Dedman School of Law

Graduate Programs

Southern Methodist University

2004–2006

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Undergraduate Catalog
Dedman College Graduate Catalog
Dedman School of Law Catalog
Cox School of Business Graduate Catalog
Meadows School of the Arts Graduate Catalog
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Every effort has been made to include in this bulletin information which, at the time of preparation for printing, most accurately represents Southern Methodist University within the context in which it is offered.

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For information concerning admission and financial aid write to:

Office of Admission
Dedman School of Law
Southern Methodist University
PO Box 750110
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Web site: www.law.smu.edu

ADDRESS ALL OTHER MATTERS TO THE OFFICE OF THE DEAN.

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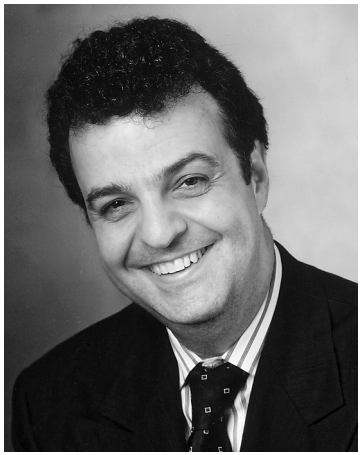

A MESSAGE FROM THE DEAN

I hope this bulletin will give you some idea of the quality, richness, and excitement of a legal education at the Dedman School of Law at Southern Methodist University. With a student body of deliberately controlled size, a faculty with superb credentials, and excellent physical facilities, the School of Law seeks to give each student a personal educational experience of the highest order.

As you will see in the following pages, the school has a diverse and highly talented faculty whose members are dedicated to teaching. Not only do they hold outstanding academic credentials, but virtually all of them also have had practical experience before entering their teaching careers. Consequently, they provide the invaluable link between the theory of classroom instruction and the reality of legal practice. The School of Law enjoys a national and international reputation, with its graduates practicing in every state in the Union and in many foreign countries.

We at the School take pride in offering our students a total educational experience, including an active Student Bar Association, moot court and mock trial activities, five respected law journals, a summer program in Oxford, England, a career services center, and five fine clinical programs, including one of the very few in taxation. While our curriculum is extremely rich, we are still small enough to take a personal interest in each student. The school's Law Quadrangle provides an admirable setting for learning and includes the Underwood Law Library, a modern and comprehensive research facility equipped with state-of-the-art instructional technologies.

Our student body is diverse, intelligent, and inquisitive. Students come from a variety of backgrounds and from all over the United States, although the majority are from Texas and surrounding regions. Upon graduation, they enter private practice, government practice, and the corporate sector, or they engage in public interest work, serve as prosecutors, or obtain judicial clerkships.

I hope that you will have an opportunity to visit our campus. Such an experience will give you a real sense of the school in a way that the pages of a bulletin can only suggest. We wish you the best of luck in your legal career.

John B. Attanasio
Dean and William Hawley Atwell Professor
of Constitutional Law

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I. Administration, Faculty, and Staff

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DEDMAN SCHOOL OF LAW

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Walter W. Steele Jr., LL.B., *Professor Emeritus of Law*
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FACULTY

John B. Attanasio, *Dean and William Hawley Atwell Professor of Constitutional Law*, B.A., 1976, University of Virginia; J.D., 1979, New York University; Diploma in Law, 1982, University of Oxford (Oriel College); LL.M., 1985, Yale University. Dean Attanasio has taught at the University of Pittsburgh School of Law and Notre Dame Law School, where he also served as the John M. Regan Jr. Director of the Joan B. Kroc Institute for International Peace Studies from 1991-92. He was dean of St. Louis University School of Law from 1992-98. As a 1990 Fulbright Award recipient, Dean Attanasio delivered lectures on American constitutional law in Moscow and throughout the former Soviet Union. He has advised various legislative and judicial officials in emerging democracies including Bulgaria, the former Czechoslovakia, Russia, Estonia, Hungary, and South Africa. In addition, he arranged the first United States visit of five justices of the Russian Constitutional Court and accompanied them to Washington, D.C. With Dean John Sexton of the New York University School of Law, he has organized two summits on constitutional adjudication that featured justices of the U.S. Supreme Court and the constitutional courts of Russia, Germany, and Italy. He also organized a symposium on the South Africa constitutional transformation featuring three justices from that nation's Constitutional Court. Dean Attanasio has taught constitutional law, First Amendment, civil procedure, torts, and jurisprudence. He is co-author (with Norman Redlich, Joel Goldstein, and the late Bernard Schwartz) of *Constitutional Law* and *Understanding Constitutional Law* and has written numerous articles for legal journals, including the *New York University Law Review*, the *Virginia Law Review*, the *University of Chicago Law Review*, *Georgetown Law Review*, and the *American Journal of Comparative Law*. Currently, he serves as co-editor-in-chief of *The International Lawyer*. He has written and lectured in the areas of international law, constitutional law, federalism, human genetic engineering, and legal education.

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William J. Bridge, *Associate Professor of Law*, B.S.F.S., 1970, J.D., 1974, Georgetown University. A member of Phi Beta Kappa and of the *Georgetown Law Journal,* Professor Bridge was assistant dean and adjunct professor at Georgetown University Law Center before accepting the Jervey Fellowship in Foreign Law from Columbia University in 1976-78. He studied at the Faculties of Letters and of Law at the University of Caen, France, in 1970-71, and at the French Court of Cassation, the French Council of State, and the French Center for Comparative Law in 1977-78. In 1984 and 1986, Professor Bridge was a visiting professor at Georgetown University Law Center. Fluent in French, he teaches criminal law and procedure, evidence, professional responsibility, comparative law, and law and literature. He publishes and pursues research in evidence, professional responsibility, criminal procedure, and foreign law.

Alan R. Bromberg, *University Distinguished Professor of Law,* A.B., 1949, Harvard University; J.D., 1952, Yale University. Professor Bromberg has been a senior fellow of the Yale law faculty and visiting professor at Stanford Law School. He is an author of numerous authoritative publications, including *Bromberg and Lowenfels on Securities Fraud and Commodities Fraud* (2nd edition, six volumes), *Bromberg and Ribstein on Partnership* (four volumes, more in preparation), *Bromberg and Ribstein on Limited Liability Partnerships and the Revised Uniform Partnership Act*, and numerous articles on tax, partnership, corporate, securities, and commodities law. A life member of the American Law Institute, he is a former chair of the Law School Publications Advisory Board of Matthew Bender & Co., and sits on the editorial boards of three corporate and securities reviews. He has drafted substantial parts of the Texas corporate, partnership, and securities statutes. He is active on six American Bar and Texas Bar committees in his areas of interest. He is a director of and co-chairs the Legislative Committee of the Texas Business Law Foundation. He practiced law in Dallas before joining the SMU faculty in 1956, and he is of counsel to Jenkens & Gilchrist, a Professional Corporation. He teaches courses primarily in business associations, securities regulation, and corporate planning.

Regis W. Campfield, *Marilyn Jeanne Johnson Distinguished Law Faculty Fellow and Professor of Law,* B.B.A., 1963, Notre Dame University; LL.B., 1966, University of Virginia. An editor of the *Virginia Law Review,* Professor Campfield joined the SMU faculty after teaching at Notre Dame Law School. Prior to that time he practiced with Squire, Sanders & Dempsey in Cleveland. He is a member of the American Law Institute, a fellow and past regent of the American College of Trust and Estate Counsel, a fellow of the American College of Tax Counsel, a former member of the executive council of the International Academy of Estate and Trust Law, as well as a member of the American Bar Association Section of Taxation, and past chair of its Committee on Tax Practice Management. He also is a member of the Estate and Gift Tax, Legal Education, Technology Committees of the American College of Trust and Estate Counsel, and a member of its Editorial Board as well as a Past Regent and past member of its Membership Selection Committee. He was formerly chair of the Committee on Tax Legislation and Regulations: Joint Property

(Section of Real Property, Probate and Trust Law of the American Bar Association) and past editor of *Probate Lawyer,* the annual publication of the American College of Trust and Estate Counsel. He is the author of *Estate Planning & Drafting, Estate & Gift Taxation,* and co-author of *Taxation of Income, Fiduciary Tax Guide,* and *Taxation of Estate, Gifts, & Trusts*. He is also permanent chair of the Notre Dame Tax and Estate Planning Institute and co-director of the Joint CFT/SMU Law School Estate Planning Series. Professor Campfield has been a visiting professor at the University of Virginia School of Law. He teaches courses in wills, trusts, estate and gift taxation, and estate planning.

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Lynch Philanthropic Foundation and the *Scholarship Builder program*; a twice award-winning program honored by the White House for its distinguished service to the nation. A former law clerk to the NAACP Legal Defense and Educational Fund, Professor Dyson joined SMU from the faculty of Columbia University where he taught education law and was awarded the Mentoring Scholars Fellowship to conduct public policy research. He has written and lectured extensively in the areas of judicial remedies, game theory, critical race theory, corporate law, educational testing and school funding. Professor Dyson also serves as a legal commentator to *The Dallas Morning News* and currently sits on the executive board of the Association of American Law Schools Section on Education Law. A member of the National and American Bar Associations, Professor Dyson is the recipient of numerous awards including the prestigious King's Crown Award (two consecutive years), the Kluge Award, the Taft-Carpenter Teaching Award and the Albert Roothbert Teaching Award. Professor Dyson teaches torts, education law, and equitable remedies.

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Julia P. Forrester, *Associate Professor of Law,* B.S.E.E., 1981, J.D., 1985, University of Texas at Austin. Professor Forrester was a real estate attorney with the Dallas firm of Thompson & Knight. She has published articles on real estate finance, and received the 1995 John Minor Wisdom Award for Excellence in Legal Scholarship for one of her articles. She teaches in the areas of property, real estate transactions, and land use.

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of the University of Tennessee School of Law. He became a full-time member of the faculty of SMU School of Law in the fall term 1989 and was an associate editor of *The International Lawyer* from 1990-96. He teaches courses in the areas of public and private international law.

Henry J. Lischer Jr., *Professor of Law,* B.B.A., 1967, J.D., 1970, University of Iowa; LL.M. (in Taxation), 1974, New York University. Professor Lischer has published tax articles in various professional journals and Tax Management Portfolios on *Section 306 Stock, Gifts, Gifts to Minors, and Structure of the Federal Tax System of the United States (co-author)*. He is co-author of volumes 16-18 of *West Legal Forms Second, Estate Planning* and co-author of volumes 11-11E of *West's Texas Forms, Estate Planning*. He has participated in numerous continuing legal education programs on the subject of taxation and estate planning. He serves on the Admissions Examination panel of the U.S. Tax Court, Washington, D.C., and he is a fellow of the American College of Tax Counsel and an Academic Fellow of the American College of Trust and Estate Counsel. He also has served as Professor-in-Residence on the staff of the Chief Counsel of the Internal Revenue Service in Washington, D.C. He teaches taxation of property dispositions; tax accounting; tax practice and professional responsibility; taxation and fiscal policy; and the basic federal income taxation course.

John S. Lowe, *George W. Hutchison Professor of Energy Law*, B.A., 1963, Denison University; LL.B., 1966, Harvard University. Professor Lowe has taught courses on oil and gas, and oil and gas contracts at SMU since 1987. He also teaches as Honorary Lecturer at the Centre for Energy, Petroleum and Mineral Law and Policy at Dundee University, Scotland. A Maxwell Fellow in Malawi from 1966-69, Professor Lowe practiced law privately in Columbus, Ohio, 1970-75. He was a member of the faculty of the University of Tulsa in 1978, where he served as professor and associate director of the National Energy Law and Policy Institute. Professor Lowe was a visiting professor at the University of Texas in 1984, the Distinguished Visiting Professor of Natural Resources Law at the University of Denver in 1987, and the Visiting Judge Leon Karelitz Chair of Oil and Gas Law at the University of New Mexico in 1996. He was the 1992-93 Chair of the Section of the Environment, Energy, and Resources Law of the ABA and the 2003-04 President of the Rocky Mountain Mineral Law Foundation. He is author of *Cases & Materials on Oil and Gas Law, Oil & Gas Law in a Nutshell,* and *International Petroleum Transactions*, as well as many law journal articles and treatise sections.

George A. Martinez, *Professor of Law,* B.A., 1976, Arizona State University; M.A. (Philosophy), 1979, University of Michigan; J.D., 1985, Harvard University. A member of Phi Beta Kappa, Professor Martinez was a teaching fellow in the department of philosophy at the University of Michigan from 1979-81 and a visiting assistant professor of philosophy at Texas Christian University from 1981-82. He was a litigation associate with the Chicago firm of Mayer, Brown & Platt from 1985-88 and with the San Francisco firm of Morrison & Foerster from 1988-91. Professor Martinez has been a visiting professor of law at the University of Illinois and has presented papers at numerous universities including Yale University, the University of California at Berkeley and the University of Buenos Aires. Professor Martinez has published numerous law review articles in the areas of federal courts, critical race theory, and jurisprudence. His work has been reprinted in a number of leading anthologies on critical race theory. He is an editor of *A Reader on Race, Civil Rights and American Law: A Multiracial Approach*. He is associate editor of *Law and Business Review of the Americas*. Professor Martinez teaches in the areas of civil procedure, complex litigation, federal courts, and jurisprudence.

Thomas Wm. Mayo, *Associate Professor of Law,* B.A., 1971, Amherst College; J.D., 1977, Syracuse University College of Law. Following law school, where he was Editor-in-Chief of the *Syracuse Law Review* and a member of the Order of the Coif, Professor Mayo was an associate with the Rochester, New York, firm of Nixon, Hargrave, Devans & Doyle. He then served from 1979-80 as a law clerk to the U.S. Court of Appeals for the District of Columbia Circuit, after which he practiced communications, securities, antitrust, and election law with the Washington D.C. firm of Covington & Burling. Professor Mayo came to SMU in 1984 and teaches courses in the areas of health care law; bioethics; law, literature and medicine; constitutional law; administrative law; and legislation. He has twice been awarded the law school's Dr. Don Smart Award for Teaching Excellence (in 1987 and 1997). He is also a recipient of the University's Outstanding Community Volunteer Award (in 1989) and the 2002 Heath Award from the Dallas County Medical Society for outstanding leadership and contributions to medicine in Dallas County. In addition, Professor Mayo is an Adjunct Associate Professor of Internal Medicine at the University of Texas-Southwestern Medical School and the monthly poetry columnist for the *Dallas Morning News*.

Joseph W. McKnight, *Larry and Jane Harlan Faculty Fellow and Professor of Law,* B.A., 1947, University of Texas; B.A., 1949, B.C.L., 1950, and M.A., 1954, Oxford University; LL.M., 1959, Columbia University. Professor McKnight is an authority in the fields of legal history and family and marital property law. He has written extensively on the Spanish legal influence on American jurisprudence and is completing a book, *Legal Persistence and Change,* which deals with the law of succession on the Hispanic frontier of North America. He and his co-author William A. Reppy Jr., published the eighth edition of their casebook, *Texas Matrimonial Property Law* in 2004. Professor McKnight acted as general editor and author of *Creditor's Rights in Texas* (1st ed. 1963). In 2004 Professor McKnight published the 38th in a series of annual surveys of Texas family property law. In 1967 he was a professor at the University of Edinburgh, and in 1976 he was on leave at the University of Salamanca. He is a leader in law reform and was a principal draftsman of the Texas Family Code, Texas homestead and antiquities legislation, revisions of the Texas Constitution, and a federal statute on historical preservation. He served as a member of the board of directors of the National Legal Aid & Defender Association from 1963-66, as vice president of the American Society for Legal History from 1966-68, as a member of its board of directors from 1967-75, and as a member of the executive council of the Texas State Historical Association from 1988-91. In 1999 he completed a 23-year stint as a trustee of the San Jacinto Museum of History Association and has served on the Advisory Board of the Institute of Texas Cultures. He delivered the Stair Society lecture in Edinburgh in 1976 and was named an Academico (*honoris causa*) of the Academia Mexicana de Derecho Internacional in 1988. Professor McKnight served SMU School of Law as associate dean for academic affairs from 1977-80.

Frederick C. Moss, *Associate Professor of Law,* A.B., 1965, Georgetown University; J.D., 1968, Villanova University; LL.M., 1977, Harvard University. After serving as a prosecutor with the U.S. Attorney's Office in Washington, D.C., Professor Moss was a teaching fellow and lecturer at Harvard Law School. He has served on the faculty at many CLE programs designed to teach trial skills to practicing lawyers, and from 1980-89 he was the director of the National Institute for Trial Advocacy's Southern Regional trial training program. He has contributed to a treatise on Texas evidence and often lectures at continuing legal education seminars on evidence and professional ethics topics. In 1990 he was a visiting professor at

Cornell. Professor Moss has taught lawyering, criminal law, evidence, trial advocacy, criminal procedure, and professional responsibility, and has directed the law school's Criminal Clinic. He is the former director of the lawyering program.

John J. Mylan, *Professor of Law,* B.S., 1961, Fordham University; J.D., 1964, Stanford Law School; LL.M. (in Taxation), 1965, New York University. Professor Mylan practiced law in Southern California for five years and was a member of the faculty of Willamette University College of Law from 1970-81. A specialist in the area of taxation, he has served on the law faculty of the New York University Graduate Tax Program and the University of Florida Graduate Tax Program. He has lectured at various tax conferences and has served as chair of the SMU Annual Federal Tax Planning Symposium. He has published numerous articles on taxation and has co-authored a multi-volume treatise entitled *Federal Taxation of Close Corporations*, as well as a treatise entitled *Closely Held Businesses in Estate Planning*. Professor Mylan has taught corporate taxation, partnership taxation, taxation of professional and closely held corporations, and taxation and fiscal policy, as well as the basic federal income taxation course.

Joseph Jude Norton, *James L. Walsh Distinguished Faculty Fellow in Financial Institutions and Professor of Law,* A.B., 1966, Providence College; LL.B., 1969, University of Edinburgh; LL.M., 1970, University of Texas; S.J.D., 1973, University of Michigan; Diplôme (*droit privé*), 1976, Hague Academy of International Law; D.Phil. (Law), 1995, Oxford University. Professor Norton primarily teaches domestic and international business- and banking-related courses. He holds a dual appointment as the Sir John Lubbock Professor of Banking Law at the Centre for Commercial Law Studies, University of London. He was editor-in-chief of *The International Lawyer* from 1986-96 and from 1999-2001. He is also editor-in-chief of *Law and Business Review of the Americas*, of the *Yearbook of International Financial and Economic Law*, of the Kluwer international series on International Banking Regulation and on International Economic Development Law, and of the Lloyd's of London Banking Law Publication Series. He is a senior research fellow at the Institute of European Finance (U.K.); he also is a regular visiting professor of law at the University of Münster, Germany, and at the University of Stockholm, Sweden. He holds a Visiting Distinguished Professorship at Rand Afrikaans University, South Africa. He was the Chief Law Examiner of the University of Hong Kong from 1995-98 and is the executive director of the London Institute of International Banking, Finance and Development Law. He also has been a visiting professor at Soochow University, Taipei. In 1999 and 2000, Professor Norton held the Vice Chancellor's Visiting Distinguished Professorship of Law at the University of Hong Kong. Before joining the law faculty in 1981, Professor Norton was a director of a major Dallas law firm and an adjunct professor of law at SMU School of Law. From 1973-81 Professor Norton was a director of Dallas Legal Services, serving as its president in 1976-77, and in 1984 was again appointed a director until 1987. He has written extensively in domestic and international law journals, primarily respecting the domestic and international regulation of business enterprise and banking, serving as a member of the ABA and Texas Bar Banking Committees. He has published (as author or editor) more than 30 treatises, and has written more than 100 articles, chapters, and research monographs on domestic and international business and banking matters. Professor Norton has provided consultant services to various governmental and intergovernmental authorities. He is a founder of SMU's Institute on International Finance and of the reactivated Law Institute of the Americas, and a member of the American Law Institute.

Xuan-Thao Nguyen, *Associate Professor of Law*, B.A., 1990, Oberlin College;

J.D., 1995, Northeastern University School of Law. Prior to joining the SMU law faculty, Professor Nguyen was associate professor at Texas Wesleyan University School of Law. She has been a visiting professor at Seattle University School of Law. Before entering academia, she was an intellectual property associate with Fried, Frank, Harris, Shriver & Jacobson (NYC) and Pryor, Cashman, Sherman & Flynn (NYC). Professor Nguyen is registered to practice in the United States Patent and Trademark Office. She chaired the IP/E-commerce Annual Conference in 2002 and has served as a planning committee member for the INTA annual conferences. Professor Nguyen co-authored a treatise and a casebook on intellectual property taxation, both of which were published in 2003. She has published articles in the *North Carolina Law Review*, the *Washington & Lee Law Review*, the *George Mason Law Review*, the *American University Law Review* (twice), the *Loyola Chicago Law Journal*, the *Albany Law Review*, the *Chicago-Kent Intellectual Property Journal,* and the *Loyola Chicago Consumer Law Review*. Her articles have been cited in *Interstellar Starship Services, Ltd. V. Epix Inc.,* 304 F.3d 936 (9th Cir. 2002); *Times Mirror Magazines Inc. v. Las Vegas Sports News*, 212 F.3d 167 (3d Cir. 1999); and *Pharmacia Corp. v. Alcon Lab. Inc.*, 201 F.Supp.2d 335 (D. N. J. 2002).

Victoria Palacios, *Associate Professor of Law,* J.D., 1975, University of Nebraska College of Law. Professor Palacios held the Hastie Fellowship at the University of Wisconsin College of Law from 1975-77; she taught at the University of Utah College of Law from 1977-83, and as an adjunct professor from 1983-88. She has been on the faculty of the National Institute of Corrections since 1987 and has written an NIC monograph, *Parole Law* (1990, revised 1994). From 1983-90 Professor Palacios was a member, and for two years chair, of the Utah Parole Board. In 1990-91 she was a visiting associate professor at the University of Notre Dame Law School. She teaches in the areas of torts and criminal justice.

Ellen Smith Pryor, *Homer R. Mitchell Professor of Insurance and Commercial Law*, B.A. (History), 1978, Rice University; J.D., 1982, University of Texas. Professor Pryor was editor-in-chief of the *Texas Law Review* and a member of Chancellors and Order of the Coif. She received awards for outstanding student, student scholarship, and best law review note. She served a judicial clerkship to the Honorable Carl McGowan of the U.S. Court of Appeals for the District of Columbia Circuit, following which she was in a civil law practice in Dallas for four years. She was the recipient of the 1985 Dallas Bar Association Pro Bono Award of the Year, and the 1986 State Bar of Texas Frank Scurlock Award for delivery of legal services to the poor. Professor Pryor joined the faculty of the SMU School of Law in 1986 and was a visiting professor at the University of Texas School of Law from 1992-94. She teaches in the areas of torts, compensation theory, and insurance law. She is a co-author of a torts casebook, *The Law of Torts* (West Publishing Company, 3rd edition, with Christie, Meeks, and Sanders), and has published numerous articles on tort, insurance, and disability compensation. She is a member of the American Law Institute, and an advisor to the Restatement (Third) of Torts.

Roark M. Reed, *Professor of Law and Director of Criminal Justice Clinic,* B.S., B.A., 1965, J.D., 1969, Georgetown University. Professor Reed teaches primarily in the area of criminal procedure and litigation. He also teaches evidence, a course on expert testimony offered jointly with the University of Texas, Southwestern Graduate School of Biomedical Sciences, and a course on the Japanese legal system. He is the co-author of the pioneering work with Professor Masahito Inouye and Judge Megumi Yamamuro, *Amerika No Keiji Tetsuzuki* (*American Criminal Procedure*) and co-authored with Irving C. Stone *Expert Testimony, A Series of Simulations*. He was on the board of advisers for the Bureau of National Affairs Criminal Practice

Manual from 1986-91 and is a lifetime member of Nihon Keiho Kyoko (hon). In 1982, Professor Reed was awarded a Fulbright Lectureship to Japan where he taught at Tokyo University Law School and Rikyo Law School. He returned to Japan in 1989-90 on a second Fulbright Lectureship where he taught a comparative course on American and Japanese criminal procedure at Tokyo University Law School. He served as associate dean for clinical education from 1983-88. He served as a staff attorney for the Public Defender Service for the District of Columbia and as director of the Criminal Justice Clinic, Maryland Division, at Georgetown University Law Center before joining the faculty of SMU. Currently, he serves as director of the Criminal Justice Clinic.

C. Paul Rogers III, *Professor of Law and former Dean,* B.A., 1970, J.D., 1973, University of Texas; LL.M., 1977, Columbia University. Professor Rogers practiced law in Pennsylvania before accepting the Krulewitch Fellowship for graduate law study from Columbia Law School. He subsequently joined the faculty of Loyola University of Chicago and came to SMU in 1980. He has published articles in the area of antitrust law, contracts, commercial law, regulated industries, and legal history, and has co-authored an antitrust casebook, *Antitrust Law: Policy & Practice*, now in its third edition. He has also taught courses in contracts, antitrust law, business torts, and sales of goods transactions, and served SMU School of Law as associate dean for academic affairs from 1982-86 and as dean from 1988-97. Professor Rogers is the University athletic representative, representing SMU before the NCAA and the Western Athletic Conference and currently sits on the NCAA's Academic, Education and Compliance Cabinet.

Susan Scafidi, *Associate Professor of Law,* A.B., 1990, Duke University; J.D., 1993, Yale University. Following graduation from Yale Law School, Professor Scafidi served as a law clerk to the Honorable Morris S. Arnold of the U.S. Court of Appeals, 8th Circuit. She also pursued graduate study in legal history at the University of California at Berkeley and the University of Chicago. Professor Scafidi has taught at the University of Chicago as a Bigelow Fellow, at Saint Louis University School of Law as an assistant professor, and most recently at the Yale Law School as a visiting lecturer. In addition, she has been a visiting scholar with the Robbins Collection at Boalt Hall, University of California at Berkeley, and with the Center for the Study of Law and Culture at Columbia Law School. She is the author of *Who Owns Culture*?, forthcoming from Rutgers University Press, as well as law review articles in the areas of intellectual property and history. Her teaching and research fields include property, intellectual property, international law, cultural property, ecclesiastical law, and legal history.

Daniel W. Shuman, *Professor of Law,* B.S., 1969, J.D., 1972, University of Arizona. An editor of the *Arizona Law Review,* a member of the Order of Coif, and the recipient of the University of Arizona Foundation Outstanding Law Senior Award, Professor Shuman served as a legal aid attorney in Tucson, and later as assistant attorney general of Arizona in Phoenix, with responsibility in a variety of areas, including mental health law. He is the author of numerous books and articles in the fields of mental health law and evidence, including *Justice and the Prosecution of Old Crimes: Balancing Legal Psychological and Moral Considerations* (2000); *Conducting Insanity Defense Evaluations* (2000); *Retrospective Assessment of Mental States in Litigation: Predicting the Past* (2002); *Law, Mental Health, and Mental Disorder* (1996); *Psychiatric and Psychological Evidence* (1986, 2d ed. 1994); *Doing Legal Research: A Guide for Social Scientists and Mental Health Professionals* (1996); *The Psychotherapist-Patient Privilege* (1987); and *Law & Mental Health Professionals: Texas* (1990, 2d ed. 1997, & 3rd ed. 2004). Professor

Shuman received the 1988 Manfred S. Guttmacher Award for the outstanding contribution to the literature on forensic psychiatry from the American Psychiatric Association and the American Academy of Psychiatry and the Law for his book, *Psychiatric and Psychological Evidence*. He is a member of the American Law Institute and serves on the advisory boards of numerous professional journals and institutes. He also is an adjunct professor of psychiatry at the University of Texas Southwestern Medical School and an adjunct professor of psychology at the University of North Texas. He teaches in the areas of torts, evidence, law and social science, and psychiatric and psychological evidence.

Mary B. Spector, *Associate Professor of Law,* B.A., 1979, Simmons College; J.D., 1986, Benjamin N. Cardozo School of Law. Professor Spector was a law clerk to Judge Jerry Buchmeyer of the U.S. District Court for the Northern District of Texas before joining the Dallas law firm of Akin, Gump, Strauss, Hauer & Feld as an associate. She served as a member of the adjunct faculty from fall 1991 to spring 1995. During that time, she served as a supervising attorney with the SMU Legal Clinic and as a field instructor with the SMU/Legal Services of North Texas externship program. Professor Spector has published articles in the area of property law, dealing with tenant's rights and nuisance abatement. She teaches consumer law and is co-director of the Civil Clinic.

Marc I. Steinberg, *Rupert and Lillian Radford Professor of Law,* A.B., 1972, University of Michigan; J.D., 1975, UCLA; LL.M., 1977, Yale University. Following law school, Professor Steinberg served as law clerk to Judge Stanley N. Barnes of the U.S. Court of Appeals for the Ninth Circuit and as legislative counsel to U.S. Senator Robert P. Griffin. He subsequently served as special projects counsel and confidential legal adviser to the general counsel at the U.S. Securities and Exchange Commission. Before joining the SMU law faculty, Professor Steinberg was professor of law at the University of Maryland School of Law, visiting professor at the Wharton School of Business at the University of Pennsylvania, visiting associate professor at the National Law Center, George Washington University, and adjunct professor at Georgetown University Law Center. In addition, he has lectured and consulted on company law in Australia, China, England, Finland, Germany, Hong Kong, Italy, Japan, New Zealand, South Africa, Sweden, and Taiwan. He also holds the title of Visiting Professorial Fellow in International Securities Regulation for the Centre for Commercial Law Studies at the University of London. Professor Steinberg is the author of more than 100 law review articles as well as 16 books. He is editor-in-chief of the *Securities Regulation Law Journal,* and co-editor-in-chief of *The International Lawyer*. He is on the advisory boards of three other journals in the corporate and securities law area, and is a member of the American Law Institute. He teaches in the corporate and securities law areas.

