

Birmingham School *of* Law

Catalog & Student Handbook

School Year 2020-2021



Weekday Evening & Saturday Classes

In Continuous Service Since 1915

Graduates of Birmingham School *of* Law (BSL) are granted permission under the Alabama Code at §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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Birmingham, Alabama 35233

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Fax: (205) 322-2822
<http://www.bsol.com>

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U.S. Department of Veterans Affairs Certification

“I certify that this catalog (or bulletin) is true and correct in content and policy as required by 38 CFR 21.4254(b).”

S. Scott Garrett

Dean & VA Certifying Official

Birmingham School *of* Law

Catalog & Student Handbook

School Year 2020-2021



NOTICE OF ACCOUNTABILITY

This is your 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. You are deemed to have full knowledge and understanding of all information contained in this document, and succeeding versions of this document, from your initial enrollment through graduation. You will be held accountable for compliance with all policies and regulations contained herein.

S. Scott Garrett, Dean
October 26, 2020

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 & 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 between BSL and students, faculty and/or employees of the law school, if any, are contained in separate student enrollment & 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 your acceptance of admission and enrollment to the law school you acknowledge and consent to this authority and reservation of rights. Your continued enrollment, the receipt of academic credit, the granting of a degree, and certification to the Alabama State Bar Association (Bar) that you have the requisite training and character to sit for the Alabama State Bar attorney licensing examination rests solely within the power and discretion of the Dean of Birmingham School of Law.

By your acceptance of admission and enrollment in Birmingham School of Law, you acknowledge that Birmingham School of Law is not accredited by the American Bar Association (ABA), and that you have reviewed the ABA's website on the accreditation of law schools:

(http://www.americanbar.org/groups/legal_education/resources/accreditation.html).

By your acceptance of admission and enrollment in Birmingham School of Law, you also acknowledge and agree to accept all official communications and/or financial statements transmitted by BSL to your email address on file with the Office of Administration at BSL and waive any rights to receive communications 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 Association (ASB) to sit for the Alabama State Bar attorney licensing examination. The ASB's Character & 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 & Fitness Committee to sit for the bar exam. We advise applicants with these background issues to schedule a meeting with the Associate Dean to discuss the details of these topics prior to filing an application to attend BSL. **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 Bar Association's website for more information regarding admission rules and standards (www.alabar.org).

BSL MISSION STATEMENT

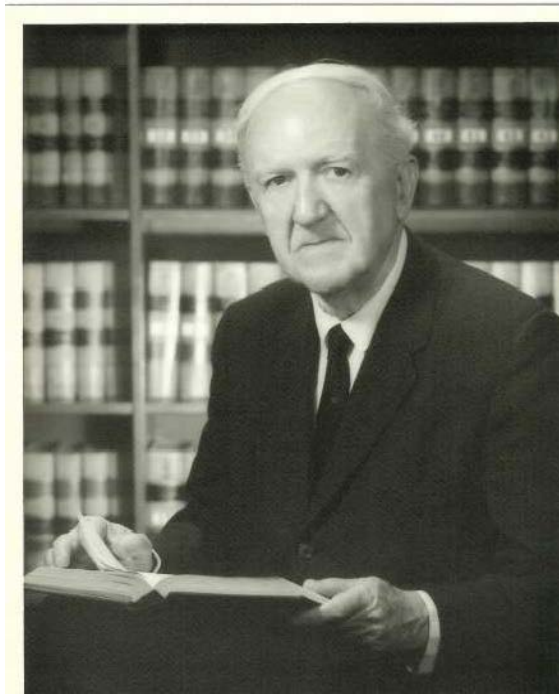
Our mission is to offer individuals an opportunity for a high quality, affordable legal education and to prepare them to sit for the Alabama State Bar attorney licensing examination. Through self-discipline and dedication, BSL students learn the law from an outstanding faculty of practicing attorneys 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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Birmingham School *of* Law History



Judge Hugh A. Locke
Founder

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, 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 1930's, the school moved its classes to the Jefferson County Courthouse and remained there 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 on Birmingham's south side area. This was a milestone moment for BSL, as this was the first location wholly owned, managed, and operated by the law school.

Graduates of the Birmingham School of Law have achieved recognition as judges, Alabama Bar officials, revisionists of the rules of practice, district attorneys, and respected attorneys. 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
Kerri Stone
Deedee Bly
Jackie Hail
Becky Danielson

Dean
Registrar
Financial Manager
Special Accommodations Coordinator
Executive Assistant to Dean

FULL TIME FACULTY

S. SCOTT GARRETT, Dean

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ADJUNCT FACULTY

DESIREE ALEXANDER

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M.A., Birmingham Southern College

J.D., Birmingham School of Law

Sole Practitioner

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J.D., Univ. of Alabama Sch. of Law

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J.D., Harvard Law School

RLB Sports Management

Equitable Remedies, Torts, Legal Methods & Process

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Cleveland and Cleveland, P.C.

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JOHN J. COLEMAN, III

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J.D., Birmingham School of Law

Sole Practitioner

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J.D., Birmingham School of Law

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Legal Research & Writing

ROBERT WOLFE
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J.D., Birmingham School of Law
Sole Practitioner
Constitutional Law, Legal Research & Writing

GENERAL INFORMATION

I. CONTACTING THE SCHOOL

Our telephone number is: (205) 322-6122

Our FAX number is: (205) 322-2822

Our website URL: www.bsol.com

Our physical location and mailing address is: 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 your account and payments to your account:

Financial Manager - Deedee Bly dbly@bsol.com

B. Student Record including applications, registration documents and grades/transcripts

Registrar - Kerri Stone kstone@bsol.com

C. Receptionist including clerical matters involving applications, tuition payment and book store

Receptionist & Executive Assistant - Jackie Hail jhail@bsol.com

III. HOURS OF OPERATION

The Administrative Office and bookstore are open for most business transactions Monday-Friday between the hours of 9:00am and 6:00 pm and Saturdays between the hours of 9:00 am and 12:00 pm (Noon), except for national holidays and semester break periods. Specific closing periods are posted on the school's website (www.bsol.com) under the *Current Students/Academic Calendar* tabs.

Classrooms & Library. Access to classrooms and the Law Library is available from 9:00 am - 8:45 pm Monday through Friday and 8:30 am - 6:30 pm Saturdays when classes are in session. The schedule for building access during holidays and exams will be posted on the school's website and conspicuously throughout the building. The library is normally closed on Sundays.

IV. CAMPUS FACILITIES

BSL is located in a three-story building on Birmingham's south side 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, 10 classrooms, law library, three

conference rooms, Student Commons (lounge), a 55-seat mock trial practice courtroom, and a 114-seat theater with tiered seating. Total seating capacity of all classrooms exceeds 680 persons.

The 56,000 square foot building is ADA compliant and energy efficient using multiple computer programs and sensors to control temperature and lighting throughout the day. All classrooms are wired for PowerPoint or other computer-generated presentations and have complete WiFi coverage. Please see the BSL website (www.bsol.com) for current photos of the school's classrooms and other facilities.

V. ADMISSION REQUIREMENTS/LIMITATIONS OF FOREIGN DEGREES

- A. You must have earned and received a *baccalaureate* degree from a college or university accredited by a U.S. accrediting agency **PRIOR** to commencing law school classes. You may apply before completing all degree requirements but you must have received the degree before attending any law school classes. This is a hard requirement by the Alabama State Supreme Court/Alabama State Bar and may not be waived by BSL. College and university accreditation agencies may be researched at the U.S. Department of Education's website (www.ed.gov).
- B. You must complete and submit the BSL online application form, your Personal Statement, and, if desired, no more than two letters of recommendation, by the deadline published for the year and semester of desired entry. The application form, instructions, and applicable deadlines may be found at www.bsol.com. Hard copy paper documents, such as your Personal Statement or application amendments may be emailed to kstone@bsol.com or faxed to 205 322-2822 or mailed to our street address marked Attention: Registrar. Your application is continuing in nature. If any information regarding your application changes, you must update your application, even after admission to BSL, within 10 days of the change of circumstances.
- C. You must pay the currently listed non-refundable application fee by the stated deadline.
- D. You must submit official transcripts from ALL colleges and universities you have attended, including undergraduate, junior college, graduate schools or prior law schools regardless if you did or did not receive a degree. Official transcripts may be submitted through the Law School Admission Council's (LSAC) Credential Assembly Service (CAS) or individually from each college or university directly to the BSL Registrar at the mailing address listed in Section I above. Unofficial or personal photocopied transcripts are not acceptable. More information about LSAC, CAS, and required fees may be found at www.lsac.org.
- E. Most applicants are not required to take the Law School Admission Test (LSAT). However, we strongly urge applicants less than 24 years of age or those with an undergraduate GPA of less than 2.75 (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 Association (ASB or "Bar") or

approval to sit for the ASB's 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 Associate Dean to discuss the details of these matters. Please see the ASB's website (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 120-140 semester 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 Law School Admissions Council ("LSAC") or World Education Services ("WES")), *Associate's Degrees* (with only two 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 Associate 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 Birmingham School of Law. You must have the appropriate student visa or some other permanent residency status before applying to BSL. Please contact a suitable immigration attorney if you have additional questions about residency requirements.

