passing score on the MPRE is a prerequisite for admission to the Alabama State Bar.

### **LEGAL METHODS (Law 520)**

The goal of this course is to ingrain strong problem-solving and legal writing skills using core grammar exercises and drafting client letters, memorandums, and essays.

### **LEGAL RESEARCH & WRITING (Law 521)**

This course presents the basics of legal research skills and writing., concentrating on research methods, Bluebook citation exercises, and preparation of legal memos and memoranda.

### **REAL PROPERTY I/II (Law 701 and 702)**

These courses are a study of the law of real property, including historical and basic concepts; estates in land; landlord and tenant law; easements; covenants; governmental control on land use; conveyances; and title and recording systems.

### **TORTS I/II (Law 501 and 502)**

These courses are a study of the private legal wrongs for which the law provides a remedy, including intentional torts against the person; intention interference with property; defenses to intentional torts; negligence; defenses to negligence actions; causation; duty; damages; vicarious liability; strict liability; products liability; nuisance; misrepresentation; and defamation.

### **TRUSTS & ESTATES (Law 810)**

This course is a study of the law governing the passing of a decedent’s property at death to his or her survivors; intestate succession; execution and revocation of wills; limitations on testamentary power; will substitutes; probate and contest of wills; and the administration and distribution of estates. The course concludes with a study of trust law, including the fiduciary relationship which exists when a property right is held by one party for the benefit or use of another; creation of express trusts, charitable trusts; resulting trusts; and constructive trusts; powers and duties of the trustee; alteration or termination of the trusts; and the remedies of the beneficiaries.

### **UPPER LEVEL WRITING REQUIREMENT (ULWR)**

This writing requirement may be fulfilled by taking one of the following courses: Pleadings & Practice, Study Skills II, Practical Family Law, Appellate Brief Writing, Transactional Document Drafting, or Will Drafting. More courses may be added in the future that will

also satisfy this requirement. Students may choose to take more than one of these courses to fulfill other elective requirements, but at least one of the listed courses must be completed for the student to graduate.

**NOTE:** BSL reserves the right to alter, amend, or change the content or quantity of courses required to graduate and receive a degree. Changes may or may not be applied retroactively for current students.

## **V. DESCRIPTION OF ELECTIVE COURSES**

All courses at BSL award three (3) term hours of academic credit unless otherwise specified.

### **ADMINISTRATIVE LAW (Law 913).** Prerequisites: Legal Research & Writing I

This course is a study of the procedural requirements of administrative agencies and how they affect private interest through rule making, investigation, prosecution, and adjudication processes.

### **ADMIRALTY LAW (Law 907)**

This course provides a study of admiralty law in application to torts that occur on navigable waterways.

### **ADOPTION LAW (Law 175).** Prerequisites: Domestic Relations (Law 830)

This course addresses various types of adoptions and the procedures required in Alabama as well as any multi-jurisdictional concerns that may arise in an adoption.

### **ADVANCED CIVIL PROCEDURE (Law 187).** Prerequisites: Civil Procedure I/II

This course provides an in-depth review of civil procedure practice in Alabama.

### **ADVANCED CRIMINAL PROCEDURE (Law 140).** Prerequisites: Criminal Procedure I/II

This course provides an in-depth review of the practice of criminal law in Alabama state courts.

### **ADVANCED EVIDENCE (Law 151).** Prerequisites: Evidence I/II

This is a practical course aimed at teaching students to apply concepts of evidence to the resolution of trial problems.

### **ADVANCED MEDIATION (Law 924).** Prerequisite: Mediation

This course covers advanced methods related to practice of conducting mediations, mediation skills and techniques, position statements, and mediation procedures.

**ALABAMA EQUITY (Law 953)**

This course covers the non-monetary remedies, such as injunctions, writs or special performance, available to an injured party in Alabama.

**ALABAMA EVIDENCE (Law 186). Prerequisites: Evidence I/II**

This course provides an in-depth review of the rules of evidence with attention to the evidence rules specific to Alabama.

**ALABAMA LAW DAMAGES (Law 933). Prerequisites: Torts I/II**

This course provides an in-depth review of the damages, including nominal, compensatory, and punitive damages available in Alabama.

**ALTERNATIVE DISPUTE RESOLUTION (Law 914)**

This course provides an in-depth review of alternate dispute resolution processes and practice.

**ANTITRUST LAW (Law 176).**

This course provides an overview of federal antitrust law, including but not limited to collaborations, monopolization, vertical restraints and horizontal mergers.

**APPELLATE BRIEF WRITING (Law 912)**

This course introduces the practice and procedure of the appellate courts in Alabama.

**ARBITRATION (Law 172) - 1.5 credit hour course**

This half term course provides an in-depth practicum for arbitration.

**AVIATION LAW (Law 177).**

This course is an introduction to aviation law, covering the basic legal framework of federal statutes, regulations, treaties and state and federal tort law and choice of law issues related to the field of aviation law.

**BANKRUPTCY (Law 915). Prerequisites: Commercial Law**

This course is a study of the federal bankruptcy law for the benefit and relief of creditors and debtors in cases where debtors are unable to pay their debts.

**CIVIL DISCOVERY (Law 934)**

This course provides students with the crucial skills necessary to not only prepare successful discovery requests aimed at obtaining essential evidence from an opposing party but to also effectively respond to discovery requests from an opposing party.

**CIVIL RIGHTS, RACE, AND THE LAW (Law 162)**

This course explores the roles of race and law, analyzing the intersection of race, culture, and ethnicity in conjunction with constitutional law and the social movements of the past and present.

**COMPLEX LITIGATION (Law 178). Prerequisites: Civil Procedure I/II**

This course addresses the federal and state rules regarding class actions and multi-district civil litigation.

**COPYRIGHT LAW (Law 179).**

This course offers a comprehensive overview of the substantive requirements of authorship required to obtain protection under a copyright, the scope and duration of the copyright and the exceptions and limitations of the copyright.

**CRIMINAL PRACTICE – FEDERAL COURT (Law 188). Prerequisite: Criminal Law**

This course is an analysis of the federal criminal system with an emphasis on the federal criminal code and procedure. This course includes the areas of criminal law under the jurisdiction of the federal courts, where the state and federal charges conflict, and the rules of criminal procedure from a practice standpoint.

**CRIMINAL PRACTICE – STATE COURT (Law 189). Prerequisite: Criminal Law.**

This course is an analysis of the state criminal system with an emphasis on the state criminal code and procedure. This course includes the areas of criminal law under the jurisdiction of the state courts, where the state and federal charges conflict, and the rules of criminal procedure from a practice standpoint.

**DAMAGES (Law 190). Prerequisites: Torts I/II**

This course is a study of the general, multi-jurisdictional principles of damages, including nominal, compensatory, and punitive damages.

**DEATH PENALTY (Law 191). Prerequisites: Criminal Law and Criminal Procedure I/II**

This course is a study of the general principles and procedures involving the death penalty sanction.

**DEBTOR/CREDITOR LAW (Law 192).** Prerequisite: Contracts I or Commercial Law

This course provides a study of debt collection with emphasis on remedies available for protection of debtors under both state and federal law. The course will cover extraordinary remedies, such as recognizing and avoiding a fraudulent conveyance of property.

**DISABILITY LAW (Law 917)**

This course provides a comprehensive overview of the major laws relating to rights of individuals with disabilities. The course materials focus on issues of rights and non-discrimination in areas of employment, government programs and services, public accommodations, education, housing, and health care. Major topics not addressed relate primarily to entitlements and benefits, such as Social Security and Workman's Compensation.

**DISCRIMINATION LAW (Law 965).** Prerequisites: Contracts I/II, Torts I/II, and Constitutional Law I/II

This course covers topics related to pursuing remedies under employment discrimination laws including Title VII, Age Discrimination in Employment Act, § 1981, and Americans with Disabilities Act.

**DRUG COURT (Law 161).** Prerequisites: Criminal Law

This seminar course provides in-depth coverage of the Drug Court process in Alabama

**DUI DEFENSE SEMINAR (Law 152).** Prerequisites: Criminal Law

This course prepares students to defend a client with a Driving Under the Influence charge from the point of arrest throughout the entirety of the case.

**E-DISCOVERY (Law 173) – 1.5 credit hour course**

The half term course addresses the scope of the legal, technical and ethical issues related to the electronic storage and production of information and how to appropriately request, preserve and review such information.

**EDUCATION LAW (Law 939).** Prerequisites: Legal Research & Writing I/II

This course provides a study of the law of public education including the areas of student rights; employee issues of tenure; transfers and dismissals; school board authority; student injuries; religious activities on school campus; athletics; instructional programs and achievement tests; rights of custodial and non-custodial parents; special education; § 504; and other current issues in school law.

**ELDER LAW (Law 193).** Prerequisites: Trusts & Estates

This course addresses a number of topics relating to serving senior clients including determining a client's capacity; powers of attorney and surrogate decision making; advance directives; health care proxies; living wills; levels of care in health care maintenance; financing health care needs and who pays; Medicaid qualification and appeals; involuntary commitments; guardianship and conservatorship; income, estate, and gift tax issues; and conveyances of real property interests.

**EMPLOYMENT LAW (Law 967).** Prerequisites: Torts I/II

This course is an introduction to the statutes, regulations, and cases that govern the employer-employee relationship including the National Labor Relations Act; federal and state discrimination laws; the Age Discrimination Employment Act; the Americans with Disabilities Act; the Equal Pay Act; Title VII of the Civil Rights Act of 1964; and others.

**ENTERTAINMENT & SPORTS LAW (Law 106 & Law 116).** Each course is 1.5 credit hours

These two (2) courses, taken consecutively in one (1) term, provide an overview of entertainment and sports law, specifically targeting the differences in contract negotiations, contract formation, and the representation of sports figures and entertainment industry artists.

**ENVIRONMENTAL LAW (Law 923)**

This course provides an overview of federal and state environmental laws, including but not limited to the National Environmental Policy Act, Endangered Species Act, the Clean Water Act and the Clean Air Act.

**HEALTH CARE LAW (Law 130).** Prerequisites: Legal Research & Writing

This course examines the major legal and regulatory issues including the regulation of health care quality; professional liability; access to health care; professional relationships in health care; and life and death decisions.