Elizabeth G. Thornburg, *Professor of Law,* B.A., 1976, College of William and Mary; J.D., 1979, Southern Methodist University. Following graduation, Professor Thornburg clerked for Judge Robert M. Hill, U.S. District Court for the Northern District of Texas, and was an associate with the law firm of Locke, Purnell, Boren, Laney & Neely. She served as associate dean for Academic Affairs from 1996-98. Professor Thornburg has published articles dealing with federal and Texas procedure and teaches in the areas of procedure, remedies, and conflict of laws.

Jeffrey A. Trexler, *Assistant Professor of Law*, B.A., 1986, University of North Carolina-Chapel Hill; Ph.D. (Religion), 1991, Duke University; J.D., 1995, Yale University. After graduation, Professor Trexler served as a law clerk for the Honorable Dorothy W. Nelson of the U.S. Court of Appeals, 9th Circuit. He subsequently practiced in the Chicago office of Gardner, Carton and Douglas. Professor Trexler

has taught at Saint Louis University School of Law and, most recently, at the Yale Law School. His teaching and research areas include business enterprise, nonprofit organizations, tax, corporate ethics, and international law.

Jenia Iontcheva Turner, *Assistant Professor of Law,* B.A. (International Relations), 1999, Goucher College; Caplan Scholar, Cambridge University, 1997-98; J.D., 2002, Yale Law School. At Yale Law School, Professor Turner was a Coker Fellow and articles editor for the Yale Law Journal and the Yale Journal of International Law. In 2000, she was a summer clerk at the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia, and the following summer, she worked at the Federal Public Defender's Office in Houston and the New York and Paris offices of Debevoise & Plimpton. From 2002-04, Professor Turner served as a Bigelow Fellow at the University of Chicago Law School, where she taught Legal Research and Writing and Comparative Criminal Procedure. Her teaching and scholarship interests include criminal law and procedure and comparative and international public law.

Peter Winship, *James Cleo Thompson Sr. Trustee Professor of Law,* B.A., 1965, LL.B., 1968, Harvard University; LL.M., 1973, University of London (London School of Economics); candidate for the J.S.D., Yale University. Professor Winship teaches primarily in the areas of domestic and international commercial law, and also teaches corporate law and seminars on American legal history, comparative commercial law, admiralty law, and law and ethics.

LEGAL RESEARCH, WRITING, AND ADVOCACY FACULTY

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Michael T. Colatrella, *Lecturer in Law, B.A., J.D., LL.M.*
Michaela E. Conway, *Lecturer in Law, B.A., J.D.*
Beverly C. Dureus, *Lecturer in Law, B.A., J.D., Th.M.*
Patricia S. Heard, *Lecturer in Law, B.A., J.D.*
JoAnn A. Hubbard, *Lecturer in Law, B.S., J.D.*

DISTINGUISHED VISITING PROFESSORS

Charles O. Galvin, *Distinguished Professor Emeritus of Law*
Bernhard Grossfeld, *Professor of Law, University of Muenster (Germany)*
The Honorable Patrick E. Higginbotham, *United States Court of Appeals, Fifth Circuit*

VISITING FACULTY

The Honorable Don Bush, *United States Magistrate Judge for the Eastern District of Texas*
Shubha Ghosh, *Professor of Law, University of Buffalo Law School, SUNY*
The Honorable Barbara J. Houser, *United States Bankruptcy Court for the Northern District of Texas*
The Honorable Barbara M.G. Lynn, *United States District Judge for the Northern District of Texas*
The Honorable Michael Lynn, *United States Bankruptcy Court for the Northern District of Texas*
Lizabeth Moody, *Dean Emeritus and Distinguished University Professor, Stetson College of Law, Gulfport, Florida*
The Honorable Linda Thomas, *Chief Justice of the Fifth District Court of Appeals of Texas*

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LAW SCHOOL STAFF

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Rebekah Bell, *Administrative Assistant, Alumni Development*
Martha Bragg, *Administrative Assistant to Associate Deans*
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April Michele Oswald, *Faculty Secretary*
Phyllis Jan Spann, *Faculty Secretary*
Carolyn Yates, *Faculty Secretary*

II. General Information
A. School of Law Calendar

SUMMER SESSION, 2004

May 24, Monday: Classes Begin
May 26, Wednesday: Last Day to Add/Drop Classes
May 31, Monday: Holiday, Memorial Day
July 5, Monday: Holiday, Independence Day
July 9, Friday: Classes End
July 12, Monday: Examinations Begin
July 15, Thursday: Examinations End

FALL TERM, 2004

August 17-18, Tuesday-Wednesday: First-Year Evening Student Orientation
August 19-20, Thursday-Friday: First-Year Day Student Orientation
August 23, Monday: Classes Begin
August 27, Friday: Last Day to Add/Drop and Late Register
September 6, Monday: Holiday, Labor Day
November 25-26, Thursday-Friday: Holiday, Thanksgiving
December 1, Wednesday: Classes End
December 6, Monday: Examinations Begin
December 16, Thursday: Examinations End

SPRING TERM, 2005

January 6, Thursday: Classes Begin
January 13, Thursday: Last Day to Add/Drop Classes
January 17, Monday: Holiday, Martin Luther King Jr.'s Birthday
March 14-18, Monday-Friday: Spring Break
March 25, Friday: Holiday, Good Friday
April 22, Friday: Classes End
April 26, Tuesday: Examinations Begin
May 5, Thursday: Examinations End
May 14, Saturday: Commencement, Hooding Ceremony

Offices of the University will be closed September 6, November 25-26, December 20-24, and December 31, 2004; and January 17, March 25, May 30, and July 4, 2005.

See the School of Law Registrar's Office for the 2005-06 calendar.

II. B. Description of the University

STATEMENT OF MISSION

The Vision of Southern Methodist University

To create and impart knowledge that will shape citizens who contribute to their communities and lead their professions in a global society.

The Mission of Southern Methodist University

Southern Methodist University's mission is to be a leading private institution of higher learning that expands knowledge through research and teaching. Among its faculty, students, and staff the University develops skills and cultivates principled thought and wisdom. The University is dedicated to the values of academic freedom and open inquiry and to its United Methodist heritage.

To fulfill its mission the University strives for quality, innovation, and continuous improvement as it pursues the following goals:

- To enhance the academic quality and competitiveness of the University.
- To improve teaching and learning.
- To strengthen scholarly research and creative achievement.
- To support and sustain student development and quality of life.
- To broaden global perspectives.
- To advance the University through select, strategic alliances.

SOUTHERN METHODIST UNIVERSITY

As a private, comprehensive university enriched by its United Methodist heritage and its partnership with the Dallas metroplex, Southern Methodist University seeks to enhance the intellectual, cultural, technical, ethical, and social development of a diverse student body. SMU offers undergraduate programs centered on the liberal arts; excellent graduate, professional, and continuing education programs; and abundant opportunities for access to faculty in small classes, research experience, international study, leadership development, and off-campus service and internships, with the goal of preparing students to be contributing citizens and leaders for our state, the nation, and the world.

SMU comprises six degree-granting schools: Dedman College of Humanities and Sciences, Meadows School of the Arts, the Edwin L. Cox School of Business, the School of Engineering, the Dedman School of Law, and Perkins School of Theology.

Founded in 1911 by what is now the United Methodist Church, SMU is nonsectarian in its teaching and is committed to the values of academic freedom and open inquiry.

The University has 100 buildings, a total enrollment that has averaged more than 10,000 the past five years, a full-time faculty of 565, and assets of $1.389 billion—including an endowment of $807,551,000 (Market Value, May 2003).

Offering only a handful of degree programs at its 1915 opening, the University presently awards baccalaureate degrees in more than 80 programs through four undergraduate schools and a wide variety of graduate and professional degrees through those and professional schools.

Of the 11,161 students enrolled for the 2003 fall term, 6,299 were undergraduates and 4,862 were graduate and professional students. The full-time equivalent enrollment was 6,135 for undergraduates and 3,113 for graduate and professional students.

Nearly all the students in SMU's first class came from Dallas County, but now 37 percent of the University's undergraduate student body comes from outside Texas. In a typical school year, students come to SMU from every state, from 106 foreign countries, and from all races, religions, and economic levels.

Undergraduate enrollment is 55.3 percent female. Graduate and professional enrollment is 40.3 percent female.

A majority of SMU undergraduates receive some form of financial aid. In 2003-2004, 79.5 percent of first-year students received some form of financial aid, and 32 percent of first-year students received need-based financial aid.

Management of the University is vested in a Board of Trustees of civic, business, and religious leaders—Methodist and non-Methodist. The founders' first charge to SMU was that it become not necessarily a great *Methodist* university, but a great *university*.

ACADEMIC ACCREDITATION

Southern Methodist University is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur GA 30033-4097; telephone number 404-679-4501) to award Baccalaureate, Master's, and Doctoral degrees.

Individual academic programs are accredited by the appropriate national professional associations. The Edwin L. Cox School of Business is accredited by AACSB-International, the Association to Advance Collegiate Schools of Business. The Dedman School of Law is accredited by the American Bar Association. Perkins School of Theology is accredited by The Association of Theological Schools in the United States and Canada. Undergraduate programs in mechanical engineering, computer engineering, and electrical engineering are accredited by the Accreditation Board for Engineering and Technology (ABET). The Department of Chemistry is accredited by the American Chemical Society. In the Meadows School of the Arts, the Dance Division is accredited by the National Association of Schools of Dance; the Music Division by the National Association of Schools of Music; and the Theatre Division by the National Association of Schools of Theater.

II. C. Dedman School of Law

1. PROGRAMS AND INSTRUCTION

J.D. Degree. The J.D. (Juris Doctor) is the first law degree normally obtained in three years of study. The primary purpose of the J.D. program is preparation for the practice of law, private or public. The curriculum combines training in the science and method of law, knowledge of the substance and procedure of law, understanding of the role of law in society, and practical experience in handling professional problems. It also explores the responsibility of lawyers and their relations to other segments of society. See Sections III, The Juris Doctor Program, and VII, The Curriculum, for detailed discussion of the J.D. program and its unusually rich variety of courses.

Most courses are national or international in scope, although emphasis on Texas law is available for those who plan to practice in Texas. In addition to traditional academic study, the school sponsors several clinical programs that provide students with an opportunity to earn academic credit while engaging in the actual practice of law. For this work the school provides secretaries and offices conveniently located on the law school campus. All clinical programs are under the supervision of the associate dean for clinical education, full-time faculty members, and a part-time staff of practicing attorneys. The clinics serve clients from Dallas County in civil, criminal, tax, poverty, child advocacy, and domestic violence cases. Students interview clients, prepare pleadings, and present cases in court with the assistance of the clinic faculty and staff attorneys. Clinic students also attend classes dealing with techniques of the practice of law. This work is open to upper-division students. See Section VII, The Curriculum for individual descriptions and requirements for each clinic.

Many graduates choose to practice in the Southwest, but 10,500 SMU School of Law graduates are found in all 50 states and the District of Columbia, and in more than 70 foreign countries. Similarly, although most students come from the Southwest, students are enrolled from all parts of the country.

J.D./M.B.A. Program

The School of Law and the Graduate Division of the Cox School of Business offer a joint program leading to the J.D. and the M.B.A. (Master of Business Administration) in four years of full-time study. Students must be admitted to both programs separately. The joint program is designed to prepare students for law practice with a business emphasis or for business careers with a legal emphasis. See Section IV, Combined J.D./M.B.A. Program, for a detailed description.

J.D./M.A. in Economics Program

This program allows for joint study in law and economics following the first year of required legal study. Students must be admitted to both programs separately. See Section V, Combined J.D./M.A. in Economics Program, for a detailed description.

Advanced Degrees

The LL.M. (Taxation) and general LL.M. degrees for U.S. trained law graduates, the LL.M. (Comparative and International Law) degree for non-U.S.-law-trained graduates, and the S.J.D. advanced research degree for both U.S. and non-U.S.-law-trained graduates are described in Section VI, Graduate Legal Studies. Approximately 50 full-time and 20 part-time students are enrolled in these graduate programs.

Non-degree Enrollment and Auditing

Attorneys holding valid U.S. law licenses or graduates from ABA-approved law schools may enroll in or audit courses offered at the law school on a space available basis. See Section III D for more information.

2. THE LAW SCHOOL QUADRANGLE

The Law School Quadrangle, a four-building complex, occupies six acres on the northwest corner of the SMU campus. Storey Hall houses administrative offices, student organization offices, faculty library and offices, and clinical and other facilities. Florence Hall contains class and seminar rooms and a state-of-the-art trial courtroom. Carr Collins Jr. Hall contains a dining facility, career services offices, admissions offices, student lounges, and seminar rooms. Underwood Law Library contains open stacks for its collection, computer facilities, and carrels and comfortable seating for all students. Two large lecture halls, including one that serves as a magnificent grand appellate courtroom, are also located on the main floor of Underwood. Consistent with the entire SMU campus, the buildings are modified Georgian architecture. Student housing is available on campus in areas close to the Quadrangle (see Section II F, Housing and Other Services).

3. THE UNDERWOOD LAW LIBRARY

Participation in the legal profession requires knowledge and skill in the discovery and manipulation of information. Familiarity with the materials and services of a law library is essential to effective performance as a law student and as an attorney.

The Underwood Law Library contains more than 570,000 volumes and access to major legal databases, and is one of the major legal information resources in the United States. American legal materials, federal and state, include constitutions, legislative compilations, administrative regulations, and the reported decisions of appellate courts of all jurisdictions. The treatise holdings cover all areas of the law with special strength in corporate, securities, and tax matters. Periodical titles, Texas and United States government documents, appellate papers for cases in the Texas Supreme Court and the Supreme Court of the United States in microforms, and related digests, citators, encyclopedias, and indices round out a comprehensive current information resource.

The collection includes primary source material, treatises, and journals from Great Britain, the European Union, the Commonwealth of Nations, and selected jurisdictions from Western Europe, Latin America, and the Pacific Rim.
International law materials are a strong resource that includes documentation from the United Nations and relevant publications from a number of other international organizations.

The library also houses a student computer lab and classroom with access to word processing, the Internet, electronic mail, and programmed legal exercises. The library has a wireless network throughout the building.

4. STUDENT CONDUCT

Students are expected to conduct themselves as prospective members of the legal profession. A Student Code of Professional Responsibility (located in Section VIII herein) that was drafted by a student/faculty committee, approved by the faculty, and ratified by the student body, is in effect. By enrolling in the school, students are deemed to have notice of the Code's contents, and therefore should familiarize themselves with its standards and disciplinary procedures. In addition, students are expected to comply with the policies and procedures established by the administrative offices at the School of Law and the University. Matriculation in the University constitutes a declaration of compliance with all University rules and regulations.

Full-time students may not work more than 20 hours per week during the academic year. Violation of this ABA standard may subject a student to penalties under the Student Code of Professional Responsibility.

Students are not permitted, without the written consent of the dean, either indi-

vidually or collectively to use the name of the University or of the School of Law in any activity outside the regular work of the school.

5. POLICY ON DISCRIMINATION

Southern Methodist University will not discriminate in any employment practice, education program, or educational activity on the basis of race, color, religion, national origin, sex, age, disability, or veteran status. SMU's commitment to equal opportunity includes nondiscrimination on the basis of sexual orientation. The Director of Institutional Access and Equity has been designated to handle inquiries regarding the nondiscrimination policies and may be contacted at Southern Methodist University, Dallas TX 75275; 214-768-3601.

This nondiscrimination policy applies to the activities of the law school in admission, placement, housing, facilities, scholarships, grants, and all other academic and nonacademic opportunities, including those that are honorary. Further, the Office of Career Services is available only to employers who sign a statement of compliance with nondiscriminatory practices in hiring as defined by the AALS.

6. CONFIDENTIALITY OF EDUCATION RECORDS

The Family Educational Rights and Privacy Act of 1974 is a federal law that grants to students the right to inspect, to obtain copies, to challenge, and to a degree control the release of information contained in his or her education records. The Act and Regulations are very lengthy, and for that reason SMU has issued guidelines that are available to students in the Division of Enrollment Services. Policy 1.18 of the University Policy Manual, accessible on SMU's Intranet, also discusses this law.

In general, no personally identifiable information from a student's education record will be disclosed to any third party without written consent from the student. Several exceptions exist, including these selected examples: (1) Information defined by SMU as directory information may be released unless the student sends a written request to the Registrar that it be withheld; and (2) information may be released to a parent or guardian if the student is declared financially dependent upon the parent or guardian as defined by the Internal Revenue Service Code. A parent or guardian wishing to have access to a student's education records must provide to the University Registrar a completed Declaration of Student Dependency form, available in the Registrar's Office.

A bulletin supplement, *Financial Information: Southern Methodist University,* is issued each year by the Office of the Vice President for Business and Finance. It provides the general authority and reference for SMU financial regulations and obligations, as well as detailed information concerning tuition, fees, and living expenses incurred while attending Southern Methodist University. The bulletin supplement is available from the University cashier and in the Registrar's Office. It will be mailed, upon request, from either of these offices. The bulletin supplement is mailed to all new and continuing students each summer.

Students are responsible for ensuring payment is received in the cashier's office by the due date given to students at enrollment. No confirmation of receipt of payment will be sent. If an invoice has not been received two weeks prior to the due date, the cashier's office should be contacted. The enrollment of students whose accounts remain unpaid on the due date will be cancelled.

Students are individually responsible for their financial obligations to the University. All refunds, with the exception of PLUS loans and the SMU Monthly Payment Plan, will be made to the student. If the refund is issued by check, the student may request, in writing, that the refund be sent to another party. A student whose University account is overdue or who is in any manner indebted to the University will be denied the recording and certification services of the Office of the Registrar, including the issuance of a transcript or diploma, until all obligations are fulfilled. The cashier may stop the enrollment, or cancel the completed enrollment, of a student who has a delinquent account or debt, and may assess all attorney's fees and other reasonable collection costs (up to 50 percent) and charges necessary for the collection of any amount not paid when due. Matriculation in the University constitutes an agreement by the student to comply with all University rules, regulations, and policies.

Arrangements for financial assistance from Southern Methodist University must be made in advance of enrollment in accordance with the application schedule established by the Division of Enrollment Services. A student should not expect such assistance to settle delinquent accounts.

1. REFUNDS FOR WITHDRAWAL FROM THE UNIVERSITY

Students desiring to withdraw from the University must initiate a Student Petition for Withdrawal form and submit the form to the Registrar. The effective date of the withdrawal is the date the Student Petition for Withdrawal is processed in the Registrar's Office. No refunds are made without an official withdrawal. Discontinuance of class attendance or notification to the instructors of intention to withdraw does not constitute an official withdrawal. Students who reside in University housing must secure clearance from the Office of Housing and Residence Life. Further details may be found in the current bulletin supplement *Financial Information: Southern Methodist University.*

II. E. Financial Aid

1. SCHOLARSHIPS

A limited number of awards of full and partial tuition and fees are made annually to entering first-year students. The Financial Aid Committee endeavors to use the available funds to attract students who will enhance the School of Law with their academic achievement and potential (relying primarily on undergraduate averages and LSAT scores) and life experiences. Unless otherwise specified in the award letter, these grants are renewed for subsequent years provided the student remains in good standing.

James Elliott Bower Memorial Scholarships

Mrs. Ann Knight Bower has established the James Elliott Bower Memorial Scholarship Fund. Selection of James Elliott Bower Memorial Scholars shall be made on the basis of academic proficiency, extracurricular achievement, and financial need.

Charles and Peggy Galvin Endowment Fund

The Charles and Peggy Galvin Endowment Fund provides support for one full-tuition scholarship. The Charles and Peggy Galvin scholar must rank in the top one-third of his/her law school class.

Haynes and Boone Minority Scholarship and Clerkship

The Haynes and Boone Minority Scholarship Program, funded by the law firm of Haynes and Boone, L.L.P, provides two exceptional minority students an opportunity to work as a Summer Associate in either the Dallas or Houston office of Haynes and Boone as well as a fixed monthly stipend during their first year to help with school expenses. Applicants must complete a separate scholarship application and be accepted for admission to the School of Law.

The Sarah T. Hughes Diversity Law Fellowship

The Sarah T. Hughes Diversity Law Fellowship was established by the Dallas Bar Foundation to enable men and women from minority groups to obtain a legal education at the School of Law and subsequently enter the legal profession. The Dallas Bar Foundation funds several full-tuition scholarships annually. The fellowship is awarded initially to entering students for one year and is renewable for the second and third years of study as long as the student remains in good standing. Applicants must complete a separate scholarship application and be accepted for admission to the School of Law by the regular decision deadline.

Hutchison Scholarship Program

William L. Hutchison has established the Hutchison Scholarship Program with the following objectives: (1) to foster and encourage excellence in legal study so that students selected by the school for an award from the endowment income may become competent, able, and respected members of the legal profession and/or the business community, and (2) the development in such students of the highest sense of duty to our community and our nation in accordance with the Constitution of the United States. To accomplish these objectives, the school shall employ the following criteria in making scholarship awards: (1) Entering students selected as Hutchison Scholars shall have a superior undergraduate academic record and shall have a high sense of duty and commitment to our community and our nation. (2) A Hutchison Scholar must be a full-time student of the law school each term and must maintain a cumulative average in the upper 25 percent of his or her SMU law school class. (3) A Hutchison Scholar shall attend classes regularly, abide by the rules and procedures of the school, and maintain a cooperative, friendly attitude and relationship with school administrators, professors, and other students.

Cary Maguire Ethics Scholarship

Cary Maguire has established the Cary Maguire Ethics Scholarship for first-year law students who have demonstrated concern and interest in ethical behavior in law. The recipient of the Maguire scholarship must write a paper on a topic related to ethical issues in the legal profession during his or her second year.

The Rupert and Lillian Radford Scholarship Fund

The Rupert Radford Estate has established The Rupert and Lillian Radford Scholarship Fund to aid worthy and needy full-time students of SMU Dedman School of Law.

Robert Hickman Smellage, Sr. Memorial Fund

The family of Robert Hickman Smellage Sr. has established the Robert Hickman Smellage, Sr. Memorial Fund for worthy students at SMU Dedman School of Law or for students who have graduated from a law school and who are enrolled in a postgraduate law program or course of study at SMU Dedman School of Law.

The Helmut Sohmen Scholarship in International and Comparative Law

This scholarship was established by the Sohmen Foundation and is awarded to up to four graduate students from China who are accepted to the LL.M. Program in International and Comparative Law. The scholarship includes full tuition and a supplemental living stipend. Recipients of this scholarship must have outstanding academic records and demonstrate strong potential for success in the LL.M. program.

Robert Gerald Storey Scholarship in International and Comparative Law

This prestigious scholarship is given each year to an outstanding foreign graduate law student who undertakes an intensive course of study in comparative and international law. Candidates for the scholarship must be admitted to the LL.M. in Comparative and International Law program by April 1. The scholarship amount varies from year to year, but is usually around $10,000. The Hatton W. Sumners Foundation established the Storey Scholarship in 1981 in honor of the memory of Dean Storey, dean of the law school from 1947 to 1959.

Hatton W. Sumners Scholarships

Hatton W. Sumners Scholarships, which cover the cost of full tuition and fees, and books, plus a living stipend, are awarded each year to qualified entering students who are residents of or who attended colleges or universities in Texas, Louisiana, Oklahoma, New Mexico, Arkansas, Kansas, Nebraska, or Missouri. Applicants must complete a separate scholarship application and be accepted for admission to the School of Law by the regular decision deadline. Scholars are selected by a committee of the Hatton W. Sumners Foundation.

J. Cleo Thompson Scholarships

James Cleo Thompson, Sr., has established the Thompson Scholarship fund for deserving students from the first, second and third year classes.

2. ENDOWED SCHOLARSHIPS

In addition, the School of Law awards varying amounts of tuition and fee support from the following endowed scholarships, which are established through gifts or bequests from graduates and other supporters:

Baker Botts Law Scholarship

Dennis Barger Memorial Scholarship

The Bennett Scholarship for International Studies

Nancy L. Benoit Memorial Scholarship

James Bozzell Memorial Scholarship Endowment
Eugene and Juanita Brady Endowed Scholarship Fund
The Frank and Debbie Branson Trial Advocacy Scholarship
Dan Burney Scholarship
The Effie and Wofford Cain Joint JD/MBA Scholarship Fund
Citigroup Foundation Law Scholarship
Tom C. Clark Scholarship
Frances Spears Cloyd Endowed Scholarship Fund
Rosser J. Coke Scholarship
Dallas Lawyers' Auxiliary Scholarship
J. Carlisle DeHay Jr. Scholarship
Israel Dreeben Scholarship
Easterwood Aerospace Law Scholarship
J. Ralph and Joy Ellis Jr. Scholarship
The Bess and Ted Enloe Endowed Scholarship Fund
The Armine C. Ernst Endowed Scholarship Fund
Donald C. Fitch Jr. Memorial Scholarship
The Larry D. George Endowed Scholarship Fund
Arthur I. and Jeannette M. Ginsburg Scholarship
Hawkins Golden Law Scholarship
J. Roscoe Golden Scholarship
Hall Family Scholarship
W. R. Harris Sr. Memorial Scholarship
The DeWitt Harry Scholarship Fund
The Linda Wertheimer Hart and Milledge A. Hart III Endowment for the School of Law
James Hartnett Scholarship Endowment Fund
Will T. Henry Endowment
Wilson W. Herndon Memorial Fund
Justice John and Lana Hickman Endowment Fund
The John Howie Family Scholarship Endowment Fund
The Hughes & Luce Endowed Scholarship Fund
Ray and Kay Bailey Hutchison Scholarship
Erin Bain Jones Law Scholarship
Journal of Air Law and Commerce Fund
The Jones Day Endowed Scholarship Fund
John Leddy and Erin Bain Jones Scholarship
The Locke Liddell & Sapp Endowment Fund
Joseph P. McKnight Memorial Scholarship

E. Eugene Mason Scholarship
Rosemary & Tom B. Medders Jr. Scholarship
Marvin and Mollyann R. Menaker Scholarship
The Britton D. Monts Endowed Scholarship Fund
Annie Morris Law Scholarship
Alfred P. Murrah Memorial Scholarship
The James L. Noel, Jr. Endowed Scholarship Fund
Maurice E. Purnell Scholarship
Professor Roy R. Ray Scholarship
The Homer B. Reynolds III Endowed Scholarship Fund
W.A. Rhea Scholarship
William J. Rochelle Jr. Scholarship
Edward R. & JoAnne M. Smith Scholarship
Carl W. Summers Jr. Scholarship
Louis Szep Memorial Scholarship
Lee J. Taylor Scholarship
The Thompson & Knight Endowed Scholarship Fund
The Vinson & Elkins Endowed Scholarship Fund
James L. & Catherine Nolan Walsh Scholarship
Meade Whitaker Law Scholarship
Robert A. Wooldridge Endowed Scholarship Fund

1. HOUSING FOR STUDENTS

SMU offers two graduate dormitories on campus: Martin and Hawk Halls. Martin Hall, an efficiency apartment hall, houses single and married graduate students. Hawk Hall, a one-bedroom apartment facility, houses married students or students with children in one-bedroom apartments.

All residence hall apartments are furnished with bed, closet, kitchenette, bathroom and telephone. Each residence hall has a live-in staff member who serves as the hall director. Social and educational programming is offered in all halls. All residence halls have a lounge area with color TV. Laundry facilities are located in each building. Room rent includes local telephone service, voice mail, and Ethernet connections to the University's computer system. Meal plans are available, but not required. All residence halls are air-conditioned and smoke-free.

The Housing contract is for the entire academic year (roughly mid-August to mid-May). Space for graduate students on campus is very limited. All applicants are placed on a waiting list and assignments are made during the summer. Housing for graduate students is NOT guaranteed.

For more information, contact the Department of Residence Life and Student Housing, PO Box 750215, Southern Methodist University, Dallas, TX 75275-0215; phone 214-768-2407; fax 214-768-4005. E-mail: housing@smu.edu. More information about residence halls is available at www.smu.edu/housing.

In addition, SMU also owns and manages off-campus apartments, duplexes and houses, which are available to graduate students. These apartments are convenient to campus and vary in size and cost. Efficiencies and one-, two- and three-bedroom apartments are available. Apartments are unfurnished and do not include telephone service. Pets are not allowed.

An application for University-owned housing may be downloaded at www.smu.edu/housing/apts.html. For more information, write to PO Box 750215, Southern Methodist University, Dallas, TX 75275-0215 or call 214-768-3327.

2. CHILD CARE

SMU provides a licensed child care center for children ages one month to five years on a space-available basis. For more information, write to the Director, SMU Preschool and Child Care Center, Southern Methodist University, PO Box 750215, Dallas TX 75275-0215, or call 214-768-2278.

3. HEALTH SERVICES

SMU Memorial Health Center

The University's health facilities are located in the SMU Memorial Health Center, 6211 Bishop Boulevard. An outpatient primary care clinic, specialty clinics, pharmacy, and lab/X-ray facilities occupy the first floor. The Mental Health Service, the Counseling and Testing Center, and the Center for Alcohol and Drug Abuse Prevention are located on the second floor. The Health Center (www.smu.edu/healthcenter) is accredited by the Accreditation Association for Ambulatory Health Care, Inc. (AAAHC).

Outpatient Medical Services. SMU provides a convenient, economical medical clinic for diagnosis and treatment of illness and injury, as well as for immunizations and continuation of treatment such as allergy injections. The clinic is staffed by physicians, registered nurses, pharmacists, lab and X-ray technologists, and other consulting physicians (gynecologist, orthopedist, dermatologist, dentist) essential to the provision of high-quality health care. Physicians are available by appointment from 8:30 a.m. to 5 p.m. Monday through Friday. The facility is closed during

student holiday periods. For primary-care and specialist physician consultation, call 214-768-2141 for appointments.

Patient Observation. Upon the order of a staff physician, a student may be held in observation between 8:30 a.m. and 5 p.m., Monday through Friday. Observation is available for most types of nonmajor medical treatment. When necessary, students are referred to medical or surgical specialists in Dallas. The patient will be responsible for the costs of these services.

