

College  
of Law  
2015 - 2016



JOHN F. KENNEDY UNIVERSITY

TRANSFORMING LIVES, CHANGING THE WORLD

PLEASANT HILL, CALIFORNIA | JFKU.EDU | (800) 696-5358

# CONTENTS

- Mission Statement ..... 1
- Welcome Letter from the Interim President ..... 2
- Welcome Letter from the Dean ..... 3
- The College ..... 4
- Law Library ..... 4
- JD Academic Program ..... 5
  - Curriculum ..... 8
  - Courses ..... 14
  - Faculty ..... 20
  - Academic Policies ..... 29
  - State Bar Requirements ..... 30
  - Activities and Organizations ..... 30
  - Application and Admissions ..... 32
- Tuition and Fees ..... 34
- Financial Aid ..... 35
- Board of Trustees ..... 38
- University Administration ..... 39
- University General Information ..... 40
- Academic Calendar ..... 41
- Map and Directions ..... 43
- Appendix A: Academic Policies and Procedures ..... 44
- Appendix B: Academic Standards Regulations ..... 51
- Appendix C: Code of Student Conduct ..... 55
- Index ..... 63
- Directory ..... 64

## History

John F. Kennedy University was founded in 1964 as one of the first universities in the country dedicated to helping lifelong learners meet their higher education objectives. The University offers upper division undergraduate and graduate programs for people interested in finishing their baccalaureate or in acquiring advanced degrees, and supports them as they pursue new professional options and strive for greater personal meaning.

## Locations

JFK University maintains three campuses: Pleasant Hill, Berkeley, and San Jose.

Total JFK University Enrollment .....	1,430
Faculty .....	238
Student Age Range.....	23-85

## Accreditations

*John F. Kennedy University College of Law is accredited by The Committee of Bar Examiners of The State Bar of California.*

*John F. Kennedy University is accredited by the Western Association of Schools and Colleges.*

## MISSION STATEMENT

The mission of the College of Law at John F. Kennedy University is to provide a challenging and comprehensive legal education in a supportive learning environment to a nontraditional and diverse community of learners dedicated to the professional, ethical practice of law and the pursuit of social justice.

- Our academic program is intellectually challenging and personally demanding, requiring students to balance their community, employment, and family commitments with their educational goals.
- Our academic program provides students a balanced substantive and practical legal education, focused on building the skills and competencies necessary to gain admission to the practice of law and to meet the rigorous professional demands of law practice in a compassionate and thoughtful manner.
- Our academic program encourages student participation and collaboration, access, and mutual understanding, and employs a variety of teaching methods to promote a more productive learning environment.
- Our students come from varied educational, professional, and cultural backgrounds. Their life experiences contribute to the quality of the educational program and will enhance their ability as practitioners to respond to the human considerations and values at the heart of all legal issues.
- Our students and graduates have a strong interest in community service, in promoting social justice, and in participating in the legal process in creative and productive ways beyond traditional adversarial models.
- Our graduates are highly competent and responsible legal professionals who value their clients; who counsel them toward fair, just, and creative resolutions of their conflicts; and who are aware that the law should not be used as a tool to promote individual greed, unfair results, or abuse of the legal system.



## WELCOME LETTER FROM THE INTERIM PRESIDENT

Transforming Lives, Changing the World. These goals have been attained by thousands of students since the founding of John F. Kennedy University 50 years ago. Named in honor of perhaps the most socially conscious president in United States history, John F. Kennedy University provides those of you embarking on a career in the law a unique opportunity to perpetuate the vision of our 35th president.

The College of Law, offers study in a diverse array of legal topics that will provide you a firm foundation in the law and also sharpen your mind so that you can apply logic and reason to address important issues that may ultimately impact millions of human lives. Our practice-oriented curriculum provides you the opportunity to apply your skills in the service of others through participation in University legal clinics for elders; opportunities for housing advocacy; and working with children, families and the law; and through external internships.

You also will benefit from a JFK University community that is committed to excellence in service to students from application to graduation. The College of Law has recognized for the supportive environment it offers, with distinguished faculty who are dedicated to your success throughout your academic program of study and into your legal career. We invite you to make the most of these relationships and resources that JFK University College of Law has to offer.

Thank you for choosing JFK University College of Law.

Debra Bean

Interim President



## WELCOME LETTER FROM THE DEAN

The College of Law at John F. Kennedy University is an exciting place to launch your legal career. JFK University law school will prepare you to meet your professional goals and forge a successful and rewarding career, whether as a practicing attorney, a business executive, or a community leader. At JFK University College of Law, we are committed to your success from the moment you join us, and that commitment will continue throughout your legal studies and following your graduation as a member of our active alumni.

There are many factors to consider when choosing the right law school for you - the curriculum, the faculty, your fellow students, and the alumni, to name a few. Our innovative curriculum combines substantive courses in law with courses in trial and appellate advocacy, legal research and writing, and clinical programs, including our Legal Clinic for Elders and Housing Advocacy Clinic. Our outstanding full-time core faculty is joined by impressive adjunct faculty who are practicing attorneys, judges, and current and former elected and government officials, all of whom bring a wealth of practical experience and teaching ability to the classroom. The students at JFK University come from a diverse array of backgrounds and experiences which enriches every aspect of life and education at JFK University, and our supportive alumni network mentors JFK University law students and provides internships to train our students to become ethical and socially responsible advocates.

I invite you to explore JFK University College of Law both online and in person, and welcome the opportunity to meet with you and show you all the wonderful things happening here. You can be assured that your educational experience at JFK University College of Law will be transformative, will unlock your potential, and will provide you the opportunity for great personal and professional success.

Dean E. Barbieri

Dean of the College of Law



## THE COLLEGE

John F. Kennedy University College of Law offers on-site programs leading to the Juris Doctor (JD) degree. The program is designed to meet the individual needs of the student in the most supportive environment possible.

Students at the College of Law have a rich diversity of backgrounds and life experiences. Some are recently out of undergraduate studies while others are from professions and occupations. Our students range in age from their early 20s to their 60s.

The College of Law is committed to the highest quality of legal education. Students receive a thorough grounding in substantive law and in the practical skills necessary to become competent practitioners. No effort is stinted to develop the principles and the proficiency in legal analysis, writing, research, and advocacy. In addition, we encourage all students to pursue internships and clinical programs in order to experience practical application of the substantive law, and to develop valuable relationships with the legal community.

The Colleges of Law and of Graduate and Professional Studies at JFK University offer a JD/MBA joint degree program which students can complete in four years (full-time) or four-and-a-half years (part-time). Students in the joint program take College of Law courses for one year and then take a mixture of law and business courses over the following three years (three-and-a-half for part-time). Successful students receive both a Juris Doctor and a Master of Business Administration degree.

As part of the law school's mission statement, the College of Law advocates the participation of the lawyer in public service. Our clinical programs introduce the student to the valuable work lawyers play in improving the lives of the disadvantaged.

### Academic Sessions

The academic year for the College of Law is divided into two 15-week semesters and one 10-week summer session:

Fall Semester:	Mid-August through mid-December
Spring Semester:	Early January through mid-May
Summer Session:	Late May through mid-August

### Other University Colleges

Fall Quarter:	October-December
Winter Quarter:	January-March
Spring Quarter:	April-June
Summer Quarter:	July-September

Part-time students in the College of Law generally complete their JD program in four years. Full-time students finish in three years. The curriculum for each of the students' years is set forth

on pages 8-12. The JD/MBA program is designed to be completed in four years (four-and-a-half for part-time). The curriculum for JD/MBA candidates is on pages 11-12.

### Accreditation

John F. Kennedy University is accredited by the Western Association of Schools and Colleges. The College of Law is accredited by The Committee of Bar Examiners of The State Bar of California. Accreditation by The Committee of Bar Examiners permits graduates from John F. Kennedy University College of Law to take the California Bar Examination upon graduation and, when the graduate passes and complies with other admission requirements, to practice law anywhere in the state, in both California and federal courts.

Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice law outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements.

## LAW LIBRARY

The Law Library is an essential component of legal education. It is an invaluable resource for our students, housing a collection of over 23,000 volumes and more than 100 periodical titles, supplemented by computerized databases (Westlaw, LexisNexis Academic, and HeinOnline) and microforms. Primarily supporting students, alumni, and faculty of the College of Law, as well as students of the Legal Studies Program in the College of Undergraduate Studies, the Law Library is also available for a small fee to local attorneys, paralegals, and students from other law schools and paralegal programs.

The Law Library collection exceeds the requirements of The State Bar of California. The collection includes California and federal statutory and case law, treatises and casebooks supporting the law school curriculum, and practice materials. Subscriptions to legal periodicals and both print and computer-searchable indices enhance library resources.

The Law Library also contains practical resources for law clerking and the practice of law, including California and federal forms books and procedural guides. Study and Bar Examination aids and career planning resources are also available.

Computer facilities are available to students and faculty for full-text searching of a wide array of legal databases beyond the traditional sources of Westlaw, Lexis, and HeinOnline. A knowledgeable, service-oriented staff of professional librarians and library assistants is available to assist with the use of the library collection, equipment, and computers.

For general library resources, students have access to the University's Fisher Library, which houses extensive collections in psychology, literature, business, and general reference. All library holdings may be searched via the online catalog at <http://library.jfku.edu>. For details on library hours and policies, see Activities and Organizations on page 30.

## JD ACADEMIC PROGRAM

The College of Law seeks to graduate well-rounded attorneys who are prepared to pass the California Bar Examination and to practice law competently and ethically. The law school curriculum and support activities are designed to produce qualified and compassionate attorneys who have a commitment to the highest quality of representation for their clients. Courses include all of the subjects tested on the California Bar Examination and a variety of electives and practical skills-training classes for today's practice of law.

To meet the needs of students who have work responsibilities and/or family commitments, day and evening classes are offered.

### JD/MBA Program

The JD/MBA program provides graduates with two valuable degrees: a Juris Doctor (JD) degree from the College of Law and a Master of Business Administration (MBA) from the College of Graduate and Professional Studies. The joint degree emphasizes the values of social justice and community service with a focus on socially responsible business practices and sustainable organizational development and operations.

The degree is comprised of rigorous graduate coursework in both the legal and business fields, designed to be completed in four years (four-and-a-half years for part-time students).

Students begin their MBA coursework in the fall following the first year of law studies. Over the four-year period, students take all core classes and electives of their choice required for the Juris Doctor (80 semester units) and most of the core courses required for the MBA program (30 quarter units), including the MBA capstone project. The required curriculum is supplemented with a number of law electives relevant to businesses and not-for-profit organizations (e.g., commercial law, tax law, employment and labor law, environmental law).

Students may apply for admission to the JD/MBA program initially or they may apply to the JD program first and then apply for the joint program during their first or second year of law school. For students already in the law program, a minimum grade point average of 75 is required for admission to the joint degree program. (Students may be conditionally accepted into the joint degree program pending receipt of grades.)

## Clinical and Public Interest Law Programs

### *Children, Families, and the Law (CFL) Clinic*

This program is designed for students considering a practice directed towards children, families, and the law, a field that has grown exponentially with the evolving definition of family. Issues often intersect and overlap in areas of family law, juvenile law, domestic violence, adoption, parentage, guardianship, immigration, and elder law. Exposure and experience in multiple doctrines and settings are necessary for effective practice in these related areas of the law.

The CFL curriculum provides interested students both the traditional substantive law and specific practice skills needed to become talented practitioners in the field. Students will be placed in CFL internships focused on developing practice skills such as interviewing and counseling clients; working with interdisciplinary forensic experts in related fields such as accounting, estate planning, and mental health; expert witness preparation; and drafting actual pleadings and agreements used in practice. Students will also gain firsthand experience in the jurisdiction and practices of local courts handling these matters.

The weekly seminar will address the practical and ethical issues faced by practitioners in this field, will address issues of common interest among student interns, and will explore related topics of special interest. In addition, students will staff a monthly settlement workshop assisting self-represented litigants in dissolution cases.

### *Housing Advocacy Clinic*

The Housing Advocacy Clinic is an innovative collaborative effort between JFK University College of Law and Northern California's largest legal aid provider, Bay Area Legal Aid (BayLegal). This innovative program places law students in our on-campus clinical offices to provide direct representation to low-income clients facing the imminent threat of a loss of their housing. The Clinic represents defendants in Superior Court unlawful detainer actions, provides assistance to clients in Rent Board proceedings and Housing Authority grievance hearings, advocates on behalf of tenants with habitability defects, seeks to recover security deposits, and in fair housing matters, and provides counseling at the San Francisco Tenants' Union and Project Homeless Connect.

The Clinic strives to meet the two-fold purpose of teaching students to be advocates for social justice through direct hands-on experience and instruction in lawyering skills and values, while providing a service to the community through the provision of quality legal services to disadvantaged and underserved groups at risk of losing their housing, a basic human necessity.

The Housing Advocacy Clinic allows students to take on the responsibility of all aspects of legal cases under the close

supervision of the clinic director. Each student obtains the status of certified legal intern from The State Bar of California and appears in court as a legal advocate for their clients. The students attend weekly seminars to learn substantive and procedural law, develop strong lawyering skills, and to discuss the ramifications of their work.

### *Legal Clinic for Elders*

Elder law is one of the fastest growing areas of legal specialization in the country. It requires a command of complicated substantive areas of state and federal law, as well as a high level of ethical competence. The goal of the Legal Clinic for Elders is to provide students with the opportunity to represent elders in court and in transactional matters concerning planning for death, incapacity, and a variety of other issues.

Students are certified through The State Bar of California to represent clients and appear in court under the clinic director's close supervision, representing elderly clients in restraining order hearings addressing issues of financial, emotional, and physical abuse. Students have additional opportunities to participate in educational outreach presentations at senior centers, nursing homes, and community service groups.

In addition to casework, students participate in a weekly seminar in which they learn the substantive and procedural laws related to elder client representation. The classes also include discussion of practice skills (interviewing, legal drafting, courtroom etiquette, and procedures) and professional responsibility issues related to representation of seniors, as well as issues relating to aging, capacity, elder abuse, public entitlements, and health care.

### **Internship Program**

Students are encouraged to participate in internship opportunities in off-campus placements, including non-profits, government offices, and private firms. The internships are supervised by attorneys. Students work one-on-one with the attorney, assisting him/her and gaining valuable expertise in a given field. Students are required to complete a minimum of two units in an internship or clinical program; however, no more than eight units can be applied to the degree.

### *Internship Program and Clinic Requirements*

Enrollment in Law 625 (Internship Program), Law 630 (Legal Clinic for Elders), Law 628 (Housing Advocacy Clinic), and/or Law 651/651A (Children, Families, and the Law) requires permission from the Director of Clinical and Public Interest Law Programs. Following completion of the first year of law school, students in good academic standing may request permission for enrollment during any term in which the student is expected to take elective units. Additional requirements for the on-campus clinics are stated below.

The following rules and procedures apply to enrollment in Law 625: Internship Program:

The student must first complete the Request for Permission to Enroll in Internship Program, providing all of the requested information. The request should be submitted at least two weeks before the designated registration period to allow sufficient time for verification of your placement.

All placements require a supervising attorney. Generally, that supervising attorney should be a currently licensed member of The State Bar of California, unrelated to the student, who has been licensed for at least five years at the time of the student's placement and who is in good standing. An exception to this rule may be made for legislative internships.

While all placements will involve a small number of clerical and administrative tasks, the substantial majority of the work the student performs in his/her placement must engage the student in substantive legal activities, such as legal research, motion and other legal drafting, client contact, discovery, negotiations, witness interviewing, etc. Any significant time spent on administrative, clerical, or secretarial tasks may not be counted toward completion of required hours.

Only hours worked subsequent to registration during the term of enrollment in Law 625 may be counted toward fulfillment of the required number of hours. Students may not receive credit for hours worked in a term preceding the term of his/her enrollment in Law 625.

A student must work 60 hours in his/her placement for each unit of Law 625 in which s/he enrolls.

Students may take and repeat Law 625 for a maximum of eight units of credit. This number will be reduced by enrollment in Independent Study and/or Law Review units. A separate application for Law 625 units must be made each term in which enrollment is sought, even if the student is continuing with the same supervisor from a previous term.

Generally, no more than two units of Law 625 may be taken in any term (four units during summer session). However, an exception may be granted where the student is pursuing the Public Interest Law Certificate or in extraordinary circumstances and where supported by a student's academic achievement to permit enrollment for increased units.

Law 625 is offered only on a Credit/No Credit basis. To receive a grade of "Credit" for Law 625, a student must, no later than the last day of the term of enrollment:

- complete the required number of hours;
- document all hours on the signed Weekly Clinical Logs and submit them to the director of clinical programs;
- submit at least two writing samples, which may include research memoranda, motions, correspondence (such as opinion/demand letters), transcripts of hearings presented



or depositions taken, or such other writing samples as demonstrate work performed during the student's placement; and

- submit, or have the student's supervisor submit, a completed Intern Evaluation Form.

Students must also comply with the added requirements, if any, of the off-campus placement site.

Students placed in an internship allowing for Certified Student status may also complete The State Bar of California's application for such certification. The application is available by download at <http://www.admissions.calbar.ca.gov>. Please be sure to carefully read the materials included with the application packet, including the Rules Governing the Practical Training of Law Students. Note that, at a minimum, Certified Student status requires:

- good academic standing;
- completion of one full year of at least 270 classroom hours of law study, in good academic standing, at an accredited law school;
- current enrollment in or completion of Civil Procedure and Skills; and
- supervision by a presently active member of The State Bar of California who has been admitted and is in good standing for at least five years when supervision commences.

The College of Law may impose, at its election and with or without notice, such additional eligibility requirements as are reasonable under the circumstances or as required by the State Bar.

Additional requirements and documents are in the Law 625 Clinical Internship packet, which is available in the law school's administration office and clinical office or online at <http://courses.jfku.edu>.

Enrollment in Law 630: Legal Clinic for Elders, Law 628: Housing Advocacy Clinic, and/or Law 651/651A: Children, Families, and the Law Seminar requires approval by the Director of Clinical and Public Interest Law Programs. (See above detailed description of On-Campus Clinics.) Students must apply in advance. For more information on program requirements and the application process, please obtain a copy of the On-Campus Clinical Program Application Packet, available through the College of Law administration office or clinical office.

### Public Interest Law Program and Certificate

JFK University College of Law issues a Public Interest Law Certificate to students who have completed a minimum of six units of clinical and/or internship work and who have completed all other graduation requirements. These units may be fulfilled through a combination of work in our on-campus clinics (Legal Clinic for Elders or Housing Advocacy Clinic) and/or off-campus internship placements in an approved public interest placement.

### Children, Families, and the Law Certificate

The College of Law also offers a specialized curriculum in Children, Families, and the Law (CFL) for students who plan on practicing law in this vital and expanding field. The legal skills, knowledge, and experience required for practitioners in this area have grown exponentially with the evolving definition of family. Issues often intersect and overlap in areas of family law, juvenile law, domestic violence, adoption, parentage, guardianship, immigration, and elder law. Exposure and experience in multiple doctrines and settings are necessary for effective practice in these related areas of the law.

The CFL curriculum provides interested students both the traditional substantive law and specific practice skills needed to become talented practitioners in the field. CFL course work will augment doctrinal and skills courses with experiential learning and a thorough examination of the ethical responsibilities of lawyers specific to this practice. Students will be placed in internships which focus on developing practice skills such as interviewing and counseling clients; working with interdisciplinary forensic experts in related fields such as accounting, estate planning, and mental health; expert witness preparation; and drafting actual pleadings and agreements used in practice. Students will also gain firsthand experience in the jurisdiction and practices of local courts handling these matters.

### Public Interest/Public Sector Legal Careers Day

The Northern California Public Interest/Public Sector Legal Careers Day (PI/PS Day) is held annually every February, hosted by One Justice and nine Northern California law schools. This is an extremely important event which brings employers from all over California and the nation to Hastings College of the Law to share information and conduct formal on-site interviews for internships and attorney-level positions. This is an unparalleled opportunity for students to meet and familiarize themselves with literally hundreds of public interest and public sector organizations and employers. PI/PS Day registration and announcements come in late fall.

### BarBri Bar Review Program

John F. Kennedy University College of Law has teamed with BarBri, the nation's preeminent bar examination company, to offer its students a uniquely customized bar study program. Beginning in their first year of law school, all registered JFK University law students receive a full California Bar Examination study program included with their tuition and university fees. This program is valued at over \$5,000.

First- and second-year law students are offered customized study aids and tools to assist them in their law school courses. Graduating law students begin preparing for the California Bar Examination in their final semester with the Early Start Paced Program. Upon completion of the Early Start Paced Program,

students are seamlessly transitioned into the full two-month BarBri Intensive Bar Review. This completely customized and unique bar study program is designed to increase the overall success rate of JFK University College of Law students on the California Bar Examination.

## Academic Advising

The College of Law assigns each new student to a faculty advisor who is a core faculty member. These professors meet with students during the students' first semester to facilitate a transition to law school. They remain available throughout the students' years of study to help with issues relating to study, exam-taking, career questions, and more.

Each student, upon admission, will receive a curriculum plan that identifies the required courses and electives needing to be taken.

## Student Handbook

At the beginning of each school year, students receive a copy of the College of Law's Student Handbook, which contains important policies and procedures applicable to students, from grading policies to graduation exercises. These policies and procedures have been gathered to ensure that all law students have easy access to the "rules." This handbook is a complement to the College of Law's and the University's catalogs.

## Events for Students

The College of Law hosts educational, cultural, and social events throughout the year for our students. The College invites public interest advocates, lawyers from the private and public sectors, and judges to speak with students on topics of current interest in the legal field. Such events also allow students to engage with these practitioners in lively and informative discussions about careers in law and internship opportunities. Students are also invited to workshops that enhance their job search skills and aid them to design, write, and market their legal resumes.

## CURRICULUM

The College of Law offers both full-time and part-time programs. Students can choose to enroll in either the day division or the evening division. Although most full-time students are enrolled in the day division, they are eligible to enroll in required or elective courses offered in the evening division.

The three- and four-year curriculum plans for the Juris Doctor degree consist of a carefully sequenced schedule of 84 units. Please refer to the College of Law's Student Handbook for additional policies regarding curriculum planning and matriculation requirements. Please refer to the Schedule of Classes, published approximately three weeks before the start of each term, for specific course offerings, dates, and times.

Note: As part of our assessment and planning process, full-time and part-time curricula are subject to ongoing modification. Consult our web page for current requirements.

\*These are year-long, non-severable courses. Students must enroll in the same sections each semester and must complete all of the required units to receive any academic credit for the courses. No grade is recorded for the first semester of a two-semester course.

- [1] Students who deviate from the curriculum plan without prior written permission may be administratively withdrawn from classes, cannot be guaranteed a specific graduation date, cannot be guaranteed financial aid eligibility, and cannot be assured compliance with the residency requirement of The Committee of Bar Examiners of The State Bar of California necessary to sit for the California Bar Examination.
- [2] Numerically graded courses calculated into grade point average.
- [3] Credit/No Credit courses not calculated into grade point average.
- [4] Special Status students must take and pass the First-Year Law Students' Examination (FYLSX) following completion of all first-year courses. Students required to take the FYLSX are not eligible to enroll in their second year of studies unless they pass the FYLSX within the first three administrations of that exam for which the student is eligible.
- [5] Students are encouraged to enroll in Law and Motion or Contract Drafting.
- [6] Students who have completed one of the on-campus clinical programs (Housing Advocacy, Legal Clinic for Elders, or Children, Families & the Law Internship), or who have completed a significant off-campus internship placement with demonstrated experience in litigation and/or appellate practice, may seek a waiver of EITHER Trial Advocacy or Appellate Advocacy. If approved, the waiver relieves the student of the requirement that credit be earned in the waived course. Waiver of a course does NOT confer unit credit.

