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Law

College Website: <https://www.law.wvu.edu/>

West Virginia University College of Law students have a passion for justice, an interest in how our legal system contributes to society, and a desire to learn a discipline that is both structured and creative.

The College of Law provides students a unique opportunity to attend a small public law school within a nationally recognized research university. Here, you can join students who come together in the beautiful mountains of West Virginia. Small class sizes and an excellent faculty-student ratio tell part of the story, but not all.

What makes the College of Law experience exceptional is its culture of excellence. Our faculty, staff, and students are committed to creating a rigorous, inclusive, exciting, and supportive educational community in which individuals can pursue their personal vision of success in the legal profession.

Our faculty members are outstanding teachers, scholars, and leaders in legal education. What distinguishes our faculty from others, however, is the remarkable commitment they have in mentoring students to help them achieve individual goals. The faculty supervise student articles for publication, assist in obtaining prestigious federal judicial clerkships, and provide guidance for student-led symposia exploring cutting-edge topics. In addition, whether our faculty members teach criminal law or estate planning, each one exemplifies the duty of a lawyer to serve the public interest.

To fulfill its commitments to individual student success and to improving the profession by producing the leaders of the future, the College of Law has a curriculum that combines the best of traditional legal education with new courses and opportunities necessary to practice law.

Mission Statement of the College of Law

The College of Law's mission statement is, "Preparing 21st century lawyers and leaders to serve the public, government, and business — both locally and globally — while focusing on justice, ethics, professionalism, and service in a diverse, vibrant, and respectful community."

ADMINISTRATION

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Interim Dean

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Vice Dean
- Matthew Titolo - J.D. (University of California); Ph.D. (University of California)
Associate Dean for Faculty

ASSISTANT DEANS

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Assistant Dean for Student Services and Engagement
- Maggie Tague Slater - B.B.A (University of Miami); J.D. (Notre Dame Law School)
Assistant Dean for Enrollment Management

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Interim Director, Meredith Center for Career Services and Professional Development
 - Stephanie Miller - J.D. (New York Law School)
Law Library Director
 - Kenneth Price
Law School Technology
 - Kirsha Trychta - J.D. (Duquesne University School of Law)
Director of the Academic Excellence Center
-

FACULTY

PROFESSORS OF LAW

- Charles R. DiSalvo - J.D. (University of Southern California); M.A. (Claremont Graduate University)
Woodrow A. Potesta Professor of Law
- Ann Eisenberg - J.D. (Cornell); LL.M. (West Virginia University)
Research Director of Center for Energy and Sustainable Development
- Katherine Garvey - J.D. (University of Missouri-Kansas City); LL.M. (Vermont Law School)
Director of the Land Use and Sustainable Development Clinic
- Jessica Haught - J.D. (West Virginia University)
Director of Fitzsimmons Center for Litigation and Advocacy
- Alison Peck - J.D. (Yale Law School); LL.M. (University of Arkansas)
Director of the Immigration Law Clinic
- Jesse Richardson - J.D. (University of Virginia)
- Amelia Smith Rinehardt - J.D. (University of Chicago Law School)
- John E. Taylor - J.D. (University of North Carolina); Ph.D. (Stanford University)
Jackson Kelly Professor of Law
- Matthew Titolo - J.D. (University of California); Ph.D. (University of California)
James H. (Buck) & June Harless Professor of Law
- Kirsha Trychta - J.D. (Duquesne University School of Law)
Director of the Academic Excellence Center
- Elaine Waterhouse Wilson - J.D. (Boston University)
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- Cody Corliss - J.D. (Cornell University)
- Amy Cyphert - J.D. (Harvard Law School)
- Mary Claire Davis - J.D. (West Virginia University)
- Jerry C. Edwards - J.D. (University of Florida)
- John Estep - J.D. (University of Virginia)
(Visiting)
- Melissa Giggenbach - J.D. (West Virginia University)
Director Innocence Project Clinic
- Y.S. (Steve) Lee - LL.B (University of Cambridge)
- Shannon P. Smith - J.D. (West Virginia University)
- Jennifer Stephens - J.D. (West Virginia University)
Director, General Litigation Clinic
- Sarah Wagner - J.D. (West Virginia University)
(Visiting)

PROFESSORS EMERITI

- David Hardesty, Jr. - J.D (Harvard University)
President Emeritus, West Virginia University (1995-2007)
- Gerald G. Ashdown - J.D. (University of Iowa)
James. H. Buck and June M. Harless Emeritus
- Forest J. Bowman - J.D. (West Virginia University)
Jackson and Kelly Professor of Law Emeritus
- Vincent P. Cardi - J.D (Ohio State University); LL.M. (Harvard University)
Bowles Rice Professor of Law Emeritus
- James Elkins - J.D. (Kentucky)
Arthur Dayton Professor of Law Emeritus
- John Fisher - J.D. (West Virginia University)
William J. Maier, Jr. Dean Emeritus; Robert M. Steptoe and James D. Steptoe Professor of Law Emeritus
- James Friedberg - J.D. (Harvard)
Hale J. and Roscoe P. Posten Professor of Law Emeritus

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- Anne M. Lafoso - J.D. (University of Pennsylvania)
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Charles H. Haden II Professor of Law Emeritus
- Thomas O. Patrick - J.D. (West Virginia University)
- Camille M. Riley - J.D. (St. Louis University)
- Suzanne Weise - J.D. (West Virginia University)
- Grace Wigal - M.A. Marshall University; J.D. (West Virginia University)

Admissions - Doctor of Jurisprudence

FIRST-TIME ADMISSIONS

The College of Law admits new J.D. students for the fall term only and begins accepting applications for the following fall via LSAC (https://lsacso.b2clogin.com/8a958e4e-8c1b-4522-9e31-9559a8021c38/B2C_1A_Login/oauth2/v2.0/authorize/?client_id=fa06a2cb-f29c-4715-9bc7-10f1d4b49d78&response_type=code&redirect_uri=https://os.lsac.org/Logon/Access.aspx&scope=openid&nonce=lsac.aadb2c&state=36f05faa35a6440e8121ccbc5286d6ed&prompt=login) on September 15th. A completed application is comprised of the following required documents:

1. Application form
2. Personal statement
3. Resume
4. Two letters of recommendation
5. LSAT and/or GRE
6. Transcripts
7. LSAC Credential Assembly Service (CAS) law school report
8. Character and fitness information
9. TOEFL (see Admissions website (<https://admissions.law.wvu.edu/apply/application-requirements/>) for applicability)

The following are optional or may be requested of a candidate by the Enrollment Management Office:

1. "Why West Virginia University College of Law?" essay
2. Background and lived experiences essay
3. Addendum
4. Interview

The priority application deadline for new J.D. students is March 15th. The regular application deadline for new J.D. students is July 15th.

For additional information, please visit the College of Law Admissions (<https://admissions.law.wvu.edu/>) homepage.

TRANSFER ADMISSIONS

A transfer student is a student who has taken some or all of his or her first-year curriculum at another law school and is admitted to earn a J.D. degree at the College of Law. As described more fully below, the College of Law accepts transfer students only from other law schools accredited by the American Bar Association (ABA). The College will not accept transfer applicants from law schools that do not award letter grades (or their numerical equivalent) during the first academic year or its equivalent. All candidates who transfer to the College of Law from another ABA-accredited law school must satisfactorily complete courses aggregating at least forty-five (45) credit hours at the College of Law. In addition, a transfer student must earn the last thirty (30) credit hours at the College of Law.

The College of Law will accept transfer credits only for courses where the student earned a grade of C or better. In exceptional circumstances, the Academic Standards Committee may approve the transfer of a small number of pass/fail credits. The Committee will determine the total number of credit hours that will transfer; however, only in exceptional cases will the Committee give credit for more than thirty-two (32) credit hours. The Committee will also determine whether particular courses taken at another law school satisfy specific course requirements at the College of Law. Graded credits at

other law schools that transfer to the College of Law will be entered on the student's College of Law record as pass/fail credits, and hence will not affect the student's College of Law grade point average.

In order to graduate, all transfer students must obtain a cumulative grade point average of 2.50 or better on courses taken at the College of Law. Transfer students are not eligible for election to Order of the Coif at the College of Law.

The deadline for transfer applications is **July 15th**. A completed transfer application is comprised of the following required documents:

1. Applicant form
2. Personal Statement
3. Resume
4. Two letters of recommendation from law professors
5. LSAT and/or GRE
6. Transcripts from undergraduate institution
7. Transcripts from current law school institution
8. LSAC Credential Assembly Service (CAS) law school report
9. Letter of good standing from current law school institution
10. Character and fitness information
11. TOEFL (see Admissions website (<https://admissions.law.wvu.edu/apply/application-requirements/>) for applicability)

The following are optional or may be requested of the candidate by the Enrollment Management Committee:

1. Addendum
2. Interview

In addition to the aforementioned criteria, applicants must have completed at least one academic year of study or its equivalent at the institution from which transfer is being sought. For admission purposes, one year of study or its equivalent is equal to a minimum of twenty-eight (28) credit hours of coursework. The twenty-eight (28) credit hours should ideally include the following coursework, but the College of Law will consider transfer applicants who have a substantial number of the listed courses:

1. Civil Procedure
2. Contracts I
3. Torts I
4. Constitutional Law
5. Criminal Law
6. Property I
7. Legal Research
8. Legal Writing

As previously noted, applications from students seeking to transfer from schools that are not accredited by the ABA will not be accepted under any circumstances. However, the applicant may apply as a first-year student.

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

1. Admitting the applicant as a first-year entering student.
2. Admitting the applicant with advanced standing by granting credit for specific course work completed at another institution. (AALS Executive Committee Regulations 2.8 and 2.9 prescribe limitations on the award of advanced standing.)
3. Admitting the applicant as a special student for the purposes of auditing courses or transferring course work to another institution.
4. Denying admission to the applicant.

TRANSIENT ADMISSIONS

The College of Law only accepts transient students (also known as visiting students) from other law schools accredited by the American Bar Association (ABA). A transient student is one who has taken or will take most of his or her work toward a J.D. at another ABA-approved law school and will earn a degree from that institution. Transient students are permitted to earn some credits toward that J.D. while in temporary residence at the College of Law, provided that they obtain permission from their school and from the Enrollment Management Office. All requests to be a transient student at the College of Law should be made through the Enrollment Management Office.

Accreditation

The JD program within the College of Law has specialized accreditation through the Section of Legal Education of the American Bar Association.

The College of Law was established in 1878, accredited by the AALS in 1914, and approved by the ABA in 1923. The College of Law is fully approved by the American Bar Association Council of the Section of Legal Education and Admissions to the Bar. Since 1952, the ABA Council of the Section of Legal Education and Admissions to the Bar has been approved by the U.S. Department of Education as the recognized national agency for the accreditation of professional schools of law.

Further information as to the Standards and Rules of Procedure for the Approval of Law Schools by the American Bar Association may be obtained from the Section of Legal Education and Admissions to the Bar, 321 N. Clark Street, 21st Floor, Chicago, IL 60654. Phone: (312) 988-6738, Fax: (312) 988-5681. Email: legaled@americanbar.org. Website: http://www.americanbar.org/groups/legal_education.html

LAW 604. Natural Resources. 3 Hours.

A survey course that includes law, theory, and practical management challenges of natural resource policy, with a strong substantive foundation in a broad range of resources, including water, timber, minerals, and wildlife.

LAW 605. Post-Conviction Remedies. 3 Hours.

The examination of post-trial issues in an actual criminal case, identifying legal errors in all aspects; jury instructions, testimony, evidence to support the conviction, and decision.

LAW 608. Art Law. 3 Hours.

A thorough examination of various legal topics and issues through the prism of art. Topic include intellectual property concepts of copyright, fair use and parody, First Amendment issues, non-profit organizations, sales warranties, authenticity, and salvage.

LAW 609. Child Protection and the Law. 3 Hours.

A primary focus on child abuse and neglect civil protection proceedings as defined by West Virginia Code, Chapter 49; and an examination of both federal law and West Virginia's statutes, rules, and case law.

LAW 611. Consumer Protection Law. 3 Hours.

A practical survey of various state and federal laws designed to protect consumers, including WV Consumer and Credit Protection, Fair Debt Collection, Fair Credit Reporting, Truth in Lending, Fair Credit Billing and Gramm-Leach-Bliley.

LAW 612. Agriculture & Food Law. 2-3 Hours.

A consideration of the impact of law and policy (e.g., environmental law, property rights, subsidies, alternative production methods) on agricultural and the food system.

LAW 613. International Environmental Law. 2-3 Hours.

An issue-based approach to IEL, identifying pressing problems such as global climate change, ozone depletion, biodiversity, and studying some of the instruments and tools that have been created to deal with them.

LAW 615. Elder Law. 3 Hours.

A thorough examination of various legal topics and issues relating to the special needs of the elderly. Topics include legal capacity, surrogate decision-making, guardianship, Medicare, Medicaid, elder abuse, nursing homes and advance directives.

LAW 616. Cultural Property. 3 Hours.

This course will focus on issues concerning the restoration of artworks displaced during World War II, as well as the protection and preservation of cultural heritage and artifacts.

LAW 617. Geneva Study Abroad. 1-3 Hours.

(May be repeated for a maximum of 3 credit hours.) A 2-component, study abroad course with initial classroom preparation and subsequent travel to Geneva. This course addresses key subjects and themes in modern international trade regulation.

LAW 618. Criminal Procedure: Investigation. 3 Hours.

A course designed to cover all facets of the investigatory stage of criminal procedure: the right to representation by counsel, rules surrounding police practices and procedures of search and seizure, interrogation and identification.

LAW 619. Criminal Procedure: Adjudication. 3 Hours.

A comprehensive examination of criminal procedure adjudication covering regulation of prosecutors, defense counsel, pretrial legal issues, pretrial motions, plea bargains, and sentencing.

LAW 621. Lawyers as Leaders. 2-3 Hours.

An exploration of topics related to the theory and practice of leadership by lawyers intended to develop effective leadership skills for application in both the legal profession and in society in general.

LAW 622. E-Discovery. 3 Hours.

An introduction to the basics of identification, preservation, collection, search and production of Electronically Stored Information and effective utilization of procedural and evidentiary rules, practice pointers, and admissible evidence.

LAW 623. Election Law and Policy. 3 Hours.

A survey of American political structure and legal process, exploring the constitutional, administrative, and policy-related aspects of the political framework, including the right to vote, redistricting, political parties, campaigns, and campaign finance.

LAW 624. Advanced Legal Research. 2 Hours.

The course focuses on advanced legal research methodologies and strategies within the context of federal, state, and local law. It is designed to prepare law students for research in practical settings.

LAW 625. Nonprofit Organizations. 2-3 Hours.

An analysis of various types of nonprofit organizations, as well as legal issues often faced in contemporary society. Formation options for the tax-exempt form, taxation law related to nonprofit organizations, and charitable planning options will be addressed.

LAW 626. International Trade Law. 3 Hours.

A study of laws that affect businesses buying and selling products or services beyond U.S. borders. Includes the structure of the WTO system, economic theories underlying free trade, and remedies for unfair trade.

LAW 627. Land Use/Sustainable Development Clinic 1. 6 Hours.

A course offered to select third-year law students who, with faculty supervision, will provide transactional representation to clients regarding land and water protection and land use planning initiatives.

LAW 628. Land Use/Sustainable Development Clinic 2. 6 Hours.

PR: LAW 627. A continuation of LAW 627 presenting an opportunity for a higher level of responsibility, finalization of matters, and continued assistance to clients regarding land and water protection and land use planning initiatives.

LAW 629. Advanced Family Law Advocacy. 2 Hours.

A focus on laws and issues of a domestic relations practice by using West Virginia domestic law as a framework, with emphasis on practical application.

LAW 630. Energy Law. 3 Hours.

An examination of law and regulatory policies that govern and impact the energy industry, including all energy sources and alternative fuel possibilities.

LAW 631. Cyberlaw. 3 Hours.

Cyberlaw explores the application of law to all aspects of internet activity and function. Topics such as privacy, consumer protection, trademarks, copyrights, on-line contracting and jurisdiction will be covered.

LAW 632. Advanced Labor Law. 3 Hours.

LAW 741 recommended. Advanced topics in labor-management relations under the general jurisdiction of the National Labor Relations Board (NLRB) and the courts.

LAW 633. International Business Transactions. 3 Hours.

LAW 729 recommended. A foundation for the pursuit of a career as a corporate attorney with an international focus.

LAW 634. Energy Reg, Markets and Environ. 3 Hours.

This course focuses on the legal basis for the economic regulation of energy, the environmental impact of energy production, and the development of policies promoting renewable energy and energy efficiency.

LAW 635. Land Use and Resilience Law. 3 Hours.

This course covers the multi-faceted nature of land use and resilience law, including common-law and private-law mechanisms and the regulatory state and planning. In addition, various topics in resilience law are introduced.

LAW 636. Copyright Law. 3 Hours.

PR: Student in College of Law. This course covers the basics of copyright, including copyrightable subject matter, formalities and copyright registration, and the substantive and procedural elements of infringement and defenses. Technological developments affecting copyright are also addressed (software/internet).

LAW 637. Transactional Skills. 3 Hours.

PR: LAW 779. A practical approach to transactional skills development with in-class simulation of all aspects including, planning, interviewing, negotiating, and drafting of business contracts.

LAW 639. Food and Drug Law. 3 Hours.

This course focuses on the historical development of food and drug law and issues involving carcinogens and risk assessment in food safety; regulation of nutrition, and approval of new drugs, devices, and vaccines for diseases.

LAW 640. Parent, Child, and State. 3 Hours.

An exploration of the role and responsibility of the state to protect children and appropriate legal intervention as based upon West Virginia laws.

LAW 641. Introduction to Legal Research. 1 Hour.

PR: Student in the College of Law. This course focuses on basic legal research methodologies and strategies within the context of federal, state and local law. It is designed to prepare law students for basic research in practical settings.

LAW 642. Law Practice Management. 3 Hours.

PR: Student in the College of Law. This course introduces law office business operations and simulates office decision making dynamics. Subjects include human resources, financial planning/management, marketing, project management, office design, technology, quality control and similar subjects.

LAW 643. Taxation of Business Entities. 4 Hours.

PR: LAW 719. A comparative survey of the federal income taxation of C corporations, S corporations, and partnerships.

LAW 644. Energy Siting & Permitting. 3 Hours.

This course involves a review of the statutes, regulations and administrative processes associated with the regulatory approvals necessary to develop various energy facilities.

LAW 645. Water Law. 3 Hours.

A survey of water allocation doctrines that apply to surface and ground water. The origins of federal power, controversies between governing bodies, public rights, water quality and water-energy nexus, and water rights will be studied.

LAW 647. Nuclear Law & Policy. 3 Hours.

An examination of the law and regulations governing nuclear power facilities in the U.S. and the policies related to such regulations.

LAW 648. Energy Business/Law & Strategy. 3 Hours.

An examination of how law and regulation are used for strategic purposes in the energy industry, including: multi-market case studies using law in business strategies and the business perspective on the evolution of energy law.

LAW 649. Trademark & Unfair Competition. 3 Hours.

A study of basic trademark and unfair competition law to include false advertising and the right of publicity, with a focus on federal trademark statutes, state law protection, and the Federal Trade Commission's role.

LAW 652. Jessup International Moot Court. 1,2 Hour.

PR or CONC: LAW 768. A required course for students selected for the Jessup International Moot Court Competition Team that provides oral advocacy instruction and training for the current year's Jessup competition.

LAW 653. Law and Public Service. 1,2 Hour.

PR or CONC: LAW 654. A practical course in which selected student will serve as externs to public service and government agencies. Classroom instruction and reflective writing requirements are included.

LAW 654. Public Service Externship. 2-5 Hours.

PR or CONC: LAW 653. The fieldwork component of LAW 653.

LAW 655. Law and Public Service Full-Time. 2-6 Hours.

PR or CONC: LAW 656. A practical course in which selected students will serve as externs to public service and government agencies on a full-time basis. Classroom instruction and reflective writing requirements are included.

LAW 656. Law and Public Service Externship Full-Time. 6-11 Hours.

PR or CONC: LAW 655. The field work component of LAW 655.

LAW 657. International Criminal Law. 1-3 Hours.

This course will cover the traditional areas of international criminal law and procedures, as well as international crimes and enforcement.

LAW 658. Science & Technology of Energy. 2-3 Hours.

This course provides an overview of the scientific principles and technology associated with the development of energy resources, as well as coverage of the procedures for handling scientific and technical testimony in legal proceedings.

LAW 659. Administrative Energy Law and Practice. 2 Hours.

A practical course designed to build skills in analysis, writing, research, and communication through energy-related administrative law scenarios. Students develop their professional identities, assess strengths and weaknesses, and confront moral and ethical challenges.

LAW 660. Law of Coal. 2-3 Hours.

An introduction to current legal issues relating to mineral conveyancing, and regulation of environmental and health and safety impacts of coal mining, reclamation of coal mines and coal combustion.

LAW 661. Forensic and Expert Evidence. 2-4 Hours.