Acute/After Hours Care. For emergency care after clinic hours, it is recommended that students go to the emergency room of any major Dallas hospital.

Costs. Undergraduate and graduate students paying full fees (which includes a health service fee) receive fully covered primary care physician services for that term. Specialized physician care and lab, X-ray, pharmacy, and supplies will be charged at below usual and customary rates charged by other providers. Students not paying full fees (taking 11 credit hours or less) have the option to pay the health fee at registration for Health Center privileges. If the health fee is not paid at registration, students may pay the full fee of $120 per term or a $45 per-visit fee upon arrival at the Health Center for physician consultation.

Student Insurance. The University offers a Student Injury and Sickness Insurance policy that provides coverage at the SMU Health Center and at selected clinics or hospitals. Brochures are available through the graduate schools admissions offices and at the Health Center business office.

Pharmacy. A complete pharmacy with registered pharmacists is open during clinic hours.

X-ray and Laboratory Services. X-ray and laboratory tests are done for a nominal fee. All X-rays are interpreted by a radiologist. Gastrointestinal and certain other special X-ray procedures are referred to a specialist.

Immunizations. All students are required to have an SMU medical history form on file in the SMU Health Center before registration. To comply with SMU policy, all students must provide proof of immunization against diphtheria, tetanus, mumps, rubeola (red, or regular, measles), rubella (German, or three-day, measles) booster since 1980. These immunizations must be documented by a physician, public health record, or school health record. Students will not be allowed to register without compliance. Immunizations are available at the Student Health Center upon arrival at SMU.

Class Absence Due to Illness. Students should schedule appointments with physicians at times when classes will not be missed, especially when there is neither an emergency nor an acute illness. The Health Center does not issue excuses from classes for illness. This is a matter between the student and the professor.

Notification of Parents. Students are encouraged to call one or both parents when ill. Parents or guardians will be notified in cases of serious illness.

Health Service Records. All health service records are confidential. A summary or copy of medical records will be sent to another health care provider or physician only when a written release is given by the student. Records are not made available to parents, SMU administrators, faculty, or staff without the patient's written consent. Records are available otherwise only when subject to court subpoena. It is the responsibility of the student to forward billing receipts for health services to the parent for insurance purposes. These itemized receipts, which contain confidential medical information, are given only to the patient.

4. COUNSELING SERVICES

Mental Health Services. The Mental Health Service provides psychiatric evaluation, crisis intervention, and group/individual/couples psychotherapy for students. All interviews are conducted on a voluntary and confidential basis. There is no charge to students who have paid the University health fee. Any laboratory tests or pharmaceuticals ordered will be charged to the student. Appointments may be scheduled between 8:30 a.m. and 5 p.m. Monday through Friday by calling 214-768-2860.

Counseling and Testing Center. The Counseling and Testing Center takes a proactive position to facilitate healthy student development and maintain and enhance students' psychological and emotional well-being. A comprehensive array of psychological services are provided to SMU students including short-term counseling, assessment, crisis intervention, outreach, and consultation. While many students cope quite well with college life, others experience difficulties which interfere with their academic performance and/or social interactions. Students can seek confidential help for concerns such as anxiety, depression, relationship issues, career/life planning, learning disabilities, sexual identity, eating/body image concerns, and sexual assault/sexual harassment matters. If the needs of the student exceed the resources of the center, appropriate referrals in the community will be furnished. While counseling services are provided to SMU students at no cost, a modest fee is charged for educational assessments. First-time appointments must be made in person from 8:30 a.m. to 5 p.m. Monday through Friday, 2nd Floor, Memorial Health Center. Subsequent appointments may be scheduled in person or by calling 214-768-2211.

Testing Services. The Counseling and Testing Center also offers testing to the Dallas-area community. The center offers on-campus administration of national testing programs such as the SAT, LSAT, GRE Subject, PRAXIS, and TASP. Other testing offered includes CLEP tests and correspondence examinations for other universities. For additional information, call the center at 214-768-2269.

Center for Alcohol and Drug Abuse Prevention. The center provides a free and confidential source of help and information to the SMU Community on issues related to substance abuse and addiction. Appointments for counseling or assessment can be made between 8:30 a.m. and 5 p.m. Monday through Friday by calling 214-768-4021.

5. RECREATIONAL SPORTS AND SPIRIT

Dedman Center for Lifetime Sports

Dedman Center for Lifetime Sports (www.smu.edu/recsports/) is a facility designed for recreational sports, Wellness, and intramural activities. Recreational facilities include racquetball courts; basketball, badminton, and volleyball courts; a dance studio; and a jogging track. The newly renovated Cinco Center serves as a satellite weight room/fitness facility. Both facilities are open to SMU students, faculty, and staff and serve as the base of operation for the University's Wellness program.

Intramurals

Many opportunities for team and individual competition are available through intramurals. Leagues offer year-long competition, and other leagues and tournaments cater to those interested in seasonal participation. The five major sports are football, volleyball, basketball, soccer, and softball. Other sports and activities offered are bowling, golf, racquetball, tennis, track, swimming, weight lifting, and

game-room activities. Additional leadership opportunities are available for those interested in officiating or supervising various activities.

Sport Clubs

Sport clubs offer an opportunity for students interested in concentrated training and participation in a sport but who do not want to train and devote the practice time required for NCAA competition. These student-sanctioned clubs, funded by the Student Senate, offer competition with other university/college club teams in baseball, crew, ice hockey, lacrosse, fencing, racquetball, rugby, sailing, judo, rock climbing, badminton, cricket and soccer.

Recreational Facilities

The Perkins Natatorium, the Barr Outdoor Pool, the Morrison-Bell Track, Moody Coliseum, outdoor tennis courts, and open recreational fields combine to provide students with a full range of leisure possibilities.

II. G. SCHOLARLY PUBLICATIONS

Students have the opportunity to participate in the publication of five law reviews — the *SMU Law Review*, the *Journal of Air Law and Commerce*, *The International Lawyer,* the *Law and Business Review of the Americas* and in the State Bar of Texas' *Computer Law Review and Technology Journal*. The *SMU Law Review* and the *Journal of Air Law and Commerce* are published by the SMU Law Review Association. The two internationally oriented journals are published by the International Law Review Association of SMU. The law reviews select their editorial staffs on the basis of academic performance and a writing competition. The writing competition is open to students who have completed all first-year required courses (see Section VII B 1), and generally is held during the summer.

The operation and management of each publication is vested in an elected board of editors. The board is selected from those students who have served at least one year on the staff of the law review and who have exhibited a strong ability in legal research and writing. The work of students on the school's publications has produced periodicals of permanent value to the legal profession.

The ***SMU Law Review,*** formerly the *Southwestern Law Journal*, is published four times each year and reaches law schools, attorneys, and judges throughout the United States and abroad. Each issue includes articles by prominent legal scholars and practitioners dealing with significant questions of local, national, and international law. In addition, articles by students analyze recent cases, statutes, and developments in the law. Each year one issue of the *SMU Law Review* is devoted to an Annual Survey of Texas Law and contains articles by attorneys, law professors, and judges concerning current developments in the law of Texas. All editing is done by student members of the board of editors and the staff. Members of the *SMU Law Review* receive academic credit for their work. The *SMU Law Review* also sponsors the annual SMU Corporate Counsel Symposium on current developments in corporate law. Selected papers from the symposium may be published in one of its issues. The symposium attracts corporate practitioners from throughout the United States.

The ***Journal of Air Law and Commerce,*** a quarterly publication of the School of Law, was founded at Northwestern University in 1930 and moved to SMU in 1961. The oldest scholarly periodical in the English language devoted primarily to the legal and economic problems affecting aviation and space, it has a worldwide circulation of more than 2,000 subscribers in some 60 countries. Articles by distinguished lawyers, economists, government officials, and scholars deal with domestic and international problems of the airline industry, private aviation, and outer space, as well as general legal topics that have a significant impact on the area of aviation. Also included are student commentaries on a variety of topical issues, case notes on recent decisions, book reviews, and editorial comments. The *Journal of Air Law and Commerce* sponsors an annual symposium on selected problems in aviation law and publishes selected papers from that symposium in one of its issues. More than 500 aviation lawyers and industry representatives annually attend.

The International Lawyer is the quarterly publication of the Section of International Law and Practice of the American Bar Association. With a worldwide circulation in excess of 13,000 in 75 countries, *The International Lawyer* focuses primarily on practical issues facing lawyers engaged in international practice. Addressing issues such as international trade, licensing, finance, taxation, litigation, and dispute resolution, it has become an authoritative reference for practitioners, judges, and scholars concerned with current legal developments throughout the world. The Dean of the Law School and another member of the faculty serve as Co-Editors-in-Chief of *The International Lawyer*. The student editorial board is drawn from highly qualified law student members of the International Law Review Association of

SMU (ILRA). In addition to editing *The International Lawyer*, student editors prepare comments on relevant international business law topics, and upon completing the formal, two-year editorial and writing program, receive academic credit for their work. *The International Lawyer* also sponsors an annual international symposium.

The ***Law and Business Review of the Americas*** (formerly, *NAFTA: The Law and Business Review of the Americas*) is an interdisciplinary publication addressing the legal, business, economic, political, and social dimensions of the *Law and Business Review of the Americas*, its implementation, its evolution and expansion, and its overall impact on doing business in the Americas. This journal is a quarterly publication produced by the School of Law in association with the Section of International Law and Practice of the American Bar Association. A group of highly qualified and committed law student members of the ILRA assist a group of faculty and outside experts in editing the journal. The students also prepare comments on relevant topics and, upon completing two years with the journal, receive academic credit for their work.

The ***Computer Law Review and Technology Journal*** is SMU's newest scholarly publication. This journal is published three times a year and is distributed to the members of the Computer Section of the State Bar of Texas, attorneys, judges, and law firms nationally and internationally. The journal is also published on the Internet, allowing worldwide access to its articles. Students from the SMU Dedman School of Law serve as the editorial board and staff members. The journal focuses on national and international technology-based legal issues, including the legal use and limits of hardware and software, and patent, copyright, and intellectual property law.

II. H. Student Activities and Organizations

Students are encouraged to involve themselves in the life of the law school community through participation in activities and organizations. The following activities and organizations are currently active at the law school:

SMU STUDENT BAR ASSOCIATION (SBA)

The SBA is composed of all students in the School of Law. Officers and upper-division class representatives are elected in the spring term of each academic year. Class representatives for first-year students are elected approximately one month after the fall term has commenced.

The primary function of the SBA is to represent the concerns and interests of the law school student body. The SBA sponsors a variety of extracurricular events. All students are urged to serve on one or more of the SBA committees.

BARRISTERS

The Barristers is a general service organization of 15 law students elected on the basis of scholarship, leadership, achievement, and personality.

INN OF COURT

The William M. "Mac" Taylor Jr. Inn of Court is a chapter of the American Inns of Court, in which federal and state judges, senior and junior lawyers, and law students participate. Members of the Inn meet monthly for dinner and an educational program dealing with an issue of practice and professional responsibility.

LEGAL FRATERNITIES

The school has two legal fraternities — the Roger Brooke Taney Chapter of Phi Alpha Delta, and the Monteith Inn of Phi Delta Phi. Legal fraternities are open to men and women.

LITIGATION SKILLS COMPETITIONS

The SMU Board of Advocates is the umbrella student organization that oversees advocacy programs at the School of Law. It also coordinates with faculty SMU's participation in national and international advocacy competitions. The Board of Advocates' administrative committee promotes development of the law school's advocacy programs and publicizes and coordinates the various intra-school competitions. Its Interscholastic Competition Board has coordinated participation in a number of mock trial and moot court competitions in which SMU law students compete against students from other law schools across the country, including the following:

Client Counseling Competition promotes greater knowledge and interest among law students in the client counseling functions of law practice. The competition seeks to encourage students to develop interviewing, planning, and analytical skills in the lawyer-client relationship in the law office.

Philip C. Jessup International Moot Court Competition is sponsored by the Association of Student International Law Societies, under the auspices of the American Society of International Law. The regional competitions are held in early spring, and the national final rounds take place soon after in Washington, D.C.

National Appellate Advocacy Competition is sponsored by the Law Students Division of the American Bar Association. Each spring the School of Law participates in the Thirteenth Circuit Regional Competition. The winner of the regional competition represents the Thirteenth Circuit in the final competition among the circuits held in conjunction with the annual meeting of the American Bar Association in August.

National Frederick C. Douglass Moot Court Competition is sponsored by the National Black Law Students Association. SMU teams compete first in the Rocky Mountain Regional Competition, the winners of which advance to the national competition. Venues for regional and national competitions change annually.

National Latin American Law Student Association Moot Court Competition is sponsored by the National Latin American Law Students Association. The venue for the competition changes annually.

National Mock Trial Competition. SMU participates in the National Mock Trial Competition, an inter-law-school trial competition for accredited law schools sponsored by the Young Lawyers Association of the State Bar of Texas and the American Bar Association. It is a national competition in which more than 100 law schools participate. The American College of Trial Lawyers provides awards for winning teams in the regional and final competitions. SMU's participation in the competition is made possible by a gift from Strasburger & Price, Dallas.

Association of Trial Lawyers of America also sponsors a national mock trial competition. Southern Methodist University is one of approximately 60 schools throughout the country that fields a mock trial team at the competition. SMU's participation is funded by a gift from the Law Offices of Frank L. Branson, P.C., Dallas.

National Moot Court Competition is sponsored by the Association of the Bar of the City of New York. Each fall law schools from Texas and adjacent states participate in a regional competition before advancing to the final rounds of the national competition held in New York.

State Moot Court Competition is sponsored by the Texas Young Lawyers Association. The competition is held each summer in conjunction with the Annual Convention of the State Bar of Texas. The team representing the School of Law is supported by an annual gift from Bracewell & Patterson, Dallas.

Trial Advocacy Club is sponsored by Vial, Hamilton, Koch & Knox, Dallas. The club structures and organizes a mock trial competition for the student body in the fall. It also sponsors occasional trial-skills-related speakers.

Robert L. Wagner Sr. National Labor Law Moot Court Team is sponsored by the law firm of Clark, West, Keller, Butler & Ellis, Dallas. A national spring competition is held annually in New York City at New York Law School.

MOOT COURT BOARD

This student organization administers a program to instruct first-year students in oral advocacy. The board, which is sponsored by Jackson & Walker, Dallas, organizes a moot court competition that is mandatory for all first-year students.

OXFORD PROGRAM

Approximately 30 students spend six weeks in the summer studying law in Oxford, England. Students earn five hours of credit by taking one course from an SMU professor and one Oxford-style tutorial from an Oxford tutor. Participants live and take their meals in historic University College, Oxford. The program also includes visits with English lawyers and a trip to the Royal Courts of Justice.

STUDENT BAR ASSOCIATION TUTORIAL PROGRAM

This is a student assistance program available to all first-year law students. The Academic Skills Assistance Program is available to select first-year students and to a limited number of upper-division students, depending on availability of tutors.

In addition to those listed above, the following law student organizations are

currently active on the SMU campus: *The Advocate,* Asian-American Law Students Association, American Constitution Society, Association of Public Interest Law, Black Law Students Association, Christian Legal Society, Corporate Law Association, Environmental Law Society, Family Law Association, Federalist Society, Health Law Association, Hispanic American Law Students Association, Intellectual Property Organization, International Law Society, Jewish Law Students Association, Reuben Clark Society, LEGALS (Lesbian and Gay Law Students), National Lawyers Guild, Sports and Entertainment Law Group, Texas Trial Lawyers Association, Women in Law, and Yankee Law Society.

II. I. Office of Career Services

Dedman School of Law's Career Services Office is located in Carr Collins Hall, on the east side of the law quad. The Carr Collins Building houses student lounges, classrooms, and a spacious foyer where many career-related seminars and workshops are held. Interview rooms within the Career Services Office are available for legal employers interviewing on campus.

STAFFING

The office is staffed with an assistant dean, an associate director, an assistant director, a career counselor, and an administrative assistant. Together they coordinate career services efforts, provide career counseling and programming, work with legal employers and maintain a resource center.

TECHNOLOGY

The resource center has computer terminals that provide access to WESTLAW, LEXIS/NEXIS, and the Internet for online research of the legal market and employers. The office subscribes to eAttorney.com, which gives students and alumni access to a national database of legal employers. The office also posts job openings and conducts interview programs and job fairs through the web-based features of eAttorney, allowing students to access these services from their home computers.

PROGRAMMING

Programming is conducted throughout the academic year. Programs include skills workshops (such as writing résumés and cover letters, interviewing skills, applying for judicial clerkships, or developing a career strategy) and informational seminars on topics such as the job search process, legal practice areas and available career paths, which are primarily conducted by attorney guest speakers or student panels.

ON-CAMPUS INTERVIEWS AND JOB FAIRS

The Career Services Office hosts on-campus interviewing throughout the academic year. In recent years, more than 100 employers have come to campus for the fall and spring interview programs. In addition, the Career Services Office, along with the Public Service Program, sponsors Public Advocate Day. Representatives from more than 30 government agencies and public services employers come to campus and talk with students about their work and employment opportunities in the public-interest sector.

Dedman School of Law also participates in a number of job fairs, providing students access to opportunities in the Dallas/Fort Worth area, the state, and the nation. Law students participate in the following annual fairs:

LL.M. International Student Interview Program – New York, New York

University of Texas Public Service Career Day – Austin, Texas

Texas Off-Campus (Texas Young Lawyers Association) Recruitment Program – Houston, Texas

Patent Law Interview Program – Chicago, Illinois

Texas in Washington Recruitment Program – Washington, D.C.

Sunbelt Minority Recruitment Program – Dallas, Texas

Southeastern Minority Job Fair – Atlanta, Georgia

Equal Justice Works (formerly NAPIL) Career Fair – Washington, D.C.

National Black Prosecutors Association (NBPA) – Detroit, Michigan

CAREER COUNSELING

Career counseling is available to all students and graduates by appointment throughout the calendar year. An individual career counseling session might include suggestions for self-assessment techniques, planning an individualized job search strategy, reviewing and revising a résumé or cover letter, direct referral to an employer, or tips on successful interviewing. The staff is always available on an informal basis to answer questions and guide students through the job search process.

III. The Juris Doctor Program

A. ADMISSION

1. Dates of Admission

Beginning J.D. students are admitted for the fall term only.

2. Application for Admission

Application forms and information regarding required procedures may be obtained from the Office of Admission. The applicant must submit the law school application by December 1 to be considered for early decision, by February 15 to be considered for regular decision and by April 1 to be considered for late decision. The applicant must file transcripts from all undergraduate institutions attended with the Law School Data Assembly Service (LSDAS). Graduate transcripts must be sent either to LSDAS or the Office of Admission. Two letters of recommendation are also required.

3. Application Fee

Each applicant must submit with the application a fee of $50. This fee is not refundable and will not be credited against tuition in the event of enrollment. Waivers of the fee will be considered upon written request.

4. Law School Admission Test

Applicants for admission to the first-year class must take the Law School Admission Test. Applicants are urged to take the test no later than the October or December testing date preceding the fall term in which they seek admission. However, the February test results will also be considered for fall admission.

5. Pre-Legal Studies

Although exceptions may be made in special circumstances, an entering student is required to have received a Bachelor's degree from an accredited college or university prior to enrollment in the School of Law. Prior to enrollment, each admitted student must provide the School of Law with the student's official transcript showing receipt of a Bachelor's degree. A copy supplied to the School of Law by the Law School Data Assembly Service is not an official transcript, even though it is adequate for preliminary determination of admission.

The School of Law does not prescribe a fixed course of pre-legal study, but does examine the record of each applicant to determine whether the undergraduate courses taken reflect adequate preparation for the study of law. The student should pursue a well-rounded course of study, with particular attention devoted to the development of analytical skills, and facility and style in the use of the English language.

6. Admission by Selection

The purpose of the Juris Doctor program is to train students for competent and ethical practice of law on behalf of both private and public clients and for intelligent use of law in business, government, and other pursuits. The course of study requires reading and analysis of difficult legal materials, training in effective advocacy of positions in both oral and written form, and the acquisition of other legal skills, such as the drafting of instruments, the counseling of clients, and the negotiation of disputes. Only those applicants who have the capacity to acquire these skills will be admitted. In deciding whether an applicant has this capacity, the Admission Committee relies heavily on Law School Admission Test scores and undergraduate grades. The Admission Committee takes pains to weigh the types of courses taken and the schools attended. Letters of recommendation from persons aware of the applicant's abilities, the amount of time the applicant has been required to work during his or her undergraduate career, and extracurricular activities and other

maturing experiences are also considered. In the evening program, work and/or life experiences, as well as graduate studies, will be weighed more heavily in the selection process.

Each year the number of applicants with the requisite capacity far exceeds the number of places in the entering class. In choosing among these applicants the Admission Committee looks for those whose performance at the School of Law will be outstanding, those who, because of their backgrounds, will bring to the School of Law different and unusual perspectives, and those whose homes are in areas of the country underrepresented in the student body. Applications from members of minority groups are encouraged.

7. Waiver of First-Year Minimum Hour Requirement

A limited number of qualified applicants who show good cause why they are unable to take the standard number of credit hours required in the first year may obtain a waiver of this requirement. Students permitted to take a reduced course load will take seven to nine hours per term (excluding the summer) until they have completed all first-year required courses (see Section VII B 1). These students must meet all other requirements of the Juris Doctor program. Applicants interested in the reduced load option should contact the Office of Admission for additional information.

The admission procedure for applicants seeking a waiver of the first-year minimum credit-hour requirement is the same as that for the Juris Doctor program except that applicants should submit a written statement explaining why they are unable to satisfy the standard course load requirement.

8. Admission Deposit and Medical History

Accepted applicants must deposit $400 with the School of Law by the date(s) quoted in the letter of acceptance. This date is not earlier than April 1. The fee is credited toward tuition charged upon enrollment. It will be forfeited if the student fails to enroll that fall.

All students must have a Report of Medical History on file at the Memorial Health Center prior to their enrollment at SMU. In order to comply with state law, all students must provide proof of certain immunizations.

B. ADMISSION WITH ADVANCED STANDING

(Transfers from Other Law Schools)

1. Persons Eligible

A student who has successfully completed the first-year curriculum at another law school that was at the time of the student's study a member of the Association of American Law Schools or approved by the Section on Legal Education of the American Bar Association may apply for admission with advanced standing. Admission is selective. A student who has been excluded from or who is on probation at another school will not be admitted.

2. Dates of Admission

An applicant who has completed the first year at another law school may be admitted in any term or session.

3. Application

Application for admission with advanced standing must be made on a form supplied by the School of Law. It must be supported by transcripts from all colleges and law schools previously attended. Good standing in the law school last attended must be established by a letter from the dean of that school. A copy of the LSDAS report must be provided either by the applicant or the law school last attended. The

application must be supported by two letters of recommendation and accompanied by a $50 nonrefundable application fee.

4. Advanced Credit

The amount of advanced credit given for work completed in another law school will be determined by the Associate Dean for Student Affairs. Credit for work completed at another law school transfers as pass/fail credit.

5. Minimum Hours Requirement

A student admitted with advanced standing may not qualify for a degree from Southern Methodist University until the student satisfactorily completes at least (58) term hours at Dedman School of Law.

C. VISITING STUDENTS

1. Summer Session

Any student in good standing at an accredited law school will be admitted to the summer session provided space is available. An applicant for this session must submit an application for admission, a $50 nonrefundable fee, and a letter of good standing and permission from the dean of his or her law school.

2. Academic Year

Applications for visiting student status during the fall or spring terms will be more carefully examined than those for the summer session. An applicant must be in good standing at an accredited law school and have a compelling need to attend Dedman School of Law. The application must be supported by two letters of recommendation, a dean's letter of good standing and permission, a current law school transcript, and accompanied by a $50 nonrefundable fee. In addition, the applicant must submit a statement articulating his or her compelling need to be a visiting student at SMU.

D. NON-DEGREE ENROLLMENT AND AUDITORS

1. Non-Degree Enrollment

An attorney holding a valid U.S. license to practice law or a graduate of an ABA-approved law school may enroll for credit in a course at the law school, though not seeking a degree, on a space-available basis with the permission of the instructor. A non-degree enrollee must participate in class and complete all work required of degree students in the course. A grade will be awarded and placed on a transcript. Applicable tuition and fees must be paid at enrollment. Credit earned in this category cannot be applied to a law school degree program. Information on course availability can be obtained through the Registrar's Office at the School of Law.

2. Auditors

An attorney holding a valid U.S. license to practice law or a graduate of an ABA-approved law school may audit a course at the law school on a space available basis with the consent of the instructor. The instructor will determine the extent, if any, of permitted participation in class discussion. An auditor may not submit a research paper, sit for an exam, or receive academic credit. Audited courses are not recorded or placed on a transcript. An auditor must pay the applicable per hour tuition and fees in full prior to attendance. Information on course availability can be obtained through the Registrar's Office at the School of Law.

E. ENROLLMENT

1. Enrollment Periods

The times for enrollment are announced by the Registrar's Office. Students who fail to enroll during the announced enrollment period will be charged a late enrollment fee.

2. Minimum and Maximum Hours

Generally, except for those students enrolled for a reduced course load, first-year students in the day program are required to take 16 hours in the fall term and 15 hours in the spring term. Beyond the first year a student in the day program normally will take no less than 12 and no more than 16 hours in a regular term, and no more than 8 hours in a summer session. To be considered a full-time student for purposes of financial aid and residency, no fewer than 12 hours must be taken in a regular term. (For more on the residency requirement, see Section III H, Residence.) Students in the day program may take more than 16 hours in a regular term only with permission of the Associate Dean for Student Affairs. Under no circumstances, will a student be permitted to take more than 18 hours in a regular term.

First-year students in the evening program are required to take 11 hours in the fall term and 10 hours in the spring term. Beyond the first year, a student in the evening program normally will take no less than 9 and no more than 11 hours in a regular term, and no more than 8 hours in a summer session. Students in the evening program may take more than 11 hours in a regular term only with permission of the Associate Dean for Student Affairs.

3. Adding and Dropping a Course

A student may add or drop a course during the periods set forth in Section II A, School of Law Calendar.

Dropping a Course: Grading — A student may withdraw from a course at any time with the permission of the instructor, who shall use personal discretion to determine the grade received for the course. Students enrolled in required first-year courses (see Section VII B 1) must also obtain the permission of the Associate Dean for Student Affairs to withdraw from a course. If the student withdraws from a course before noon on the last day of classes, the student will ordinarily receive no grade for the course. If a student withdraws from a course after noon on the last day of classes, the student will ordinarily receive a failing grade for the course.

4. Withdrawal from the Law School

Withdrawal from the Law School — Withdrawal means the student's enrollment is cancelled and the student is no longer enrolled for any classes. If a student is enrolled for only one course, dropping this course constitutes withdrawal from the Law School and is subject to the penalties shown below. The student must contact the Registrar's Office in writing to withdraw from the Law School. The effective date of the withdrawal is the date the Student Petition for Withdrawal is processed in the Registrar's Office. This date is the date used for credit or refund purposes. For the consequences of withdrawal on grading and readmission, see Section III (J) Withdrawal from Law School, Re-entry, and Readmission .

Credit or Refund — A credit or refund will be issued if notification is received prior to the close of the business day according to the following schedule:

Effective date	Fall & Spring Terms	Summer Term
On or prior to payment due date	100%	100%
After payment due date to first day of classes	95%	95%
First-seventh day of classes	90%	50%
Eighth-10th day of classes	50%	0%
11th-15th day of classes	25%	0%
16th-20th day of classes	10%	0%
After the 20th day of classes	0%	0%

F. CLASSROOM WORK, ATTENDANCE, AND EXAMINATIONS

1. Classroom Work and Assignments

Students are expected to prepare all assignments and to participate in classroom discussions. The instructor may exclude a student from a course for poor classroom performance, for failure to meet attendance requirements, for improper conduct in the classroom, or for failure to prepare assignments. In such cases the student will receive a failing grade in the course.

2. Attendance

Regular and punctual class attendance is necessary to satisfy residence and class hours requirements.

3. Rescheduling of Examinations

The Associate Dean for Student Affairs may reschedule a student's examination in the event of an emergency. Two or more examinations in close time proximity does not constitute an emergency.

4. Use of Word Processing Equipment on Examinations

The use of word processing equipment during examinations, using specially provided software, is allowed under certain circumstances. Contact the law school Registrar for more information.

5. Accommodations in the Classroom and on Examinations

Students with disabilities will be offered reasonable accommodations upon request. Requests must be made to the Associate Dean for Student Affairs in a timely manner. Documentation of the disability will be required.

G. GRADES AND CREDITS

1. Methods of Grading

Students enrolled in the School of Law receive letter grades:

A	4.00
A-	3.70
B+	3.30
B	3.00
B-	2.70
C+	2.30
C	2.00
C-	1.70
D	1.00
F	0.00

2. Minimum Passing Grade

The minimum passing grade is *D* or 1.00, and an average of *C* or 2.00 is necessary for graduation (see Section III M 2, Hours and Grades).

3. Incompletes

A student may receive a grade of Incomplete (*I*) if, for some justifiable reason, acceptable to the instructor, the student has been unable to complete the requirements of the course. The maximum period of time allowed to clear the Incomplete grade is 12 months. If the Incomplete grade is not cleared by the date set by the instructor or by the end of the 12-month deadline, the *I* will be changed to the grade provided by the instructor. If no alternative grade is provided, the grade of F will be recorded.

The grade of *I* is not given in lieu of an F or W, or other grade, each of which is prescribed for other specific circumstances. The grade of *I* does not authorize a student to attend the course during a later term. Graduation candidates must clear all Incompletes prior to the deadline in the Official University Calendar, which may allow less time than 12 months. Failure to do so can result in removal from the degree candidacy list.

The Senior Associate Dean for Academics may, with the instructor's permission, waive the 12-month time period of this Policy under extraordinary circumstances.