# Full-Time, Three-Year Curriculum<sup>[1]</sup>

Course	Units	Hours of Instruction	Grading <sup>(2)(3)</sup>
<b>First Year<sup>(4)</sup></b>			
<b>Fall</b>			
Law 112A Torts A	3*	45*	NU
Law 115A Contracts A	3*	45*	NU
Law 116A Exam Skills Lab A	1*	30*	CR/NC
Law 117 Legal Methods	2	30	CR/NC
Law 120 Criminal Law	3	45*	NU
<b>Spring</b>			
Law 112B Torts B	3*	45*	NU
Law 115B Contracts B	3*	45*	NU
Law 116B Exam Skills Lab B	1*	30*	CR/NC
Law 125 Legal Research and Writing	2	30	CR/NC
Law 318 Criminal Procedure	3	45	NU
<b>Summer</b>			
Law 312 Electronic Research	2	30	CR/NC
Electives			
<b>Second Year</b>			
<b>Fall</b>			
Law 212A Real Property A	3*	45*	NU
Law 214A Civil Procedure & Skills A	3*	45*	NU
Law 216A Evidence A	3*	45*	NU
Law 320A Constitutional Law A	3*	45*	NU
Electives			
<b>Spring</b>			
Law 212B Real Property B	3*	45*	NU
Law 214B Civil Procedure & Skills B	3*	45*	NU
Law 216B Evidence B	2*	30*	NU
Law 320B Constitutional Law B	3*	45*	NU
Electives			
<b>Summer<sup>(5)(6)</sup></b>			
Law 310 Trial Advocacy	3	45	NU
Electives			
<b>Third Year</b>			
<b>Fall</b>			
Law 315 Wills and Trusts	3	45	NU
Law 414 Appellate Advocacy	3	45	NU
Law 418 Professional Responsibility	2	30	NU
Law 425 Business Associations	3	45	NU
Electives			
<b>Spring</b>			
Law 313 Community Property	2	30	NU
Law 420 Remedies	3	45	NU
Law 428 Advanced Legal Writing	2	30	NU
Electives			
<b>Totals (including elective units and hours)</b>	<b>84 Units</b>	<b>1260 Hours of Instruction</b>	

# Part-Time, Four-Year Curriculum<sup>[1]</sup>

Course	Units	Hours of Instruction	Grading <sup>(2)(3)</sup>
<b>First Year<sup>(4)</sup></b>			
<b>Fall</b>			
Law 112A Torts A	3*	45*	NU
Law 115A Contracts A	3*	45*	NU
Law 116A Exam Skills Lab A	1*	30*	CR/NC
Law 117 Legal Methods	2	30	CR/NC
<b>Spring</b>			
Law 112B Torts B	3*	45*	NU
Law 115B Contracts B	3*	45*	NU
Law 116B Exam Skills Lab B	1*	30*	CR/NC
Law 125 Legal Research and Writing	2	30	CR/NC
<b>Summer</b>			
Law 310 Electronic Research Electives	2	30	CR/NC
<b>Second Year</b>			
<b>Fall</b>			
Law 120 Criminal Law	3	45	NU
Law 214A Civil Procedure & Skills A	3*	45*	NU
Law 216A Evidence A Electives	3*	45*	NU
<b>Spring</b>			
Law 214B Civil Procedure & Skills B	3*	45*	NU
Law 216B Evidence B	2*	30*	NU
Law 318 Criminal Procedure Electives	3	45	NU
<b>Summer<sup>(5)</sup></b>			
Electives			
<b>Third Year<sup>(6)</sup></b>			
<b>Fall</b>			
Law 212A Real Property A	3*	45*	NU
Law 315 Wills and Trusts	3	45	NU
Law 320A Constitutional Law A Electives	3*	45*	NU
<b>Spring</b>			
Law 212B Real Property B	3*	45*	NU
Law 313 Community Property	2	30	NU
Law 320B Constitutional Law B Electives	3*	45*	NU
<b>Summer<sup>(5)</sup></b>			
Law 310 Trial Advocacy Electives	3	45	NU
<b>Fourth Year</b>			
<b>Fall</b>			
Law 414 Appellate Advocacy	3	45	NU
Law 418 Professional Responsibility	2	30	NU
Law 425 Business Associations Electives	3	45	NU
<b>Spring</b>			
Law 420 Remedies	3	45	NU
Law 428 Advanced Legal Writing Electives	2	30	NU
<b>Totals (including elective units and hours)</b>	<b>84 Units</b>	<b>1260 Hours of Instruction</b>	

## Four-Year JD/MBA Program Curriculum\*

### Year One: JD (29 semester units)

Law 112A/B: Torts  
 Law 115A/B: Contracts  
 Law 116A/B: Exam Skills Lab  
 Law 117: Legal Methods  
 Law 120: Criminal Law  
 Law 125: Legal Research and Writing  
 Law 312: Electronic Research  
 Law 318: Criminal Procedure  
 Electives (3 units)

### Year Two: MBA\* (30 quarter units)

BUS 5008: Operations and Supply Chain Management  
 BUS 5020: Financial Management  
 BUS 5035: Visionary Leadership and Sustainability  
 BUS 5040: Marketing Management  
 BUS 5096: Accounting for Managers  
 BUS 5151: Systems Approach to Business Models and Management  
 BUS 5152: Information Systems in the Digital Enterprise  
 BUS 5385: Leading a Global Workforce  
 BUS 5055: MBA Capstone: Managing Strategy, Planning, and Innovation

### Year Three: JD (29 semester units)

Law 212A/B: Real Property  
 Law 214A/B: Civil Procedure and Skills  
 Law 216A/B: Evidence  
 Electives (12 units)

### Year Four: JD (22 semester units)

Law 313: Community Property  
 Law 315: Wills and Trusts  
 Law 320A/B: Constitutional Law  
 Law 418: Professional Responsibility  
 Law 420: Remedies  
 Law 425: Business Associations  
 Law 428: Advanced Legal Writing  
 Elective (1 unit)

\*These are year-long, non-severable courses. Students must enroll in the same sections each semester and must complete all of the required units to receive any academic credit for the courses. No grade is recorded for the first semester of a two-semester course.

- [1] Students who deviate from the curriculum plan without prior written permission may be administratively withdrawn from classes, cannot be guaranteed a specific graduation date, cannot be guaranteed financial aid eligibility, and cannot be assured compliance with the residency requirement of The Committee of Bar Examiners of The State Bar of California necessary to sit for the California Bar Examination.
- [2] Numerically graded courses calculated into grade point average.
- [3] Credit/No Credit courses not calculated into grade point average.
- [4] Special Status students must take and pass the First-Year Law Students' Examination (FYLSE) following completion of all first-year courses. Students required to take the FYLSE are not eligible to enroll in their second year of studies unless they pass the FYLSE within the first three administrations of that exam for which the student is eligible.
- [5] Students are encouraged to enroll in Law and Motion or Contract Drafting.
- [6] Students who have completed one of the on-campus clinical programs (Housing Advocacy, Legal Clinic for Elders, or Children, Families & the Law Internship), or who have completed a significant off-campus internship placement with demonstrated experience in litigation and/or appellate practice, may seek a waiver of EITHER Trial Advocacy or Appellate Advocacy. If approved, the waiver relieves the student of the requirement that credit be earned in the waived course. Waiver of a course does NOT confer unit credit.

\*Students who deviate from the curriculum plan without written permission cannot be guaranteed a specific graduation date. Students are encouraged to meet with the JD/MBA advisors before making any changes to the standard curriculum. Students enroll in three classes in fall quarter, three classes in winter quarter, two classes in spring quarter, and two classes in summer quarter.

\*\* The MBA program is on a quarter system. MBA courses are offered twice a year in the Fall and Spring or Winter and Summer quarters.



## Part-time, Four-and-a Half-Year JD/MBA Program Curriculum

### Year One: JD (22 semester units)

Law 112A/B: Torts  
 Law 115A/B: Contracts  
 Law 116A/B: Exam Skills Lab  
 Law 117: Legal Methods  
 Law 125: Legal Research and Writing  
 Law 312: Electronic Research  
 Electives (2 units)

### Year Two: MBA\* (24 quarter units)

BUS 5008: Operations and Supply Chain Management  
 BUS 5020: Financial Management  
 BUS 5035: Visionary Leadership and Sustainability  
 BUS 5040: Marketing Management  
 BUS 5052: Managerial Economics  
 BUS 5096: Accounting for Managers  
 BUS 5151: Systems Approach to Business Models and Management  
 BUS 5152: Information Systems in the Digital Enterprise  
 BUS 5385: Leading a Global Workforce

### Year Three: JD (25 semester units)

Law 120: Criminal Law  
 Law 214A/B: Civil Procedure and Skills  
 Law 216A/B: Evidence  
 Law 313: Community Property  
 Law 318: Criminal Procedure  
 Electives (6 units)

### Year Four: JD/MBA (26 semester units and 6 quarter units)

Law 212A/B: Real Property  
 Law 315: Wills and Trusts  
 Law 320A/B: Constitutional Law  
 Law 420: Remedies  
 Electives (8 units)  
 MBA Class selected from Year 2 - MBA Curriculum  
 BUS 5055: MBA Capstone: Managing Strategy, Planning, and Innovation\*\*

### Year 4.5: JD (7 semester units)

Law 418: Professional Responsibility  
 Law 425: Business Associations  
 Law 428: Advanced Legal Writing

\*The MBA program is on a quarter system. MBA courses are offered twice a year in the Fall and Spring or Winter and Summer quarters. It is recommended that students take two classes per quarter.

\*\* MBA Capstone is offered only in Fall and Spring quarters.

## Deviations from the Standard Curriculum

Deviations from the standard curriculum set forth on pages 8-12 of this catalog are not permitted without review and completion of the appropriate form (Request to Deviate from Curriculum for Good Cause) and authorization from the student's faculty advisor and the Dean's office. Any student who deviates from the standard curriculum, whether with or without approval, cannot be guaranteed a specific graduation date, nor can s/he be assured of compliance with the residency requirement of The Committee of Bar Examiners of The State Bar of California for eligibility to take the California Bar Examination. Deviation from the standard curriculum without prior written permission from the Dean's office may result in administrative withdrawal from non-conforming courses.

## Maximum and Minimum Course Loads

Ordinarily, a full-time student may not enroll in more than 15 units or less than 10 units per semester, except for summer session. A part-time student may not enroll in a program of more than 10 units or less than six units per semester except during summer session. Prior written permission is required from the Dean's office, upon a showing of good cause, for an exception to be made. Units earned through a combination of Independent Study projects and the Internship Program may not exceed 10 percent of the total residence credit toward a degree or 40 percent of residence credit earned in any academic period. Students on financial aid carrying fewer than three units in any term should contact the Financial Aid Office.

Students are advised that deceleration of the curriculum shall not impact the Academic Standards Committee's authority to review a student's academic progress at the appropriate intervals (as set forth in the Academic Standards Regulations in Appendix B), nor shall acceleration of the curriculum be considered a factor in mitigation of performance below that required to maintain good academic standing.

## Matriculation Policy

The Juris Doctor degree curriculum has been carefully constructed to ensure students meet the residency requirement of The Committee of Bar Examiners under the Rules Regulating Admission to Practice Law in California and the Rules Regulating the Accreditation of Law Schools in California. Accordingly, a student may not deviate from that curriculum without making a written request and obtaining the written permission of the Dean's office. Further, a student may not decelerate his/her curriculum to extend the time for degree completion beyond the 16th term following the first term of enrollment without the prior written authorization of the Dean's office. A student requesting an extension of time to complete the degree requirements beyond the 16th term following the first term of enrollment must petition the Academic Standards

Committee to do so. The student's petition must be in writing, must set forth extraordinary and compelling circumstances necessitating the extension, and must be supported by appropriate documentation of those circumstances.

Deviation from this matriculation policy without the written approval of the Dean's office or Academic Standards Committee shall result in academic sanction up to and including academic disqualification.

## Advancement

Students are expected to satisfy academic graduation requirements under the sequence and schedule of courses spelled out in the curriculum. Students must be in good academic standing and must receive credit in all such required courses to be eligible to advance into the next year of study under the curriculum. Students who do not satisfy this requirement are subject to exclusion or probation and may petition the Academic Standards Committee if they seek to avoid an adverse academic action.

## Residency Requirement

Students are responsible for complying with the residency requirement of the Rules Regulating Admission to Practice Law in California. These rules establish the minimum number of units and weeks in residence of law school study necessary for eligibility to take the California Bar Examination.

In addition to satisfying the residency requirement set by The Committee of Bar Examiners for eligibility to sit for the California Bar Examination, students admitted to the College of Law are required to complete a minimum of 30 percent of the degree requirements in residence at John F. Kennedy University. Presently, this requires a student to complete a minimum of 25 units by enrollment in courses at the College of Law.

Students who move from part-time to full-time, or the reverse, need to insure that their schedules of classes will satisfy this residency requirement.

## Attendance

State Bar regulations require each law student at a California State Bar-accredited law school to attend a minimum of 80 percent of the meetings for each course for which s/he receives credit. Any student who has absences in more than 20 percent of required class meetings for any course in a single semester/session will receive a grade of "FW." (An "FW" is equivalent to a numerical grade of 50.) Individual instructors may further limit the number of absences for each course. A student whose absences exceed the instructor's limit in a single semester/session will receive a grade of "FW."

Non-classroom programs, including but not limited to Moot Court, clinical internship programs, Independent Study, and Law

Review, are not subject to this rule, but have performance standards that assure that students complete assigned work in a timely manner that substantially meets the requirements of this section.

Although instructors are charged with taking attendance, each student is responsible for being aware of his/her own classroom attendance status.

It is the student's responsibility to notify instructors of his/her presence if arriving late for class and/or for making sure instructors have noted his/her class attendance. Each student is responsible for signing the weekly sign-in sheet in person for each class.

As noted above, a student who violates this rule will receive an "FW" for the class. This grade will be entered even though the student has continued to attend class and has taken and passed the final examination. If a student believes that his/her attendance has been incorrectly determined, s/he may file a petition with the Dean's office within 14 calendar days of the date the final grades are posted at the College of Law. The review of the petition by the Dean's office will be limited to whether or not absences were properly recorded and exceeded 20 percent of the classroom meetings.

The attendance requirement for a course may be waived by the Dean's office upon a showing of good cause where it will bring about undue hardship for a student in his/her last semester before graduation. The request for a waiver must be made in writing to the Dean's office of the College of Law no later than seven calendar days following the last class meeting of the class for which the student is requesting the waiver.

## Administrative Dismissal

Subject to proper notice, the right to a hearing, and the right of appeal, the College of Law reserves the right to dismiss administratively any student from the program who: (1) unilaterally withdraws from the program without administrative approval from the College of Law or University; (2) breaches a curriculum contract, condition of admission, or other agreement with the College of Law or University that constitutes a condition of enrollment in the program; or (3) fails to abide by College of Law or University policies, rules, or regulations governing admission, registration, financial aid, or student conduct.

## Degree Requirements

John F. Kennedy University awards the Juris Doctor degree to students who fulfill the following requirements:

- successful completion of 84 units of study in accordance with the prescribed curriculum;
- successful completion of all required courses;

- completion of at least 25 percent of the degree requirements through enrollment in courses at John F. Kennedy University College of Law;
- achievement of a cumulative grade point average of 70 or higher and fulfillment of all conditions imposed by the Academic Standards Committee;
- completion of degree requirements in no more than 16 academic terms, including summer sessions, unless an extension is otherwise approved by the Academic Standards Committee;
- completion of law school residency requirements of 120 weeks plus 1,260 hours of study for the part-time program or 90 weeks and 1,260 hours for the full-time program;
- filing of a Petition for Degree and payment of the petition fee by the relevant deadline;
- satisfaction of all financial obligations to the University;
- no Incompletes on the transcript; and
- are not on academic probation.

## REQUIRED COURSES

(Courses with an asterisk (\*) are non-severable courses. Students are required to register for the same sections in fall and spring and must complete the entire course consecutively to earn academic credit.)

### Torts\*

*Law 112A/B*     *6 units (3 units fall/3 units spring)*

Tort law covers that area of civil law that provides legal remedies for personal injuries and property damage caused by others. Tort law virtually always involves money. Beneath the demand for money is often a desire for respect, mutual recognition, or vindication. Tort cases often involve struggles between profits and safety. Too often, tort cases turn injury and loss into commodified products marketed in the legal system. Tort law says a lot about how society treats each other, how we expect to be treated, who recovers, and who does not. It does not treat all of us the same.

### Contracts\*

*Law 115A/B*     *6 units (3 units fall/3 units spring)*

This course provides an overview of the means by which individuals become subject to contractual obligations; the ways in which contractual terms are interpreted; the methods by which these obligations are satisfied, modified, or revoked; the rights and obligations of non-contracting parties; and the remedies for failure to fulfill contractual duties.

### Examination Skills Lab\*

*Law 116 A/B*     *2 units (1 unit fall/1 unit spring)*

First-year students will be instructed on how to effectively approach law school examination questions and to organize and write law school examination answers. Development of these examination skills will enhance the students' performance throughout their law school curriculum and assist the students as they prepare for, and take, the California Bar Examination.

### Legal Methods

*Law 117*             *2 units (2 units fall)*

The primary focus of Legal Methods and Examination Skills is to introduce the structure of legal rhetoric. This is accomplished in the context of planning and writing answers to hypothetical law school examination questions. Students are also introduced to a system for organizing and synthesizing the material of substantive courses and to the resources of the Law Library, particularly those materials useful during the first year.

### Criminal Law

*Law 120*             *3 units (3 units fall)*

The philosophy of criminal responsibility, the laws defining crimes and establishing punishment, and the negation of criminal responsibility by reason of general and special defenses comprise the majority of topics discussed in this course. Particular areas, such as the defenses of mistake, insanity, and intoxication, and the impact of legal doctrine on the actual administration of criminal justice, are also explored.

### Legal Research and Writing

*Law 125*             *2 units (2 units spring)*

Legal Research and Writing builds on the skills learned in Legal Methods and Examination Skills. Students conduct research in the Law Library, find the law applicable to hypothetical problems, and write memoranda analyzing the rights and obligations of the "clients."

### Real Property\*

*Law 212A/B*     *6 units (3 units fall/3 units spring)*

This course covers the traditional scope of property law including land possession, estate interests, landlord and tenant law, concurrent ownership rights and liabilities, and regulatory takings. The course also places special emphasis on modern developments in real property facing today's practitioner in the areas of conveyance, land use, and finance.

## Civil Procedure and Skills\*

*Law 214A/B 6 units (3 units fall/3 units spring)*

Civil Procedure and Skills is the study of the rules of courts. Unlike other substantive courses, Civil Procedure and Skills is not the examination of rights, injuries, and available remedies. Instead, Civil Procedure and Skills is the framework upon which those rights are brought before the tribunal and how to collect on remedies awarded for injury. Topics include jurisdiction, venue, service of process, pleading, discovery, multiparty litigation, pretrial motions, trial, judgments, and appellate procedure. The course covers both federal and California civil procedure.

## Evidence\*

*Law 216A/B 5 units (3 units fall/2 units spring)*

Within the context of the California Evidence Code and the Federal Rules of Evidence, students analyze the nature of judicial proof and consider the theory and application of the rules regulating the admission and exclusion of testimonial and documentary proof.

## Trial Advocacy

*Law 310 3 units (3 units summer)*

This course engages students in practical exercises designed to develop students' familiarity with trial procedures, including pretrial motions, jury selection, opening statements, presentation of documentary and testimonial evidence, and closing arguments. During these exercises, students are required to employ the rules of evidence, both California and federal, necessary to successfully bring and defend pretrial motions, to raise and respond to objections at trial, and to conduct other stages of the trial.

(Students who have completed one of the on-campus clinical programs (Housing Advocacy, Legal Clinic for Elders, or Children, Families & the Law Internship), or who have completed a significant off-campus internship placement with demonstrated experience in litigation and/or appellate practice, may seek a waiver of EITHER Trial Advocacy or Appellate Advocacy. If approved, the waiver relieves the student of the requirement that credit be earned in the waived course. Waiver of a course does NOT confer unit credit.)

## Electronic Research

*Law 312 2 units (2 units summer)*

This course focuses on organizational strategies for conducting electronic research. Substantial attention is devoted to the specific benefits and challenges of electronic search engines and databases, principally Westlaw. Students learn the features of these tools and how to design and implement effective search strategies.

## Community Property

*Law 313 2 units (2 units spring)*

This course examines the California community property system, including general principles of classifying marital property, management and control of community property, liability of marital property for debts and torts of the spouses, and division of community property on dissolution or death.

## Wills and Trusts

*Law 315 3 units (3 units fall)*

This course examines the law of intestate succession; the drafting, execution, revocation, and revival of wills; the nature of trusts; selected aspects of the law of future interests; and the creation of durable powers of attorney and other vehicles for establishing family rights and protections.

## Criminal Procedure

*Law 318 3 units (3 units spring)*

An in-depth examination and discussion of the development of federal criminal procedure and the evolution of constitutional case law are utilized and applied to landmark cases. This course focuses primarily on the Fourth, Fifth, Sixth, and Fourteenth Amendments and the attendant rights of and limitations upon the individual defendant, law enforcement, the prosecutor, and the criminal defense attorney.

## Constitutional Law\*

*Law 320A/B 6 units (3 units fall/3 units spring)*

This course reviews the constitutional system of the United States, including the role of the judiciary; division of powers between the states and the federal government; powers of the president and Congress; limitations on the powers of government for the protection of life, liberty, and property; federal and state citizenship; and the constitutional protection of individual rights.

## Appellate Advocacy

*Law 414 3 units (3 units fall)*

In this course, students study appellate practice and procedure, the appellate process, appellate court rules, writ practice, and strategies for structuring a case for appellate review. Students prepare and submit a formal appellate brief and participate in an oral argument competition.

(Students who have completed one of the on-campus clinical programs (Housing Advocacy, Legal Clinic for Elders, or Children, Families & the Law Internship), or who have completed a significant off-campus internship placement with demonstrated experience in litigation and/or appellate practice, may seek a waiver of EITHER Trial Advocacy or Appellate Advocacy. If approved, the waiver relieves the student of the

requirement that credit be earned in the waived course. Waiver of a course does NOT confer unit credit.)

## Professional Responsibility

### *Law 418*      *2 units (2 units fall)*

This course explores the modern challenges to fulfilling the attorney's professional responsibility and the far more profound dilemmas facing a responsible attorney seeking to practice ethically and to adhere to the highest professional values in the 21st century. Topics include organization and regulation of the legal profession; canons of ethics; disciplinary measures; the lawyer's responsibility to clients, the community, and the profession; and the obligation of judges to remain impartial and independent.

## Remedies

### *Law 420*      *3 units (3 units spring)*

This course identifies and distinguishes the types of recovery available to a plaintiff for both legal and equitable relief, including the study of the viability of monetary damages, specific performance, injunctive relief, and other recovery in tort, contract, real property, and constitutional law.

## Business Associations

### *Law 425*      *3 units (3 units fall)*

In addition to covering the basic principles governing sole proprietorships, partnerships, and corporations, this course reviews the law of agency, state corporation laws, and federal and state securities laws that regulate public and closed corporations. The course also examines the processes and systems that provide for the issuance of shares, corporate structure and governance, the liability of corporate managers, and restrictions on dividends and distributions.

## Advanced Legal Writing

### *Law 428*      *2 units (2 units spring)*

Advanced Legal Writing focuses on a variety of advanced legal writing topics, including drafting solutions to client problems and refining skills in issue identification and written analysis.

## JFKU Engaged Service Learning

### *SVL 4000*      *0 units*

As part of a JFKU University initiative, JFKU Engaged encourages student engagement in our communities. All new students who enrolled in winter 2015 and after must perform 30 hours of community service as a requirement for graduation. Students may serve at a volunteer organization of their choice; an organization suggested by JFKU Engaged; or through an

internship, clinic, or practicum that is a component of their program. Through this online course, students will submit a service learning proposal, maintain a log of hours worked, write a reflection and final essay, and complete a final project summary. Students will receive feedback from their volunteer-site supervisor.

NOTE: Students who are fulfilling their Service Learning requirement through an internship, clinic, or practicum component of their program will still register for this course but are only required to submit a proposal form.

## ELECTIVES

The College of Law offers a variety of elective courses, most of which are scheduled on a rotating basis in alternating years.

### Law and Motion Practice

#### *Law 410*      *2 units (2 units summer)*

Law 214A/B: Civil Procedure and Skills A/B is a prerequisite to Law 410.

This course introduces students to the basic documents used in practice at the trial court level. Students review pleadings and learn to prepare moving and opposition papers. Students are paired into opposing parties, exchange papers, and present brief oral arguments before a "law and motion judge."

### Contract Drafting

#### *Law 412*      *2 units (2 units summer)*

This course focuses on understanding, drafting, and editing several types of business contracts, beginning with the basic components of a contract: the introductory provisions (preamble, recitals, statement of consideration), the action sections (typically, reciprocal promises), representations and warranties, covenants, conditions, "endgame" (termination) provisions, and certain general provisions (also known as "boilerplate"). Students will study how to set up a signature line, depending on whether the party to the contract is a human or non-human entity. In homework and classroom exercises, students practice drafting and editing the components and learn how to combine them to create a complete contract. Students will also study contract-formatting options and learn to identify and avoid legalese and ambiguity. In the final few sessions, students will draft various complete contracts, including purchase, employment, license, and settlement agreements.



## Moot Court

### *Law 416*      *2-3 units, variable*

Law 214A/B: Civil Procedure and Skills A/B is a prerequisite to Law 416.

Moot Court provides students an opportunity to learn and develop appellate advocacy skills while representing the College of Law at a selected statewide or national moot court competition. Students are presented with the competition case problem and required to develop an appellate brief for one side of the case generally, but oral arguments for both sides of the case usually. Students enrolling in Moot Court must participate in and complete a selected competition to receive credit for the course. These competitions may take place in the spring. No partial credit will be given for students who fail to participate in a competition. (Students must have instructor's permission to register for this course.)

## Topics in Law

### *Law 590*      *1-3 units*

Topics vary according to instructor and student interest. Law 590 may be repeated for credit with a change in topic.