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

Student Registration. BSL students who wish to become attorneys **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 (www.alabar.org) and must be accompanied by the required fee (as set by the Alabama Bar) and the BSL issued "***Dean's Certificate***" specifically corresponding to your 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 Association. This official transcript must indicate the date of graduation and degree awarded. Do not send the Bar an unofficial or student copy.

If you miss the initial sixty (60) day filing deadline before registering with the Alabama Bar Association, then students are subject to sanctions and increased filing fees. Further, if the registration form is filed more than 390 days after commencing law school classes, students must demonstrate to the Bar's Committee on Character and Fitness **reasonable cause** for having failed to meet the stated deadline. The student should also expect to appear in-person before the committee in Montgomery,

Alabama to explain the failure to comply with the stated deadline.

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 stopping by the administrative office. Replacement of the "Dean's Certificate" must be requested from the Registrar. We advise all students to send this packet of information to the Alabama State Bar Association with sufficient time to meet the 60 day deadline and by certified mail. If you need to add or supplement information, please do so as expeditiously as possible.

Bar Examination Application. BSL graduates seeking admission to the Alabama State Bar are required to pass the Alabama State Bar attorney licensing examination. The examination is administered by the Alabama State Bar twice per year (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 principles of law as well as the Federal Rules of Civil Procedure.

Application forms to sit for the Alabama State Bar attorney licensing examination must be made on-line via the Alabama State Bar's website (www.alabar.org). Bar exam applications must be filed during the 30 day "window" 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 deadline. Applications can be supplemented after the application date closes, but the Bar limits the time and types of supplements they will accept. Questions concerning your application to sit for the bar exam should be directed to the Alabama State Bar at 1-800-325-5628.

Applications to take the February bar exam must be received by the Alabama Bar Association between the dates of September 1st and October 1st preceding the exam. Applications to take the July bar exam must be received between the dates of January 1st and February 1st preceding the exam.

In addition to the Alabama State Bar examination, each applicant for admission to the Bar must successfully pass the Multi-state Professional Responsibility Examination (MPRE - the "ethics" exam) independently of the bar examination. This exam 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. Students should sit for the MPRE exam about six months prior to the selected bar exam and may do so prior to graduating from law school.

PLEASE NOTE: The application for admission to the Alabama State Bar is completely separate and different from the Law Student Registration requirements and online submission discussed above. You should retain copies of all documents, forms and correspondence submitted to the Bar for any purpose including supplemental information sent at a later time. You may need to refer to your registration/application information at a later date.

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 attorney licensing examination pursuant to Alabama state law as governed by rules established by the Alabama State Supreme Court. See the Code of Alabama (Ala. Code § 34-3-2.1 (1975)) and Rule IV, Rules Governing Admission to the Alabama State Bar, for additional information and details.

Upon passing the bar exam, BSL graduates are admitted to the Alabama State Bar and may practice law without restriction before any state or 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 Federal trial courts (Northern, Middle and Southern District Courts of Alabama) and to the Federal Appellate courts (United States Eleventh Circuit Court of Appeals and the United States Supreme Courts). BSL graduates who are admitted to one of the federal districts are also eligible to be admitted to other federal courts (US Bankruptcy, US Immigration and US 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 admissions requirements of other states is available at www.bsol.com.

IX. TUITION, FEES & EXPENSES

Tuition and fees information can be found on our website at <https://bsol.com/admissions/tuition-fees-2/>.

**** Please Note:** The U.S. Department of Veterans Affairs (VA) will not pay or reimburse veterans for independent study courses. This is a VA policy and is not subject to waiver by BSL. If you are a VA student and wish to register for an IDS course you must pay the IDS course fee from your own funds.

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 your current/outstanding federally insured student loans because 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. Please contact your 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 Associate Dean and provide detailed information about your loan, including the name of the lending institution or loan servicing company (if different), the name of the contact person/department, your 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 your student files. **PLEASE NOTE:** We cannot certify enrollments for law school applicants until you are admitted to the law school and you have 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 type 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 clearing house management system. If you have questions about your loan or loan documents, please contact your 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 your last day of the practice of law. 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 for specific dates). If you do not pay your tuition/fees by the payment deadline, you will be charged a late fee of \$200.00. You may not register for future academic semesters, receive grades or transcripts, participate in graduation ceremonies, or receive your diploma or the Dean's Certificate (both are required to complete your application to sit for the bar exam) until all past due amounts are paid in full.

Tuition Payment Plans

Please refer to the school's website for the current tuition and student fee schedule. Two payment plans are offered:

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

The privilege of making installment payments will be revoked if you fail to make timely payments in accordance with the installment agreement. Students with outstanding balances 15 days after the final payment due date each semester may take final exams, but will not receive transcripts, may not register for classes in subsequent semesters, 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 (graduation certification).

Penalties for Untimely Payments or Non-Payments under BSL Installment Plan

Students will be charged a late payment fee of \$25.00 for missing the first installment payment deadline and \$35.00 for missing the second or subsequent late 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 (5th) day of the month following the second installment payment deadline. If at any time any installment account becomes 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 be denied permission to register for a future semester, for non-payment or untimely payments, of the BSL installment tuition payment plan or any modified installment plan approved in writing by the Associate 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 other reason, **a returned check charge of \$50.00 will be added** to the student's account. If a student's check is returned for non-payment a total of two 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 semester.

Credit Card Policies

Books, merchandise sales, or account payments may be made by credit card (Visa, MasterCard, Discover or American Express only). To make a credit card purchase or account payment via credit card, one of the following procedures must be followed: (1) The named card holder and the valid credit card must be physically present in the administrative office for "swiping" and comparison of the authorized signature, or (2) 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 by telephone, FAX or mail will have a three dollar (\$3.00) convenience fee added to the amount.

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 school's untimely payments or non-payments policies discussed above, and penalty fees will be applied to your account. Non-payment may also result in denial of permission to register for a future semester at BSL (e.g., a denied or returned credit charge could result in the denial of the student's enrollment for the upcoming semester, etc.). 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. section 3676, which provides that Veterans Administration (VA) educational benefits can no longer be used to fund veterans' education at non-ABA accredited law schools. Beginning with the Fall 2017 term, therefore, no incoming student will be able to use his or her VA educational benefits to attend classes at BSL. Those veterans who are already enrolled and who *without interruption* and without exception continue to matriculate through the BSL program will be allowed to use their available VA benefits to complete the program. The administration is actively seeking a waiver to this provision of 28 U.S.C. section 3676 and will keep the VA students posted on its progress. For those students who remain eligible to use their VA benefits, the provisions of the Handbook and Catalog below remain in effect.

Prior Training Credits. Veterans may receive credits for prior training only if the training received was a bonafide law school course taught at a U.S. law school (Alabama State Bar requirement). Paralegal or legal assistant courses taught at various JAG training facilities DO NOT meet this requirement. Contact the Associate Dean if you have questions concerning potential prior training credits.

The Lawyering Fundamentals Course (LFC) is not approved for VA funding or reimbursement. You must pay for this required course out-of-pocket from your personal funds.