4. Method of Computing Averages

The grade in a course will be weighted by the term-hours in the course. The computation will include marks from all courses in which the student has taken the final examination or received a final grade, regardless of whether credit in a particular course is necessary to meet the requirements for graduation. When a course is repeated, both grades will be used in the computation. A course may not be repeated if the student has previously received credit for the course. Only courses in this law school will be used in the computation.

5. Credit for Work Completed at Other Schools

The School of Law will not grant credit for any course work completed prior to a student's matriculation in a Juris Doctor program at an ABA- or AALS-approved law school. While enrolled at the law school, students may earn up to 10 credit hours at other ABA-approved law schools outside the Dallas-Fort Worth area during the summer. Students interested in this option must make application through the Registrar's Office to the Associate Dean for Student Affairs and may be charged an administrative fee.

In extraordinary circumstances, a student may be granted permission to attend another law school for his or her final term or year of law school while still receiving an SMU degree. Permission to apply to another school must be obtained through the Registrar's Office from the Associate Dean for Student Affairs. Permission will not be granted without evidence of compelling personal circumstances that require a student's relocation. The School of Law reserves the right to designate the schools to which a student may apply, to approve the courses taken at the other law school, to limit the number of students to whom permission is granted, and to charge an administrative fee.

Dedman School of Law has a tradition of educating students in the area of international and comparative law, and our institutional mission includes serving the global community as well as the local one. The School's history includes international students, international centers, and an accredited summer program in Oxford. In light of the value placed on international legal studies, the School will consider and attempt to facilitate individual student applications to study abroad at internationally recognized law programs. Each student's application will be considered on a case-by-case basis and must meet all the requirements of the ABA criteria, with particular emphasis on the need for the student's proposed course of study abroad to further his or her legitimate academic or career objectives.

H. RESIDENCE

Six residence credits are required for graduation. One residence credit will be given for each term in which the student passes at least twelve term hours. Three-quarters of a residence credit will be given for passing nine to eleven term hours. One-half of a residence credit will be given for passing six to eight term hours. One-quarter of a residence credit will given for passing three to five term hours.

I. STUDENT EMPLOYMENT

The full-time study of law is designed to require substantially all the student's time during the academic year. Excessive employment may lead to academic disappointment or failure. Hence, the law school accrediting agencies and the bars of many jurisdictions require that a student enrolling in the full-time day program of study limit his or her outside employment to no more than 20 hours per week. First-year students should not work at all, but if employment is absolutely necessary, should limit their hours to 10 per week. These restrictions apply to the summer session only if the student is enrolled for classes in the summer as a full-time student.

J. WITHDRAWAL FROM LAW SCHOOL, RE-ENTRY, AND READMISSION

1. Withdrawal from Law School

A student may voluntarily withdraw from the School of Law before noon on the last day of classes in a term or summer session. In this event, no credit will be given. A student who is failing a course, either because of academic work or because of poor performance under Section F (1) above, at the time of withdrawing from school will receive either a failing grade or no grade, at the discretion of the instructor.

2. Re-entry and Readmission of Former Students.

(A) Re-entry. Students who withdraw while in good standing after completing at least one term in this law school may re-enter to continue their studies without re-examination of their entrance credentials if re-entry occurs within 24 calendar months after the date of withdrawal. Students who have completed only the first term of law school may re-enter in the spring term only.

The 24-calendar-month deadline for re-entry is extended by any time spent after withdrawal in active U.S. military service.

(B) Readmission. Students who withdraw and do not meet the requirements for automatic re-entry may apply to the Admission Committee for readmission. If readmission is granted, these students must meet the graduation requirements in effect at the date of readmission.

K. ACADEMIC PROBATION, DISMISSAL, AND READMISSION OR RE-ENTRY

In this section "term" includes the summer session. For the method of computing grade averages, see Section III G 4, Method of Computing Averages.

1. Dismissal After the First Term.

A student whose overall grade average at the end of the first term of law school is less than 1.00 is automatically dismissed.

2. Dismissal After Two or More Terms.

A student whose overall grade average at the end of two or more terms is less than 1.80 is automatically dismissed.

3. Probation.

A student whose overall grade average at the end of any term of law school is 1.80 or more but less than 2.00 shall be on probation.

A student who is placed on probation is automatically dismissed unless at the end of the next term the student's overall grade average is 2.00 or more, or unless the student obtains a grade average for that term of 2.30 or more.

4. Re-entry and Readmission of Dismissed Students.

A student who is dismissed for unsatisfactory academic performance may petition the Admission Committee for re-entry or readmission. Petitions for re-entry or

readmission are granted only in extraordinary circumstances. A petition for re-entry, if granted, permits a student to continue his or her education at the point he or she was dismissed. A petition for readmission, if granted, permits a student to begin his or her legal education from the beginning two or more years after the student is notified of his or her dismissal. A copy of the re-entry and readmission guidelines established by the Admission Committee are available from the Registrar's Office and on the Registrar's page of the Law School Web site.

L. MANDATORY ACADEMIC COUNSELING

A student with a cumulative grade-point average of 2.50 or less is required to consult with the Associate Dean for Student Affairs prior to each fall, spring, and summer enrollment regarding the student's proposed schedule. The Associate Dean for Student Affairs may require the student to enroll in up to three courses each term that are tested on the Texas bar examination.

M. REQUIREMENTS FOR DEGREE

1. Residence

Six residence credits are required for graduation (Section III H, Residence). For requirements concerning attendance at other law schools, see Sections III B, Admission With Advanced Standing, and III C , Visiting Students.

2. Hours and Grades

Candidates entering the law school prior to the Fall of 2004 must earn 90 term hours of credit (i.e., grades of *D* or 1.00 or higher) with an overall average of *C* or 2.00 or more. Candidates entering the law school in Fall of 2004 or later must earn 87 term hours of credit (i.e., grades of *D* or 1.00 or higher) with an overall average of *C* or 2.00 or more. All term hours of credit must be earned at this school, except for students admitted with advanced standing and students approved to study at other law schools under Section III G (5). All students must earn a minimum of (58) term hours of credit at this school.

3. Courses.

(A) The following requirements must be fulfilled: Civil Procedure I and II; Constitutional Law I and II; Contracts I and II; Criminal Law; Legal Research, Writing and Advocacy I and II; Property I and II; Torts I and II; Professional Responsibility; Edited Writing Seminar; and General Writing Requirement.

(B) If a student fails to receive a minimum passing grade in a required course, the student must repeat the course the next time it is offered.

4. Public Service Requirement

All students must complete a minimum of 30 hours of public service to be eligible to graduate. Students must perform this service after they have completed all required first-year courses. All such service must be approved in advance by the School's Director of Public Service Program, who is charged with arranging for the placement of students in approved public service positions. Public service used to fulfill this requirement cannot be compensated work or work awarded academic credit.

5. Time Limit

All requirements must be met in the School of Law, or another approved law school, within 60 months or five years from commencing law school. In computing the period, any time during which the candidate was in active U.S. military service shall be excluded.

6. Effects of Changes in Requirements

A student must meet the residence and grade requirements (Section III G and H above) in effect at the time that the student enters. The student will not be affected by later changes in these requirements. Other requirements may be changed from time to time with such applicability as the faculty determines.

7. Waivers

Waivers of requirements may, for good cause, be granted by the Associate Dean for Student Affairs. Requests should be made in writing, with all relevant information and reasons, to the Associate Dean for Student Affairs.

N. HONORS

The Order of the Coif

A national law-school scholastic honor society. Not more than 10 percent of all graduates during the academic year may be elected to membership by vote of the faculty.

Candidates for the J.D. degree having superior grades may by vote of the faculty be awarded the degree *cum laude, magna cum laude,* or *summa cum laude*. The average grade shall be based on work done in this school only, but to receive the degree with honors a transfer from another law school must have at least a *B* average in law courses at the school previously attended. The minimum grade averages for honors are: *cum laude* — 3.20; *magna cum laude* — 3.60; *summa cum laude* — 3.80.

O. GRADE APPEALS

1. The award of a grade is a matter solely within the academic discretion of the faculty member. A student who believes that the assigned grade is incorrect must first discuss the matter with the faculty member who awarded the grade.
2. A faculty member may change a grade that has been submitted to and recorded by the Law School Registrar only for reasons of mathematical error. A faculty member who wishes to change a grade for reasons of mathematical error shall submit the proposed change along with a brief statement of the reasons for the change to the Associate Dean for Academic Affairs, who shall approve all grade changes for mathematical error and report them to the Law School Registrar.
3. A faculty member who wishes to change a grade for reasons other than mathematical error must seek the permission of the faculty to do so, which grants such requests only in extraordinary circumstances.
4. If the faculty member decides not to seek a grade change, the student may petition the Associate Dean for Academic Affairs for a review of the faculty member's decision. The Associate Dean may not change a grade, even with the consent of the faculty member who awarded it. If, after discussion of the matter with the Associate Dean, the faculty member decides to seek a grade change, he or she may proceed as described in paragraph 2 or 3, as appropriate. The Associate Dean will then report the faculty member's decision to the student.
5. If, after discussion the matter with the Associate Dean, the faculty member decides not to pursue a grade change, the student may petition the dean for a review of the faculty member's decision. The dean may proceed as he or she deems appropriate. The dean may not ask another person to review the grade without the permission of the faculty member who awarded it. The dean may not change a grade, even with the consent of the faculty member who awarded it. The dean may bring the matter before the faculty. However, the faculty may not change the grade without the consent of the faculty member who awarded it. If, upon reconsideration, the faculty member decides that the grade was not accu-

rately determined mathematically or is incorrect for any other reason, he or she may proceed as described in paragraph 2 or 3, as appropriate.

6. If there is evidence of unethical or incompetent behavior on the part of a faculty member in the award of a grade, the dean or the faculty may refer the matter to the Committee on Ethics and Tenure of the Faculty Senate, with a request that the Committee may recommend to the dean or faculty whatever action it considers appropriate. The faculty may change a grade without a faculty member's consent only upon the recommendation of the Committee on Ethics and Tenure of the Faculty Senate.
7. Should the student be convinced that his or her complaint has not been fairly decided by the dean or the faculty, he or she may bring the matter to the attention of the Provost. The Provost may proceed, as he or she deems appropriate. However, the Provost may not ask another person to review the grade without the permission of the faculty member who awarded the grade. The final authority in matters of academic judgment in the determination of a grade rests with the individual faculty member.
8. These provisions are the sole rules that govern Law School course grade appeals at Southern Methodist University.

IV. Combined J.D./M.B.A. Program

A. NATURE OF THE PROGRAM

The combined J.D./M.B.A. program is offered jointly by the Dedman School of Law and the Graduate Division of the Cox School of Business. The program is designed for law practice with a strong business background and for business careers with a strong legal background. Through this program, the combined degrees may be obtained in four academic years. Separately they would require five academic years.

This program has been established so that an individual may integrate his or her educational experience in law and business. Since management, personnel, and corporate attorneys have their individual considerations and goals, by taking law and business courses simultaneously the student may achieve an understanding of commercial affairs from two different points of view.

B. STRUCTURE OF THE PROGRAM

General

For the two degrees, the program requires that the student satisfactorily complete the following term hours of course work:

	Law	*Business*	*Total*
Required courses	39	24	63
Electives	36	24	60
Totals	75	48	123

Full-time students will spend the first full year in the law school; part-time evening students will spend the first two years in the law school.

Cross-Credit

Under the structure of the dual program the Dedman School of Law will award twelve hours of academic credit toward the J.D. degree (87 hours) for satisfactory completion of the academic requirements of the M.B.A. program. Similarly, the Cox School of Business will award up to twelve hours of academic credit toward the M.B.A. degree (60 hours) for satisfactory completion of the academic requirements of the J.D. program.

C. OTHER REQUIREMENTS

Except as modified by the above, a student in the program must meet all the requirements of both schools for admission, performance, graduation, etc.

Students enrolled in the joint degree program also must complete all noncredit-bearing requirements of the program.

To be admitted to the joint program, law students must apply before beginning their law studies or during their first year of law school. Admission applications should be addressed to both schools, with the statement that they are for the combined J.D./M.B.A. program. Students who wish to pursue the joint program after starting their first year of law school should consult with the MBA admissions office.

Law School Applications should be addressed to Office of Admission, SMU Dedman School of Law, PO Box 750110, Dallas, TX 75275-0110; telephone 214-768-2550.

M.B.A. Applications should be addressed to Graduate Admission, SMU Cox School of Business, PO Box 750333, Dallas, TX 75275-0333; telephone 214-768-2630.

V. Combined J.D./M.A. in Economics Program

A. NATURE OF THE PROGRAM

The combined J.D./M.A. in Economics — Law and Economics Track program is offered jointly by the School of Law and the SMU Department of Economics in Dedman College. The program is designed for law students with some prior background in economics who wish to develop further their abilities to deal with complex economic issues. Through the program the combined degrees can be obtained in four academic years, or even in as little as three years and one additional term if classes are taken over at least one summer term.

B. STRUCTURE OF THE PROGRAM

The Master of Arts in Economics — Law and Economics Track is a 36-hour non-thesis program that can be completed in part-time evening and summer study. For students in the combined J.D./M.A. program, the Economics Department will accept up to nine hours of law school credit towards the M.A. degree. The School of Law will accept up to six hours of graduate economics credits towards the 87 hours required for the J.D. degree. Thus, the student in the combined J.D./M.A. program will be able to receive both degrees with a total of 108 hours of credit.

The first year of the program consists entirely of law school courses, and students may apply for the joint degree plan at any time during their first year of law school. The economics curriculum consists of six required courses (18 credits), of which one may be the School of Law course in Economic Analysis of Law, three elective courses (nine credits), of which one must be a 6000-level course, and up to three additional law school courses (nine credits). These economics courses will be taken along with law school courses during the remainder of the student's period of residency after the first year. Many of the economics classes are taught in the evening or during the summer term, and generally are small classes (fewer than 20 students).

The required economics courses and the available electives are listed below:

Required Courses:
Strategic Behavior
Introductory Econometrics
Applied Econometrics Analysis
Law and Economics (or Economic Analysis of Law offered by the School of Law)
Computing for Economics
New Approaches to Managerial Economics
Economic Analysis I

The M.A. program also is available to those who have received the J.D. degree. Credit from law courses, however, cannot be counted towards the M.A. degree once the J.D. degree has been conferred. Likewise, a student who has completed the M.A. degree or the joint B.A./M.A. degree cannot receive credit towards the J.D. degree for any courses prior to entering the School of Law.

C. OTHER REQUIREMENTS

Except as modified by the above, a student must meet all the requirements of both schools for admission, performance, graduation, etc. In particular, the student must satisfy the law requirements outlined in Section III of this catalog and the student must earn a grade of *C* or better, and with an overall *B* cumulative average maintained in the degree program. Students enrolled in the joint degree program also must complete all noncredit-bearing requirements of the program.

Students must be admitted separately into the School of Law and the M.A. in Economics program.

Applications and additional information from the School of Law may be obtained from the Office of Admission, SMU Dedman School of Law, PO Box 750110, Dallas, TX 75275-0110; telephone 214-768-2550.

Applications and additional information from the Economics Department may be obtained from the Director of Graduate Studies, Department of Economics, Southern Methodist University, Dallas, TX 75275-0496; telephone 214-768-4335.

VI. Graduate Legal Studies

A. OBJECTIVES OF GRADUATE LEGAL STUDIES

The School of Law established its graduate degree programs more than 50 years ago. They are intended to enhance careers in the private practice of law, in teaching, and in public service by providing the opportunity for graduate level education and training. The programs are designed to increase the student's understanding of legal theory and policies, broaden the student's legal horizons, and encourage the development of legal research and writing skills.

The Master of Laws degree programs are open to lawyers who are graduates of approved law schools and whose academic and professional records indicate a likelihood of successful graduate legal study. While most classes are scheduled during the day, selected courses (primarily in the tax, business, and international law fields) may be offered in the early morning and in the evening.

B. GRADUATE DEGREES OFFERED

Among the School of Law's graduate degree programs, the main focus is on its Master of Laws in Taxation degree for those holding a J.D. degree and on its Master of Laws in Comparative and International Law degree for foreign law school graduates. However, the school also offers (on a limited basis) a general Master of Laws degree and (on a very limited basis) a Doctor of the Science of Law degree.

1. Master of Laws in Taxation [LL.M. (Taxation)]

The law school has a long tradition of strength in the area of federal taxation. The graduate taxation program, for full-time or part-time students, is a comprehensive, advanced-degree program designed for attorneys intending to specialize in tax practice. It focuses not only on technical mastery of the tax laws but also on wider issues of tax and fiscal policy. Most of the courses in the curriculum provide survey-level instruction in subjects typically not addressed in J.D.-level tax courses. In addition, advanced courses develop in-depth, practice-oriented expertise.

Courses are taught by the law school's faculty and by adjunct professors and lecturers who are experienced, practicing tax specialists in Dallas area law firms and corporate law departments. To accommodate employed students, many tax courses are offered in the early morning, the late afternoon, and during the evening.

Admission Criteria

Admission to this program is by selection. An applicant for admission to the LL.M. (Taxation) degree program must hold a J.D. degree from an ABA-accredited law school.

Students may attend either full- or part-time, but admission for the full-time program is effective for the fall term only.

Application Procedure

Applicants must include with their applications a letter stating why they are interested in entering the graduate degree program, two letters of recommendation, and certified transcripts from both their undergraduate and law schools. Applications for the full-time program beginning in the fall term should be received by the admission office by April 15 of the year of intended enrollment.

Applications for the part-time program beginning in the fall term should be received by the admission office by April 15 of the year of intended enrollment, and for the part-time program beginning in the spring term by December 1 of the year preceding enrollment.

Financial Aid

The Robert Hickman Smellage, Sr. Memorial Fund provides scholarship assistance to a limited number of full-time graduate students. In addition, the SMU financial aid office is available to assist U.S. students in obtaining student loans.

Specialized Courses

The following listing (abstracted from the full list of courses in Section VII, The Curriculum, below) illustrates the diversity and depth of courses offered at the School of Law in taxation and related fields. Applicants should note, however, that the law school does not offer all of these courses and seminars each term or even each year. In addition some courses have limited enrollments or prerequisites that a student may not satisfy. The law school Registrar's Office publishes a schedule of courses before the beginning of each term. Students must consult these schedules for actual course offerings. The credit hours for each course are given at the beginning of each course description included in Section VII, The Curriculum, below. Other related courses not listed below may also be offered each year on a one-time-only basis.

Advanced Corporate Taxation

Corporate Planning

Corporate Taxation

Criminal Tax Fraud

Directed Research in Taxation

Estate, Gift, and Income Taxation of Trusts and Estates

Estate Planning and Practice

Federal Tax Procedure I and II

International Tax I

International Tax II

Legal Accounting

Partnership Taxation

State and Local Taxation

Tax Accounting

Tax Practice and Professional Responsibility

Taxation and Fiscal Policy

Taxation of Deferred Compensation

Taxation of Professional and Closely Held Corporations

Taxation of Property Dispositions

Wills and Trusts

Degree Requirements

To receive the LL.M. (Taxation) degree the student must meet all of the following requirements:

(A) Residence in the School of Law for no fewer than two terms if a full-time student and no fewer than three terms if a part-time student. Except with special permission of the Committee on Graduate Legal Studies, all full-time students in this program must begin their studies in the fall term.

(B) Completion of 24 term-hours in courses, seminars, or research and writing. Of these 24 term-hours, 18 credit hours must be in the taxation area. Mandatory courses are Tax Accounting, Taxation and Fiscal Policy, and Tax Practice and Professional Responsibility.

With prior approval of the Committee on Graduate Legal Studies, a student may take four of the required 24 term-hours in graduate programs of Dedman College (SMU's school of humanities and sciences), in Perkins School of Theology, or in the Cox School of Business. The student will receive law school credit on completion of all work to the instructor's satisfaction, but the grades will not be computed into the student's law school average.

The student may be permitted to undertake directed research for a one- to three-hour graded paper if he or she can obtain a faculty sponsor.

(C) A student entering the program must have an average of *C* or 2.00 on all courses taken. The requisite G.P.A. of *C* or 2.00 must be obtained in the first 24 credit hours. A student will not receive credit for a course or seminar in which his or her grade is below *D* or 1.00.

(D) Completion of all requirements within 36 months from the date of initial enrollment as a graduate law student. However, a candidate continuously enrolled as a part-time student has 60 months to complete all requirements.

2. Master of Laws in Comparative and International Law [LL.M. (Comparative and International Law)]

The graduate program for international students is rooted in the efforts of the School of Law in the early 1950s to make the school a leading international legal center. More than 1,200 international graduates of the School of Law from more than 70 countries now occupy prominent positions in government, legal practice, business, the judiciary, and legal education around the world.

The primary goal of the program is to enhance the international student's legal skills so that he or she may become a more effective lawyer and member of society. In this respect the program seeks to develop: (i) an appreciation of the role of law in national and international development; (ii) the ability to identify, through comparative and international studies, policy considerations of various legal rules; (iii) an appreciation of the role of the lawyer in social and economic change; (iv) legal analysis and problem-solving abilities to enable the student to meet the complex needs of our modern world; (v) a basic understanding of the U.S. legal system, as studied from a comparative perspective; and (vi) a frame of reference for dealing with business and legal interests in a transnational setting.

The degree of LL.M. (Comparative and International Law) does not qualify a person to take the bar examination in Texas or in most other U.S. jurisdictions.

Admission Criteria

An applicant for admission to the LL.M. (Comparative and International Law) degree program must be a graduate of a recognized foreign law school. The applicant's undergraduate record must demonstrate scholarly legal aptitude. An applicant for whom English is a second language must present evidence of a Test of English as a Foreign Language (TOEFL) computer-based score of 233 or written score of 575. U.S.-trained law students may not apply to this degree program.

Application Procedure

An applicant must include with the application: a short curriculum vitae; evidence of proficiency in English (normally a TOEFL computer-based score of 233 or written score of 575); a certified transcript in English of grades received in law school; letters of recommendation in English (or translated into English) from the dean of the applicant's law school and from a law professor; evidence of financial ability to pay tuition, fees, and all other expenses during the applicant's stay in the United States; and a recent head-and-shoulders photograph of the applicant.

Financial Aid

The Storey Scholarship provides a stipend toward the payment of tuition, fees, and a living allowance for one international student per year. The Helmut Sohmen Scholarship provides full tuition and a monthly living stipend to up to four students from China. In addition, a limited number of tuition remission scholarships may be available.

International applicants should note that the School of Law has no funds to grant for travel expenses, either to or from the United States or within the United States; nor does it have any administrative influence through which governmental or private agencies can be persuaded to assist in travel.

Specialized Courses

The following listing illustrates the diversity and depth of courses offered at the School of Law in comparative and international law. Applicants should note, however, that the law school does not offer all of these courses and seminars each term or even each year. In addition some courses have limited enrollments or prerequisites that a student may not satisfy. The law school Registrar's Office publishes a schedule of courses before the beginning of each term. Students must consult these schedules for actual course offerings. The credit hours for each course are given at the beginning of each course description included in Section VII, The Curriculum, below. Other related courses not listed below may also be offered each year on a one-time-only basis.

Comparative Law I and II

Constitutional Law (for international LL.M. students)

Globalization and the Law

Immigration Law

International Banking and Finance

International Business Transactions

International Commercial Arbitration

International Crimes

International Environmental Law

International Intellectual Property

International Law (Public)

International Litigation and Arbitration

International Organizations Law

International Protection of Human Rights

International Tax I and II

International Telecommunications Transactions

Japanese Legal System

Oil and Gas Contracts: Domestic and International

Perspectives of American Business Laws

Perspectives of the American Legal System

Degree Requirements

(A) Except with special permission of the Committee on Graduate Legal Studies, all students in this program must begin their studies in the fall term. In addition, they must participate in an extensive orientation program held at the School of Law in mid-August of each year before the start of classes in the fall term.

(B) Students pursuing the LL.M. (Comparative and International Law) degree must complete 24 hours of credit from courses or seminars selected in consultation with the student's faculty advisor who is assigned during orientation. Faculty members advising candidates for this degree will make every effort to tailor a student's study plan to his or her specific graduate objectives. However, all students are required to take the course on Perspectives of the American Legal System and are strongly encouraged to take a special two-hour constitutional law course for LL.M. students. They will normally also take one basic J.D. course such as Contracts. In addition, many students take Perspectives of American Business Laws or International Business Transactions.

The School of Law awards the LL.M. (Comparative and International Law) degree to those students who complete their course work with an average grade in all courses equivalent to a *C*– or 1.70. A student will not receive credit for a course or seminar in which his or her grade is below *D* or 1.00. Students for whom English is a second language are allowed additional time to complete written final examinations.

Transfer to the Juris Doctor [J.D.] Program

The J.D. is the basic law degree for U.S. law students. For this reason the School of Law does not normally consider the degree appropriate as a graduate degree for international students already possessing basic law degrees within their home countries. However, in a very limited number of instances, international students who have graduated with distinction in the LL.M. (Comparative and International Law) program of the School of Law and who can demonstrate legitimate graduate study objectives for furthering their careers in their home countries may be considered for admission to the J.D. program without being required to take the Law School Admission Test. Admission under such conditions to the J.D. program is solely within the discretion of the Committee on Graduate Legal Studies and the Admission Committee and will normally entail an additional study of 72-87 credit hours. Advanced credit, if any, is based upon the student's foreign law study, not on the LL.M. credit.

3. Master of Laws [LL.M. (General)]

The general LL.M. program offers law graduates an opportunity to broaden their backgrounds in certain specialized areas of law by enrolling in advanced courses and seminars and by engaging in specialized research. Although the School of Law awards no specific subject-designated LL.M. degrees under this program, most students seeking this degree concentrate in areas such as corporate and commercial law, international law, legal practice and procedure, natural resources law, or property law.

Admission Criteria

Admission to this program is by selection. An applicant for admission to the general LL.M. degree program must hold a J.D. degree from an ABA-accredited law school. Full-time students are strongly preferred, and admission for the full-time program is in the fall only. Part-time applicants must demonstrate special academic reasons or circumstances for choosing a part-time track.

Application Procedures

Applicants must include with their applications a letter setting out their interest in entering the graduate degree program, two letters of recommendation, and certified transcripts from their undergraduate and law schools. Each applicant must have, in advance of acceptance, the commitment of a School of Law faculty member to serve as the applicant's academic adviser. The application, along with all supporting documentation, must be received in the Office of Admission by April 15 of the year of intended enrollment.

Financial Aid

The University financial aid office is available to assist students in obtaining student loans. No scholarship funds are available for general LL.M. students.

Degree Requirements

To receive the general LL.M. degree the student must meet all of the following requirements:

(A) Residence in the School of Law for no fewer than two terms if a full-time student and no fewer than three terms if a part-time student.

(B) Completion of 24 term hours in courses, seminars, or research and writing recommended by the student's academic adviser. A student entering the program must have an average of *C* or 2.00 on all courses taken. The requisite G.P.A. of *C* or 2.00 must be obtained in the first 24 credit hours. A student will not receive credit for a course or seminar in which his or her grade is below *D* or 1.00.

With prior approval of the Committee on Graduate Legal Studies, a student may take four of the required 24 term hours in graduate programs of Dedman College (SMU's school of humanities and sciences), in Perkins School of Theology, or in the Cox School of Business. The student will receive law school credit on completion of all work to the instructor's satisfaction, but the grades will not be computed into a student's law school average.

The student may be permitted to undertake directed research for a one- to three-hour graded paper if the student can obtain a faculty sponsor.

A student has the option of writing a Master's thesis (for four to six credit hours). This thesis must be written under the direction of a professor at the School of Law and must be approved by both the professor and the Committee on Graduate Legal Studies. After the supervising professor approves the thesis, the student must submit four copies of the thesis to the Committee on Graduate Legal Studies at least 60 days before the date on which the student seeks to receive the degree. In writing the thesis, the student must comply with committee instructions. A thesis is either approved or disapproved; it is not graded.

(C) Completion of all requirements within 36 months from the date of initial registration as a graduate law student. However, a candidate continuously enrolled as a part-time student has 60 months to complete all requirements.

4. Doctor of the Science of Law [S.J.D.]

The degree of Doctor of Juridical Science (S.J.D.) is the highest postgraduate law degree offered by the Dedman School of Law. The S.J.D. primarily is a research and writing degree (as opposed to a course-oriented degree such as the LL.M. degree) during which the S.J.D. candidate conducts extensive postgraduate-level legal research with a view toward submitting an acceptable doctoral dissertation of publishable quality within a five-year period. See Degree Requirements below.

Nature of the Degree

The S.J.D. is not a professional degree, such as the Law School's Juris Doctorate degree (JD); it is intended to be an intense postgraduate, academic research experience.

Admission Requirements

The S.J.D. is a highly limited access postgraduate degree. The following are criteria for admission:

1. Career goals. The S.J.D. is primarily intended for highly qualified candidates seeking a legal academic career or a high-level, policy-oriented governmental or intergovernmental position, and the candidate must demonstrate such a career goal.
2. Academic achievement. An applicant must demonstrate outstanding achievement in previous academic programs.
3. Research and writing. An applicant must demonstrate the ability to conduct graduate-level legal research and writing in English. Preference is given to Dedman School of Law LL.M. students who have excelled in their LL.M. degree and have shown an ability to conduct graduate-level legal research and write in English as evidenced by a course paper or a directed research paper submitted as an LL.M. candidate at SMU. Applicants holding an LL.M. degree or equivalent from another law school who demonstrate excellent legal research and legal writing abilities in English may be considered for admission. Also, individuals with an established academic, legal professional, governmental or intergovernmental career, who have suitable career objectives for pursuing the S.J.D. degree and who have demonstrated significant legal research and legal writing abilities in English may be considered for direct admission into the S.J.D. (with or without an LL.M. degree).
4. Primary Supervisor. The applicant must obtain as a Primary Supervisor a faculty member of the SMU Dedman School of Law. The Primary Supervisor must have particular expertise in the S.J.D. candidate's general area of doctoral research. See Role of Primary Supervisor below.
5. Statement of Subject of Dissertation. The applicant, with the assistance of the Primary Supervisor, must submit a document of no more than 2,000 - 3,000 words explaining the research topic the applicant will undertake for the purpose of preparing the dissertation.