A practical study of the appropriate usage of forensic and scientific evidence in court, effective direct and cross-examination of expert witnesses; drafting motions in limine specifically dealing with forensic evidence, scientific exhibits, or expert testimony. LAW 727 is recommended before taking this course.

LAW 662. Mine Safety & Health Law. 3 Hours.

Mine Safety and Health is a study of the laws, regulations, and court decisions impacting the mining industry, mine workers, and their families.

LAW 663. Renewable Energy & Alternative Fuels. 3 Hours.

This course examines the convergence of energy and environmental issues, and includes a review of renewable and low-carbon energy sources as well as the various incentives to encourage development of renewable energy and alternative fuels.

LAW 664. Multistate Performance Test Writing Workshop. 1-2 Hours.

Students will gain training in legal reasoning for law school exams, the bar exam, and legal practice, by focusing on the application of substantive law in the context of a Performance Test.

LAW 667. Multistate Bar Exam Skills Workshop. 2 Hours.

Provides in-depth training in the legal reasoning needed to successfully answer multiple-choice questions on the bar examination. Geared toward third-year students, and serves as a companion course to the Essay Writing Workshop.

LAW 668. Healthcare Fraud & Abuse. 3 Hours.

An examination of health care fraud and abuse laws from civil and criminal perspectives, with an emphasis on federal statutes, to include a review of governmental enforcement initiatives. Health care compliance programs for health care providers, fraud and abuse driven by Affordable Care Act changes, access to pharmaceuticals, quality of care, and patient abuse will be explored.

LAW 669. Scholarly Writing Workshop. 1 Hour.

PR: Students must be enrolled concurrently in a law school seminar of their choice. A course designed to help students develop scholarly writing skills and serves as a companion course to the seminar requirement. Emphasis is placed on identifying writing conventions specific to scholarly legal writing and on the scholarly writing process.

LAW 670. LLM Seminar. 1-4 Hours.

PR: LLM Major restriction. A wide range study related to the degree program, exploring diverse advanced topics and perspectives. Rigorous preparation for discussion, a writing project, and in-class presentations are required.

LAW 671. LL.M. Capstone. 1-4 Hours.

An advanced course requiring the completion of a research paper or fieldwork project in the area of energy and sustainable development in the LL.M. Program.

LAW 672. Social Media and the Law. 1 Hour.

A web-based course that will analyze foundational and current cases, building a base of knowledge to prepare students to serve future clients in this evolving aspect of law.

LAW 673. Seminar in Consumer Law Policy and Procedure. 2 Hours.

A seminar exploring the historic and modern underpinnings of consumer law and how those policy considerations have informed consumer law regulation and policy.

LAW 674. Environmental Law - Pollution. 3 Hours.

This course will provide students with a perspective of federal and state environmental regulatory regimes, common law claims and defenses commonly raised in response to environmental pollution, as well as legal strategies relating to air pollution, water pollution, toxic and hazardous waste issues.

LAW 675. Introduction to the Profession. 1 Hour.

Law students will engage in reflection about the legal profession, their professional identity, and what essential skills, habits, and traits are needed to succeed in the legal profession.

LAW 676A. Veterans Advocacy Clinic 1. 6 Hours.

A clinical introduction to the arts and skills of lawyering. Students may represent clients and also engage in simulated practice exercises.

LAW 676B. Veterans Advocacy Clinic 2. 6 Hours.

PR: LAW 676A. A continuation of the clinical introduction to the arts and skills of lawyering. Students may represent clients and also engage in simulated practice exercises.

LAW 677. United States Supreme Court Clinic 1. 4 Hours.

A clinical course that provides students with both instruction and practice in written and oral advocacy in appellate matters with emphasis on those before the United States Supreme Court.

LAW 678. United States Supreme Court Clinic 2. 4 Hours.

PR: LAW 677. A continuation of US Supreme Court Clinic 1 with additional emphasis on working with the government in Supreme Court matters and amicus curiae (friend of the court) briefs.

LAW 679A. WV Innocence Project Clinic 1. 6 Hours.

PR: LAW 727. A clinical introduction to the arts and skills of lawyering. Students may represent clients and also engage in simulated practice exercises.

LAW 679B. WV Innocence Project Clinic 2. 6 Hours.

PR: LAW 679A. A clinical introduction to the arts and skills of lawyering. Students may represent clients and also engage in simulated practice exercises.

LAW 681. Cannabis Law. 2 Hours.

This course will provide a practical approach to hemp and marijuana law. It will provide an opportunity to understand the practice of law from initial client interview, to business creation, through regulatory compliance, banking, taxes and more.

LAW 682. Essay Writing Workshop 1. 1 Hour.

A bar review course focusing primarily on the Multistate Essay Exam (MEE); includes strategies for taking the Multistate Performance Test (MPT), Multistate Bar Exam (MBE), and Multistate Professional Responsibility Exam (MPRE).

LAW 683. Essay Writing Workshop 2. 1 Hour.

PR or CONC: LAW 682. Open by invitation only, a one-hour extension of LAW 682 for students who would benefit from additional review and who must register for LAW 682 concurrently.

LAW 684. Bill Draft & Leg Process. 2 Hours.

This course explores the role of lawyers as bill drafters and advocates for legislative solutions to policy problems.

LAW 686. Civil Procedure. 4 Hours.

In this course, students will study judicial opinions, read rules of civil procedure, and engage in a number of civil procedure exercises. Class discussion will center on these areas.

LAW 687. Civil Procedure 2. 2 Hours.

An advanced civil procedure course designed to review first-year course topics, MDL, class actions, discovery in complex cases (including e-discovery), issue and claim preclusion (res judicata and collateral estoppel), securing and enforcing judgments, and appellate review. Also, is a course of interest for those considering litigation as a career and wish to understand rules that govern complex litigation practice.

LAW 688A. Seminar in American Constitutional History. 2 Hours.

A historical overview of American constitutional law from 1786 to present day, focusing on that part of history that still influences present-day constitutional law decision making.

LAW 688C. Seminar in Corporate Governance. 2,3 Hours.

This seminar provides students an in-depth look at current laws and policies that affect corporate governance and corporate accountability systems.

LAW 688E. Seminar in Human Rights & the Environment. 2 Hours.

An examination of the disparate impact of environmental decision-making on minorities relating to enforcement of environmental laws and siting of toxic chemical and hazardous waste disposal by industrial facilities.

LAW 688F. Seminar in Hydraulic Fracturing. 2-3 Hours.

An examination of the impacts of hydraulic fracturing in shale deposits in the U.S. and abroad, considering economic, environmental, and social issues and how those issue impact laws and regulations.

LAW 688H. Seminar in Firearms Law and Policy. 2 Hours.

A survey introduction to U.S. firearms law and policy as related to the Second Amendment of the U.S. Constitution.

LAW 688I. Seminar in Sexuality and the Law. 2 Hours.

An exploration of legal issues relating to human sexuality. Current controversies in legal theory will be addressed, as well as consent, privacy, power, and normalcy in gender issues.

LAW 688J. Seminar in Disability and the Law. 2 Hours.

A survey of key legal, ethical, and social issues in contemporary disability policy, including exploration of disability rights movement in the U.S. and how disability is defined within our legal and social system.

LAW 688K. Seminar in Schools, Race, & Money. 2-3 Hours.

The interrelationship of law and policy in the administration of U.S. elementary and secondary public education. Topics affecting most K-12 students will be: 1) structure, hierarchy, and governance of public education; 2) desegregation and resegregation; 3) school finance, the constitutional right to adequate and equitable educational opportunities; and 4) issues beyond schools, race, and money that affect educational outcomes.

LAW 688L. Seminar: Opioid Litigation. 2 Hours.

Analysis of causes and responses to the nationwide opioid epidemic including applicable laws, regulations; tort litigation strategies of pharmaceutical, federal and state law enforcement; role of the media; and rights and remedies of state/local government and private litigants in Multi-District Opiate Litigation ("MDL").

LAW 688M. Seminar: Domestic and International Terrorism. 2 Hours.

In this course, we will examine the term terrorism and the laws surrounding it. Topics of discussion and readings will include domestic terrorism prevention, national and state-level antiterrorism laws, international conventions on the prohibition of terrorism, and the definitions of terror and terrorism in international criminal law.

LAW 688N. Seminar: Health Care Civil Rights. 2 Hours.

This seminar examines the body of law that redresses discrimination in health care and will explore general civil rights as they apply in health care settings, as well as civil rights laws drafted specifically for health care. The course will cover access to health care facilities, rights to receive medical care, discrimination in the delivery of care and much more.

LAW 688O. Seminar: Regulating Artificial Intelligence. 2 Hours.

As artificial intelligence (A.I.) becomes more powerful and engrained in our society, should it be regulated? If so, how, and by whom? This course will explore A.I. and will map it on top of classical theories of regulation. It will also cover technology companies' attempts at self-regulation, and regulatory acts by individual states, the U.S. federal government, and other countries.

LAW 689A. Seminar: Intellectual Property. 2 Hours.

Considers the economic and social role of intellectual property laws in American and world economics. Preparation of a research paper of publishable quality will be required.

LAW 689F. Seminar: Lawyers and Legislation. 2 Hours.

Explores the role of lawyers in the legislative process with practical exercise in bill drafting and presentation to legislators.

LAW 689G. Seminar: Religion and Constitution. 2 Hours.

Explores the major doctrinal issues in the interpretation of the First Amendment's religion clauses. Related statutory schemes affecting religious liberty such as RFRA and RLUIPA will also be discussed.

LAW 689H. Seminar: Bioethics and the Law. 2 Hours.

An examination of the theological, philosophical and scientific foundations of bioethics; the operation of bioethical principles in the context of current bioethical controversies; and the relations between bioethics and the law.

LAW 689I. Seminar: Environmental Justice. 2 Hours.

A broad view of environmental justice issues and their impact on minorities and disempowered citizens and communities.

LAW 689K. Seminar: Civil Disobedience. 2 Hours.

An examination of the justification and operation of civil disobedience.

LAW 689M. Seminar: Race/Racism and American Law. 2 Hours.

This seminar focuses on historical and current event issues regarding race, racism and American law. It offers students the opportunity to advance in research and writing on the subject.

LAW 689P. Seminar: Gender and Law. 2 Hours.

The examination of the multiplicities of identity regarding the categories of gender, sex, sexual orientation, race and class as used to confer benefits and determine constitutional rights.

LAW 689R. Seminar in Commercial and Business Law. 2 Hours.

The examination of various topics relating to commercial, business, or construction (contracting, architecture, engineering) law. A substantial research paper is required.

LAW 689S. Seminar: Law and Socioeconomic. 2 Hours.

Advanced topics in the interrelationship between law and economic/social processes.

LAW 689T. Seminar: Comparative and International Workplace Law. 2 Hours.

Comparative analysis of workplace laws across global jurisdictions.

LAW 689W. Seminar: Issues in Energy Law. 2 Hours.

This seminar provides an understanding of a variety of issues regarding energy law and policy, both past and present, in the United States. A research paper on an energy law issue is required.

LAW 689X. Seminar: National Security Law. 2 Hours.

The history and framework of U.S. national security law and policies, with a focus on national security in the context of the use of military force, the intelligence community, civil liberties, and counterterrorism efforts.

LAW 689Y. Seminar in Sustainable Development. 2 Hours.

Consideration and further development of concepts and methods relating to sustainable development, including methods for incorporating consideration of economic development, environmental conservation, and social equity in decision-making at the regional, national and global level.

LAW 693. Special Topics. 1-6 Hours.

A study of contemporary topics selected from recent developments in the field.

LAW 694. Seminar. 1-6 Hours.

Special seminars arranged for advanced graduate students.

LAW 700. Legal Analysis, Research and Writing 1. 3 Hours.

Introduction to legal analysis, research, and writing. Stresses basic law school skills including case briefing, statutory analysis, and synthesis. Drafting of various legal documents including an office memorandum.

LAW 701. International Human Rights. 3 Hours.

An examination of historical, philosophical and legal issues in defining, understanding, and enforcing fundamental rights in a world of conflict and diversity.

LAW 702. Law of Charitable Fundraising. 1 Hour.

The course will discuss the various state and federal laws that regulate and incentivize charitable giving in the United States. The approach will be from the viewpoint of the charity that is soliciting the funds, although from time to time we will flip the script to look at these issues as a donor or grant-maker.

LAW 703. Contracts 1. 4 Hours.

The study of operation of contracts in society, what it means to have a contract, how contracts are made, and the manner and extent to which contracts and non-contract promises will be enforced.

LAW 704. Contracts 2. 2 Hours.

PR: LAW 703. Examines express and implied conditions precedent, subsequent, and concurrent determining the order and quality of required contract performance, legal excuses for non-performance including mistake, impossibility, impracticability and frustration, and rights of third parties as contract beneficiaries or assignees.

LAW 705. Criminal Law. 3 Hours.

Substantive law of crimes including: (1) the philosophical basis for penal systems, (2) the characteristics of particular crimes, and (3) conditions of exculpation.

LAW 707. Property. 4 Hours.

Law of real property in historical and theoretical context. Includes estates in land and future interest, concurrent ownership, methods of obtaining title, modern land transactions, recording, title examination, and the law of servitudes.

LAW 708. Uganda Study Abroad. 3 Hours.

A study-abroad experience in Uganda focusing on sustainable development to involve service learning and participation with secondary school students on community projects. Economic and social needs will be addressed in a variety of settings.

LAW 709. Torts 1. 4 Hours.

The basic civil common law response to injury. The fault-based liability system for intentional torts, privileges, and negligence. Consideration of fact and proximate cause, joint tortfeasors, and limited duty.

LAW 710. Torts 2. 3 Hours.

PR: LAW 709. A continuation of Torts 1. The tort law of land occupiers, damages, defenses, imputed negligence, strict liability, products liability, and modern statutory substitutes for tort law.

LAW 711. Legal Analysis, Research and Writing 2. 2 Hours.

PR: LAW 700. Continuation of LAW 700. Stresses research and writing. Drafting of various legal documents culminating in the preparation of a trial motion and memorandum and oral argument of the motion.

LAW 712. Analytical Methods for Lawyers. 3 Hours.

An introduction and overview of game theory, probability statistics, finance, accounting and economics, as they relate to the practice of law. Beneficial to students without undergraduate degrees in business or economics.

LAW 713. Toxic Torts. 3 Hours.

PR:LAW 709. An in-depth study of the law of toxic torts in the context of environmental harms.

LAW 714. Remedies. 3 Hours.

Equity, damages, and restitution. Survey of remedies available for harms.

LAW 715. Appellate Advocacy. 2 Hours.

PR: LAW 700 and LAW 711. Survey of appellate practice. Drafting of an appellate brief and an argumentation of the brief.

LAW 716. Wealth Transfers. 3 Hours.

This course introduces the law of trusts and estates. It covers intestacy distributions, wills, trusts, non-probate transfers, and other associated subjects.

LAW 717. Domestic Violence and The Law. 3 Hours.

(LAW 769 is recommended.) The examination of civil and criminal statutes and case law, as applied to domestic violence, focusing on national trends and West Virginia state law.

LAW 718. Advanced Bankruptcy. 3 Hours.

PR: LAW 767. The exploration of bankruptcy code complexities with emphasis on Chapter 11 reorganization.

LAW 719. Income Taxation 1. 3-4 Hours.

Gross income, deductions, exclusions, and gains and losses from dealing in property; the four credit version of the class includes administrative law concepts.

LAW 720. Entertainment Law. 3 Hours.

A foundation for the pursuit of a transactional or corporate law career in the entertainment industry. Includes the law contracts, copyright, trademark, and agent representation issues.

LAW 721. Sports Law. 3 Hours.

A foundation for the pursuit of a transactional or corporate law career in sports law. Includes the practical application of law of contracts and the process of negotiation.

LAW 723. Immigration Law. 2,3 Hours.

Constitutional underpinnings for immigration power; categories of and requirements for employment-based, family-based, and diversity-based immigration; visas for temporary visitation; problems with illegal immigration; removal procedures; and special policy issues, such as terrorism.

LAW 725. Constitutional Law 1. 3,4 Hours.

Basic study of the principles of constitutional decision making. Areas of emphasis include the allocation of power within the federal system, procedural and substantive due process, and equal protection of the law.

LAW 726. Constitutional Law 2. 3 Hours.

PR: LAW 725. First Amendment freedoms of speech, press, assembly, association, and petition.

LAW 727. Evidence. 3 Hours.

Rules, principles, and practice of the law of evidence covering judicial notice; real, demonstrative, testimonial and circumstantial evidence; hearsay; and other exclusionary rules, privileges, confidential relationships, witnesses, and other related subjects.

LAW 728. West Virginia Constitutional Law. 2 Hours.

A study of the West Virginia Constitution, its history, and its judicial interpretation with special emphasis on the branches of state government.

LAW 729. Business Organizations. 4 Hours.

Basic introduction to business organizations, their formation, maintenance, and dissolution. Includes agency, partnership, and corporations.

LAW 730. Immigration Law Clinic 1. 6 Hours.

PR: LAW 723. Under the supervision of attorneys, students will work to represent clients in a variety of immigration proceedings and supplement case work with study of law and practice materials for the immigration practitioner.

LAW 731. Immigration Law Clinic 2. 4 Hours.

PR: LAW 730. A continuation of Immigration Law Clinic 1 (LAW 730). Students will continue to work under the supervision of attorneys to represent clients in a variety of immigration proceedings and supplement case work with study of law and practice materials for the immigration practitioner.

LAW 733. Education Law. 3 Hours.

A survey of major topics in education law with a focus on public primary and secondary education. The course includes consideration of both constitutional and statutory law affecting schools.

LAW 734. Intellectual Property. 3 Hours.

Legal problems in the protection of ideas including copyright, trademark, patent, and law of unfair competition; and their interrelationship.

LAW 735. Patent Law. 3,4 Hours.

The application and interpretation of patent law, including the requirements for obtaining a patent, infringement action, and other patent related law and policy.

LAW 736. Legal Estate Planning. 3 Hours.

PR: LAW 716. The law in its relation to problems of intergenerational transfers, including federal transfer taxes (estate and gift tax), life insurance, revocable and irrevocable trusts, wills, and the probate process.

LAW 737. Property 2. 2 Hours.

This class will focus on exploring common property issues that arise during the planning and development stages of energy projects and build upon the knowledge gained in your 1L Property class. This includes ownership interests, conveyance of property interests, easements, and leasing property for solar and oil/gas development. Emphasis will be placed on the interpretation and application of WV law.

LAW 738. Business Torts. 3 Hours.

The study of trademark, trade secrets, and unfair competition law, with a strong emphasis on the development of these doctrines in American law from both a statutory and common law perspective.

LAW 739. American Legal History. 3 Hours.

The study of American law from the colonial period to the present with emphasis on the jurisprudential, social, economic, political and cultural influences that have shaped the development of a distinctively American legal system.

LAW 740. Conflict of Laws. 3 Hours.

Legal problems arising when an occurrence cuts across state or national boundaries, emphasizing questions of characterization, jurisdiction, foreign judgments, recognition and application of foreign law in selected fields of law.

LAW 741. Employment Law. 3-4 Hours.

The course primarily focuses on federal and state regulations of the employee- employer relationships and may include: wrongful discharge, employee discrimination, wage/hour issues, and occupational safety and health.

LAW 742. Professional Responsibility. 3 Hours.

Professional responsibility in the administration of justice in society; Code of Professional Responsibility examined in light of traditional and changing demands of the legal system.

LAW 743. Patent Prosecution. 3 Hours.

PR: LAW 735. The study of all stages of patent prosecution, with an emphasis on claims drafting and amendment of claims. Prosecution study emphasizes drafting responses to official actions.

LAW 744. Law and Economics. 3 Hours.

Legal rules and institutions from perspective of economics; basic assumptions and principles with application to private law (contract, tort, nuisance, litigation) and public law (regulations, taxation, redistribution.).

LAW 745. Artificial Intelligence and the Law. 2,3 Hours.

This course will help familiarize law students with the basics of artificial intelligence, including machine learning and algorithmic decision making. Students will study ideas from computer science, data science, and philosophy. Students will learn about the important ways artificial intelligence is being used in the criminal justice sector, difficulties of arguing a machine, if algorithms can be biased and more.

LAW 746. Lawyers and Literature. 3 Hours.

A course of literary readings (emphasizing fiction and novels) that involve lawyers and focus on the theme of reflection and introspection.

LAW 747. Health Care Law. 3 Hours.

This introductory course in health care law includes state and federal regulation of the business of health care, "system" managed care, fraud and abuse, and health care transactions.

LAW 750. Alternative Dispute Resolution. 3 Hours.

A theoretical and practical examination of negotiation, court-annexed and private mediation and arbitration, summary jury and minitrials, and other "alternative dispute resolution processes; an assessment of the appropriateness of ADR for particular legal disputes.

LAW 751. Empirical Legal Methods. 3 Hours.

A presentation of foundational core statistical concepts covering the substantive equivalent of a college-level introductory statistics course and exploring empirical legal policy issues through readings and class discussions. Will focus on mastering specific empirical issues in cases, policy proposals, legislation, and regulations. No mathematics above algebra required.