VA students may not schedule correspondence, independent study, or online courses. This is a VA policy limitation and is not subject to waiver by BSL. See 38 CFR 21.4254 *et. al.* for details.

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

VA Complaint Policy. Any complaint against BSL should be routed through the VA GI Bill Feedback System by going to the following link: <http://www.benefits.va.gov/GIBILL/Feedback.asp>. The VA will then follow up through the appropriate channels to investigate the complaint and resolve it satisfactorily.

XIII. PARKING

Parking is available on a semester-by-semester basis in the BSL owned surface lot located on Third Ave South between 22nd Street South and Richard Arrington Boulevard (21st Street South) or at the City of Birmingham's Parking Deck at the corner of Richard Arrington Boulevard (21st Street South) and Third Ave South. Access to the parking lot is via a color-coded mirror hang tag. Access to the parking deck is via an electronic pass card (issued to you by BSL when you choose this parking option). Parking application forms and electronically coded access cards are available in the school's administrative offices.

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 you do not leave anything of value in plain view in your vehicle while parked in either lot. Check with the Administration Office for current parking rates.

XIV. SCHOLARSHIPS 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 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, and 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 (see your incoming email for change notifications). All scholarships will be paid via a credit to the student's financial account. The law school currently offers the following:

The Judge Leigh M. Clark Memorial Scholarship is an annual award honoring the memory of Judge Leigh M. Clark, an outstanding jurist and professor of Torts for fifty years at the Birmingham School of Law. The scholarship consists of the payment of tuition, fees and books for two semesters (maximum of three courses). Selection is made by review of applications and the criteria for selection include the student's academic record at BSL and financial need.

The Law Enforcement Endowment is a scholarship available to law enforcement personnel enrolled on a full-time basis. [Full-time basis means completing a minimum of 4 courses per semester.] The scholarship pays tuition and fees for three subsequent semesters, beginning in summer. Selection is made by review of applications. The criteria for selection include the student's academic record at BSL and financial need.

The Hugh A. Locke, Jr., Constitutional Law Scholarship is a scholarship award honoring Hugh A. Locke, Jr.'s service to the Birmingham School of Law as Dean and professor of Constitutional Law for 24 years. The scholarship is presented to the student with the highest grades in Constitutional Law I and II in the preceding two semesters and overall highest GPA. Scholarship: \$1500 credit to student account.

Family Law Award is an annual award given by the Family Law Section of Alabama Bar Association and presented to the student with the highest grade in the Domestic Relations course and overall highest GPA. Scholarship: \$500 credit to student account.

Service to Women Award is an annual award presented by the Women's Section of the Birmingham Bar Association in recognition of the student who has unselfishly given time and energies in the service or promotion of women, either prior to and/or while attending law school. This is a cash award in the amount of \$500. Selection is made by review of applications or nominations.

BSL's Minority Scholarship is an annual award of \$500 credited to the minority student's account to be used toward tuition, fees and books. Selection is made by review of applications. The criteria for selection include the student's academic record at BSL and financial need.

Alabama Association of Circuit Judges Scholarship is an annual award that honors the memory of deceased Alabama circuit judges for their dedicated service. The selection is made by the Scholarship Fund Committee's review of applications. The criteria for selection include the student's academic record and financial need. Applicants must submit an application, current transcript and letters of recommendation. Deadline to apply: normally June 1st of each year but is subject to change (Check the current application form for the correct deadline date as it varies slightly each year).

Magic City Bar Association's scholarships are available only to minority (African/American) law students. Check the Magic City Bar's website for information and details. Applications for this scholarship is not date specific but is usually announced in the early fall and the scholarship is normally awarded in October.

NOTICE

1) All scholarships funds are to be 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.** Any new or one-time scholarships not listed here will be announced on the BSL website in the "News" section and posted on the classroom bulletin boards.

Student Recognition and Awards:

The **Valedictorian** [#1], **Salutatorian** [#2], and **Summa Cum Laude** [#3] are selected and notified prior to graduation according to their rank in the group of Honor Graduates (August, December & May combined graduating classes). Only the Valedictorian and Salutatorian from the combined senior graduating classes will be asked to speak at the May 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 Associate Dean will address any questions regarding the graduation speaker(s).

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 calendar years (48 months or less).

The **Birmingham School of Law Property Award** honors the BSL graduate with the most outstanding academic record in Real Property I and II.

Exceptional Students:

Dean's List Scholars: Students who have accumulated a minimum of ten (10) semester hours of credit and whose academic record indicates a grade point average (GPA) of **3.75** or better at the conclusion of each semester will be recognized by the law school as a Dean's List Scholar.

Honor Students: Students who have accumulated a minimum of ten (10) semester hours of credit and whose academic record indicates a GPA of **3.5 - 3.74** at the conclusion of each semester will be recognized by the law school as an Honor Student.

Class Rank: Class rankings are not computed or published on an ongoing basis. We compute class rankings, once a year, only for the graduating class, at the time of graduation. This information will be noted on the final transcript.

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 semesters and accumulated a minimum of 15 semester hours of course credit at BSL and have attained a minimum 3.0 grade point average (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 during commencement exercises. More information can be found on the JHL Honor Society TWEN site (Westlaw).

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

The **Black Law Students Association [BLSA]** is a national chapter of the National Black Law Students Association. This organization is open to all students without regard to religious affiliation, hours completed or GPA. The mission of this association is to articulate, promote, and discuss issues of concern

of law students and to facilitate interaction among our members, African-American alumni of BSL and the legal community in Alabama. Members may wear purple-striped cords during commencement exercises.

Delta Theta Pi [DTP] is a law fraternity/service organization. This organization is open to all students without regard to religious affiliation, hours completed or GPA. See the DTP TWEN site for more information. Members may wear red cords during commencement exercises.

Mock Trial Competition:

During the spring semester, BSL students compete in regional mock trial competitions sponsored by AAJ [American Association for Justice]. 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, John Marshall, etc. Notices will be posted during the fall semester each year for tryouts. Members of the Mock Trial Team may earn elective course credits for participation. For more information, email the Associate Dean.

[Mock trial members must have a minimum 2.5 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 ACCOMMODATIONS

Students with a medically **diagnosed and defined disabilities** desiring accommodations at BSL must fill out a request for accommodations form found on our website. The request should be made as soon as possible after the start of your **FIRST** semester of law school or as soon as the disability has been diagnosed/defined by a competent physician. In support of the application for disability accommodation, the attending physician must submit a written report of the physical or education/learning disability. Particularly for learning disability type accommodation requests, the report should address the severity of the disability (including diagnostic testing results such as the WAIS-IV, Woodcock-Johnson, or 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, Associate Dean, the student's professors, and, to the extent required, administrative office personnel.

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

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 32 academic courses including the Lawyering Fundamentals Course (26 required, 6 electives) in order to earn sufficient credits for graduation and the award of the Juris Doctorate (J.D.) degree.

A. ACADEMIC WARNING STATUS

Beginning with the onset of the Spring 2018 term, any student with a GPA of 2.25 or below will be classified under “Academic Warning” status. If at the conclusion of the second term following placement on Academic Warning status (in the initial instance, the Summer 2018 term), the student has not achieved a GPA of 2.25 or above, that student may not be allowed to register for the following term. The minimum GPA required to earn a BSL diploma and certification to sit for the bar exam is 2.0.

B. MBE SUBJECT CLASS PASSAGE REQUIREMENT

Beginning with the Fall 2017 term, the minimal passing grade in classes covering subject matter contained on the Multi-State Bar Exam (MBE)¹, Legal Research & Writing I and II, and Advanced Legal Writing is “C-”. Students who earn a D in such a course 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.

Weekday Classes. BSL weekday classes meet one time per week, Monday through Friday, from **6:00 P.M. to 8:45 P.M.** for **14 weeks**. Students must schedule and attend a minimum of three classes per week.

Saturday Program. The BSL Saturday Program classes meet on Saturdays, in one of four separate class periods, from **9:00A.M. to 11:45 P.M., 12:30 P.M. to 3:15 P.M., 3:30 p.m. to 6:15 P.M., and 6:30 P.M. to 9:15 P.M.** for **14 week semesters**. Students are required to schedule and attend a minimum of three classes each Saturday.