## Alternative Dispute Resolution

### *Law 610*      *2 units*

Law 214A/B: Civil Procedure and Skills A/B is a prerequisite to Law 610.

This course covers approaches other than traditional litigation that are available for the resolution of disputes. Topics include mediation, arbitration, private judging, ombudspersons, mini-trials, negotiation and settlement, and community justice programs. The course emphasizes the practical skills of dispute resolution and the ethical issues facing lawyers who engage in these alternative approaches.

## Bankruptcy Law

### *Law 614*      *1-2 units, variable*

This class explores the relief available to debtors under Chapters 7, 11, and 13 of the Bankruptcy Code; remedies and strategies for creditors in bankruptcy cases and proceedings; and the role and powers of bankruptcy trustees and committees. The course also covers pre-bankruptcy strategies for debtors, creditors, and parties to litigation.

## Civil Rights Law

### *Law 621*      *2 units*

Law 320A/B: Constitutional Law A/B is a prerequisite to Law 621.

This course analyzes the manner in which law has been used to deny rights and opportunities to individuals because of their race, gender, sexual orientation, or disability, along with approaches on how the law can be used to combat these forms of discrimination. Emphasis is on state and federal civil rights laws as they apply to such issues as voting, education, housing, employment, and delivery of social services.

## Internship Placement

### *Law 625*      *1-8 units, variable*

Experiential learning is a proven way to reinforce classroom learning and to prepare for the practice of law. Through the Internship Program, students have an opportunity to engage in legal work under the supervision of a qualifying attorney, judge, government agency, or public interest organization. Through this work, students gain insight into the law and legal processes and see the practical application of doctrine and skills taught in the classroom.

(For additional enrollment and course requirements, please consult JFK University College of Law's Internship Handbook.)

[Registration for Law 625 is only by permission of the clinical program director.]

## Housing Advocacy Clinic

### *Law 628*      *3 units*

The Housing Advocacy Clinic allows students to take on the responsibility of all aspects of legal cases under the close supervision of the clinic director. Students staff an advice and counseling hotline, provide direct representation to clients at risk of losing their housing, and attend weekly seminars and conferences to develop strong lawyering skills and to discuss the political ramifications of their work.

[Registration for Law 628 is only by permission of the clinical program director.]

## Legal Clinic for Elders

### *Law 630*      *3 units*

This on-campus clinical program allows students to examine the legal concepts and the impact of existing law and policy on the elder community. Under the supervision of the clinic director, students will provide direct representation to elders seeking restraining orders and will provide public education about elder issues.

[Registration for Law 630 is only by permission of the clinical program director.]

## Drugs, Courts and Society

### *Law 632*      *2 units*

Law 120: Criminal Law is a prerequisite to Law 632.

Drugs, including alcohol, prescription drugs, and controlled substances, are pervasive in our society. This course discusses drug use in our society and how our courts respond, especially Drug courts. The course will examine the legal status of the medicinal use of marijuana, including California's Compassionate Use Law of 1996. The efficacy of Proposition 36 and The Substance Abuse and Crime Prevention Act of 2000 are emphasized, along with the movement toward drug rehabilitation over incarceration.

## Civil Discovery

### *Law 637*      *2 units*

Law 214A/B: Civil Procedure and Skills A/B is a prerequisite to Law 637.

This course provides an overview of the application of the California Civil Discovery Act in civil practice. Students will learn about the effective use of discovery tools including interrogatories, requests for admissions, and depositions. Students will also draft and respond to motions to compel discovery responses. Special attention will be devoted to the proper application of the attorney-client privilege and attorney work product privileges in the context of civil discovery practice.

## Employment Law

### *Law 638*      *2 units*

Law 214A/B: Civil Procedure and Skills A/B and Law 320A/B: Constitutional Law A/B are prerequisites to Law 638.

This course introduces students to the legal status of employees, from hiring through termination. Students examine federal and state laws, regulations and cases on employee safety, health benefits, workers' compensation, and anti-discrimination.

## Environmental Law

### *Law 639*      *2 units*

Law 212A/B: Real Property A/B is a prerequisite to Law 639.

This course will focus on the following: the impact of pollution upon water, soil, air, and food supply sources; the benefits and burdens of environmental protection; environmental civil rights policy concerns; the role of race and poverty in environmental decision-making; discrimination in environmental protection; and the environmental justice movement. The course also covers sustainability concepts, including energy conservation and natural resources management, with the goal of developing a personal and professional environmental ethic discussed in the international context.

## Family Law

### *Law 641*      *2 units*

Law 313: Community Property is a prerequisite to Law 641.

This course is an introduction to the law of domestic relations, including antenuptial agreements, dissolution, support, marital property, and custody issues, with a particular focus on resolving domestic disputes through alternatives to the traditional litigation model. Other topics examined include the lawyer's role in dissolution, cohabitation agreements, reproductive rights, and the parent-child relationship.

## Federal Income Taxation

### *Law 642*      *2 units*

This is an introductory course in federal income taxation of the individual and corporate taxpayer, including the social policies inherent in the development of the tax codes, the characterization of income and deductions, the deferral and non-recognition of income and deductions, and the role of the lawyer in tax planning and advising.

## Gender Bias and the Law

### *Law 646*      *2 units*

This course studies both the effect of gender on the law and of the law on gender, or how our society perceives gender. Using cases found in the more standard categories of law, such as employment discrimination, constitutional rights, and criminal sentencing, the course looks beyond these categories to the overall structure and assumptions of law to how the law is used to maintain societal assumptions about gender.

## Children, Families, and the Law

### *Law 651*      *3 units*

Enrollment in or completion of Law 212A/B: Real Property is a prerequisite for Law 651.

This course covers basic family law issues in-depth and includes an introduction to domestic violence, juvenile dependency, adoption and artificial reproduction, guardianships, child abduction, elder law, and other related issues. This course is a prerequisite to the CFL Internship Seminar to be held in the spring semester and is required for students pursuing completion of the CFL program. Students may enroll even if not pursuing the CFL certification.

[Registration for Law 651 is only by permission of the clinical program director.]

## Children, Families, and the Law Seminar

### *Law 651A*      *3 units*

Law 651: Children, Families, and the Law is a prerequisite to Law 651A.

This program provides both the traditional substantive law and specific practice skills needed to become talented practitioners in the field. Students are placed in CFL internships focused on developing practice skills and will gain firsthand experience in the jurisdiction and practices of local courts handling these matters. In addition, students will staff a monthly settlement workshop assisting self-represented litigants in dissolution cases. The weekly seminar will address the practical and ethical issues faced by practitioners in this field and issues of common interest among student interns.

[Registration for Law 651A is only by permission of the clinical program director.]

## Immigration Law

### *Law 652*      *3 units*

This course is an introduction to the law, policies, and procedures regulating the entry of aliens into the United States. Students examine the various avenues and strategies available under existing law to foreign nationals who seek temporary or permanent residence. To this end, students familiarize themselves with the federal agencies and processes which regulate the dispensation of immigration benefits in a variety of broad contexts, including family- and employment-based immigration, issues of inadmissibility and deportability, protection for aliens fleeing persecution, and citizenship and naturalization. The course also addresses issues of border security, undocumented alien workers, and employer sanctions, within the overall context of legislative reform efforts and attendant constitutional concerns in the post-9/11 environment.

## Immigration Law Internship

### *Law 653*      *2-3 units, variable*

Law 652: Immigration Law is a prerequisite to Law 653.

This internship program is offered by JFK University College of Law in collaboration with the International Institute of the East Bay (IIEB). Founded in 1919, IIEB provides legal and social services for immigrant and refugee communities in the Bay Area, principally those in Alameda and Contra Costa Counties.

The Institute's Legal Department provides high-quality assistance to low-income immigrants. Services include workshops, one-on-one consultations, assistance in filing family petitions and citizenship applications, and aiding battered immigrant women to obtain legal status under the Violence Against Women Act (VAWA) and the Victims of Trafficking and Violence Protection Act.

In addition to a variety of law office tasks, law students will take responsibility for client cases for applications to the U.S. Citizenship and Immigration Services (USCIS), such as a family reunification, domestic violence, naturalization, or other cases (subject to the approval and supervision of IIEB attorneys).

Excellent people skills, sensitivity to social and cultural dynamics, and a strong commitment to public interest law and social justice are required. Students must have a demonstrated capacity to work respectfully and collaboratively with the given client population, supervising attorneys, and supervising faculty. Ability to speak a language needed to serve the given client population is a significant factor considered for enrollment in this course. Enrollment only with express approval of faculty.

## International Law

### *Law 656*      *2 units*

This introductory course covers the basic concepts of international law, the sources of international law, the law of treaties, the subjects of international law, and the relationship between international law and domestic law. The course examines specialized areas within the field of international law, including international environmental law, the law of the sea, international trade law, international human rights law, and international law regarding the use of force.

## Juvenile Law

### *Law 661*      *1-2 units, variable*

Law 120: Criminal Law is a prerequisite to Law 661.

This course explores issues relating to both juvenile delinquency and juvenile dependency laws. Legal principles of the original juvenile courts are discussed and contrasted with current laws and treatment of juveniles charged with crimes in juvenile and adult courts. Students examine legal principles governing the creation, regulation, and termination of the parent-child relationship in the context of juvenile dependency law. Major topics include children's rights, medical treatment, child abuse and neglect, foster care, and adoption.

## Mediation Skills Training

### *Law 675*      *2-3 units, variable*

Students are introduced to the fundamentals of mediation, including important distinctions among ADR alternatives. Different types of mediation (evaluative, facilitative, transformative, etc.) are explored, with special emphasis on the requirements and qualifications under the Dispute Resolution Practices Act of 1987. In addition, students receive lecture and study material on mediation and practice mediation and negotiation techniques. Students engage in mock mediations, and special emphasis is given to issues of voluntariness, mediator

ethics, maintaining confidences and neutrality, listening skills, negotiating and anticipating problems in compliance, and mastering use of court-approved mediation and evaluation forms.

Students may enroll in Mediation Skills Training for two or three units. Students enrolling in the two-unit course complete only the classroom work described above. Students enrolling in the full three-unit program complete 45 additional hours of work, which involve an orientation with the Contra Costa County Superior Court and mediation or co-mediation of small claims cases referred by the Superior Court, Pittsburg Division. Students enrolling in the three-unit course must receive permission of the instructor prior to registration.

## Trial of Socrates

*Law 680*      *2-4 units, variable*

A critical exploration of the philosophical, political, legal, and spiritual issues that arise from the life and thought of Socrates as dramatized by Plato in his account of the trial and death of Socrates, and by others from the past and from the present who reflect upon the eternal themes of justice, individual conscience and civil disobedience, freedom of expression, and the existence of an immortal soul. The course will examine ancient and contemporary perspectives on legal issues such as the death penalty, due process, the jury system, and the role of lawyers and advocacy.

A travel/study component with visits to ancient sites in Greece may also be offered.

## Independent Study

*Law 699*      *1-3 units, variable*

Independent study offers students an opportunity to study under close faculty supervision in areas not covered by courses regularly offered in the curriculum. A student who wishes to undertake an independent study must obtain the permission of the dean. The student's expected to demonstrate that (1) s/he has the initiative and self-discipline necessary for independent work, (2) the planned course of study cannot be completed by enrollment in a regularly offered course, (3) the content and objectives of the course of study have been carefully considered, and (4) the proposed study meets the academic standards and unit requirements of the College of Law. Students may not take more than 10 percent of the total units needed for graduation for non-classroom work (eight units maximum) and no more than 40 percent of their unit total for any given term.

## FACULTY

### Dean E. Barbieri

*Dean*

*BA, 1977, University of California, Davis*

*JD, 1980, University of San Francisco*

Dean Barbieri became dean of John F. Kennedy University College of Law in 2010. Prior to becoming the dean, Mr. Barbieri was the Director for Examinations for The State Bar of California from 2001-2010, where he was responsible for the development of the California Bar Examination and the California First-Year Law Students' Examination. While at The State Bar of California, Dean Barbieri was also involved with the accreditation, regulation, and oversight of the California law schools accredited by The Committee of Bar Examiners. He served as a professional grader of the California Bar Examination and First-Year Law Students' Examination from 1982-2000. From 1981-2000, Dean Barbieri was in private law practice in Contra Costa County and was a partner in the law firm of Watson, Hoffe and Barbieri, specializing in business, commercial, real estate, and alternative dispute resolution law matters. Mr. Barbieri has served on numerous national committees and panels involving the development and administration of state bar examinations and admission to the legal profession. Dean Barbieri was elected to the City Council of Piedmont, California in 2004, and in 2010 was elected as Mayor of Piedmont.

### Josanna Berkow

*BS, 1974, Towson State University*

*JD, 1977, University of Baltimore*

### Family Law, Children, Families, and the Law

Commissioner Berkow (Ret.) began her legal career as Staff Counsel to U.S. Senator Paul Sarbanes of Maryland. After moving to California, she was a Staff Attorney and Hearing Officer for the Federal Labor Relations Authority in San Francisco, prosecuting unfair labor practice cases and presiding over union election disputes. From 1985-92, Comm. Berkow was a Deputy Attorney General for The State of California, working on felony appeals and cases involving child abduction and support. The Attorney General appointed her Statewide Coordinator for Child Support and Child Abduction, supervising all appeals and representing the Attorney General on public and private policy committees. In 1992, Comm. Berkow was appointed to the Contra Costa County Superior Court bench, where she presided over child custody, child and spousal support, marital property and debt division, paternity, and domestic violence disputes for 20 years. She served on the Administrative Office of the Courts' Judicial Council Advisory Committee on Family and Juvenile Law, the Judicial Council's Family Law Education

Committee, the Center for Judicial Education and Research (CJER) Family Law Institute's Planning Committee, and on the Board of Directors of Kids' Turn; chaired the Contra Costa County Advisory Committee Against Domestic Violence; has taught extensively through CJER, The State Bar of California, the B.E. Witkin Judicial College, the National Council of Juvenile and Family Court Judges, the American Academy of Matrimonial Lawyers, and the Contra Costa County Bar Association; and has written articles for the Administrative Office of the Courts' Journal of the Center for Families, Children and the Courts, National Family Court Review, and The Contra Costa Lawyer. Comm. Berkow co-authored Family Law FORMS (The Rutter Group California Practice Guide).

### **Esra Bicen**

*LLB, 1996, Istanbul University*

*LLM, 2002, Tulane University*

#### **International Commercial Contracts**

Esra Bicen is a civil and common law qualified lawyer with extensive experience in international commercial contracts and dispute resolution. From 1996 to 2000, she practiced international commercial litigation with a leading Istanbul law firm specializing in international carriage of goods, cross-border financings, and public procurement contracts. From 2003 to 2007, she practiced complex civil litigation with a leading law firm in the United States specializing in plaintiffs' occupational personal injury cases. Ms. Bicen is certified by ICC International Court of Arbitration.

### **Sharon M. Braz**

*BS, 1968, University of California, San Francisco*

*JD, 1987, San Francisco Law School*

#### **Children, Families, and the Law Seminar, Community Property**

Sharon M. Braz was admitted to the State Bar of California in 1987. She is a mediator and a certified family law specialist as well as a former partner in an East Bay family law practice. Sharon has been recognized as a "Super Lawyer" and is listed in the "Best Lawyers in America." She served as President of the Alameda County Family Law Association and as Director North of the California Association of Certified Family Law Specialists. Sharon has been active on the board of many different legal organizations and served as President of the Earl Warren Inn of Court from 2007-2008.

Sharon received her BS in Nursing from UC San Francisco in 1968 and later returned to school to become one of the first Pediatric Nurse Practitioners in the Bay Area. She worked as a public health nurse for Alameda County. She assisted on the Vietnam Airlift by meeting the planes as they arrived and examining the children. She then went on to open The Mother's

Exchange in Alameda, one of the first stores to sell used children's clothing, books, furniture, and maternity clothes. She and her partner combined retail with parent education. After four years, the business was sold and Sharon went on to represent a fashion photographer. Thereafter, she became a legal secretary and a paralegal and worked all day while going to law school at night. She practiced family law for 27 years, volunteering for pro bono work and working with the court.

### **Piper R. Brewster**

*BS, 2007, St. Mary's College*

*BA, 2007, St. Mary's College*

*JD, 2010, John F. Kennedy University*

#### **Exam Skills Lab, Electronic Research**

Piper Brewster works as an Athletic Compliance Officer at St. Mary's College of California, providing insight into NCAA rules and regulations; developing rules education programs for coaches, staff, student-athletes, and booster organizations; and monitoring all aspects of NCAA compliance for the institution. In addition to teaching for the College of Law, Piper has taught Legal Research and Legal Writing in the Legal Studies Program in the University's College of Undergraduate Studies and is an adjunct professor teaching Sports Law in St. Mary's Kinesiology program.

### **Carol A. Brown**

*BA, 1968, University of Southern California*

*MA, 1977, California State University, Fullerton*

*JD, 1984, University of Southern California*

#### **Professional Responsibility**

Carol A. Brown was hired as an Administrative Law Judge by the California Public Utilities Commission (CPUC) in 1999 and handled multiple proceedings in the electric and gas arenas and in particular in resource procurement and the long term planning proceedings. She was trained as an alternate dispute mediator and regularly functioned as a mediator in commission matters. Carol was Acting Chief Administrative Law Judge (2002-2003) and supervised 45 judges and 30 support staff personnel in that capacity. Carol has been a member of the State Bar of California since 1985, beginning her practice at a law firm in Newport Beach that focused on business and real estate matters. She then worked at the Resolution Trust Corporation (RTC) in Newport Beach as a senior litigation attorney (1992-1995), in charge of complex proceedings at both the state and federal courts. Carol then moved to northern California, working as Chief Counsel to the Cal-OSHA Appeals Board in Sacramento before joining the CPUC.

Carol regularly teaches courses in Remedies and Legal Ethics as an adjunct professor at local law schools.



## Geoffrey F. Brown

*BA, 1964, University of California, Berkeley*  
*JD, 1970, San Francisco Law School*

### Criminal Procedure, Evidence

Mr. Brown was dean of the law school at JFK University from 2007-09 after completing a six-year term on the California Public Utilities Commission (CPUC), to which he was appointed by then-Governor Gray Davis in 2001. Prior to his term on the CPUC, he was the Public Defender for the City and County of San Francisco from 1979-2001, publicly elected to this position six times. He has taught Evidence and Constitutional Law at several Bay Area law schools and sat on the Board of Trustees of San Francisco Law School.

## Thomas W. Cain

*BA, 1974, University of California, Berkeley*  
*JD, 1979, Golden Gate University*

### Mediation Skills Training, Comparative Law

Mr. Cain is in private practice, emphasizing wills, trusts, estate litigation, guardianships, conservatorships, mediation and general civil litigation including business, real property, estate litigation, and trust and probate practice. Mr. Cain lived in Japan and was a visiting scholar for four years at Okayama National University. He is a co-founder of the Congress of Neutrals, a not-for-profit which provides mediation training and conflict management services to the Contra Costa County courts and community. He has been a member of the College of Law's faculty since 1991.

## Peter W. Clapp

*BA, 1969, Columbia University*  
*JD, 1982, Hastings College of the Law*

### Torts, Business Associations, Contract Drafting

Mr. Clapp graduated magna cum laude from Hastings College of the Law in 1982, clerked for one year, and then practiced in the Corporate Restructuring Department of Skadden, Arps, Slate, Meagher & Flom, LLP until 2004. He has published articles on pension and retiree benefit claims in bankruptcy and on bankruptcy legislation. Besides teaching at JFK University, he has taught Business Law to undergraduates at St. Mary's College in Moraga. Mr. Clapp is Of Counsel to Valle Makoff LLP, a litigation firm with offices in Los Angeles and San Francisco, where his practice focuses on business and restructuring matters, and is a volunteer attorney at the East Bay Community Law Center in Berkeley, advising on consumer bankruptcy matters.

## Emily K. Clark

*BA, 2003, Boston University*  
*JD, 2011, John F. Kennedy University*

### Legal Methods

Emily Clark is an associate attorney with Berding & Weil LLP in Walnut Creek, advising community associations in all aspects of their operations and transactions, including real property issues and statutory compliance with the Davis-Stirling Act and other statutes applicable to common interest developments. Ms. Clark was previously an associate attorney with Pegnim & Ivancich LLP in Antioch, where she was involved in all stages of workers' compensation litigation, including administrative law trials, doctors' depositions, settlement conferences, and mediation. While in law school, Ms. Clark was a judicial extern with the First District Court of Appeal, Division Four, performing legal research and composing draft memoranda for Justice Timothy Reardon.

## William Corman

*BA, 1973, University of Wisconsin, Madison*  
*JD, 1978, Hastings College of the Law*

### Employment Law

William Corman is a founder of the Oakland law firm Bogatin, Corman & Gold. Mr. Corman's current practice emphasizes the representation of individuals in public and private sector labor and employment law matters, labor union representation, and counseling of non-profit organizations in employment policies and procedures. Mr. Corman is also Associate Director—Legal Affairs for University Council-AFT which represents the non-tenure lecturers, instructors, and librarians employed at all of the University of California campuses. From 1984 until 1987, Mr. Corman was staff counsel to the National Treasury Employees' Union representing federal employees throughout the western United States. From 1989 until March 1994, he was staff counsel to the California School Employees' Association, the country's largest classified school employees union. In 1992, Mr. Corman was honored as CSEA's Employee of the Year for his litigation efforts on behalf of the union in *Claypool v. Wilson* (1992) 4 Cal. App.4th 646. For a number of years, Mr. Corman served as a judicial arbitrator for the Alameda County Superior Court. Currently he serves as an advisor and hearing officer for California Merit System Personnel Commission public school district employee cases. In addition to teaching at JFK University, Mr. Corman has taught courses and lectured extensively in the areas of labor and employment law. In 1996, Mr. Corman was the legal advisor and editorial consultant for the publication California Assembly of Local Arts Agencies Personnel Handbook for California Nonprofits. Mr. Corman co-authored *California Employment Law Issues in a Down Economy* (Aspatore Publications, 2010).

## Emily Doskow

*BA, 1984, University of California, Santa Cruz*  
*JD, 1989, University of California, Berkeley*

### Mindfulness in Law Practice

Emily Doskow has been practicing family law in the Bay Area since 1989. She specializes in family matters including adoptions, surrogacy agreements, domestic partnership and prenuptial agreements, parentage issues, and mediated and collaborative dissolutions. She is a frequent speaker on LGBTI family issues. She is the author or co-author of numerous books published by Nolo, including Nolo's Essential Guide to Divorce; Nolo's Essential Guide to Child Custody & Support; The Legal Guide for Lesbian & Gay Couples; and The Sharing Solution. Ms. Doskow is a member of the Board of Directors of Advocates for Informed Choice, and a past member and Co-Chair of the Board of Directors of the National Center for Lesbian Rights, where she currently sits on the National Family Law Advisory Council. Ms. Doskow has been practicing mindfulness meditation for over 17 years.

## Nancy McCullough Engle

*BA, 1977, California State University, Hayward*  
*JD, 1998, John F. Kennedy University*

### Contracts, Exam Skills Lab, New Student Orientation

Ms. Engle is an attorney and has been teaching law since 2000. She has been honored twice as the College of Law's Professor of the Year. She is a magna cum laude graduate of California State University, Hayward. She received her J.D. from John F. Kennedy University, where she also received the Martin Hineser Scholarship Award, West Group Outstanding Scholarship Achievement Awards, and American Jurisprudence Bancroft-Whitney Awards. She serves on the College of Law's Academic Standards Committee and Admissions Committee.

## Crystal A. Fernandes

*BS, 2005, Santa Clara University*  
*JD, 2010, John F. Kennedy University*

### Electronic Research

Crystal Fernandes is a registered patent attorney and concentrates her practice in all areas of intellectual property law. Her intellectual property practice with Antero & Tormey LLP includes patent, trademark and copyright prosecution, and licensing, as well as business planning, including partnership agreements, contracts, and corporate formation. She is admitted to practice in California and before the United States Patent and Trademark Office. Prior to law school, Ms. Fernandes received her BS in Mechanical Engineering and was a board member of the Society of Women Engineers, encouraging children to take up a future in the hard sciences and engineering. Ms. Fernandes is past chair of the Barristers' Section of the Contra Costa County Bar Association.

## James J. Ficenec

*BA, 1986, California State University, Sacramento*  
*JD, 1989, University of California, Berkeley*

### Trial Advocacy, Business Associations

Mr. Ficenec is with Archer Norris in Walnut Creek. He is also an experienced appellate lawyer and has argued civil appeals before the California District Court of Appeal and the Ninth Circuit Court of Appeals. Mr. Ficenec is a member of the American Bar Association, The State Bar of California, and the Hawaii State Bar Association. He was admitted to practice in Hawaii in 1989 and in California in 1991.