LAW 752. Jurisprudence. 3 Hours.

Introduction to legal philosophy. Major jurisprudential issues; definition of law, concept of justice, relation of law and morality considered in light of specific legal theories and contemporary issues.

LAW 753. Estate and Gift Taxation. 3 Hours.

Application of federal transfer taxes (estate and gift tax) and West Virginia inheritance tax; inter vivos transfers; joint interests; life insurance; valuation; exemptions, exclusions and deductions; marital deduction.

LAW 754. State and Local Taxation. 2,3 Hours.

Constitutional limitations; examination of specific taxes such as ad valorem, sales and use, business and occupation, and income taxes; tax exemptions; and tax procedure.

LAW 755. Partnership Tax. 2 Hours.

PR: LAW 719. The study of Partnership Tax with an emphasis on reading the appropriate sections of the Internal Revenue Code and applying them to various problems to instill in the students the fundamentals of partnership tax.

LAW 756. Trial Advocacy Skills. 6 Hours.

PR or CONC: LAW 727. Introduction to techniques of, and moral and ethical questions associated with trial practice, jury selection, opening statement, direct and cross examination, closing argument. Lecture, discussion, and simulation.

LAW 757. Law Review 1. 1 Hour.

PR: Students in the College of Law. Legal research, writing, and editing involved in the production for publication of analytical and scholarly commentary on the law. (May be repeated for a maximum of 2 credit hours.)

LAW 758. Law Review 2. 1 Hour.

PR: LAW 757. (May be repeated for a maximum of 2 credit hours.) Continuation of LAW 757.

LAW 759. Civil Rights. 3 Hours.

Survey of federal civil rights and statutes; causes of action to vindicate constitutional rights and remedy discrimination; primary emphases on substance, procedures, and defenses under 42 U.S.C. 1983.

LAW 762. Federal Courts. 3 Hours.

Jurisdiction and procedure in federal courts. Federal question and diversity jurisdiction; removal jurisdiction and procedure; the law applied in federal courts, and procedural rules unique to the federal system.

LAW 763. Employment Discrimination. 3 Hours.

Survey of federal and state statutes prohibiting discrimination in employment practices on grounds of race, gender, national origin, religion, age, or disability.

LAW 764. Administrative Law. 3 Hours.

Creation and operation of administrative agencies, common procedural practices and requirements of administrative procedure acts, judicial control of administrative agencies.

LAW 765. ADR: Mediation Training. 1 Hour.

A practical, skills-based course where students actively participate in the mediation of civil cases in the Monongalia County Magistrate Court as student mediators. The student mediators will coordinate with court personnel to set schedules, work with involved parties to settle cases and explore mediation techniques for mediation sessions. No student mediator will serve as counsel the plaintiff or defendant.

LAW 766. Coal/Oil and Gas. 3 Hours.

Nature of ownership of subsurface minerals; methods of transferring ownership thereof, partition among co-owners, analysis of leasehold estates, and rights and duties thereunder, coal mining rights and privileges.

LAW 767. Bankruptcy: Creditors and Debtors Rights. 3 Hours.

Federal bankruptcy law including consumer and business liquidation in Chapter 7 and rehabilitation in Chapter 11 and Chapter 13. Actual preparation of filings and plans. Introductory coverage of state debtors in collecting debts and enforcing judgments.

LAW 768. International Law. 3 Hours.

The law governing the behavior of nations; overview of customary law, treaties, dispute resolution, armed conflict, and recent specific problems for the United States in the world community.

LAW 769. Family Law. 3 Hours.

The law in its relation to creation, stability, and breakdown of domestic relations including engagement, marriage, annulment, separation, divorce, alimony and child support, custody, and adoption (Based on national and West Virginia law.)

LAW 770. Insurance. 2 Hours.

A survey of the basic principles, rules, and issues from the formation of the insurance relationship including indemnity, protections afforded, claims, and payment.

LAW 771. Labor Law. 3 Hours.

Labor-management relations under the general jurisdiction of the National Labor Relations Board and the courts. Collective bargaining, administration, and enforcement of labor agreements and enforcement and protection of rights of employees, unions, and the public.

LAW 772. Consumer Law. 1-3 Hours.

Consumer Law studies the group of laws that protect the public at large from unfair and predatory business practices and unscrupulous ways of doing business, including product defects, privacy, debt collection, credit practices, unfair advertising, and a host of related issues.

LAW 774. Local Government. 2 Hours.

Distribution of governmental authority among local, state, and national governments; public office and employment, liability risks of local governmental action; taxing and budgeting.

LAW 775. Pre-trial Litigation. 3 Hours.

This course will immerse students in the daily work of civil litigators. Students will learn the procedural and substantive contours of litigating a hypothetical case from its inception through the eve of trial.

LAW 776. Secured Transactions. 2 Hours.

Functional approach designed to use the UCC for commercial and consumer problems. Focusing on the creation, perfection, priority, and enforcement of security interests. Through problem-solving and practical applications, students will develop an understanding of how secured credit operates in commercial and bankruptcy contexts.

LAW 777. Health Care Torts. 3 Hours.

Introduction to legal issues that arise in the U.S. health care system relating mainly to patient care; emphasizing topics such as medical malpractice, informed consent, patient confidentiality, quality and accessibility of health care to patients.

LAW 778. Antitrust. 3 Hours.

Federal and state controls of vertical and horizontal integration and the legal limits upon the concentration of economic power in the United States.

LAW 779. Business Transactions Drafting and Entrepreneurship Skills. 6 Hours.

PR: LAW 703 and LAW 711. This course combines focused classroom instruction and simulations related to the development of transactional and entrepreneurship skills. These skills include applying the legal knowledge and analysis necessary to assist clients in identifying the business issues that need to be addressed and to successfully complete the client's desired business arrangement in the form of a legally binding agreement.

LAW 780. Federal Judicial Externship 1. 2-8 Hours.

PR: LAW 727 and PR or CONC: LAW 780A. Strongly recommended that students take LAW 618 and LAW 762 prior to enrolling in this course. A two-component, practical course in which selected students will serve as regular, full-time clerks to federal district court and appellate judges for one semester. Classroom instruction and writing requirements are included.

LAW 780A. Federal Judicial Externship 2. 6-11 Hours.

PR: LAW 727 and PR or CONC: LAW 780. Strongly recommended that students take LAW 618 and LAW 762 prior to enrolling in this course. The field work component of LAW 780.

LAW 781. Child and Family Advocacy Clinic 1. 7 Hours.

PR or CONC: LAW 727 and LAW 769. The first of a two-semester clinical course in which students represent clients in child and family law matters under faculty supervision. It includes two weekly classes with a requirement to visit Chestnut Ridge Hospital monthly as part of a medical-legal partnership and attend Judge Aloï's drug court at least once. Students are expected to work 15-20 hours per week.

LAW 781A. Child and Family Advocacy Clinic 2. 7 Hours.

PR: LAW 781. The second semester of a two-semester clinical course in which students represent clients in child and family law matters under faculty supervision, including cases referred by WVU Student Conduct and through the medical-legal partnership with WVU Hospitals, Inc.

LAW 782. General Litigation Clinic 1. 6 Hours.

PR: LAW 686 and PR or CONC: LAW 727. A clinical introduction to the arts and skills of lawyering. Students may represent clients and also engage in simulated practice exercises.

LAW 783. General Litigation Clinic 2. 6 Hours.

PR: LAW 782. A continuation of LAW 782. Students are given increased responsibilities for cases and will try a case in a simulated and/or actual trial setting.

LAW 784. Securities. 3 Hours.

Federal and state regulations of the distribution of and trading in securities, including the Blue-Sky Laws and federal acts.

LAW 786. Lugar Trial Advocacy. 1,2 Hour.

PR: LAW 727 and LAW 756 with a minimum grade of B- in each. An extensive lecture series and trial simulation program designed to provide opportunities for students to develop advanced litigation skills. Students must participate in six full-scale mock trials and one outside trial competition.

LAW 787. Intercollegiate Moot Court. 1,2 Hour.

Appellate brief writing and argumentation for members of intercollegiate moot court teams.

LAW 788. Interviewing, Counseling, and Negotiation. 3 Hours.

This course provides instruction in the lawyering skills involved in interviewing and client counseling as well as negotiation on a client's behalf. Simulations are employed to develop and enhance these practical lawyering skills.

LAW 789. Law of Environmental Protection. 3 Hours.

Problems of identifying and evaluating scientific evidence of air and water pollution; weighting the benefits of economic and technological progress against resulting harm to the quality of life; choice among alternative forms of litigation and public regulation as methods of social control.

LAW 791. Advanced Topics. 1-6 Hours.

PR: Consent. Investigation of advanced topics not covered in regularly scheduled courses.

LAW 792. Directed Study. 1-6 Hours.

Directed study, reading, and/or research.

LAW 793. . 1-6 Hours.

A study of contemporary topics selected from recent developments in the field.

LAW 795. Independent Study. 1-9 Hours.

Faculty supervised study of topics not available through regular course offerings.

LAW 797. Research. 1-9 Hours.

PR: Consent. Research activities leading to thesis, problem report, research paper or equivalent scholarly project, or a dissertation. (Grading may be S/U.).

Student Catalog Policy

All students at West Virginia University College of Law must abide by the content of the student catalog and the Student Code of Professional Responsibility. You are responsible for knowing and understanding the rules and policies contained in those documents. You are governed by the rules and policies of the catalog for the current academic year, including any addenda to the catalog published on the College of Law's website. The student catalog is revised each academic year. Students will be notified of any significant change in school policies during the academic year. You may consult the Director of the Academic Excellence Center or their designee at any time for advice as to any policy contained in the student catalog.

Academic Programs

Degrees Offered

- Doctor of Jurisprudence
- Dual Degree Programs

College Website: <https://www.law.wvu.edu/>

Law, JD

Degree Offered

- Doctor of Jurisprudence (J.D.)

Nature of the Program

FIRST-YEAR CURRICULUM

The first-year curriculum is a required set of courses designed by the faculty to give new law students an introduction to the fundamentals of legal practice. You will be assigned to a section of each required course. The first-year curriculum covers three areas:

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

Public Law concerns governmental regulation of private persons and entities. The public law courses you will take are Criminal Law and Constitutional Law.

Practice courses teach procedural law, the skills of legal research, analysis, and writing, and an introduction to the practice of law. The practice courses you will take are Civil Procedure, two semesters of Legal Analysis, Research, and Writing, Introduction to Legal Research, and Introduction to the Profession.

Legal Analysis, Research, and Writing (five credits). First-year students must pass both LARW I (3 credits) and LARW II (2 credits) with an average grade of C (2.0) or better over the two semesters in order to satisfy the Legal Analysis, Research, and Writing (LARW) course requirement. The vast majority of students will satisfy the requirement by making grades of C or better in both semesters of LARW. However, a student who makes a C- in one semester must make a C+ or better in the other semester to obtain a C average; a student who makes a D+ in one semester must make a B- or better in the other semester to obtain a C average; a student who makes a D in one semester must make a B or better in the other semester to obtain a C average. A student who earns a grade of F for one semester of LARW must at least repeat that course and must repeat both semesters if they do not obtain the required average of C over both classes.

Students who fail to obtain an average of C or better in the first-year LARW program have a second opportunity to satisfy the LARW requirement in a second taking of the two-semester, first-year sequence of LARW I and LARW II. (In some years, a one-semester LARW class may be offered in the fall semester for such students to take in lieu of retaking LARW I and II.) Students who fail to make a C or better in their second attempt to satisfy the LARW requirement will be permanently dismissed from the College of Law. For students who make a C or better on the second attempt, both grades will count in the student's law school GPA, but the student will receive only four total hours of credit toward law school graduation.

No student will be allowed to drop the required first-year LARW course. Students needing to decelerate by taking less than the full 1L curriculum during the first year of law school must drop another required course. There is one possible exception to this policy: if a student receives an F in LARW I and wishes to decelerate, the student may drop LARW II. Part-time students must take LARW I and II during their first year of law school.

Successful completion (an average grade of C or better) of the first-year LARW program is a prerequisite for taking Appellate Advocacy, any seminar, or any clinic. This prerequisite may not be waived. Students will receive a detailed policy handbook at the beginning of the LARW course; all policies will be in effect for the duration of the course.

REQUIRED COURSES AFTER THE FIRST-YEAR CURRICULUM

After successfully completing their first year of law school, students are able to choose among a wide range of upper-level electives to complete 91 credits for graduation, including doctrinal courses, skills courses, and experiential learning courses (an externship or clinic, for example). Students must satisfy a relatively small number of upper-level requirements:

REQUIRED COURSES DURING THE 2L YEAR:

Administrative Law. Students must take Administrative Law (LAW 746) or an approved alternative upper-level elective that the College of Law has determined teaches significant administrative law concepts during their second year.

Professional Responsibility. Students must take Professional Responsibility (LAW 742) during their second year.

REQUIRED COURSES THAT MAY BE TAKEN IN EITHER THE 2L OR 3L YEAR

Appellate Advocacy. Students must take Appellate Advocacy and receive a C or higher in the course to graduate.

Seminar Requirement. (two-three credits, depending on length of class meetings and paper length) from a menu of seminars. Seminars are specifically noted by the letters "Sem or Seminar" in the course title and are numbered as LAW 688, 689, or 796. Seminars have a common structure: small-class discussions geared toward the production of a substantial (*i.e.*, at least 8,000 words which is approximately twenty-five pages) written product supported by extensive research. Typically, the research seminar aims at the production of a law-review style research paper of publishable quality. Seminars may aim at other written products, such as draft legislation or jury instructions, so long as these products are accompanied by papers urging their adoption by

the appropriate lawmakers. Enrollment is limited to fifteen students in each seminar. Two-hour seminar courses must meet as a group for no less than 10 weeks and no less than 110 minutes per week. Three-hour seminar courses must meet as a group for no less than 10 weeks and no less than 165 minutes per week. Students must obtain a grade of C or better to satisfy the seminar requirement. Independent studies and externships do not satisfy the seminar requirement.

UPPER-LEVEL ELECTIVES

Apart from the upper-level requirements already described, students choose from a variety of upper-level electives to create their courses of study over the final two years of law school. A list of all the permanent law school courses with their descriptions can be found on the "Courses" tab. The law school also offers additional courses on a temporary basis that are not included in this catalog. Students should note that not all listed courses are offered every year.

PART-TIME ENROLLMENT

Full-time students average just over fifteen (15) hours per semester in order to amass ninety-one (91) credits in six (6) semesters. Students taking significantly fewer hours per semester will take longer to finish their degrees and are considered part-time students at the College of Law. (Note, however University graduate or professional students taking nine hours or more are charged full tuition and fees. Thus, some "part-time" students will still pay the same tuition and fees each semester as their full-time colleagues.)

Part-time students are subject to the same graduation requirements in terms of total credit hours (ninety-one credits), cumulative grade point average (2.50), and specific required courses. Per ABA requirements, part-time students must complete all graduation requirements within seven years from the date of initial enrollment.

Students Who Wish to Begin Law School as Part-Time Students. The Enrollment Management Committee selects first-year part-time students from students already admitted to the Law School. The total size of the entering class is not increased. A student requesting for part-time status must submit a written request to the Enrollment Management Committee on objective indicators of the need to attend on a part-time basis. Students who wish to become part-time students after starting law school but before completing the first-year curriculum must consult with the Academic Standards Committee as indicated in this catalog's section on Academic Policies and Procedures. Students who have completed the first-year curriculum (see "First-Year Curriculum (p.)" above) may request to become part-time students by consulting the Academic Standards Committee of that intention at the beginning of the semester.

First-Year Curriculum. Part-time students must take both semesters of LARW and Introduction to Legal Research course in their first year of law school. Typically, part-time students take two courses in addition to LARW/Legal Research in each semester of the first year, then take the rest of the first-year curriculum in their second year of studies. As a general rule, part-time students may not enroll in upper-level courses until they have completed the entire first-year curriculum. The Academic Standards Committee may grant exceptions to this rule for good cause.

Scheduling of Classes. Part-time students must consult the Director of Academic Excellence in scheduling.

Probation and Dismissal. Except as specifically noted to the contrary, part-time students are subject to the probation and dismissal rules applicable to full-time students who have completed the first-year curriculum only when the part-time students have completed the entire first-year curriculum. Part-time students do not receive a class rank until they have completed the entire first-year curriculum. In all other respects, part-time students and full-time students attending more than six semesters are subject to probation and dismissal rules substantially equivalent to those applicable to full-time students.

Curriculum Requirements

Students at the West Virginia University College of Law must earn 91 credit hours with a cumulative grade point average (GPA) of at least 2.50 in order to graduate. Students must maintain a cumulative GPA of at least 2.50 and meet other requirements to remain in good academic standing. The first-year curriculum is a fixed set of courses taken by all students. Students are largely free to shape their own courses of study during the last two years of law school, subject to a small number of upper-level requirements. If a student receives a failing grade in a course required for graduation, the student must repeat the course for a passing grade. That grade will be factored into the student's overall GPA and will not replace the 'F' the student received the first time he or she took the course.

Code	Title	Hours
Minimum GPA of 2.50		
First-Year Required Courses		
LAW 641	Introduction to Legal Research	1
LAW 675	Introduction to the Profession	1
LAW 700	Legal Analysis, Research and Writing 1	3
LAW 703	Contracts 1	4
LAW 705	Criminal Law	3
LAW 707	Property	4
LAW 709	Torts 1	4
LAW 711	Legal Analysis, Research and Writing 2	2

LAW 725	Constitutional Law 1	4
LAW 686	Civil Procedure	4
Upper-Level Requirements		
LAW 715	Appellate Advocacy	2
LAW 742	Professional Responsibility	3
LAW 764	Administrative Law	3
Seminar (any 688, 689, or 796 course)		2
Capstone		6
Electives (credit may vary - used to reach the minimum of 91 hours for the degree)		45
Total Hours		91

CAPSTONE REQUIREMENT

Capstone courses provide students with opportunities to synthesize critically and apply knowledge and skills they have developed during law school. The following course(s) satisfy the capstone requirement:

Code	Title	Hours
LAW 627 & LAW 628	Land Use/Sustainable Development Clinic 1 and Land Use/Sustainable Development Clinic 2	12
LAW 655 & LAW 656	Law and Public Service Full-Time and Law and Public Service Externship Full-Time	13
LAW 677 & LAW 678	United States Supreme Court Clinic 1 and United States Supreme Court Clinic 2	8
LAW 676A & LAW 676B	Veterans Advocacy Clinic 1 and Veterans Advocacy Clinic 2	12
LAW 679A & LAW 679B	WV Innocence Project Clinic 1 and WV Innocence Project Clinic 2	12
LAW 730 & LAW 731	Immigration Law Clinic 1 and Immigration Law Clinic 2	10
LAW 756	Trial Advocacy Skills	6
LAW 779	Business Transactions Drafting and Entrepreneurship Skills	6
LAW 780 & 780A	Federal Judicial Externship 1 and Federal Judicial Externship 2	13
LAW 782 & LAW 783	General Litigation Clinic 1 and General Litigation Clinic 2	12
LAW 781 & 781A	Child and Family Advocacy Clinic 1 and Child and Family Advocacy Clinic 2	14

Students fulfilling the Capstone requirement through the clinic must take both semesters of Clinic unless waived by the Academic Standards Committee and the faculty member supervising the Clinic for due cause due to a situation that occurred that was outside of the control of the student (by way of example, due to the second semester of clinic not being offered due to personnel changes).

In addition to the above-listed capstone courses, students may also fulfill the capstone requirement by completing the following:

-When available; writing a Law School faculty-supervised brief and making an oral argument before the U.S. Court of Appeals or the Supreme Court of Appeals of West Virginia as an independent study project (two credits).

-An interdisciplinary project supervised by a law faculty member and a university faculty member who is not a law faculty member, which must be approved in advance by the Academic Standards Committee.

Prerequisite Requirement for Some Capstone Courses. The course in Evidence is a prerequisite to taking Trial Advocacy, any Clinical Law Program that requires a Rule 10 admission to practice, or a Federal Judicial Externship. (There is no requirement that the student attain a particular grade in Evidence prior to taking the other courses.)

Areas of Emphasis

An Area of Emphasis (also informally called a "Concentration") is a course of study that enables students to develop skills and competency in a particular area of the law. A student who satisfies the requirement of an Area of Emphasis will have that Area of Emphasis listed on the official

transcript. The College of Law has three Areas of Emphasis: (1) Energy and Sustainable Development Law, (2) Public Interest Law, (3) Civil Litigation and Advocacy. Adding an Area of Emphasis must be requested, declared, and processed prior to the first day of classes of the student's graduating semester. A student will not be permitted to add an Area of Emphasis at any point during their graduating semester.

- Civil Litigation and Advocacy (p. 22)
- Energy and Sustainable Development Law (p. 22)
- Public Interest Law (p. 23)

CIVIL LITIGATION AND ADVOCACY AREA OF EMPHASIS

Advisor: Jessica Haught

The Civil Litigation and Advocacy Area of Emphasis is intended to provide a pathway for students to prioritize courses that would train and prepare them in subject areas and experiential opportunities that are foundational for general civil litigation and advocacy in a variety of settings.