Admission to the S.J.D. Program

An applicant who is granted admission to the S.J.D. program initially is admitted in a probationary status. The S.J.D. candidate must demonstrate progress towards completion of the requirements for the degree to continue as an S.J.D. candidate. The S.J.D. candidate is matriculated as of the first day of the first semester in which the S.J.D. candidate commences the S.J.D. program. The date of matriculation is relevant for purposes of the various time periods prescribed below.

Probationary Status for First Two Years

The S.J.D. candidate must be in residence at the law school for not less than two academic years, during which time the S.J.D. candidate is in probationary status. During the first probationary year, the S.J.D. candidate (subject to the overall direction of the Primary Supervisor) will be concerned primarily with conducting extensive research for the purpose of identifying all relevant legal and other materials in the dissertation subject matter. In addition, the S.J.D. candidate will prepare and submit to the Primary Supervisor (in the following order): (1) a suitable Research Abstract indicating the thematic and analytical framework and proposition(s)

to be proved and the objectives to be achieved by the dissertation, (2) a detailed Subject-Matter Outline for the dissertation, (3) an extensive working bibliography, and (4) an introductory draft chapter (or equivalent writing) of at least 10,000 words that indicates doctoral-level legal research and legal writing abilities. During the first probationary year, the S.J.D. candidate may be required or advised by the Primary Supervisor to take selected Law School or other University courses, classes, seminars, etc., that are directly related to enhancing the S.J.D. candidate's prospects for completion of the degree. As a general proposition, however, the S.J.D. candidate should be engaged in doctoral research and writing, not taking courses. If the S.J.D. candidate is pursuing other time-consuming objectives (*e.g.*, studying for a Bar examination or for other professional qualifications) at the same time as pursuing the S.J.D., the S.J.D. candidate must advise the Primary Supervisor and the Committee on Graduate Legal Studies. The Committee on Graduate Legal Studies looks with disfavor on such activities, as they generally are detrimental to the S.J.D. candidate's prospects for completing the degree. In any case, an S.J.D. candidate cannot be pursuing two degree programs at the same time.

Annual Progress and Reports to Graduate Committee

An S.J.D. candidate must submit an annual report to the Committee on Graduate Legal Studies. The report must be submitted within two months after the anniversary date of matriculation as an S.J.D. candidate. The report is to inform the Committee of the progress of the S.J.D. candidate, and is to include a description of the research and writing completed during the reporting period. In addition, the Primary Supervisor will submit a report to the Committee regarding the progress of the S.J.D. candidate towards completion of the degree.

In order for the S.J.D. candidate to continue in probationary status for the second year, the Committee must be satisfied that the S.J.D. candidate, during the first probationary year, has made substantial progress towards completion of the degree. If the Committee determines that the S.J.D. candidate, during the first probationary year, has not made substantial progress towards completion of the degree, the status as an S.J.D. candidate is terminated and the person is withdrawn from the S.J.D. program.

By the end of the second probationary year, the S.J.D. candidate must complete a 30,000-40,000-word work product comprising at least two chapters (or equivalent) of the dissertation. This work product must be of "publishable" quality, and the Committee on Graduate Legal Studies will look with favor on the S.J.D. candidate's publishing in an acceptable medium at least a portion of this work product. In order for the S.J.D. candidate to complete the two-year probationary status (and be admitted unconditionally to the S.J.D. program), the S.J.D. candidate must demonstrate by the end of the second probationary year that there is a substantial likelihood the candidate will successfully complete the degree requirements within the required five-year period. In making this determination, the Graduate Committee will consider, among other relevant information, the candidate's annual report for the second year, and the Primary Supervisor's report for the second year. If the necessary substantial likelihood is not shown, the status as an S.J.D. candidate is terminated and the person is withdrawn from the S.J.D. program.

Supervisory Committee

After an S.J.D. candidate has completed the two-year probationary period, the Committee on Graduate Legal Studies shall appoint other persons to comprise a Supervisory Committee for the S.J.D. candidate. The Committee shall be composed of at least three members, including the Primary Supervisor, another member of the

Dedman School of Law faculty appointed by the Committee, and a senior "external" person qualified in the area of research and appointed by the Committee. The Primary Supervisor has principal responsibility for nurturing and supervising the S.J.D. candidate. The Supervisory Committee is to read and critique the dissertation submitted by the S.J.D. candidate and to advise the Committee on Graduate Legal Studies as to whether the S.J.D. candidate has produced a satisfactory dissertation.

After the Probationary Period

After successful completion of the two-year probationary period, an S.J.D. candidate has up to three additional years to satisfy all requirements for the S.J.D. degree, as described below. The S.J.D. candidate need not be in residence at SMU during this period. During the post-probationary period, the S.J.D. candidate will have general continuing access to the Primary Supervisor, but on a less intense and less frequent basis than during the first two years of probationary status.

Requirements for Degree

Within a five-year period from first matriculation as an S.J.D. candidate, the S.J.D. candidate must satisfy the following requirements:

a. Completion of the two-year probationary period described above.
b. Submission of a doctoral dissertation of at least 80,000 words but no more than 100,000 words (including footnotes, but excluding Bibliography, Front Pages, Table of Contents and any Annexes or Appendices) on a coherent, analytical, and focused theme of a substantially legal nature; or submission of an equivalent doctoral dissertation in the form of a series of interrelated articles/chapters on a more general topic, but which collectively comprises a topically coherent volume.
c. The dissertation must constitute the original work product of the S.J.D. candidate.
d. The dissertation must represent and show evidence of substantial doctoral-level research work.
e. The dissertation must display significant legal analyses on a doctoral-level subject.
f. The dissertation must be of a publishable quality according to acceptable U.S. law review standards.
g. The dissertation must make a substantial contribution to the advancement of the understanding of the relevant research subject matter.
h. It is within the discretion of a S.J.D. candidate's Supervisory Committee to require a *viva voce* (i.e., oral examination), at which the S.J.D. candidate will be asked "to defend" orally his/her dissertation in the presence of the members of the Supervisory Committee.
i. The dissertation must be approved by each member of the Supervisory Committee.

The award of the S.J.D. requires approvals of the Committee on Graduate Legal Studies, the Law Faculty, and University. Such decisions cannot be appealed, except as provided below. If the S.J.D. candidate's doctoral dissertation is not approved, the Graduate Committee will provide the S.J.D. candidate with an explanation of the reasons why it was disapproved; and the S.J.D. candidate then will be given one further twelve-month period within which to endeavor to satisfy such comments and to resubmit a revised dissertation. If the S.J.D. candidate then does not within the twelve-month period satisfy all doctoral requirements, the person is withdrawn from the S.J.D. program.

Role of Primary Supervisor

The Primary Supervisor will serve as the S.J.D. candidate's academic advisor and will provide the S.J.D. candidate with general and specific guidance on the S.J.D. candidate's research and written work product. The Supervisor is not to serve as an editor of the S.J.D. candidate's work product. While the Supervisor will make general comments on the submitted work product and may make selective specific comments or otherwise may help arrange for the S.J.D. candidate to take advantage of available University/Law School postgraduate legal writing resources, the burden is on the S.J.D. candidate to make any needed editorial arrangements at the candidate's own expense (*e.g.*, a qualified JD student may be willing to assist in the editorial process). During the required two-year residency period, the Supervisor will meet on a periodic basis with the S.J.D. candidate. However, it is to be understood that the S.J.D. degree is a research degree requiring extensive independent legal research by the S.J.D. candidate in the area of the dissertation.

Termination of Status as Candidate

The status of an S.J.D. candidate may be terminated, and the person withdrawn from the S.J.D. program, for any of the following reasons:

1. Failure to satisfy the requirements of the first probationary year.
2. Failure to satisfy the requirements of the second probationary year.
3. Failure to submit a dissertation within the prescribed five-year period.
4. If a dissertation is submitted in a timely manner, failure to satisfy all requirements and standards for the dissertation.
5. Failure to pay in a timely manner any required fees (see below).

An S.J.D. candidate whose status is terminated may make a formal appeal in writing to the Committee on Graduate Legal Studies. This appeal must set forth all relevant and/or extenuating circumstances and reasons why the Committee should reconsider the termination. It is within the sole discretion of the Committee whether to reconsider or not; and, if it chooses to reconsider, then any decision of the Committee is final. If the Committee does reconsider, it may impose any general and/or specific conditions/requirements as it wishes.

Fees

For the first year of the program, S.J.D. candidates will be charged the equivalent of full-time tuition and fees applicable to LL.M. student. Thereafter, S.J.D. candidates will be assessed a special fee for each fall and spring term up until approval of the final dissertation. This fee will be set at the beginning of each term. The 2004-2005 fee is $952 per term.

There are no Law School scholarships or research/teaching assistantships available for the S.J.D. degree. On an individual basis, an S.J.D. candidate may apply to be the research assistant of a particular faculty member, but any such arrangement must be made individually with the faculty member, who reserves full discretion in such a matter.

C. TUITION AND FEES

See Section II D, Tuition and Fees, and the current bulletin supplement *Financial Information: Southern Methodist University.*

D. APPLICATIONS AND INFORMATION

To obtain further information and applications for admission, contact the Office of Admission, Dedman School of Law, Southern Methodist University, PO Box 750110, Dallas, TX 75275-0110; telephone 214-768-2550.

VII. THE CURRICULUM

A. FREQUENCY OF COURSE OFFERINGS

J.D. program required courses (listed in Section VII B) are offered at least once each academic year. Based on past course offerings, elective courses (listed in Section VII C) marked (*) have usually been offered every other year, and those marked (**) have been offered every three to five years. Courses not marked have usually been offered at least once each year. Courses listed in Section VII C have been offered during the past four years. A few courses not listed below may also be offered each year on a one-time-only basis. The law school Registrar's Office publishes a schedule of courses before the beginning of each term. Students must consult these schedules for actual course offerings.

B. THE J.D. PROGRAM

1. First-Year Required Courses

Civil Procedure I and II (6371, 8271)

Five hours. (3 hours in fall, 2 hours in spring). Civil procedure, focusing on judicial resolution of disputes; development of the modern civil action including consideration of the jurisdiction of courts, venue, process, pleading, joinder, discovery, pretrial practice, right to a jury trial, withdrawing cases from a jury, motions after verdict, judgments and their effects, and appellate review. An introduction to alternative dispute resolutions is also included.

Constitutional Law I (6222)

Two hours. An examination of methods of constitutional interpretation, the role of judicial review, federal power, separation of powers, federalism, and justiciability.

Contracts I and II (8290, 8390)

Five hours (2 hours in fall; 3 hours in spring). History and development of the common law of contract; principles controlling the formation, performance, and termination of contracts, including the basic doctrines of offer and acceptance, consideration, conditions, material breach, damages, and statute of frauds; statutory variances from the common law with particular attention to Uniform Commercial Code sections.

Criminal Law (8341)

Three hours. Origins and sources of the criminal law; general principles of criminal law, including *actus reus*, *mens rea*, and causation. The elements of some specific crimes, such as homicide and/or theft offenses, may be covered; some conditions of exculpation, such as justification and insanity, may also be considered.

Legal Research, Writing and Advocacy I and II (8375, 8376)

Six hours (3 hours in fall; 3 hours in spring). The primary objective of the course is to synthesize legal doctrine, lawyering skills, and professional responsibility for the first-year student. Meeting in small groups and using simulated exercises, students engage in client counseling, interviewing, negotiating, drafting, and advocating. Grades are based on the evaluation of written and oral performances throughout the term.

Property I and II (8282, 6381)

Five hours (2 hours in fall; 3 hours in spring) Selected topics in personal property, adverse possession, present possessory and future estates in land, concurrent estates, the law of landlord and tenant, easements, private covenants, public land use regulation, and real estate conveyancing.

Torts I and II (7391, 8292)

Five hours. (3 hours in fall; 2 hours in spring). Civil liability arising from breach of common law and statutory duties as distinguished from duties created by contract, including coverage of intentional wrongs, negligence, and product liability. The methods and process of the American legal system are discussed, with attention paid to legislation, as well as to the common law.

2. Upper-Year Requirements

Professional Responsibility (7350)

Three hours. An analysis of principles and rules governing the conduct of lawyers. Topics include the client-lawyer relationship, competence, confidentiality, loyalty, the roles of lawyers as counselors and advocates, public service, advertising, admission to practice, and professional discipline.

Constitutional Law II (8311)

Three hours. A study of individual rights including such areas as equal protection of the laws and due process of law, with particular emphasis on issues of racial discrimination, gender discrimination, and the right to privacy. Depending on the professor, this course may also include freedom of speech and freedom of religion.

Edited Writing Seminar

Three hours. Each seminar requires the student to participate in an intensive, scholarly expository writing project. It may take the form of a single paper, of at least 30 pages, or several shorter papers, as the professor may direct. The professor will review and criticize the student's writing. Subject matter will vary at the discretion of the professor. Enrollment in each seminar is limited to 20 students.

General Writing Requirement

A student must complete a writing unit, in addition to the first-year Legal Research, Writing and Advocacy course and the Edited Writing Seminar. This requirement may be fulfilled by completing a course in which more than half the grade for the course is based on written work other than an examination, by completing law review writing requirements for credit, or by completing a two- or three-hour directed research paper.

C. ELECTIVE COURSES

Except with special permission of the Associate Dean of Student Affairs, J.D. students may enroll for elective courses only after they have completed all required first-year courses, or as otherwise noted in course listings. Other prerequisites for courses are listed; however, the instructor for a course may add or waive prerequisites for the course.

The faculty recommends that each student enroll in courses in each of the following areas: business organizations, administrative law, commercial law, procedural and evidence law, taxation, and legal history or the philosophy of law or the study of legal systems.

Administrative Law (6304)

Three hours. The focus is upon legislative authority and administrative agencies with special emphasis on administrative process and judicial review.

***Advanced Bankruptcy (8281)**

Two hours. In-depth study of corporate reorganization under Chapter 11 of the Bankruptcy Code.

Prerequisite: Creditors' Rights.

Advanced Commercial Law (6202)

Two hours. This course will cover one or more current topics in the area of commercial law. Because topics will vary, students may repeat the course for credit.

Advanced Corporate Taxation (7204)

Two hours. Taxation of corporate reorganizations and carryover of tax attributes.

Prerequisite: Corporate Taxation.

*** Advanced Environmental Law Seminar (8340)**

Three hours. Seminar on selected problems in environmental law. Students will be responsible for drafting and presenting a paper on an environmental law topic selected by the student with the consent of the professor. Topics may be selected from virtually any area of environmental law including pollution control statutes, common law toxic tort, environmental regulation of land use, protection of endangered species, regulatory policy, and enforcement of environmental requirements.

Prerequisite: Environmental Law or Regulation of Hazardous Substances.

***Advanced Jurisprudence (6233, 7331)**

Two or three hours. The content and form will vary from year to year. A statement about the course will be made available at the time of pre-enrollment in those years the course is offered.

*** Advanced Legal Research (6204)**

Two hours. A seminar that builds upon the legal research materials and methods studied in the first-year legal research course, with a view to developing effective legal research techniques. Particular attention will be given to legal databases, legislative history, practice materials, non-legal sources, and administrative law.

Advanced Legal Writing and Editing (6160)

One hour. This class is designed for students who wish to improve their editorial and writing skills. It targets students who are already competent writers, but it requires no in-depth knowledge of grammar or rhetoric. The course covers issue framing, readability, and writing efficiently.

***Advanced Patent Law (6284)**

Two hours. The course covers substantive and procedural aspects of patent prosecution before the U.S. Patent and Trademark Office. Practical exercises in prosecution practice, such as claim drafting, preparation of amendments, and other prosecution proceedings, will ordinarily be included. Additional prosecution subjects include dealing with inventors, developing invention disclosures, and preparing patent applications.

Prerequisite: Patent Law.

Advanced Professional Responsibility (7397)

Three hours. This edited writing seminar will focus on professional responsibility issues encountered in civil practice, especially in civil litigation. It will not address PR issues in criminal law or in many transactional settings. Topics that will be addressed include: multiple client representation, representation of the corporation and organizations, conflicts of interest, insurance defense lawyering, third-party audit and outside counsel guidelines used by insurance companies to control and manage insurance defense work, and lawyer liability under various theories. It may also address some of the following: ethics in class action representation, referral fee and contingency fee arrangements, representation of clients with disabilities.

Prerequisite: Professional Responsibility.

Advanced Torts (6391)

Three hours. This course will consider in detail six to eight topics crucial to personal injury and commercial tort litigators on both plaintiff's and defendant's sides. Coverage may vary somewhat year to year. Topics may include settlement agreements, comparative responsibility, a study of the contract-tort boundary, misrepresentation, fraud, professional negligence, the liability insurer's duty to defend and duty to settle, tortious interference with contract and prospective contract, and products liability.

Alternative Dispute Resolution (9211, 6311)

Two or three hours. An examination and analysis of materials and skills used in dispute resolution other than litigation. The theory and practice of negotiation, mediation, arbitration, and mini-trials will be emphasized, with examples and problem simulations drawn from various fields of law.

American Legal History (7309)

Three hours. The development of legal institutions and the formulation of rules of law and their application in the United States from the 17th century to 1950, with only secondary reference to the federal constitutional law.

Antitrust Law (7388)

Three hours. A survey of the federal antitrust laws as they relate to mergers, monopolization, and price discriminations, and horizontal and vertical restraints of trade, including price fixing, refusals to deal, territorial and product divisions, tie-ins, exclusive dealing, resale price maintenance, and customer restrictions. The course will also cover enforcement and the private treble damage remedy, including the concepts of antitrust standing and antitrust injury.

**** Appellate Advocacy (7300)**

Three hours. A practice-oriented course designed to teach the art of appellate advocacy through writing persuasive briefs and making effective oral arguments in civil cases pending in state and federal courts. (Two briefs and other document preparation required.)

Art and Antiquities Law (8272)

Two hours. A seminar course that focuses on the definition and nature of a "work of art" and the legal rights and interests among artists, collectors, dealers, museums, and the public. The course considers these issues primarily as they relate to the visual arts. Although course content may vary, topics usually include the international movement and protection of art, theft and forgery, cultural property and Native American art, artists' moral and economic rights in works of art, and valuation issues.

Aviation Law (6206)

Two hours. An introductory course to aviation law covering regulation of domestic and international aviation; deregulation of domestic aviation; the legal regime of the airspace, aircraft, and users of the airspace; the liability of insurance for the airman, manufacturer, services, airline, and United States of America; aviation litigation fundamentals and focused issues; criminal law specific to aviation; legal issues governing aviation transactions; aviation labor; and the law of space.

Business Enterprise (6420)

Four hours. This is the basic business law course. The emphasis of the first portion of the course is on the closely held business. To be considered are the following: *Agency:* General principles of the law of agency. *Partnerships* (general and limited): Formation, control, liabilities, property, dissolution and disposition of business; internal and external relations of partners. *Limited Liability Companies and Corpo-*

rations: Formation, control, allocation concerns; duties, liabilities, and rights of management and shareholders or members; dispute resolution devices; and fundamentals of capitalization and financing (including basic securities financing and securities law concerns, particularly respecting the private exempt offering). The primary emphasis of the second portion of the course is on the widely owned business. In this portion, general corporate governance and capitalization problems (including preferred stock and debt securities structuring) are further explored, along with corporate distributions and repurchases and fundamental corporate changes. Analysis of mergers and acquisitions is emphasized. Depending on available time, emphasis also is placed on the impact of federal securities laws on the corporate governance structure, including discussion of ongoing public disclosure requirements, proxy regulations, and insider trading restrictions and liabilities.

The course is transaction-oriented, whereby planning and problem solving are stressed, and interdisciplinary use of basic taxation, accounting, and finance notions is made. Special attention may be given to modern statutory trends, ethical issues, and selective globalization concerns.

Prerequisite for: Corporate Planning, Securities Regulation, and Taxation of Professional and Closely Held Corporations.

Children and the Law (9205)

Two hours. This course will focus on three interrelated questions involving the legal relationships among the child, parent, and state. First, who decides on behalf of the child? Second, how does the law allocate decisional power and responsibility for children in our society? Finally, what voice should the law give to children in situations where their rights and/or interests are affected? These questions will be explored in the context of the following topics: parental rights to raise their children; constitutional rights of children (e.g., privacy, free speech); child abuse and neglect (civil and criminal); termination of parental rights, foster care and adoption; and medical decision making. Emphasis will be on examining the practical considerations of providing legal representation to children, particularly in cases involving child abuse and neglect.

Civil Clinic (7559)

Five hours. The course develops lawyering skills and analytic methods for developing those skills. Clinic students will represent indigent clients in actual cases. Topics will include interviewing, counseling, fact investigation and discovery, case planning, negotiation, drafting of pleadings, motions and memoranda, and pretrial and trial advocacy. Special emphasis will be placed on professional responsibility issues and strategic planning methods. Throughout the course, a combination of teaching methods will be employed, including one-on-one case supervision, classroom instruction, simulations, and videotaped exercises.

Prerequisite: Completion of 45 term hours and good academic standing.

Civil Clinic: Poverty Law (7460)

Four hours. The course develops lawyering skills and analytical methods for developing those skills. Clinic students will represent indigent clients in actual cases. Topics will include interviewing, counseling, fact investigation and discovery, case planning, negotiation, drafting of pleadings, motions and memoranda, and pretrial and trial advocacy. Special emphasis will be placed on professional responsibility issues and strategic planning methods. Throughout the course, a combination of teaching methods will be employed, including one-on-one case supervision, classroom instruction, simulations, and videotaped exercises.

Prerequisite: Completion of 45 term hours and good standing.

****Civil Litigation: Critical Issues and Policy (8343)**

Three hours. A course in advanced civil procedure that critically examines the policy issues underlying various procedural issues. Topics may include the nature of the adversary system, the history of procedural reform, personal jurisdiction, subject matter jurisdiction, controlling non-meritorious claims, discovery, class actions, managerial judging, judicial discretion, judicial selection, jury trial, alternative dispute resolution, and comparative civil procedure.

Civil Rights Litigation (7308)

Three hours. A survey of federal legislation protecting the individual against governmental and private interference with constitutional and statutory rights, which may include those pertaining to employment, personal security, housing, and voting, among others.

***Civil Rights Seminars (7378)**

Three hours. Seminars in selected problems in the protection of individual liberties from governmental interference. Subject matter will vary at the discretion of the professor. Examples of matters that could be considered are First Amendment freedoms, racial discrimination, sex discrimination, prisoners' rights, and privacy.

Clinic Deputy (7157, 7257, 7357)

One, two, or three hours. Assisting in preparing and supervising clinic students in client representation, including fact investigations and analysis, legal research and writing, litigation training, and court appearances. Deputies are selected by the clinic instructors. Students may not enroll before being selected. Pass/Fail or graded, at the option of the professor.

Prerequisite: Civil Clinic, Criminal Clinic, or Federal Taxpayers Clinic.

****Commercial Real Estate Transactions Seminar (7327)**

Three hours. This course will build on the introductory real estate course by introducing students to the main issues presented by a transactional commercial real estate practice, including acquisition, financing, construction, leasing, and management, with an emphasis on financing. The course will examine alternative methods of structuring capital investment in real estate, including issues related to the taxable nature and regulatory context of the investor. Workouts and real estate bankruptcies will complete the examination of the real estate cycle. The basic income tax course is strongly recommended as a prerequisite; partnership tax is helpful, but not required. Students will be expected to work not only with the purely legal issues but also to develop a familiarity with the basic concepts of real estate valuation and should therefore be prepared to work with numbers and perform simple calculations (although no advanced mathematics will be required).

Commercial Remedies (9305)

Three hours. A functional analysis of standards, rules, and devices applicable generally to the trial of various types of commercial claims, including the standards of value, certainty, and avoidable consequences and the concepts of interest, expenses of litigation, and exemplary damages. Detailed consideration will be given to all types of commercial remedies, both at law and in equity, that result in a money judgment.

Comparative Law I (7321)

Three hours. The purposes and methods of comparative law; an introduction to legal systems other than the common law, including sources of law, structure of legal rules, substantive law, procedure, and courts and legal professions.

No knowledge of a foreign language is required. Students from civil law jurisdictions must have instructor's permission to take the course.

Comparative Law II (7222,7322)

Two or three hours. Comparative examination of selected aspects of law and judicial processes of selected foreign countries, regions, and economic markets. Since the subject matter varies from year to year, a student may repeat the course for credit. No knowledge of a foreign language is required.

Complex Litigation (7203)

Two hours. Advanced civil procedure, primarily on the pretrial and trial levels, involving multiple party, multiple claim litigation and the manual for complex litigation, with special emphasis placed on complex practice areas, e.g., multidistrict litigation, securities litigation, shareholder derivative suits, antitrust, civil rights, and other class actions.

Computer Crimes & Litigation (8291)

Two hours. This interactive class combines multiple mediums for learning technology law of today and tomorrow via real-time online investigative techniques and audio/visual presentations. After completing the course, students will be knowledgeable of the framework used to prosecute and defend cyber criminals. In addition, students will explore alternative criminal avenues of redress, including tools used by the FBI to perform its investigations. Alternative civil avenues of redress are explored as well, including tort law and parallel civil claims. Students will also be exposed to federal statues such as the Computer Fraud and Abuse Act, The Electronic Communications Protection Act, The Economic Espionage Act, The Digital Copyright Act, and the Anticybersquatting Consumer Protection.

Computer Law Review (9115, 9215, 9315)

Maximum credit, 5 hours. Law review experience involving preparation of comments on topics of current interest, notes on cases of significance, and editorial work incident to the publication of the *Computer Law Review and Technology Journal*. Students must be selected for participation before they may enroll. Available to J.D. students only.

Conflict of Laws (6330)

Three hours. The study of conflict of laws analyzes transactions that have elements in more than one state. The course has three parts: the choice of the law applicable to the issues in the case; the enforcement of judgments rendered outside the forum state; and jurisdiction over the out-of-state party. The course focuses on relationships among American states, but also includes choices between state and national law (the *Erie* doctrine).

Constitutional Criminal Procedure Survey (6430)

Four hours. A survey of criminal procedure, including topics such as investigation, right to counsel, bail, discovery, trial procedure, sentencing, double jeopardy, and post-conviction challenges. This course is intended for the nonspecialist. Students taking this course may not take Constitutional Criminal Procedure: Investigation or Constitutional Criminal Procedure: Adjudication.

****Constitutional Criminal Procedure: Investigation (6380)**

Three hours. Constitutional issues arising in the pretrial stage of a criminal case, such as search and seizure, interrogation, identification, the exclusionary rule, and the fruit of the poisonous tree doctrine. Students taking this course may not take Constitutional Criminal Procedure Survey.

****Constitutional Criminal Procedure: Adjudication (6390)**

Three hours. Constitutional issues arising during the post-investigation stage of a criminal case, such as custody and release pending trial, preliminary hearing, the

grand jury, joinder and severance, discovery, pleas and plea bargaining, time limitations, jurisdiction and venue, trial procedures, double jeopardy, sentencing, and post-conviction remedies. Students taking this course may not take Constitutional Criminal Procedure Survey.

Constitutional Law (8205)

Two hours. A survey of American Constitutional Law for international LL.M. students, including methods of constitutional interpretation, the role of judicial review and Supreme Court doctrine in the areas of equal protection of the laws and due process of law, with particular emphasis on issues of racial discrimination, gender discrimination, and the right to privacy. Enrollment is limited to international, non-U.S.-law-trained graduate students.

Constitutional Structure and Federalism (9204, 8342)

Two or three hours. An examination of constitutional issues pertaining to the structure and powers of the federal government as well as federalism. The course will emphasize separation of powers and commerce clause issues and may consider issues involving justifiability, congressional power, presidential power, economic substantive due process, the takings clause, and the contracts clause. (Paper normally required.)

****Construction Law (6214, 6312)**

Two or three hours. This course will address the legal aspects of the construction process. Particular emphasis will be devoted to discussion of the provisions of standard form contracts, and to the liability issues that arise out of the relationships between design professionals, contractors, and owners. Within this framework, the following will be covered: bidding; types of contracts; pricing variations; the rights and obligations of parties involved in the process; construction documents; bonds; insurance; changes; scheduling; delays; unforeseen circumstances; risk allocation of defective work; payments; and remedies for breach.

Consumer Law (6329)

Three hours. A study of state and federal regulation of credit and noncredit consumer transactions. Special attention will be paid to state and federal legislation regarding unfair and deceptive trade practices embodied in the Federal Trade Commission Act and the Texas Deceptive Trade Practices Act. Other areas of study include the federal Truth-in-Lending, Fair Credit Reporting, Equal Credit Opportunity, and Fair Debt Collection Acts, state and federal warranty law, as well as contractual and procedural devices designed to facilitate collection. The course will also include study of traditional private and public remedies and the means of achieving them as well as special problems and issues arising in connection with resolving consumer disputes in the world of e-commerce.

Copyright and the Protection of Literary and Artistic Property (7311)

Three hours. A detailed study of the 1976 Copyright Act as well as other means of obtaining legal protection for literary, musical, and artistic works, including unfair competition, tort, and implied contract.

Corporate Compliance (8206)

Two hours. Prior to Enron and other related corporate implosions, the issue of corporate compliance was primarily the concern of companies operating in heavily regulated industries. Since then, Sarbanes/Oxley, the Department of Justice Sentencing Guidelines, newly implemented stock exchange listing standards, emerging and expanding concepts of director liability — as well as a plethora of lesser factors — have made corporate compliance somewhat of a mainstream issue for all public

companies, and an increasing number of private companies and non-profits. The course will chart the history, evolution and expansion of corporate compliance programs from the early 1950s to the present. In addition to detailing the typical "how-to" methodologies involved in structuring and implementing a modern compliance program, the course will focus on how compliance programs, if improperly implemented, may actually exacerbate a company's potential liability in unexpected areas. A course textbook will be developed by the instructor.