## Michael J. Fish

*BA, 1977, Sonoma State University*  
*JD, 1980, Hastings College of the Law*

### How to Open Your Own Law Office

Mr. Fish is a partner with Merrill, Arnone & Jones, LLP, in Santa Rosa where he practices in the areas of family law, business, banking, FINRA arbitration, and estate planning. He has regularly served as a Judge Pro Tem and discovery referee for the Marin County Courts for over 20 years and in excess of 150 matters. He is Director and former Chairman of the Board of Rotaplast International, Inc., traveling to South America and Egypt with medical teams to provide cleft palate and lip surgery to indigent children.

## Peter Gabel

*BA, 1968, Harvard College*  
*JD, 1972, Harvard Law School*  
*PhD, 1981, The Wright Institute*

### Spirituality, Law & Social Change

Peter Gabel has been a law professor for over 30 years, having taught at UC Berkeley, the University of Minnesota, City University of New York, and for most of those years at New College of California's public-interest law school, where he also served as President from 1987-2001. He has been Editor-at-Large of Tikkun magazine, a progressive Jewish quarterly, since 1985. A founder of the Critical Legal Studies movement in legal scholarship, Mr. Gabel has written on Contract Law, Legal Theory, and Law and Social Change for journals such as the Harvard Law Review, Texas Law Review, and Georgetown Law Review, but also has written on law, politics, and culture for Tikkun and other non-legal publications. He is the author of *The Bank Teller and Other Essays on the Politics of Meaning*, and the forthcoming book *Spiritual Activism: Essays on Law, Politics, and Culture*.

## Joan Grimes

*BA, 1981, University of California, Berkeley*  
*JD, 1984, California Western School of Law*

Bankruptcy Law Seminar, California Short Sale and Foreclosure Law, California Foreclosure Law and Alternatives, Wills and Trusts

Ms. Grimes is in private practice, specializing in representing debtors in consumer and business bankruptcy cases in California. She was previously an attorney and sales representative for Old Republic Title, where her primary responsibilities were supporting the foreclosure unit and marketing real estate agents. She was also a compliance attorney for Fidelity National Home Warranty and a principal in Grimes & Tang, representing creditors on secured and unsecured transactions.

## The Honorable Daniel M. Hanlon (Ret.)

*BA, 1962, University of San Francisco*  
*JD, 1964, University of San Francisco*

Negotiation, Law and Motion, Civil Discovery

The Honorable Daniel “Mike” Hanlon (Ret.) is a former Presiding Justice of the California Court of Appeal and former Presiding Judge of the San Francisco Superior Court. Justice Hanlon’s ADR experience and qualifications come from his distinguished 28-year tenure on the California trial and appellate courts. He currently serves as Special Master in complex insurance, toxic tort, and construction defect cases, and as Neutral Arbitrator in complex insurance, as well as real estate and indemnity cases. He is known for his ability to settle complex cases involving a wide range of civil litigation issues. Justice Hanlon was selected as Neutral Arbitrator for labor disputes under the Charter of the City and County of San Francisco. Justice Hanlon has served as Chair of the California Judges’ Association ADR Committee since 2006. Justice Hanlon also serves as an Adjunct Professor of Law, teaching Appellate Law and Procedure at Empire College of Law since 2006, and is a former Adjunct Professor of Law (Juvenile Law) at the University of San Francisco.

## The Honorable Stuart Hing

*AA, 1976, Sacramento City College*  
*BS, 1979, California State University, Sacramento*  
*JD, 1985, University of the Pacific, McGeorge School of Law*

Civil Procedure and Skills

Judge Stuart Hing was appointed to the Superior Court of California, Alameda County, in July 2008. Prior to his appointment, Judge Hing was a Deputy District Attorney with the Alameda County District Attorney’s Office (1985-2008), where he conducted 49 jury trials and 37 non-jury trials. Prior

to law school, Judge Hing was a senior marketing representative for Xerox Corporation, where he was #1 in sales for the western region of the United States. He was also a professional musician, playing piano and guitar, and once opened for Earth, Wind, & Fire.

## Timothy M. Hyden

*BA, 1982, University of California, Davis*  
*JD, 1986, University of the Pacific, McGeorge School of Law*

Constitutional Law

Mr. Hyden is in private practice in San Ramon in a civil litigation-based practice, including business and real estate litigation, probate litigation, construction litigation, and family law. Before going into private practice, Mr. Hyden worked for Carr, McClellan, Ingersoll, Thompson & Horn and for Touche Ross & Company in San Francisco. He currently also acts as a court-appointed private fiduciary. Mr. Hyden has twice been voted by the law school’s students as Professor of the Year.

## Charles H. James

*AB, 1962, University of California, Berkeley*  
*JD, 1965, University of California, Berkeley*

Criminal Procedure

Mr. James is the former Public Defender of Contra Costa County. A highly experienced trial lawyer, he has handled a large number of serious felony matters and was certified as a Specialist in Criminal Law. He has lectured widely on trial tactics and has served on the Board of Directors of the Contra Costa Legal Services Foundation and as president of the California Public Defenders’ Association.

## Chris Gus Kanios

*Professor, Associate Dean*  
*BA, 1976, San Francisco State University*  
*JD, 1980, New College of California*

Torts, The Legal Profession, Trial of Socrates

Professor Kanios is a full-time member of the College of Law’s core faculty and has taught law for over 25 years. From 1986-1996, he was dean of New College of California College of Law in San Francisco. He was admitted to practice in California in 1980 and worked in a civil litigation firm specializing in labor law (union side) and plaintiff’s personal injury. His innovative, multi-disciplinary course on the Trial of Socrates includes a study/travel component in Greece to visit ancient sites. He has served as Associate Dean for Academic Affairs and as Interim Dean during his tenure at JFK University. He also sits on the University’s Faculty Senate Executive Committee and is Chair of its Faculty Quality Committee.

## Ian Kelley

*AA, 1996, City College of San Francisco*  
*JD, 2001, New College of California*

### Criminal Law, Criminal Procedure, The USA Patriot Act and Issues in National Security

Mr. Kelley has been a member of the Bar since December 2001, during which time he has litigated cases from trial to the California Supreme Court. In addition to his teaching at John F. Kennedy University College of Law, Mr. Kelley has taught Constitutional Law and Criminal Law & Procedure at both San Francisco Law School and New College of California School of Law. He works across a wide geographic range of State and Federal Courts in California and the Western States, while maintaining a private practice in San Francisco with mixed emphasis on criminal, civil, and regulatory matters.

## Sara Ramseyer Klein

*BA, 1985, Middlebury College*  
*JD, 1990, Hastings College of the Law*

### Intellectual Property

Ms. Klein is an attorney in Oakland, where her practice focuses on licensing and commercial transactions involving intellectual property. Earlier in her career, she was in-house counsel at Genentech, Inc. and an associate in the international trade group at Baker & McKenzie in San Francisco. Ms. Klein taught Intellectual Property Law in the Law Studies Program at St. Mary's College from 1999-2005, and also teaches the subject at JFK University College of Undergraduate Studies and at Middlebury College in Vermont.

## The Honorable David M. Krashna

*AB, 1971, University of Notre Dame*  
*JD, 1974, University of California, Berkeley*

### Drugs, Courts and Society, Juvenile Law

Judge David Matthew Krashna (Ret.) was elected to the Alameda County California Superior Court in November 2000 and retired in 2015. He previously served as a Court Commissioner of that court from 1992 to his judicial election. He earned his B.A. in 1971 from the University of Notre Dame and his J.D. in 1974 from the University of California at Berkeley School of Law (formerly known as Boalt Hall). He practiced law for 17 years as a Legal Services attorney and private attorney specializing in criminal defense, personal injury, and civil rights. Judge Krashna has taught courses at the California Center for Judicial Education and Research, B.E. Witkin Judicial College of California, and the National Judicial College, and is a lecturer at University of California at Berkeley School of Law (fna Boalt Hall). He has served on the California Judicial Council Court

Interpreters' Advisory Panel and Traffic Advisory Committee. He has presided in the Oakland Felony Drug Courts, the Juvenile Delinquency and Dependency Courts, and Family Law Court. Judge Krashna is involved in various community activities, such as addressing homelessness and truancy.

## Jonathan U. Lee

*AB, 1987, Washington University*  
*JD, 1990, Georgetown University*

### Trial Advocacy, Legal Research and Writing

Mr. Lee is an Assistant United States Attorney in the Northern District of California, Civil Division, where he defends the United States and its employees in a wide spectrum of disputes, including tort and employment discrimination actions, in all phases of litigation including trial and appeal. From 2000-05, he was a Deputy City Attorney, Trial Team for the City and County of San Francisco, defending the City and its employees in tort, civil rights, and contract matters. Before entering the public sector, he practiced commercial and insurance litigation with the San Francisco law firm of Hancock Rother & Bunshoft. Mr. Lee has extensive civil trial experience in both bench and jury trials.

## Tina T. Miller

### Law Librarian

*BA, 1979, University of San Diego*  
*MLIS, 1995, San Jose State University*  
*MA, 2014, John F. Kennedy University*

As Law Librarian, Ms. Miller is responsible for the daily operation of the Law Library. She also catalogs, provides reference service, and participates in materials selection. Before coming to JFK University, Ms. Miller worked as a law firm librarian and as Evening Circulation Supervisor at the University of San Diego Legal Research Center.

## Jane Minor

### Assistant Law Librarian

*BA, 1968, University of California, Berkeley*  
*MLIS, 1986, University of California, Berkeley*

Ms. Minor's responsibilities as the Assistant Law Librarian include preparation of the bills, ordering, collection development, serials, and reference services. She previously worked at the South Alameda County Law Library in Hayward and in Special Collections at St. Mary's College, where her cataloging responsibilities focused on the rare books catalog.

## **Genevieve S. Orta**

*BS, 1990, Syracuse University*  
*JD, 1996, University of San Francisco*  
*LLM, 2008, Golden Gate University*

### **Community Property, Wills and Trusts, Estate Planning**

Ms. Orta is a partner with Osterloh & Orta, LLP. Her practice focuses on advising clients regarding estate planning, trust administration, business succession, wealth preservation, and related taxation issues. Ms. Orta graduated magna cum laude from USF College of Law and was a member of the Law Review and a recipient of the Queen's Bench Scholarship and Dean's Tuition Scholarship. She is a member of the East Bay Estate Planning Council, San Francisco Estate Planning Council, Asian American Bar Association, and the President of East Bay Trusts and Estates Lawyers. Ms. Orta has been in private practice for the past 14 years.

## **Julia G. Partridge**

*BA, 1973, University of California, Berkeley*  
*JD, 1978, Hastings College of the Law*

### **Contracts**

Ms. Partridge was a Chambers Attorney for Justice Kathryn Werdegar at the California Supreme Court. Before joining Justice Werdegar's staff, Ms. Partridge was a 26-year veteran with the First District Court of Appeal, working with Justice Norman Elkington and, after he retired, with Justice William Stein until his retirement. Ms. Partridge has been teaching Contracts at JFK University College of Law for many years. She has also taught Appellate Advocacy and Advanced Research and Writing. She previously taught Legal Research and Writing and Advanced Research and Writing at California State University, Hayward.

## **Helen Peters**

*BA, 1982, University of Nevada, Reno*  
*JD, 1987, Thomas Jefferson College of Law*

### **Community Property**

Ms. Peters has 25 years of legal practice, 20 years as a solo practitioner in Family Law Litigation and Mediation. She has served as Judge Pro Tem (per diem) to the Contra Costa Courts since 1999 and recently completed her four-year term as an elected Trustee serving the Fairfield-Suisun Unified School District. She is the Past President of the Contra Costa County Bar Association (2007), Women's Section, (1990) and Family Law Section (2000). Her passions include mediation, reading, travel, Words With Friends, exercise, and loving her son, Paul, and husband, Steve.

## **Niromi Pfeiffer**

*BA, BS 1986, University of California, Davis*  
*JD, 1991 Hastings College of the Law*

### **Appellate Advocacy**

Ms. Pfeiffer began her career in private practice in San Francisco, prosecuting complex litigation cases. She later moved to the Department of Fair Employment and Housing, prosecuting employment and housing discrimination cases. In 2001, she joined the Department of Justice, Office of the Attorney General, where she defended employment discrimination actions brought against state agencies. She is currently a Supervising Deputy Attorney General, engaged in State and Federal civil litigation and appellate practice in the areas of Public Entity law, Health law (Medi-Cal), Education law, Dependency law (Foster Care and Adoptions), Social Welfare programs, and Constitutional law. Among her published decisions are *In re Adoption of M.S.* (2010) 181 Cal.App.4th 50 (the first published decision in California on setting aside an inter-country adoption), and *Bronney v. California Com. on Teach Credentialing* (2010) 184 Cal.App.4th 462 (a rare appellate decision which held that several DUIs even if several years apart can satisfy the legal test in assessing a teacher's fitness to teach), and *Lopez v. Daimler Chrysler Corp.* (2009) 179 Cal.App.4th 1373 (statute requiring that Department of Health Care Services receive notice and opportunity to perfect a Medi-Cal lien on third party settlement proceeds, before the settlement is deemed final, does not require the DHCS' direct participation in settlement negotiations). She is admitted to the California State Bar (1991); Northern, Eastern, and Central District Courts of California; and the Ninth Circuit Court of Appeal.

## **Ora S. Prochovnick**

*Professor, Director of Clinical/Public Interest Law Programs, Housing Advocacy Clinic Director*  
*JD, New College of California*

### **Real Property, Marriage Equality, Housing Advocacy Clinic**

Professor Prochovnick is a full-time member of the law school's core faculty and is the director of the clinical/internship programs for the College of Law. She was previously a professor at New College of California College of Law for 21 years, and was a partner and founding member of Bayside Legal Advocates, a woman-run community law office in the Mission District of San Francisco, where for 10 years her practice focused on tenant advocacy, non-traditional family law, police misconduct cases, and civil rights litigation. Professor Prochovnick is a member of the Bay Area Lawyers for Individual Freedom, the National Lawyers' Guild, the National Lesbian and Gay Law Association, and the S.F. and East Bay Tenants' Bar. She has previously served on the board of directors of the AIDS Legal Referral Panel and on the



board of the Eviction Defense Collaborative, and is currently a co-chair of Our Family Coalition and a member of the “Brain Trust” of the National Center for Lesbian Rights. Professor Prochovnick has been frequently recognized for her pro bono contributions, and has received many awards from the State Bar and local bar associations in recognition of her expertise and legal assistance, particularly to the low-income community in the area of housing advocacy, assistance to persons with AIDS, and LGBT rights. She was the recipient of the 1993 State Bar Pro Bono Service Award and the 2003 San Francisco Bar Association Award of Merit, was named a Northern California Super Lawyer by San Francisco Magazine in 2004 and 2005, and received the Transgender Law Center’s 2008 Community Ally award. Professor Prochovnick has been a frequent presenter at workshops and seminars for both legal professionals and the general public.

### Ivor Samson

*BA, 1967, University of California, Berkeley*  
*MSc, 1968, London School of Economics*  
*JD, 1972, University of California, Berkeley*

#### Trial Advocacy

Mr. Samson is a partner in the San Francisco office of Denton US LLP, and Chair of the San Francisco office’s Litigation Department. His practice emphasizes all aspects of litigation and trial across a broad range of subject areas. He has been lead trial counsel in over 35 cases that were tried to verdict, including both bench and jury trials, as well as protracted and complex administrative proceedings. He has represented clients in Arizona, Nevada, Texas, Wyoming, and Kansas, as well as California, in matters involving commercial disputes, land use, government contracts, direct and inverse condemnation, labor and employment, administrative law, and regulatory and environmental issues. He has received both the California Lawyer of the Year Award and the Defense Verdict of the Year Award.

### Audrey A. Smith

*Associate Professor, Director of Legal Research and Writing Program*  
*BA, 1981, University of California, Irvine*  
*JD, 1984, University of Santa Clara*

#### Advanced Legal Writing, Appellate Advocacy, Trial Advocacy, New Student Orientation

Professor Audrey A. Smith is a member of the core faculty of JFK University College of Law. Prior to joining the faculty, Ms. Smith served as a Senior Appellate Court Staff Attorney to the California State Court of Appeal, First District, Division Four, where she assisted the court in reviewing petitions for civil and criminal writs. Ms. Smith was formerly engaged in complex civil litigation practice. She has extensive experience as lead counsel in jury trials, bench trials, and arbitrations, has appeared before

the California Court of Appeal, and has worked as a consultant on appeals. Ms. Smith was a shareholder with the law firm of Wartnick, Chaber, Harowitz, Smith & Tigerman. She has served as court-appointed counsel to children and adults in confidential juvenile dependency proceedings. Ms. Smith serves on the editorial board of the Contra Costa County Bar Association publication *Contra Costa Lawyer* and is an active member, master, in the Edward J. McFetridge American Inn of Court.

### James T. Straw

*BA, 1973, University of California, Los Angeles*  
*JD, 1977, Southwestern University*

#### Real Property

James Straw has taught Real Property at JFK University College of Law for over 33 years, since August 1981. A UCLA undergraduate, Jim went to Southwestern University School of Law in Los Angeles, and worked as a Law Clerk for Tigor Title Insurance Company while in law school. In 1977, he joined the legal department of Chicago Title Insurance Company in Los Angeles, and then in San Francisco, where he handled underwriting, claims, and litigation management for the title company. Jim also served on the Legislative and Forms and Practices Committees of the California Land Title Association (CLTA). From 1985 to 1988, Jim was Associate Regional Counsel for The Travelers Real Estate Investment Group for the 15 Western States. While at The Travelers, he handled both Agricultural and Urban loans, leases, and developments. In 1988, Professor Straw went into private practice as a partner in a San Ramon law firm. He continues in private practice in Contra Costa County, concentrating on property and business matters. His practice includes transactional work and litigation representing owners, lenders, and business entities. Over the years he has also been a speaker at educational seminars for members of the California Bar and title industry. Professor Straw has written several case comments for the JFK University Law Review, and also for the Contra Costa County Bar Association, including articles on escrow practices and boundary disputes. He is also a co-author of the *California Title Insurance Practice, 2d Ed.*, published in 1997 by the Continuing Education of the Bar (CEB).

### Dean Ito Taylor

*BA, 1975, University of California, Riverside*  
*JD, 1978, University of San Francisco*

#### Remedies, Wills and Trusts

Dean Ito Taylor is the executive director and co-founder of Asian Pacific Islander (API) Legal Outreach, where he supervises the litigation, administration, and fiscal oversight for this non-profit, social justice organization serving the Bay Area from offices in San Francisco and Oakland. API Legal Outreach, the largest social justice legal organization serving the Asian American and

Pacific Islander communities, provides culturally competent services focused in the areas of family law/domestic violence, immigration and immigrant rights, senior law/elder abuse, and anti-human trafficking to the most marginalized segments of the community, including women, seniors, immigrants, and youth. He taught at New College of California College of Law for 22 years. He received the Joe Morizumi Award from the Asian American Bar Association of the Greater Bay Area in 2008, was a Civil Rights Division Honoree by the U.S. Department of Justice in 1990, received the National Service Award from the National Asian/Pacific Law Students' Association in 1986, and was selected for the Local Hero Award by KQED Public Television as part of its 2009 Asian Pacific American Heritage Month celebration.

### Joyce Tischler

*BA, 1974, City University of New York, Queen's College*  
*JD, 1977, University of San Diego*

#### Animal Law

In 1979, Ms. Tischler co-founded Animal Legal Defense Fund (ALDF), serving as its first Executive Director/CEO for 24 years and currently serving as its General Counsel. ALDF is a national non-profit agency working to protect the lives and advance the interests of animals. She is responsible for writing and lecturing on animal law, currently co-authoring a compendium on farmed animal law. Ms. Tischler has lectured extensively, including at Lewis & Clark Law School, University of Chicago Law School, John Marshall Law School, Stanford Law School, UCLA Law School, Hastings College of the Law, and Golden Gate University Law School.

### Peter Tormey

*BS, 1988, San Francisco State University*  
*MBA, 1998, St. Mary's of California*  
*JD, 2009, John F. Kennedy University*

#### Legal Methods

Mr. Tormey is managing partner at Antero & Tormey LLP, a full-service commercial law firm serving clients around the world. He has over 20 years of experience in product development, marketing, and intellectual property protection. He is admitted to the State Bar of California, the United States Patent and Trademark Office, the US Court of Appeals for the Ninth Circuit, and the US District Court for the Northern District of California. As a patent attorney, Mr. Tormey has drafted over 100 patent applications, covering software, electronics, wireless, radio, mobile applications, encryption, and automation controls.

### Probal G. Young

*BA, 1991, University of California, Santa Barbara*  
*JD, 1996, Golden Gate University*

#### Remedies, Professional Responsibility, Moot Court, Electronic Research

Probal Young is a senior litigator at Archer Norris in Walnut Creek, practicing in the areas of landlord/tenant, construction defect, premises liability, environmental and general litigation and transactional work, and advising startups on employment and other human resources issues. He is also an adjunct professor in JFK University College of Undergraduate Studies' Paralegal Certificate program. Mr. Young recently represented an emergency room physician in a medical malpractice trial in Alameda County Superior Court and a country club in a complex construction dispute in a lengthy binding arbitration in San Francisco. During law school, Mr. Young was a member of Phi Delta Phi and a teaching assistant for numerous first-year Torts classes. Mr. Young clerked at the Santa Clara County Office of the District Attorney, where he second-chaired a multiple defendant murder trial as a Bar-certified law clerk. He was also a judicial extern at the United States District Court, Northern District, where an opinion he drafted was published on LEXIS.

### Pamela Zimba

*Assistant Professor, Supervisor of Legal Clinic for Elders*  
*BA, 1976, University of California, Santa Barbara*  
*JD, 1986, Ventura College of Law*  
*LLM, 2004, Golden Gate University*

#### Civil Procedure and Skills, Legal Clinic for Elders, Advanced Legal Writing

Ms. Zimba is a core faculty member of the College of Law in addition to being the supervising attorney for the JFK University Legal Clinic for Elders (LCFE). Ms. Zimba, with other members of the faculty, designed the LCFE, which provides qualified law students with an opportunity to represent low-income seniors in court on a variety of legal matters, including temporary restraining orders and conservatorships. The student's clinical experience includes a seminar component in which students discuss legal issues of concern to all seniors. While in private practice in Benicia, she represented clients in family law matters, child custody issues, estate planning, and property issues. She devoted eight years representing 22 families in complex toxic tort litigation in Solano County. She has a background in program development and sales and marketing, which included implementation of marketing projects for Fortune 500 Companies. Ms. Zimba is a member of the JFK University College of Law Admissions Committee.

# ACADEMIC POLICIES

## Academic Standards Regulations, Policies, and Procedures

See Appendix B for a complete description of academic standards.

John F. Kennedy University College of Law is committed to training competent, skilled, and socially responsible lawyers.

The school's admissions policies and academic standards are designed to provide access and opportunity for a diverse community of students who seek to study law while maintaining rigor and quality. Despite this goal, the College of Law may need to terminate the studies of those unable to meet the demands of our rigorous program.

Minimum academic requirements must be met for a student to remain in good academic standing. Failure to comply with these requirements will result in academic disqualification or placement on academic probation. Copies of the complete written academic standards, policies, and procedures are published annually in the Student Handbook, which is distributed to each student and is available at the law school administration office.

### Academic Standards Committee

The Academic Standards Committee, composed of members of the law school faculty appointed by the dean, develops and implements the law school's academic standards. The committee has the authority to enforce academic standards, including probation and disqualification. It also may place conditions on continued enrollment, such as repetition of courses, participation in Academic Support Program activities, and counseling.

Because exceptions to policy are rarely granted, students are urged to do everything possible to maintain good academic standing. To avoid the risk of disqualification or other academic sanctions, students are encouraged to perform their academic responsibilities at the highest possible level.

### Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act of 1974 (FERPA) affords students certain rights with respect to their educational records. These rights include:

- The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. (A list of the records that may not be reviewed by a student is available in the John F. Kennedy University Policy and the Family Educational Rights and Privacy Act of 1974, expanded version, a copy of which may be obtained in the Registrar's Office, Pleasant Hill; the College of Law, Pleasant Hill; and at the Student Services Office, San Jose.)

Students shall submit to the Registrar, Dean, head of the academic department, or other appropriate official, a written request that identifies the record(s) they wish to inspect.

If the records are not maintained by the University official to whom the request is made, that official shall advise the student of the correct official to whom the request should be addressed.

The University official responsible for the records will make arrangements for access and notify the student of the time and place where the records may be inspected.

- The right to request the amendment of the student's education records that the student believes is inaccurate. The student should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the University decides not to amend the record, the University will notify the student of the decision in writing and advise the student of his/her right to a hearing. After the hearing, if the University still decides not to amend the record, the student has the right to place a statement with the records setting forth his/her view about the contested information.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by John F. Kennedy University to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

#### *Family Policy Compliance Office*

U.S. Department of Education  
400 Maryland Avenue SW  
Washington, DC 20202-5920

The University may disclose, without consent, directory information. At JFK University, directory information includes the following:

- Name
- Major field of study
- Period of enrollment
- Awards and degrees received from JFK University
- Current enrollment status—full-time/half-time

Generally, the University must have written permission from the student in order to release any information, other than directory information, from a student's education record.