**STARTING & MANAGING YOUR OWN LAW PRACTICE (Law 983)** Prerequisites: Must complete fifty-four (54) credit hours before registering

This course is designed to prepare students to become the owner of a solo or small firm, focusing on client relations, marketing legal services, establishing a good reputation, acquiring staff, billing and collecting fees, managing trust accounts, and the ethical issues pertaining to solo or small firm ownership.

### **IMMIGRATION LAW (Law 938).** Prerequisites: Legal Research & Writing

Major topics include numerical limitations and family exemptions; preference immigrants; the Department of Labor connection; temporary workers; treaty trader and business investor visas; foreign students; overseas consular processing versus adjustment of status to permanent residence in the United States (the green card path); deportations; and the processes from an immigration law office perspective.

### **INSURANCE LAW (Law 943).**

This course is a study of insurance law and principles including the regulation of insurance companies and agents; interpretation of insurance contracts; bad faith; first party and third party insurance; classification of insurance; and solicitation and marketing of insurance.

### **INTELLECTUAL PROPERTY (Law 973).**

This course covers copyright, patent, and trademark law and related topics such as unfair competition and trade secrets.

### **INTERNATIONAL LAW (Law 944)**

This course is a brief survey of the scheme of international law. Basic concepts covered include the place of international law in resolving disputes between nations and the interplay between national law and international law. The course also provides an introduction to immigration law issues and procedures.

**JUDICIAL INTERNSHIP (Law 999).** Prerequisites: Student must have completed his or her Student Registration with the Alabama State Bar; obtain fifty-four (54) hours of academic credit; and be in good standing at BSL with regard to GPA and financial obligations. Students must also locate a willing elected or appointed Alabama or federal judge to act as a sponsor. Appropriate courts include those judges in municipal, district, circuit, or appellate courts. Students may not use “supernumerary” or temporary judges as sponsors.

This course will allow the student to act as a judicial clerk assisting the trial judge in managing the flow of cases and parties on the court’s docket. Judicial interns will get to see the “back story” of how cases are handled from a judge’s perspective and will possibly have opportunities to meet and network with attorneys from a variety of law firms and practice areas. See the Internship Programs on TWEN for detailed information, application forms, and sample documents.

### **JUVENILE LAW (Law 945).** Prerequisites: Civil Procedure I/II

Juvenile law is a practice-oriented course designed to provide students with the knowledge and skills necessary to prepare for and represent the state, children, and parents in delinquency, abuse, neglect, dependency, and termination of parental rights cases.



**LANDLORD & TENANT LAW (Law 194).** Prerequisites: Real Property I/II

This is a survey course involving Alabama's Landlord-Tenant Act and related cases.

**LAW OF MEDICINE (Law 122).** Prerequisites: Civil Procedure I/II and Contracts I/II

This course will consider subjects such as the doctor/patient relationship; informed consent; duty to disclose; patient's right to know; and the standard of care and negligence.

**LAW OF POLITICS (Law 123).** Prerequisites: Constitutional Law I/II

This course examines federal constitutional and statutory law governing the American political process. The student will master the essential rules of federal campaign and election law. The student will also be able to describe the different potential theories of democracy as they have emerged in American legal history, such as legislative apportionment; the Voting Rights Act of 1965; political party primaries and procedures; ballot access and candidate qualifications; the relationship of campaign finance and campaign speech with regards to the First Amendment; and election contests under Alabama law.

**LEGAL INTERNSHIP (Law 998).** Prerequisites: Student must have completed his or her Student Registration with the Alabama State Bar; obtain fifty-four (54) hours of academic credit; and be in good standing at BSL with regard to GPA and financial obligations. Students must also locate a willing and licensed Alabama attorney to act as a sponsor. Appropriate courts include those judges in municipal, district, circuit, or appellate courts. Students may not use "supernumerary" or temporary judges as sponsors.

This elective course will allow the Legal Intern to act in the capacity of a lawyer in direct representation of clients including participation in trials, examining witnesses, taking depositions, and making opening statements and closing arguments at trial. See the Internship Programs on TWEN for detailed information, application forms, and sample documents.

**MEDIATION (Law 925).**

This course covers the practice of conducting mediations, mediation skills and techniques, position statements, and mediation procedures.

**MEDIATION CLINIC (Law 153).** Prerequisites: Mediation and Advanced Mediation

The student will work under Professor Baker at the Jefferson County Mediation Project; after completion of ten (10) supervised mediations, the student may be placed on the Jefferson County eligible mediator list.

**MUNICIPAL COURT LAW (Law 949).** Prerequisites: Criminal Law and Criminal Procedure I/II

This course provides a survey of misdemeanor criminal cases heard in municipal courts, such as DUI and domestic abuse.

**PAYMENT SYSTEMS (Law 195)**

This course focuses on the modern payment systems, including but not limited to, checks, drafts, promissory notes and other forms of negotiable instruments governed by Article 3 of the Uniform Commercial Code and bank transactions governed by Article 4 of the Uniform Commercial Code.

**PLEADINGS AND PRACTICE (Law 115)**

As the majority of pretrial practice relates to pleadings and other legal drafting, this course is designed to prepare students for the practice of litigation, focusing on written assignments necessary to the pretrial practice of law.

**POVERTY LAW (Law 196).** Prerequisites: Legal Research & Writing I

This class encompasses a broad study of poverty, poverty programs, and poverty's interaction with the U.S. civil justice system. Class topics include the history of access to justice; the demographics of poverty in the U.S.; and substantive topics on poverty programs such as housing, public benefits, consumer law, and family law.

**PRACTICAL FAMILY LAW (Law 906).** Prerequisites: Domestic Relations

This course provides an in-depth review of the practice of family law in the domestic relations courts of Alabama.

**REAL ESTATE TRANSACTIONS (Law 977).** Prerequisites: Legal Research & Writing I/II. Real Property I/II is helpful but not required.

This course covers the responsibilities of attorneys in closing real estate transactions. The primary emphasis is on residential transactions. The course will cover the closing process from the execution of a sales contract to the disbursement of closing funds.

**REMEDIES (Law 953).** Prerequisite: Torts I/II

This course is a study of the rules and principles involving remedies other than damages that are available for private civil wrongs to individuals. This course discusses equitable remedies and defenses to claims for equitable relief.

**STATUTORY RIGHTS AND REMEDIES IN LAND (Law 974).** Prerequisites: Real Property I/II

This course concentrates on Alabama statutory law of real property rights and remedies. It covers establishing and protecting ownership; possession and use of real property through adverse possession and prescription; quieting title; partition; construction of written instruments; ejectment; forcible entry and unlawful detainer; trespass; nuisance; and the rights and remedies of debtors, creditors, and the government.

**STUDY SKILLS I (Law 995).**

This course provides in-depth preparation for taking the Multistate Bar Examination portion of the Alabama State Bar examination.

**STUDY SKILLS II (Law 996).**

This course provides in-depth preparation for taking the Multistate Essay Examination and the Multistate Performance Test portions of the Alabama State Bar examination.

**TAXATION (Law 170)**

This course provides an overview of the federal laws relating to the taxation of individuals, corporations, partnerships, and other entities.

**TRANSACTIONAL DOCUMENT DRAFTING (Law 976).**

In this course, students will learn to effectively draft a multitude of transactional documents, such as commercial drafting and contractual drafting.

**TRIAL ADVOCACY SKILLS (Law 957).** Prerequisites: Civil Procedure I/II and Evidence I/II

This course develops litigation skills through preparation for trials of civil and criminal cases.

**WILL DRAFTING (Law 969).** Prerequisites: Trusts & Estates

This advanced writing course focuses on drafting wills in Alabama.

**WORKER'S COMPENSATION (Law 959).** Prerequisite: Legal Research & Writing I/II

This course begins with an overview of employee benefit legislation and quickly focuses on the remedies available under the Alabama Worker's Compensation Act for employment-related injuries. Subjects covered include the employer-employee relationship; employments covered; compensability of injury; and the calculation of benefits. Emphasis is on the practical problems of handling worker's compensation cases.

**NOTE:** Some elective courses may close quickly, particularly in the summer term, due to space limitations and popularity. Some elective courses may not be offered on a regular basis (i.e., every term.) The prudent student will schedule courses of high interest or popularity at the first opportunity the course is offered.

## **VI. LAW LIBRARY**

Birmingham School of Law's library is open on all days classes are scheduled in the building, including Saturdays, beginning at 9:00am until 9:00pm. The library is closed on all holidays and when classes are not in session. The law library may open on Sundays during final exam periods at the discretion of the Dean and based upon demand.

**Students and professors have wireless access to the internet. Passwords are available from the Administrative Office personnel.** Password access for Westlaw is given to students during orientation. Westlaw training occurs during the first term Legal Research & Writing class. Students will have access to Westlaw information services through a home computer as well as the library computers.

## **PLANNING FOR GRADUATION**

### **I. GRADUATION REQUIREMENTS**

Upon favorable recommendation of the faculty and approval of the Dean, the degree of Juris Doctor will be conferred upon students who have satisfactorily completed a course of law studies with a final grade point average of at least 2.25 in all law school work undertaken.<sup>3</sup>

Absent exceptional circumstances, and at the Dean's discretion, for a course to count towards the graduation requirements, the course must have been satisfactorily completed within six (6) years of the date of admission. In addition, the student must be in good standing under BSL rules and all financial obligations to BSL must be satisfied.

At the time of a student's application for candidacy to graduate, the student's overall record including, but not limited to, academic performance, financial responsibility, and fundamental character will be evaluated by the Dean to determine whether the candidate displays the traits of character and personality to be an effective and honorable attorney. **The Dean has the sole discretion to decide if the candidate should graduate and/or be certified to take the Alabama Bar examination based upon the student's record.**

Graduation requirements are subject to change. Any changes in requirements may apply to all current BSL students, without benefit of a "grandfather" clause, at the discretion of the Dean.

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<sup>3</sup> Students graduating in the Fall 2021 term and the Spring 2022 term only are held to the previous 2.00 GPA standard. All other students are held to the 2.25 GPA standard.