Course Requirements: To satisfy the requirements of the Civil Litigation and Advocacy Area of Emphasis, a student must:

Code	Title	Hours
Complete a total of 12 credits from the courses below, earning a grade of B- or higher in each course		12
LAW 622	E-Discovery	
LAW 642	Law Practice Management	
LAW 687	Civil Procedure 2	
LAW 714	Remedies	
LAW 727	Evidence	
LAW 762	Federal Courts	
LAW 770	Insurance	
LAW 775	Pre-trial Litigation	
LAW 788	Interviewing, Counseling, and Negotiation	
A maximum of 2 credits from the following co-curricular courses can be counted toward the 12 required credits:		
LAW 786	Lugar Trial Advocacy	
LAW 787	Intercollegiate Moot Court	
Total Hours		12

*In addition to the completion of all required first-year courses, earning a grade of B- or higher will be required for LAW 686 and an average of B- or higher between LAW 700 and LAW 711.

Experiential Learning Recommendation:

Students are **strongly encouraged** to gain experience working on matters that continue to advance their litigation and advocacy skill set by participating in a full-time Federal Judicial Externship, enrolling in Trial Advocacy, and/or the General Litigation Clinic.

ENERGY AND SUSTAINABLE DEVELOPMENT LAW AREA OF EMPHASIS

Advisor: Anne Eisenberg

The Energy and Sustainable Development Law Area of Emphasis is intended to educate the next generation of lawyers who will work in and shape the fields of energy, environmental, and sustainable development law, by providing an opportunity to learn the applicable laws and regulations in this area, consider policy issues through written work, and obtain practical skills applicable in this area through an experiential learning requirement.

Course Requirements. To satisfy the requirements of the Energy and Sustainable Development Law Area of Emphasis, a student must complete a total of 9 credits, earning a grade of B- or higher, from a combination of the designated elective courses below.

Code	Title	Hours
Required Courses		9
Select three of the following:		
LAW 604	Natural Resources	
LAW 630	Energy Law	
LAW 635	Land Use and Resilience Law	

LAW 645

Water Law

Total Hours**9**

Experiential Learning Recommendation. Students are **strongly encouraged** to gain experience working on matters that involve energy, environmental, and sustainable development law. Students are strongly encouraged to enroll in the Land Use/Sustainable Development Clinic and/or participate in an externship that offers an experiential learning opportunity in this subject area.

PUBLIC INTEREST LAW AREA OF EMPHASIS

Advisor: Charles DiSalvo

The Area of Emphasis in Public Interest Law prepares students to work to advance the common good of the general public using the legal process through the representation of individuals and organizations who might otherwise be unrepresented.

Course Requirements. To satisfy the requirements of the Public Interest Law Area of Emphasis, a total of 12 credits must be completed. Among those credits, a student must:

Code	Title	Hours
(1) Core Course		3-4
Select one of the following (minimum grade of B- is required):		
LAW 750	Alternative Dispute Resolution	
LAW 756	Trial Advocacy Skills	
LAW 788	Interviewing, Counseling, and Negotiation	
(2) Elective Courses		9-10
Select a minimum of nine credits from the following (minimum grade of B- is required):		
LAW 604	Natural Resources	
LAW 605	Post-Conviction Remedies	
LAW 609	Child Protection and the Law	
LAW 612	Agriculture & Food Law	
LAW 625	Nonprofit Organizations	
LAW 640	Parent, Child, and State	
LAW 689F	Seminar: Lawyers and Legislation	
LAW 688J	Seminar in Disability and the Law	
LAW 689G	Seminar: Religion and Constitution	
LAW 689I	Seminar: Environmental Justice	
LAW 689K	Seminar: Civil Disobedience	
LAW 723	Immigration Law	
LAW 726	Constitutional Law 2	
LAW 759	Civil Rights	
LAW 763	Employment Discrimination	
LAW 769	Family Law	
LAW 771	Labor Law	
LAW 789	Law of Environmental Protection	

(3) Complete twenty-five pro-bono hours.

Students must complete at least 25 hours of law-school based pro bono work while enrolled at the College of Law (which may include, but is not limited to, participation in Public Interest Advocates).

Total Hours**12-14**

Experiential Learning Recommendation. Students are **strongly encouraged** to gain experience working on matters that further the common good using the legal process through the representation of individuals and organizations who might otherwise be underrepresented by participating in an externship or clinic that offers this kind of experiential learning opportunity.

Dual Degrees

- Doctor of Jurisprudence/Master of Social Work (p. 24)

DOCTOR OF JURISPRUDENCE/MASTER OF SOCIAL WORK

- Admission. Students seeking to enter the Program must apply separately and be admitted independently to the College of Law's JD and Eberly's MSW program in accordance with each college's standard admission procedure.
- For additional details and requirements for each program, please visit the Law page (<http://catalog.wvu.edu/graduate/law/>) or the Social Work page (<http://catalog.wvu.edu/graduate/eberlycollegeofartsandsciences/socialwork/>).
- Students will develop a combined plan of study with their graduate advisers in Social Work and in the College of Law.
- Only courses included in an approved plan of study will satisfy graduation requirements.
- Students admitted to an approved dual degree program should plan to have their two degrees conferred simultaneously upon completion of all requirements for both degrees.
- Students must meet the academic standards of both degree programs.

Code	Title	Hours
Master of Social Work Regular Standing		
SOWK Coursework		54
SOWK 513	Research Methods	
SOWK 520	Human Behavior in the Social Environment	
SOWK 530	Professional Identity and Social Justice	
SOWK 531	Social Welfare Policy and Programs	
SOWK 540	Generalist Practice 1: Individuals, Families, and Groups	
SOWK 541	Generalist Practice 2: Rural Community Macro Practice	
SOWK 581	Generalist Field Experience	
SOWK 616	Evaluation Research in Social Work	
SOWK 633	Social Policy Analysis, Advocacy, and Deliberation	
SOWK 643	Assessment and Diagnosis	
SOWK 649	Practice with Individuals	
SOWK 650	Practice with Families and Groups	
SOWK 654	Organizational Administration and Leadership	
SOWK 656	Financial Management and Grant Writing	
SOWK 682	Advanced Field Experience	
LAW Electives (share 6 credits)		
Jurisprudence Doctorate		
LAW Coursework		38
LAW 641	Introduction to Legal Research	
LAW 700	Legal Analysis, Research and Writing 1	
LAW 703	Contracts 1	
LAW 705	Criminal Law	
LAW 707	Property	
LAW 709	Torts 1	
LAW 711	Legal Analysis, Research and Writing 2	
LAW 725	Constitutional Law 1	
LAW 793	(Civil Procedure)	
LAW 793	(Introduction to the Profession)	
LAW 793	(Legal Writing Intensive)	
LAW 715	Appellate Advocacy	
LAW 742	Professional Responsibility	
Seminar		2
Administrative Law Requirement		3
Perspective		2
Capstone		4
Electives		39
SOWK Electives (share 6 credits)		
SOWK 626	Child Mental Health: Promotion, Prevention, and Treatment	
SOWK 627	Clinical Practice in Integrated Healthcare	

SOWK 675	Addiction and Social Work Practice	
SOWK 680	Child Welfare Continuum	
GERO 645	Fundamentals of Gerontology	
GERO 681	Rural Gerontology	
Total Hours		142
Code	Title	Hours
Master of Social Work Advanced Standing		
SOWK Coursework		30
SOWK 616	Evaluation Research in Social Work	
SOWK 633	Social Policy Analysis, Advocacy, and Deliberation	
SOWK 643	Assessment and Diagnosis	
SOWK 649	Practice with Individuals	
SOWK 650	Practice with Families and Groups	
SOWK 654	Organizational Administration and Leadership	
SOWK 656	Financial Management and Grant Writing	
SOWK 682	Advanced Field Experience	
LAW Electives (share 6 credits)		
Jurisprudence Doctorate		
LAW Coursework		38
LAW 641	Introduction to Legal Research	
LAW 700	Legal Analysis, Research and Writing 1	
LAW 703	Contracts 1	
LAW 705	Criminal Law	
LAW 707	Property	
LAW 709	Torts 1	
LAW 711	Legal Analysis, Research and Writing 2	
LAW 725	Constitutional Law 1	
LAW 793	(Civil Procedure)	
LAW 793	(Introduction to the Profession)	
LAW 793	(Legal Writing Intensive)	
LAW 715	Appellate Advocacy	
LAW 742	Professional Responsibility	
Seminar (any LAW 688, 689, or 796 course)		2
Administrative Law Requirement		3
Perspective		2
Capstone		4
Electives		39
SOWK Electives (share 6 credits)		
SOWK 626	Child Mental Health: Promotion, Prevention, and Treatment	
SOWK 627	Clinical Practice in Integrated Healthcare	
SOWK 675	Addiction and Social Work Practice	
SOWK 680	Child Welfare Continuum	
GERO 645	Fundamentals of Gerontology	
GERO 681	Rural Gerontology	
Total Hours		118

Degree Designation Learning Outcomes

DOCTOR OF JURISPRUDENCE (JD)

The J.D. program forms students' professional identities as lawyers and provides students with the core legal knowledge and practical skills to pass the bar exam and to serve their clients competently and ethically. Students are assessed on their ability to achieve the following learning outcomes:

- Demonstrate a professional level of knowledge and understanding of substantive and procedural law.
- Research, assess, and synthesize legal information in order to perform legal analysis.
- Communicate effectively, both orally and in writing, in a range of contexts, modes, and forms, and to a range of audiences.
- Model the ethical obligations of a lawyer and develop the capacity for reflective judgment.
- Demonstrate an understanding of the role and duties of the professional in the legal system and society generally.

Dual Degree Programs

B. DUAL-DEGREE PROGRAMS

1. Master of Social Work (M.S.W.) (p. 27)
2. J.D./LL.M. in Energy and Sustainable Development Law (p. 27) ***The College of Law is not accepting applications during the 2025-2026 academic year.***

B.1 MASTER OF SOCIAL WORK (M.S.W.)

A J.D./M.S.W. student may earn law school credit pursuant to the dual degree requirements approved by the faculties of the College of Law and the Eberly College of Arts and Science's School of Social Work. J.D./M.S.W. students receive six credits toward the J.D. degree if the M.S.W. degree is awarded concurrently with the J.D. degree. As a result, a student will need at least 85 J.D. credit hours are required. With the exception of the reduced number of J.D. credit hours, students must meet all other requirements for a Doctor of Jurisprudence (p. 20) in effect at the time the student starts at the college of Law. Grades earned outside of the College of Law do not affect the cumulative law school GPA. The College of Law's perspective requirement is met by completing the dual-degree.

Students with a baccalaureate degree in Social Work accredited by the Council on Social Work Education may apply for Advanced Standing toward the joint Master of Social Work degree; students; all other students would apply for the joint Master of Social Work degree with Regular Standing

B.2 J.D./LL.M IN ENERGY AND SUSTAINABLE DEVELOPMENT LAW

The College of Law is not accepting applications during the 2025-2026 academic year.

College of Law students may earn credit toward the College of Law's Energy and Sustainable Development LL.M. while finalizing their J.D. degree. College of Law students can apply for the program at the end of their 2L year (approximately May 1).

Current J.D./LL.M. students must complete their J.D. with an Area of Emphasis on Energy and Sustainable Development Law (<http://www.law.wvu.edu/academics/academic-programs/energy-sustainable-development-law-concentration/>). Following completion and conferral of the J.D. degree and after completing the requirements for the Energy and Sustainable Development Area of Emphasis, students must complete an additional 14 credits of coursework that qualify for the LL.M. in Energy and Sustainable Development Law, including the LL.M. Seminar and LL.M. Capstone. Students seeking this J.D./LL.M. shall endeavor to obtain a clinical opportunity in an appropriate clinic or a relevant externship opportunity, and if unable to do so, shall enroll in such other experiential learning opportunity (including Business Transactions Drafting and Trial Advocacy), which is necessary to fulfill the requirements of the Energy and Sustainable Development Area of Emphasis.

Students from other law schools may apply for the program starting on February 1 each year. Applications to the J.D./LL.M program must be received by June 15.

In order to be admitted to the J.D./LL.M. program, at student must apply to attend WVU Law as a visiting student for their entire 3L year. Visiting students from other law schools should state the intent to pursue the J.D./LL.M. in Energy & Sustainable Development Law as the primary reason for seeking admission as a visiting student. A visiting student must include in his or her application to attend WVU Law a letter from the applicant's Dean (or equivalent) authorizing the student's attendance at WVU Law and stating that the home school will agree to transfer credits earned at WVU Law.

Visiting students must complete the coursework for the Energy & Sustainable Development Law Area of Emphasis in their 3L year while attending WVU Law. Some courses taken at a student's home institution may be approved to satisfy some area of emphasis requirements. Visiting students must take a minimum of nine credit hours in qualifying courses (related to the area of emphasis) while visiting at WVU Law, in addition to the required LL.M. courses. In addition to the coursework required, students will be required to complete all their LL.M. Degree requirements, including the research paper or field work requirement and the portfolio of work.

Academic Policies and Procedures

A. ACADEMIC POLICIES

1. Academic Calendar
2. Scheduling
3. Maximum Credits Per Semester

4. Summer Classes
5. Auditing
6. Withdrawal from the Program
7. Independent Study
8. Earning Credit Outside the College of Law
9. Attendance and Absences
10. Study Outside the Classroom
11. Distance Education
12. Calculation of Credit Hours
13. Employment During Law School
14. Full-Time Status and Tuition/Fees
15. WVU Graduate and Post-Graduate Students
16. Transcripts
17. Office Hours Policy

B. GRADES

1. Examinations and Final Assignments
2. Grades
3. College of Law Grading Policy
4. Grades and Graduation Credit
5. Grades of Incomplete in Non-Examination Courses
6. Final Grade Appeals

C. ACADEMIC STANDING

1. Good Academic Standing
2. Defining Probation, Suspension, and Dismissal
3. Imposition of Academic Sanctions
4. Petitioning to Lift Suspension
5. Appealing the Imposition of Academic Sanctions

D. HONORS

1. Class Rank
2. Order of the Coif
3. Order of the Barristers

E. GRADUATION

1. DegreeWorks
2. Hours to Graduate

A. ACADEMIC POLICIES

1. Academic Calendar (p. 29)
2. Scheduling (p. 29)
3. Maximum Credits Per Semester (p. 29)
4. Summer Classes (p. 29)
5. Auditing (p. 29)
6. Withdrawal from the Program (p. 29)
7. Independent Study (p. 31)
8. Earning Credit Outside of the College of Law (p. 32)
9. Attendance and Absences (p. 32)

10. Study Outside the Classroom (p. 33)
11. Distance Education (p. 33)
12. Calculation of Credit Hours (p. 34)
13. Employment During Law School (p. 34)
14. Full-Time Status and Tuition/Fees (p. 35)
15. WVU Graduate and Post-Graduate Students (p. 35)
16. Transcripts (p. 35)
17. Office Hours Policy (p. 35)

A.1 ACADEMIC CALENDAR

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

A.2 SCHEDULING

The College of Law assigns first-year students to specific sections of their required courses. The students then register for these courses on the STAR System. Second- and third-year students make their own schedules through WVU's STAR System.

A.3 MAXIMUM CREDITS PER SEMESTER

The maximum number of law school credit hours a student may take during a semester at the WVU College of Law is eighteen. Exceptions to this rule may be granted by the Academic Standards Committee only in extraordinary circumstances. Students in a joint-degree program may take no more than 18 law school credits in a semester, but their total of law school and joint-degree program credits may exceed 18.

A.4 SUMMER CLASSES

Students may earn credits for summer class offered only at the West Virginia University College of Law, other ABA-accredited law schools, or their ABA-approved study abroad programs. The College of Law will accept transfer credits only for courses where the student earned a grade of C or better. Students may transfer credits for pass/fail courses only with the advance approval of the Academic Standards Committee. Independent Studies are not permitted during the summer semesters.

A.5 AUDITING

A law student may audit a College of Law course (without receiving academic credit) with the permission of the professor teaching the course. The student and professor should reach an agreement about what the student must do to audit the course successfully. Typically, professors require class attendance, preparation, and participation, but individual professors are free to ask auditors to do more if they wish. Once a student has obtained a professor's permission to audit a course, the student should register the course in STAR and then notify the University Registrar's Office, who will update the 'Audit' status in STAR. An email from the professor giving permission to register for the course as an audit is required. An auditing student is treated as enrolled in the class. Therefore, a student may not audit a class if it has reached its enrollment capacity.

A.6 WITHDRAWAL FROM THE PROGRAM

There are three types of withdrawals that are governed by this rule: (1) partial withdrawal from some part of a student's course work; (2) in-semester withdrawal from all College of Law courses in which a student is registered; and (3) between-semester withdrawal after the completion of one semester and before the start of the next semester. The faculty and staff of the College of Law are available and willing to help resolve any difficulties that may be hindering a student's legal studies. Any student considering withdrawing from school must see the Director of the Academic Excellence Center in order to withdraw according to guidelines set by the College of Law and by the University. In addition, students considering withdrawal should consider the impact the withdrawal will have on current and future financial aid awards and scholarships. Please note that the deadlines described below are for fall and spring courses. Summer courses are often shorter in length, and may have very short deadlines (*i.e.*, a couple of days) for dropping without the withdrawal being recorded on the student's official transcript.

TYPE 1 - PARTIAL WITHDRAWAL (I.E., DROPPING SOME, BUT NOT ALL, COURSES FOR A SEMESTER):

Reduction in the First Year. Because a student must complete the first-year curriculum before the student may take upper-division courses, full-time students are not permitted to reduce the course load in the first year by dropping courses except with the permission of the Academic Standards Committee, which will only be granted in extraordinary circumstances. By faculty resolution, no student shall be allowed to drop the required first-year course in Legal Analysis, Research, and Writing.

Dropping Courses After the First Year -- During First Week of Class. During the first week of the semester, upper-level students may drop any course without having a W ("withdrew") placed on their transcripts. (See the College of Law Academic Calendar for the specific date each semester.) If the dropped course brings a student's course load below nine hours, the student may be eligible for a reduction in tuition and fees and should consider the impact such withdrawal may have on financial aid and scholarships.

Courses Dropped Before the "Last Day to Drop" Deadline. Until the "last day to drop a course" on the law school's academic calendar, upper-level students are free to drop most courses by simply logging into STAR and dropping. The exceptions to this policy are clinical courses. Slots in such courses are limited, and the student who drops them after the first week has wasted an opportunity sought by others. In addition, clinical students now have a professional obligation to their clients and their clinic partner that must be considered before allowing a student to not participate in the second semester of a clinic. Accordingly, a student must take the second semester of a clinic. Students may drop clinic courses only with the permission set forth in the "Capstone Requirement" section of the Academic Program portion of this catalog. The grade for a course dropped during this period shall be a "W." Please note that under university policy (http://studentaccounts.wvu.edu/refunds/reduction_schedule/), students who drop some but not all of their courses during this period receive no refund of tuition and fees.

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

TYPE 2 - IN-SEMESTER WITHDRAWAL FROM ALL CLASSES:

Withdrawal Prior to University Deadline. During the semester, a student may withdraw totally from the College of Law by obtaining permission from the Director of the Academic Excellence Center. Any student withdrawing from the College of Law during this period receives a grade of "W" in all courses dropped pursuant to this withdrawal. Students should consider the impact such withdrawal may have on financial aid and scholarships. See website (http://studentaccounts.wvu.edu/refunds/reduction_schedule/).

Withdrawal After University Deadline. After the last date of withdrawal established by the University Registrar's Office, a student may withdraw totally from the West Virginia University College of Law by obtaining permission from the Academic Standards Committee. The Committee shall grant permission upon a showing by the student that continuation in school will create a severe hardship on the student because of some substantial physical, emotional, or family problem. If permission is granted, the student receives a grade of "W" in all courses dropped; if permission is denied, then the student remains responsible for his or her performance in all courses and will be graded accordingly. The last day to withdraw from all classes is marked on the College of Law Academic Calendar. Students should consider the impact such withdrawal may have on financial aid and scholarships.

TYPE 3 - BETWEEN-SEMESTER WITHDRAWAL:

After the end of a semester and prior to the start of the next semester, a student may withdraw from the College of Law. In all such cases, the College of Law shall advise the student of its requirement that the course of study for the J.D. degree must be completed no later than 84 months after a student has commenced law study at the College of Law or at another law school from which the College of Law has accepted transfer credit. Students should consider the impact such withdrawal may have on financial aid and scholarships.

RESUMPTION OF STUDIES:

First Semester, First Year. A student who withdraws from the College of Law before completing the first semester of the first year shall meet with the Assistant Dean of Enrollment Management to discuss options for return and the implications of withdrawal. If the student withdraws prior to October 5, the student may petition the Enrollment Management Committee for permission to defer enrollment to the following fall semester. A student who withdraws after October 5 cannot defer enrollment and must reapply for readmission to the College of Law. The Assistant Dean of Enrollment Management shall outline the deferral process (if applicable), the reapplication process, and any applicable requirements. The Enrollment Management Committee shall review and approve (or disapprove) all applications for readmission; readmission is not guaranteed.