All classes, except judicial or legal internships (externship) and participation in the mock trial competition program, require regular in-class attendance at one week intervals throughout the semester. Students must attend a minimum of eleven (11) 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 allowed. The Independent Study (IDS) method of course completion is available *only* for elective courses and is specifically not authorized for required courses.

II. COURSE COMPLETION VS. CREDIT HOUR REQUIREMENTS

BSL administrators, faculty and students must comply with current Alabama law at §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

¹Including Criminal Law, Torts I and II, Civil Procedure I and II, Criminal Procedure I and II, Evidence I and II, Constitutional Law I and II, Real Property I and II, and Contracts I and II.

in every subject tested on the Alabama attorney licensing examination (bar exam) in order to graduate. Simultaneously, the Alabama State Supreme Court requires each BSL graduate accumulate a minimum of 80 semester 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 the state code, BSL graduates will accumulate approximately 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 sequence to efficiently schedule these courses (the "graduation plan"). Students who follow the graduation plan of three 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 semester, and approximately seven (7) 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 3.4 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 3.0 will not be allowed to take more than three (3) courses in a given term. More specifically, students with a GPA lower than 3.0 will not be allowed to take more than three (3) *required* courses in a given term. Requests to exceed the allowed number of classes will be considered by the Dean and Associate 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 requests include, but are not limited to, whether the requested additional class is an elective, the student's number of hours completed, the student's familial and employment obligations, the student's travel time to and from campus, and GPA relative to 3.0. 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 Associate Dean, all students must schedule a minimum of three (3) course per term. After completing the first term of law school, students may schedule a fourth class each term as long as their cumulative grade point average (GPA) is at least 3.00 (4.00

scale). Exceptional students with a cumulative GPA of 3.40 or better may schedule a fifth class each term if they wish. Those who qualify to schedule a fourth class at least six times may possibly graduate two terms earlier than their contemporaries (8 terms to graduation vs. the standard 10 terms). 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 semester (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 or more classes in any given semester should consult with the Associate Dean for advice regarding their expectations vs. actual goals achievable. **In almost all situations, the recommended action to accelerate your 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 semester, whereas suitable electives may be available nearly every semester.**

Students will not be permitted to take core or elective classes without having had 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 4th period class at 6:15 pm due to no available 2nd or 3rd period classes on the schedule.

Classes at BSL meet year round. Students are required to attend classes during all three semesters 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 and Summer semesters, and the Summer and Fall semesters. A long break (approximately 3 weeks) is the norm for the break between the Fall and Spring semesters. We recommend you 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 semester must complete twenty-seven (26) required core courses (including the Lawyering Fundamentals Course) and six (6) elective courses for a total of thirty-two (32) course credits for graduation. **NOTE:** Students who started law school prior to fall 2015 are not required to take the Lawyering Fundamentals Class (Law 500S) or the Advanced Writing course (Law 530) and will complete 33 courses for graduation (25 required and 8 electives).

IV. DESCRIPTION OF REQUIRED COURSES [Three (3) hours of academic credit unless noted otherwise]

All courses at BSL award three (3) semester 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 three research & writing courses (Law 521, 522, & 530) and the Lawyering Fundamentals Course (Law 530). However, while not specifically tested as a subject matter topic on the bar exam, students are expected to demonstrate good 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, independent study (IDS), and online/distant learning methods of course completion are not authorized for BSL required courses.

ADVANCED WRITING CLASS (Law 530): [Prerequisite: Legal Research & Writing I and II]

This course is designed to teach the skills needed to approach, analyze, and write effective answers to law school essay examinations and the written portion of the attorney licensing examination.

AGENCY & PARTNERSHIP (Law 630):

A study of the agency relationship where one person acts for or represents another by authority, either in the relationship of principal and agent, master and servant, or employer and employee; and the partnership relationship where two or more persons agree to carry on, as co-owners, a business for profit.

CRIMINAL LAW (Law 540):

A study of violations of the duties owed to the community. Scope: characteristics and purposes of criminal law; classifications of crimes; burden of proof; defenses to criminal acts; criminal responsibility.

CRIMINAL PROCEDURE I & II (Law 601 & 602): [Prerequisite: Criminal Law. These courses should be taken simultaneously with Evidence I and II]

A study of the procedural steps involved in a criminal case. Examination of the criminal justice system; right to counsel; 6th Amendment; due process; 4th Amendment; search and seizure; exclusionary rule; probable cause; 5th Amendment; privilege against self-incrimination; police interrogation.

CONTRACTS I & II (Law 721 & 722):

A study of contract law; formation of contracts; offer; acceptance; consideration; discharge of contractual duties; grounds of enforcing promises; breach of contract; rights and duties of parties and non-parties.

CIVIL PROCEDURE I & II (Law 511 & 512):

A study of the procedures followed in a civil case. The right to sue; proper jurisdiction and venue; motions; counterclaims; interrogatories; discovery procedures; defaults; jury trials; final judgments; etc.

COMMERCIAL LAW (Law 711):

A study of the principles and rules contained in the **Uniform Commercial Code**; Article 2 dealing with transactions in goods, or contracts for the sale of goods; and Article 9 dealing with transactions founded on a security interest or agreement.

CONFLICT OF LAWS (Law 740): [Prerequisites: Civil Procedure I and II]

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 can suit be brought; what law should be applied; the effect of a judgment on suits in other jurisdictions.

CONSTITUTIONAL LAW I & II (Law 621 & 622):

The Constitutional law of the United States which deals with the organization, powers, functions of government, and the fundamental principles which are to regulate the relations of government and citizens. Nature and scope of judicial review; legislative power; distribution and separation of powers; protection of individual rights and freedoms; equal protection; state action; civil rights; limitations on judicial power and review. This course should be taken simultaneously with Criminal Procedure I/Evidence I and Criminal Procedure II/Evidence II.

CORPORATIONS (Law 550):

The study of law and procedures involved in the formation of corporations; the Alabama Business Corporation Act, an overview of State and Federal securities regulation, Alabama Limited Liability Company Act and a detailed analyses of duties, obligations, powers and rights of corporations, directors, shareholders and officers.

DOMESTIC RELATIONS (Law 820): [Prerequisite: Civil Procedure I and II]

The study of the legal aspects of the marital and family relationship. Formalities of marriage; common law marriage; impediments to marriage; marital breakdown; grounds of divorce; annulment; separation; economic consequences of marital dissolution; parent-child relationship upon dissolution.

EVIDENCE I & II (Law 611 & 612): [Prerequisite: None; but these courses should be taken simultaneously with Criminal Procedure I and II]

The rules governing the admission of evidence during trial; relevancy; authentication; hearsay; privileges; presumptions and burdens of proof; federal rules of evidence.

LAWYERING FUNDAMENTALS CLASS (Law 500S):

Two (2) semester credit hours. This is a first year, first semester two credit hour course designed to introduce 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 & exam study, and legal memo writing. This course is **required for all new students entering Birmingham School of Law** in fall 2015 or later. Upper level students may take this course as an elective with permission of the Associate Dean or Dean. First year (1L) students will receive a grade of Satisfactory/Unsatisfactory upon completion. Upper level students will receive a traditional grade of A-F for this course.

NOTE: this course IS NOT approved for VA funding or reimbursement.

LEGAL ETHICS (Law 560):

A study of the professional duties attorneys owe to their clients, members of the Bench and to the Bar. Emphasis on the “Code of Professional Responsibility” and the “Rules of Professional Conduct” of the American Bar Association.

LEGAL METHODS & PROCESS (Law 910)

A study in the analytical methods and legal processes used in the study of law.

LEGAL RESEARCH & WRITING I & II (Law 521 & 522):

This presents the basics of legal research skills and writing. *Legal R&W I*: concentrates on the study of legal research methods, blue book citation exercises and preparation of legal memos and memoranda. *Legal R&W II*: concentrates on the preparation of an appellate brief and oral argument.

REAL PROPERTY I & II (Law 701 & 702):

A study of the law of real property. History and basic concepts; estates in land; landlord and tenant law; easements; covenants; governmental control on land use; conveyances; title and recording systems.