Corporate Finance and Acquisitions (7235)

Two hours. The first part of this course provides a basis for resolving the typical valuation questions that arise in the corporate acquisition context. The basic concepts of financial theory, including discounting, diversification, portfolio theory, the capital asset pricing model, and the Black-Scholes option pricing model are presented and critically assessed. The second part of the course examines certain issues that arise in the corporate acquisition context that involve valuation questions, including the scope of application of the *de facto* merger and successor liability doctrines, appraisal rights, and the fairness of freeze-out transactions. The course will not consider issues arising under federal securities law. It is strongly recommended that students have some background in economics or finance.

Prerequisite: Business Enterprise.

****Corporate Law and Individual Values (6334)**

Three hours. Individuals and groups, consensus and disagreement. Whether you are in a local church, a downtown law firm or an international business, you have to deal with these tensions every day. This course is designed to help you take a deeper look at how rules relate to personal identity.

Corporate Planning (6232, 6332)

Two or three hours. Planning and problem course in corporate, tax, securities, accounting, and related fields. Students will draft instruments and supporting memoranda to solve a variety of questions in corporate organization, financing, operation, acquisition, and reorganization — a fairly typical sequence of high-tech company growth and development. Student solutions and simulated negotiations will be presented for class critique and in most instances for comparison with actual solutions to similar problems.

Prerequisites: Business Enterprise and Income Taxation.

Corporate Taxation (7336)

Three hours. The formation of corporations, corporate capital structure, earnings and profits, dividends, distributions, redemptions, partial liquidations and complete liquidations, and Subchapter S corporations.

Prerequisite: Income Taxation.

Creditors' Rights (6333)

Three hours. An introduction to federal and state law governing the debtor-creditor relationship: enforcement of judgments; attachment, garnishment, and sequestration; fraudulent conveyances; and bankruptcy as it affects secured and unsecured creditors under the Bankruptcy Code.

Criminal Clinic (7641)

Six hours. A practice-based period of study involving representation of indigent clients in Dallas County criminal courts. Classroom instruction and skills training are integrated with actual case work.

Prerequisites: Evidence, and completion of 45 term hours and good academic standing.

Criminal Evidence Seminar (7316)

Three hours. On March 8, 2004, the U.S. Supreme Court decided Crawford v. Washington (No. 02-9410). In it, the Court accepted an invitation to completely rethink its approach to the interface between the Confrontation Clause and hearsay. Up to that point, the Court's efforts at reconciling the Constitutional right to confront one's accuser with the evidentiary rules was muddled and tended to subordinate the right of confrontation to the common law hearsay exceptions. Crawford changed that in a fundamental way. However, it is difficult to envision how Crawford and the newly conceived Confrontation Clause will impact the prosecution of criminal cases in the U.S. This seminar will explore that impact. This seminar will examine the impact of Crawford on the hearsay rules as it applies to evidence admitted against criminal defendants. Students will study the decision in detail, choose one type of hearsay evidence, such as the admission of pre-trial statements of child assault victims to their counselors, and write a 40-60-page paper of publishable quality and format on that topic.

Prerequisite: Evidence.

Criminal Prosecution Clinic (7441)

Four hours. A practice-based period of study involving the prosecution of misdemeanor offenses with the Dallas County District Attorney's Office. Classroom instruction and skills training are integrated with actual case work.

Prerequisites: Evidence, and completion of 45 term hours and good academic standing.

***Criminal Tax Fraud (7238)**

Two hours. A detailed study of the criminal tax statutes of the Internal Revenue Code, along with the administrative procedure and court procedure concerning representation of a client who is being investigated by the Internal Revenue Service for criminal tax violations.

Death Penalty Project (9310)

Three hours. A practice-oriented course designed to teach the skills of interviewing, investigating and researching legal issues in the pretrial, trial and post-trial stages of death penalty cases. Evidentiary questions, procedural questions, and the development of mitigation facts and circumstances will be addressed. Limited to twelve students per term, a simultaneous classroom curriculum will introduce students to the law and procedure necessary to provide effective assistance of counsel in death penalty defenses. Students will work with lawyers appointed to death penalty cases while under the supervision of a faculty member. Grades are based on evaluation of case and classroom performance.

Directed Research (6136, 6236, 6336)

Maximum of three hours. Research on legal problems in any field of law may be carried out with the consent of the instructor involved. A comprehensive, analytical, and critical paper must be prepared to the instructor's satisfaction. Open to students who have completed over one-third of the hours required for graduation. Before enrollment for Directed Research, the student must obtain, on a form supplied by the Registrar's Office, written approval of the instructor for the research project. Students may not receive credit for more than a total of three hours of directed research during law school.

Directed Studies (6148, 6248, 6348)

Maximum of two hours. Studies undertaken by a student or group of students under faculty supervision with prior approval of the Curriculum Committee. The

committee may prescribe that the product of the studies undertaken be communicated by a public discussion, submission of periodic and final reports, or presentation of a collection of papers.

***Disability Law (8260)**

Two hours. An exploration of the expansion of rights for individuals with disabilities including the Americans with Disabilities Act. Both employment law and protection for individuals with disabilities in government services and public accommodations are studied.

Economic Analysis of Law (6423)

Four hours. An introduction to the economic analysis of legal rules and institutions. The course will first examine the efficiency paradigm in some detail, and then analyze basic common law and criminal law doctrines from an economic perspective. The course seeks to develop a facility in the application of economic reasoning to legal questions, and to impart a sense of the limitations of the economic approach. While the course will not presuppose extensive familiarity with economics, some background is essential, i.e., at least an introductory course in microeconomics and preferably also some exposure to intermediate-level microeconomics or price theory.

Education, Equity and Law (8344)

Three hours. This course provides interdisciplinary perspectives on selected issues of equal educational opportunity within the context of primary and secondary education although some higher education issues will be addressed. Topics focus on modern educational reform efforts, substantive law, and public policy issues which include school-finance reform; nonjudicial remedies; high stakes testing (for tracking, promotion, and graduation); special education; affirmative action; desegregation and single-sex education; sex discrimination; and harassment based on race, sex, and sexual orientation. Course materials draw upon legal materials and social-science research, and students work closely with faculty in development of thesis and paper and conduct policy critiques.

Employee Benefits Law (9201)

Two hours. A study of the evolution, theory, and structure of employment-related benefit law. Social, economic, and political considerations and their influence on federal labor and tax law in the area of employee benefits are emphasized, with particular emphasis on the labor provisions of the Employee Retirement Income Security Act of 1974. Also considered is the balancing of authority among several federal agencies in the regulation of employee retirement and medical benefit plans and the interpretation and application of federal statutory law.

Employment Discrimination (7344)

Three hours. Examination of the federal law regulating discrimination in employment. The primary emphasis is upon Title VII of the Civil Rights Act of 1964 (discrimination on the basis of race, sex, religion, and national origin), the Age Discrimination in Employment Act, the Equal Pay Act, the Americans with Disabilities Act, and federal requirements of affirmative action imposed upon government contractors, but other civil rights statutes and the National Labor Relations Act will be treated as they bear upon the subject.

Employment Discrimination: The Art of Effective Investigation and Trial Advocacy (8245)

Two hours. This course offers students a unique opportunity to explore in detail important legal developments in employment discrimination and to be exposed to fundamental techniques of investigation and trial (i.e., opening statement, direct and

cross-examinations, and closing argument). Students will examine legal issues, strategies, and techniques used in actual employment discrimination trials to understand how to become better advocates. The seminar will primarily focus on sexual harassment, but other forms of employer misconduct such as disability discrimination, race discrimination, and retaliation will be discussed. Grades will be based on class participation and a final exam.

Employment Law (6340)

Three hours. Legal regulation of work and the workplace in a nonunion environment. The course will cover the expansion of employee rights against unjust dismissal, invasion of privacy, and defamation, and will explore government regulation of the workplace in the areas of health and safety, wages, hours, and benefits; it also will briefly survey employment discrimination law.

Entertainment Law (7201)

Two hours. An overview of the entertainment business and its fundamental legal and financial issues. The course deals with the role of attorneys and agents, personal and intellectual property rights, motion picture production and distribution, television rights and procedures, literary publishing, and music publishing and sound recordings. Particular emphasis is placed on technological developments and contract negotiation.

Environmental Ethics (7236)

Two hours. This course explores ethical issues raised by U.S. environmental law and policy. The course begins with an introduction to utilitarian, deontological, and virtue approaches to ethical analysis and to certain policy tools, including cost/benefit analysis and risk assessment. The course will then address a variety of issues of environmental ethics in the context of specific statutory or regulatory requirements. These issues include the rights of non-human animals (Endangered Species Act), distributional and fairness concerns (environmental justice policies and limitations on the export of hazardous wastes to less developed countries), obligations to future generations (Kyoto Protocols on Global Warming), and the limitations on the use of private property for the public good (Fifth Amendment takings issues).

Environmental Law (6344)

Three hours. A survey that presents an introduction to basic elements of federal environmental law. The course includes analysis of environmental regulatory policy, statutory control of air, water, and hazardous waste pollution, and allocation of the costs of cleaning environmental contamination.

Equitable Remedies (6339)

Three hours. This is an essential course for students interested in civil litigation. The course examines important theoretical and practical problems relating to the structure, award, and enforcement of equitable remedies. The course analyzes several types of equitable remedies, including injunctions, specific performance, and restitution. The course affords students the opportunity to investigate questions of equity in a host of practice settings, including intellectual property, securities, bankruptcy, civil rights, and contract litigation. The course also devotes a great deal of attention to examining the constitutional and public policy issues that arise in the context of designing remedies for governmental civil rights infringement. Finally, the course will consider, time permitting, the various "equitable defenses" that litigants can raise to bar or reduce an award of equitable relief.

Estate, Gift, and Income Taxation of Trusts and Estates (8252, 7352)

Two or three hours. Consideration of the kinds of transfers that attract the estate and gift tax; the generation skipping tax; income taxation of estates and trusts.

Estate Planning and Practice (6343)

Three hours. Functional examination of the integration of the federal estate and gift taxes; marital deduction planning and drafting; drafting the By-Pass Trust; desirability of making lifetime inter-spousal transfers; gifts to minors and other dependents (including the grantor trust rules); techniques of income deflection and estate shrinkage for tax reasons; transferring ownership of life insurance with emphasis on irrevocable life insurance trusts; and introduction to the generation skipping tax.

Prerequisites: Income Taxation and one of the following: Wills and Estate Administration; Wills and Trusts.

European Legal History (6335)

Three hours. The course will survey European legal history from the Roman period through the nineteenth century.

Evidence (8455)

Four hours. Principles governing the admission and exclusion of evidence, including functions of judge and jury, examination and competency of witnesses, demonstrative evidence, the hearsay rule and its exceptions, burdens of proof and presumptions, privileges, and judicial notice.

Extern Programs

Hours arranged. Various programs by the faculty permit a student to work without compensation each week for a designated number of hours at specified legal offices for law school credit. Each student is under the supervision of a faculty member and must fulfill the requirements established for the program. Students may receive law school credit for only one extern program, including the Securities and Exchange Commission Student Observer Program. Contact the Registrar's Office for a list of such programs and more information.

Faith, Morality, and the Practice of Law (6345)

Three hours. Most law students have a number of questions about how the practice of law will fit together with their moral and family values, religious faith, and sense of vocation — "vocation" referring here to its root meaning of "to serve." These questions can take many forms, of course. Can I act consistently with my moral or religious beliefs and still be an effective lawyer? Will I be able to reconcile the demands of lawyering with my desire and need for family, friends, community involvement, religious practices? How can I find supportive mentors without "over-revealing" my anxieties, religious or moral beliefs? Can my work as a lawyer be a vocation and not just a job, and what does that difference entail? This course is an edited writing course that takes a fairly broad, mixed approach to these and other questions. The required and optional readings include theological topics, practical topics (e.g., part-time practice, billing, stress); discussions of ethics. The course work entails considerable reading and the following written work: several 10-12-page papers that will be edited and redrafted; editing one other student's paper; interviewing a practicing lawyer and writing a report on that interview; leading class discussion on certain topics in a panel format. Many of the readings in this course, and many students in this course, will draw upon a faith perspective that guides that author or that student. But this course is not intended to be restricted to those who share dominant religious faiths, or to those who have a faith in a Divine Being. The

class should be useful and meaningful to any student interested in questions of vocation, values, and law practice, whether or not the student adheres to a particular faith structure.

Family Law (6347)

Three hours. The legal problems of the family including marriage, annulment, divorce, legitimacy, custody, support of family members, adoption, and related matters. This course does not include Texas matrimonial property law. If the student plans to take instruction in both courses, this course should be taken first.

Federal Courts (6349)

Three hours. Congressional control of the distribution of judicial power among federal and state courts; practice and procedure in the federal district courts including choice of law, federal question and diversity jurisdiction, and state-federal conflicts.

Federal Tax Procedure I (7207)

Two hours. Preparation and trial of tax cases in the federal courts; representation of a taxpayer before the Internal Revenue Service; administrative powers and procedures of the Internal Revenue Service; criminal violations of the Internal Revenue Code; accumulations of supporting evidence for a tax plan.

****Federal Tax Procedure II (7208)**

Two hours. Examines tax collection procedures from filing of a federal tax return through voluntary or involuntary payment of tax liability. Includes definition of a deficiency; assessment of tax; federal tax liens: attachment, competition with other creditors, relief, administrative and judicial enforcement; collection in insolvency and bankruptcy; transferee liability; and agreements with the Internal Revenue Service, such as installment payment agreements, closing agreements, and compromises.

Federal Taxpayers Clinic (7443)

Four hours. Clinical instruction in federal tax practice emphasizing the representation of taxpayers before the Internal Revenue Service and the Tax Court. Classroom instruction in interviewing techniques and counseling is integrated with interviewing prospective clients and with the ultimate representation of taxpayers before the Internal Revenue Service and before the Tax Court.

Prerequisite: Income Taxation and good academic standing.

****Financial Derivatives (7212)**

Two hours. Financial Derivatives is intended to provide the law student with a lawyer's overview of financial derivatives and instruments, how they work, how they are used to hedge risk, and their business and tax law implications. It will cover differences between debt and equity, and discuss in detail options, forwards, collars, swaps and straddles.

Financial Institutions — Banking Law: Domestic and International (6221, 6318)

Two or three hours; often conducted as a Writing Seminar. An introduction to the federal laws governing commercial banking activities, with primary emphasis on the regulation (and "deregulation") of national banks and related policy considerations. Lecture topics will vary from year to year, but generally will include key domestic, regional, and international issues with respect to banking, the banking industry, and the financial services industry generally. Use of interdisciplinary subject matter in economics, finance, and business is made. Comparison to regulation of other financial institutions may be utilized. When taught as a regular course, assessment may be by examination and/or paper or series of papers satisfying the writing unit requirement. When taught as a third-year Writing Seminar, course

structure and assessment will be consistent with those described above for the Writing Seminar.

Financial Institutions — Commercial Lending (6218, 6348)

Two or three hours. This limited enrollment advanced seminar is designed to provide the student with an understanding of the sundry legal aspects involved in structuring, documenting, securing, and closing commercial lending arrangements. Subject matter may include: nature of unsecured corporate lending; fundamentals in drafting and negotiating loan agreements; use of special financial covenants; special alternative interest rate provisions; choice of law and usury-related provisions; significance of the legal opinion; third-party credit supports, such as guarantees, comfort letters, note purchase agreements, and standby letter of credit; collateral concerns; basic bankruptcy and workout concerns for lenders and special industry lending; and the role of financial institutions in providing alternatives to commercial lending. Transaction-orientation, problem solving, and planning are stressed; legal documentation is emphasized; and use of interdisciplinary subject matter in economics, finance, and business is made. Active student participation is essential. A paper or series of papers (on an individual or group basis) are required.

First Amendment (7248)

Two hours. An examination of constitutional issues and interpretation under the First Amendment focusing on freedom of speech and press, as well as establishment and free exercise of religion.

***Food and Drug Law (6246)**

Two hours. Food and drug law with emphasis on its history, prohibited acts including adulteration and misbranding, actions and penalties, rule making, jurisdictional overlap of Federal Trade Commission and Department of Agriculture, and impact of other statutes.

Freedom of Speech, Press, and Religion (7333)

Three hours. An examination of constitutional issues and interpretation under the First Amendment focusing on freedom of speech and press, as well as establishment and free exercise of religion.

Globalization and Financial Market Regulation (9219, 9319)

Two or three hours. A capstone-type course that explores the global, cross-border, and international development and interconnection between bank, securities, insurance, and pension markets. Particular emphasis is placed on the development of international standards, of a new international financial architecture, and of enhanced regulatory cooperation on the domestic, regional, and international levels. Paper or exam at option of professor.

Globalization of the Law (8210, 8309)

Two or three hours. This is a perspective course on the impact of globalization on the theory and practice of law. Students will be asked to consider whether "globalization" is a distinct process or phenomenon, or whether it is just the much better known process of "internationalization" under a new label. Students will be provided with information about the economics of globalization, and the impact of global economic forces on the national legal systems in such areas as financial market regulation, intellectual property law, commercial law and other areas. Students will be given one or more realistic case studies that raise globalization issues in a contemporary, practical context and will then be provided with the legal materials necessary to analyze the issues raised by those case studies. Students will be asked to identify situations in which the idea of globalization helps explain recent

legal developments, to distinguish them from situations in which globalization has had little or no impact on the law, and to develop strategies for anticipating where globalization is most likely to have an impact on the future development of the law and predicting what that impact will be. The relevance of the processes of globalization on legal doctrines covered in other areas of the law school curriculum will be addressed in the context of analyzing the case studies. The case studies and doctrinal areas covered may vary from year to year, depending on faculty participation and current developments.

Immigration Law (8258, 6353)

Two or three hours. An analysis of the Immigration and Nationality Act and relevant regulations with respect to the immigration of aliens, the substantive and procedural aspects of deportation, and exclusion proceedings. A review of nationality law with respect to citizenship and expatriation. Special problems of refugees in the United States may be considered.

Income Taxation (6460)

Four hours. Introduction to the federal income tax system; analysis of Internal Revenue Code, Treasury Regulations, rulings, and case law; consideration of income, deductions, credits, assignment of income, and accounting periods and methods.

Insurance (6254, 6354)

Two or three hours. Principles governing: the nature of insurance law; the principle of indemnity, including insurable interest, measure of recovery, and multiple claims for indemnity (subrogation and other insurance); persons and interests protected; risks transferred, including nature of loss and its causes, warranties, representations, and concealment; limits and duration of coverage; rights at variance with policy provisions; claims processes; and insurance institutions.

Intellectual Property (6356)

Three hours. An overview of intellectual property law for both students with a general interest in the area and students who are pursuing specialized fields with IP. Beginning with an analysis of the competing theories underlying IP law, it goes on to outline the basic principles of patent, copyright, trademark, and trade secret protection, as well as current issues in software protection, biotechnology, and competition policy.

***International Banking and Finance (7213, 7313)**

Two or three hours. Selected topics (which may vary from year to year) drawn from the following areas: the international monetary system and role of international financial organizations as related to private transactions; specialized problems of financing international business; and selective international financial transactions (e.g., exchange market operations, country lending, Eurodollar and Eurobond financing, international loan syndications, project financing, and international trade financing). Guest expert lecturers may be utilized. Often contains interdisciplinary and cross-cultural subject matter. Written exam and/or paper may be required.

International Business Transactions (7215, 8215)

Two hours. A basic course for U.S. and international students on fundamental legal problems encountered in international business. Course is particularly beneficial as a foundation course for the second-year student desiring to pursue the international law area or for the third-year student desiring only a survey of the area.

***International Commercial Arbitration (6227, 6327)**

Two or three hours. This class will provide reasonably in-depth coverage of the basic concepts and issues of international commercial arbitration. The student will

review the arbitration rules of the primary institutions and the arbitration laws of the primary arbitration sites, and will draft basic arbitration clauses. This course will not deal with the topic of international litigation.

International Crimes (7356)

Three hours. The course focuses on the origins, development and growth of international crimes. It examines the juridical bases and processes by which objectionable or offensive conduct is transformed into an international crime. In this vein, it identifies the attributes and characteristics of international crimes and explores the practical as well as doctrinal problems relating to the regulation, prevention, control and suppression of this genre of crimes.

International Economic Law and Institutions (8319)

Three hours. This is a foundation course that enhances the understanding of financial, monetary and trade regulation in their current global setting. Against the constantly changing background of economic policy-making, this course examines economic interaction between states as well as economic relationships between states and non-government entities. It aims to examine critically not only the law governing these relationships, but also the different law-making processes. The course is divided into three parts. The aim of the first part is to provide an overview of the legal and institutional foundation of global international economic order. It may cover issues such as the legal principles/doctrines, basic principles governing international organizations, international monetary relations, development assistance, sustainable development, the New International Economic Order/Washington Consensus, regional economic integration principles, and impact of global antiterrorism approaches. The second part covers the law of GATT/WTO, thus analyzing the basic law of the world trading system. To the extent time permits, the third part will focus more in-depth on one or more specific international economic/financial institutions (e.g., IMF, World Bank, etc.). The course pays particular attention to developing/emerging market implications and to the impact of the ongoing "globalization processes."

International Environmental Law (6276)

Two hours. A study of the transnational concerning environmental protection and the application of such laws to issues facing governments and businesses worldwide. Includes study of major international agreements addressing environmental issues utilizing a problem-oriented approach.

International Intellectual Property (6226)

Two hours. When intangible property crosses imagined borders, it becomes subject to competing cultural concerns, economic interests, and protective regimes. This course focuses upon the international regulation of intellectual property and the resolution of disputes through institutions such as the World Intellectual Property Organization and the World Trade Organization, multinational and regional treaty agreements, and national responses. Policy issues include the perspectives of developing and industrialized countries, problems generated by emerging biotechnologies and the growth of cyberspace, and future trends in harmonization of IP protection.

Prerequisite: Intellectual Property or with permission of professor.

International Law (Public) (6355)

Three hours. The basic course in public international law includes (with varying emphasis depending on teacher preference) such topics as: nature, history, and sources of international law; customary international law; law of treaties; the relationship between municipal law (especially of the United States) and international

law; recognition and subjects of international law; law of the sea; air and space law; environmental law; human rights; jurisdiction; state responsibility; state succession; dispute settlement; and regulation of state use of force.

The International Law Review Association of SMU (6130, 8230, 8330)

Maximum credit, five hours. Law review experience involving preparation of comments on topics of current interest, notes on cases of significance, and editorial work incident to publication of *The International Lawyer*, *Law and Business Review of the Americas*, and *Yearbook of International Financial and Economic Law*. Students must be selected for participation before they may enroll. Available to J.D. students only.

International Litigation and Arbitration (7214, 7314)

Two or three hours. Examines practical aspects of private litigation involving a foreign element; includes comparative concepts of jurisdiction, service, taking evidence abroad, divorce, and enforcement of foreign nation judgments, as well as choice of law in contracts, torts, and decedent estates. Also explores arbitration as an alternative means of resolving transnational commercial disputes. Particular attention paid to relevant new treaties.

****International Organizations Law (7355)**

Three hours. The structure, status, and function of international organizations, especially the United Nations system and its related organizations, functional arrangements, peace and security, trade, economic and monetary matters, and human rights.

International Protection of Human Rights (6224, 6324)

Two or three hours. Selected topics, including the protection of individuals and groups against violations by governments and private institutions of their internationally guaranteed rights, and the promotion of these rights. Presentation and discussion of student papers may be required.

International Tax I (7216, 7302)

Two or three hours. A basic course for U.S. and international students focusing on foreign citizens, residents, and business entities conducting business or investment in the United States — so-called inbound transactions.

Prerequisite: Income Taxation.

International Tax II (7255)

Two hours. A basic course for U.S. and international students focusing on U.S. citizens, residents, and business entities conducting business or investment outside the United States — so-called outbound transactions.

International Telecommunications Transactions (6225)

Two hours. This course examines the legal framework of international telecommunications privatization and strategic alliances. Topics include international telecommunications organizations, structure of telecommunications privatization, legal privatization regime and host country legislation, formation and power of communications regulatory bodies, legal due diligence, concession agreements, association agreements, joint venture foreign subsidiaries, concession applications, and foreign telecommunications regimes.

***International Trade and Investment — Developing Nations (7312)**

Three hours. Selected topics drawn from the following general areas: foreign investment and tax incentive laws in developing countries, export credit systems, political risk insurance, sources of financing, restrictions on transnational enter-

prises, technology transfer laws (patent and trademark licensing), the World Trade Organization, export subsidies, dumping, protectionism, the Generalized System of Preferences, unfair trade practices, preferential trade arrangements, economic integration among developing countries, and international commodity agreements.

***International Transactions — European Union (7210, 7310)**

Two or three hours. Examination of legal and "constitutional" underpinnings of the European Union, followed by discussion of selected problems of doing business within it (*e.g.*, import-export, licensing, direct establishment, and antitrust matters). Aspects of Economic and Monetary Union may be explored. Paper may be required.

International Transactions — NAFTA: Doing Business in the Americas (6203, 6303)

Two or three hours. Basic legal dimensions of the North American Free Trade Agreement and its effects upon trade, investment, licensing, and law reform in the Americas. Consideration of other integration efforts within the Western Hemisphere. Guest expert lecturers may be utilized. Written exam and/or paper may be required. Sometimes offered as a Writing Seminar.

****Japanese Legal System (6368)**

Three hours. Course of study focuses on the sources of law and practice in the Japanese legal system. The constitution, statutes, and civil law tradition of Japan's system are addressed, and the practices of the major participants in the system investigated. This is a paper course in a relevant area reflecting student interest and instructor experience.

Jurisprudence (7329)

Three hours. A survey of major theories of legal philosophy.

***Juvenile Justice (7258)**

Two hours. A study of juvenile delinquency as a social concept; law of delinquency; procedure in juvenile court, and the unique aspects of a lawyer's role in a delinquency case.

Labor Law (6360)

Three hours. Law regulating the employment relationship studied in connection with various forms of group conflict and organizational activity. The course covers rights and duties of individuals and institutions in the labor-relations context; concerted activity, including strikes, picketing, and boycotts; negotiation and enforcement of collective agreements; employee-union relations; and problems of jurisdiction and accommodation among courts, boards, and arbitrators. The course emphasis is on the substantive and procedural law of the Labor-Management Relations (Taft-Hartley) Act.

Land Use (6363)

Three hours. Planning; zoning; subdivision; takings; zoning and discrimination; and administrative process in public land use planning.

Law and Medicine — Bioethics (7330)

Three hours. The course focuses on the interplay between bioethics and law in the context of topics such as human reproduction, death and dying, and human experimentation.

Law and Medicine — Health Care (7420)

Four hours. An examination of the application of law and legal process to the resolution of problems and the development of policies relating to health and health care services. The course is intended to develop an understanding of the social,

business, policy, and ethical implications of legal rules and procedures, as well as an understanding of how the law shapes the financing, organization, and delivery of health care in America. Topics usually include tax, antitrust, insurance, and tort law; medical and hospital licensure and accreditation; Medicare and Medicaid; and state and federal health care regulation.

Law and Medicine — Medical Malpractice (7233)

Two hours. An examination of the legal and economic aspects of medical malpractice, including elements of the prima facie case, defenses, and problems of proof. From time to time, the course also focuses on the potential liability of the individual practitioner and of health care institutions; tort reform legislation; the structure of insurance markets; negligent nondisclosure risks and treatment alternatives; forensic medicine and the use of medical and scientific evidence in the courtroom; and legal and ethical aspects of the professional-patient relationship.

Law and Sexuality (7374)

Three hours. This course will explore the interaction between law and social, religious, scientific, cultural, and political attitudes towards sexuality, and the ways in which these larger social structures and beliefs infuse, shape, and help constitute law. This exploration will occur in the context of examining how and why laws regulate and impose limits on expressions of human sexuality and to what end.

Law, Literature, and Medicine (6205)

Two hours. This seminar provides law students and medical students an opportunity to read and discuss novels, poems, plays, and short stories concerning their two professions, including ethical dilemmas that are encountered in legal and medical practice and a variety of client and patient experiences. Readings will also focus upon the professional and academic aspects of the humanities in law and medicine. Students will have joint assignments and projects throughout the term and will be required to complete a research paper or comparable final project.

Law Office Technology, Economics and Management (9203)

Two hours. A study of the impact of technology on various management and planning techniques applicable to the economic aspects and client relationships of a law practice.

Law of Electronic Commerce and the Internet (7368)

Three hours. This writing seminar will look at the impact of new technologies on commercial transactions. Topics covered will include Web site development and hosting agreements; online payment systems including wholesale wire transfers and Internet payment systems; information and software licensing; and online contracting issues such as electronic data interchange, digital signatures, and electronic records in lieu of writings. Each student will write one paper over the course of the term and give a presentation in class based on that paper. Hands-on training in any necessary software or equipment is provided.

Law of the Internet (6266, 6365)

Two or three hours. This course is designed to introduce law students to some of the law governing networked computer systems such as the Internet, software, intellectual property rights in digital media, and the social, political, and economic issues underlying those legal doctrines.

****The Lawyer as Reader and Writer (7286, 7387)**

Two or three hours. Lawyers read and write documents that inform and persuade. This course compares legal forms of thinking, reading, and writing with other forms,

using subjects of general concern — death, insanity, privacy, and racism. The purposes are to explore the workings of the legal mind as an instrument of creation and to gain or regain a talent for writing good expository prose. (Several short papers required.)

Lawyering and Ethics for the Business Lawyer (8270)

Two hours. This course will examine the role of the corporate lawyer in the counseling and litigation settings. Subjects addressed will include the role of the lawyer in the close corporation, client fraud dilemmas, conflicts of interest, internal corporate investigations, litigating with the SEC, the role of inside counsel, business relationships with clients, and related party transactions.
Prerequisite: Business Enterprise.