## II. APPLICATION FOR GRADUATION

The application for graduation and payment of the three hundred dollar (\$300.00) graduation fee must be made before the “Current Student Registration Confirmation Deadline” of the student’s last term. When the application is received, the administration reviews the student’s transcript and makes any necessary recommendations regarding graduation requirements. The graduation fee is non-refundable and must be paid even if the student chooses to not attend the graduation ceremony.

**A student’s graduation certificate will NOT be sent to the Alabama Bar UNTIL the student completes the graduation application with BSL and actually graduates the program.** For a student to “graduate” the program, the student must complete all required courses with passing grades and have a zero balance on his/her account. Students may not request his/her graduation certificate from the administrative office as it will be sent automatically once the student is a graduate of the program. A graduation application can be obtained from the administrative office and online at [www.bsol.com](http://www.bsol.com).

### ACADEMIC REGULATIONS

#### I. REQUIRED COURSES BY YEAR\*

##### REQUIRED FIRST YEAR COURSES

###### Fall Entry in the Program

Contracts I and II  
Lawyering Fundamentals Class  
Legal Research and Writing  
Legal Methods  
Torts I and II  
Criminal Law  
Commercial Law  
Legal Ethics

###### Spring Entry in the Program

Contracts I and II  
Lawyering Fundamentals Class  
Legal Research and Writing  
Legal Methods  
Torts I and II  
Civil Procedure I  
Criminal Procedure I  
Evidence I

##### REQUIRED SECOND YEAR COURSES

###### Fall Entry in the Program

Civil Procedure I and II  
Criminal Procedure I and II  
Evidence I and II  
Corporations  
Agency and Partnership  
Domestic Relations

###### Spring Entry in the Program

Civil Procedure II  
Criminal Procedure II  
Commercial Law  
Evidence II  
Criminal Law  
Corporations  
Agency and Partnership  
Real Property I  
Constitutional Law I

## REQUIRED THIRD YEAR COURSES

### Fall Entry in the Program

Constitutional Law I and II  
Real Property I and II  
Upper Level Writing Requirement  
Trusts and Estates  
Conflict of Laws

### Spring Entry in the Program

Upper Level Writing Requirement  
Real Property II  
Constitutional Law II  
Legal Ethics  
Domestic Relations  
Trusts and Estates  
Conflict of Laws

\* In addition to the listed required courses, students must also take six (6) electives.

## **II. ACADEMIC STANDARDS**

BSL requires students to maintain a minimum overall GPA of 2.25 on a 4.00 scale. Those failing to meet this standard will be immediately placed on Academic Warning status. See the Academic Warning / Probation Status section in this handbook for more information.<sup>4</sup>

## **III. SPECIAL ADMISSION PROBATION**

Applicants with an undergraduate GPA below 2.75 may be admitted to BSL under “Special Admission Probation.” The applicant’s undergraduate GPA (not graduate) is relied upon for this determination.

Special Admission students are also required to maintain a cumulative GPA of 2.25 for the first three (3) terms at BSL and must complete a minimum of three (3) courses per term during their first three (3) terms at BSL.

If the Special Admission student’s GPA drops below 2.25 during these first three (3) terms, the student may be dismissed from school. Students admitted under the Special Admission Probation plan are notified in their acceptance letter of the limitation of their admission. The admission of these students is understood to be conditioned upon agreement to this probationary plan.

## **IV. THREE-COURSE MINIMUM RULE**

Absent express permission from the Dean or Assistant Dean, students are required to complete a minimum of three (3) courses per term, three (3) terms per calendar year. Students may be granted an exception to the three-course rule two (2) times during their matriculation at BSL. Requests for an exception should be made in writing and sent to the Assistant Dean along with a detailed explanation as to the reason or basis for said request.

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<sup>4</sup> Students graduating in the Fall 2021 term and the Spring 2022 term only are held to the previous 2.00 GPA standard. All other students are held to the 2.25 GPA standard.

**NOTE:** Waiver of the “three-course minimum” rule is never granted for first term attendance.

## **V. EXAMINATIONS**

Final examinations are given in all courses. Additional examinations, pop quizzes, midterm examinations, papers, and other course work may be assigned at the discretion of the professor. The professor will specify in their syllabus all the methods and components by which a student’s grade will be assigned.

All final examinations must be taken on the date and time scheduled by school administrators. Under no circumstances shall a final examination be taken before the scheduled exam date. Professors do not have the authority to waive this rule, so please do not ask a professor to do so. Deferred examinations must be given **after** the normally scheduled exam time.

When a student, without permission of the professor and the Dean or Assistant Dean, fails to take and/or complete an examination on the scheduled exam date, that student will automatically receive a grade of “F”. Emergency circumstances will be reviewed by the Dean and/or Assistant Dean to determine if an exception is warranted.

## **VI. DEFERRED EXAMINATIONS**

Deferred examinations are examinations deferred to a date and time later than the originally scheduled final exam. Deferral examinations will be permitted only when approved by the Dean or Assistant Dean for good cause. All deferred examinations must be completed within one week of the scheduled exam date unless a longer delay is approved by the Dean or Assistant Dean.

Students **MUST** submit a deferred examination application. The application is found on BSL’s website, [www.bsol.com](http://www.bsol.com), under Important Forms in the Student Resources section in Current Students. The deferred examination application must be submitted to [bdanielson@bsol.com](mailto:bdanielson@bsol.com), [vcharles@bsol.com](mailto:vcharles@bsol.com), [kstone@bsol.com](mailto:kstone@bsol.com), and the professor for the class in which the student seeks an examination deferment. Professors do not make the decision to defer examinations.

If a student requires deferment based on illness, proof from a medical provider must be submitted along with the deferment application. Failure to follow these requirements will result in the denial of the deferment application.

Failure to provide a completed deferment form **BEFORE** the scheduled examination may result in the student not being allowed to take the final exam and may receive a final grade of “F”.

A grade of “Incomplete” [INC] will be given if the exam cannot be completed within a week of the scheduled exam. Unless exceptional circumstances warrant approval for a longer period by the Dean or Assistant Dean, grades of “Incomplete” will automatically convert to grades of “Failure” [F] if the “Incomplete” is not cleared by thirty (30) days of the original exam date.

## VII. ACADEMIC PERFORMANCE AND GRADES

All substantive classes, Legal Research and Writing, Legal Methods, and all writing classes eligible to fulfill the ULWR writing requirement will be graded. Academic performance is graded by a system of letter grades with quality points assigned as follows:

<b>Letter Grade</b>	<b>Quality Points Awarded</b>
A+	4.00 x the number of credit hours of the course
A	4.00 x the number of credit hours of the course
A-	3.66 x the number of credit hours of the course
B+	3.33 x the number of credit hours of the course
B	3.00 x the number of credit hours of the course
B-	2.66 x the number of credit hours of the course
C+	2.33 x the number of credit hours of the course
C	2.00 x the number of credit hours of the course
C-	1.66 x the number of credit hours of the course
D+	1.33 x the number of credit hours of the course
D	1.00 x the number of credit hours of the course
D-	0.67 x the number of credit hours of the course
F	0.00 x the number of credit hours of the course
S/U	These grades are not used to calculate GPA

Grades from “A” to “C-” or “S” are passing grades. If the class relates to a subject appearing on the MBE, or if the class is a core writing course, a grade of “D+”, “D”, “D-”, or “F” indicates a failure and the class must be repeated in order to receive course credit. In all other cases, a grade of “F” or “U” indicates a failure and the class must be repeated in order to receive course credit.

The grade A+ indicates the highest grade in the course. Only one student should “book” each course so professors should only assign one “A+” per course.

In elective courses designated as Pass/Fail, a grade of “S” or “Satisfactory” indicates a satisfactory completion and course credit. In elective courses designated as Pass/Fail, a grade of “U” or “Unsatisfactory” indicates an unsatisfactory performance. A grade of “S” or “U” contributes no quality points to a student’s record and does not affect the grade point average.

A grade of “I” or “Incomplete” is given to indicate an authorized deferral of an examination or required course work. “Incomplete” or “INC” grades are temporary in nature and will automatically be converted to a grade of “F” if the deferred course work or deferred examination is not completed within thirty (30) days of the original date of the final exam, unless approval for a longer period is granted in exceptional circumstances by the Dean or Assistant Dean.. For example, fall class final was December 1 and a student receives a grade of “INC” in the fall; the student must complete all deferred/missing elements no later than December 31 or the “INC” grade will automatically convert to a grade of “F” or “U” as appropriate for the type of course.



Grade point average (GPA) is computed by summing the quality points attained and dividing the total quality points by the number of credit hours completed.

A student must repeat courses in which he or she received a grade of “F” at the first available opportunity without excessive delay for other schedule considerations.

## VIII. NOTIFICATION OF GRADES

### **PLEASE DO NOT CALL THE ADMINISTRATIVE OFFICE REGARDING GRADES.**

All grades will be posted to the BSL Student Portal by the professors. We expect all grades to be posted to these portals within seven (7) to ten (10) days from the date of the final exam.

If a student’s grade has not been posted to the student portal after ten (10) days, send the professor an email inquiry, as this will provide written record of the inquiry. If the student does not receive a reply within forty-eight (48) hours, the student should contact the Assistant Dean. Professors are lawyers with active business and trial practice and sometimes limited office assistance or resources. Please be considerate and do not call, text, or email a professor after normal business hours. **Per school policy, grades may not be posted to a group email or other broadcast type of announcement.**

## IX. GRADE CONCERNS

Questions about grades and review of exams or papers should first be directed to the professor. Professors at BSL are qualified professionals and have broad discretion at determining grades. Absent compelling circumstances, grades awarded by BSL professors are presumed to be appropriate. School administrators do not have the requisite information or ability to answer questions concerning the professor’s grading standards, the subjective/objective grading criterion applied to a specific test or assignment, or whether the test score was computed correctly. Only professors can address these concerns. The professor’s office email and phone numbers are available on the class syllabus or on the Alabama State Bar’s member directory at [www.alabar.org](http://www.alabar.org). We advise students to contact their professors via email during normal business hours to ensure a written record of the question and answer.

Any student with a question regarding a grade, or who wants to request a review of an exam or paper, must do so within fourteen (14) days after the grade is posted or received. If not requested within fourteen (14) days, the student waives the right to contest the grade or request review of an exam or paper.