However, FERPA allows schools to disclose student records without consent to the following parties or under the following conditions:

- To personnel within the University who maintain educational records and those with a legitimate educational interest, including faculty or staff, who deal with the student and carry out education duties and employees designated by them to assist in these tasks.

John F. Kennedy University defines “legitimate educational interest” as “needs the record(s) to carry out employment responsibilities.” Therefore, any University employee (or person acting on behalf of the University) may have access to student records without the student’s written consent if that person needs the access to carry out his/her employment responsibilities.

- Other schools to which a student is transferring;
- Specified University officials or contracted agents for audit or evaluation purposes;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the University;
- Accrediting organizations;
- Appropriate parties in compliance with a judicial order or lawfully issued subpoena; and
- Appropriate officials in cases of a health and safety emergency.

It is JFK University’s policy to release official transcripts only upon the written and signed consent of the student and upon payment of the fee for each transcript. To protect each student, a record is kept for one year of transcripts issued and of any persons or institutions (other than JFK University officials) which have, upon student consent, been granted access to the student’s records.

## STATE BAR REQUIREMENTS

### Registration as a Law Student

Rule V, Section 1 of the Rules Regulating Admission to Practice Law in California states that all law students must register with the State Bar no later than 90 days after beginning their law studies. Registration is a prerequisite to taking the California Bar Examination. Forms are available from the State Bar website at [www.admissions.calbar.ca.gov](http://www.admissions.calbar.ca.gov). Each student is responsible for obtaining the form and submitting it to the State Bar by the deadline.

### First-Year Law Students’ Examination (FYLSX)

In accordance with state law and rules promulgated by The Committee of Bar Examiners, a student admitted with special status is required to take the First-Year Law Students’ Examination after completion of the first year of study (after completion of Torts, Contracts, and Criminal Law). The student, upon becoming eligible to take the examination, must pass by

the third consecutive administration of the examination in order to continue in law school. Failure to pass the FYLSX by the third consecutive administration results in automatic dismissal from the College of Law.

Applications for the FYLSX are accepted only through the online application process available at <http://www.admissions.calbar.ca.gov>. Students admitted to JFK University holding an AA, BA, or at least 60 qualifying units of undergraduate work are not subject to the FYLSX. The FYLSX is also required for students who previously attended an unaccredited law school.

All Special Status students are strongly discouraged from continuing on to the second year of law school until they successfully pass the FYLSX. A student who passes the FYLSX within three consecutive administrations shall receive credit for all law study successfully completed to the date of the administration of the examination passed.

A Special Status student who does not pass the FYLSX within three consecutive administrations and is dismissed from the College of Law, but who subsequently passes the FYLSX, may apply for readmission to the College of Law. If the student is readmitted, s/he may receive credit only for the first-year courses successfully completed.

### California Bar Examination

Two separate application forms are required in conjunction with the Bar Examination: (1) Application to take the California Bar Examination and (2) Application for Determination of Moral Character. Applications are accepted only through the online application process available at <http://www.admissions.calbar.ca.gov>. The student is responsible for submitting the application to the State Bar by the established deadlines.

### State Bar of California Rules

The State Bar of California rules also mandate attendance policies and other areas of enrollment and academic progress. The rules are available through The Committee of Bar Examiners of The State Bar of California, 180 Howard Street, San Francisco, CA 94105, 415.538.2303, or at [www.calbar.ca.gov](http://www.calbar.ca.gov).

## ACTIVITIES AND ORGANIZATIONS

### JFK University Law Students’ Association

The JFK University Law Students’ Association (LSA) is an organization of the students enrolled in JFK University College of Law. The LSA elects officers each fall and meets regularly with the dean throughout the school year to discuss matters that affect law students and to facilitate communication between the law school administration, faculty, and students. The LSA

also sponsors extracurricular events for law students, including mixers, speaker forums, and graduation celebrations.

### **Black Law Students' Association**

Founded in 1968, the Black Law Students' Association (BLSA) is the largest student-run organization in the country, with chapters at more than 300 law schools. BLSA's goals include promoting the professional needs and goals of black law students and bringing about change within the legal system. Activities include job fairs, community service programs, conferences, and scholarships.

### **Animal Legal Defense Fund**

JFK University College of Law has a student chapter of Animal Legal Defense Fund (ALDF), a national non-profit whose mission is to protect the lives and advance the interests of animals through the legal system. With support from ALDF, the student organization hosts speakers, tables on campus to raise awareness about animal-related issues, and volunteers to assist local law firms with legal research and writing.

### **Equal Justice Works**

Equal Justice Works was founded in 1986 by law students dedicated to working for equal justice on behalf of underserved communities and causes. Today, Equal Justice Works is the national leader in creating summer and postgraduate public interest opportunities for law students and lawyers, as well as in urging more public interest programming at law schools. John F. Kennedy University College of Law is proud to have had one of our students chosen for the Equal Justice Works Fellowship for 2007-09. Our Fellow was one of only 50 students chosen nationwide. She spent her fellowship at the law school's Elder Law Clinic.

### **Accommodations and Services for Students with Disabilities**

John F. Kennedy University's Office of Disability Services for Students (ODS) offers confidential and individual consulting sessions to develop strategies and determine effective and reasonable academic accommodations for students with disabilities. In addition, the office serves as a liaison with faculty and staff and provides students with disability-related information and referrals. The ODS works closely with University departments and schools in reviewing student requests for services and making recommendations for the accommodations JFK University can provide.

Students who require disability-related examination accommodations must initiate the process by registering with the University's Office of Disability Services for Students. All disability accommodations and services are approved based on functional limitations and documentation of disability. Testing accommodations are determined on a case-by-case basis, and are consistent with those granted by The State Bar of California to prepare students for the California Bar Examination.

Accommodated law school examinations are coordinated between the College of Law and the ODS, and are proctored under the auspices of the ODS.

Students with disabilities may be eligible for accommodations on the First-Year Law Students' Examination (FYLSX), if required, Multi-State Professional Responsibility Examination (MPRE), and the California Bar Examination. Students are encouraged to discuss these issues with the ODS when they register. The fact that a student was granted certain testing accommodations while in law school is considered by The Committee of Bar Examiners and National Conference of Bar Examiners, but it is not determinative. Assistance and consultation are provided for students as they petition the State Bar for accommodations on the Bar Examination. Law students with disabilities are strongly advised to begin that process by consulting with the ODS approximately 18 months before their intended examination date, and to apply for accommodations for the MPRE at least 10 weeks in advance of the application deadline for the test, which is offered three times a year.

Students may call the Office of Disability Services for Students at 925.969.3447 or e-mail [ods@jfk.edu](mailto:ods@jfk.edu) for more information and to schedule an intake appointment.

### **Law Library**

The Law Library is open seven days a week, except for calendared University holidays. The hours are Monday through Thursday, 9:30 a.m. to 9 p.m.; Friday, 9:30 a.m. to 5 p.m.; Saturday, 10 a.m. to 5 p.m.; and Sunday, 1 p.m. to 6 p.m. The Law Library is located on the first floor of the main campus at the end of the north hallway. (Access to the library on Sundays is only through the library door at the north end of the building.) The phone number is 925.969.3120.

### **Library Rules**

Quiet please.

All cell phones and pagers must be turned off in the Law Library. Computers and other assorted processing equipment may be used as long as they do not disturb others.

NO food in the library. Drinks in covered containers are permitted.

All photocopying must be completed at least five minutes before closing.

Failure to comply with these rules may result in a suspension of privileges or removal from the Law Library.

### **Checkouts and Overdue Materials**

Most Law Library materials do not circulate. Circulating materials may be checked out for one month. These materials may be renewed in person, online, or by phone unless the material has been requested by another student or faculty member. Overdue fines are \$1 a day for the first week overdue;



thereafter, the fine is \$2 a day up to \$50 or the cost of replacing the item, whichever is greater. (No further checkout is permitted until overdue fines are cleared.)

Lost or severely damaged items must be replaced or paid for at replacement cost. Registration or graduation may be blocked for items overdue, fines owed, or charges outstanding.

### *Online Password Information*

Law students will receive individual Westlaw and Lexis passwords in their first semester. Student passwords are valid for the remainder of the student's course of study at the College of Law. If a law student is having a problem with a password, s/he should see the law librarians for assistance.

The sharing of passwords with others violates our agreements with Thomson/Reuters and Lexis/Nexis. Restrictions on the use of Westlaw and Lexis passwords are explained in the contract which law students enter into with Westlaw and Lexis when they receive their personal passwords. For questions concerning these database policies, call 1.800.WESTLAW and/or 1.800.45LEXIS.

Computer facilities are available in the Law Library for full-text searching of legal databases, including Westlaw and LexisNexis Academic. Students have priority when computer terminals are busy.

There are two copiers located in the library. Copiers are 15¢ each; copiers accept copycards only, no coins. Copycards can be purchased with cash from a dispenser located in the main lobby.

### **Career Services**

John F. Kennedy University's Career Center is a University-wide resource for students and alumni. The Center assists individuals who are re-entering the job market, changing career direction, or refocusing their career with their job search needs. The Career Center, located in Room S313, has resources related to choosing a legal or law-related career and conducting a legal job search. Call (925.969.3542), e-mail ([career@jfku.edu](mailto:career@jfku.edu)), or visit the Career Center (Room S313) at the Pleasant Hill campus for information and a copy of "Legal Career Search Guide." Law students also are encouraged to contact their law faculty advisors for support and information regarding career options and opportunities.

Internet guides for finding legal jobs and career-related information are available in the Career Resource Center. The Resource Center also has books related to the legal job search.

### **Veterans' Success Center**

The primary goal of the Veterans' Success Center (VSC) is to provide support to active military members, veterans, and their dependents, allowing students to focus on their studies. The center is only accessible to active military members, veterans, and their dependents, creating an environment of security.

The center provides access to computer work stations and quiet spaces to study. Additionally, students are able to print documents and make copies for free. Snacks are also provided.

The center is maintained by a full-time Veterans' Student Advisor who assists the students with any and all needs that may arise during their academic career. To contact the Veterans' Student Advisor, e-mail [vsc@jfku.edu](mailto:vsc@jfku.edu).

## **APPLICATION AND ADMISSIONS**

Several times a year, the College of Law hosts Information Seminars and Open Houses for people who are considering going to law school. Topics covered include the demands of our academic program, admission requirements and procedures, and the specific features of our program. The dean, faculty, and staff host these events with a panel that often includes students and graduates who talk about their law school experiences. Please visit the University's website at <http://www.jfku.edu> for the date of the next event.

Prospective students are encouraged to contact the Office of Admissions to visit classes, tour the campus, and meet with faculty and students. Call 800.696.5358 or e-mail [proginfo@jfku.edu](mailto:proginfo@jfku.edu).

### **Admission to the College of Law**

The application deadline for admission is July 15 of each year. The application deadline for transferring or visiting students is June 1 of each year. To be considered for admission, an applicant must submit a completed application form, the required fee, an official Credential Assembly Service (CAS) report from LSAC, and a personal statement of interests and goals in studying law. Applicants are also encouraged to provide additional information on their career experience, nonacademic accomplishments, and special interests. Applicants may be asked to have an informational interview with a law school faculty member.

### **Admission Procedure**

Applications to the College of Law are reviewed by the Admissions Committee. Selection of applicants for admission to the College of Law is based upon a combination of factors including, but not limited to, academic record, LSAT score, maturity, work experience, professional promise, personal statement, writing ability, special interests, and nonacademic accomplishments. Admission decisions are made independent of need for financial aid.

### **Applicants for Admission with Regular Status**

To be eligible for admission to the College of Law with regular status, applicants must have (1) a bachelor's degree from an accredited college or university or (2) an academic associate of

arts or science degree from an accredited college in California or (3) successfully completed a minimum equivalent of two years of undergraduate coursework which is transferable to an approved, four-year school in California.

### Applicants for Admission with Special Status

Applicants who do not meet the above education criteria for admission with regular status may be considered for admission with special status. A special status student is one who, through life, work, and experience, has demonstrated a level of accomplishment and maturity required to succeed in law school. In addition to the application requirements for all applicants, special status applicants must also (1) submit at least two letters of recommendation attesting to their apparent ability to study law; (2) achieve an LSAT score at or above the 50th percentile; and (3) achieve a score of 50 or higher on three College-Level Examination Program (CLEP) general exams: in English Composition (with or without essay), and in two of the remaining five general exams (Humanities, Mathematics, Natural Science, Social Science, and History). After completion of the first year of law study, special status students must take and pass the First-Year Law Students' Examination administered by The Committee of Bar Examiners. (See page 30.) For more information on CLEP, applicants may contact the law school's Assistant Director of Admissions and Records at 925.969.3338.

### Applicants for Admission with Advanced Standing

Applicants who have previously attended law school may apply for admission with advanced standing. Such applicants must fulfill the same application requirements as beginning students, stated above, and demonstrate that they are in good standing at the law school last attended through submission of an official letter from the school's dean or registrar and an official transcript. Applicants with prior law school experience at an unaccredited school will be considered for admission with advanced standing only if they have passed the First-Year Law Students' Examination.

The Admissions Committee will determine the amount of allowable transfer credit. Only academic courses taken within the previous 27 months and in which a good-standing level grade (C or higher) was attained will be considered for transfer credit.

### Applicants Participating in the Yellow Ribbon Program

John F. Kennedy University is an approved participant of the Department of Veterans Affairs in the Yellow Ribbon program, established by the Post-9/11 Veterans Educational Assistance Act of 2008. The program allows a limited number of eligible Post-9/11 (Ch.33) veterans to attend JFK University at little to no cost.

To participate in this program, a veteran must be 100 percent eligible for the Post-9/11 (Ch.33) GI Bill. Visit the GI Bill website at <http://www.gibill.va.gov> for additional information on Yellow Ribbon program eligibility. Veterans interested in applying for the Yellow Ribbon program should contact the Financial Aid Office at [finaid@jfkku.edu](mailto:finaid@jfkku.edu).

### Applicants Previously Dismissed from Law School

An applicant who is not in good standing at his/her prior law school must demonstrate that s/he possesses the requisite ability to succeed at the study of law and that the prior academic disqualification was caused by extraordinary circumstances not likely to recur. If the disqualification occurred within the past two years, the applicant must submit a letter from the dean or faculty member of the prior law school attesting to the student's ability. If more than two years have elapsed since disqualification, an enhanced potential to succeed in the study of law must be demonstrated. Transfer credit will only be considered if the student was advanced to the second year at the prior law school, subject to the same restrictions stated in the above section for applicants with advanced standing.

### Visiting Law Students and Applicants for Non-Degree or Auditor Status

The following individuals may apply as non-degree students or auditors: (1) students currently in good standing at other accredited law schools, (2) graduates of accredited law schools, and (3) licensed attorneys. Some required and elective courses may be audited with the permission of the dean. Writing courses, Appellate Advocacy, Trial Advocacy, and some other courses may not be audited.

Visiting law students must submit the following: an application, with \$90 application fee, and a letter from the dean or registrar of the current law school verifying enrollment and good academic standing, stating which JFK University course(s) the applicant has approval to take and confirming that the current school will award credit if the student passes the course(s).

Applicants for admission as non-degree students must submit the application with a \$40 fee and a letter or e-mail to the dean indicating the course(s) the applicant wishes to take and the applicant's qualifications for understanding the coursework and contributing to classroom discussion. Non-degree applicants may be required to submit additional documents to establish eligibility for admission. Admission on such basis is at the discretion of the dean.

Auditors are not required to submit the full law school application; however, they must have written approval of the dean to enroll. Documents may be required to establish eligibility to enroll.

### International Applicants

John F. Kennedy University College of Law admits international students who meet the requirements set by the University, The

Committee of Bar Examiners of The State Bar of California, and the United States Citizenship and Immigration Services (USCIS).

The University requires the following documents before such an admission decision will be made: application plus required fee, Certification of Finances, LSAT score, an in-depth autobiography, and official transcripts sent directly from all institutions previously attended. Certified translated copies of transcripts are required if the original transcripts are not in English. The Committee of Bar Examiners of the State Bar of California requires an evaluation of prior academic work by an approved credential evaluation service. The list of Bar-approved evaluation services is available from the law school's Assistant Director of Admissions and Records.

The USCIS requires that international students seeking F-1 non-immigrant status must show proof of adequate funds to meet the expenses of studying and living in the United States. The Certification of Finances form and general information for international law applicants are available from the Office of Admissions and Records.

The applicant may be requested to schedule an interview with a faculty member once all required documentation has been submitted.

### Incomplete Application Files

Incomplete application files are held for one year from the term of application. Applicants who did not complete the application process within one year of the term of original application must reapply.

### Cancellation of Admission

Admission is canceled if the admittee does not enroll in the class to which admitted unless s/he has been granted a deferment. Deferments may not exceed one academic year and must be approved in advance by the Admissions Committee.

### Reapplication After Denial of Admission

Applicants who have been denied admission may reapply if an important component of their original application has changed, such as a new LSAT score or an additional college degree.

### Reapplication After Absence

Applicants who previously attended JFK University College of Law and have been absent for any length of time without an approved leave of absence must formally reapply. They are subject to the application and admission policies and requirements in force at the time of reapplication.

All original documents submitted to the College of Law as part of the application process become the property of the University. Copies of such documents may be requested.

## TUITION AND FEES

*The tuition and fees listed in the following schedules are charged as indicated and are subject to change without prior notice. The Board of Trustees reviews rates of tuition and fees charged to students at least annually. Tuition and fees are increased periodically at the discretion of the Board of Trustees, usually in the fall. Please see our website at <http://www.jfku.edu> for the latest fee schedule.*

Given the rapidly increasing costs in education, it is reasonable for students to expect increases in tuition on an annual basis.

### Tuition

Tuition is due and payable at the time of registration each term. A deferred payment plan is available. Tuition charges are per semester unit.

JD Degree students and visiting students .....	\$917 per unit
JD Auditors .....	\$620 per unit
JFK University College of Law alumni auditors .....	\$445 per unit

### Fees

The application fee must accompany the application for admission and be sent directly to the law school's Assistant Director of Admissions and Records. Applications received without payment will not be processed. All fees are non-refundable.

### Application Fee:

Degree students .....	\$90
Non-degree students (visitors) .....	\$40
Auditors .....	no fee

### Registration-Related Fees:

Add/Drop processing, per transaction .....	\$25
Deferred payment set-up, per term .....	\$50
Late payment charge, per missed payment .....	\$30
Late registration .....	\$110

### Graduation:

Petition for Degree .....	\$175
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### Transcripts:

Transcript of record, each copy.....	\$10
Rush transcript (processed by next working day).....	\$15

### Miscellaneous:

Law academic support fee, per unit.....	\$35
Law examination fee, annual .....	\$60
Rescheduled examination, per examination .....	\$125

Student Activities, per semester .....	\$15
Replacement of diploma .....	\$50
Technology, per semester .....	\$100
Library fee (for personal use) .....	\$150

## FINANCIAL AID

The Financial Aid Office provides financial assistance in the form of loans, grants, and scholarships. Aid is intended to help students who, because of limited resources, would otherwise be unable to attend school, or who, with the aid, are able to take additional courses and graduate at an earlier date. The philosophy underlying administration of federally funded financial aid places primary responsibility for meeting educational costs on students and their families. As a result, most financial aid is available only to help fill the gap between a student's or family's expected contribution and a student's educational expenses.

Students considering applying for financial aid are urged to contact the Financial Aid Office ([finaid@jfk.edu](mailto:finaid@jfk.edu) or 925.969.3385) as soon as possible as eligibility for financial aid programs is very individualized. Several booklets containing detailed information about eligibility, procedures, and the financial aid programs available at the University are available from the Financial Aid Office or are online at [www.jfk.edu](http://www.jfk.edu). Basic eligibility requirements include half-time enrollment and enrollment in an eligible program. In addition, no prior student loans may be in default status.

Financial aid regulations change frequently. Students should check with the Financial Aid Office for the latest information. Financial aid is available to students who are permanent residents of the U.S. or certain Pacific Islands and any other eligible non-citizens (individuals who can provide documentation from the United States Immigration and Customs Enforcement (ICE) in the Department of Homeland Security (DHS) that they are in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident). Students should contact the Financial Aid Office for specific requirements regarding citizenship.

John F. Kennedy University scholarships are institutionally funded awards for graduate and undergraduate students. Scholarships range from \$250 to \$2,000 per year. They are designed to reduce students' reliance on loans and enable additional students to attend the University. Eligibility is based on extreme financial need.

JFK University Honors Student Merit Scholarships and JFK University Honors Student Full-Tuition Merit Scholarships are available to JFK University law students. These are merit-based scholarships.

When available, the College of Law may offer merit scholarships that assist in paying a portion of a student's tuition and fees for the following academic year. If offered, these scholarships are generally competitive, based upon student academic performance. In determining awards, the Dean's office considers academic performance to include a student's entire academic file, a student's need, a student's contribution to school activities, student conduct or disciplinary matters, and collegiality with instructors and fellow students.

Scholarships are allocated so as to credit half of the scholarship award to the student's account in fall and half in spring at the time that a student registers for classes. In addition, scholarship recipients may be invited by the Dean to participate in events for honors students.

A one-year merit scholarship does not commit the school to providing additional funds to a recipient beyond the year or amount indicated in the award letter. The school cannot guarantee that funds will be available for merit scholarships in any or subsequent years. If awarded, a student should contact the University's Financial Aid Office Director, administrator of the funds, for details and questions.

Other grants and scholarships are periodically available from the University and outside sources (e.g., private foundations). Notices regarding the application process for these awards are available in the Financial Aid Office and are posted on the JFK University Financial Aid website at [www.jfk.edu](http://www.jfk.edu).

John F. Kennedy University welcomes contributions to the University scholarship fund. All contributions are tax deductible and may be sent to John F. Kennedy University, Office of University Advancement, 100 Ellinwood Way, Pleasant Hill, CA 94523-4817.

### Loans

Loans are funds that must be repaid with interest. Students should check with the Financial Aid Office for current information on loan limits, interest rates, and terms.

Federal Perkins Loans are 5 percent interest loans for graduate and undergraduate students. They are awarded by the Financial Aid Office from funds consisting of a federal contribution, University contribution, and repayment from previous borrowers. Most Federal Perkins Loans range from \$3,000 to \$8,000 annually. Interest accrual and repayment begin nine months after graduation, withdrawal, or cessation of half-time enrollment. Repayment may take up to 10 years. Eligibility is based on financial need.

The Unsubsidized Federal Direct Loans are available to graduate students. With the exception of demonstrating financial need, the Unsubsidized Federal Direct Loan has the same eligibility criteria as the Federal Stafford Loan. Family income or poor credit will not affect loan eligibility or disqualify a student from obtaining an Unsubsidized Federal Direct Loan. Unsubsidized

loans have an annual variable rate with a cap of 9.5 percent. The current rate for new borrowers is 6.21 percent. Interest begins accruing after the loan is disbursed. A student can borrow up to \$20,500 per year.

The graduate PLUS loan provides additional federal funding beyond These loans have an annual variable rate with a cap of 10.5 percent. The current rate for new borrowers is 7.21 percent. Deferment options are available while in school. The annual award is up to the cost of attendance, as determined by the school, minus other financial aid.

U.S. Department of Education regulations (Code of Federal Regulations §34CFR682.604g) require all recipients of Federal Direct Unsubsidized Student Loans and Federal Perkins Loans to attend or complete an entrance interview prior to loan certification and an exit interview prior to graduation or withdrawal from school. The exit interview includes information on the average indebtedness of students, the average anticipated monthly repayments on the loan, and the options available to students for repayment and deferment of payment. Failure to complete an exit interview could result in a hold being placed on the student's diploma and academic transcripts.

### Application Forms and Deadlines

The Free Application for Federal Student Aid (FAFSA) is used to calculate eligibility for the Federal Perkins Loan, the John F. Kennedy University Scholarship, Unsubsidized Direct Loans, and graduate PLUS Loans. The priority filing deadline for the Perkins Loan and JFK University Scholarship is March 2 for the following academic year. Separate application forms are required for the Federal Unsubsidized Direct Loan and graduate PLUS loan. Private aid requires separate forms. Students should contact the Financial Aid Office with questions regarding any applications for financial aid.

Students must apply each academic year (three terms) to receive financial aid. Any student who knowingly submits incorrect, misleading, or incomplete information in applying for or receiving financial aid will be subject to discontinuation of funds and may be subject to dismissal from the University.

### Satisfactory Academic Progress

Satisfactory academic progress is defined as reasonable and timely advancement by students toward completion of their educational goal. All students who apply for federal, state, and most institutional financial aid at John F. Kennedy University must maintain satisfactory academic progress while receiving financial aid.

The Financial Aid Office at JFK University monitors academic progress each term, monitoring all units attempted and completed, including:

- units that were transferred from another institution and accepted by JFK University.
- units from JFK University that were attempted for which the student did not receive any aid.