Other Students. Any student who withdraws voluntarily after the first semester of study and wishes to resume his or her studies must petition the Academic Standards Committee to be readmitted to the College of Law. The Committee may readmit the petitioning student subject to conditions of the Committee's choosing, or it may deny the petition for readmission, thus leaving the petitioner with the option of seeking admission to the College of Law through the regular admissions process. Students who withdraw from law school and then successfully reapply through the regular admissions process start their legal educations from the beginning alongside other members of their entering class; *i.e.*, they begin with no credit hours and no law school GPA. Students who are readmitted through petition to the Academic Standards Committee retain credit hours and grades earned prior to their voluntary withdrawal from the College of Law. In deciding whether to grant a petition for readmission, the Committee considers the length of the interruption of studies, the causes for the interruption of studies, the intervening activities of the student and how they

relate to the intellectual activities of a law student, changes in curriculum and the teaching program of the College of Law, and any other factors deemed relevant. The Academic Standards Committee may require a readmitted student to repeat, without credit, work previously done, or may require the student to audit certain courses. Any student who is readmitted may have the student's overall academic program adjusted to meet the requirements at the time of readmission. Resumption of studies is permitted only at the beginning of a semester. A first-year student whose last complete semester was a fall semester is permitted to return only at the beginning of a spring semester.

A.7 INDEPENDENT STUDY

Overview. Enrollment in an independent study is by permission only. A student may complete an independent study for academic credit. Normally, an independent study should address an area of law that is not covered in the College of Law's regularly available course offerings. However, the Academic Standards Committee may approve a project in an area of law that is covered in regularly available courses if the student can establish that the student has or had no reasonable opportunity to study the subject in a regular course or the student wishes to pursue more in-depth work on a particular subject after completing the regularly offered course or courses in the area. (E.g., a student could satisfy the "no reasonable opportunity" condition by demonstrating that even though a course was offered during the student's 2L or 3L year, the student could not take the course because it conflicted with a required course or a course central to the student's planned career path.)

Independent study does not satisfy any specific graduation requirement, other than counting towards the total number of credits needed to graduate.

Independent study courses are offered only during the fall and spring semesters and are not available during the summer. A student may receive academic credit for only one independent study project.

Student Eligibility. To be eligible to complete an independent study, the student must have

1. completed all the first year required courses;
2. a law school cumulative grade point average of 3.20 or higher at the time of application;
3. completed an upper-level seminar writing course, earning a grade of B+ or higher; and
4. secured a recommendation from the faculty member who oversaw the student's seminar project, stating that, in the faculty member's professional judgment, the student demonstrated during the seminar sufficient research, writing, and self-management skills to be capable of completing a high-quality independent study project.

The Academic Standards Committee may waive some or all of the eligibility requirements for a student if:

1. the student is in their final semester or penultimate semester of law school;
2. the student needs to complete an independent study to satisfy the total credit requirement for an on-time graduation; and
3. the necessity arose due to extraordinary circumstances outside the student's control.

Credit Hours. A student may earn one or two hours of credit for a suitable research project. The College of Law credit hour policy related to ABA Standard 310 and Interpretation 310-1 requires that "a 'credit hour' is an amount of work that reasonably approximates: not less than one hour [fifty minutes] of classroom time or direct faculty instruction and two hours [120 minutes] of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time." ABA Interpretation 310-1 further explains that "at least 42.5 hours of total in-class instruction and out-of-class student work is required per credit." Therefore, a student must complete at least 42.5 hours of work to earn one credit hour of independent study and at least 85 hours of work to earn two credit hours of independent study. This work includes meetings with the supervising faculty member, and students are responsible for tracking the amount of work they perform and reporting that work and time expended to the faculty supervisor.

Work Product. A student in an independent study must produce a written work with a substantial research component that involves an amount of research and writing commensurate with the credit hours awarded. Typically, the work product required is a law-review style research paper of publishable quality, but other written products can be produced if they are original, well-researched, and of publishable quality as dictated by the product's purpose and audience. A student must produce at least 3,000 words (excluding footnotes) to earn one credit hour and at least 6,000 words (excluding footnotes) to earn two credit hours.

Faculty Supervision. The independent study must be completed under the supervision of a full-time employee of the University who teaches at least one course at the College of Law. The independent study plan should also identify a second reader who is a full-time employee of the University who teaches at least one course at the College of Law. The faculty supervisor must oversee the student's academic progress throughout the semester and meet with the student at least five times throughout the semester. The faculty supervisor must provide individualized formative feedback throughout the semester, including feedback on the student's ideas, research, and written work product. The independent study supervisor and the second reader must approve the final grade for an independent study.

Application Process. Students wishing to pursue an independent study should draft a plan for the independent study that would specify the proposed topic for the study, the independent study supervisor, a research and reading agenda (including time estimates), a proposed work product or products, and an explanation of how this project makes an original contribution to the field. The student should obtain approval of this plan from the supervisor and the agreement of the second reader to act as such. The Chair of the Academic Standards Committee and the Law School Academic Program Coordinator have the independent study application forms.

The student must forward the supervisor-approved plan to the Chair of the Academic Standards Committee (a) no later than the last day of finals in the Fall for an independent study for the Spring semester, or (b) no later than August 1 for an independent study for the Fall semester. The Academic Standards Committee shall review the proposal and approve or reject such project; the Committee may request changes to the project as a condition of approval; provided, that the Chair of the Academic Standards Committee may unilaterally approve an independent study project that meets the following criteria:

1. It is supervised and seconded by full-time faculty members of the College of Law;
2. The topic of the independent study addresses an area of law not covered in regular course offerings; and
3. The proposed work product meets the quality and length requirements described above for the number of credit hours requested.

The Chair of the Academic Standards Committee has discretion to request full Committee review of a proposal even if it meets this standard for unilateral approval.

A.8 EARNING CREDIT OUTSIDE THE COLLEGE OF LAW

Individual Courses in Other WVU Colleges. Students in good standing, who are classified as 2L or 3L law students, and who do not receive credit toward the J.D. for completion of a joint degree program may receive law school credit for graduate-level courses (courses listed in the Graduate Catalog and numbered 400-799) in another college at the University; however, no student may receive more than a total of four credits from all classes taken under this rule. The student must obtain approval from the Director of Academic Excellence before enrolling in classes outside of the College of Law. Credit toward the J.D. is obtained only for courses in which the grade earned is A, B, C, P, or S, including + and - of these grades.

Grades earned in other colleges do not affect the student's law school GPA. These credits are excluded from class rank calculations. When possible, students should choose the pass/fail option when registering to take courses in other colleges so that grades for these courses are not included in the cumulative GPA on the student's professional school transcript. Cross-listed courses (*i.e.*, courses that have two course numbers, one from the College of Law and one from another college) will be treated as a law course only if the student registers under the Law course number.

Law students may also register for courses in other colleges at the University (*e.g.*, physical education courses) that would not qualify for law school credit. Students do not need permission to take non-law courses for personal enrichment, but should consult with the Director of Academic Excellence before doing so.

Study at Another School - Visiting. A student in good academic standing and who is classified as a 2L or 3L law student can take up to thirty credits toward graduation at another ABA-accredited law school. Upon completion at that law school of all the requirements necessary for the J.D. from the College of Law, the College of Law will award the J.D. degree. Such students require advance consultation with the Director of Academic Excellence and approval of their curriculum by the Academic Standards Committee. Only grades of C or better will be transferred to the College of Law. Students may transfer credits for pass/fail courses only with the advance approval of the Academic Standards Committee. Grades earned at other law schools will not be included in the calculation of the student's cumulative law school GPA. Students who take J.D.-required courses for credit at other law schools are not eligible for election to Order of the Coif at the College of Law.

Study at a Foreign Law School - Visiting. The College of Law, in cooperation with the WVU Office of Global Affairs, permits individual students to take courses toward their law degree at foreign law schools. Students wishing to study at a foreign law school must submit an application to the Director of Academic Excellence, who must review the application for compliance with the "Criteria for Student Study at a Foreign Institution" promulgated by the American Bar Association. Once reviewed by the Director of Academic Excellence, the application must also be approved by the Academic Standards Committee. The application must also be approved by the Office of Global Affairs.

Students seeking such credit must establish an educational purpose that both is consistent with the aims of the College of Law and can be met only through the proposed foreign study. Examples could include students seeking proficiency in the legal vocabulary of a foreign country, students seeking international credentials to support their practice of law, or students interested in the study of comparative legal systems. Students must be classified as a 2L or 3L law student prior to application and can take only one semester under such a foreign program.

A.9 ATTENDANCE AND ABSENCES

Overview. ABA Standard 308(a) states "A law school shall adopt, publish, and adhere to sound academic standards, including those for regular class attendance, good standing, academic integrity, graduation, and dismissal." The College of Law believes that class attendance is important and necessary to the successful study of law. Students are required to attend class regularly and in a punctual manner, whether their classes are held in-person or online. Failure to do so may result in a failing grade in the course.

Regular Attendance. "Regular attendance" is defined as attending a class meeting listed in the syllabus, in the modality specified for the whole class by the instructor (*e.g.* in person, online), being prepared, and engaging in class discussion. Students must attend at least 80% of the class meetings. Instructors may establish higher expectations. All absences count against the 80% attendance requirement or whatever higher percent is established by the instructor. Except as expressly specified in the University's policies for Sanctioned Absences (http://catalog.wvu.edu/graduate/advisingcoursesdegrees/advising_and_evaluation/#Attendance), Days of Special [Religious] Concern (<https://provost.wvu.edu/academic-calendar/>

guidelines-and-policies/), Military Leave (http://catalog.wvu.edu/undergraduate/enrollmentandregistration/#Military_Credit), and Emergency Leave (http://catalog.wvu.edu/graduate/advisingcoursesdegrees/advising_and_evaluation/#Emergency), the College of Law does not distinguish between “excused” and “unexcused” absences for purposes of the 80% attendance requirement. Instructors may, in their discretion, allow an individual student to attend remotely or record lectures and make those recordings available. An individual student attending remotely or watching a recorded lecture does not count as attending the class.

Emergency Leave. During any semester, students may experience serious emergencies that will prevent them to be present in class or participate in a course for more than a week. Students who will miss more than a week of course work should refer to WVU’s Emergency Leave Policy (http://catalog.wvu.edu/graduate/advisingcoursesdegrees/advising_and_evaluation/#Emergency). If a student needs to utilize the Emergency Leave Policy, the student should contact the Assistant Dean for Student Services and Engagement to initiate the process.

Sanctioned Absences. University sanctioned absences are absences in which instructors provide opportunities to make up missed substantial class work or activities (e.g., assignments, exams) and will not penalize students for those absences. University sanctioned absences include mandatory military obligation, mandatory court appearances, and participation in university activities at the request of university authorities. For the College of Law, sanctioned absences are:

- participating in a co-curricular (i.e. credit earning) academic competition for Appellate Moot Court or Lugar Trial Advocacy;
- attending the annual Law Review Symposium; and
- appearing on behalf of a clinical client at a government-scheduled event necessary for client representation.

Calculating Absences. The 80% rule is applied based on the number of weekly class meetings and not the number of credit hours for a course. Therefore, when a course meets

- once per week (or approximately 15 times per semester), a student is permitted 3 absences. If a student accrues a fourth absence, then the student earns an automatic failing grade in the course.
- twice per week (or approximately 30 times per semester), a student is permitted 6 absences. If a student accrues a seventh absence, then the student earns an automatic failing grade in the course.
- three times per week (or approximately 45 times per semester), a student is permitted 9 absences. If the student accrues a tenth absence, then the student earns an automatic failing grade in the course.

Record Keeping. Students are responsible for maintaining their own records of attendance and may not receive notice or warning regarding their number of absences. Instructors must take attendance for every class meeting to monitor the attendance requirement in their course. Additionally, instructors must explain their attendance requirements and their method for taking attendance (e.g. roll call, sign in sheet, digital verification) in their syllabus.

Penalty for Excessive Absences. If the instructor determines that a student’s absences exceed the permitted level, then the student will automatically receive a failing grade in the course – regardless of the student’s actual performance in the course. Prior to the last day to drop a course (as indicated on the College of Law Academic Calendar), a student who is subject to the automatic “F” for failing to attend class regularly may voluntarily withdraw from the course to avoid an “F” on their transcript.

Non-Waivable Policy. This policy is non-waivable. Faculty are not empowered to alter the requirements of this policy. Students who have a concern about this Attendance Policy should consult with the College of Law’s Assistant Dean for Student Services and Engagement.

A.10 STUDY OUTSIDE THE CLASSROOM

The College of Law, in compliance with ABA Standard 311, requires students to complete at least 64 credit hours in courses that require attendance in regularly scheduled classroom sessions or direct faculty instruction (e.g. regularly scheduled classes, simulation courses or law clinics, distance education courses, and law-related studies or activities in a country outside of the United States). Credit hours counting toward meeting the 64 credit minimum may not include field placements/internships, co-curricular activities (e.g. Law Review, Moot Court, Lugar Trial Association), independent study, courses in other graduate departments, and summer study abroad programs that are not law-related.

A.11 DISTANCE EDUCATION

ABA Standard Definition (8) defines a distance education course as “a course...in which students are separated from the faculty member or each other for more than one-third of the instruction and the instruction involves the use of technology to support regular and substantive interaction among students and between the students and the faculty member, either synchronously or asynchronously.”

By ABA rule, no student may take more than 50% of their credits during his/her law school career in classes taught through distance education unless the school has an approved “Distance Education J.D. Program. The College of Law does not have an approved Distance Education J.D. Program; therefore, no student may have more than 50% of their credits online. Students should also be aware that some states will not count asynchronous

education hours toward the credit hours students must earn to become members of the state bar. Students should check the bar requirements in states where they plan to practice to determine whether similar rules have been adopted there.

A.12 CALCULATION OF CREDIT HOURS

ABA Standard 310 provides that a "credit hour" is an amount of work that reasonably approximates: "(1) not less than one hour of classroom time or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time." Interpretation 310-1 states that for the purposes of this Standard, fifty minutes suffices for one hour of classroom or direct faculty instruction. Further, "at least 42.5 hours of total in-class instruction and out-of-class student work is required per credit." In addition, the "time devoted to taking a required final examination may count toward the in-class time required, and time devoted to studying for a required final examination may count toward the out-of-class time required."

The following policy is in place to ensure that the College of Law meets the requirements of Standard 310:

(1) Classroom and simulation courses (including the classroom component of clinic and externship courses) must meet for an amount that allows for 750 minutes of classroom time or direct faculty instruction per credit hour, which can include time devoted to a final examination only if a final examination is required in the class. Faculty must also ensure that students complete at least 30 hours of out-of-class work over the course of the term per credit hour.

(a) Faculty in classroom courses are required to evaluate their syllabi to ensure that both the classroom time or direct faculty instruction per credit hour and the out-of-class student work required per credit hour meet the requirements described above.

(b) For clinical courses, the total number of hours spent in classroom instruction and in clinic work must meet or exceed 42.5 hours over the course of the academic term per one credit hour. Supervising faculty will ensure this amount of work is completed and are certifying successful completion of this work when submitting grades.

(c) For externship credit, faculty must ensure that students work 50 hours at the placement over the course of the academic term to receive one credit hour of placement credit per the Externship Program Guidelines found in the 'Externships & Pro-Bono' section of this catalog. Faculty teaching the classroom component of the externship course are required to evaluate their syllabi to ensure that both the classroom time or direct faculty instruction per credit hour and the out-of-class student work required per credit hour meets ABA Standard 310 described above. Supervising faculty will ensure this amount of work is completed and are certifying successful completion of this work when submitting grades.

(2) For co-curricular activities, students must complete an equivalent amount of work to the 42.5 hours of total in-class instruction and out-of-class student work per credit hour earned as noted above. Supervising faculty will ensure this amount of work is completed and are certifying successful completion of this work when submitting grades.

A.13 EMPLOYMENT DURING LAW SCHOOL

First Year. Full-time first-year law students at the College of Law take a fixed curriculum of demanding course work, and they must master materials, modes of analysis, and skills that will be unfamiliar to nearly all entering students. Succeeding in the first year is critically important in preparing students for their upper-level classes, the bar exam, and their future careers. For these reasons, the College of Law strongly discourages full-time first-year students from working during the fall and spring semesters. Law school, especially in the first year, should be treated as a demanding full-time job, and adding work on top of that job is likely to prevent students from performing to their academic potential and may also compromise students' physical and mental health. Nevertheless, the College of Law recognizes that some students' financial needs may require them to seek employment even during the first year. Full-time first-year students who intend to work for more than ten hours per week must disclose their employment plans to the Director of the Academic Excellence Center and must schedule a meeting with the Director to discuss their plans for balancing school and work. This must be done before beginning work or as soon as possible thereafter. Students who plan to retain a part-time job begun prior to law school should speak with the Director of the Academic Excellence Center no later than the end of the first week of classes.

Second and Third Years. Many upper-level students are able to successfully combine law school with moderate levels of paid employment. Historically, ABA rules prohibited students from working more than 20 hours per week, but this limitation was repealed effective for the fall semester of 2014. Although no longer a firm prohibition, the ABA's traditional limit of 20 hours per week remains a good guideline for the amount of work most students can manage in addition to the demands of law school. While the College of Law has no formal mechanism for monitoring or limiting hours of employment during the second and third years, students who contemplate working more than this should think seriously about whether their contemplated schedule will jeopardize their studies and/or their general well-being. The Director of the Academic Excellence Center is happy to counsel upper-level students who plan to work more than twenty hours per week.

A.14 FULL-TIME STATUS AND TUITION/FEES

The University treats nine hours per semester as full-time status for graduate and professional students. A student taking nine or more credit hours will be charged full tuition and fees for taking nine hours or more in a given semester. Students taking fewer than nine hours will receive a proportionate reduction of their tuition and fees. (e.g., students taking eight hours will be charged roughly 8/9 of their full-time tuition and fees.)

A.15 WVU GRADUATE AND POST-GRADUATE STUDENTS

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

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

A.16 TRANSCRIPTS

Official transcripts can be obtained only by contacting the University Registrar's office. Information on requesting transcripts can be found on the University Registrar's website (<http://registrar.wvu.edu/transcripts/>). Please note that it generally takes three to five working days for the University Registrar to produce a transcript, so it is important to plan accordingly.

A.17 OFFICE HOURS POLICY

Purpose. Office hours are regularly scheduled times in which instructors are available to their students for support and advice. This policy is intended to provide a description of the minimum expectations for College of Law instructor office hours.

Number of Hours. College of Law instructors are expected to provide a schedule of office hours during which they will be available to their students and others for consultation. Each semester College of Law instructors (regardless of rank or title) are required to hold a minimum of 60 minutes of regularly scheduled office hours per week per course section taught in the term. Instructors may, in their discretion, host office hours in a face-to-face or online synchronous format.

Time of Day. Office hours shall be scheduled to maximize opportunities and convenient student interactions. For example, an instructor who teaches a first-year course should not schedule their office hours at a time when all the first-year students are in class.

Notification. Office hours must be published in the course syllabus. Office hours should also be posted near the instructor's office door, when logistically feasible.

B. GRADING INFORMATION AND PROCEDURES

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1. Examinations (p. 36) and Final Assignments (p. 36)
 2. Grades (p. 36)
 3. College of Law Grading Policy (p. 37)
 4. Grades and Graduation Credit (p. 38)
 5. Grades of Incomplete in Non-Examination Courses (p. 39)
 6. Final Grade Appeals (p. 39)
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B.1 EXAMINATIONS AND FINAL ASSIGNMENTS

No Exams During Final Week of Classes. In-class final exams shall not be scheduled during the last week of classes. Take-home final exams shall not be released prior to start of finals weeks or due prior to finals weeks. Subjects to the provisions below for deferment of exams and the rules governing Incompletes, the due date for take-home exams, final projects, and seminar papers cannot be after the end of finals weeks.

Exam Numbers. The Office of the University Registrar randomly selects and assigns official student examination numbers for students' anonymity in the grading process. Students are notified when their numbers are available. Anonymity of student examination numbers are protected throughout the examination and grading period.

Exam Accommodation Requests. During the final examination period, any student who has three or more in person finals on consecutive days may request to adjust one of their consecutive exams to a day without a scheduled final (excluding the student's or instructor's observed Sabbath day, the weekend, or other religious holiday). The purpose of this rule is to prevent a student from having more than two consecutive days of law school finals. To obtain relief under this rule, a student must notify the Academic Program Coordinator prior to the last week of in person classes so that the exam can be rescheduled and the appropriate faculty member notified. The readjustment of the final exams will be dependent on other timing variables and will be communicated directly to the student and professor.