If a student believes there is an error on a transcript, a written request for review and verification must be sent to the Assistant Dean. Upon receipt of the written request, the Assistant Dean will verify the accuracy of the transcript and will provide feedback.

## **X. ACADEMIC WARNING / PROBATION STATUS**

### **Maintenance of a Satisfactory Academic Requirements**

Students must maintain a satisfactory academic record to be in “good standing.” To be considered in good standing, students must maintain a cumulative GPA of at least 2.25. The grading scale is located under Academic Performance and Grades.<sup>5</sup>

### **Academic Warning Status, Probation & Dismissal**

Students with a GPA lower than 2.50 cannot serve on the executive committee, defined as President, Vice-President, Treasurer, Social Arbiter/Coordinator, or Secretary, in any student organization operating at BSL.

Students with a GPA lower than 2.50 are ineligible for judicial or legal internships and cannot take more than three (3) courses per term.

ANY STUDENT PLACED ON ACADEMIC WARNING STATUS AND/OR ACADEMIC PROBATION WITH AN OUTSTANDING BALANCE WILL NOT BE ALLOWED TO REGISTER FOR CLASSES THE FOLLOWING TERM – time to achieve the satisfying GPA requirement does not extend if a student cannot attend courses because of an outstanding tuition or fee balance on their account.

Regardless if the student is on academic warning or probation, anytime a student earns an “F” in any class, the class must be retaken.

Regardless if the student is on academic warning or probation, anytime a student earns a “D+”, “D” or “D-” in Civil Procedure I or II, Constitutional Law I or II, Contracts I or II, Criminal Law, Criminal Procedure I or II, Evidence I or II, Real Property I or II, Torts I or II, Legal Research and Writing, Legal Methods, or the Upper Level Writing Requirement, the class must be retaken.

Students placed on academic warning status or academic probation must meet with the Dean, or Assistant Dean, to discuss strategies and plans to improve their academic performance as soon as possible after placement on academic warning status or academic probation. A student will NOT be allowed to register for the next term without first meeting with either the Dean or Assistant Dean.

Students who do not achieve a cumulative GPA of 1.75 at the completion of the first two (2) terms may be academically dismissed.

Students with a GPA higher than 1.75 but less than 2.25 at the completion of the first two (2) terms will be placed on academic warning status.

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<sup>5</sup> Students graduating in the Fall 2021 term and the Spring 2022 term only are held to the previous 2.00 GPA standard. All other students are held to the 2.25 GPA standard.

Students with a cumulative GPA lower than 2.25 at any point will be placed on academic warning status.

Students placed on academic warning status must raise their cumulative GPA to 2.25 within two (2) terms or the student may be academically dismissed.

Students who are on academic warning status and are unable to increase their cumulative GPA to 2.25 within two (2) terms after being placed on warning status will either be placed on academic probation or will be academically dismissed.

Students placed on academic probation have only one (1) term to raise their cumulative GPA to 2.25 or the student will be academically dismissed.

Academic probation is reported to the Alabama Bar when applying to take the attorney licensing examination as academic probation appears on a student's transcript.

Students with a GPA lower than 2.25 who take a leave of absence must follow the petition for readmission procedures before they can register for classes.

#### Readmission After Dismissal Due to Academic Failings

**Petition for Readmission:** A student dismissed for academic reasons may petition to be readmitted for continued study on probation. Readmission of a student dismissed for academic reasons is not a matter of right and will be granted only in exceptional cases.

Unless otherwise advised in writing from the Dean or Assistant Dean, a student dismissed for academic reasons must petition for readmission. The petition for readmission must be received in letter form by the Assistant Dean no later than fourteen (14) days before the start of the registration period for the term in which the student wishes to enroll. The student whose petition is not received by the Assistant Dean within the designated time period waives all petition rights. See the Academic Calendar at [www.bsol.com](http://www.bsol.com) for relevant dates.

**Petition Procedure:** A student dismissed for academic reasons who wants to petition to continue studies on probation must submit a petition in the form of a letter to the Assistant Dean detailing the reasons the student should be permitted to continue to study at BSL. The petition must not only provide detailed reasons as to why the student should be allowed to continue their studies but must also address specific areas of his/her academic weakness and how the student shall improve.

The Dean and the Assistant Dean will review all petitions. A decision shall be made within ten (10) days after receipt of the petition. Once a decision is made, the student will be notified in a timely fashion. The final decision cannot be appealed.

If the student is permitted readmittance, the Dean and/or Assistant Dean may impose reasonable conditions on the readmission of a student dismissed for academic reasons, including but not limited to, taking a leave of absence for one or more semesters before resuming classes, retaking specified courses, or undertaking extracurricular remedial work.

There is a one-time non-refundable readmittance fee of one hundred dollars (\$100.00) which must be paid after readmittance before the student may register for classes.

Any student readmitted is automatically readmitted on a probationary basis and must obtain a minimum GPA of 2.25 at the end of their first full term after readmittance. The 2.25 GPA standard applies to all students, regardless of when they originally started the program.

A student failing to attain at least a 2.25 GPA by the end of the first full term after readmittance may be dismissed for academic reasons, without the right to petition for a second time.

## **XI. ATTENDANCE POLICY**

There are no “excused” absences for illnesses, employment conflicts, deaths in the family, vacations, etc. All absences carry the same weight without regard to the specific reason for the absence. Students have a maximum of three (3) absences per class each term. **Any student absent more than three (3) times will be dropped from the class roll, will not be permitted to take the final exam, will receive a grade of “F” in the course, and will not receive course credit.** Students are encouraged to manage their absences accordingly.

Professors have the option of taking roll at the beginning or end of class. If a student arrives late (thirty (30) minutes max) or leaves early (thirty (30) minutes max), he or she may not receive credit for their attendance. Check with each professor for the policy prior to deviating from attending classes as scheduled. It is the student’s responsibility to verify his or her presence in class with the professor.

If a professor is more than thirty (30) minutes late **and did not provide notice to the class,** students may leave the class without attendance penalty. However, if a professor is late and provided notice, any student who leaves will be counted absent.

## **XII. VISITOR POLICY**

Visitors are not allowed in the classrooms during class periods without prior coordination and permission from BSL. Students may not bring children to the building or classrooms when they have a childcare issue.

Prospective students who wish to visit and observe a class session are welcomed but must make prior arrangements with BSL prior to attending any class meetings.

Student groups or professors sponsoring guest speakers must make prior arrangements with BSL administrators for building access. Requests for an honorarium for the speaker should also be made to BSL administration in advance.

## **XIII. ADMISSION TO FACILITIES**

**To gain admission to the Birmingham School of Law building, students and faculty must present their BSL identification badge.**

Students not showing badges will be required to wear a guest badge after showing a driver's license as proof of identification to the security guard. The guest-badge option for students who fail to present their BSL identification to attend class will be allowed only two (2) times during a term. The student will then be denied admission to the building for any subsequent events. Students may obtain a replacement or spare ID badge in the Administration Office during office hours for a reasonable fee. The names of students who fail to bring their ID badges will be reported to the Dean's office after the second occurrence during a term.

**XIV. FIREARMS/DEFENSIVE SPRAYS POLICY**

Except for law enforcement officers in standard, overt uniforms, no person (including students, faculty, school staff, or visitors) may bring a firearm, Taser, large cans of chemical sprays/tear gas, or a fixed blade knife with a blade longer than three (3) inches into the school building. LEO military/tactical "cargo" style pants, covert undercover, or golf shirt/ball cap combinations are specifically excluded from this authorized carry policy.

Students, faculty, and school staff may carry small, key-chain sized personal defense sprays (not to exceed 0.75 fluid ounces) or a folding blade "pocket knife" (with a blade of three inches or smaller) into the building. Admission to the building after 4:30 pm is contingent on cooperation with this safety procedure.

Students concerned about their safety walking to and from the BSL building to their cars may request an escort from the BSL security guards.

**XV. ADDING COURSES**

Following pre-registration, courses may be added on a space available basis during the "Current Students Late Registration" day. See the Academic Calendar for dates. A late registration fee of twenty-five dollars (\$25.00) will be levied for each additional class added.

**XVI. WITHDRAWING FROM COURSES OR THE JURIS DOCTOR PROGRAM / REQUESTING A LEAVE OF ABSENCE**

To withdraw from a course, a student must notify the Registrar in writing using the Drop/Add form, either by mail, hand delivery, or email, using a scanned copy of the form. There is no exception to this requirement. The effective date of the withdrawal is the date the Registrar receives the written notice of withdrawal. Drop/Add forms are available in the Administrative Office or online on the BSL website.

To withdraw from the Juris Doctor program, a student must notify the Registrar in writing using the Program Withdrawal Request form, either by mail, hand delivery, or email, using a scanned copy of the form. There is no exception to this requirement. The effective date of the program withdrawal is the date the student specifies in the form or the date the Registrar receives the form,

whichever comes last. Program Withdrawal Request forms are available in the Administrative Office or online on the BSL website. A student who withdraws from the Juris Doctor program must reapply to enter the program.

To request a Leave of Absence from the Juris Doctor program, a student must notify the Registrar in writing using the Leave of Absence Request form, either by mail, hand delivery, or email, using a scanned copy of the form. There is no exception to this requirement. A student may only take off one (1) term, unless exceptional circumstances warrant an extension by the Dean. The effective date of the Leave of Absence is the date the student specifies in the form or the date the Registrar receives the form, whichever comes last. Program Withdrawal Request forms are available in the Administrative Office or online on the BSL website.

Withdrawal from a course, the Juris Doctor program, or taking a leave of absence, during the first four (4) weeks of the term will result in a grade of W/P (Withdrawn/Passing). Withdrawal from a course after the first four (4) weeks will result in a grade of W/F (Withdrawn/Failing). A W/F grade will impact a student's overall GPA until the course is subsequently retaken. See the Academic Calendar for specific deadlines for each term.

## **XVII. WITHDRAWAL POLICIES REGARDING INITIAL DEPOSITS, TUITION REFUND, AND FEES**

New students (those students in their first term of law school) who fail to complete their initial term of school will forfeit their initial deposit and student fee without regard to any refunds they may have been eligible to receive. Normally, tuition is refunded according to the following schedule for an early withdrawal during the term (based upon the number of classes for which the student registers and not the actual amounts paid under the installment payment plan.