TORTS I & II (Law 501 & 502):

A study of private legal wrongs for which the law provides a remedy. Intentional torts against the person; intentional interference with property; defenses to intentional torts; negligent torts; defenses to negligence actions; causation; duty; damages; vicarious liability; strict liability; products liability; nuisance; misrepresentation; defamation.

TRUSTS & ESTATES (Law 810):

The law dealing with the passing of a decedent's property at his or her death to survivors. Intestate succession; execution and revocation of wills; limitations on testamentary power, will substitutes, probate and contest of wills; administration and distribution of estates. The course concludes with 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 and constructive trusts; powers and duties of the trustee; alteration or termination of the trusts; remedies of beneficiaries.

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 [Three (3) hours of academic credit unless

noted otherwise] Students must complete a minimum of seven (7) elective courses.

ALABAMA EVIDENCE (Law 901): [Prerequisite: Evidence I & II]

In depth review of rules of evidence with specific attention to the evidence rules specific to Alabama.

ALABAMA SHOPLIFTING LAWS (Law 902): [Prerequisite: Criminal Law and Criminal Procedure]

In depth review of shoplifting laws in Alabama.

ALABAMA LAW OF DAMAGES (Law 903): [Prerequisite: Torts I & II]

In depth review of the proof of damages available in Alabama.

ALABAMA CRIMINAL PRACTICE (Law 904): [Prerequisite: Criminal Law and Criminal Procedure]

In depth review of practice of criminal law in state courts.

ALABAMA FAMILY PRACTICE (Law 905): [Prerequisite: Criminal Law and Criminal Procedure]

In depth review of practice in the family courts of Alabama.

ADVANCED ALABAMA CIVIL PROCEDURE PRACTICE (Law 906): [Prerequisite: Civil Procedure I & II]

In depth review of civil procedure practice in Alabama.

ADMIRALTY LAW (Law 907): [Prerequisite: None]

Study of admiralty law in application to torts that occur on navigable waterways.

ADMINISTRATIVE LAW (Law 908): [Prerequisite: Research & Writing I]

A study of the procedural requirements of administrative agencies and how they affect private interest through their rule making, investigation, prosecution and adjudication processes.

ADVANCED EVIDENCE (Law 909): [Prerequisites: Evidence I and II]

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

ALTERNATIVE DISPUTE RESOLUTION (Law 910): [Prerequisite: None]

In-depth review of alternative dispute resolution processes and practice.

APPELLATE PRACTICE (Law 911): [Prerequisite: Civil Procedure I & II and Criminal Procedure]

Practice and procedure in the appellate courts in Alabama.

BANKRUPTCY (Law 912): [Prerequisites: Commercial Law I and II]

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.

CRIMINAL PRACTICE (Law 913), [FEDERAL]: [Prerequisite: Criminal Law]

This course is an analysis of the federal criminal system with an emphasis on the federal criminal code and procedure. The study includes the areas of the 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. The Federal Sentencing guidelines and their application in light of recent Supreme Court decisions will also be covered.

CRIMINAL PRACTICE (Law 914), [STATE]: [Prerequisite: Criminal Law]

This course is an analysis of the state criminal system with an emphasis on the state criminal code and procedure. The study includes the areas of the 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 915): [Prerequisites: Civil Procedure I and II, Torts I and II]

A study of the general principles of damages including nominal, compensatory and punitive damages.

DEATH PENALTY (Law 916): [Prerequisites: Criminal Law and Criminal Procedure]

General principles and procedures involving the death penalty sanction.

DEBTOR/CREDITOR LAW (Law 917): [Prerequisite: Contracts I or Commercial Law I]

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

DISABILITY LAW (Law 918): [Prerequisite: None]

Disability Law 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/services, public accommodations, education, housing and health care. Major topics not addressed relate primarily to entitlements/benefits, such as Social Security and Workman's Compensation.

DISCRIMINATION LAW (Law 919): [Pre-requisites: Contracts I and II, Torts I and II, Constitutional Law I and II]

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

EDUCATION LAW (Law 920): [Prerequisite: Research & Writing I & II]

A study of the law of public education to include 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; Section 504 and other current issues in school law.

ELDER LAW (Law 921): [Prerequisites: Trusts & Estates]

This course addresses a number of topics related to serving senior clients, including: determining your 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-who pays, Medicaid qualification and appeals, involuntary commitments, guardianships and conservatorship, survey of Income, Estate and Gift Tax issues, and conveyances of real property interests.

EMPLOYMENT LAW (Law 922): [Prerequisites: Contracts I and II, Torts I and II, Constitutional Law I and II]

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

ENTERTAINMENT & SPORTS LAW (Law 923): [Prerequisite: Contracts I & II]

This course provides an overview of entertainment and sports law specifically targeting the differences in contract negotiations/formation and representation of sports figures and entertainment industry artists.

ENVIRONMENTAL LAW (Law 924): [Prerequisite: Research & Writing I & II]

This course provides an overview of environmental law and regulation including hazardous waste law, toxic torts, coastal area development litigation in Alabama and other area states and recent

developments in the law. Emphasis on rules and regulations, land development, recent case law, remedies, and the practical aspects of regulation litigation. This course includes a legal research paper.

HEALTH CARE LAW (Law 925): [Prerequisites: Research & Writing I & II]

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

IMMIGRATION AND NATURALIZATION LAW (Law 926): [Prerequisite: Research & Writing I & II]

Survey course on early U.S. immigration laws and policies from the beginning of the 20 Century until present. Major topics include: numerical limitations & family exemptions, preference immigrants, the Department of Labor connection, temporary workers, treaty trader & business investors, foreign students, overseas consular processing versus adjustment of status to permanent residence in the U.S. (The green card path), deportations and the naturalization process from an immigration law office perspective.

INSURANCE LAW (Law 927): [Prerequisite: None] **NOTE:** Contracts I & II Helpful but Not Required.

A study of insurance law and principles including regulation of insurance companies and agents: interpretation of insurance contracts; bad faith; first party and third party insurance; classification of insurance; sale, solicitation and marketing of insurance.

INTELLECTUAL PROPERTY (Law 928): [Prerequisite: Civil Procedure I and II]

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

INTERNATIONAL LAW (Law 929): [Prerequisite: None]

This is a brief survey of the scheme of international law. Basic concepts covered are: the place of international law in resolving disputes between nations and the interplay between national law and international law. Introduction to immigration law issues and procedures.

JUDICIAL INTERNSHIP (Law 999) [Prerequisites: completed Student Registration with the Alabama State Bar, 54 hours of academic credit, not on academic or conduct probation, and otherwise a student in “good standing” with BSL (including currency with financial obligations). Students must 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 elective course will allow the student to act as judicial clerks assisting the trial judge manage 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 the 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 TWEN on Westlaw for detailed information, application forms, and sample documents.

JUVENILE LAW (Law 930): [Prerequisites: Civil Procedure I and 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 931): [Prerequisites: Property I & II]

Survey course and cases involving Alabama's Landlord-Tenant Act

LAW & MEDICINE (Law 932): [Prerequisites: Civil Procedure I and II, Contracts I and II]

The subjects considered will include: doctor/patient relationships, informed consent/duty to disclose/patient's right to know and standard of care/negligence.

LAW OF POLITICS (Law 933): [Prerequisite: Constitutional Law I and II]

This examines federal constitutional and statutory law governing the American political process; master the essential rules of federal campaign and election law, and describe 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, campaign finance and campaign speech and their relationship to the First Amendment, and election contests under Alabama law.

LAW OFFICE PRACTICE (Law 934): [Best taken in last year of law school]

The course is a study in the basics of "How To" in the practice of law, from opening an office to the day to day handling of cases such as divorce, adoption, personal injury cases, and various probate matters, as well as how to make money, pay bills, and file your taxes.

LAWYERING SKILLS (Law 935): [Prerequisites: Student must have at least 50 hours academic credit]

This course prepares the student to perform entry level Lawyering skills. It covers legal analysis, fact analysis, problem solving, resolution of ethical dilemmas, organization and management of legal tasks and written communications.