Deferment of Exams and Final Assignment Deadlines. A student with a substantial physical, emotional, or family concern during the final exam period that significantly impairs one's ability to prepare for or take the final exam or complete a final assignment may submit in advance a written request to be excused from taking the examination as scheduled or complying with the deadline as fixed. Students must make such requests in a writing directed to the faculty member teaching the course in question, and must substantiate such request by a physician's statement or some other written evidence of the concern. The faculty member shall review the request and either deny the request or seek the Associate Dean for Faculty's consent to grant the request. If the examination or new deadline extends beyond the grading deadline for a semester, the faculty member must comply with the policy regarding Incompletes.

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

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

Faculty Presence During Exams. The faculty member must either (1) be present in the law school building during his or her classroom examination, or (2) find a substitute faculty member to oversee the exam and provide such substitute with contact information in the event an issue arises.

B.2 GRADES

Grading Scale. The College of Law grading scale is as follows:

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

Only College of Law courses will count as part of the student's grade point average.

Semester Grade Point Average or Semester GPA. Semester grade point average is the average of all grades earned by a student in a given semester. All semester grade point averages are calculated using the grading scale of the College of Law.

Cumulative Grade Point Average (GPA or Cum.). The cumulative grade point average is the average of all grades earned by a student while enrolled in the College of Law. All cumulative grade point averages are calculated using the College of Law's grading scale. Only grades earned at the College of

Law affect the law school cumulative GPA. Grades for courses taken in other University colleges or at other law schools are not included in the student's cumulative law school GPA.

B.3 COLLEGE OF LAW GRADING POLICY

I. FIRST YEAR CURVE

A. Curve for First-Year Doctrinal Classes

Mandatory Mean Grade: 2.95 to 3.05

Mandatory Distribution Requirements:

- 5 – 10% of the grades must be A (including A+, which should be rare)
- 5 – 15% of the grades must be A-
- 15 – 25% of the grades must be C+ or below

B. Curve for LARW I and II

Mandatory Mean Grade: 2.95 to 3.05

Expected Distribution Requirements:

- 5 – 10% of the grades should be A (including A+, which should be rare)
- 5 – 15% of the grades should be A-
- 15 – 25% of the grades should be C+ or below

C. Intro to Legal Research

The 1-credit "Intro to Legal Research" course will not be subject to any curve.

II. UPPER CLASS CURVE

A. Curve for Classes of 30 or more students

(This curve does not apply to clinics, Trial Advocacy and other capstone courses, seminars, or graded study abroad classes. Section II.D below governs these classes.)

Mandatory Mean Grade: 3.15 to 3.25

Expected Distribution Requirements:

- 5 – 15% of the grades should be A (including A+, which should be rare)
- 10 – 15% of the grades should be A-
- 5 – 15% of the grades should be C+ or below

B. Curve for Classes of 11 to 29 students

(This curve does not apply to clinics, Trial Advocacy and other capstone courses, seminars, or graded study abroad classes. Section II.D below governs these classes.)

Mandatory Mean Grade: 3.10 to 3.30

Expected Distribution Requirements:

- 5 – 20% of the grades should be A (including A+, which should be rare)
- 10 – 20% of the grades should be A-
- 5 – 20% of the grades should be C+ or below

C. Curve for Classes with 10 or Fewer Students

(This curve does not apply to clinics, Trial Advocacy and other capstone courses, seminars, or graded study abroad classes. Section II.D below governs these classes.)

For classes this small, mean and distribution requirements are recommended rather than mandatory.

Recommended Mean Grade: 3.10 to 3.30

Recommended Distribution Requirements:

- 5 – 20% of the grades should be A (including A+, which should be rare)
- 10 – 20% of the grades should be A-
- 5 – 20% of the grades should be C+ or below

D. Curve for Clinics, Trial Advocacy and other Capstone Courses, Seminars, and Graded Study Abroad Classes

(This curve governs the class types listed in the heading. If a class falling into one of these categories has 10 or fewer students, the mandatory mean grade range is recommended, but not required.)

Classes with 11 or More Students

Mandatory Mean Grade: 3.10 to 3.50

Expected Distribution Requirements:

- 5 – 20% of the grades should be A (including A+, which should be rare)
- 10 – 20% of the grades should be A-

Classes with 10 or Fewer Students

Recommended Mean Grade: 3.10 to 3.50

Recommended Distribution Requirements:

- 5 – 20% of the grades should be A (including A+, which should be rare)
- 10 – 20% of the grades should be A-

E. Determination of Class Enrollment for Purposes of the Upper Class Curve

As slightly different curves apply to upper level classes depending on enrollment, there needs to be a set day on which a class's official enrollment is determined for purposes of the grading policy. The official enrollment for a class will be the enrollment at midnight on the final day of classes for the term.

F. Default F Grades: No Effect on Curve

This policy is intended to apply only to grades that a professor has given as the result of assessed work in the course and not to "F" grades that have been given as a result of a failure of a student to complete the requirements of the course.

B.4 GRADES AND GRADUATION CREDIT

Minimum Grade Requirements

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

Students must earn a grade of C or better in at least one seminar to satisfy the seminar requirement for graduation. Students may choose to take more than one seminar. As long as the student has satisfied the seminar requirement with a C or better in at least one seminar, the student will receive graduation credit for additional seminars so long as the student attains a passing grade of D or better in the additional seminars.

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

Students are not permitted to take an upper-level writing course (*i.e.*, seminar or appellate advocacy) until the first-year legal writing courses (LAW 700 & LAW 711) are completed with the minimum average grade of C. Simultaneous enrollment in a seminar or Appellate Advocacy if Legal Analysis, Research and Writing 1 or 2 is retaken is also not permitted.

Passing Grades and Repeating Courses

Receiving an F in a course does not generally require retaking the course. The F simply is added to one's GPA, and no credit hours toward graduation are given. However, if a student receives a failing grade in a course required for graduation, the student must repeat that course and receive a passing grade. The passing grade will be factored into the student's overall GPA and will not replace the F the student received prior to retaking the course. If a student does not pass a required seminar or capstone course, that student may retake that seminar or capstone or take any other. When a course

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

B.5 GRADES OF "INCOMPLETE"

The University Policies and Procedures related to incomplete grades apply. The University policy can be found in the Graduate Catalog - Advising, Enrollment, and Evaluation - Grades section (http://catalog.wvu.edu/graduate/advisingcoursesdegrees/advising_and_evaluation/#incomplete).

A grade of I (Incomplete) is a temporary grade assignment used when unforeseen, non-academic circumstances arise that prohibit students from completing the last course assignments at the end of the semester. The grade of Incomplete is typically assigned because of an excused absence from assignments that are unavoidably incomplete, as determined by the instructor. Students who are failing a course (exclusive of the incomplete work) may not request an Incomplete.

Students requesting an incomplete should consult the Graduate/Professional Catalog for the rules regarding incompletes and for the approval of an incomplete contract.

B.6 FINAL GRADE APPEALS

Overview. Students may appeal any final grade assigned by a course instructor, the institution, or the College of Law. Grades for individual course assignments cannot be appealed unless in the context of a final grade appeal. Except as specifically modified by this policy, students and instructors shall follow the University's policies and procedure for final grade appeals, which are found in the Graduate Professional Catalog - (<http://catalog.wvu.edu/graduate/enrollmentandregistration/#appealstext>) Academic and Professional Standards - Appeals section (<http://catalog.wvu.edu/graduate/enrollmentandregistration/#appealstext>).

Deadline to Appeal. Because the College of Law releases final grades later than most of the University, this College of Law policy amends the University Policy to provide that students have 14 calendar days from the date that final grades are viewable in the WVU Portal (a.k.a. STAR) to contact, in writing, either (1) the professor or (2) the Level 1 Reviewer to initiate their appeal.

Levels of Review. Students are strongly encouraged (but not required) to contact the course instructor to express their concerns and attempt to resolve the issue. If a student wishes to file an appeal, then the student shall submit their written appeal via WVU email to the Level 1 Reviewer. For the College of Law, the Level 1 Reviewer is the Academic Standards Committee (reachable by contacting the Academic Excellence Center Director) and the Level 2 Reviewer is the Dean of the College of Law.

Class Rank. Depending on the outcome of the appeal, the Level 1 or Level 2 appeal reviewer may submit a grade modification. If a grade modification is submitted after class rank has already been determined for the affected term, then the class rank will remain unmodified until the next time class rank is regularly calculated for all students. In other words, the class rank will be recalculated, incorporating the approved grade modification, the next time class rank is regularly calculated for all students.

C. ACADEMIC STANDING

1. Good Academic Standing (p. 39)
2. Defining Probation, Suspension, and Dismissal (p. 40)
3. Imposition of Academic Sanctions (p. 40)
4. Petitioning to Lift Suspension (p. 41)
5. Appealing the Imposition of Academic Sanctions (p. 41)

C.1 GOOD ACADEMIC STANDING

Defined. A student shall be deemed to be in Good Academic Standing in the College of Law if (1) the student earns a GPA of at least 2.50 in the most recent academic semester in which the student was enrolled, (2) the student has a cumulative law school GPA of at least 2.50, and (3) is not otherwise on academic probation.

GPA Calculations. The relevant GPA figures are semester and cumulative law school GPAs. Law school GPA does not include grades earned in other WVU colleges or at other law schools. A student must comply with both the semester and cumulative GPA rules simultaneously. Except as specifically noted to the contrary, fulfilling one GPA requirement but not the other will not restore a student to, or maintain the student in, Good Academic Standing.

Notification. The College of Law shall notify in writing any student who is not in Good Academic Standing. The notice should set forth the student's academic situation and advise the student of actions available under this section. The notice shall be sent as soon as possible after the student's academic standing is determined. Students who do not receive notice are nevertheless responsible for knowledge of their academic situation and for taking actions necessary under this section.

C.2 DEFINING PROBATION, SUSPENSION, AND DISMISSAL

Probation. Probation constitutes a warning to the student that standards are not being met. At the conclusion of the semester for which a student was placed on probation, the College of Law will review the academic record and performance of the student. If the conditions set forth in the letter of probation have been met, the student is removed from probation. If the conditions have not been met, student standing is reassessed by the College of Law. The student may continue probation or be suspended or dismissed by the program. During the period of probation, the Director of Academic Excellence (the "Director") shall design the conditions of each student's academic probation. The Director shall assign the conditions of probation in the Director's discretion, in consultation with the student. Such conditions may include, for example, requiring the student to:

- attend regular one-on-one meetings or small group sessions;
- report class attendance;
- create and adhere to a time management schedule;
- adhere to interim deadlines on class projects or assignments;
- complete supplemental homework and learning exercises;
- apply for testing accommodations;
- seek mental health treatment or drug/alcohol counseling; and/or
- comply with the federal financial aid Satisfactory Academic Progress report requirements.

Suspension. A law student who is suspended will not be permitted to register for classes or participate in other program activities until the student has been notified that the suspension sanction has been lifted. The normal period of suspension is one academic semester but may be extended up to one calendar year. At the end of the suspension period, the College of Law will either lift the suspension (*i.e.* reinstate the student), extend the suspension, or dismiss the student from the program. If appropriate, the student may be reinstated and placed on probation.

Dismissal. A student who is dismissed from the College of Law will not be permitted to register for classes or participate in other program activities. A student who is dismissed from the College of Law will be reclassified as a non-degree student unless they are admitted into a different degree program.

C.3 IMPOSITION OF ACADEMIC SANCTIONS

Probation for Semester GPA less than 2.50. Any student who fails to attain the GPA required for Good Academic Standing in any individual semester is placed on academic probation, regardless of the student's cumulative GPA. For purposes of this rule, Summer 1 and Summer 2 count as a single semester. A student placed on probation for semester GPA will be suspended for one semester for failure to meet academic requirements, regardless of the student's cumulative GPA, if the student fails to attain the semester GPA required for Good Academic Standing in the next regular (*i.e.*, fall or spring) semester. This rule applies regardless of the number of graded credit hours taken in the probationary fall or spring semester, so students who choose to take a low number of graded credit hours do so at their own risk. However, a student shall not be suspended at the end of the semester in which that student would otherwise graduate for having a semester GPA below the GPA required for Good Academic Standing if the student's cumulative GPA is otherwise at or above the GPA required for Good Academic Standing.

Probation for Cumulative GPA less than 2.50. A student whose cumulative GPA falls below the GPA required for Good Academic Standing shall be placed on academic probation. A student on probation for cumulative GPA has one semester in which to either:

- (i) raise the cumulative GPA to the GPA required for Good Academic Standing, or
- (ii) meet the requirements for extending the period of probation one additional semester.

For these purposes, a "semester" is a regular fall or spring term consisting of 14 or more weeks of class time. Failure to meet either requirement will result in suspension from the College of Law. At the conclusion of the period of suspension, the College of Law will either reinstate the student, extend the period of probation, or dismiss the student from the program. Under no circumstances will a student be allowed to graduate unless the student's cumulative GPA is at or above the GPA required for Good Academic Standing.

A student is eligible to continue enrollment for a second semester of probation if, during the initial semester of probation, the student achieved the following academic benchmarks

1. earned a semester GPA of 2.50 or higher;
2. improved the cumulative GPA enough in the first probationary semester that it is mathematically possible to achieve the cumulative GPA required for Good Academic Standing by the end of the second probationary semester, using the same number of graded credits and semester GPA earned during the first probationary semester;
3. satisfied the minimum grade requirement in the first-year legal writing program; and

4. earned a C or higher in all first-year substantive law courses or is willing to repeat (without credit) at the first available opportunity any first-year substantive law course in which the student received a C- or below.

C.4 PETITIONING TO LIFT SUSPENSION

Petition. A suspended student who wishes to resume studies after serving the period of suspension must file a petition with the Chair of the Academic Standards Committee. The petition should demonstrate that the reasons for the student's academic deficiencies no longer exist. The committee may consider numerous factors in reaching a decision, including:

- the facts and circumstances set forth in the student's personal statement;
- the change in performance between semesters;
- the student's level of engagement with academic support resources;
- the point differential needed to return to Good Academic Standing, if readmitted; and
- the likelihood that the student would be academically successful upon readmission.

Additionally, the Committee may request further information from a petitioning student.

Deadline. The student must deliver the petition to the Chair of the Academic Standards Committee no later than ninety calendar days after the student's receipt of their notification of suspension. However, if the 90th calendar day is a weekend or holiday, then the student must deliver the petition on the next business day.

Decision. The Committee must either reinstate the student, extend the period of suspension, or dismiss the student from the program. If a student fails to petition for reinstatement, then the Committee will dismiss the student from the program at the end of the suspension.

C.5 APPEALING THE IMPOSITION OF ACADEMIC SANCTIONS

A law student may appeal the imposition of academic probation, academic suspension, or academic dismissal.

Level 1 Appeal. The student may begin an appeal by submitting a written appeal via WVU e-mail to the Level 1 reviewer, the College of Law Academic Standards Committee, within 10 days of imposition of the academic penalty. The student's appeal must include the documentation and evidence forming the basis of their appeal. The Level 1 appeal reviewer assesses the available evidence and makes a decision about the appeal based on that evidence. The sanction(s) under review may be upheld, lessened, or dismissed entirely, but not aggravated, by the Level 1 reviewer. The reviewer communicates the decision in writing via WVU e-mail to the student and other individuals or committees that have been involved in the appeal to that point. The reviewer retains all documentation related to the appeal for 5 years. If the student accepts the Level 1 appeal decision, the appeal is concluded.

Level 2 Appeal. If the student does not accept the Level 1 appeal decision, the student may continue their appeal by submitting a written appeal via WVU e-mail to the College of Law Dean within 10 days after receiving the Level 1 decision. The Level 1 appeal reviewer forwards all materials included in the appeal to the Level 2 reviewer and the student upon request from the Level 2 reviewer. Both the student and other individuals or committees may provide additional information if they wish. The Level 2 appeal reviewer assesses the available evidence and makes a decision about the appeal based on that evidence. The sanction(s) under review may be upheld, lessened, or dismissed entirely, but not aggravated, by the Level 2 reviewer. The reviewer communicates the decision in writing via WVU e-mail to the student and other individuals or committees that have been involved in the appeal to that point, including the Level 1 appeal reviewer. The reviewer retains all documentation related to the appeal for 5 years. If the student accepts the Level 2 appeal decision, the appeal is concluded. If the appeal concerns an academic penalty other than program dismissal, the appeal is concluded.

Level 3 Appeal (only available for dismissal from the program). If the penalty is dismissal from a program, the student may continue their appeal by submitting a written appeal via WVU e-mail to the Level 3 appeal reviewer, the Associate Provost for Graduate Academic Affairs, within 10 days of receiving the Level 2 decision. The Level 2 appeal reviewer forwards all materials included in the appeal to the Level 3 reviewer and the student upon request from the Level 3 reviewer. Both the student and other individuals or committees may provide additional information if they wish. The Level 3 appeal reviewer may (but is not required to) appoint and convene a Student Academic Hearing Committee (SAHC) to hear the case and review the appeal. SAHC procedures follow. Members are appointed to the SAHC at the discretion of the Level 3 appeal reviewer and shall comprise at least three faculty members. At least one SAHC member should be from the program offering the course or the student's program; at least one should be from outside the program offering the course or the student's program. The SAHC holds a joint hearing with the student and any individuals involved in imposing the academic penalty and may also convene additional individual meetings or request additional materials to collect further evidence. The hearing is set outside of the student's scheduled classes; should the student choose not to appear, the meeting will proceed as scheduled. The student may be accompanied to the hearing or meetings or be advised by a person of his or her choice from the institution. Likewise, the faculty member, academic officer, or committee recommending dismissal may have an advisor from the institution. Such advisors may consult with but may not speak on behalf of their advisees or otherwise participate directly in the proceedings, unless they are given specific permission to do so by the individual or committee conducting the appeal. Witnesses may be called by any of the parties involved. A record of the SAHC hearing shall be prepared in the form of summary minutes or an audio recording. This record and relevant attachments will be provided to the student upon request. The Level 3 appeal reviewer assesses the available evidence, including the recommendation of the Student Academic Hearing Committee, when available, and makes a decision about the appeal based on the evidence and recommendation. The reviewer communicates the decision in writing via WVU e-mail to the student, and other individuals or committees that have been involved in the penalty or appeal to that point, including the Level 1 and 2 appeal reviewers. The reviewer retains all documentation related to the appeal for 5 years. The appeal is concluded.

D. HONORS

1. Class Rank (p. 42)
 2. Order of the Coif (p. 42)
 3. Order of the Barristers (p. 42)
-

D.1 CLASS RANK

The following rules apply to class rank:

Class Ranks. Class ranks are calculated at the completion of each semester, except for 1L students, whose first ranking will not be established until the completion of their first year. Approved grade modifications for the current term following when grades are released will not result in an increase or decrease in a student's class rank. Credits earned outside of West Virginia University College of Law are excluded when calculating class rank.

Top 50%. At the completion of each semester, students in the top 50% of the class are individually informed of their class rank in Degree Works. Students outside the top 50% of the class are not ranked. These rankings are not publicly announced. Students who graduate in the top 25% of their class have their class ranks noted on their university transcripts.

Grade Point Averages. The grade point averages that demarcate the top 25%, 33%, and 50% are publicly announced at the end of each semester.

D.2 ORDER OF THE COIF

Order of the Coif is a national honor society for law school graduates and an honor conferred by the Faculty upon its graduates from among the top 10% of the graduating class. Coif graduates have this honor noted on their university transcripts. To be eligible for election, students must complete all of their required courses (see above "Courses Required to Graduate") at the College of Law. A student may transfer up to nine credit hours of a law school's regular curriculum taken at an Association of American Law Schools (AALS) approved law school during that school's academic year, summer terms on campus, or summer abroad programs approved by the ABA. For purposes of Coif, the grade(s) earned for these hours will not be averaged into the student's GPA but shall be treated as pass/fail credit. The effect of this rule is that the grade point average used for selection to the Order of the Coif is based solely on the grades earned at the College of Law.

D.3 ORDER OF BARRISTERS

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

E. GRADUATION

1. DegreeWorks (p. 43)
 2. Hours to Graduate (p. 43)
-

E.1 DEGREEWORKS

DegreeWorks is an online check sheet (audit) for students to review and monitor progress toward degree completion. It organizes academic coursework into blocks of requirements to help easily identify courses completed and what courses you still need in order to complete the degree. To access DegreeWorks,

- Log on to your WVU Portal account using your MyID username and password.
- Click on the STAR tab.
- Scroll down to the 'Resources' heading and click the 'DegreeWorks' link.

The DegreeWorks audit provides a review of past, current, and planned coursework as well as information about completed and outstanding requirements. The audit is organized by 'blocks.' These blocks show what requirements are needed to graduate and show what is needed to do in order to fulfill the requirements within each block. The following 'blocks' may appear on the audit:

- Degree in Doctor of Jurisprudence: This block verifies that **all** requirements, including required courses, the minimum GPA requirement, and the total credit hour credit requirement, have been met.
- Major in Law - J.D.: This block verifies that all required courses have been completed and that any applicable grade requirements for those courses have been satisfied.
- Law Courses: This block is a summation of all law courses that are being used to meet the total credit hour course requirement.
- Law Electives: This block shows the number of electives a student may have to complete in order to meet the total credit hour requirement.
- Non-Curricular Coursework: This block includes any law course designated under the "Study Outside the Classroom" rule to ensure that students do not exceed this credit hour limit.
- AOE: This block verifies that all requirements for the optional Areas of Emphasis are completed.
- Fallthrough: The Fallthrough block is a block for courses that are not being used to satisfy any other requirements in your audit.
- In-Progress: This block reflects all courses currently in-progress or registered for a future semester.
- Insufficient/Withdrawn/Repeated: This block shows courses that you have withdrawn from or failed, courses that were taken more than once (but were not repeatable for credit), courses with incomplete grades, and audited courses.