- units earned prior to a student's change in program.

The University complies with federal regulations to monitor student aid recipients' academic progress toward a degree or certificate in the following ways:

### Qualitatively

Ensuring students' academic grades are consistent with requirements for receipt of a degree or certificate, students must maintain a minimum cumulative grade point average (GPA) of:

1. 2.0 (C) if an undergraduate student.
2. 3.0 (B) if a graduate student.
3. 2.0 (C) in all undergraduate courses and 3.0 (B) in all graduate courses during the period of linking if student is linking a BA or BS to an MA program.
4. a score of 70 if a law student.

### Quantitatively

This method ensures students complete their program within a maximum time frame.

Because students at John F. Kennedy University pursue a variety of educational objectives, the number of units required for completion will vary from program to program. A standard academic year at JFK University is defined as three terms (either three quarters or three semesters) or four sessions. In order to be considered making quantitative satisfactory academic progress, however, all financial aid applicants and recipients must adhere to the following guidelines:

- a. Unit Completion Rate/Pace Requirement – Students must complete (receive credit for or earn units in) at least 80 percent of all cumulative units attempted. The following grades are not considered units successfully completed: I, W, UW, AU, NC, F, NR, and
- b. Maximum Timeframe – Students are limited to taking no more than 150 percent of the units, including transfer units, of the published length of their program.

### Repeating Courses to Achieve a Passing Grade

Repeated coursework may be included when determining enrollment status in a term if a student needs to meet an academic standard for a particular previously passed course, such as minimum grade.

### Financial Aid Warning

Any student who fails to meet the satisfactory progress standards for either GPA and/or units completed percentage will be notified and placed on a Financial Aid Warning for one term. Students are still eligible to receive federal aid while on a Financial Aid Warning.



## Financial Aid Termination

When grades have been posted at the end of the Financial Aid (FA) Warning Period (one term), any student still failing to meet either the qualitative or quantitative standards for maintaining satisfactory academic progress will be disqualified from receiving further financial aid. In addition, students are granted only one warning period while enrolled. Once a student has used his/her FA Warning Period and subsequently re-establishes eligibility, s/he will automatically be disqualified if s/he ever falls below the required minimums again.

## Appeal Process/Financial Aid Probation

If the student is not making satisfactory academic progress after the Warning Period, their financial aid eligibility is terminated. A student may appeal to have their eligibility reinstated. The Financial Aid Appeals form is available in the JFK University Financial Aid Office in Pleasant Hill. The Financial Aid Director will review each appeal on a case-by-case basis within 30 days upon receipt of the appeal. If the Director approves the appeal, additional term(s) of probation may be offered. The student will continue to receive financial aid during the approved probationary period. Appeals may be accepted or denied at the discretion of the JFK University Financial Aid Office. No federal funds will be released until all final grades for a term in question are posted. Either of the following must be included in the appeal.

### a. Extraordinary Circumstances

Any student who feels that there were extraordinary circumstances that were beyond their control that contributed to their being placed on a Financial Aid Warning may file a written appeal with the Financial Aid Director requesting a probationary period to continue financial aid eligibility, along with appropriate documentation of the extraordinary circumstances. Important Notice – The appeal cannot be based upon your need for assistance or your lack of knowledge that your assistance was in jeopardy.

- 1) Extraordinary circumstances may include a student's illness or injury, death in the family, or other serious factors that are outside the student's control.
- 2) In addition to documenting the extraordinary circumstances, the appeal must include what has changed in the student's situation that would allow the student to demonstrate that they are or will be making satisfactory academic progress in the future.

### b. Academic Plan

A probationary period may require an approved Financial Aid (FA) Academic Plan that will ensure that the student is able to meet the institution's Satisfactory Academic Progress standards by a specific point in time. The FA

Academic Plan can come from and be approved by a Departmental Chair or Academic Advisor. If the student does not follow the requirements of the FA Academic Plan or fails to meet the Satisfactory Academic Progress standards by the date specified on the Plan, then the student will lose financial aid eligibility and will not be eligible to appeal.

## Reinstatement

If, after a student has been disqualified from receiving federal aid, the student feels that s/he has improved her/his academic standing to comply within the minimum financial aid academic standards, s/he may petition the Director of Financial Aid to have her/his financial aid eligibility re-established from that point forward. Students may re-establish eligibility only one time.

These policies are subject to federal, state, and institutional changes without prior notice. The Financial Aid Office will make every attempt to advise students of impending change but we cannot guarantee such notice. All students are subject to current standards, not the standards which were in effect at the time of enrollment. This is necessary to comply with any change in federal and/or state statute, regulation, or policy regarding student aid eligibility.

## Return of Title IV Funds

Students receiving federal financial aid who withdraw, drop out, or are dismissed on or before the 60 percent point in time of the period of enrollment (calculated using calendar days) must return a portion of the Title IV federal funds awarded to the student (federal Stafford loans—subsidized and unsubsidized, federal PLUS loans—graduate or dependent, Perkins loan, Pell Grant, and FSEOG) according to the Federal Formula for Return of Title IV funds as specified in §484B of the provisions of the Higher Education Amendments of 1998. Recalculation is based on the percent of earned aid using the following formula:

$$\% \text{ earned} = \left( \frac{\# \text{ of days completed up to the withdrawal date}}{\text{Total \# of calendar days in term}} \right)$$

Federal aid is returned to the federal government based on the percent of "unearned aid" using the following formula:

$$(100\% - \% \text{ earned}) \times \left( \frac{\text{amount of aid dispersed}}{\text{toward institutional charges}} \right)$$

The responsibility of returning unearned aid is allocated between John F. Kennedy University and the student according to the portion of disbursed aid that could have been disbursed to cover the University charges and the portion that could have been disbursed directly to the student once the JFK University charges were covered. JFK University will distribute the "unearned aid" back to the Title IV programs as specified by law. The student

will be billed for the amount owed to the Title IV programs and any amount due the University resulting from the return of Title IV funds used to cover University charges.

### Withdrawal/Leave of Absence

All undergraduate, graduate, and law students who fully withdraw from JFK University during a quarter/semester must do so according to the schedule and instructions published by the Registrar's Office.

Reauthorization of the Higher Education Amendments, signed into law on October 7, 1998, resulted in a change in the federal regulations governing the refund or return of federal (Title IV) funds. When a student withdraws from the University, the withdrawal date used in determining the federal refund policy is the date:

- The student files the Add/Drop Form with the Registrar's Office;
- The student officially notifies the Registrar's Office in writing or by phone of the student's intent to withdraw; or
- The University determines the date that most accurately reflects the last date of attendance at an academically related activity of the student.

If the student leaves without beginning JFK University's official withdrawal process or otherwise providing official notification of his/her intent to withdraw, the withdrawal date will be the 50 percent point of the term. In this instance, JFK University could determine an earlier withdrawal date if the circumstances beyond the student's control (e.g., illness) have prevented him/her from beginning the official withdrawal process. The University could also determine the last date of an academically related activity of the student.

The date used to determine the return of federal funds may be different from the date used by the University to determine institutional refunds.

The Financial Aid Office at JFK University does not recognize leaves of absence for financial aid purposes.

### Veterans' Benefits

John F. Kennedy University degree programs are approved by the California State Approving Agency for Veterans Education (CSAAVE). Certificate programs are not approved for VA benefits. Veterans who expect to receive VA educational benefits must complete a notice to the Veterans' Benefits Administrator at the time of registration. Contact the Veterans' Benefits Administrator in the Financial Aid Office at 925.969.3385 or at [finaid@jfkku.edu](mailto:finaid@jfkku.edu) for current information.

Monthly benefits are based on the number of units taken each quarter/semester, the scheduled meeting dates of each course taken, and the number of the veteran's dependents. The minimum number of units for each classification is listed in the following table:

Status	Undergraduate	Graduate	Law
Full-Time	12	9.0	6
Three-Quarter-Time	9	6.0	4
Half-Time	6	4.5	3

Information on monthly benefits for the above attendance rates, for course attendance while on active duty, or for less than half-time attendance, may be obtained by calling 800.827.1000. Disabled veterans are advised to contact the Vocational Rehabilitation and Counseling Division located at 1301 Clay Street, Oakland, CA 94612-5209. Children of veterans qualify for benefits only if the veteran has a 100 percent service-related disability.

All applicants and recipients of veterans' benefits must maintain a cumulative grade point average (GPA) of 2.0 (C) if an undergraduate, 3.0 (B) if a graduate student, or 70 if a law student. Linked students must maintain a cumulative GPA of 2.0 (C) in all undergraduate courses and a cumulative GPA of 3.0 (B) in all graduate courses during the period of articulation.

Students who fail to meet the minimum satisfactory GPA requirements will be placed on academic probation and notified. If a student remains on academic probation beyond two quarters or semesters, the University will report a termination of benefits to the Department of Veterans Affairs. The University may not continue to certify the enrollment of a veteran or eligible person whose academic progress remains below graduation requirements.

The University must report the assignment of non-punitive grades (e.g., Incompletes) to the Department of Veterans Affairs within 30 days from the date the grades are assigned. The student is required to submit corroborative evidence to substantiate the student's claim of mitigating circumstances. This is necessary to ensure compliance with statutory restrictions on benefit payments. If, at the end of one year from the date the Incomplete was assigned, the student's records still reflect a non-punitive grade for the course, the Department of Veterans Affairs will inform the student that the benefit payments for the course must be retroactively terminated.

## BOARD OF TRUSTEES

The Board of Trustees plays an integral role in shaping the quality and character of the University as well as steering its future course.

Trustees are recognized leaders in their communities and individually respected in the fields of business, education, law, and the arts. The Board meets three times a year at National University headquarters in La Jolla, California to assess University goals and the progress toward achieving them.

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President, Nuance Wines

- Mr. Gerald Czarnecki, Vice Chair  
Chairman & CEO, Deltennium Group, Inc.
- Mr. Richard Chisholm, Secretary  
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- Ms. Stacy Allison  
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Clinical Associate Professor of Psychiatry  
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- Dr. E. Lee Rice  
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Lifewellness Institute
- Mr. Carlos Rodriguez  
Rodriguez & Company
- Mr. Jay Stone  
Vice President, Van Scoyoc Associates, Inc.

- Mr. Thomas Topuzes  
President and CEO, Thomas Topuzes & Associates, LLC

## UNIVERSITY ADMINISTRATION

- Debra Bean, Interim President. University of Colorado, BFA;  
School of the Art Institute of Chicago, MFA
- Eleanor Armstrong, Director of Student Affairs. University  
of Oregon, BS; John F. Kennedy University, MA
- Dean E. Barbieri, Senior Vice President of Academic Affairs  
and Dean, College of Law. University of California, Davis,  
BA; University of San Francisco, JD
- Mindy Bergeron, Director of Financial Aid. University of  
California, Berkeley, BA
- Chris Berk, Chief Financial Officer. University of California,  
San Diego, BS; Northeastern University, MS-MBA
- Judy Castro, Chief of Staff. University of San  
Francisco, Ed.D.
- Susan Davi, Assistant Vice President, Finance and  
Controller. California State University, Hayward, BS
- Jess Delegencia, Diversity Officer and Ombudsperson.  
University of California, Berkeley, BA; Eastern University,  
MA; Graduate Theological Union, M.Div.
- Miriam Garcia, Executive Director of the Office of  
Educational Services. National University, BS and MS
- Michael Graney-Mulholland, Dean, College of  
Undergraduate Studies. University of Phoenix, BS and MBA;  
Golden Gate University, DBA
- Mary Hunter, Director of Information Technology.
- Lisa Hutton, Faculty Senate President. California State  
University, Chico, BA; John F. Kennedy University, JD
- Gail Kinsley-Dame, Executive Director, John F. Kennedy  
University Community Counseling Centers. John F. Kennedy  
University, BA and MA
- Deborah Panter, Director of Educational and Institutional  
Effectiveness. University of California, Irvine, BA;  
Golden Gate University School of Law, JD
- Gerardo Rodriguez-Menendez, Dean, College of Graduate  
and Professional Studies. Florida State University, MA;  
Carlos Albizu University, PhD; Nova Southeastern  
University, MSCI Pharm.
- David Sadler, Director of Facilities.
- Cathrine Santini, Associate Vice President of Marketing and  
Communications. University of Colorado, BA
- Les Schmidt, Executive Director, Institute of  
Entrepreneurial Leadership. Antioch College, BA; Golden  
Gate University, MS

- Stephen Sticka, Registrar. University of Montana, BA; John F. Kennedy University, MA
- Anne Marie Taylor, Vice President of Advancement. Scripps College, BA; University of Missouri, MA

### College of Law Administration, Core Faculty, and Staff

- Dean E. Barbieri, Dean
- Chris Gus Kanios, Core Faculty, Associate Dean
- Ora Prochovnick, Director of Clinical and Public Interest Law Programs, Core Faculty
- Audrey Smith, Director of Legal Research and Writing Program, Core Faculty
- Pamela Zimba, Supervisor of the Legal Clinic for Elders, Core Faculty
- Sherrill M. Hall, Executive Assistant to the Dean
- Sarah Glueck Mraule, Academic Advisor
- Robin Galguera, Assistant Director of Advising and Records
- Carolyn Rife, Administrative Coordinator

### Law Library Staff

- Jamie Diermier, Law Library Assistant
- Kyle March, Law Library Assistant
- Tina Miller, Law Librarian
- Jane Minor, Assistant Law Librarian
- Neal Siler, Law Library Assistant
- Matthew Taxman, Law Library Assistant

## UNIVERSITY GENERAL INFORMATION

JFK University has two other schools in addition to the College of Law. Many courses are open to non-degree students and auditors. For more information, please call the Admissions Office at 800.696.5358 or e-mail [proinfo@jfk.edu](mailto:proinfo@jfk.edu).

### College of Graduate and Professional Studies

- Doctor of Psychology (PsyD) in Clinical Psychology
- Master of Arts in Consciousness & Transformative Studies
- Master of Arts in Counseling
- Counseling Psychology – Holistic
- Master of Arts in Health Education
- Master of Arts in Museum Studies

- Master of Arts in Sport Psychology
- Master of Business Administration (MBA)
- Dual Degrees
  - MA Museum Studies - MBA
  - MA Sport Psychology - MBA
  - MA Sport Psychology - PsyD
  - JD - MBA
- Graduate Certificate in Sport Psychology
- Graduate Certificate in Museum Studies
- Post Master's Clinical Training Certificate

### College of Undergraduate Studies

- Bachelor of Arts in Convergence Journalism
- Bachelor of Arts in Legal Studies
- Bachelor of Arts in Liberal Studies
- Bachelor of Arts in Psychology
- Bachelor of Science in Business Administration
- Bachelor of Science in Criminal Justice Leadership
- Human Resources Certificate
- Paralegal Certificate

### Institute of Entrepreneurial Leadership

- Advanced Certificate in Entrepreneurship

### Non-Discrimination Policy

John F. Kennedy University does not discriminate on the basis of race, color, height, weight, national origin, religion, age, marital status, gender, sexual orientation, veteran status, or disability. In a continuing effort to enrich its academic environment and provide equal educational and employment opportunities, the University actively encourages applications from members of all groups that are underrepresented in higher education.

### The JFK University Vision of a Living Culture of Diversity

In service to our mission of academic excellence, John F. Kennedy University strives to embody a Living Culture of Diversity. We recognize that a diverse school environment is one that supports the academic community in gaining the awareness, knowledge, and skills to work effectively with all people. We understand that this goal is an ongoing process requiring an active commitment from all levels of our University. John F. Kennedy University is dedicated to developing a supportive, diversity-rich environment. Recognizing the impact of negative attitudes and systemic discrimination at all levels of individual and group interaction at our University, in our local communities, and in the wider social/global milieu, JFK University seeks to establish a Living Culture of Diversity, characterized by these five principles:

1. An ongoing practice of openness and respect for people with experiences, beliefs, and traditions different from our own;
2. An understanding that diverse cultural backgrounds, life experiences, challenges, and values of faculty, students, staff, and administrators create a dynamic learning community vital for academic excellence;
3. A recognition that, in alignment with our commitment to academic excellence, openness to difference exposes students and faculty to broader perspectives, fosters deeper critical analysis, and opens new vistas for scholarly inquiry;
4. A commitment to eradicating intolerance, oppression, prejudice, discrimination, and harassment in all interactions within the JFK University community in order to impact, through our example, the local, national, and global communities we inhabit. We appreciate the value of self-reflection in reaching these goals; and
5. A commitment to supporting and providing accessibility of education and resources to equip the student body, faculty, and administration with the knowledge, skills, and attitudes required to “work together across our differences to forge the bonds of understanding essential for success in our interdependent global community.”

**Religious Pluralism**

JFK University is not affiliated with any denomination or religion. It is customary for the University to observe major national holidays. Personal observance of other religious and/or spiritual high holidays is respected by the University. Every effort is made to avoid scheduling University activities which conflict with those religious days or events; however, some conflicts may arise. Students need to contact their departments or instructors if they will be absent due to a religious holiday.

**For More Information**

Additional information about any John F. Kennedy University program may be obtained from the Office of Admissions and Records or from our website at <http://www.jfku.edu>.

**College of Law**

John F. Kennedy University  
 100 Ellinwood Way  
 Pleasant Hill, CA 94523-4817  
 (925) 969-3550  
[law@jfku.edu](mailto:law@jfku.edu)

**Financial Aid Office**

(925) 969-3385  
[finaid@jfku.edu](mailto:finaid@jfku.edu)

**Admissions Office**

(925) 969-3338  
[rgalguera@jfku.edu](mailto:rgalguera@jfku.edu)

**Registration Office**

(925) 969-3353  
[registration@jfku.edu](mailto:registration@jfku.edu)

**Office of Disability Services for Students**

(925) 969-3447  
[ods@jfku.edu](mailto:ods@jfku.edu)

**Housing**

John F. Kennedy University does not provide student housing. Prospective students moving from outside the area to attend the University should locate their own housing.

**ACADEMIC CALENDAR\***

**Fall Law Semester 2015**

**August 17, 2015 – December 19, 2015**

Priority ODS registration begins .....	July 18, 2015
Registration begins.....	July 25, 2015
Telephone/In person registration begins.....	August 3, 2015
Law Orientation .....	August 8 - 13, 2015
Instruction begins.....	August 17, 2015
Labor Day Holiday .....	September 7, 2015
<i>University is closed</i>	
Deadline to petition for degree for Spring Law 2016 completion .....	November 15, 2015
Thanksgiving Holiday .....	November 26 - 29, 2015
<i>University is closed</i>	
Instruction ends.....	December 1, 2015
Reading Period.....	December 2 - December 4, 2015
Exam Period.....	December 7 - 18, 2015
End of Semester.....	December 19, 2015
Degree date.....	December 21, 2015
Winter Holiday .....	December 24, 2015 through January 3, 2016
Grades due .....	January 15, 2016
Grades available .....	January 16, 2016



**Spring Law Semester 2016**  
**January 11, 2016 – May 21, 2016**

Priority ODS registration begins .....	November 14, 2015
Online registration begins .....	November 21, 2015
Thanksgiving Holiday .....	November 26 - 29, 2015
<i>University is closed</i>	
Telephone/In person registration begins.....	December 7, 2015
Winter Holiday .....	December 24, 2015 through January 3, 2016
Instruction begins.....	January 11, 2016
Martin Luther King, Jr Holiday.....	January 18, 2016
<i>University is closed</i>	
Deadline to petition for degree for Summer Law 2016 completion.....	March 15, 2016
Spring break.....	March 28 - April 1, 2016
Instruction ends.....	May 2, 2016
Reading period.....	May 3 - 6, 2016
Exam period.....	May 9 - 20, 2016
End of semester .....	May 21, 2016
Degree date.....	May 23, 2016
College of Law Commencement .....	May 29, 2016
Memorial Day Holiday.....	May 30, 2016
<i>University is closed</i>	
Grades due .....	June 10, 2016
Grades available .....	June 11, 2016

**Summer Law Session 2016**  
**May 31, 2016 – August 13, 2016**

Priority ODS registration begins .....	April 23, 2016
Online registration begins.....	April 30, 2016
Telephone/In person registration begins.....	May 9, 2016
Memorial Day Holiday.....	May 30, 2016
<i>University is closed</i>	
Instruction begins.....	May 31, 2016
Deadline to petition for degree for Fall Semester 2016 completion.....	June 15, 2016
Independence Day Holiday.....	July 4, 2016
<i>University is closed</i>	
Instruction ends.....	August 5, 2016
End of session.....	August 6, 2016
Degree date.....	August 8, 2016
Grades due .....	August 12, 2016
Grades available .....	August 13, 2016

\* Calendar is subject to change.

\*\* The Administrative Office and Law Library are open during the academic vacations. The Administrative Office is closed during the administrative holidays. Classes may be held on administrative holidays. Consult the course schedule available each term regarding class meetings; contact the Law Library (925.969.3120) for library hours on administrative holidays. The University is closed and no classes are held on University holidays.

# MAP AND DIRECTIONS

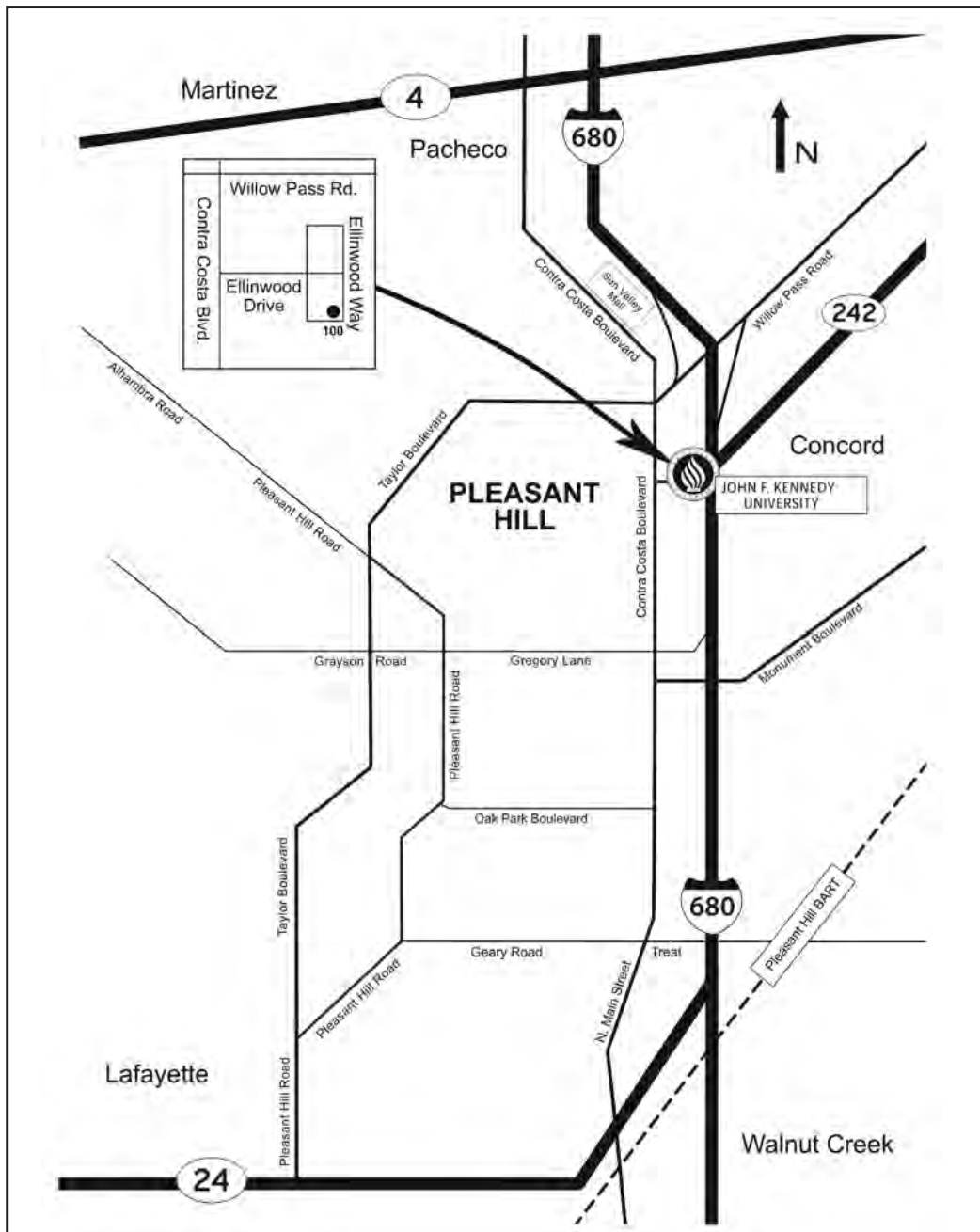
Directions to John F. Kennedy University Campus in Pleasant Hill

### Traveling South:

Traveling south on I-680, take the Willow Pass Road exit; right onto Willow Pass Road; left onto Contra Costa Blvd.; left onto Ellinwood Drive; right onto Ellinwood Way.