LEGAL INTERNSHIP (Law 998) [Prerequisites: completed Student Registration with the Alabama State Bar, 54 hours of academic credit, not on academic or conduct probation, and otherwise a student in "good standing" with BSL (including currency with financial obligations). Students must locate a willing

Alabama licensed attorney to act as a sponsor.]

This elective course will allow the Legal Intern to act in the capacity of a lawyer in direct representation of clients including participating in trials, examining witnesses, taking depositions and making open statements/closing arguments at trial.

See the Internship Programs TWEN on Westlaw for detailed information, application forms, and sample documents.

MEDIATION (Law 937): [Prerequisites: None]

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

MUNICIPAL COURT LAW (Law 938): [Prerequisite: Criminal Law and Procedure]

Class involving criminal cases heard in municipal courts; DUI, Domestic Abuse.

POVERTY LAW (Law 939): [Prerequisites: 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., & substantive topics on poverty programs involving housing, public benefits, consumer, & family law.

THE PRACTICE OF LAW (Law 940): [Prerequisites: Civil Procedure I & II, Research & Writing I & II]

This course covers a broad range of practical issues involved in the practice of law including lawyer/client relationships, negotiations, preparation for trial advocacy, etc. Ethical issues will be examined alongside other topics.

REAL ESTATE TRANSACTIONS (Law 941): [Prerequisite: Legal R & W I & II, Real Property, helpful, but not required.]

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

REMEDIES (Law 942): [Prerequisite: Torts]

The study of the rules and principles involving remedies, other than damages that are available for private civil wrongs to individuals. Equitable remedies and defenses to claims for equitable relief.

STATUTORY RIGHTS AND REMEDIES IN LAND (Law 943): [Prerequisites: Real Property I and 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 topics such as adverse possession and prescription, quieting title, partition, construction of written instruments, ejectment, forcible entry and unlawful detainer, trespass, nuisance, rights and remedies of debtors and creditors and the government, etc.

TRIAL ADVOCACY SKILLS (Law 943): [Prerequisites: Civil Procedure I and II, Evidence I and II]

Litigation skills are developed through the preparation for and trial of civil and/or criminal cases.

WORKERS' COMPENSATION (Law 944): [Prerequisite: 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: employee-employer relationship, employments covered, compensability of injury, and calculation of benefits. Emphasis is on the practical problems of handling workman's compensation cases.

NOTE: Some elective classes 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 semester). 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 beginning at 9 a.m. until 8 p.m. The library is also open on Saturday mornings from 8:00 a.m. until 7:00 p.m. The law library is closed on all holidays as well as when classes are not in session. The law library may open on Sundays during final exam periods between 1:00 pm till 5:00 pm, at the discretion of the Dean, based upon demand. Check the website for more information.

Students and Professors have wireless access to the internet; BSL passwords are available from the Admin Office personnel. In addition, after completing WESTLAW training taken during the Research & Writing I class, students will have access to WESTLAW information services through a home computer as well as library computers. [Password access for TWEN is given to students during orientation.]

PLANNING FOR GRADUATION

I. GRADUATION REQUIREMENTS:

Upon favorable recommendation of the faculty and approval of the Dean, the degree of Juris Doctorate

will be conferred upon students who have satisfactorily completed a course of law studies including 32 credit courses, including all required courses and the Lawyering Fundamentals Course, with a final grade point average of at least 2.0 (“C”) in all law school work undertaken.

For a course to count toward the graduation requirements, the course must have been satisfactorily completed within six years of the date of graduation. In addition, the student must be in good standing under the 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 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.

II. APPLICATION FOR GRADUATION:

Application for graduation and payment of a graduation fee of **\$300.00** must be made on the “Current Student Registration Confirmation Deadline” of the student’s last semester. When the application is received, the administration reviews the student’s transcript and makes any necessary recommendations regarding graduation requirements. A graduation application can be obtained from the office. 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.

ACADEMIC REGULATIONS

I. REQUIREMENTS FOR FIRST YEAR STUDENTS

First year students are required to take The Lawyering Fundamental Class (LFC, Law 500S) and Research & Writing I & II. These three courses must be satisfactorily completed within the first year of law school.

II. ACADEMIC STANDARDS

BSL requires students to maintain a minimum overall grade point average of 2.25 (4.0 scale). Those failing to meet this standard will be immediately placed on Academic Warning status (see above). Students on Academic Warning status will remain on Academic Warning for the following two subsequent semesters regardless of their cumulative GPA. If, at the end of the second term on Academic Warning status, the student fails to attain the 2.25 minimum standard, the student may be subject to dismissal at the discretion of the Dean. Students on Academic Warning status may not schedule more than three classes per term until they are removed from Academic Warning status (at the end of the second semester of academic probation).

III. SPECIAL ADMISSION PROBATION

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

Special Admission students are also required to maintain a 2.0 cumulative GPA each semester, for the first three semesters at BSL and must complete a minimum of three courses per semester during their first three semesters at BSL.

If Special Admission students’ GPA drops below a 2.0 during these first three semesters, 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 Associate Dean, students are required to complete a minimum of three courses per term, three terms per calendar year. Students may be granted an exception to the three-course rule (for fewer than three courses per semester) two (2) times during their matriculation at BSL. Requests for an exception should be in writing and sent to the Associate Dean along with a detailed explanation as to the reason or basis for said request.

NOTE: Waiver of the “three-course minimum” rule is never granted in the first semester of attendance.

V. EXAMINATIONS

Final examinations are given in all courses. Additional examinations, pop quizzes, mid-terms, 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 your grade will be assigned.

All final examinations must be taken on the date and at the time scheduled by school administrators.

Under no circumstances shall a final examination be taken before the scheduled exam date.

Professors do not have authority to waive this rule; please do not ask your professor to do so. Deferred examinations must be given after the normally scheduled exam time.

When a student, without the permission of the professor, 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 Associate Dean and/or Dean to determine if they warrant an exception.

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 Associate Dean or 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 Associate Dean or Dean.

A grade of “Incomplete” [INC] will be given if the exam cannot be completed within a week of the scheduled exam. Under all circumstances, grades of “Incomplete” will automatically convert to grades of “Failure” [F] if the “Incomplete” is not cleared by the date of the last scheduled final exam in the next subsequent semester.

VII. ACADEMIC PERFORMANCE & GRADES:

Academic performance is graded by a system of letter grades with quality points assigned as follows:

Letter Grade	Quality Points Awarded
A	4.0 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	3.0 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	2.0 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	1.0 x the number of credit hours of the course
F	0.0 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 is a core writing course (Legal Research & Writing I and II or Advanced Legal Writing), a grade of “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.

A grade of “S” or “Satisfactory” indicates satisfactory completion and course credit in a Judicial or Legal

Internship or Mock Trial Competition. A grade of “U” or “Unsatisfactory” indicates unsatisfactory performance in the course (Judicial or Legal Internship or Mock Trial Competition). A grade of “S” or “U” contributes no quality points to your record and does not affect your 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 by the last day of final exams in the semester immediately following the semester in which the “INC” grade is received. For example, if a student receives a grade of “INC” in the fall, the student must complete all deferred/missing elements no later than the last day of final exams in the immediately following spring semester 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/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 OFFICES REGARDING GRADES. All grades will be posted to the BSL/Blackbaud Student Portal by your professor. 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 your grade has not been posted to your grade portal after ten days, send your professor an email inquiry (this provides written record of your inquiry). If you do not receive a reply within 48 hrs, contact the Director of Academic Services or the Associate Dean with your concerns. Your professors are lawyers with active business and trial practice with sometimes limited office assistance or resources. Please be considerate of their time and do not call, text or email your 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/papers should first be directed to the professor. 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. Professor’s office phone numbers are available on the class syllabus or the Alabama State Bar’s member directory at www.alabar.org. We advise students to contact their professors during normal business hours via email to ensure a written record of the question/answer.

If you believe there is an error on your transcript, send a written request to the Associate Dean for a review and verification of grades. Upon receipt of the written request, the Associate Dean will verify the accuracy of the transcript and will provide feedback.