- a) Student fees are non-refundable
- b) Initial deposit is non-refundable
- c) Withdrawal within one (1) to seven (7) days of the student's first class of the term – 100% of the tuition minus the initial deposit, if applicable
- d) Withdrawal within eight (8) to fourteen (14) days of the student's first class of the term – 75% of the tuition cost minus the initial deposit, if applicable
- e) Withdrawal within fifteen (15) to twenty-one (21) days of the student's first class of the term – 50% of the tuition cost minus the initial deposit, if applicable
- f) Withdrawal within twenty-two (22) to twenty-nine (29) days of the student's first class of the term – 25% of the tuition cost minus the initial deposit, if applicable
- g) Withdrawal after thirty (30) days of the student's first class of the term and anytime thereafter – 0% of the tuition cost

NOTE: Students who accept the payment plan and withdraw during the fifth week of the term or anytime thereafter remain responsible for paying the entirety of the whole term's tuition.

**NOTE:** The amount to be refunded is based upon the total amount owed for the number of courses in which the student is registered and not the actual amount of money paid

through the date of withdrawal. If a student is on the installment payment plan, there may be some situations where the student will owe additional monies after withdrawal because the installment payments are insufficient to cover the cost of tuition owed.

## **XVIII. READMISSION**

Students who have voluntarily withdrawn from the law school with a 2.25 GPA or less will not be automatically readmitted. Instead, readmission for the next term rests at the discretion of the Dean. Applicants must satisfy all admission and graduation requirements in effect at the time of their readmission. Credit will only be given for courses satisfactorily completed within two (2) years of the readmission date.

**NOTE:** Students who do not voluntarily withdraw but are instead dismissed due to academic performance or for any other reason must petition for readmittance. Please see the policy for the petition for readmittance in the Student Handbook section regarding Academic Warning Status / Probation.

**NOTE:** Students who are dismissed due to non-payment of tuition must pay their outstanding balance in full before readmission will be considered. Once the balance is paid in full, students must then petition in writing to the Dean for readmittance.

## **XIX. TRANSFER STUDENTS (ABA or Non-ABA Accredited Law Schools)**

Transfer students from other ABA or non-ABA law schools may be admitted at the discretion of the Dean. Students transferring to BSL with online credits may have difficulty obtaining permission to sit for the bar exam, as the Alabama State Bar does not recognize online course credits.

Students applying for transfer must satisfy all admission and graduation requirements in effect at the time of their transfer to BSL. Transfer students must be in financial and ethical good standing with their current or former law school.

Transfer students may be given credit for any course with a “C” or better grade and which is the same or equivalent to any course at BSL. Grades of “C-” or below do not transfer. Such credit will be granted for courses completed within two (2) years of the student’s admission to BSL. Course work transferred to BSL is not used to compute the student’s grade point average at BSL. Credit given is within the sole discretion of the Dean.

**Transfer students may be required to take BSL-administered examinations as a condition to obtaining credit for prior course work.**

**Only credits from another law school may be transferred. Credits earned in an undergraduate or graduate program will not transfer.**

**BSL will not accept transfer credits from an online law school or a non-ABA law school located in a state other than Alabama.**

In order to graduate, a transfer student must complete a minimum of ten (10) courses (approximately thirty (30) term hours of academic credit) at BSL. This rule may significantly increase the total number of courses needed for graduation for a transfer student and result in the accumulation of more than one hundred and one (101) term hours of academic credit. See the “Course Credits vs. Credit Hour Requirements for Graduation” in the Instruction Program section of this handbook for details.

**APPENDIX**

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**I. JUDICIAL AND LEGAL INTERNSHIP PROGRAMS**

Legal and judicial internships provide an excellent opportunity for law students to observe and participate in the actual practice of law while continuing their formal education. Legal interns receive practical, firsthand experience in the internal workings of a law office and the day-to-day representation of clients. Judicial interns learn the internal workings of our court systems and the relationship of the Court (judge) and the Clerk's office to the lawyers practicing before the Court. Legal interns have the added advantage to act as advocates for their sponsor's clients by direct participation in court hearings and proceedings. Either type of internship may also earn elective academic course credit when additional documentation and the required administrative steps are completed. A brief description of each type of internship follows.

**Legal Interns** assist their sponsoring attorney in the general practice of law by drafting letters, pleadings and other documents, participating in meetings or status conferences with current clients, conducting legal research and participating in court proceedings. With proper supervision from the sponsoring attorney, and approval of the client and the Court, legal interns may actually “practice” law in almost every sense of the word by representing the client in court or in depositions and may make opening statements, closing arguments and examine witnesses



at trial or in evidentiary hearings. An added benefit of the legal internship program is the ability to continue internship activities after graduation up until the date the results of first post-graduation bar licensing examination are announced.

**Judicial Interns** assist their sponsoring judge by drafting Orders and other court related documents for the judge's signature, organizing the Court's docket, making entries in official court/caserecords and such other duties as the judge may direct. While judicial interns do not actively engage in the representation of clients or parties in a case, they gain significant access and "networking" contact with a variety of lawyers and law firms and may gain significant experience in trial/court procedures through observations of court proceedings. Judicial internships automatically end on the date of the last final examination in the student's last term of law school.

### **Application Procedures:**

To participate in a Legal Intern or Judicial Intern program, a student must:

- 1) Join the Westlaw TWEN site "*Internship Programs*".
- 2) Have in his or her possession the Alabama State bar issued Certification card acknowledging the completed law student registration. If the student has not completed and submitted the student registration documents with the Bar, the student may not participate in the intern program;
- 3) Must have a GPA of 2.50 or higher to participate in a judicial or legal internship;
- 4) Be currently enrolled in the law school. If the student has graduated and/or has completed all required course work and are merely waiting for graduation ceremonies, the student is not eligible to start or begin an internship (Alabama State Supreme Court rule and not subject to waiver);
- 5) Have satisfactorily completed **a minimum of fifty-four (54) term hours** (approximately six full terms) of legal studies prior to the term in which the internship will begin. Grades of "Incomplete" may not be used to fulfill the fifty-four (54) hour minimum;
- 6) Be a student in "good standing" with BSL. A student on academic probation, on conduct probation, or who has overdue financial obligations to the school cannot participate in the program;
- 7) Deliver the following documents to the Assistant Dean in a single complete package:
  - a) The "Student Intern Application" form after verifying the term of the student's graduation using his or her transcript and the appropriate "master" graduation plan posted to [www.bsol.com](http://www.bsol.com) (Curriculum Tab). For questions about which grad plan to follow, send an email to the Assistant Dean for verification.
  - b) A photocopy of the Alabama State Bar issued Law Student Registration Certification card as proof of registration with the Bar as a law student (sample

- copy available on TWEN);
- c) A cover letter from the sponsoring attorney or judge, on appropriate firm or Court stationary, affirmatively stating that the sponsor agrees to support and supervise all intern activities and he/she will be professionally responsible for the student's work as an intern (sample letters available on TWEN);
  - d) The "Student Intern Certification" (the student's affidavit – samples available on TWEN);
  - e) ONLY if the student is pursuing a legal internship: the "Certificate of Supervising Attorney" (sponsor's affidavit – samples available on TWEN).
- 8) Submit ALL documents as originals with "wet" signatures except for the photocopy of the Law Student Registration Certification card. Submission packages that contain photocopies of original documents or are missing documents will be rejected and returned with no action taken to validate or implement the internship.
- 9) All application packages must be submitted during the "application window" as posted on TWEN and will be linked to a specified term (i.e., "Fall 2020", "Spring 2021", etc.). The application window will normally open or begin on the day the student portal is opened in the Blackbaud software and will close no later than the last day to add a class in the designated term. Submissions outside the submission window will be rejected and returned. PLEASE CHECK TWEN FOR SPECIFIC DATES BEFORE YOU SUBMIT ANYTHING.

### **OPTIONAL: Receiving Course Credit for Internship Work**

If a student wishes to receive course credit for the intern work, the student must complete the additional steps listed below:

- 1) Register and pay for the desired internship elective course (Law 998 or Law 999) as current BSL regulations require. There is no requirement to register for either elective class if the student is not seeking academic credit;
- 2) Perform and record a minimum of sixty (60) hours of work as a legal or judicial intern during the scheduled internship elective term (see #1 immediately above). Students may not exceed or extend the court credit portion of the internship for more than one (1) term;
- 3) Deliver to the Assistant Dean, **no earlier than the first day of final exams and no later than the last day of final exams for each term**, an original record of the legal/judicial internship work performed during the term. Students must use the BSL Internship Record Form (document posted to TWEN) to log intern time. The report must be certified by the sponsoring judge or attorney and must contain similar information as provided in the sample documents found on the Internship Programs TWEN site.

### **Additional General Information**

The following additional information is provided for further enlightenment:

- 1) Students who wish to receive the *Intern 3rd Year Practice Card* must participate in the intern program. Course credit is the optional part of the program - meeting the minimum requirements for the intern program participation is not optional.
- 2) While each student has the option to participate as a legal intern, or a judicial intern, or both, students may not receive course credit for more than one (1) type of internship.
- 3) Students are responsible for locating a sponsoring attorney or judge. The Assistant Dean may be able to assist if a student is having difficulty finding a sponsor but the availability of an appropriate sponsor is not guaranteed. Sponsoring attorneys must hold a current and valid Alabama law license and must be in good standing with the Alabama State Bar Association (not under current suspension or license revocation). Sponsoring judges must be currently acting as a judge in an appointed or elected capacity holding regular court hearings or proceedings. Former, retired, or supernumerary judges do not satisfy the program requirements.
- 4) Students may work for only one sponsor at a time. While a student may work for or in a law firm with multiple attorneys, the student's registered sponsor remains professionally responsible for all work and legal ethics. If a student wants to change sponsors, the student and the new sponsor must execute and submit new/updated affidavits.
- 5) Students may not perform the work of an intern until on or after the date specified on the BSL issued Intern 3rd Year Practice Card. The practice card identifies the student as a participant in the program and will state specific starting and ending dates of the internship. The Intern 3rd Year Practice Card will be mailed directly to the sponsoring attorney or judge, for further transfer to the student, as soon as possible after the application and processing deadlines listed above.
- 6) Interns may work for his or her current employer or a relative and may serve in a paid or unpaid capacity for the intern work. Students may not receive fees, wages, gifts, "tips" or other compensation directly from any client for any services performed as an intern on their behalf. Nonetheless, if the student is regularly employed by a law firm, he or she may continue to receive the normal wages, salary, bonuses, 401K/IRA contributions and other employment related benefits that the employer provides in the normal course of the law firm's business practices even if the original source of income to the attorney or firm comes from a client for whom the student has provided legal services.
- 7) For interns NOT seeking course credit: Although not required to log and submit a record of all intern activities, the student and sponsor may want to maintain such a record for training or review purposes.
- 8) For interns seeking course credit: All internship work must be contemporaneously recorded to the tenth (1/10<sup>th</sup>) of the hour. Recording time in large blocks such as "8:00 am - 12:00 pm - Legal Research" or in a similarly vague or void-of-detail manner is unacceptable. Lunch time, break time, travel time, or time spent conducting investigative

work may not be used toward the internship time log or intern work credit. Students must use the BSL Internship Record Form to log intern time. Student name, student number, and sponsor’s signature must be clearly visible on each page. Sample record entries may be found on TWEN.