### Traveling North:

Traveling north on I-680, take the Willow Pass Road exit; left onto Willow Pass Road; left onto Contra Costa Blvd.; left onto Ellinwood Drive; right onto Ellinwood Way.



## APPENDIX A: ACADEMIC POLICIES AND PROCEDURES

### Registration, Adding and Dropping Courses, and Refunds

Registration may be completed online, by telephone, or in person within the designated registration period. Students who register after this period will be charged a late registration fee of \$110.

A student may drop a course for at least a partial tuition credit prior to midnight (PST) of the 14th day of the session by contacting the Registration Office at 925.969.3353 or through the student web portal, MyJFKU. To accurately count session days, the first day of a session—and not the actual day a student attends class—counts as day one. This refund policy applies to all courses, including those that begin beyond the 14th day of the session, internships, clinics, and weekend courses. (Note: The University counts calendar days rather than business days for determining refunds. Therefore, if the first day of the session is a Monday, the student would need to drop prior to midnight (PST) of the Sunday, the 14th day of the session.)

### Adding/Dropping a Course

There is no add/drop fee for students who add/drop online during the refund period if this is not the student's initial registration for the fall semester. Registration on MyJFKU will be open during the add/drop period. Fees may still apply if the add/drop is done by the Registration Office.

If a student does not complete a course, tuition refunds are made according to the schedule below. Students who drop or withdraw from a course:

- prior to midnight (PST) of the 7th day of the session receive a 100 percent tuition credit;
- prior to midnight (PST) of the 14th day of the session receive an 80 percent tuition credit;
- after midnight (PST) of the 14th day of the session receive no tuition credit.

For students receiving Federal Financial Aid, a separate Return to Title IV calculation is used. Please consult the Financial Aid Office at 925.969.3385 for additional information.

A Student Data Sheet is issued by the Registration Office to students to confirm that courses have been added or dropped. If one is not received within seven working days of filing the paperwork, the Registration Office should be contacted to confirm if the add/drop has been processed.

Refund checks or credits to accounts are processed by the Accounting Office after the fourth week of the semester.

Additional signed permission forms are required to register for Clinical Placements, Law Review, and Independent Study.

Please refer to the University's General Catalog and to the registration materials issued each semester for additional information about registration.

### Repeating Courses to Achieve a Passing Grade

A student who earns a grade below 60 in a numerically graded course or a grade of No Credit in a Credit/No Credit course does not earn credit for the course and must repeat it if it is a required course. Students who earn a grade between 60 and 69 may be granted permission to repeat a course at the discretion of the Dean's office. When a student repeats a course, both the original and repeat enrollments are noted on the student's transcript. However, only unit credit and grade points earned for the higher passing grade are counted in computing the grade point average and residency credit, and in determining the number of units successfully completed each year.

### Withdrawal from a Course or Courses

Once the registration period has passed, a student may withdraw from a class (and receive a nonpunitive "W") or add a class only upon written approval of the Dean, who shall consider the basis for the request, the overall academic standing of the student, the current status of the student in the class in question, and whether the student has been diligent in seeking the change. Students who withdraw from a course without such approval, or who otherwise cease to attend a course for more than 20 percent of the class sessions, shall receive an "FW" on their transcript indicating that they were administratively withdrawn from the course not in good standing. Students seeking to withdraw from courses that are required under the curriculum are advised that such a withdrawal, approved or not, may jeopardize their ability to advance into the next year of their studies.

In any event, the Dean's office will not approve any withdrawals after the fifth week of the fall or spring semester or the third week of the summer session. Exceptions to this policy will be made only in extreme situations (e.g., prolonged and unanticipated hospital stays, death of an immediate family member, etc.). Exceptions to this policy are the sole discretion of the Dean's office and are non-appealable.

Course withdrawal must be done by filing an Add/Drop Form. Add/Drop forms are available in the Administration and Registration offices. It is the student's responsibility to be certain that his/her withdrawal status is properly achieved.

### Incomplete Policy

An Incomplete (I) grade may be given to a student who has maintained satisfactory attendance and work throughout most of the course, including independent study, but due to extraordinary circumstances is unable to complete the required work by the end of the semester/session in which the course was taken.

Granting of an "I" grade is at the discretion of the instructor with the approval of the Dean's office. Students have a maximum of

one semester/session beyond the term in which the course was offered to submit the required work. The instructor may set a date for submission for the work that results in a shorter period than the maximum allowed.

It is the student's responsibility to request an Incomplete from the instructor and, if the instructor approves an Incomplete, to provide the instructor with the Incomplete Grade Form. An "I" grade will be considered valid and recorded only if the form is complete and signed by the student, the instructor, and the Dean's office. The signed Incomplete form must be submitted in conjunction with the final grade report for that course.

If the Incomplete is not made up in accordance with the above policy, the instructor will assign and submit a final grade or, in the absence of such an assessment and submission, the "I" grade will be converted to a failing grade (F in a letter-graded course, 50 in a numerically graded course, NC in a Credit/No Credit-graded course).

Students are not permitted to graduate with an Incomplete on their transcript.

## Continuous Registration/Leave of Absence Policy

Matriculated students are expected to maintain regular (continuous) enrollment in their program. Students who find it necessary not to enroll for one or more terms must complete a Petition for Leave of Absence. This form is available in the Registration Office. A leave of absence may be granted for up to three terms, whether consecutive or non-consecutive, including any term in which a student enrolled but withdrew from all courses.

Leaves of absence are available only to advanced students in good academic standing, upon good cause, and supported by documentation, if needed. In no event shall a leave of absence run for more than one academic year. Students who have not completed at least one academic year of study are not eligible for a leave of absence. Students on academic probation are not eligible for a leave of absence.

Students not successfully completing their first year of studies or who otherwise interrupt their studies without approved leaves of absence are required to re-apply to the College of Law if they wish to continue their studies at a later date. Any academic credit earned up to the time of a withdrawal may or may not be accepted at a later admission depending on an evaluation of the student's academic record and the period of time that has passed since the prior enrollment.

Students are responsible for obtaining approval of the leave of absence from the Dean's office as well as withdrawing from courses if necessary. Withdrawal from courses must be done via an Add/Drop Form. Course withdrawals are not done automatically upon approval of the leave request.

If you do not intend to register for a term, you must contact your advisor and complete the Petition for Leave of Absence

prior to the beginning of the respective term. Non-attendance for one or more terms without an approved leave may impact your matriculation or residency status for the California Bar Examination and your matriculation or residency status with the University.

If you are absent without an approved leave or are absent for a term beyond the approved leave, you will be required to apply for readmission before enrolling in further coursework. You will be subject to those admissions requirements in place at the time of reapplication and are not automatically awarded credit for prior coursework upon readmission.

If you receive financial aid, you are strongly advised to contact the Financial Aid Office before requesting a leave of absence to discuss the impact of the leave on financial aid eligibility and loan repayment status. Generally, leaves of absence are treated as withdrawals for federal financial aid purposes and may cause federal loans to enter repayment status.

## Transfer Credit

Not every course can be taken at another institution, specifically, no required courses may be taken at a law school other than JFK University if the student began his/her course of studies at JFK University. Moreover, no courses which are numerically graded can be taken at another law school. Generally, once a student begins matriculating at the College of Law, the only courses available for transfer are those electives not offered at JFK University, provided the electives available at the College of Law are full or conflict with the remainder of the student's course load.

Any student who wishes to receive transfer credit for courses taken at another law school must obtain written permission from the Dean's office before enrolling in the course at the other institution. A student who enrolls in coursework at another institution before receiving written approval to transfer credits earned for such coursework assumes the risk that the credits earned may not be transferable.

Students may transfer credits received only from ABA-accredited or California State Bar-accredited law schools, and for courses in which the student received a grade of 70 or better or the equivalent. Students who are transferring to JFK University may not receive transfer credit for numerically graded, required courses if the credits from the administering institution are not equivalent to the number of credits required by the College of Law (e.g., Evidence is a five-unit course at the College of Law; thus, the student may not receive transfer credit for an Evidence course taken for fewer than five units at another institution, unless waived by the Dean's office for good cause, in accordance with California State Bar Rules Regulating Accreditation of Law Schools). Further, if the student takes a required course for credit greater than that required by the College of Law, the student will receive transfer credit only for the number of units required by the College of Law (e.g., Appellate Advocacy is a three-unit

course at the College of Law; thus, a student may receive only three units of transfer credit, even if the Appellate Advocacy course taken at the other institution is worth more than three units). Students may not apply the excess unit(s) to any other coursework, required or elective.

Grades earned in coursework taken at another institution will not be calculated in the student's College of Law cumulative grade point average. However, these transfer units, for substantive, non-elective coursework, will count toward the numeric unit requirement for the Juris Doctor degree. (See Completion of Degree Requirements on page 49.)

When applying for the California Bar Examination, students should be aware that The Committee of Bar Examiners of The State Bar of California may require them to send official transcripts from all law schools attended. Therefore, official transcripts sent directly from any other law school might be necessary even though JFK University accepted the units for transfer.

Note to students in their final year: University degree requirements state that the final year of law study must be completed in residence. Students in their final year may attend another approved law school only if they are concurrently enrolled at John F. Kennedy University and completing courses here. In addition, prior written permission from the Dean's office of the College of Law is required.

## Directed and Independent Studies

Directed studies (taking required courses with an instructor individually during a term when the course is not normally scheduled) will be granted only in extraordinary circumstances and after review and approval by an appropriate faculty member and the Dean's office. Independent study – which may be granted only for a non-required course – is available on a case-by-case basis, after consultation with an appropriate faculty member and the Dean's office. Students must complete at least 45 hours of work for each unit of credit to earn credit for Independent or Directed Study. The forms for an independent study that must be completed and signed by the student, sponsoring faculty member, and the Dean's office, are available in the College of Law administration office.

## Registration

Designated registration takes place approximately 3-4 weeks prior to the start of the semester/session. These dates are usually in July (for the fall semester), November (for the spring semester), and May (for the summer session).

Registration materials, including a schedule and instructions, are e-mailed to students as soon as the schedule for the upcoming semester/session is set, usually 1-3 weeks before designated registration. Students may register in person at the Registration Office, online, or by phone. Students who have holds on their registration because of their academic status, a deviated

curriculum, or financial matters, must clear up these issues and get signatures as needed before attempting to register. (See Academic Advising Holds on page 47.)

## Registration for Two-Semester/ Session-Length Courses

A course that extends beyond one semester or session is a “non-severable” course. Students taking a non-severable course must register each consecutive term in which units are required for the course. Failure to register for any portion of a non-severable course will result in the need to repeat the entire course and may negatively affect State Bar and College of Law residency requirements. If only a portion of a non-severable course is completed, either due to failure to register for a subsequent portion or due to unauthorized withdrawal from the second portion of the course, the grade of “IP” (In Progress) posted for the first portion of the course shall convert to a grade of “UW” (Unauthorized Withdrawal).

Students may not attend courses for which they are not properly registered. Attending a course while not registered will not result in credit for the course under any circumstances. The student will be required to register for and take the course at a later time and will not be advanced in the program.

Students must enroll in the same section of a non-severable course each academic term. Section changes are permitted only in extraordinary circumstances. Such requests must be submitted to the Dean's office and must be accompanied by appropriate supporting documentation. Failure to enroll in the appropriate course section will result in administrative withdrawal and may result in a need to repeat the entire course.

## Registration for Clinical Placement and Independent Study

Law 625: Off-campus internship placement requires a permission form stating the number of units being taken, signed by the supervising attorney and the Director of Clinical Programs. Students should register within the designated registration period. Forms are also available in the College of Law clinical offices.

Law 628: Housing Advocacy Clinic requires advance permission from the clinic director to register.

Law 630: Legal Clinic for Elders requires advance permission from the clinic director to register.

Law 651: Children, Families, and the Law requires advance permission from the clinic director to register.

Law 699: Students should register for Independent Study within the designated registration period. All required paperwork and signatures must be submitted for valid registration. The forms for Independent Study are available in the College of Law administration office.



## Academic Advising Holds

University policy permits the administration to place a hold on a student's registration that prevents the student from registering until the hold is cleared by the appropriate administrator. (See the University's General Catalog for a list of the different types of holds.)

Pursuant to this policy, the Dean's office has discretion to place an academic advising hold on a student's registration when academic advising before further course registration is necessary to ensure compliance with degree requirements, State Bar residency requirements, and College of Law and University policies. Academic advising holds may be placed for a variety of reasons, including, but not limited to: (1) deviation of curriculum (including planned accelerations and decelerations, as well as unauthorized deviations); (2) a cumulative grade point average indicating a full-time student has fallen below the GPA minimum for full-time status, or if any student is at-risk for academic disqualification/probation; (3) leave of absence; (4) non-compliance with College of Law or University policies; or (5) as a condition of academic probation.

Generally, a student will be notified of an academic advising hold in advance of registration. However, it is not always possible to provide advance notice. Students who have deviated curricula, full-time students who have a cumulative grade point average below 73, or any students who have a cumulative grade point average below 70, or who are returning from a leave of absence, must contact the Dean's office or the Registration Office before attempting to register to determine whether a hold exists and to get the necessary authorization to clear the hold and to register. It is also important to note that having an academic advising hold cleared one term does not necessarily mean the hold is permanently cleared. Students are advised to confirm with the Dean's office whether the hold is temporary or permanent and to plan academic advising appointments accordingly.

## Examinations and Anonymous Grading Identification Numbers (AGINs)

All students must have a picture I.D. (e.g., JFK University student I.D. card, driver's license, passport) with them to take a College of Law examination. Students not showing a photo I.D. will not be allowed to sit for an examination.

Anonymous Grading Identification Numbers (AGINs) used for examinations are generated automatically when a student registers for classes. Students' AGINs will be mailed to them shortly after registration. Students should use their AGIN (not their University ID number or social security number) when taking law school examinations. If you don't receive an AGIN or have lost your number, please contact the law school administration office.

## Examination Rescheduling Policy

A student may petition to reschedule an examination date. A form for this purpose is available in the College of Law's administration office. The petition must contain detailed reasons for the rescheduling request and must include documentation evidencing the circumstances giving rise to the request.

The written petition must be submitted to the Dean's office, who will grant the request only if the student documents one of the following circumstances:

- the student has two JFK University College of Law examinations scheduled on the same day and at the same time;
- the student's religious beliefs prohibit the taking of an examination at the scheduled time;
- the student is experiencing grave illness or injury, which hospitalizes or otherwise incapacitates the student;
- the student has had a death in the immediate family immediately preceding the examination date; or
- the student is experiencing a dire family emergency involving an immediate family member.

Rescheduling of an examination will not be granted because of:

- vacations
- airplane tickets
- family events
- work or business conflicts
- conferences
- minor illness or injury (e.g., stomach flu, colds, etc.)
- childcare issues or conflicts
- car/transportation difficulties
- conflicts with examinations to be taken at another school
- two final exams that fall on the same date but are not at the same time

Generally, a request to reschedule an examination should be made at least one week before the date scheduled for the examination, unless the circumstances necessitating the reschedule had not yet arisen. Untimely requests shall not be honored.

Rescheduled examinations must be taken within 24 hours of the original examination date/time unless the Dean's office finds good cause for extending the reschedule date. In rare circumstances, an examination may be rescheduled to a date preceding the original examination date, but in no event may a rescheduled examination date occur more than one week following the original examination date. If an extension beyond one week is necessary, the student must obtain an "Incomplete" for the course and must agree to take a make-up examination different than that administered on the original examination date. (See Incomplete Policy on page 44.)

A fee of \$125 will be assessed for each rescheduled examination taken within 24 hours of the time the exam is initially given, payable at the time the petition is approved. Any student taking a rescheduled examination more than 24 hours after the original examination is given will also be charged an additional \$300 as an extraordinary fee to cover the cost of the instructor and College of Law administration creating, administering, and grading a new examination. Failure to submit the fee(s) will not prevent a student from taking the examination. However, until the entire fee is paid, an administrative hold will be placed on release of the grade for the course in which the examination was rescheduled and/or the student's ability to register for further courses.

The Dean's office will provide a new date and time for the examination. The student must make him/herself available for that date and time unless good cause exists for a further extension.

A student should not discuss rescheduling matters directly with his/her instructor. Instructors do not have the authority to grant rescheduling of an examination, and students compromise the right to anonymity in grading by addressing such matters with instructors.

A student taking a rescheduled examination continues to be bound by the Code of Student Conduct (see Appendix C) and is specifically prohibited from soliciting or providing any information regarding the substance of the examination. Any student in violation of the Code of Student Conduct is subject to severe disciplinary action, up to and including permanent dismissal from the College of Law.

## Typing Examinations on a Personal Laptop Computer

Students choosing to type examinations may do so using ExamSoft secure software.

Information regarding technical requirements for laptops can be found at the ExamSoft website: [www.examssoft.com/jfklaw](http://www.examssoft.com/jfklaw). This is also the site to download, register, and qualify the software. Each student is e-mailed a temporary password in September for registration. Registrations are valid for one academic year.

## Books/Course Materials

Books needed for law school courses are identified on the booklist sent to students prior to each semester/session and can be purchased online at <http://www.ecampus.com/jfku>.

Course materials for law classes can be ordered online. To order a course reader, go to [www.copycentral.com](http://www.copycentral.com).

## Academic Support Program

The College of Law has its own Academic Support Program (ASP), designed to offer strategic supplementary activities that will assist students in building the knowledge and skills they need to excel in law school.

The ASP consists of four separate components:

- 1) Saturday morning workshops led by master professors and offered in major Bar subjects. These workshops consist of a lecture on a discrete area of the subject, followed by a one-hour practice examination taken under examination conditions. The master teacher then debriefs on the examination. Examinations are graded and returned to students.
- 2) Teaching assistant sessions led by selected outstanding advanced students who lead discussions and exercises relating to the subject matter of the selected Bar courses. These sessions are held before evening and after day classes.
- 3) Writing labs led by master teachers in the art of legal writing and dedicated to improving examination-writing skills.
- 4) Special programs held throughout the year for seniors and for the entire College of Law student body. Programs for seniors are designed to give them a jumpstart on their Bar study.

A complete schedule of ASP activities is posted in the College of Law administration office and is e-mailed directly to all students. Students are encouraged to take full advantage of these proven and effective ASP activities.

## Dean's List

Each year after the grades for the spring semester are posted, the College of Law publishes a Dean's List based on students' grade point averages for that year (not on students' cumulative grade point averages). A student must have earned a GPA of 80 or above with at least 12 units of numerically graded courses during the year to be considered for the Dean's List, except fourth-year students, who are eligible with seven numerically graded units. These students' names will be posted at the College of Law (without grade point averages showing). The Dean's List honor is also posted to the student's transcript.

A student on the Dean's List may be eligible for scholarships for his/her academic achievement. Scholarships are allocated as credit to the student's account in the fall and in the spring, at the time the student registers for classes. In addition, scholarship recipients may be invited by the Dean to participate in events for honors students.

Scholarships are based on the availability of scholarship funds in a given year. The University and the College of Law cannot guarantee that funds will be available in any year or in any particular amount. The College of Law makes its best effort to obtain these scholarship funds annually.

## Graduation with Honors

The following designations are given to graduating students based on cumulative grade point averages:

Summa Cum Laude	88 and above
Magna Cum Laude	85-87.99
Cum Laude	83-84.99

The graduating class for which these honors are given includes graduates who completed their studies in December, May, and August of the academic year.

These designations are posted on the transcript at the time the degree is posted and on the diploma.

### Witkin Awards

At the conclusion of each qualifying, numerically graded course, the student earning the highest grade in each section of that course may be awarded the Witkin Award for that subject, provided the following: all eligibility requirements set by Thomson/West for the issuance of Witkin Awards are met; the student is not repeating the course; and the College of Law participates for that session. (For a list of eligibility requirements, please visit [www.witkin.com](http://www.witkin.com).)

Awards for academic merit, including the Witkin Award, that allow the College of Law to exercise discretion in selecting students for the award, including where two students tie in their grade for a particular course, will not be based solely on grades in one or more courses. In exercising this discretion, the Dean's office will consider the performance of a student in all courses taken, along with other indicators of a student's professionalism in achieving their academic performance, including whether the student has violated the Code of Student Conduct or engaged in other conduct that is disruptive or that required disciplinary action, whether a student has undertaken constructive participation in courses and other school activities, and collegiality with fellow students. (See Appendix C for the Code of Student Conduct.)

### Petition for Degree

A student must apply for a degree by submitting to the College of Law a Petition for Degree, accompanied by the appropriate nonrefundable fee. Petitions must be on file before a degree will be awarded. Petition for Degree forms are available in the College of Law administration office.

Petition deadlines: November 15 for spring graduates, March 15 for summer graduates, and July 15 for fall graduates.

### Completion of Degree Requirements

At the end of the academic session of anticipated completion as stated on the petition, the student's records will be reviewed to verify completion of all requirements. The awarding of a degree will be posted on the transcripts of students who have completed all requirements, and the students will be notified. Students who have not fulfilled all requirements will also be notified. Degrees will be dated as of the end of the term in which all requirements have been met.

### Diploma

The diploma is mailed approximately 2-3 months after the date of graduation to the address on record. All accounting,

financial aid, and library holds must be resolved before the diploma is issued.

### Commencement Ceremony

Commencement, the ceremonial recognition of graduation, is a very special occasion at the University.

The following law students are eligible and encouraged to participate in the May commencement ceremony if all financial obligations to the University have been paid in full:

- prior fall semester graduates;
- students who are completing all requirements at the end of the spring semester; and
- students who need no more than six units to graduate and who are completing all degree requirements by the end of the summer session.

Commencement information is sent by the law school in March to all students who have submitted the Petition for Degree and who are eligible to participate in the commencement ceremony.

### Conflict Resolution

The University encourages students to resolve misunderstandings or disagreements directly with the faculty member, staff member, or other student involved. Such efforts by students in the College of Law should comply with the rules in the College of Law's Code of Student Conduct (see Appendix C) and relevant provisions in the University catalog. If such discussions do not produce a satisfactory outcome for the student, the student may request intervention by the Dean's office.

### Policy Against Discrimination and/or Harassment

John F. Kennedy University does not discriminate on the basis of race, color, national origin, religion, age, marital status, gender, sexual orientation, veteran status, or disability. The University is committed to providing an environment that is free of discrimination and/or harassment. In keeping with this commitment, the University maintains a strict policy prohibiting discriminatory behavior and sexual, verbal, physical, and visual harassment.

A student who believes s/he has been harassed or experienced discrimination should promptly report the facts to the Director of Human Resources, who will investigate such claims and take appropriate action. A student who is dissatisfied with the decision of the Director of Human Resources may appeal that decision to the President of the University.

In addition to the University's procedure, any student alleging discrimination or sexual harassment may file a complaint with:

Office for Civil Rights  
U.S. Department of Education  
50 Beale Street, Suite 7200  
San Francisco, CA 94105

## Grading Scale

The College of Law is on a numerical grading system, with a scale that ranges from 50 to 100. Some required courses and elective courses are graded Credit/No Credit. The following describes how professors evaluate essay examination answers to determine what grade has been earned.

90-100	Excellent	All issues, major and minor, were identified. All relevant rules were applied. Facts were stated accurately and interwoven with rules into coherent analysis. Showed ability to make and argue subtle distinctions. Answer is as good as the instructor would have written as a model. Showed mastery of subject matter, exceptional insight, good judgment, and precise analysis.
80-89	Very good	All major issues and minor issues were spotted. All important rules and analyses were clear and correct. Some analyses may not be as deep as an "A" answer. May not have shown subtle distinctions in facts or rules. Clear and coherent presentation. Very clearly showed command of subject matter and high level of analytical skill.
70-79	Passing	
75		Clearly passing. Demonstrated solid knowledge of subject matter and ability to apply it. May have missed minor issues or glossed over aspects of the analysis. Not as uniformly strong as an "A" or a "B." Satisfactory without being a truly strong answer. May have shown some conclusory application of law to facts. Nonetheless, the answer would have satisfactorily passed as a Bar Examination answer.
70		Barely passing. One major or several minor issues missed. May have been unclear or incomplete on law or in analysis. Showed potential to succeed but did not show full competence in one or more aspects, e.g., law, analysis, organization, judgment, logic, and organization. Likely conclusory.
60-69	Below acceptable level	
65		Weak answer. Understood some issues and some rules, but did not spot all key issues or apply the law in an analytical or organized fashion. Confused or incomplete response. Conclusory. May have applied law to facts incorrectly.
60		Extremely weak answer. May have spotted some issues but missed obvious ones. Unclear and confused response. May have misstated or misapplied legal doctrine or rules. Not fluid or coherent in thinking.
50-59	Failure, no credit	
		May have spotted some issues and given some rules or doctrine but showed inability to analyze and to weave law

and facts. Probably misstated law or applied the wrong rule. Little or no redeeming quality to the answer. Conclusory. Errors in judgment. 50 is a completely unacceptable level of performance showing lack of potential to succeed.