X. ATTENDANCE POLICY:

There are no “excused” absences for illnesses, employment conflicts, deaths in the family, vacations, etc., and 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 semester. **Any student absent more than 3 times will be dropped from the class roll**, they will not be allowed 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 (30 minute max) or leaves early (30 minute max), they may not receive credit for their attendance. Check with your professors for their written policy prior to deviating from attending classes as scheduled. It is your responsibility to verify your presence in class with the professor.

XI. VISITOR POLICY:

Visitors are not allowed in the classrooms during class periods without prior coordination and permission from BSL. You may not bring your children to the building or classrooms when you have a babysitting problem. 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.

XII. 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 signing in and showing a driver’s license as proof of ID to the security guard. This guest-badge option for students who fail to present their BSL ID to attend class will be allowed only two times during a semester, and then the student will 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 semester.

XIII. 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 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 .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 P.M. 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.

XIV. ADDING COURSES:

Following pre-registration, courses may be added on a space available basis during the “Current Students Late Registration” day. [Check the Academic Calendar.] A late registration fee of \$25.00 will be levied for each additional course added.

XV. WITHDRAWING FROM COURSES:

To withdraw from a course, a student must notify the Custodian of Records 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 withdrawal is the date the Custodian *receives written notice of withdrawal*. Drop/Add forms are available in the Admin Office or online on the BSL website.

Withdrawal from a course during the first four weeks of the semester will result in a grade of W/P (Withdrawn/Passing). Withdrawal from a course after the first four 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 semester.

XVI WITHDRAWAL POLICIES REGARDING INITIAL DEPOSITS, TUITION REFUND, AND FEES:

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

- a) Student Fees are not refundable.
- b) Withdrawal during first week of the semester – 100% of the tuition cost [except for new students, see above]
- c) Withdrawal during second week of the semester – 75% of the tuition cost
- d) Withdrawal during third week of the semester – 50% of the tuition cost

- e) Withdrawal during fourth week of the semester – 25% of the tuition cost
- f) Withdrawal during fifth week of the semester and thereafter – 0% of the tuition cost*

*Students who accept the payment plan and who withdraw after the fourth week of class remain responsible for paying the whole term's tuition.

[NOTE 1]: The amount to be refunded is based upon the total amount you owe for the number of courses registered and not the actual amount of money paid through the date of withdrawal. If you are on the installment payment plan, there may be situations where you will owe additional monies after withdrawal because your installment payments are insufficient to cover the cost of tuition owed.

[NOTE 2]: The tuition and fee refund limitations addressed immediately above in paragraphs “a.” through “f.” **DO NOT** apply to students using VA educational benefits. VA students will receive a pro rata reimbursement of all expenses. All refunds, if any, will be made within 30 days of your withdrawal.

XVII. RE-ADMISSION:

Students, who have voluntarily withdrawn from the law school with at least a minimum “C” grade point average, will not be automatically readmitted, but they may be readmitted at the discretion of the Dean the next semester. Applicants for readmission 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 years of the re-admission date.

Note: Students who are dismissed for academic reasons will be barred from re-admission for at least two semesters and must submit a new application for admission.

XVIII. 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 because 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 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.

In order to graduate, a transfer student must complete a minimum of 10 courses (approximately 30 semester hours of academic credit) at BSL. This rule may significantly increase the total number of courses needed for graduation for transfer students and result in the accumulation of more than 101 semester hours of academic credit. See the “*Course Credits vs. Credit Hour Requirements for Graduation*” in the Instructional Program section (p. 25) of this document for details.

XIX. TRANSIENT/VISITING STUDENTS:

Transient or visiting students from other law schools may be admitted at the discretion of the Dean. Students applying to take one or more courses at BSL must complete the Transient/Visiting Student application (available on the BSL website) and provide a current letter of “good standing” from their home law school. Submission of transcripts or letter of recommendation are not required. Transient students are allowed to schedule BSL classes on a “not-to-interfere” basis (current BSL students have priority for scheduling classes).

Transient students must pay all tuition and fees in advance at registration and may not use the installment payment method to pay their school expenses. BSL will not be responsible for determining the portability or acceptance of BSL course credits by the home law school. In all cases, the transient student must secure advance approval from their home law school before taking BSL courses. The BSL three class minimum rules do not apply to transient students.

APPENDIX

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JUDICIAL & LEGAL INTERNSHIP PROGRAMS

Consult the *Internship Programs TWEN* site on Westlaw for current eligibility rules, application procedures, and instructions for obtaining your law student 3RD Year Practice Card.

BSL HONOR CODE

The purpose of this Honor Code is to establish principles which will govern the conduct of students at the Birmingham School of Law. Honesty and integrity are essential personal and professional qualities necessary in the practice of law. Students at the 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.

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 the 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 subject the student to immediate dismissal from BSL.

Honesty and integrity are essential qualities in the practice of the law. Students at BSL are required to maintain good character and perform their work and conduct their life 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 of a degree rests solely within the discretionary powers of the Dean.

SUBSTANCE ABUSE & 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, the police 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 the 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.

ALABAMA LAWYER'S ASSISTANCE PROGRAM (LAP)

All law students at BSL are required to register with the Alabama Bar Association upon beginning law school. All BSL students are subject to the Alabama Bar Association's rules regarding substance abuse and dependency. If any student suspects another BSL student of having a substance problem, they are required under the Honor Code to report this situation in writing per the Honor Code rules to 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 must also register with the Alabama Lawyers Assistance Program

(LAP). More information about the LAP may be obtained from the Alabama State Bar Association.

SEXUAL HARASSMENT

Sexual harassment runs counter to the mission and principles on 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 un-welcomed verbal advances, abusive and/or un-welcomed physical contacts, or repeated comments or gestures of a sexual and/or non-professional nature to other members of the BSL community which create a hostile or intimidating environment. 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 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 or staff.

Examples of behaviors that are inappropriate include, but are not limited to, making harassing remarks or jokes, kissing, grabbing, hugging, offensive touching, and using 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 Associate Dean. This report should include your name and the name of the victim, perpetrator and any witness (es.) 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. {Call 911 }

All sexual harassment reports shall be governed by the privacy provisions of the Honor Code.

Once a sexual harassment event has occurred, there is to be no discussion of accusations, reports, investigations and results/sanctions with anyone other than the Associate 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 the Honor Code rules.

HAZING

Birmingham School of Law recognizes and complies with the Alabama statute that prohibits hazing in connection to initiation or affiliation of members in student organizations. This law applies to both recognized and unrecognized organizations. In the state of Alabama, individuals committing acts of hazing can be found guilty of a Class C misdemeanor. A hazing misdemeanor on record can prevent an individual from practicing law, obtaining a professional license, or gaining employment.

Alabama is one of six states that has a "Duty to Report" clause in its anti-hazing statute.

Alabama Hazing Statute

(a) Hazing is defined as follows:

- (1) Any willful action taken or situation created, whether on or off any school, college, university, or other educational premises, which recklessly or intentionally endangers the mental or physical health of any student, or
- (2) Any willful act on or off any school, college, university, or other educational premises by any person alone or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim, or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution or any assault upon any such students made for the purpose of committing any of the acts, or producing any of the results to such student as defined in this section.
- (3) The term hazing as defined in this section does not include customary athletic events or similar contests or competitions, and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization. The term hazing does not include corporal punishment administered by officials or employees of public schools when in accordance with policies adopted by local boards of education.

(b) No person shall engage in what is commonly known and recognized as hazing, or encourage, aid, or assist any other person thus offending.

(c) No person shall knowingly permit, encourage, aid, or assist any person in committing the offense of hazing, or willfully acquiesce in the commission of such offense, or fail to report promptly his knowledge or any reasonable information within his knowledge of the presence and practice of hazing in this state to the chief executive officer of the appropriate school, college, university, or other educational institution in this state. Any act of omission or commission shall be deemed hazing under the provisions of this section.

(d) Any person who shall commit the offense of hazing shall be guilty of a Class C misdemeanor as defined by Title 13A.

(e) Any person who participates in the hazing of another, or any organization associated with a school, college, university, or other educational institution in this state which knowingly permits hazing to be conducted by its members or by others subject to its direction or control, shall forfeit any entitlement to public funds, scholarships, or awards which are enjoyed by him or by it and shall be deprived of any sanction or approval granted by the school, college, university, or other educational institution.