- 9) Grading: Interns seeking course credit will receive a grade of “satisfactory” for his or her efforts if the course requirements are satisfactorily completed within the allotted time. If a student fails to complete the sixty (60) hours of intern work before the last day of final exams in the scheduled intern elective term, or if a student fails to submit the record or log of intern work within the stated deadlines, the student will receive a grade of “unsatisfactory” and **will receive no academic credit**. Students receive three (3) hours of academic credit for satisfactorily completing the internship. The credit hours for the internship will count towards requirements for graduation but the credits and grades will not be used to calculate GPAs.

Consult the Internship Programs TWEN site on Westlaw for current eligibility rules, application procedures, and instructions for obtaining a law student third-year practice card.

## **II. EMAIL PROTOCOLS**

The following are the proper channels for most student inquiries. PLEASE NOTE: Emails will be answered in the order received. Sending multiple emails, instead of waiting for a response to the original email, will result in an additional delay in response. All emails sent to Dean Garrett, unless regarding a private matter, must also be copied to bdanielson@bsol.com

Registration:	Kerri Stone	kstone@bsol.com
Financial Issues/Payments:	Deedee Bly	dbly@bsol.com
Add/Drop Classes:	Kerri Stone Dean Charles Dean Garrett	kstone@bsol.com AND vcharles@bsol.com AND sgarrett@bsol.com
Taking Additional Classes:	Kerri Stone Dean Charles Dean Garrett	kstone@bsol.com AND vcharles@bsol.com AND sgarrett@bsol.com
Payment Plans:	Deedee Bly Dean Garrett	dbly@bsol.com AND sgarrett@bsol.com
Refunds/Credits or Late Payments:	Deedee Bly Dean Garrett	dbly@bsol.com AND sgarrett@bsol.com
Honor Code Violations:	Dean Charles	vcharles@bsol.com
Graduation Applications:	Kerri Stone	kstone@bsol.com

Special Testing Accommodations:	Mila Portnoy Dean Charles	mportnoy@bsol.com AND vcharles@bsol.com
Student or Professor Complaints:	Dean Garrett Dean Charles	sgarrett@bsol.com AND vcharles@bsol.com
Blackbaud Issues:	Kerri Stone Becky Danielson	kstone@bsol.com AND bdanielson@bsol.com
Zoom Issues:	Becky Danielson Kerri Stone	bdanielson@bsol.com AND kstone@bsol.com
Legal and Judicial Internships	Mila Portnoy Dean Charles	mportnoy@bsol.com AND vcharles@bsol.com
Examsoft Issues:	Mila Portnoy	mportnoy@bsol.com
TWEN Issues:	Becky Danielson Christine Fontana	bdanielson@bsol.com AND researchprofessor2019@gmail.com
Lawyering Fundamentals Course:	Marta Young Rebecca Hyche	martayoung@barbri.com AND rhychelfc@gmail.com
Transcripts	Kerri Stone	kstone@bsol.com
Class Schedules/Graduation Plans:	Kerri Stone Dean Charles Dean Garrett	kstone@bsol.com AND vcharles@bsol.com AND sgarrett@bsol.com
Exam Deferment:	Becky Danielson Dean Charles Kerri Stone	bdanielson@bsol.com AND vcharles@bsol.com AND kstone@bsol.com AND the professor for the class in which deferment is sought
Any Matter Not Listed Above:	Kate Bishop	kbishop@bsol.com

### III. BSL HONOR CODE

**The purpose of this Honor Code is to establish principles which will govern the conduct of students at Birmingham School of Law. Honesty and integrity are essential personal and professional qualities necessary in the practice of law. Students at Birmingham School of Law are required to maintain good character and perform their work to reflect these qualities.**

**Birmingham School of Law expects all students to be law-abiding and honest citizens, to respect the rights of others, and to refrain from behavior which tends to bring disrepute upon the school's reputation in the community. Students who have committed any act or acts which adversely reflect on their honesty and ability to study or practice law and/or bring disrepute to BSL's reputation in the community will be disciplined and may forfeit their right to attend BSL.**

**YOU HAVE A CONTINUING DUTY TO DISCLOSE** any information relating to any civil or criminal actions in which a student is or was a named party as well as any professional or administrative proceedings in which a student is or was a party. No law or statute (including but not limited to Alabama's expungement law or the expungement laws from another jurisdiction), no court order or legal proceeding removing or sealing any information from any record (including but not limited to juvenile or youthful offender matters), and no court order dismissing, vacating, nolle prosequi, or setting aside of any arrest, accusation, or conviction, whether as an adult or juvenile, shall excuse a student from providing less than full disclosure for the duration of the time enrolled at BSL.

**a. STUDENT CONDUCT**

As a condition of admission and continuation, each student agrees to abide by the rules, regulations, practices, and policies of the law school as they exist at the time of admission and as they may be changed during the student's continuation. Each student agrees to abstain from any behavior or acts that may bring dishonor or bad publicity upon the legal community in general and upon Birmingham School of Law in particular.

**Any violation of this duty to be honest in all personal and professional aspects of the student's life will be considered a violation of the condition of admission and continuation and will subject the student to immediate dismissal from BSL.**

Honesty and integrity are essential qualities in the practice of law. Students at BSL are required to maintain good character and perform their work and conduct their lives to reflect honor upon themselves and this school. In conformity with the canons of legal ethics and the ideals of the legal profession, the school reserves the right to dismiss any student at any time on whatever ground the Dean deems advisable. Each student by his/her admission to the school recognizes this right. The continuance of any student on the roster of the school, the granting of course credit, or the granting of a degree rests solely within the discretionary powers of the Dean.

**b. SUBSTANCE ABUSE AND DEPENDENCY**

Substance abuse and dependency will not be tolerated at BSL. No alcohol will be allowed on school premises. If any illegal drugs are found on school premises, law enforcement will be called. BSL will give permission to any law enforcement agency to search school grounds and property including the building. Students, guests, and visitors to the BSL building have no expectation of privacy in the BSL building regarding police searches.

Any BSL student suspected of substance abuse or dependency (prescription or non-prescription drugs) may be required to undergo testing, treatment, and counseling at the student's expense as a condition of acceptance and/or continued attendance at Birmingham School of Law and must register with the Alabama State Bar Association's Alabama Lawyer Assistance Program (ALAP).

The decision to require drug testing and/or treatment as a condition of acceptance or continued attendance at BSL may be made by the Dean with or without referral to the Honor Court.

Any student who presents themselves for class in an impaired state due to alcohol or drugs (including over medicating with prescription drugs) is subject to being dismissed from class by their professor and subject to possible suspension/dismissal from BSL.

The decision to dismiss a student from BSL may be made by the Dean with or without referral to the Honor Court.

**c. ALABAMA LAWYER ASSISTANCE PROGRAM (ALAP)**

All law students are required to register with the Alabama State Bar upon beginning law school. All BSL students are subject to the Alabama State Bar's rules regarding substance abuse and dependency. If any student suspects another BSL student of having a substance abuse problem, they are required under the Honor Code to report this situation in writing per the Honor Code rules to the Assistant Dean. Anonymous reports of Honor Code violations will not be accepted nor acted upon. If any BSL student has a substance problem, they should confide this information to the Assistant Dean prior to being reported or arrested. The student may also register with the Alabama Lawyer Assistance Program (ALAP). More information about the ALAP may be obtained from the Alabama State Bar.

**d. SEXUAL HARASSMENT**

Sexual harassment runs counter to the mission and principles upon which BSL was founded. This is a center for professional studies and we expect every student, faculty, and staff member to conduct themselves in a professional manner. We believe that each student should be free to develop his or her potential without hindrance by artificial barriers.

Sexual harassment occurs when a student, professor, or staff member makes unwelcomed verbal advances, abusive and/or unwelcomed physical contacts, or repeated comments or gestures of a sexual and/or non-professional nature which creates a hostile or intimidating environment to the other members of the BSL community. It is not necessary for the behaviors or acts to actually interfere with the victim's academic or job performance to satisfy a sexual harassment violation. All claims of sexual harassment will be judged in the totality of the act(s) as to the impact to the victim or BSL community.

While we recognize that most students and professors would never consider engaging in such conduct, we wish to make it clear that BSL will not tolerate any sexual harassment of its students at any time. All students, faculty, and staff members are expected to use good judgment and avoid

even the appearance of impropriety in all of their dealings with other BSL students, faculty, and staff.

Examples of behaviors that are inappropriate include, but are not limited to, making harassing remarks or jokes; kissing, grabbing, hugging, offensive touching; and the use of threatening language or behavior in an attempt to intimidate the victim or witnesses. A single act of a mere passing event or act, such as asking someone for a social “date,” will not normally constitute a violation of the sexual harassment policy. However, repeated inquiries concerning social interaction may constitute harassment, particularly when the person asking for the social interaction knows or should know that the intended recipient does not desire the social interaction.