If you believe there is an error in your DegreeWorks audit, please contact the Academic Program Coordinator. For additional information on DegreeWorks, please visit the website (<http://registrar.wvu.edu/dw/>) of the University Registrar.

E.2 HOURS TO GRADUATE

Every student must satisfactorily complete all degree requirements, including meeting minimum grading standards (see 'Grades' section of this catalog) and must be in good academic standing to graduate. In determining the number of credit hours that count toward degree requirements, the College of Law, in compliance with ABA Standard 311, requires students to complete at least 64 credit hours in courses that require attendance in regularly scheduled classroom sessions or direct faculty instructions (e.g. regularly scheduled classes, simulation courses or law clinics, distance education courses, and law-related studies or activities in a country outside of the United States). Credit hours counting toward meeting the 64 credit minimum may not include field placements/externships, co-curricular activities (e.g. Law Review, Moot Court, Lugar Trial Association), independent study, courses in other graduate departments, and summer study abroad programs that are not law-related.

Externships & Pro-Bono

EXTERNSHIPS/PRO-BONO

1. Externship Program Guidelines (p. 44)
 2. Pro-Bono (p. 46)
-

1. EXTERNSHIP PROGRAM GUIDELINES

I. GOALS & OVERVIEW

The Externship Program is designed to provide students with an opportunity to gain practical legal experience as part of their legal education. The overarching goals of the Externship program are consistent with and are designed to serve the goals articulated in the mission statement of the College of Law.

To that end, the Externship Program offers the opportunity to incorporate practice experience with discussion, critical thinking, reflection, and analysis. The purpose of the program is to help students in the following ways:

1. to develop the art of lawyering, including research, writing, analysis, interviewing, and communication of facts and information;
2. to identify professional goals and reflect on individual professional development;
3. to develop sensitivity to issues of professional responsibility, ethical problem solving, sensitivity to issues of lawyer well-being, stress management and resilience, and the role of the lawyer in providing access to justice in society; and
4. to develop awareness of meaningful career opportunities in public interest and governmental settings and to establish relationships in chosen fields of law.

II. POLICIES & REQUIREMENTS

The externships require students to perform substantive legal work to receive academic credit. All externships must be unpaid. Additionally, student externs must be supervised at their placement by a lawyer actively licensed to practice law in the state where the externship is housed. In addition to supervision at their placement, students are also supervised by a faculty member and are required to enroll in a one-hour graded course component for a part-time externship or a 2-3 hour graded course component for a full-time externship. The course component includes class meetings, time-keeping assignments, reflective journals, and other assignments to further the experiential learning. The policies and requirements outlined below are designed to ensure a high-quality experience for students as they work toward their educational goals during their externship.

For academic planning purposes, **only one externship can be counted toward your total graduation requirement.** Further, students are required to complete at least 64 credit hours in courses that require attendance in regularly scheduled classroom sessions or direct faculty instruction, and externship placement credit does not count toward meeting the minimum 64 credit hour requirement. (See 'Academic Policies' - 'Study Outside of the Classroom' section of the College of Law Catalog.)

A. Externship Placements

Two general types of placements are available for students. First, students can pursue part-time externship opportunities in various Public Service Externships during the summer, fall, or spring terms. Second, students can pursue full-time externship opportunities with a federal judge, a federal agency, the West Virginia Supreme Court of Appeals, or the West Virginia Legislature during the fall or spring terms.

If there is another externship opportunity that a student wants to pursue that is not on the list of approved sites, then the student may seek permission from the Dean or Dean's designee. All placements must be approved.

The Externship Program does not include work in the private sector, and no externships in private sector settings will be approved.

B. Field Placement Work and Credit Requirements

Work performed at the field placement for academic credit **must** be unpaid. Students must have adequate supervision, guidance, and training by a dedicated field supervisor at the site. The field supervisor **must** be a lawyer. Students may choose from three different externship types:

1. **Full-time Federal Agency Externship during the fall or spring semesters.** Externs must work full time (as defined by the site) over the course of the semester to earn 13 credits. Of those 13 credits, 3 are graded and 10 are pass/fail. The graded portion of the course is earned through enrollment in the full-time agency externship course. The pass/fail credits are earned through completing work assignments at the externship site. To qualify for this externship, students must have completed at least one year of law school, submit a letter of recommendation from a law school faculty member recommending the student for the externship, and be in the top 40% of their law school class (3Ls), or top 25% (2Ls).

2. **Full-time Federal Judicial Externship, West Virginia Supreme Court of Appeals Externship, West Virginia Legislative Externship during the fall or spring semesters.** Full-time judicial externs also may earn 12-13 credits over the course of the semester. Of those 12-13 credits, 2-3 are graded and 10 are pass/fail. The graded portion of the course is earned through enrollment in the full-time judicial externship course. The pass/fail credits are earned through completing work assignments at the judicial externship site. To qualify for this externship, students must have completed at least one year of law school, submit a letter of recommendation from a law school faculty member recommending the student for the externship, and be in the top 25% of their law school class (2Ls) or top 40% (3Ls). For the West Virginia Legislative Externship, students must enroll in LAW 684, which is the Bill Drafting and Legislative Process course, in the fall semester. Students must also enroll in a 1-2 credit externship course during the spring semester while they are enrolled in the 10-credit externship placement.
3. **Part-time Public Service Externship during the summer, fall, or spring terms.** Part-time Public Service Externship opportunities are available with a federal agency or a state agency, federal or state judiciary, legal services office, or other non-profit organization. Students may earn a minimum of 3 to a maximum of 6 credits. Of those, 1 is graded and the rest are pass/fail. Students can choose to earn a variable number of pass/fail credits -- between two (2) and five (5) site placement/field work credits during the summer session or during a fall or spring semester. Students will receive one (1) academic credit for every fifty (50) hours of placement work performed during the chosen academic term. Students are advised to consult with the field placement supervisor to create a suitable work schedule. To be eligible, students must have completed one year of law school and be in good academic standing. Sites may require a higher standard, however.

Placement/Field Work Credits	Total Hours of Work Required	Approx. Hours of Work Per Week	Total Credit Including Course Component
2	100	7	3
3	150	11	4
4	200	14	5
5	250	18	6

C. Externship Class Requirements

Students who are selected for a full-time Federal Agency externship will enroll in Law 655 (the graded course) and in Law 656 for field placement credit. Students who are selected for the full-time Federal Judicial or West Virginia Supreme Court of Appeals externship will enroll in Law 780 (the graded course) and in Law 780A for the field placement credit. Students who are selected for the full-time West Virginia Legislative externship will enroll in LAW 653 (the graded course) and in LAW 656 for the field placement credit. Students who enroll in the part-time Public Service Externship course will register for Law 653 (the graded course) and Law 654 for field placement credit.

The externship courses will meet periodically on campus during the semester and, depending on the placement site, other course meetings will be arranged online or through distance-learning technology. During the field placement for each of the externship courses, students will be required to submit the following assignments to successfully complete the course requirements:

- reflective essays or journals related to field work;
- a class presentation on a topic that draws upon the externship experience;
- discussion topics to facilitate student communication and foster experiential learning;
- time sheets documenting hours and work performed;
- supervisor evaluations (including a mid-semester and final evaluation); and
- full-time federal judicial, full-time West Virginia Supreme Court of Appeals, and federal agency externs must write a substantive law-review style paper based upon an issue related to the externship placement and field work.

These assignments are designed to enhance the students' field experiences and are more fully described in the course syllabi.

III. STEPS FOR REGISTRATION AND ENROLLMENT

A. Registration

Students must attend the externship information/registration session when announced. Students interested in the Externship Program must submit a resume, unofficial transcript, cover letter, letter of recommendation, and a letter stating the name and contact information of the supervisor at the placement. Upon approval, students will register for the appropriate externship courses.

B. Receiving credit

Students will submit weekly timesheets, attend all scheduled class meetings, and complete all course assignments.

Students must submit the signed Externship Supervisor Agreement available on the class eCampus site.

Students must complete all field placement work in a competent and professional manner in accordance with the relevant Rules of Professional Conduct.

Students must submit periodic and a final evaluation from their placement supervisors.

IV. FIELD PLACEMENT SUPERVISION

To be an approved field placement, students must have a primary supervisor at the field placement site that is licensed to practice law. The field supervisor at the chosen placement must agree to support the student's educational goals. While a student will often perform assignments for multiple lawyers at an organization, the externship requires that one person is designated as the field supervisor and mentor for the student. The supervisor and student must meet at the beginning of the placement to discuss the student's learning goals and should meet at least once per week to review assignments and discuss questions. The supervisor will complete periodic and final evaluations to be submitted to the faculty supervisor by the end of the semester.

2. PRO-BONO

Student Services and Engagement promotes public service opportunities for law students, including opportunities for pro bono work. The term "pro bono" means "for the public good." In the legal profession, pro bono work refers to work that is performed voluntarily and free of charge. Pro bono service is the responsibility of all members of the legal profession. WVU's pro bono program allows law students to begin pro bono service now and encourages students to develop a lifelong commitment to pro bono work.

The WVU College of Law pro bono program partners with legal services organizations and community agencies to provide opportunities for law students to serve those in need. Pro bono projects will be designed to aid individuals or families of limited means; charitable, community and governmental organizations who provide assistance to those of limited means; and activities for improving the law, the legal system, or the legal profession. Pro bono work may not be for credit and will not include work done for a clinic or externship. All pro bono work must be approved by the Assistant Dean for Student Services and Engagement. If a student documents 25 or more approved pro bono hours during his/her law school career, he/she will be recognized with "pro bono" honors at graduation.

For more information about pro bono opportunities and guidelines, see the Pro Bono guidelines. If you have questions about or suggestions for a pro bono project, please see the Assistant Dean for Student Services and Engagement.

Academic and Professional Standards and Bar Admission

A. ACADEMIC AND PROFESSIONAL STANDARDS

1. Law Student Code of Professional Responsibility
2. Campus Student Code
3. Academic Integrity Policy

B. BAR ADMISSION

1. Admission to Practice
2. The Bar Exam
3. Action Checklists for Law Students
4. Bar Preparation Courses

C. TECHNICAL STANDARDS

1. Technical Standards Overview
2. About Technical Standards
3. Description of Technical Standards

A. ACADEMIC AND PROFESSIONAL STANDARDS

1. Law Student Code of Professional Responsibility (p. 47)
2. Campus Student Code (p. 47)
3. Academic Integrity Policy (p. 48)

The cornerstone of our legal system is the integrity of the individual lawyer. As future lawyers, our conduct is governed by the highest standards of ethics. The West Virginia University College of Law expects students to share this commitment to honesty, integrity, and professionalism. Law students are required to comply with (1) the Law Student Code of Professional Responsibility, (2) the Campus Student Code, and (3) the Academic Integrity Policy as outlined below.

A.1. LAW STUDENT CODE OF PROFESSIONAL RESPONSIBILITY

The West Virginia College of Law expects every member of its academic community to share a commitment to honesty, integrity, and the search for truth. Therefore, it shall be a violation of the Law Student Code of Professional Responsibility for any student or applicant for admission to commit the following:

1. Intentionally lying, giving false information, making material misrepresentations, or omitting material facts to the faculty, administration, or any student organization in the course of the academic extracurricular, co-curricular, admissions, or placement programs of the College of Law.
2. Failing to report in a timely manner to the College of Law and the Board of Law Examiners information related to the character and fitness process for admission to the bar. A student has an on-going duty to follow the applicable character and fitness requirements for admission to the bar; therefore, after a student becomes aware of a need to self-report information related to the character and fitness process, failing to make such a report to the College of Law and the Board of Law Examiners would constitute a violation of the Law Student Code of Professional Responsibility.
3. Discouraging other students from reporting violations or sanctioning other students for reporting violations of the Law Student Code of Professional Responsibility or the Academic Integrity Policy.
4. Refusing to cooperate with investigations into violations of the Law Student Code of Professional Responsibility or the Academic Integrity Policy.
5. Failing to report direct knowledge (knowledge gained through personal experience and observation, not knowledge gained through secondary sources) of a violation of the Law Student Code of Professional Responsibility or the Academic Integrity Policy. Students should follow the procedures listed below in Section 4 of the Administration of the Academic Integrity Policy.

Students enrolled in the West Virginia University College of Law recognize and accept that these standards, obligations, and responsibilities govern their conduct. A law student is subject to these standards and requirements from the time the student submits an application for admission through the conferral of the degree.

Students who are found to have violated the Law Student Code of Professional Responsibility and the Academic Integrity Policy will be subject to the Academic Integrity Policy process and potential sanctions related to such violations as described below in section A3. The College of Law retains records of both allegations and the resulting outcomes of the process to provide for character and fitness inquiries related to admission to the bar.

A.2. CAMPUS STUDENT CODE

As students of West Virginia University, all law students are subject to Board of Governors Rule 6.1, Student Rights and Responsibilities; Student Conduct. Any behaviors not academic in nature but related to student conduct should be referred to the Campus Student Code (<https://>

studentresponsibility.wvu.edu/campus-student-code/). The Office of Student Rights and Responsibilities (<https://studentresponsibility.wvu.edu/>) manages the Student Conduct Process (<https://studentresponsibility.wvu.edu/student-conduct/process/>).

A.3. ACADEMIC INTEGRITY POLICY

1. PURPOSE AND SCOPE

- a. The West Virginia University College of Law values honesty, fairness, and integrity in the pursuit of education. This Policy (the Academic Integrity Policy) sets forth the procedures by which the University receives, investigates, and adjudicates allegations of academic dishonesty by students. This Policy also outlines the University's response to instances of academic dishonesty and the Office of Academic Integrity's goal of preparing students for future success.
- b. This Policy applies to all alleged incidents involving academic dishonesty and/or professional responsibility related to academic conduct or policies by all students, as defined in Section 2(h) of this Policy, at the West Virginia University College of Law. Alleged incidents involving non-academic conduct are governed by the West Virginia University Student Conduct Code and Discipline Procedure.
- c. This Policy does not address routine grade appeals that are not based on a specific instance of academic dishonesty. Those appeals are handled in accordance with the West Virginia University College of Law Academic Catalog - Grades.

2. DEFINITIONS

- a. "Accused Student" means a student who is alleged to have violated this Policy.
- b. "Academic Assignment" is defined as a quiz, test, examination, paper, report, problem set, project, or any other academic exercise submitted by a student for a grade or other credit.
- c. "Appellate Review Officer" means the university administrator assigned to review and rule on a student's timely appeal as provided in Section 7 of this Policy.
- d. "Director of Academic Integrity" means the Director of Academic Integrity or their designee.
- e. "Authorized Reporter" means a member of the University faculty or staff who is in a position (e.g., Instructor of Record, Course Coordinator, Department Chair) to be aware of violations of academic dishonesty and to file a formal complaint. In cases where the Instructor of Record is no longer employed by WVU, another departmental representative will be identified as the Authorized Reporter and will serve as a proxy.
- f. "Provost" means the Provost of West Virginia University or designee.
- g. "Student" means all persons taking or auditing courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies; persons who are not officially enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission; or persons who are living in University supervised housing at any time, even if not enrolled at the University. A person will continue to be a "Student" until such status is terminated upon the occurrence of one or more of the following events:
 - i. Graduation (without any indication of intent to pursue further academic activities at the University during the following semester);
 - ii. Voluntary withdrawal of the student from West Virginia University; or Involuntary dismissal (or other withdrawal of the student initiated by the University) from all programs and activities of the University, and the exhaustion of all internal grievance procedures to redress the dismissal or withdrawal (if applicable).

3. PROHIBITED CONDUCT

Academic dishonesty means Plagiarism; Cheating; Fabrication or Falsification; Other Prohibited Academic Conduct; and Facilitation as it relates to academic or educational matters.

- a. Plagiarism means the theft or unauthorized use of work, typically created by another. It includes but is not limited to:
 - i. The use of another's words, ideas, or media – whether published or unpublished, partial or complete, by paraphrase or direct quotation – without complete and accurate acknowledgement;
 - ii. The unacknowledged use of materials prepared by another individual, including an individual engaged in the selling of term papers or other academic materials; or
 - iii. Repeated submission of one's own work, specifically submission of the same material in multiple courses or iterations of a course, without the instructor's express permission.
- b. Cheating means reliance on unauthorized resources, in connection with examinations or Academic Assignments. It includes but is not limited to:
 - i. Collaboration with peers beyond that authorized by the instructor in the completion of an examination or Academic Assignment;

ii. Cheating on an examination or Academic Assignment, by either

- utilizing unauthorized physical or technological resources (e.g., cheat sheets, online resources); or
- receiving unauthorized personal assistance (e.g., copying from another student).

iii. The acquisition or use, without permission, of examinations or other academic material belonging to a member of the University faculty or staff.

c. Fabrication or Falsification means acts of misrepresentation, forgery, or fraud as they relate to academic or educational matters. It includes but is not limited to:

- i. Fabricating or falsifying citations, data, or other records;
- ii. Wrongfully fabricating or falsifying attendance or participation records for a University course or in an experiential or clinical setting;
- iii. Wrongfully fabricating or altering an educational record (e.g., admission, grade, or attendance record) after it has been created;
- iv. Use of University documents or instruments of identification for fraudulent purposes (e.g., impersonation of another student); or
- v. Knowingly furnishing false statements in any University academic proceeding.

d. Other Prohibited Academic Conduct means:

- i. Engaging in behavior specifically prohibited by a faculty member in the course syllabus;
- ii. Violating other departmental, college, or university academic standards, and/or legal or professional standards in relation to coursework or other program-related activities; or

e. Facilitation means:

- i. Providing unauthorized materials or personal assistance to another student when such assistance allows them to commit academic dishonesty; or
- ii. Compelling someone else to commit academic dishonesty on one's behalf.

4. ADMINISTRATION OF THIS POLICY IN THE COLLEGE OF LAW

a. The Director of Academic Integrity, in conjunction with the Assistant Dean of Student Services and Engagement at the College of Law, shall serve as the Administrators of this Policy and shall be available to assist any student, staff member, faculty member, or administrator in understanding and applying this Policy.

b. The Assistant Dean of Student Services and Engagement at the College of Law is the primary point of contact to which individuals should report allegations of violations of the Student Conduct Code and Academic Dishonesty Policy.

5. INITIAL REVIEW OF REPORTS OF ACADEMIC DISHONESTY

a. Formal complaints of academic dishonesty shall be filed by the Assistant Dean of Student Services and Engagement (via the Academic Dishonesty Form (ADF)) with the Office of Academic Integrity by any Authorized Reporter. Complaints should be submitted to the Office within fourteen (14) calendar days following discovery of the alleged incident of academic dishonesty.

i. Regardless of whether a formal complaint is ever filed, allegations of academic dishonesty or allegations related to the Law Student Code of Professional Responsibility, from any credible source (including both University employees and students, or others with direct knowledge), may be reviewed by the Office of Academic Integrity.

ii. Allegations of academic dishonesty will not be investigated more than one (1) year after the alleged misconduct took place or after the alleged misconduct should have been discovered, unless good cause is shown for the delay and an extension is granted by the Director of Academic Integrity.

b. Upon receipt of the ADF from an Authorized Reporter, the Office of Academic Integrity shall review the ADF to determine whether reasonable grounds exist to believe a violation of this Policy may have occurred.

6. FORMAL CONDUCT PROCESS

a. *Records.* Case resolutions resulting in any sanction other than suspension, program dismissal, or expulsion will be kept as part of the accused student's academic disciplinary record for seven (7) years. Case Resolutions resulting in suspension, program dismissal, or expulsion are permanently recorded and noted on the student's transcript. The sanction of an unforgivable F will remain on a student's transcript permanently.

b. *Procedure.* The Formal Conduct Process will be conducted in accordance with the hearing provisions applicable to all student conduct violations and set forth in Section 9 of the Campus Student Code. In cases where unforgivable failure of the course, program dismissal,

suspension, or expulsion are sought, a hearing will be required and will follow the procedures outlined in sections 9.6 through 9.15 of the Campus Student Code.

c. *Withdrawal.* A Student is not permitted to withdraw from the course where the alleged conduct occurred after a charge has been issued by the Office of Academic Integrity unless and until the student is found not responsible via the Formal Conduct Process.