Legal Accounting (6267)

Two hours. An introduction to the theory and principles of financial accounting. Emphasis is placed on the accounting method and on a legal analysis of such matters as determination of income, methods of allocating income and costs to different accounting periods, transactions involving debt and equity financing, and concepts of corporate surplus. Reporting differences between financial and tax accounting will be discussed. Emphasis will usually be put upon basic concepts of financial disclosure and reporting. Limited to students with no more than eight credits of undergraduate accounting work except with the instructor's permission.

****Legal Interviewing, Counseling, and Negotiation (6366)**

Three hours. The course focuses on the lawyer-client relationship and the role of the attorney in negotiation on behalf of a client. Methods of legal interviewing, counseling, and negotiation are examined in depth. Skills in these areas are developed through practical training and experience. Grades are based on required papers and performance in simulated exercises. A student may not take this course and the two-hour course in Negotiation.

****Legislation (7389)**

Three hours. A study of the products of the legislative process: the place of statutes in relation to decisional law in historical perspective, types of legislation, and the component parts of statutes. Special emphasis is placed upon statutory interpretation as an essential lawyering skill.

Litigating Intellectual Property Cases (6269)

Two hours. This is a participation course centered around an intellectual property dispute, primarily addressing patent and trademark issues, with particular emphasis on pretrial activities. The class will cover pre-lawsuit activities, preparation of pleadings, early motion practice, and dispositive motion practice, all in the context of an intellectual property lawsuit. A fact scenario will be provided and developed during the term, and assignments will center on the developing facts. The class will permit students to participate in a variety of litigation-oriented activities such as drafting and responding to pleadings, drafting and answering discovery, participating in mock depositions, and drafting and arguing motions.

Prerequisites: All first-year courses.

***Local Government Law (6277)**

Two hours. This course explores legal issues governing the formation and operations of cities and other local government units. Police powers, financing, employment, and governmental liability are examined. Constitutional, legislative, and judicial sources of power and control are analyzed. This course provides a foundation for legal and civic services.

Mass Tort Litigation (8217, 6317)

Two or three hours. A study of the unique procedural and substantive issues encountered by the courts in resolving multiple claims for tort damages arising from the same, or parallel, injury-producing conduct. The course will trace the efforts of the courts to resolve mass tort cases more efficiently through innovative use of procedural devices such as consolidation, multi-district transfer, and the class action. The course will also examine the difficulties of applying traditional principles of tort, evidence, and ethics law in the mass tort context.

Mental Health Law and Policy (6302)

Three hours. An examination of the history and current state of mental health law, the empirical research on the impact of mental health law on the lives of people with mental disabilities, and proposals for improving the law. (Paper required.)

Mock Trial (6183)

One hour. Participation as a member of a mock trial team representing the School of Law in one of several inter-school competitions in which the School of Law participates each year. One hour for each competition up to a maximum of two hours can be earned. *However, students must be selected for participation on a competition team by the faculty coach before they can enroll for credit.*

Moot Court (Advanced) (6176)

One hour. Participation as a member of an appellate advocacy team representing the School of Law in one of several inter-school competitions in which the School of Law participates each year. One hour for each competition up to a maximum of two hours can be earned. *However, students must be selected for participation on a competition team by the faculty coach before they can enroll for credit.*

Moot Court Board (6177)

One hour. Satisfactory work as a member of the Moot Court Board. Maximum of one hour credit. Students must be selected.

***Native Americans in Western Legal Thought (9370)**

Three hours. Among the hallmarks of Western culture is an emphasis on law as a separate discipline, often called upon to serve alongside religious morality and political expediency in furthering national objectives. The goal of conquering and settling the New World was no exception, as successive European nations invoked legal principles to justify their actions in the eyes of their citizens and neighboring powers. This seminar concentrates primarily upon the Spanish and Anglo-American juridical, legislative, and judicial characterizations of Native North Americans and their rights, comparing and contrasting these legal regimes and examining whenever possible Native American responses. Student research may extend to a broad range of Native American legal issues, depending upon individual geographic, substantive, and temporal interests.

Negotiations (7285)

Two hours. The purpose of this course is to introduce the student to legal negotiation theory and practice and to prepare the students as lawyers to engage in the negotiation process. While the course will cover all major areas of negotiation theory (interest-based, cooperative-competitive, aggressive-competitive, etc.), a major goal is to expose the students through practical skills exercises to the various contrasting approaches to negotiation and allow the student to determine the style and approach that best fits the student's personality in the context of legal conflicts likely to be encountered after law school. The course is designed to provide students with the fundamental skills, knowledge and actual experience in real negotiations to

lay the foundation for future lawyers to develop and hone their negotiation skills through continuing practice and experience after conclusion of the course.

Non-Profit Organizations (6274)

Three hours. A comprehensive survey of state and federal law governing nonprofit organizations. Topics of study include theories of nonprofit enterprise; state law governing the formation, governance, and funding of non-profits; rationales and requirements for tax exemption; the public charity/private foundation distinction; mutual benefit organizations; the unrelated business income tax; tax-exempt finance; charitable contributions; and antitrust law.

Oil and Gas (6378)

Three hours. Ownership in oil and gas; correlative rights and duties in a common reservoir; instruments conveying mineral interests; partition; pooling and unionization. Special emphasis on the rights and duties of the oil and gas lessee and lessor in leasing transactions.

Oil and Gas Contracts: Domestic and International (7269, 7369)

Two or three hours. A survey of basic oil and gas contracts used in exploration and production operations both in the United States and internationally. Included in the coverage are support agreements, farmout agreements, operating agreements, gas contracts, gas balancing agreements, division orders, concessions, production sharing, participation agreements, and technical agreements. The focus of the course is upon both fundamental principles and current issues. Drafting solutions and alternatives are explored.

Oil and Gas Environmental Law (7264)

Two hours. A study of environmental law as it applies to the oil and gas extraction, processing, refining and transportation segments of the energy industry, with emphasis on common law and solid waste issues.

Partnership Taxation (7392)

Three hours. The formation of partnerships, taxation of partnership income, special allocations, elective basis adjustments, distributions, liquidations, retirements, transfers of partnership interests, and family partnerships.

Prerequisites: Income Taxation.

Patent Law (6280)

Two hours. The course provides an introduction to patent and trade secret law for the protection of inventions, technical know-how, and other proprietary intellectual property. Procedures and approaches to protecting high technology, such as computer software, integrated circuitry, and genetic engineering are included. The course includes the law and procedure of developing the rights, as well as licensing and litigation aspects. Trademark law is briefly covered. A technical background is not a prerequisite for the course.

Patent Licensing and Enforcement (7262)

Two hours. A study of issues regarding the licensing and enforcement of patents. The first half of the course analyzes in depth the structure of a patent licensing agreement; the second half explores enforcement of patent rights in federal court.

Prerequisite: Patent Law.

Payment Systems/Negotiable Instruments (9301)

Three hours. An overview of the law of negotiable instruments, the bank collection system for checks, and modern forms of payment such as wire transfers. Special emphasis is placed on UCC Articles 3, 4, and 4A, as well as on selected federal regulations.

Perspectives of American Business Law (7277)

Two hours. A survey of American business laws for international graduate students. Selected topics may be drawn, from year to year, from the laws of agency, partnership, corporation, securities, antitrust, bankruptcy, and business taxation, and are taught from the perspective of assisting non-U.S.-trained lawyers to draw comparative and practical lessons and otherwise to enrich these students upon their return home. Course is normally taught in the fall term. Enrollment is limited to international, non-U.S.-law-trained graduate students.

Perspectives of the American Legal System (7293)

Two hours. This course is required for and designed to provide international graduate students with an introduction to the U.S. legal system. The primary emphasis of the course is to examine the nature of the U.S. judicial system, the common law system of case law development, and trial and appellate processes. The interrelationship of law and U.S. society is explored. The course further attempts to develop basic U.S. legal writing, research, and exam-taking skills. The course is taught in the fall term. Enrollment is limited to international, non-U.S.-law-trained graduate students. All international, non-U.S.-law-trained graduate students must take at least the first one-credit-hour component of this course.

****Perspectives of U.S. Taxation of Foreign Investments (6297)**

Two hours. A survey of U.S. taxation implications of selected aspects of "inbound" international transactions (including importation, licensing, and direct investment). A prior background in taxation, although helpful, is not a prerequisite for this course. This course is normally taught in the spring term. Enrollment is limited to international, non-U.S.-law-trained graduate students.

Privacy Law (8298)

Two hours. The course traces the origins of the right to information privacy in American law, through Constitutional law, tort law, and modern statutory law. Case studies of landmark privacy legislation illustrate how expectations of privacy are translated into legal frameworks. The course looks at recent controversies involving the protection of financial and health care information, workplace monitoring and direct marketing. The course also considers the impact of the European privacy directive, the growth of the Internet, and the availability of cryptography on the future of privacy law in the United States.

Private Litigation Problems in Antitrust (8280)

Two hours. This course will take up issues common to most private antitrust litigation. It will include an examination of substantive antitrust standards, as well as procedural complexities and the practicalities of assembling evidence sufficient to sustain or defeat antitrust claims.

Problems of Proof (6386)

Three hours. This is an edited writing seminar focusing on Evidence. The prerequisites are completion of first-year courses and Evidence. The first five or six classes review recent scholarship in Evidence, as well as provide a legal research refresher. There is a break for student research and writing, with a meeting as a group every two weeks for status reports, with individual conferences in between. Twice-weekly meetings resume at the end of the term for seminar members to present papers. The final paper is due the first day of final examinations. The paper is standard length for an edited writing seminar, around 35 to 40 pages. Topics include both practical and theoretical questions and can be about evidence theory or application of particular

evidence law, and can be national, international, or state in scope. While there are suggested topics, students are welcome to research and propose topics.

Products Liability (6279, 6379)

Two or three hours. Study of the development of the concept of recovery for injuries caused by products; survey of civil actions for harm resulting from defective and dangerous products; study of problems associated with hazard identification and the process of evaluation of risk; government regulation on dangerous and defective products; and current and pending legislation dealing with injuries and remedies in specific areas.

Psychiatric and Psychological Evidence (8382)

Three hours. This limited enrollment class is team taught by Professor Daniel Shuman and Dr. Randall Price, a forensic psychologist. The purpose of the class is to gain experience in presenting and challenging psychiatric and psychological expert testimony in judicial proceedings. It is a limited enrollment class designed to accommodate 10 law students and 10 graduate psychology students or psychiatry residents. The law students and psychology students or psychiatry residents are paired in teams to prepare for and participate in a mini-trial during the last portion of the class.

Real Estate Transactions (7326)

Three hours. Transfer, finance, and development of real property; the real estate sales contract; the duties and remedies of sellers, purchasers, and brokers; conveyancing; title protection, including recording laws, the mechanics of title search, clearing titles, and title insurance; real estate finance, including mortgages and federal programs; condominiums, cooperatives, and shopping centers. Some emphasis on Texas law.

Regulation of Electronic Media (8361)

Three hours. This course examines federal regulation of electronic media including radio, television, cable, broadcast satellites, and computer networks. It focuses on FCC and congressional regulation as well as constitutional issues. The course considers issues of licensing, content regulation, access, fairness, structure and concentration, diversity, alternative regulatory systems, and the challenges of new technology. (Edited Writing Seminar.)

Regulation of Hazardous Substances (7270)

Two hours. Issues relating to regulation of the use and disposal of hazardous substances. The course deals largely with federal regulation of the disposal of hazardous wastes under the Resource Conservation and Recovery Act and the remediation of hazardous substances under the Comprehensive Environmental Response Compensation and Liability Act. This includes analysis of the impact of these statutes on business decisions relating to property transactions, corporate structure, bankruptcy and insurance. The course also addresses basic science/policy issues relating to the control of substances with uncertain effects on human health and the environment.

Regulation of Securities and Commodities Markets (6288)

Two hours. A study of the securities laws as they relate to the securities industry itself. Attention will focus on the roles of broker-dealers, investment advisers, and stock exchanges within the scheme of self-regulation under federal law, and on activities of underwriters and specialists. Problems addressed will include broker-

dealer duties and liabilities to customers, market manipulation, price stabilization, margin regulations, and competition in the industry. (Paper or examination.)

Prerequisite: Business Enterprise.

Religion, Law and Society (7379)

Three hours. Law often reflects the religious beliefs of the society in which it develops. The content of law, concepts of legal and political authority, and ideas about personal responsibility frequently derive from religious sources. Over time, however, law also tends to separate church from state and rights of citizenship from religious affiliation. Modern Western states have evolved in the direction of a tolerant, diverse religious pluralism. The question thus arises whether religious ideas have any role in making and applying law today. Is it morally appropriate or legally permissible to use religious ideas and arguments in determining how to apply the law or in deciding what the law should be? What kind of public influence do religious traditions seek? What opportunities and constraints does constitutional government provide for their participation? This course will consider a variety of religious thinkers, legal scholars, and political theorists with a view to enabling students to form their own critical judgments about the use of religious ideas and themes on public life.

Sale of Goods Transactions (6289, 6389)

Two or three hours. An introductory survey of the law of sales under the Uniform Commercial Code: particular emphasis on Article 2; contract formation; parole evidence rule; statute of frauds; risk of loss; receipt and inspection; acceptance, revocation; warranties; remedies of buyer and seller; remedy disclaimers and limitations; documentary transactions; consumer protection.

Secured Transactions (7325)

Three hours. An introductory survey of the law governing security interests in personal property, with particular emphasis on Article 9 of the Uniform Commercial Code and the Bankruptcy Code.

Securities Litigation and Enforcement (7276, 7376)

Two or three hours. A comprehensive study of public and private actions under the Securities Act of 1933, the Securities Exchange Act of 1934, and the Investment Advisors Act of 1940. Special attention will be paid to the implication of causes of action, the elements of each cause, vicarious liability, the liability of attorneys, accountants, and directors, the peculiarities of civil procedure as applied to securities litigation and damages. The course will also study non-damage actions, including SEC enforcement proceedings, criminal actions, contempt proceedings, and state actions. (Papers required.)

Prerequisite: Business Enterprise.

Securities Regulation (7375)

Three hours. A study of the securities laws (primarily federal but also state, especially Texas) and of the activities and industry they govern. The principal emphasis is on the regulation of issuance, sale, resale, and purchase of securities, and on the disclosure requirements generated by the registration, reporting, proxy, tender, and antifraud provisions. Other important subjects are civil liability (express and implied), government enforcement, exemptions from registration (especially private placements), insider trading, and the meaning of "security." Also treated are the functions of the SEC and of state securities administrators. Broker-dealer and market regulation may be covered if time permits.

Prerequisite: Business Enterprise (may be taken concurrently).

Selected Problems in Antitrust Law (7383)

Three hours. Seminar in antitrust law that will consider topics not covered or not emphasized in the basic antitrust course. Content may vary but could include private antitrust enforcement, patent law and antitrust, antitrust exemptions and immunities, and extraterritoriality and foreign antitrust law.

Prerequisites: Antitrust Law or permission of instructor.

***Selected Problems in Professional Responsibility (8253, 8353)**

Two or three hours. This seminar is designed to go beyond the content of the code of professional responsibility for lawyers. In so doing, it offers a variety of studies pertinent to a broad understanding of the lawyer and legal organizations in U.S. society. These may include, illustratively, a critical history and sociology of the legal profession relying on recent studies and empirical research. An alternative focus could be on the law of malpractice for lawyers, with attention both to the bringing and defense of such suits as well as to surveys of insurance trends and the interaction of malpractice with the discipline system for lawyers. The content varies from year to year. The course includes a major writing component.

Sentencing and the Death Penalty (7354)

Three hours. An examination of the role of sentencing in the criminal justice system, contrasting sentencing models and ranges of authority. Includes study of alternatives to incarceration in light of criminal justice philosophies, scarce resources, and political support. Exploration of the decision-making process, the use of sentencing guidelines, and *habeas corpus*. Also includes examination of the death penalty from historical and contemporary perspectives, justifications for it, evolution of constitutional standards for its imposition, review of empirical data on deterrent effect and demographic distribution of death sentences, modes of execution, access to review of sentences, and state-federal relations.

SMU Law Review Association (6100, 6200, 6300)

Maximum credit, five hours. Preparation of comments on topics of current interest, notes on cases of significance, and editorial work incident to publication of the *SMU Law Review* and the *Journal of Air Law and Commerce*. Students must be selected for participation before they may enroll. Available to J.D. students only.

Software Licensing Enforcement (7274)

Two hours. The development of software is, by its nature, one of the most difficult and time-consuming endeavors in today's high technology industry. U.S. companies spend hundreds of billions of dollars annually on software, and the legal concepts governing the creation, transfer, licensing, protection, and perfection of intellectual property rights embodied in software are in a constant state of flux. The emergence of recent legal decisions and statutory provisions, as well as the further development of technology and its communication and distribution, has made understanding the issues of software and multimedia licensing an integral part of the knowledge necessary to participate in today's increasingly complex legal climate. This course presents a brief historical perspective on the development of software and the legal concepts to protect it, and then addresses in detail a variety of emerging issues regarding the licensing of software and multimedia rights in the Information Age. The course analyzes policies supporting the protection and transfer of rights in software, and provides a practical application of the legal concepts and issues introduced through court opinions, statutes, pending legislation, government regulations, and scholarly articles. Students taking the course do not need a technical background or specific knowledge or experience in software development.

Sports Law (7273)

Two hours. A study of the legal and business structure of professional and amateur sports, including an overview of the development of the professional sports industry, an examination of the basic agreements controlling professional sports, representation of professional athletes, the role of labor unions in professional sports, sports league governance and decision-making, sports media issues, and amateur athletic associations. Consideration is given to the various constituencies within professional and amateur sports, the extent to which they have different interests, and the legal framework within which they seek to advance those interests.

***State and Local Taxation (6293)**

Two hours. Selected problems in state and local taxation of individuals and corporations with particular reference to property, sales, and income taxes. Problems of constitutional authority, intergovernmental conflict and cooperation, economic impact, and administrative review processes.

****State Constitutional Law (6215)**

Two hours. An examination of selected provisions of the constitutions of all fifty states. Primary areas of inquiry will include civil rights and civil liberties, separation of powers, public finance, and local governments, as well as a critical examination of the "new judicial federalism."

Structured Finance (8207)

Two hours. Structured Finance is the design of financing solutions so as to resolve particular issuer or investor problems that cannot be solved by conventional methods. This course will be taught through lecture, class discussion, guest speakers, and group work on case studies. It will focus on identifying situations that call for nonstandard corporate finance solutions, the design and pricing of these financing instruments, the legal and regulatory issues involved with such instruments, and legal counsel's responsibility in understanding and addressing the ramifications of such issues. This course is a survey course, designed to cover a broad array of structures and structured finance products. The emphasis will be on the more commonly securitized assets and the more commonly utilized structures. The course will not require any significant quantitative analysis, but will instead focus on the legal and regulatory aspects of the structured offerings. While accounting and tax issues will be addressed, they will be covered from a legal perspective; no prior accounting experience is required for this course. The course material will touch on many areas of law, but there are no specific prerequisites for this course.

Tax Accounting (7227, 6393)

Two or three hours. Timing of income and deductions for federal income tax purposes, including accounting periods, the cash receipts and disbursements and accrual methods, installment sales, interest income and deductions, time value of money provisions, depreciation, and recapture.

Prerequisite: Income Taxation. Required for LL.M. (Taxation) candidates.

Tax Practice and Professional Responsibility (7294)

Two hours. Incorporates federal tax research and writing, as well as the parameters of professional responsibility in the context of the three main aspects of federal tax practice: planning, reporting, and representation in controversies.

Prerequisites: Corporate Taxation and Professional Responsibility. Limited J.D. enrollment. Required for LL.M. (Taxation) candidates.

Taxation and Fiscal Policy (7284)

Two hours. The interaction between budgetary demands and revenue policy; equity and fairness of taxation; effect of taxation on business activity; social, political, and economic implications of the tax structure.

Prerequisites: Income Taxation and Corporate Taxation. Required for LL.M. (Taxation) candidates.

Taxation of Deferred Compensation (7290)

Two hours. Income, estate, and gift tax law relating to various deferred compensation plans, including profit-sharing, stock bonus, and pension plans; qualified and non-qualified stock options; deferred compensation contract; and restricted property. Corporate, securities, labor, and community property law are considered where appropriate.

Prerequisites: Income Taxation and Corporate Taxation.

Taxation of Professional and Closely Held Corporations (7271)

Two hours. Organization, operation, and termination of a professional or other closely held corporation; income tax and estate planning considerations of employee compensation programs including health and medical plans, qualified retirement plans, and other employee benefits; income and estate tax planning for departure of a principal, including buy-sell agreements; comparison of Subchapter C and Subchapter S corporations and unincorporated forms of business.

Prerequisites: Business Enterprise, Income Taxation, and Corporate Taxation.

Taxation of Property Dispositions (7291)

Two hours. A survey of property transaction taxation including realization events, amount realized, basis rules, nonrecognition exchanges, losses, characterization rules, debt and security transactions, and mortgaged property transactions.

Prerequisite: Income Taxation.

Telecommunications Law and Policy (8256)

Two hours. This course surveys the law concerning major components of the communications infrastructure, including wireline and wireless telephony, radio and television broadcast, cable television and the Internet. Readings will provide examples of the regulation of market entry, rates, access, competition and content in the communications industry.

Texas Criminal Procedure (7239, 7339)

Two or three hours. A study of the Texas Code of Criminal Procedure and its implementation in the Texas courts from the point of arrest through the appellate stage of the proceedings.

Texas Matrimonial Property (6395)

Three hours. The Texas law of marital property; its characterization as separate or community property; its management and liability; and its division on dissolution of marriage by annulment, divorce, or death of a spouse with special attention to the family home and other exempt property.

Texas Pretrial Procedure (7385)

Three hours. Texas civil procedure prior to trial, including establishing the attorney-client relationship; the pre-litigation aspects of civil controversies; jurisdiction; service of process; pleading; joinder of parties and claims; venue; *res judicata* and related principles; discovery; summary judgment practice; and settlement.

Texas Trial and Appellate Procedure (7386)

Three hours. Texas civil procedure from the commencement of trial through appeal, including selection of the jury, presentation of the case, motions for instructed verdict, preparation of the jury charge, motions for judgment notwithstanding the verdict and for new trial, rendition of judgment, and perfection and prosecution of civil appeals through the courts of appeals and supreme court.

Trademark and Business Torts (6397)

Three hours. An examination of common law and statutory remedies for a variety of trade practices denominated "unfair," including misappropriation, the right of publicity, and trade secret protection; trademarks; copyrights; deceptive advertising; and issues of federal preemption. The course will also examine the role of the Federal Trade Commission with respect to unfair and deceptive practices, with emphasis on its regulation of advertising.

Trial Advocacy (7496)

Four hours. Enrollment is limited. An intensive course in trial tactics, techniques, and advocacy, emphasizing the practice of the separate components of a trial: direct examination, objections, cross-examination, use of rehabilitative devices, examination of expert witness, jury selection, opening statements, and closing argument. At the end of the term each student acts as co-counsel in a full trial. Video tape recording is used for critiquing student performance throughout the term.

Prerequisites: Civil Procedure and Evidence.

*** Unincorporated Business Associations (9292)**

Two hours. This course focuses on business forms other than the corporation. As the foundation for the law of business organizations, agency and general partnership law receives primary emphasis. The course also provides an introduction to other small business forms, such as limited partnerships, limited liability companies, and limited liability partnerships. Important issues covered include formation of the relationship, importance of the agreement, liability of the participants, fiduciary duties, and the search for and evolution of the "incorporated partnership."

*** U.S. Supreme Court Seminar (7317)**

Three hours. The course focuses on U.S. Supreme Court opinions from recent terms. Topics may include the protection of individual liberties from governmental interference, First Amendment freedoms, discrimination, privacy and other issues.

White Collar Crime (7205, 7305)

Two or three hours. This is an advanced criminal law course that covers the substantive law of federal white collar crime including conspiracy, mail fraud, RICO, public corruption, money laundering, financial institution fraud, tax fraud, and environmental crime. The course will also address issues of corporate and executive criminal liability and parallel civil/criminal proceedings.

Wills and Trusts (6495)

Four hours. Functional examination of state and interstate succession; execution and revocation of wills; testamentary capacity, undue influence, mistake, and fraud; failure of devises and legacies; creation of express trusts; resulting and constructive trusts; spendthrift trusts; charitable trusts; rights, duties, and powers of settlers, trustees, and beneficiaries of trusts; liabilities of trustees to third persons; termination of trusts; class gifts; powers of appointment; rule against perpetuities; administration of estates and trusts; principal dispositive instruments employed in the wealth transfer process; role of taxation; and drafting of instruments.

****Women and the Law (7261, 7361)**

Two or three hours. A study of legal issues that particularly affect women and how the law, in its choices regarding these issues, has helped to form women's position in American society.

D. COURSES OUTSIDE LAW SCHOOL

Graduate-level courses in other graduate or professional schools of the University that are relevant to the student's program may be taken with approval of the Associate Dean for Student Affairs, who shall also determine the law school credit equivalents to be awarded for such study. For information, see the Registrar's Office.

E. COURSES AT OTHER LAW SCHOOLS

For transfer from other law schools, see Section III B 1, Persons Eligible. After entry in this law school, summer courses in other law schools may be taken for transfer of credits with prior approval of the Associate Dean for Student Affairs. Transfer credits may be earned in regular terms only in extraordinary circumstances of demonstrated special need. See Section III G 5, Credit for Work Completed at Other Schools. For information, see the Registrar's Office.

VIII. Student Code of Professional Responsibility

PREAMBLE

The law is a learned profession that demands from its members standards of honesty and integrity that are far higher than those imposed on society as a whole. A dishonest attorney is a menace to the profession and to society. Because there is no reason to believe that dishonest students will become honest attorneys, insistence on the highest ethical standards must begin in Law School. This Student Code of Professional Responsibility is dedicated to that end.

The Code is designed to assure that each student can be evaluated on his or her own merits, free from the unfairness of competing with students who attempt to enhance their own efforts unfairly. This Code describes the obligations of students, faculty, and administrators; the composition and jurisdiction of the Honor Council; and the procedures to be followed in determining whether a student has violated the Code and the sanctions that may be imposed. Although law students are subject to this Student Code of Professional Responsibility, as students of Southern Methodist University they are also subject to the University Student Code of Conduct to the extent that the latter is not inconsistent with this Code. (See the University publication *SMU Policies for Community Life*.)

Although the failure to report one's own act or the act of another student that may constitute a violation of this Code is not itself a violation of this Code, it is the sense of the Law School community that a student should report conduct that he or she reasonably suspects does constitute a violation.

Section I. Definitions

A. Associate Dean – the Associate Dean for Student Affairs, or that person to whom the Dean has delegated the functions of that office.

B. Chair – that faculty member serving as the Chair of the Honor Council. (See **Section II. A. 3**.)

C. Code – the Dedman School of Law at Southern Methodist University Student Code of Professional Responsibility.

D. Complaint – the formal charging document submitted to the Council by the Investigating Committee when it finds probable cause to bring a reported violation to a hearing. (See **Section VIII. F**.)

E. Council – the Honor Council. (See **Section II**.)

F. Days – calendar days.

G. Dean – the Dean of the School of Law.

H. Defense Counsel – the individual who, either by the accused student's selection or by appointment, shall represent the accused student during an investigation, hearing, or appeal. (See **Section IX. A**.)

I. Instructor – any person, regardless of rank or title, who teaches law students at the Law School.

J. Investigating Committee – the committee appointed by the Dean to investigate possible violations of the Code. (See **Section VIII. 13** and **F**.)

K. Knowingly – A person acts knowingly, or with knowledge, with respect to the nature of his or her conduct or to the circumstances surrounding such conduct when he or she is aware of the nature of such conduct or that such circumstances exist. A person also acts knowingly, or with knowledge, with respect to a result of his or her conduct when that person is aware that the conduct is reasonably certain to cause that result.

L. Law School – the Dedman School of Law at Southern Methodist University.

M. Negligence – A person acts negligently with respect to circumstances surrounding his or her conduct or the result of that conduct when he or she ought to be aware of a substantial and unjustifiable risk that the circumstances exist or the result will occur.

N. Purposefully – A person acts purposefully, or with purpose with respect to an act or to a result, when it is his or her intention, conscious object, or desire to engage in the act or to cause the result.

O. Recklessly – A person acts recklessly, or is reckless, with respect to circumstances surrounding his or her conduct or the result of that conduct when he or she is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or the result will occur.

P. Report of an Alleged Violation – a report to the Associate Dean of a possible violation of the Code. (See **Section VII**.)

Q. School Prosecutor – the member of the Investigating Committee chosen by that committee to prosecute the accused student at the hearing and any possible appeal. (See **Sections VIII. F** and **IX. E**.)

R. Student – any person who is, or has been, enrolled at the Southern Methodist University School of Law.

S. Transactional Immunity – immunity which bars prosecution under this Code of the immunized person for any activity mentioned in the immunized testimony.

T. Use Immunity – immunity that bars the admission of the immunized testimony, and any evidence derived therefrom, and the same from being used against the immunized person, at any hearing before the Honor Council.

Section II. The Honor Council

A. The Honor Council shall consist of six members.

1. Three of the members shall be students. Under rules promulgated by the Student Bar Association, the student body shall elect the three student members and one alternate at the time the Student Bar Association representatives are elected. Student members shall serve one-year terms. If for any reason a student member cannot complete his or her term, attend a particular hearing, or vote on a particular question (for example, whether to decline jurisdiction over a matter), the alternate shall complete such term, attend the hearing, or vote, as the circumstances may require.

2. Three of the members shall be law faculty members appointed by the Dean of the Law School with the advice of the Faculty Executive Committee. The Dean also shall appoint an alternate faculty member. The Dean shall not appoint an associate dean or him- or herself to the Council. Faculty members shall serve three-year staggered terms, so that no two faculty members will have the same number of years remaining in their terms of appointment. If for any reason a faculty member cannot complete his or her term, attend a particular hearing, or vote on a particular question (for example, whether to decline jurisdiction over a matter), the alternate shall complete the unexpired term, attend the hearing, or vote, as the circumstances require.