Students may not date professors. This prohibition applies to all situations, even if the student is not currently taking a class from the professor. Romantic involvement between students and professors creates the appearance of impropriety and undermines the confidence others have in the objectivity and fairness of the professor.

All reports of sexual harassment should be immediately made in writing to the Assistant Dean. This report should include reporting the student’s name, the name of the alleged victim, the name of the alleged perpetrator, and the names of any witnesses. After an initial investigation, a decision will be made as to whether the matter should be handled informally or referred to the Honor Court. If there are potential crimes related to the harassing acts, victims are encouraged to contact local police authorities for resolution.

**NOTE:** If a student feels they are in physical danger at any time while on BSL property, they should immediately contact the guards on the first floor of the school building and/or the Birmingham Police Department.

All sexual harassment reports shall be governed by the privacy provisions of the Honor Code. **Once a sexual harassment report has been submitted to the Assistant Dean, there is to be no discussion of accusations, reports, investigations, results, and/or sanctions with anyone other than the Assistant Dean.**

**Students who discuss any details of a reported Honor Code violation are themselves in violation of the Honor Code and subject to sanctions under Honor Code rules.**

#### e. SPECIFIC HONOR CODE VIOLATIONS

The following acts are violations under the Honor Code. The acts listed in this section are not exhaustive or all inclusive. In addition to intentional, willful violations of the Honor Code, students may violate the Honor Code by recklessly or negligently engaging in any of the following:

1. Giving, obtaining, or soliciting unauthorized assistance or using unauthorized materials in the preparation of material to be submitted or presented in a class or other activity associated with the school. If the professor does not specifically authorize students to consult outside materials to answer questions and/or prepare



written assignments, and then use those outside materials, the student violated this rule.

2. Concealing or stealing library books or other library materials, removing library books or materials from the library without proper authorization, defacing library books or materials; or unauthorized use of the library computers and/or printers.
3. Violating the “Westlaw User Agreement for Law School Students.”
4. Plagiarism, which is defined as representing, either expressly or by conduct, the work of another to be one’s own work. **If a student fails to put quotation marks and/or fail to cite the materials to the appropriate source, the student violated this rule.**
5. Copying the work of another during an examination; giving, soliciting, offering, or receiving any unauthorized assistance or information during an examination; using unauthorized materials in any way during an examination; or improperly obtaining, disseminating, or possessing an examination, assignment, answer sheet ,or similar material in advance of such time as the student is privileged to possess it.
6. Behavior by the student, or a person reporting to act on behalf of the student, which causes, or can reasonably be expected to cause, physical harm to any person.
7. Physical or verbal threats by the student, or a person reporting to act on behalf of the student, against or intimidation of any person which results in limiting his/her full access to all aspects of life at the law school.
8. Destroying, impairing, or wrongfully appropriating the real or personal property of BSL.
9. Possession and/or consumption of alcohol or illegal drugs on campus by BSL students. “On campus” includes the BSL building and BSL-owned surface parking lot.
10. Making a material misrepresentation or knowingly issuing a false oral or written statement to the BSL administration, a BSL professor, or the Alabama State Bar. This includes any representation on a class roll or roster of the presence of a student in class who is not in fact present.
11. Failing to disclose civil, criminal or professional committee actions in which a student is or was a named party while enrolled at BSL. No law or statute (including but not limited to Alabama’s expungement law or the expungement laws from another jurisdiction), no court order or legal removing or sealing any information from any record, (including but not limited to juvenile or Youthful Offender matters), and no court order dismissing, vacating, nol prose, or setting aside any arrest, accusation, or conviction, whether as an adult or juvenile, shall excuse a

student from providing less than full disclosure for the duration of the time enrolled at BSL.

12. Failing to report a known or suspected Honor Code violation.
13. Revealing or disclosing the identity of any person(s) accused or adjudicated of violating the Honor Code or any other information about an ongoing investigation or prosecution under the Honor Code to any person other than the Dean or Assistant Dean. This would include discussing any potential or actual Honor Code violations, investigations, actions, or results with anyone except the Dean or the Assistant Dean.

Students are to discuss Honor Code violations, allegations, investigations, and hearings only with the Dean or Assistant Dean. Discussing the allegation with anyone else is a violation of this rule.

14. Conduct for which one would be subject to disciplinary action under the Alabama Rules of Professional Conduct. Conduct that adversely reflects on fitness to study or practice law includes, but is not limited to, commission of offenses that expose the violator to criminal sanctions, regardless whether or not those sanctions are pursued by civil or other authorities.

**NOTE:** Negligent acts mentioned as above is defined to include acts that allow others to violate the Honor Code, without intent on one's part that a violation would occur. Students are not permitted to allow or assist other students in violating the Honor Code, either intentionally or through a careless act or failure to act. Students with direct knowledge of an Honor Code violation are required under the Honor Code to report said violation(s) to the Assistant Dean, in writing, per the instructions contained in the Honor Code.

For example: If a student in a different class section asks to review another student's assignment submission in order to compare content, format, or other purposes and, if that behavior is forbidden by the first student's professor, there is an Honor Code violation on the part of both students. The first student has violated the Honor Code for asking for the assistance, and the second student has violated the Honor Code for negligently allowing access to the paper.

#### **f. STANDARDS TO REPORT A SUSPECTED HONOR CODE VIOLATION**

A person with first-hand "factual" knowledge concerning a suspected Honor Code violation has a duty to the law school and their fellow students to report said violation(s). If this person fails to report a suspected Honor Code violation, they are subject to all penalties except expulsion. All reports of suspected Honor Code violations will be made according to the procedures set forth

below. Anonymous reports will not be accepted, investigated, or acted upon by school administrators.

No student is to speculate or guess that a violation has occurred. Proof will be required to move forward with any investigation. This proof should be visually seen or audibly heard by the student making the report. If two (2) or more students see or hear a violation of the Honor Code, they both are required to report the violation. A report of a violation by only one of the witnesses indicts the silent witness in their violation for failure to report.

All investigations will be conducted by the Administration. No information regarding any investigation or determination will be released to unauthorized individuals, including the person reporting the violation. The reporting student is bound under the Honor Code to discuss only facts with the Administration, as directed by the Assistant Dean. BSL will not tolerate students discussing Honor Code violations or investigations with any student or any others outside the Administration.

#### **g. PENALTIES**

If the accused is found to have violated the Honor Code or admits to a violation of the Honor Code, the student will be subject to the following penalties, alone or in combination:

1. Expulsion
2. Suspension for a specified or indefinite period of time.
3. No credit and a grade of "F" if the violation occurred in a course.
4. Written reprimand made part of the student's permanent record.
5. Conduct probation, including the understanding that any future indication that the student is unfit for the practice of law would result in the student's immediate dismissal. Probation may also include a loss of privileges, such as the privilege to run for or serve as an officer or member in a student organization, participate in a student event, or become a legal or judicial intern.
6. Requirement that the student send a notice pre-approved by the Dean to the Alabama State Bar's Character & Fitness Committee detailing the student's violation and character and fitness record at BSL.
7. In most cases, notation of an Honor Code violation placed on the student's transcript.
8. Withholding of diploma pending remedial measures completed to the satisfaction of the Dean.

9. Any other penalty or variation of the above penalties as deemed appropriate by the Dean.

**Following the imposition of penalties, the Dean may publish to the public any conclusions as to guilt and the penalties imposed.**

#### **h. REPORTING OF VIOLATIONS**

Any student, professor, or member of the administration, having first-hand information or proof positive indicating a probable violation of this Code has occurred, is bound by this code to report the violation by:

1. Submitting a signed written report to the Assistant Dean at the earliest reasonable opportunity, not to exceed thirty (30) days from the date of its discovery.
2. The written report shall contain the following:
  - Date, time, location, and description of the incident
  - Names of all parties involved and any other probable witnesses
  - Supporting facts
  - Alleged specific Honor Code section or rule violated. General allegations of wrongdoing will not support a charge of an Honor Code violation.
  - Date, signature, address, and phone numbers of the person(s) making the charge.
3. Any student who witnesses a violation of the Code during an exam is strongly encouraged to report the suspected violation to the professor while they are proctoring the exam. This reporting process may allow the professor to investigate the alleged violation at the time of occurrence. This verbal notice of an alleged violation should be made to the professor or proctor outside the presence of the class to maintain privacy. The student should also make an initial email report to the Assistant Dean of the event as soon thereafter as possible.

#### **i. HONOR COURT PROCEDURE GUIDE**

BSL's Honor Court is composed of a Judge Hugh Locke (JHL) Honor Society student-operated advisory board to the administration of the law school. The Honor Court shall consist of JHL Honor Society members. The President of the JHL Honor Society is charged with the responsibility

of maintaining a list of JHL Honor Society members willing to serve on either the Investigating Team and/or the Honor Court Hearing Board.

It is the responsibility of the President of the JHL Honor Society to replace any Honor Society member that is deemed by the President to be impeding the Honor Court process. The President of the JHL Honor Society may, with permission of the Assistant Dean, consult with a faculty member regarding administration and execution of his or her duties, but under no circumstances shall the substance of the accusations or identity of the accused be revealed without the written permission of the Assistant Dean.

1. For each alleged Honor Code violation, the President of JHL Honor Society shall appoint an Investigating Team within thirty (30) days of receipt of a referral from the Assistant Dean.
2. In the event of a hearing, the President of the JHL Honor Society shall appoint five (5) members to the Hearing Board within thirty (30) days after the Investigating Team concludes their work and issues their recommendations.
3. Each Hearing Board should conduct a hearing within forty-five (45) days of the date of the Hearing Board's appointment.

The procedures outlined in this guide are designed primarily to deal with a situation where a single student is accused of a violation of the Honor Code. These procedures may require adjustment to meet the particular circumstances. This may include accelerating the investigation/hearing dates. The intent of these provisions is to allow flexibility on the part of the Court consistent with the principles of fairness. However, provisions of the Honor Code are the rule and must be followed.

The rules published by this Court are meant to be as concise and manageable as possible so as not to burden the Court with tedious, time-consuming technicalities present in civil, quasi-criminal, or criminal proceedings. It is recognized that the circumstances and facts of each case may present novel, even unique, problems to the Court for resolution in various stages of the proceedings.