7. APPEAL

a. Students who have violated this Policy may appeal the decision and/or the imposed sanction(s) within fourteen (14) calendar days from the date that the Outcome Letter is sent. If the student does not submit an appeal within the prescribed time, the sanction(s) will be applied, no appeal will be considered, and the matter shall be concluded.

b. An Accused Student who enters an agreed resolution with the University, whether formal or informal, waives their right to appeal.

c. A written appeal and supporting documents, if any, shall be submitted (in accordance with the instructions in the Outcome Letter) to the Office of Academic Integrity, which will provide the materials to the Appellate Review Officer.

i. The sanctions of Expulsion, Suspension, Program Dismissal, Failure of the Course with Exclusion from Further Participation, or Unforgivable Failure in the Course are stayed pending the appeal. However, any grade outcome, whether for an individual assignment or for the course overall, that is affected by a sanction is not stayed pending appeal.

ii. Grounds for appeal include claims that the decision

- (1) Was arbitrary, capricious, or prejudiced academic evaluation;
- (2) Was clearly unreasonable based on the information presented throughout the Formal Conduct Process;
- (3) Reflects discrimination based on any criteria prohibited by the University;
- (4) Shows an unreasonable severity of the penalty;
- (5) Contained demonstrable prejudice in the decision-making process; and/or
- (6) Failed to consider additional or new information that was not available throughout the Formal Conduct Process.

iii. The Appellate Review Officer shall consider the appeal and deliver a decision within thirty (30) calendar days of receipt of such appeal, except where adherence to such time period would be impracticable, in which case such time period shall be extended as warranted by the particular circumstances. Any such delays will be communicated via WVU email to the student and the Director of Academic Integrity within the initial thirty (30) day time period.

iv. The Appellate Review Officer may decide to: (a) deny the appeal; (b) modify, reduce or otherwise limit the sanction(s) imposed (more severe sanctions may not be imposed on appeal by the Appellate Review Officer); (c) grant the appeal in its entirety; or (d) remand the matter to the Office of Academic Integrity to provide a new proceeding, or allow the student to have his or her case handled beginning at any specific stage of the Formal Conduct Process.

v. Once the Appellate Review Officer has issued a decision, the matter shall be considered final and binding upon all involved.

8. POTENTIAL SANCTIONS AND EDUCATIONAL MEASURES

a. The University will impose a sanction or educational measure that is fair and proportional under the circumstances. To that end, sanctions and educational measures shall be commensurate with the offense with consideration given to any aggravating and mitigating circumstances, including past violations of University policy.

b. Sanctions and educational measure available for violations of this Policy include any of the following:

i. Remedial Measures: Community service, educational classes, and other work or research projects may be imposed by the Director of Academic Integrity instead of or in addition to the specified sanctions.

ii. Required Repetition of the Academic Assignment: Revision or repetition of the particular Academic Assignment at issue. The student's ability to earn credit for the resubmission, at the discretion of the Director of Academic Integrity.

iii. Reduced Grade on Academic Assignment or Course: A reduced grade for the particular Academic Assignment or course at issue.

iv. Failure of Course: A grade of an "F" for the particular course at issue.

v. Unforgivable Failure of the Course: A final grade of an Unforgivable Failure designates that the failure occurred for academic dishonesty. When an Unforgivable Failure is assigned, a student may repeat the course, but the undergraduate (and where applicable the graduate or

professional school) D/F repeat process will not be applied. A permanent record will appear on the student's transcript, and the F will be permanently factored into the student's GPA.

vi. Failure of the Course with Exclusion from Further Participation: A final grade of an "F" for the course at issue and where the student is prohibited from continued enrollment or participation in the course for the duration of the semester.

vii. Disciplinary Probation: A written reprimand for academic dishonesty that specifies a designated period of time and includes the probability of more severe sanctions if, during the designated probationary period, the student violates or fails to comply with any rules or policies of the West Virginia University Board of Governors, with institutional or campus rules and regulations or with directives issued by any University official acting in the course of his or her authorized duties.

viii. Deferred Suspension: The student will be given a certain set of expectations, but any suspension will be deferred and does not go into effect as long as the student complies with all requirements during the interim period. In those cases where the student completes all expectations during the interim period, the student's record will show that the sanction was never imposed. In the event that a student fails to comply with a sanction and the Director of Academic Integrity has decided to seek the suspension, the student will be given written notice of the apparent failure to comply and of the intent to suspend, and provided an opportunity to be heard prior to a final decision, consistent with this Policy.

ix. Disciplinary Suspension: Separation of the student from the University for a specified period of time. Permanent notification will appear on the student's transcript. The student may be denied access to University premises and to all other University activities or privileges for which the student might otherwise be eligible, provided that such restrictions are stipulated in the Outcome Letter and bear a reasonable relationship to the violation. Suspended time will not count against any time limits for completion of a degree. If a student is suspended, the student will not receive a refund of any tuition or fees that have been paid to the University. Any student who is serving a suspension may be subject to a review and evaluation meeting prior to re-enrolling to ensure that all conditions of the suspension have been satisfied and that the student is prepared for return. A student who receives a period of suspension as a disciplinary sanction is subject to further disciplinary action for prohibited conduct that takes place during the period of suspension. A permanent record of the suspension will appear on the student's transcript.

x. Dismissal from an Academic Program: Termination of student status, including any right or privilege to receive some benefit or recognition or certification, from a specific academic program. A student may be academically dismissed from any program and remain eligible to enroll in courses in other programs at the institution. A permanent record of the dismissal will appear on the student's transcript.

xi. Deferred Expulsion: The student will be given a certain set of expectations, but any expulsion will be deferred and does not go into effect as long as the student complies with all requirements during the interim period. In those cases where the student completes all expectations during the interim period, the student's record will show that the sanction was never imposed. In the event that a student fails to comply with a sanction and the Director of Academic Integrity has decided to seek the expulsion, the student will be given written notice of the apparent failure to comply and of the intent to suspend, and provided an opportunity to be heard prior to a final decision, consistent with this Policy.

xii. Expulsion: Permanent separation of the student from the University. Permanent notification will appear on the student's transcript. The student may be denied access to University premises, provided that such restrictions are stipulated in the Outcome Letter and bear a reasonable relationship to the violation. If a student is expelled, the student will not receive a refund of any tuition or fees that have been paid to the University. A permanent record of the expulsion will appear on the student's transcript.

xiii. Other Sanctions and Educational Measures: Other sanctions or educational measures may be imposed instead of or in addition to those specified, where those sanctions bear a reasonable relationship to the nature and severity of the violation.

c. Interim Measures and Interim Suspension.

i. Interim Measures. When the alleged actions of a student threaten the operations or safety of the University, interim measures may be put into place by the Director of Academic Integrity. Interim measures are administrative directives that are intended to insure the safety of the University and prevent a situation from escalating; they are not disciplinary in nature.

ii. Interim Suspension. If the Director of Academic Integrity has reasonable cause to believe that a student's presence on University premises presents:

(a) a significant risk of substantial harm to the student, other individuals, or property; or

(b) an ongoing threat of disrupting the normal operations of the University, then the matter should be referred to the Office of Student Rights and Responsibilities.

B. BAR ADMISSION

1. Admission to Practice (p. 52)
2. The Bar Exam (p. 52)

3. Action Checklists for Law Students (p. 52)
4. Bar Preparation Courses (p. 53)

B.1. ADMISSION TO PRACTICE

A lawyer may not practice without a license. Because each state establishes its own licensing procedures, the process of admission to practice varies from state to state. Although the application is typically submitted to the state in the spring semester of the third year of law school, some states require early notice of an intent to practice within the state's borders. Some even permit a law student to begin the application process early in the law school career at a significantly reduced price. Obviously, every first-year law student should review the application rules in the states where the student plans to practice.

The National Conference of Bar Examiners (NCBE) maintains a website that includes state-by-state bar admission information that is regularly updated with contact addresses, phone numbers, and web sites where application procedures can be reviewed. Access the NCBE website at this address: <https://www.ncbex.org/>.

Each state's admission process includes a character and fitness review. The character and fitness review is essentially a background check to assure that the applicant will practice law competently and ethically. The review is comprehensive but particularly scrutinizes the applicant's record during the three years of law school. Hence, it is particularly important that incoming law students adopt a professional persona that evolves positively during the law school career. For example, a law student who blemishes his or her reputation with substance abuse offenses may be delayed in the admission process until the state's character and fitness committee is assured that the applicant has resolved all issues that might negatively impact the applicant's ability to practice law competently and ethically. On the other hand, if an applicant has a past history of substance abuse, but has faced and solved that problem, past events are unlikely to prevent the applicant from being admitted to practice.

B.2. THE BAR EXAM

Because each state decides how to structure its bar exam, every first-year law student should research the specifics of the exams in the states where the student will practice.

Careful planning of coursework during law school can help assure that the student is well prepared for the exam. Although a student need not take every course tested by the bar exam, the post-graduation bar exam prep period is too short to self-teach all the subjects that are tested. Hence, a law student should plan law school coursework with an eye toward being prepared.

The post-graduation bar exam given in February for December graduates, and in July for May graduates consists of the following subjects:

- Business Organizations
- Constitutional Law
- Contracts/Sales
- Criminal Law
- Criminal Procedure
- Evidence
- Family Law
- Federal Civil Procedure
- Real Property
- Torts
- Wealth Transfers (Trusts and Estates)

B.3. ACTION CHECKLISTS FOR LAW STUDENTS

The following checklists can help a law student stay on-track for successful completion of the bar exam and the admission to practice process.

1L YEAR:

- Check the state's website for licensing requirements and bar exam information.
- Make a note of the subject matter covered by the state exam and use this information in planning coursework during the three years of law school.
- If your state permits early application, consider applying now to save money.
- If you have character and fitness review concerns because of past or present events, start resolving those issues now. The same advice applies to financial issues that affect your credit history.
- Note whether your state requires the applicant to complete service hours while in law school (some states now require applicants to have completed a certain number of hours in an experiential learning environment prior to application).
- Start saving for the 3L expenses of graduation, admission to practice, and a bar exam prep course. Plan on having at least \$8,000 to cover these costs and summer expenses.

2L YEAR:

- Review the 1L Year checklist and update.
- Complete the Professional Responsibility course and take the MPRE during the summer.
- Revisit the state's website to note any possible changes.
- Plan your coursework strategically.

3L YEAR:

- Do a transcript check in the fall. Will you graduate as planned?
- Visit the website of the West Virginia Board of Law Examiners (or the website in the state where you will take the bar).
 1. Print and read the bar application materials.
 - A. What are the state's licensing requirements?
 - B. What is the deadline for the application?
 - C. What fees are applicable? Do I need financial help?
 - D. Where will I complete the character review?
 - E. What can I do now to start the process?
 - F. Are there other deadlines?
 2. Understand the Bar Exam.
 - A. What are the dates/location of the bar exam?
 - B. What kinds of tests are on the bar?
 - C. What subjects will be tested?
 - D. How are the tests scored?
 - E. What is the "passing" score?
- Visit the website of the National Conference of Bar Examiners (<http://www.ncbex.org/>) at the end of the first semester and begin the application for admission no later than January 1. (The application can take weeks to complete with all the required information.)
- Learn as much as you can about the review programs for the bar exam, e.g., Kaplan, Barbri, and Themis. Choose one comprehensive program, pay for it, and get the books early for an early start!
- Assess the degree to which you are at risk for not passing the bar exam. Then make a plan to build on your strengths and minimize those risks.
- Make a realistic plan for your summer that includes at least 600 hours of on-task study time prior to the exam (the number of hours that most students say it takes to be ready for the exam).

NOTE: If any change to your student record occurs at any point (DUI, arrests, etc.), you must notify the Assistant Dean for Student Services and Engagement and produce the information in written form for your student file. The Board of Bar Examiners will expect the information they review regarding your record to match what the College has on record in your student file.

B.4 BAR PREPARATION COURSES

The College of Law currently offers several for-credit bar exam preparation courses.

Multistate Performance Test Workshop (Law 664): This one-credit course, which encourages students to learn how to apply substantive law in the context of a Performance Test examination, is open to select (by invitation only) upper-level students. The class provides in-depth training in legal reasoning for law school exams, the bar exam, and legal practice. Students receive guidance and feedback on all written work from the professor about ways to improve their legal reasoning skills.

MBE Skills Workshop (Law 667): This is a two-credit, pass/fail course, typically offered in the spring semester. The course is designed to provide in-depth training in the legal reasoning needed to successfully answer multiple-choice questions on the bar exam, and assists students with completing their character and fitness applications.

C. TECHNICAL STANDARDS

1. Technical Standards Overview (p. 54)
2. About Technical Standards (p. 54)
3. Description of Technical Standards (p. 54)

C.1. TECHNICAL STANDARDS OVERVIEW FOR THE J.D. AT WEST VIRGINIA UNIVERSITY COLLEGE OF LAW

West Virginia University College of Law (“the Law School”) is committed to providing an inclusive and accessible learning environment that prepares students for success in law school and in their careers. We are dedicated to advancing the rule of law and justice and expanding access to legal education for people from a wide variety of backgrounds.

The Law School is obligated to provide “a rigorous program of legal education that prepares its students, upon graduation, for admission to the bar and for effective, ethical, and responsible participation as members of the legal profession.”[1] (p. 55) To meet this obligation, the Law School provides the following technical standards to inform incoming and enrolled students of what skills, knowledge, and abilities they must demonstrate as a precondition to safe and successful participation in this program and, potentially, their chosen profession. To successfully matriculate through the program, students must meet these technical standards with or without reasonable accommodations and must maintain related satisfactory demonstration of these standards for progression through the program.

Consistent with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and Guidance from the Office for Civil Rights (OCR) and the Association on Higher Education and Disability (AHEAD), an individualized interactive process is used with each student with disabilities to determine whether reasonable accommodations would allow that student to meet the technical standards of a course or program without fundamentally altering the nature of that program. Reasonable accommodations are reviewed on a case-by-case basis through an interactive process between the student, OSA, and the Law School, in accordance with these technical standards and consistent with applicable law. Students must initiate this process by obtaining accommodations through WVU’s Office of Student Accommodations.

Accommodations are deemed unreasonable if they fundamentally alter an essential academic requirement that is necessary to the curriculum of the College of Law. Accommodations may also be unreasonable if they impose an undue financial or administrative burden on the Law School. It is the responsibility of a student with a disability, or a student who develops a disability, to work with the OSA to request accommodations. Students must complete all steps of the formal accommodation process in full and in a timely manner to receive an accommodation. Prospective and current students with questions regarding these Technical Standards are also encouraged to contact the Law School’s Dean of Students for assistance.

The Law School’s technical standards intentionally overlap with its Learning Outcomes. The performance criteria for each Learning Outcome offers further guidance on whether a requested accommodation fundamentally alters an essential academic requirement.

C.2. ABOUT TECHNICAL STANDARDS

The technical standards outlined below cannot be waived, to do so would be a fundamental alteration of the program. All students at West Virginia University College of Law must meet these technical standards throughout their enrollment at the law school, with or without reasonable accommodations. Whether accommodations “would fundamentally alter the nature of its service, program, or activity” must be reviewed on a case-by-case basis (Title II, Americans with Disabilities Act). The Law School is not required to modify academic requirements that are essential to the instruction being pursued or directly related to a licensing requirement.

Moreover, because of the specialized skills involved in the practice of law, accommodations that were available and adequate in high school, undergraduate study, prior law studies and/or in standardized testing may not be appropriate, adequate, or reasonable when applied to the Law School.

Students with disabilities are encouraged to consult with OSA to explore whether reasonable accommodations are appropriate considering the technical standards outlined below. Requests for accommodation will be processed through an established process with OSA.

C.3. DESCRIPTION OF TECHNICAL STANDARDS

1. ATTENDANCE AND PARTICIPATION [2] (P. 55)

- Students must be able to adhere to their individual professor’s attendance policy for each class in which they are enrolled and must attend classes punctually and be regularly prepared and ready to participate.
- Students must comply with the Law School’s policies on attendance and on exams and other assessments.
- Students must attend classes well-prepared and participate fully in course activities which may include public speaking, with or without notice.
- Students must complete all course assignments, graded or ungraded, and in the format in which they are administered.
- Students must attend class in the modality in which the course is offered (in-person, remote synchronous, online).

2. LEGALS SKILLS AND CRITICAL THINKING

- Students must be able to follow instructions, understand, synthesize and apply complex information, and must have the ability to integrate and process information promptly and accurately.

- Students must be able to understand and synthesize large amounts of material from a variety of sources, including written material, lectures, audio, and video sources.
- Students must be able to perform graded assessments (including for example written examinations and oral arguments) under time pressure.
- Students must be able to perform research, solve problems, and apply related concepts.
- Students must have the ability to set goals, formulate a plan to accomplish those goals, and implement the plan over time.

3. COMMUNICATION AND INTERPERSONAL SKILLS

- Consistent with university policy, students must be proficient writers and speakers of the English language.
- Students must communicate in a way that is appropriate to the professional law environment (both in real-time and in writing). This includes conducting themselves with poise during legal arguments and other high-pressure situations, as well as in the process of giving and receiving constructive feedback.
- Students must quickly communicate critical information in urgent situations.
- Students must work effectively alone and with others, including students, faculty, and staff, and engage in constructive dialogue.
- Students may be required to participate in activities that include public speaking (with or without notice).
- Students must promptly respond to time-sensitive outreach from faculty, staff, and colleagues (e.g., monitoring official WVU email accounts, etc.)

4. TIME MANAGEMENT

- Students must be able to tolerate and manage competing demands and workloads as are routinely found in the legal profession. This includes managing course loads and academic demands, meeting deadlines, short- and long-term goal setting, prioritization, and project management.

5. USE OF TECHNOLOGY

- Students must have access to technology that meets the minimal standards set forth by the Information Technology department.
- Students must possess basic competence with word processing and navigating student information systems and similar technology.
- Per the Technical and Readiness Requirements of WVU, students using screen readers, text-to-speech tools, or other AT must be proficient with those tools on a level allowing them to meet the readiness and digital literacy requirements outlined in this standard.

ACKNOWLEDGEMENTS

Some of the Technical Standards outlined above were taken directly from technical standards developed at other law schools, most notably: Suffolk University Law School, Mitchell Hamline School of Law, The University of Oregon School of Law, University at Buffalo School of Law and Boston University School of Law. In addition, resources consulted in the development of these standards include the National Association of Law Placement Report on 2020 Survey of Law Firm Competency Expectations for Associate Development; the Institute for the Advancement of the American Legal System's 2014 Foundations Project; the ABA Standards and Rules of Procedure for Approval of Law Schools, 2024-25; and the West Virginia Rules of Professional Conduct.

[1] ABA Standard 301.

[2] Please see the WVU College of Law attendance policy and the OSA accommodations process for further guidance.

Social Justice Policies

A. NON-DISCRIMINATION AND EQUAL OPPORTUNITY

- Non-Discrimination and Equal Opportunity Statement

B. STUDENTS WITH DISABILITIES

- Students with Disabilities Statement

C. SEXUAL HARASSMENT

- Sexual Harassment Statement

A. NON-DISCRIMINATION AND EQUAL OPPORTUNITY

West Virginia University does not discriminate on the basis of race, color, national origin, ancestry, age, physical or mental disability, marital or family status, pregnancy, veteran status, service in the uniformed services (as defined in state and federal law), religion, creed, sex, sexual orientation, genetic information, gender identity or gender expression in the administration of any of its education program, activities or with respect to admission or employment. The Office of Equity Assurance, which includes the Title IX and ADA Coordinators, is designated to handle inquiries and reports regarding nondiscrimination policies. Contact Director of Compliance, James Goins Jr. or Division of Campus Engagement and Compliance at 304-293-5600 for more information or to file a report.

To uphold the University's values of fostering a climate of opportunity, mutual respect and understanding that engenders a feeling that the future should be shared by all community members and striving for a campus that is absent of discrimination and harassment on the basis of a protected class named above, the Director of Compliance is responsible for:

- Investigating all reports of discrimination, harassment, sexual harassment, sexual misconduct, domestic misconduct, stalking and retaliation through a fair and equitable process.
- Monitoring WVU's compliance with federal, state and institutional policy and procedures.
- Making relevant policy recommendations.
- Advising units about hiring processes.
- Providing prevention education and training.
- Ensuring support services for persons with disabilities.

B. OFFICE OF STUDENT ACCOMMODATIONS

The Office of Student Accommodations (OSA) is dedicated to enhancing educational opportunities for students with permanent and temporary disabilities at West Virginia University and all of its campuses. We assist in the implementation of accommodations that lead to academic and personal achievement.

Students in need of academic, housing, or transportation assistance should visit their website for more information and to apply for assistance: Student Accommodations at West Virginia University (<https://osa.wvu.edu/>)

C. SEXUAL HARASSMENT

WVU is committed to holding individuals accountable for acts of discrimination, harassment, sexual and domestic misconduct, stalking and retaliation against those seeking redress from the University. It is the duty of the Office of Compliance to protect students and employees of the University from and remedy all forms of discrimination, harassment, sexual and domestic misconduct, and retaliation in accordance with WVU's non-discrimination statement.

To learn more about the University's policies and process, visit or file a complaint: Division of Campus Engagement and Compliance at West Virginia University (<https://campusengagement.wvu.edu/>)

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