3. The faculty member who is serving in the last year of his or her term on the Council shall be the Chair. The Chair's term shall be for one year. If, at any time, the Chair is unavailable to perform Chair duties, the faculty member on the Council with the next longest tenure shall act as the Chair.

B. The Council shall have jurisdiction over any conduct by a student, which is prohibited by this Code. A student's conduct is not subject to this Code unless it

has occurred while the student is enrolled at or was seeking admission to the Law School. For good cause, the Council may decline or postpone asserting jurisdiction over the conduct of a student. For example, any of the following may constitute good cause for declining or postponing jurisdiction: (1) the fact that such conduct is being, or has been handled by federal, state, or local authorities; (2) the conduct is only a *de minimis* violation of this Code; (3) the conduct in question is not sufficiently related to Law School matters; or, (4) assuming the allegation to be true, the conduct does not evidence a lack of honesty, integrity, or trustworthiness on the part of the student.

Section III. Limitations

The Council may not exercise jurisdiction over student conduct unless a complaint is filed within one year of graduation, withdrawal, or dismissal of the student from the Law School; however, this limitation shall not apply to conduct involving either serious academic misconduct, such as plagiarism or cheating, or serious misrepresentation with respect to the student's application for enrollment in the Law School.

Section IV. Standards of Conduct

A. Prohibited Conduct: Generally

The following student conduct shall constitute a violation of the Code:

1. Any conduct pertaining to academic or other University matters that evidences fraud, deceit, dishonesty, or an intent to obtain unfair advantage over other students, or that interferes unreasonably with the rights of other students, and
2. Any conduct that violates University regulations not inconsistent with this Code, and
3. Any criminal act that raises serious doubts about the accused student's honesty, integrity, or fitness to practice law.

B. Prohibited Conduct: Nonexclusive Examples

To assist students in understanding their responsibilities under the Code, the following is a nonexclusive list of examples of conduct pertaining to academic or other University matters that violate this Code:

1. A student shall not commit plagiarism. Plagiarism is appropriating another's words, ideas, or modes of analysis and representing them in writing as one's own. Whenever a student submits written work as his or her own, the student shall not use the words of another verbatim without presenting them as quoted material and citing the source. If the words of another are paraphrased, there must be a clear attribution of the source. If the student uses another's ideas, concepts, or modes of analysis, there must be a clear accompanying attribution of the source.
2. A student shall not invade the security maintained for the preparation and storage of examinations. If a student learns that the security maintained for the preparation and storage of examinations has been compromised, he or she shall notify the instructor immediately.
3. A student shall not take an examination for another, nor permit another to take an examination for him or her.
4. While taking an examination, a student shall neither possess nor refer to any material (such as books, notebooks, outlines, papers, or notes) not authorized by the instructor for use during the examination.

5. A student shall follow all instructions concerning the administration of examinations.
6. In connection with an examination or an academic assignment, a student shall neither give, receive, nor obtain information or help in any form not authorized by the instructor or the person administering the examination or assignment.
7. A student who is taking or has taken an examination shall not discuss any part of that examination with another student who is taking the examination or will be taking a deferred examination, or with anyone else when such discussion is likely to endanger the security of the examination questions.
8. While taking an examination, a student shall neither converse nor communicate with any person, other than the person(s) administering the examination, except as permitted by the administrator(s) of the examination.
9. A student shall not submit to any instructor or Law School organization any written work (or part thereof) prepared, submitted, or used by him or her for any other purpose (such as, by way of example, work prepared for or submitted in another course, or work prepared for a law journal, clinic, law firm, government agency, or other organization), or prepared by another, except upon specific disclosure of the facts and receipt of permission from the instructor or organization to whom the work is submitted.
10. A student shall not take or copy material (such as personal items, books, notebooks, outlines, papers, or notes) belonging to another student without the consent of the latter.
11. A student shall not make a false statement to a Law School instructor, administrator, or organization, or to the Honor Council or an Investigating Committee.
12. A person shall not refuse to cooperate with the Honor Council or an Investigating Committee constituted under this Code, except that a student who is being investigated or who is charged shall not be obliged to provide oral or written testimony without a grant of use or transactional immunity.
13. Unless authorized by this Code or required by law or court order, no member of the Law School faculty, administration, Honor Council, or an Investigating Committee shall disclose information concerning the identity of the accused, the accuser, or witnesses without the express permission of the Council or Committee. Students who are questioned by a member of the faculty, administration, Honor Council, or Investigating Committee about a suspected Code violation by another student shall not disclose to anyone else information concerning the identity of the accused, the accuser, or witnesses learned during the questioning without the express permission of the Council or Committee.
14. With respect to the Law School Library or other University Library, a student shall not: (a) mark, tear, mutilate, or destroy library material; (b) hide, misshelve, or misfile library material; (c) remove library material from the library without complying with library regulations; or (d) otherwise fail to comply with library regulations.
15. A student violates this Code by conspiring, soliciting, attempting, or agreeing to commit, assist, or facilitate the commission of any violation of this Code.
16. A student shall comply with any requirement imposed upon him or her by the Honor Council as a sanction under this Code.

17. A student shall not engage in any act that materially disrupts a class, meeting, or other function of the Law School so as to interfere unreasonably with the rights of other students in the pursuit of their education.
18. Purposefully engaging in racial, ethnic, religious, or sexual harassment of a student interferes with the rights of that student; accordingly, such conduct violates this Code.
19. A student shall not knowingly make a false allegation of a violation of this Code.
20. A student shall not utilize computer information systems for non-Law School related activities (such as employment outside of Law School) without authorization or for assignments, projects, or course work where use of such systems is prohibited.

C. Before a student may be found to have violated this Code, there must be clear and convincing evidence that the accused committed the act or acts constituting the violation and that the accused did so purposefully, knowingly, recklessly, or negligently.

D. Extenuating circumstances or good motives (such as, by way of example, pressure from school or outside work, family obligations, or to help a friend) are no defense to a violation of the Code but may be relevant to the determination of sanction.

E. It is not a defense to charges of violating this Code for a student to claim he or she has not received, read, or understood this Code, or is otherwise ignorant of its provisions. A student is held to have notice of this Code by enrolling in Law School. (See **Section II. C, 4**.) A copy of the Code will be distributed to each entering first-year student, placed on file in the Law School Library, and made available from the Law School's Office of Academic Services.

Section V. Sanctions

A. Sanctions for violations of this Code may include but are not limited to one or more of the following:

1. public or private admonition, warning, reprimand, or censure;
2. counseling;
3. additional academic work;
4. a requirement that a student take extra credit hours;
5. public or University service;
6. suspension or loss of specific Law School benefits, privileges, memberships, and/or honors, including financial aid and scholarships;
7. fines;
8. compensation for or replacement of any damaged or destroyed property;
9. recording of findings in the student's Law School file for any length of time;
10. probation, with or without conditions;
11. suspension for a period not longer than two (2) years;
12. expulsion;
13. recommendation of a lowered grade;
14. recommendation to the Board of Trustees that an awarded degree be withdrawn; or
15. request to the Dean that he or she take other appropriate action.

B. The Honor Council has no authority to determine or change a student's grade based upon the student's conduct in connection with a course or other graded academic activity.
C. Notwithstanding the provisions of this Section, any official student organization may suspend, expel (with or without retroactive effect), or terminate any membership or honors accorded a member found to have violated this Code.

Section VI. Responsibilities of Faculty and Administration

A. By the second meeting of a course, each instructor shall identify with precision the materials (if any) that the students may use during the instructor's examination, and shall describe the condition (for example, annotated or unannotated) in which those materials may be used; provided, however, that if an instructor does not identify the materials usable during the final examination and their condition, students must assume that the examination in that course is "closed book," that is, that no materials will be permitted to be used by students during the final examination. In order to eliminate ambiguity or uncertainty, the instructor shall answer any student question concerning those materials and shall communicate that same information to all students in the course.
B. Each instructor shall include the instructions described in Paragraph A, above, in the written instructions accompanying the examination.
C. Each instructor shall exercise caution in preparing, administering, and discussing an examination to ensure that no student receives an unfair advantage.
D. Each instructor and member of the Law School staff shall report to the Associate Dean for Student Affairs any student conduct that is reasonably believed to constitute a violation of this Code.
E. It is the responsibility of the Dean, or his or her delegate, to supervise the imposition of any sanction directed by the Council or modified by any appeal.

Section VII. Report of an Alleged Violation

A. If a person wishes to initiate a disciplinary proceeding against a student for violating this Code, the person must report the matter to the Associate Dean for Student Affairs. The report of the suspected Code violation may be either written or oral. Such report may not be made anonymously; however, confidentiality relating to the identity of the accuser shall be maintained, subject to the provisions of Sections VIII. C, E and IX. B, K, L, and M. If the Associate Dean is not available to receive the report, then the suspected violation must be reported to the Associate Dean for Academic Affairs or to the instructor, if any, whose course is affected by the conduct. An anonymous report will not be sufficient to initiate an investigatory or disciplinary proceeding under this Code.
B. If the report of the suspected violation is made orally, the person who initiated the report must submit a brief written report of the facts surrounding the suspected violation to the Associate Dean, who shall in turn deliver the written report to the Chair of the Honor Council or the Investigating Committee, if one has been constituted.
C. The Associate Dean for Student Affairs, upon receiving a report, and after consultation with the Chair of the Council, may determine that no violation of the Code has occurred even if the allegation is assumed to be true.

Section VIII. Investigation of Violations

A. Upon receipt of a report of a suspected Code violation, the Associate Dean for Student Affairs, Associate Dean for Academic Affairs, or instructor shall promptly notify the Chair of the Honor Council of the allegations contained in the report, including the names of the accused student(s) and the person(s) making the

allegation. Upon receiving this report, the Chair shall promptly inform the members of the Council of the substance of the report and the identity of the members of the Law School community allegedly involved in the incident.

B. A meeting to determine whether to decline or postpone asserting jurisdiction shall be held if requested by at least two (2) members of the Council. The Council may not decline or postpone taking jurisdiction of a matter unless at least four (4) members of the Council, and/or their alternates if any members are not available, vote to decline or postpone taking jurisdiction.

C. If the Council elects to decline or postpone asserting jurisdiction, the Council shall submit a written report to the Dean giving its reasons. The Council may publish its decision, but in doing so no information identifying the accused or the accuser shall be revealed. The Council's election not to take jurisdiction of a matter for any reason shall not prevent the Dean from taking whatever administrative action against the student he or she deems appropriate. This report may include a recommendation that the Dean take administrative action against the student or consider the incident when deciding whether to recommend the student for the award of a degree or other purpose. Whenever the Council's report includes a recommendation of action by the Dean against the student, a copy of the report shall be sent to the student.

D. If the Council does not decline or postpone asserting jurisdiction over the matter, the Chair shall promptly notify the Associate Dean for Student Affairs of that fact. Upon receipt of such notice, the Associate Dean for Student Affairs shall promptly notify the accused student of the allegation and that an investigation will begin and shall furnish the student with a copy of this Code. Where a report of a suspected Code violation accusing a currently enrolled student is received by the Council at a time when it appears that the investigation and hearing before the Council, if any, could not be completed at least two weeks before the end of classes, the Chair of the Council may direct the Associate Dean to postpone notification until after the accused student has completed his or her examination.

E. The Associate Dean shall notify the accused student that an investigation is to be initiated and shall also notify the Dean, but such notice to the Dean shall not disclose the identity of the accused, the accuser, or the nature of the alleged violation. The Dean shall promptly appoint an Investigating Committee consisting of two faculty members and one student. The Associate and Assistant Deans and members of the Council shall not be appointed to the Investigating Committee.

F. Duties of the Investigating Committee

1. Except for good cause shown, the Investigating Committee shall complete its investigation of the alleged violation within thirty (30) days of its formation.

2. The Committee shall have the power to question persons having pertinent information, examine any pertinent material, and question an accused student if he or she is willing to speak. If the Committee questions a student whom the Committee reasonably believes has committed a Code violation, it shall advise the student: (a) of his or her right not to speak, (b) that what the student says can be used against the student, (c) that the student has the right to consult an attorney or other representative before answering any questions, and (d) that the student has the right to have that representative present during the questioning. At the request of the Investigating Committee, the Chair of the Honor Council shall have the authority to subpoena law school instructors, staff, and students to appear as witnesses before the Investigating Committee

or the Council, and to grant use or transactional immunity to a witness or to an accused student if he or she is not willing to speak to the Committee.

3. Upon completion of its investigation, the Investigating Committee shall determine whether probable cause exists to believe that a student has violated this Code. A finding of probable cause must be supported by at least two (2) members of the Committee. The Committee shall promptly report its determination, whether affirmative or negative, to the Chair of the Honor Council, to the accused student, and to the person(s) who reported the alleged violation of the Code. A complaint issued by the Committee shall be sent to the Chair of the Honor Council.
4. If the Investigating Committee determines that a complaint shall be filed, the Committee shall also give to the accused student the following information in writing:
   a. A copy of the complaint, which shall be a plain, concise, and definite written statement of the essential facts of the violation(s) charged, citing the specific pro-vision(s) of this Code that the accused student is alleged to have violated;
   b. The identity of known witnesses, a general description of what each is expected to testify about, their written statements, if any, and either copies or a description of any physical evidence that may be used at the hearing; all written reports concerning the alleged violation, if any, submitted to the Associate Dean for Student Affairs or other member of the staff, faculty, or administration;
   d. The names of the Honor Council members;
   e. A statement that the student may be assisted by an attorney or other advisor of the student's choice (See **Section IX. A.**);
   f. A statement that the student has a right to review any information gathered by the Investigating Committee during the investigation, other than the work product of the Investigating Committee.
5. The Investigating Committee shall not enter into any agreement with the accused student whereby the Committee agrees not to bring before the Honor Council any violations for which probable cause has been found, or which commits the Honor Council to any finding or sanction. The Committee must present all such violations to the Council for a hearing by filing a complaint as provided by this Code. The accused may admit guilt by testifying on the record before the Council that he or she committed the alleged act(s), and by waiving a hearing before the Council on the question of guilt. Upon receiving such an admission of guilt, the Council shall proceed by hearing to determine the appropriate sanction.
6. The Investigating Committee shall appoint one of its members to act as School Prosecutor in presenting the evidence against the accused student during the hearing and any appeal.
7. Notwithstanding that the Investigating Committee has issued a complaint, it shall be the duty of the School Prosecutor to continue to gather other evidence relevant to the determination of guilt or innocence of the accused and to present it to the Council at the hearing on the complaint. Any such evidence shall be disclosed to the accused student as soon as possible after it has been obtained.

Section IX. Hearing

A. Upon receiving a complaint from the Investigating Committee, the Chair of the Council shall convene a hearing before the Honor Council. Before and during the hearing, and through any appeals within the University, the accused student shall be entitled to representation by or assistance from a retained attorney or anyone else of the student's choice who agrees to represent or assist the student. If the student wishes to be represented by an attorney and is able to demonstrate to the satisfaction of the Associate Dean for Student Affairs that he or she is financially unable to retain an attorney, the Associate Dean shall arrange for a law faculty member or other attorney to represent the student without cost. It is the sense of the Law School community that the law faculty should provide *pro bono* representation to such accused students.

B. The hearing shall be attended by the Council, School Prosecutor, the remaining members of the Investigating Committee (if they so desire), the accused student, and the student's representative, if any. Witnesses may also attend unless exclusion is requested by any party. This section is subject to the following provisions:

   1. The Council may proceed with no fewer than two faculty and two student members present.
   2. No later than one day before the hearing, the accused student may request that the Chair allow other persons to attend; if the Chair grants that request, the Chair may also open the hearing to persons other than those requested by the accused student.
   3. A request to open the hearing shall not preclude the Council, by majority vote of those present, from closing the hearing during the testimony of any witness who may be extraordinarily embarrassed by public testimony.

C. The Chair shall rule on all motions and objections and may be overruled only by a majority of the Council present.

D. The Council may consider only evidence made part of the record at the hearing. It shall not be bound by rules of evidence. All relevant evidence shall be admissible if it is not manifestly unreliable. Hearsay evidence may be admissible, but it shall be accorded only such weight, as it is entitled under the circumstances. Proof of conviction of a crime shall be *prima facie* evidence that the person committed the offense of which he or she was convicted and of any facts necessary for that finding of guilt. The Council, by majority vote, may grant use or transactional immunity to any witness. The Council may subpoena any Law School instructor, staff, or student to appear as a witness.

E. Normally, the Council shall hear evidence regarding the question of guilt before hearing evidence regarding sanctions. The School Prosecutor shall initiate the presentation of evidence. The accused student (or his or her Defense Counsel) may then offer evidence relevant to the charge(s). After the presentation of evidence regarding guilt, the Council shall meet *in camera* to decide the question of guilt. Upon reaching a decision, it shall reconvene before the parties and announce its decision. If it finds the accused guilty, it shall then give the parties the opportunity to present evidence, if any, relevant to sanctions. At that time, the student shall have the option either to proceed first or to follow the Prosecutor. The Prosecutor shall present all aggravating and mitigating evidence in his or her possession and may recommend particular sanctions. After hearing this evidence, the Counsel shall again meet *in camera* to decide the question of sanctions. Upon reaching a decision, the Council shall reconvene before the parties and impose sanctions, if any.

F. The Council, the School Prosecutor, and the student (or his or her Defense Counsel) may question any witness. However, the accused student shall not be required to testify, and no adverse inferences shall be drawn from the accused student's decision not to testify.
G. The School Prosecutor and the accused student (or Defense Counsel) may make opening and concluding statements. However, an accused student who has chosen not to testify may not make a statement to the Council unless the student allows questions from Council members and the School Prosecutor.
H. The hearing shall be recorded by means of stenographic, or audio or video tape recording.
I. The Council may not find the accused student guilty of any Code violation not charged in the complaint. After the hearing begins, the complaint may be amended over the accused's objection, provided the accused is not thereby prejudiced in his or her defense. A continuance of the hearing may be granted to avoid such prejudice. The School Prosecutor shall bear the burden of proving the alleged violation(s) by clear and convincing evidence. A two-thirds (2/3) vote of the Council members present shall be necessary for a finding of guilt and the imposition of any sanction, except that expulsion or a recommendation that an awarded degree be withdrawn shall each require unanimity.
J. After the hearing is concluded, the Chair or the Council shall prepare a written report detailing the evidence considered, the reasons for its decision, and any sanction(s) imposed. Concurring and dissenting members may prepare reports explaining their positions. Copies of the reports shall be given to the accused and to the Dean.
K. At the conclusion of a case, including an appeal, if any, the Council shall publish the results of its decision (as amended by any appeal). The Council may publish the decision in any way it considers appropriate. Factors it might consider include, by way of examples, the relevancy of publicity as to the sanction or the informational value of the decision to the Law School community. In publicizing its decision, the Council shall not publish the name of any participant, except that in exceptional circumstances the Council may reveal the name of the student found guilty of the violation(s). Beginning with the effective date of this Code, all published decisions shall be maintained on reserve in the library.
L. Regardless of the decision on the merits, the Council shall keep a permanent record of the evidence presented at the hearing, the report(s) and the opinion(s) of the Council, if any, and any other information it decides should be retained. Such record may be referred to later by the Council for whatever purpose it considers relevant, but the Council shall not reveal the names of the accuser or the witnesses. At any time after three years from the conclusion of an appeal, the Council may destroy any record of the matter other than its written report(s) and the opinion(s) of the Dean, if any. When no complaint is filed because the allegation is deemed without merit, the conduct is *de minimis*, or the evidence is deemed insufficient, the Council shall nevertheless keep a record of the allegation, the reason(s) for non-action, the name of the student whose conduct was under investigation, and the names of the accuser and/or the witness(es) for three years, after which time such record shall be destroyed. Subject to paragraph K hereinabove, neither the contents nor the existence of any record referred to in this paragraph may be disclosed except (1) when required by law or order of court, (2) when required by the Dean, or (3) when the concerned student has signed a written waiver of confidentiality.

M. At the end of each Chair's tenure, the Chair shall transfer all case files to the Dean's office, and the Dean shall transfer them to the next Chair. Such transfers shall be made without breach of the confidentiality of the files.

Section X. Appeal of Adjudications of Academic Dishonesty

A. A student who is adjudged guilty by the Honor Council of a violation of this Code concerning a matter of academic dishonesty, an attempt to gain an unfair advantage over other law students, or an unreasonable interference with the rights of other students, may appeal such finding or any sanction imposed to the Dean of the Law School. A student who admits the truth of the complaint may challenge the Council's jurisdiction and the sanction on appeal. Normally, the filing of a notice of appeal shall automatically stay the execution of all sanctions imposed by the Council on the student filing the notice; however, the Dean shall have authority to order that some or all of the sanction(s) be executed during the pendency of the appeal. Notwithstanding any further appeal by the student to the President of the University, all unexecuted sanctions upheld by the Dean shall be executed following the Dean's determination of the appeal.

B. Notice of intent to appeal must be given to the Dean and the Chair of the Council. The notice of appeal shall be in writing and shall contain the reasons for the appeal. Upon receipt of the notice of appeal, the Chair shall transmit its response(s) and the record of the hearing to the Dean.

C. If, following the Council's decision, the student discovers new information relevant to the merits or the sanction, the student may ask the Council to reconsider its decision or may ask the Dean to consider such new information along with the record of the hearing. The Dean may remand to the Council for consideration of the new information. If the student discovers new information after the Dean has decided the appeal, the student may ask the Dean to reconsider his or her decision. If the Dean decides not to change that decision, he or she shall give the reason(s) for not doing so to the student in writing. The student may then appeal the Dean's decision to the President of the University.

D. Normally, the Dean's appellate review will be based on the record of the hearing and any written submissions. However, the Dean may choose to hear oral argument by the student or by the Defense Counsel, and by the School Prosecutor.

E. The Dean may affirm, reverse, remand, or modify the decision of the Council, or the Dean may dismiss the complaint. If the Dean concludes that the decision of the Council is factually correct and that its sanction is appropriate, the Dean shall affirm. The Dean may dismiss the complaint only if he or she concludes that the Council lacked jurisdiction or that its determination was not supported by the greater weight of the evidence. The Dean may reduce the sanction if he or she believes that the sanction is inappropriate but may not increase the sanction. If the matter is remanded, the Council shall reconvene to reconsider the case.

F. The Dean shall prepare an opinion explaining the reasons for the decision. A copy of that opinion shall be given to the student and to the Council, and the Council shall keep a copy as part of its permanent record. Except as to sanctions, the decision of the Dean with respect to the student's guilt or innocence shall be final.

G. After the Dean's decision, the student may ask the President of the University to modify the sanction(s), but not the finding of guilt. The President may consider any information he or she considers pertinent, including the report(s) of the Council and the opinion(s) of the Dean. The President may not increase the sanction.

Section XI. Appeal of Adjudications of Non-Academic Violations

A student who is adjudged guilty by the Honor Counsel of conduct that does not involve academic misconduct, an attempt to gain unfair academic advantage over other law students, or an unreasonable interference with the rights of other students, may appeal the determination of the Council to the University Judicial Council according to the University procedures for the appeal of Level II hearing boards. (See the University publication *SMU Policies for Community Life*.)

Section XII. Notification

Whenever this Code requires notification and does not otherwise specify the manner by which such notification shall be accomplished, the following methods are proper:

A. Verbal notification, either in person or by telephone, with written confirmation sent by regular mail; or
B. Written notification sent by registered or certified mail to the last local address provided to the Law School by the recipient, or if the Law School is not in session, to the last home address provided to the Law School by the recipient.

Section XIII. Timeliness of Proceedings

A. All actions taken pursuant to duties imposed by this Code shall be accomplished in a timely manner. The specific time guidelines are the following:
   1. The Associate Dean for Student Affairs shall bring a report of a suspected Code violation to the attention of the Chair of the Council within four (4) days of receiving it.
   2. The Chair of the Council shall bring the substance of a report of a suspected violation to the attention of the Council within four (4) days of receiving notice from the Associate Dean.
   3. The Honor Council shall determine whether to assert, decline, or postpone taking jurisdiction of a reported matter within seven (7) days of the receipt by the Chair of the reported violation.
   4. The Council's determination to decline or postpone asserting jurisdiction shall be reported to the Dean in writing within fourteen (14) days of the determination.
   5. The Council's determination to assert jurisdiction, if such a determination is made, or the Chair's determination to initiate an investigation of a reported Code violation, shall be reported to the office of the Associate Dean for Student Affairs and to the accused student within four (4) days of the determination.
   6. The Dean of the Law School shall appoint an Investigating Committee within fourteen (14) days of the receipt by the Associate Dean for Student Affairs of a report of a suspected Code violation from the Council Chair.
   7. The Investigating Committee shall reach a determination regarding the reported Code violation within thirty (30) days of its appointment.
   8. The Investigating Committee shall report its determination of whether to file a complaint to the Chair of the Honor Council, to the accused student, and to the person or persons initiating the report of the suspected violation within four (4) days of reaching its determination.
   9. The Investigating Committee shall give to the accused student the information specified in Section VIII. F. 4. a.-f within seven (7) days of the notification to the student that a complaint will issue.

10. The Honor Council shall convene to hear a complaint within twenty-one (21) days of receipt of the complaint by the Chair.
11. The Chair's written report of the Council's determination(s) and its summary of the evidence shall be submitted to the Dean within seven (7) days of the termination of the hearing.
12. A student's written notice of an intent to appeal an Honor Council determination must be received by the Dean's office within seven (7) days of that determination.
13. Except for the notice of appeal, deadlines for written submissions to the Dean from any party relating to a matter on appeal will be set by the Dean.
14. The Dean shall decide the appeal within thirty (30) days of the date the Dean's office receives the notification of an intent to appeal.
15. A student's written appeal of a sanction shall be submitted to the Office of the President of the University within fourteen (14) days of the student's receipt of the Dean's determination.
16. This Code imposes no period of time within which the President of the University must decide an appeal.

B. In computing any period of time prescribed or allowed by this Code, the day of the act or event from which the designated period of time begins to run shall not be included.

C. The accused may waive time periods imposed by this Code on others. Non-cooperation by the accused is a basis for the suspension of time requirements imposed by the Code. The Honor Council, by majority vote, and the Dean shall have the authority to extend time limits imposed upon the accused.

D. Failure by Law School personnel to abide by the time requirements of this Code without the accused's consent may be grounds for dismissal of the complaint or mitigation of sanctions only if a substantial delay has been caused and the accused has suffered prejudice thereby.

Submitted by a joint Student-Faculty Committee.
Approved by Referendum of Students of the School of Law on April 19, 1990.
Adopted by the Faculty of the School of Law on May 15, 1990.

Right to Know

Southern Methodist University is pleased to provide information regarding academic programs, enrollment, financial aid, public safety, athletics, and services for the disabled. The information is available in a conveniently accessible Web site at www.smu.edu/srk. You may also obtain paper copies of this information by contacting the appropriate office listed in the table below. Disclosure of this information is pursuant to requirements of the Higher Education Act and the Campus Security Act.

1. **Academic Programs**
   a. Current degree programs and other educational and training programs.
   b. Instructional, laboratory, and other physical facilities relating to the academic program.
   c. Faculty and other instructional personnel.
   d. Names of associations, agencies, or governmental bodies that accredit, approve, or license the institution and its programs and the procedures by which documents describing that activity may be reviewed.
2. **Enrollment**
   a. Graduation Rates
      The completion or graduation rate of the institution's certificate- or degree-seeking, full-time undergraduate students and students who receive athletically related financial aid.
   b. Privacy of Student Education Records
      The Family Educational Rights and Privacy Act (FERPA) governs Southern Methodist University's maintenance and disclosure of a student's education records. FERPA provides students the right to inspect and review their education records and to seek amendment of those records that they believe to be inaccurate, misleading, or otherwise in violation of their privacy rights. Further, FERPA prevents SMU from disclosing personally identifiable information about a student to outside third parties, except under specific circumstances outlined in SMU's Policy Manual.
   c. Withdrawal
      Requirements and procedures for officially withdrawing from the institution.
3. **Financial Aid**
   a. Financial assistance available to students enrolled in the institution.
   b. Cost of attending the institution, including tuition and fees charged to full-time and part-time students, estimates of costs for necessary books and supplies, estimates of typical charges for room and board, estimates of transportation costs for students, and any additional cost of a program in which a student is enrolled or expresses a specific interest.
   c. Any refund policy with which the institution is required to comply for the return of unearned tuition and fees or other refundable portions of costs paid to the institution.
   d. Terms and conditions under which students receiving Federal Family Education Loan or William D. Ford Federal Direct Loan assistance may obtain deferral of the repayment of the principal and interest of the loan for
      i. Service under the Peace Corps Act;
      ii. Service under the Domestic Volunteer Service Act of 1973; or
      iii. Comparable service as a volunteer for a tax-exempt organization of demonstrated effectiveness in the field of community service.
   e. The requirements for return of Title IV grant or loan assistance.

f. Enrollment status of students participating in SMU study abroad programs, for the purpose of applying for Federal financial aid.

4. Services for Disabled Students

A description of special facilities and services available to disabled students.

5. Athletics

a. Athletic program participation rates and financial aid support.
b. Graduation or completion rates of student athletes.
c. Athletic program operating expenses and revenues.
d. Coaching staffs.

6. Public Safety

Southern Methodist University's Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by SMU, and on public property within, or immediately adjacent to/accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other related matters.

The information listed above is available in a conveniently accessible Web site at www.smu.edu/srk. You may also obtain paper copies of this information by contacting the appropriate office listed in the table below.

Academics
Provost Office
Perkins Administration Building, Room 219, 214-768-3219

Enrollment
Registrar
Blanton Student Services Building, Room 101, 214-768-3417

Financial Aid
Director of Financial Aid
Blanton Student Services Building, Room 212, 214-768-3417

Persons with Disabilities
Dean of Student Life
Hughes-Trigg, Room 302, 214-768-4564

Athletics
Associate Athletic Director for Student Services
109 Loyd Center, 214-768-1650

Public Safety
Director of SMU Police Department
Patterson Hall, 214-768-2486