(f) Nothing in this section shall be construed as in any manner affecting or repealing any law of this state respecting homicide, or murder, manslaughter, assault with intent to murder, or aggravated assault. (Acts 1981, No. 81-824, p. 1466, 1-6.)

Birmingham School of Law seeks to ensure that hazing is not permitted as part of the experience of being a student, a member or potential member of an organization. The following principles apply to this policy and the procedures herein:

1. Students, student organizations, and individuals associated with student organizations are prohibited from hazing.
2. Anyone with knowledge about a hazing incident is expected to report the incident to the Dean and/or local law enforcement officials.
3. Individuals who are victims of hazing and who truthfully report the activities shall not be individually charged with a violation of this policy.
4. Making an intentionally false accusation of hazing is prohibited. Student violators are subject to disciplinary action per the Birmingham School of Law Honor Code.

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 you use outside materials, then this violates Rule 1.]
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. Unauthorized use of the library computer and/or printer.
3. Violating the “Westlaw User Agreement for Law School Students”.
4. Plagiarism, defined as representing, either expressly or by conduct, the work of another to be one’s own work. [If you **fail to put quotation marks and cite** the materials to the appropriate source, you have violated Rule 4.]
5. Copying the work of another during an examination or giving, soliciting, offering, or receiving any unauthorized assistance or information during an examination. Using unauthorized materials in any way during an examination. Improperly obtaining 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 which causes, or can reasonably be expected to cause, physical harm to any person.
7. Physical or verbal threats against or intimidation of, any person which results in limiting her/his full access to all aspects of life at the law school.
8. Destroying, impairing or wrongfully appropriating BSL real or personal property.
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 (This includes any representation on a class roll or roster of the presence of a student in class, who is not in fact present), or the Alabama State Bar Association.
11. Failing to report a known or suspected Honor Code violation.
12. 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 the Associate Dean of BSL. This would include discussing any potential or actual Honor Code violation, investigation, action or results with anyone except the Dean or the Associate Dean.
 - [You are to discuss Honor Code violations, allegations, investigations and hearings only with the Associate Dean. Discussing the allegation with anyone else is a violation of #12 above.]
13. 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, including, but 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 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 to violate 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 Associate Dean, in writing per the instructions contained in the Honor Code.

For example; if a student in a different class section asks to review your assignment submission in order to compare content, format, or other purposes and, if that behavior is forbidden by the 1st student's professor, there is an Honor Code violation on the part of both students (student #1 for asking for the assistance and on the part of student #2 for negligently allowing access to your paper).

STANDARD 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) under Violation #11 above. 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 out 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 visual or audible seen or heard by the student who is then bound under the Honor Code to report as a violation. If two or more students see or hear a violation of the Honor Code, they both are required to report the violation under the Honor Code. 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. Reporting student is bound under the Honor Code to only discuss facts with the Administration, as directed by the Associate Dean. BSL will not tolerate students discussing Honor Code violations or investigations with other students or any others, outside the Administration.

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 or participate in a student event or to 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 and Fitness Committee detailing the student’s violation, 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 satisfaction of the Dean.
- 9 Any other penalty, or any variation of the above penalties, 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.]

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 alleged violation by:

1. Submitting a signed written report to the Associate Dean at the earliest reasonable opportunity, not to exceed thirty **(30)** days from its date of 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 Honor Code violation)
 - Date and 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 Associate Dean of the event as soon thereafter as possible.

HONOR COURT PROCEDURE GUIDE

I. BSL's Honor Court is composed of a JHL Honor Society student-operated, advisory body to the administration of the law school. The Honor Court shall consist of JHL Honor Society members. The Chancellor of 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 Honor Court Hearing Board.

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

a) For each alleged Honor Code violation the President of the JHL Honor Society shall appoint an Investigating Team **within 30 days** of receipt of a referral from the Associate Dean.

b) In the event of a hearing, the President of the JHL Honor Society shall appoint five members to the Hearing Board **within 30 days** after the Investigating Team concludes their work and issues their recommendations.

c) Each Hearing Board should conduct a hearing **within 45 days** of the date 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, but 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 progress 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 Associate Dean.]

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

III. The Associate Dean will review the allegations and make a preliminary investigation and determination whether the matter should be referred an Honor Court investigation or handled through

BSL's administrative process.

IV. Upon receipt of a referral of a complaint to the Honor Court from the Associate Dean, the President of the JHL Honor Society will provide the accused student with written notification of the allegation that he/she has violated the Code. Said notification will be by email to the student's email address on file with Administration (notification may also include 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 investigating 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.

V. Within 30 days of receipt of notice of an Honor Code violation, the President of the JHL Honor Society shall select, without bias, three students to be on the **Investigating Team**. The President of the JHL Honor Society shall not serve as a member of the investigating 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 (at minimum, three days following notification) for the alleged violator to obtain counsel.

One member of the team selected shall be a student with a minimum of 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/she shall also serve as the Prosecutor or the Honor Court. The remaining two 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 definite conflict of interest.

VI. 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 presently, or which have been before the court with any other 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.

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

VIII. 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, and the action shall be dismissed by the President of the JHL Honor Society and reported to the Associate Dean. Should the Investigating Team recommend that a Hearing be held, the President of the JHL Honor Society shall serve as Chief Justice.

IX. At the beginning of each semester of school, the President of the JHL Honor Society shall arrange with the Associate Dean of the law school to ensure the availability of a listing of students currently enrolled during the semester 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.

X. If a Hearing is recommended, the President of the JHL Honor Society shall serve as Chief Justice and **within 30 days** select five 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 30 days** of the date the Hearing Board is selected.

XI. The Chief Justice shall notify the alleged violator of the hearing date, time, place, and the specific charge by way of hand delivered or unregistered mail and email addressed at the BSOL email address on file at BSL. The Chief Justice may allow additional time, for good cause, for each of the Honor Court procedures. The Chief Justice will also notify the Associate Dean of the name of the alleged violator, the hearing date, time, place, and specific charge.

XII. The **Chief Justice** is the **judge of the law**. The Chief Justice may consult with the Associate Dean in regard to clarification of the honor code. The Chief Justice will consult with no other individual regarding the meaning of the honor code. The **Hearing Board** is the **trier of the facts**, and as such, may not consult 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.

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

XIX. 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/her attorney.

XV. The procedural order of the hearing will be:

- (1) Opening remarks of the Chief Justice, identifying the purpose, date and time of the hearing;
- (2) Opening statements by the Prosecutor and the accused student;
- (3) Direct testimony of the witnesses brought by the Prosecutor, with an opportunity for cross-

examination by the alleged violator;

- (4) Direct testimony of the witnesses brought by the alleged violator, with an opportunity for cross-examination by the prosecutor;
- (5) 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, identifying and preserving the record until transferred to the Associate Dean. The Chief Justice may choose to record the hearing by use of a video/audio recorder or audio recorder.

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

XVI. The Hearing Board shall report its findings of guilt 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 Associate Dean with a recommendation that the case be closed.

XVII. 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 the members of the Hearing Board. The Hearing Board's recommendations will not to be published.

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

XVIII. Law students are familiar with a trial-form of 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.

XIX. 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 should be required to swear or affirm that they will tell the truth, the whole truth, and nothing but the truth.

NOTICE

The Dean retains the right to punish, sanction, including dismissal of a student, at any time on whatever grounds the Dean deems advisable, with or without the use of the Honor Court Procedure.

Each student by his admission to the law school or 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.

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 (look under “**Research Resources**”). The following was excerpted from that section:

“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:

- a. turning in someone else’s work as your own,
- b. copying words or ideas from someone else without giving credit,
- c. failing to put a quotation in quotation marks,
- d. giving incorrect information about the source of a quotation,
- e. changing words but copying the sentence structure of a source without giving credit,
- f. 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.

Attention! Changing the words of an original source is not sufficient to prevent plagiarism. If you have retained the essential idea of an original source, and have not cited it, then no matter how drastically you may have altered its context or presentation, you have still plagiarized.

Most cases of plagiarism can be avoided, however, by citing sources. Simply acknowledging that certain material has been borrowed, and providing your audience with the information necessary to find that source, is usually enough to prevent plagiarism.”