These rules, therefore, are intended to leave with the President of the JHL Honor Society and the Court some degree of discretion in guiding the process of the proceeding from its inception through final resolution. The principles of fair play and justice should guide the president of the JHL Honor Society during any Honor Court proceeding.

**Note: Any procedural changes must be approved by the Assistant Dean.**

Any BSL student, faculty member, or staff member may report a violation of the Honor Code to the Assistant Dean of the law school. The Assistant Dean will ensure that the information he or she is being given is first-hand information. If the information is other than first hand, the Assistant Dean will inform the reporting party that the information cannot be accepted. If the information is first hand, the Assistant Dean should then ask the reporting party to reduce the report to a signed writing that includes the information outlined in the Honor Code.

The Assistant Dean will review the allegations and make a preliminary investigation and determination whether the matter should be referred to an Honor Court investigation or handled through BSL's administrative process.

Upon receipt of a referral of a complaint to the Honor Court from the Assistant Dean, the President of the JHL Honor Society will provide the accused student with written notification of the allegation that he or she has violated the Code. Said notification will be by email to the student's email address on file with the Administrative Office, regular U.S. mail, and/or hand delivery.

At a minimum, the written notification will contain the date, time, and place of the alleged violation, sufficient circumstances to allow the alleged violator to begin preparation of a defense, and the date of the Investigation Team meeting. If the report of an alleged violation is received during a scheduled examination period, the accused student will not be notified until after the last examination the student is scheduled to take during this period.

Within thirty (30) days of receipt of notice of an Honor Code violation, the President of the JHL Honor Society shall select, without bias, three (3) students to be on the Investigation Team. The President of the JHL Honor Society shall not serve as a member of the Investigation Team. This team may be selected prior to notification to the alleged violator but will hold no hearings prior to said notification and provision of an opportunity (three (3) days at minimum) for the alleged violator to obtain counsel.

One member of the Investigating Team shall be a student with a minimum of fifty (50) credit hours who shall serve as Chairperson of the Investigating Team and, in the event a hearing by the Honor Court is recommended, he or she shall also serve as the Prosecutor of the Honor Court. The remaining two (2) members of the Investigating Team may be selected from the group of all JHL Honor Society members who have volunteered to serve on the Honor Court. Any selected individual may petition the President of the JHL Honor Society for removal from consideration for the investigating team where there is a conflict of interest.

If a hearing is to be conducted, the President of the JHL Honor Society shall serve as the Chief Justice. Each member of the Honor Court is under a duty not to discuss any information pertaining to charges that are present or which have previously been before the court with any student, including fellow Honor Court members. Members of the Investigating Team may discuss the allegations among themselves or with the President of the JHL Honor Society, but they may not discuss it with anyone else. If faculty or administration's assistance is needed by the Investigating Team, it will be requested through the President of the JHL Honor Society.

After reviewing all material evidence available to it, the Investigating Team, by a majority vote, will report its recommendations to conduct a hearing or dismiss the allegations to the President of the JHL Honor Society.

If the Investigating Team's recommendation is that a hearing not be held, this fact will be reported to the President of the JHL Honor Society, the action shall be dismissed by the President of the JHL Honor Society, and the dismissal will be reported to the Dean. Should the Investigating Team

recommend that a hearing be held, the President of the JHL Honor Society shall serve as Chief Justice.

At the beginning of each term of school, the President of the JHL Honor Society shall arrange with the Assistant Dean of the law school to ensure the availability of a listing of students currently enrolled during the term to be used by the President of the JHL Honor Society in selecting members of the Hearing Board from the student body should there not be sufficient numbers of Honor Court members available.

If a hearing is recommended, the President of the JHL Honor Society shall serve as Chief Justice and within thirty (30) days select five (5) members of the Honor Court to serve on the Hearing Board. The chairperson of the Investigating Team shall be designated as the Prosecutor of the case. The Investigating Team is not eligible for membership on the Hearing Board. Any individual has the right to petition the Chief Justice for removal from consideration for the Hearing Board where there is a definite conflict of interest. A hearing shall be scheduled within thirty (30) days of the date the Hearing Board is selected.

The Chief Justice shall notify the alleged violator of the hearing date, time, place, and specific charge by way of hand delivered or unregistered mail and/or email addressed to the student's home and/or email address on file in the Administration Office. The Chief Justice may allow additional time, for good cause, for each of the Honor Court procedures. The Chief Justice will also notify the Assistant Dean of the name of the alleged violator, the hearing date, time, place, and specific charge.

The Chief Justice is the judge of the law. The Chief Justice may consult with the Assistant Dean in regard to clarification of the Honor Code. The Chief Justice will consult with no other individuals regarding the meaning of the Honor Code.

The Hearing Board is the trier of facts and, as such, may not consult with the Chief Justice or any other member of the Court or student body at large as to the facts during their deliberation. The Hearing Board may consult the Chief Justice in the open hearing as to the particulars of the rules for the hearing and may consult the recording of the hearing as to any testimony about which they have a question.

The Honor Court hearing will be closed to all individuals with the exception of the alleged offender, his or her attorney, members of the Hearing Board, the Prosecutor, the Chief Justice, and the Assistant Dean. Witnesses will be admitted only at the time of their testimony.

The alleged violator may retain the services of an attorney to act as an advisor only. Their attorney will have no contact with the BSL administration, the Honor Court, or any witnesses to the infraction. The alleged violator will have no contact with any member of the Honor Court or any witnesses to the infraction prior to the hearing. The alleged violator must assume the responsibility for statements and questioning of witnesses during the hearing. The alleged violator may ask for a brief recess to consult with his or her attorney.

The procedural order of the hearing will be:

- a. Opening remarks of the Chief Justice, which identifies the purpose, date, and time of the hearing;
- b. Opening statements by the Prosecutor and the accused student;
- c. Direct testimony of the witnesses brought by the Prosecutor with an opportunity for cross-examination by the alleged violator;
- d. Direct testimony of the witnesses brought by the alleged violator with an opportunity for cross-examination by the Prosecutor;
- e. Closing statements by the Prosecutor and the alleged violator. Members of the Hearing board or the Chief Justice may ask questions of the witnesses.

The Chief Justice will assume responsibility for recording the hearing as well as identifying and preserving the record until transferred to the Assistant Dean. The Chief Justice may choose to record the hearing by use of a video/audio recorder or audio recorder.

**Note:** The Assistant Dean may attend and ask questions of any witness and the alleged violator if deemed necessary.

The Hearing Board shall report its findings of guilty or not guilty in a hearing open to individuals entitled to attend the original hearing. If the finding is not guilty, the hearing will be closed and the record forwarded to the Assistant Dean with a recommendation that the case be closed.

If the finding is guilty, the Hearing Board returns and begins the deliberation of sanctions to be recommended to the Dean. The sanctions must be approved by a majority of the Hearing Board. Those recommendations shall be reduced to writing and signed by all members of the Hearing Board. The Hearing Board's recommendations will not be published.

Sanctions recommended shall be limited to those set out in the BSL Honor Code. Members of the Hearing Board who dissent from these recommendations must submit a written dissent. The recommendations shall be submitted to the Assistant Dean within three (3) working days of the date of the decision. The Dean shall review recommendations and may confirm, modify, or reject the recommendations. The final decision in each case lies within the sole discretion of the Dean.

Law students are familiar with a trial-form hearing. Since this is purely an advisory proceeding, a less formal atmosphere is appropriate. The purpose of the hearing is to protect the rights of the alleged violator and to arrive at the truth.

The Chief Justice shall remind the student witnesses of their duty under the Honor Code as each witness is called before the hearing board. Witnesses who are not students of BSL are required to swear or affirm they will tell the truth, the whole truth, and nothing but the truth.

### **NOTICE**



**The Dean retains the right to punish, sanction, or dismiss any student at any time on whatever grounds the Dean deems advisable with or without the Honor Court procedure.**

Each student, by his or her admission to BSL or by the continued pursuit of a law degree at BSL recognizes this right. The presence of any student on the roster of BSL, the receipt of academic credit, the granting of a degree, etc., rest solely within the power and discretion of the Dean.

#### **IV. AVOIDING PLAGIARISM**

Plagiarism is a serious offense that can lead to dismissal from law school. **Most students who face the Honor Court are there because of allegations of plagiarism.** Therefore, all students should be vigilant in their efforts to avoid plagiarizing any material. There are a number of websites dedicated to assisting students in this endeavor. One particularly useful site is [www.plagiarism.org](http://www.plagiarism.org). The following is excerpted from Plagiarism.org:

##### **What is Plagiarism?**

Many people think of plagiarism as copying another's work, or borrowing someone else's original ideas. But terms like "copying" and "borrowing" can disguise the seriousness of the offense:

According to the Merriam-Webster dictionary, to "plagiarize" means:

- to steal and pass off (the ideas or words of another) as one's own;
- to use (another's production) without crediting the source;
- to commit literary theft;
- to present as new and original an idea or product derived from an existing source.

In other words, plagiarism is an act of fraud. It involves both stealing someone else's work and lying about it afterward. All of the following are considered plagiarism:

- turning in someone else's work as your own;
- copying words or ideas from someone else without giving credit;
- failing to put a quotation in quotation marks;
- giving incorrect information about the source of a quotation;

- changing words but copying the sentence structure of a source without giving credit;
- copying so many words or ideas from a source that it makes up the majority of your work and making the document or paper indistinguishable. In this instance, it is immaterial whether or not you give credit to the original author – you have “stolen” so much of the original author’s work that you are no longer publishing your own thoughts or ideas.

Plagiarism.org, *What is Plagiarism?* <https://www.plagiarism.org/article/what-is-plagiarism> (last visited April 8, 2021).

### **Why should I cite sources?**

Giving credit to the original author by citing sources is the only way to use other people’s work without plagiarizing.

### **When do I need to cite?**

Whenever you borrow words or ideas, you need to acknowledge their source. The following situations almost always require citation:

- = whenever you use quotes
- = whenever you paraphrase
- = whenever you make specific reference to work of another
- = whenever someone else’s work has been critical in developing your own ideas

Plagiarism.org, *What is Citation?* <https://www.plagiarism.org/article/what-is-citation> (last visited April 8, 2021).