In any event, no course grade or individual essay examination grade shall be assigned below 50.

## Credit/No Credit Courses

Courses taken on a credit/no credit basis require students to perform at a 70 level in order for credit to be granted. See pages 9-10 for the list of courses that are graded Credit/No Credit.

## Mandatory Grading Curve

The following is the mandatory grading scale that was instituted at JFK University College of Law in July 1999. The purpose of the grading curve is to ensure that grades are not inflated and that they accurately reflect a student's performance, using the standards and norms in legal education and in screening applicants for admission to the Bar. This curve applies to graded courses only.

First-year course grades:

No more than 20 percent at or above 80

At least 30 percent at or below 69

Second-year course grades:

No more than 25 percent at or above 80

At least 15 percent at or below 69

Third- and fourth-year course grades:

No more than 25 percent at or above 80

Faculty members who believe that their grades are accurate but do not fall into the curve may request an exception to the policy.

## Administration Office Hours

The administration office is open from 8:45 a.m.-7:00 p.m. Monday-Thursday and 10:00 a.m.-5:00 p.m. on Friday.

## E-mail Messages/Notices to Students

The Dean's office sends important notices and event information via e-mail to students, using only the email.jfku.edu address provided to all students. Please be sure to check your JFKU e-mail account regularly for communications from the law school and university.

## Student Lounge

The student lounge is located in Room N155 on the first floor near the Law Library.

## Computer Lab

The University's computer lab is located on the second floor, north wing, near the atrium. It contains 16 computers with internet connections. It is open Monday-Friday, 8:00 a.m.-10:00 p.m., and 8:00 a.m.-5:30 p.m. Saturday and Sunday.

## Writing Assistance

Assistance in improving writing skills is available through the University's Academic Support Center, the College of Law's Director of Legal Writing Program, and appointments with individual writing instructors. Students who want to improve their writing skills are encouraged to contact the College of Law's Writing Program Director at 925.969.3561.

# APPENDIX B: ACADEMIC STANDARDS REGULATIONS

## PREAMBLE

John F. Kennedy University College of Law is dedicated to providing students with educational opportunity and a quality legal education. To maintain the integrity of its academic program and best serve its students, the College of Law will not continue to enroll any student who manifests a lack of ability to do satisfactory work and whose continuation in law school could generate false hopes or detrimentally affect the education of other students.

### SECTION 1

#### MINIMUM GRADE REQUIREMENTS

##### A. Course Credit

The minimum grades required to receive academic credit are (i) 60, for a numerically graded course; and (ii) 70, for a credit/no credit course.

##### B. Good Academic Standing

The minimum cumulative grade point average ("GPA") required for advancement in good standing and qualification for degree is 70. The minimum cumulative grade point average ("GPA") required for advancement in good standing in the full-time program is 73.

##### C. Definition of Academic Year

The academic year commences with the summer term and concludes with the last day of the spring term.

### SECTION 2

#### ACADEMIC STANDARDS COMMITTEE

##### A. Appointment

The Academic Standards Committee ("Committee") is responsible for matters related to academic disqualification, probation, advancement in the full-time program, requests for change of grade, and similar academic matters.

The Committee consists of no fewer than five and no more than nine College of Law faculty members (of whom no less than one-third are core faculty members), appointed by the Dean of the College of Law, who also appoints a Chairperson from among the

appointed members. The Dean serves as ex officio, non-voting member of the Committee.

##### B. Committee Meetings

The Committee generally meets once each month.

Meetings are closed and conducted in private, except that, at the Chairperson's request and with the approval of a majority of its members, the Committee may meet by telephone or through electronic communications. The Committee shall keep minutes of all meetings.

##### C. Action by Majority

A majority of the Committee's voting members (not including any member disqualified under these Regulations) must approve any final Committee decision.

##### D. Disqualification of Committee Members

No voting Committee member is disqualified from considering a petition solely because she or he is or has been the petitioning student's instructor, unless the student alleges, with adequate support, that the Committee member will not be able to act fairly on the student's petition. The Dean shall review any such allegation. If the Dean determines that the allegation may have merit, the member shall not participate in the Committee's consideration of or vote on the petition.

In addition, a member who assigned a grade challenged in a Petition for a Change of Grade may not participate in the Committee's consideration of or vote on the petition.

##### E. Personal Appearance by Student/Additional Information

A petitioning student has no right to appear in person before the Committee. In exceptional circumstances, the Committee may request that a student meet with one or more members of the Committee or provide additional material or information.

##### F. Submission of Petitions

To be effective, a petition filed or other material submitted to the Committee must be sent by regular mail or hand-delivered, addressed as follows:

Academic Standards Committee  
College of Law  
John F. Kennedy University  
100 Ellinwood Way, Room S329  
Pleasant Hill, CA 94523

### SECTION 3

#### ACADEMIC DISQUALIFICATION –STANDARDS, NOTICE, AND CONSEQUENCES

##### A.(1). GPA Below 70.0 – Academic Disqualification

The College of Law will disqualify any student whose cumulative GPA is below 70. The Dean will identify those students subject to academic disqualification at the conclusion of each spring term, except that, for first-year students, the Dean's determination will be made at the conclusion of the student's second spring term (if the student was initially admitted in spring). Academic



disqualification is effective as of the final day of the term as to which the determination is made.

If a student's cumulative GPA drops below 70 before the end of the academic year (for example, following the fall term), the Dean may refer that student to the Committee. If the Committee determines that the student is in danger of academic disqualification, the Committee may require that the student satisfy any of the conditions listed in Section 4(D) below to remain enrolled in the College of Law, if the Committee determines that such action is appropriate.

#### A.(2). GPA Below 73.0 – Disqualification from Full-Time Program

The College of Law will disqualify any student from continuing in the full-time program whose cumulative GPA is below 73. The Dean will identify those students subject to academic disqualification at the conclusion of each spring term. Academic disqualification is effective as of the final day of the term as to which the determination is made.

If the full-time student's cumulative GPA drops below 73 before the end of the academic year (for example, following the fall term), the Dean may refer that student to the Committee. If the Committee determines that the student is in danger of disqualification, the Committee may require that the student satisfy any of the conditions listed in Section 4(D) below to remain enrolled in the College of Law, if the Committee determines that such action is appropriate.

If a full-time student's GPA is below 73 but at or above 70, the student shall be permitted to continue as a part-time student without any application to the Committee. A full-time student whose GPA is below 73 but at or above 70 may petition the Committee to remain in the full-time program, as set forth in Section 4 below.

#### B. Notice

Within 10 business days after the posting of spring grades for all numerically graded courses, the College of Law shall send written (and, if an e-mail address is available, electronic) notification of disqualification ("Disqualification Notice") to each student subject thereto under Section 3(A) above. The Disqualification Notice shall: (i) state that the student is academically disqualified, and (ii) explain the procedure for submitting a Petition for Advancement on Probation, set forth in Section 4 below.

Each student must ensure that the College of Law has his or her current mailing and e-mail addresses. The failure to provide a current mailing address to the College of Law shall be deemed a waiver by the student of the right to actual notice under these Regulations.

#### C. Consequences of Academic Disqualification

After disqualification, a student may enroll in and attend classes at the College of Law in the immediately following term only if: (a) the student has filed a timely Petition for Advancement on Probation, as described in Section 4 below, and (b) the Committee has granted the petition or has not acted upon it when that term begins. If the Committee subsequently denies

the petition, the student will be withdrawn from classes and will receive a refund of tuition paid for that term.

#### D. Inadequate Performance

State Bar guidelines require law schools not to graduate students that are inadequately prepared for admission to the Bar. Although the College of Law has specific requirements relative to academic standing and probation, extraordinary circumstances may arise where a student, despite technical compliance with academic standards, demonstrates a substantial deficiency in his or her legal education. In that event, the Committee can designate the appropriate remedial response.

#### E. Leave of Absence

While on academic probation, a student shall not be granted a leave of absence. If a student cannot attend law school and fulfill the terms of probation, the student shall withdraw from school.

A student who withdraws from law school while on academic probation is required to reapply for admission at such time as the student is able to return. A student who withdraws from law school while on academic probation is subject to all the terms applicable to any student who applies for Admission or Readmission of Applicants Previously Dismissed for Low Scholarship (State Bar Regulation Section 2.01 (G) 4.).

A student may request a waiver of this policy for a leave of absence if the basis for the leave is disability-related. (See *infra* Section 4.A.5.)

All Regulations regarding Notice and the right to petition the Committee shall apply.

## SECTION 4

### PETITION FOR ADVANCEMENT ON PROBATION

#### A. Petition for Advancement on Probation

##### 1. Introduction

A student who has been disqualified and who wishes to continue in the College of Law without interruption must file with the Committee a Petition for Advancement on Probation.

##### 2. Timing

To be timely, the petition must be postmarked no later than the 10th calendar day after the date of the Disqualification Notice's mailing. A petition delivered by hand delivery must be received no later than 5 p.m. on the 10th calendar day after the date of the Disqualification Notice's mailing. In either case, if the tenth day is a Saturday, Sunday, or other day on which the College of Law is closed, the time for mailing or delivery expires at 5 p.m. on the next day that the College of Law is open. The Committee may extend the time for filing the petition, in its sole discretion, on a showing of good cause, if the petitioning student requests an extension within the original 10-day period.

##### 3. Standard

A Petition for Advancement on Probation must: (a) explain the reasons for the student's unsatisfactory performance;

(b) show that the unsatisfactory performance was the result of extraordinary circumstances not likely to recur; and (c) demonstrate that the student will be able to perform satisfactorily in the future. It must also be supported by documentation when appropriate. The Committee will grant a Petition for Advancement on Probation if it addresses each of the matters in the foregoing clauses (a)-(c) and clearly shows that special circumstances and good cause support a departure from the College of Law's academic disqualification standard. (See *infra*.)

## B. Rules Applicable to Petition for Advancement on Probation

### 1. Forms

Copies of forms for Petition for Advancement on Probation appear on the College of Law's electronic bulletin board, located at <http://courses.jfku.edu>.

### 2. Consideration and Decision

The Committee shall consider each timely petition at its next scheduled meeting unless the Chairperson or the Committee determines that more time is needed to review the petition's merits. The Committee shall inform the petitioning student of its decision in writing. The Committee may grant a petition in full or conditionally; award relief other than that requested by the student; defer its decision and request the submission of additional documentation; or deny the petition. If the Committee defers its decision, the student's disqualification remains in effect until the Committee reaches a decision on the merits.

The Committee may deny any petition that fails to meet these Regulations' requirements, including its requirements as to timeliness and content.

Any decision by the Committee as to a Petition for Advancement on Probation is final. There is no right of appeal.

### 3. Additional Factors

In addition to other evidence, the Committee may consider the following factors in acting upon a petition:

a. The student's entire scholastic record, including LSAT scores, First-Year Law Student's Examination results, undergraduate and graduate school transcripts, writing samples, prior performance at the College of Law, and records from any other law school attended.

b. Previous academic disqualification from any institution of higher learning.

c. Previous advancement on probation or compliance with a condition of readmission or probation at any institution of higher learning.

d. Letters of recommendation, particularly those that set forth: (i) facts leading the author to conclude that the student has the requisite academic ability to successfully complete law school; (ii) circumstances that the author believes caused the student's unsatisfactory performance; and (iii) the author's belief (supported by reasons) that the student's performance was the result of extraordinary circumstances not likely to recur.

e. Any other material relevant to the petitioning student's academic ability.

### 4. Conditions

The Committee may grant a Petition for Advancement on Probation subject to conditions. For example, the Committee may require that a petitioning student:

- Repeat any course previously taken at the College of Law in which the student's final grade was less than 70, and achieve a final grade of at least 70 in the course;
- Attend regular meetings with a faculty adviser;
- Attain a mid-academic year cumulative GPA of 70 or better in addition to cumulative or academic year-end GPA of 70 or better; (for full-time students, a mid-academic year cumulative GPA of 73 or better in addition to cumulative or academic year-end GPA of 73 or better;)
- Satisfy any other condition designed to monitor or improve the student's likelihood for success at the study of law, including course-load or work schedule adjustments.

Should the Committee grant the student's Petition for Advancement on Probation, the student is subject to the following mandatory terms:

- a. Participate in tutorials and academic support program offerings in any subject where the Committee has required the student to repeat the course, and
- b. Complete all courses specified in the Committee's approval to advance on probation. All such courses shall be completed in the first term in which the courses are offered and, in any event, completed within one year, unless otherwise specified by the Committee in writing. All courses specified in the Committee's decision shall be completed at JFK University College of Law.

A student who fails to comply with any condition of probation imposed by the Committee, unless otherwise expressly excused by the Committee, in writing is subject to immediate academic disqualification.

### 5. Probation

As required by the State Bar, students who advance to the second year on probation must obtain a cumulative grade point average of 70 by the end of the next academic term. Full-time students who advance to the second year on probation continuing in the full-time program must obtain a cumulative GPA of 73 by the end of the next academic term. Students who have advanced to the second or third year prior to probation must successfully complete probation with a cumulative grade point average of 70 by the end of two consecutive academic terms. Full-time students who advanced to the second or third year prior to probation and continuing in the full-time program on probation must successfully complete probation with a cumulative GPA of 73 by the end of two consecutive academic terms.

### 6. Disability

A student whose petition alleges that his or her poor academic performance is the result of an undiagnosed, insufficiently assessed, inadequately accommodated, or unreported disability must register with the University's Office of Disability Services

for Students (“ODS”), seek an appropriate assessment as recommended by the ODS, and submit any assessment documentation to the ODS. Ideally, the student should do so before submitting the petition, so that the Committee can evaluate the petition in light of the disability assessment. The disability assessment process can be lengthy; the Committee, by contrast, operates on a narrow time frame. The Committee may decide to defer a petition submitted by a student alleging disability until the disability assessment process is complete and the ODS has received the student’s disability documentation. If the petition is deferred, the student’s disqualification will remain in effect, and he or she will not be permitted to continue in the College of Law until the petition’s merits are determined. Under these circumstances, the student will be withdrawn from classes and will receive a full refund.

Students who require a break in the ordinary progression of their academic program as contemplated under this subsection are considered continuing, not former, students.

## SECTION 5

### GRADE CHALLENGES

#### A. General Policy and Bases for Grade Challenge

Course grades are final when the Dean’s office has approved them and caused them to be posted on the College of Law’s official grade bulletin board.

Once a course grade is final, only the Committee may change a grade, and the Committee may do so only if a student (or, if appropriate, a faculty member) clearly demonstrates that the grade is the result of a mistake or the result of unfairness.

A student (or faculty member) who believes that a final course grade should be changed on one of these grounds must file with the Committee a Petition for Change of Grade. A copy of the form of a Petition for Change of Grade appears on the College of Law’s electronic bulletin board at [courses.jfku.edu](http://courses.jfku.edu).

The Petition for Change of Grade must state a claim of “mistake” or “unfairness” with sufficient clarity to enable the Committee to investigate and evaluate its merit. If this standard is met, as determined by the Committee, the Committee will notify the concerned faculty member of the petition and invite him or her to address the specific allegations, keeping in mind its duty to protect the student’s anonymity.

#### B. Mistake Defined

In this Section 5, “mistake” means:

1. An error in the mathematical computation or recordation of a grade. “Mistake” is limited to arithmetic or typographic errors made by the instructor or administration when computing a grade or recording it on the grade sheet submitted to the College of Law or otherwise in the College’s records; or
2. An instructor unintentionally overlooked some part of the student’s work. “Mistake” does not include a substantive reevaluation of the examination or paper or a revision of judgment by the faculty member.

#### C. Unfairness Defined

In this Section 5, “unfairness” means grading a student’s work on factors unrelated to its academic merit. Examples of “unfairness” include, but are not limited to, assessment of a student’s work in contravention of the standards articulated in the course syllabus, or assessment of a student’s work that does not comport with the College of Law’s mandatory grading curve policy. “Unfairness” does not include a simple disagreement with the grade awarded.

#### B. Bias

A student who believes that he or she has received a final course grade based on discrimination involving race, color, religion, age, marital status, gender, sexual orientation, veteran status, or disability status should report the matter to the Dean of the College of Law, within the time frame set forth in Paragraph C, below. The Dean will promptly investigate the matter in accordance with University policy or regulations and, if warranted, refer the matter to the appropriate University entity for resolution. If the University determines that bias has been established, the student may petition the Committee. The Committee will determine an appropriate remedy with regard to the final course grade.

#### Rules Applicable to Petitions for Change of Grade

##### 1. Timing

To be timely, the petition must be postmarked no later than the 30th calendar day after the date on which the grade became final. A petition delivered by hand delivery must be received no later than 5 p.m. on the 30th calendar day after the date on which the grade became final. In either case, if the 30th day is a Saturday, Sunday, or other day on which the College of Law is closed, the time for mailing or delivery expires at 5 p.m. on the next day that the College of Law is open. The Committee may extend the time for filing the petition, in its sole discretion, on a showing of good cause, if the petitioning student requests an extension within the original 30-day period.

##### 2. Content

The student must include all relevant documentation with the petition.

If the Petition for Change of Grade alleges a mistake, it must include a statement from the instructor and the instructor’s signature.

If the Petition for Change of Grade alleges unfairness, the student need not secure the instructor’s input or signature. The Committee will inform the instructor of the allegation and invite him or her to provide to the Committee a written explanation of the grade’s calculation and any other information that may be relevant to the Committee’s decision. In this process, the Committee will make all efforts to protect the student’s anonymity if the student’s work might require re-evaluation.

##### 3. Consideration and Decision

The Committee shall consider each timely petition at its next scheduled meeting, unless the Chairperson or the Committee determines that more time is needed to review the petition’s merits. The Committee shall inform the student of its decision in writing. If the Committee decides that a grade change is

appropriate, the Assistant/Associate Dean, on behalf of the Committee, will request that the Registrar make the necessary change to the student's transcript. Any decision by the Committee as to a Petition for Change of Grade is final. There is no right of appeal

## APPENDIX C: CODE OF STUDENT CONDUCT

From time to time, the Dean may refer to the Committee matters not otherwise covered by the Academic Standards Regulations, such as a student's request to reschedule an examination, a request to deviate from the recommended curriculum, or a request for relief from any other academic policy. Any such request should be made to the Dean initially, set out the relevant facts and governing authority, and include all relevant documentation. Decisions by the Dean to refer such matters to the Committee and decisions of the Dean or the Committee on the merits are final.

Approved by core faculty at meeting of March 16, 2006; approved by adjunct faculty at meeting of April 1, 2006; and approved by Acting Dean, College of Law, on April 1, 2006.

### CODE OF STUDENT CONDUCT

(\*Terms marked with an asterisk are defined in the Appendix which appears at the end of this Code.)

(Effective October 1993; Revised January 1994, April 2005)

#### Section 1 – Scope of Code of Student Conduct

Section 1.1. General Standard. It is essential to the welfare of the legal profession and the constituents it serves that its future members adhere to the highest ethical standards of the legal profession. Students are therefore expected to show respect for order, professional discourse, personal honor, and the rights of others as is demanded of good citizens.

The Honor Code governs the conduct of all Students; it requires Students, both individually and collectively, to act honestly, respectfully, and with integrity in all interactions with the College of Law community and the professional community at large. Students shall share and take an active part in upholding the spirit and letter of the Honor Code.

Violations of this General Standard are subject to the disciplinary procedures outlined in Sections 2, 3, 4, and 5 of the Code, even if the conduct in question is not expressly proscribed under Sections 1.2 and 2, below. Factors in determining a violation of this general standard include an assessment of the nature and seriousness of the offense, the motivation underlying the offense, and precedent in similar cases here at the College of Law, the University, or other similar institutions.

Section 1.2. Specific Conduct. Specific examples detailed in this section are not intended to limit the meaning and scope of the General Standard contained in Section 1.1, above. Examples of conduct proscribed by Section 1.1 include, but are not limited to, the following.

#### (A) Violations of the Honor Code

Giving, receiving, consulting, or using any aid (either orally or in writing) before or during any quiz, test, exercise, assignment, oral presentation, examination, or any other academic work, unless the aid is specifically authorized by the advisor or instructor;

Giving, receiving, consulting, or using unauthorized prior knowledge of a quiz, test, exercise, assignment, written paper, oral presentation, examination, or any other academic work, for any purpose or, if such knowledge was obtained inadvertently, failing to make a timely disclosure to the instructor of this knowledge;

Removing, altering, destroying, hoarding, or concealing without authorization any library, College of Law, or University material;

Stealing, vandalizing, defacing, or misusing University or College of Law property, including records, keys, or identifications;

Utilizing language or engaging in conduct that is inappropriate, disrespectful, or antagonistic, and not otherwise constitutionally protected as provided in California Education Code §94367, when addressing or communicating with faculty, staff, administrators, students, or guests of the College of Law or University;

Untruthfulness in interaction with staff or faculty to obtain something of value or of material consequence;

Aiding and abetting any of the actions defined in this paragraph.

#### (B) Plagiarism

A Student violates the Code when he or she commits, or aids and abets, plagiarism. Plagiarism is the intentional presentation of another person's idea(s) or product as one's own without appropriate attribution. It includes, but is not limited to, copying all or part of another person's written work without proper citation or attribution; paraphrasing ideas, theories, cases, conclusions, or research without proper attribution; using equations, charges, figures, illustrations, or mathematical or scientific solutions without citing the source; and representing as one's own the original ideas of another, including scholarly works, computer programs, case studies, or artistic works.

#### (C) Cheating

A Student violates the Code when he or she cheats or aids and abets cheating. Cheating is the act of obtaining, attempting to obtain, or helping someone to obtain credit for academic work through deceptive or fraudulent means. It includes, but is not limited to, the creation and/or submission of any exercise, assignment, or examination, either orally or in writing, that is not the Student's own work; submitting work previously presented in another course (even if that work was created by the Student), unless specifically authorized by the instructor of the subsequent course; altering or interfering with grading or grading instructions, including failure to abide by all rules both before, during, and after an examination, including attempts to undermine a Student's anonymity or the anonymity of another; doing work for another Student at any time or having one's work done by another person at any time; and any other act that defrauds or misrepresents, including aiding or abetting any of the actions defined in this paragraph.



**(D) False Documents**

A Student violates the Code when he or she knowingly creates, submits, or uses a false document or record for any purpose; or knowingly fabricates any part of a document or record, or submits or uses a known fabrication contained within any document or record for any purpose; or aids and abets any such action. This includes, but is not limited to, knowingly misrepresenting or forging, either by acts of omission or commission, any document or record, or a part of any document or record, submitted to the College of Law, any College of Law Committee, the University, or any third party, for any purpose; failing to correct any known misrepresentations or misstatements made on a document or record generated by a third party, including the College of Law or University, when any person or entity could reasonably rely on the misrepresentation or misstatement as being true; submitting a false resume or submitting a falsehood contained within a resume, with knowledge of the falsehood, to the College of Law, University, or any outside employer; and using any College of Law or University document or record in an unauthorized manner.

**(E) Obstruction and Interference**

A Student violates the Code when he or she, through conduct or speech, materially obstructs, attempts to materially obstruct, materially disrupts, or attempts to materially disrupt classes, teaching, research, administration operations and/or functions, disciplinary or academic standards procedures (including, but not limited to, improper attempts to influence instructors concerning grade changes), or other normal operations or activities of the College of Law and/or the University, irrespective of whether the normal operation or activity occurs on University property; or when a Student aids and abets any such action defined in this paragraph.

**(F) Privacy**

A Student violates the Code when he or she invades or attempts to invade another person's privacy by gaining access to personal information, including but not limited to a person's social security number, resume, records or grades, Anonymous Grading Identification Number (AGIN), or other confidential student, faculty, staff, College of Law or University information; or when a Student aids and abets any such action defined in this paragraph.

**(G) Law/Ethical Standards**

A Student violates the Code when he or she violates or attempts to violate the law or otherwise demonstrates a failure to meet the ethical standards of the legal profession. Violations include but are not limited to:

- Conduct or expression that encourages or involves violence, abuse, physical harm, coercion, intimidation, and/or other invasion of personal rights of individual students, faculty, staff, administrators, or visitors;
- Infringement(s) of University and/or College of Law policies regarding sexual or other forms of harassment and/or inappropriate student conduct, including but not limited to provisions of this Code;
- Disorderly or lewd conduct on University property;

- Willful damage to property;
- Willful participation in a disturbance of the peace or unlawful assembly on University property or at an official College of Law or University function;
- Carrying a firearm on University property unless required to do so by law or regulation;
- Failure to comply with the directions of a University official or other public official acting in the performance of his or her duties while on University property or at official University functions or resisting or obstructing those officials in the performance or attempted performance of his or her duties;
- The illegal use, possession, sale, manufacture, or any attempt to use, sell or manufacture narcotics, illegal or controlled substances at College of Law or University functions or on University property;
- Conduct that endangers the health, safety, or welfare of others, including but not limited to stalking, hate violence or behavior, threats of violence, or unlawful or inappropriate sexual conduct; or
- Aiding and abetting any such action defined in this paragraph.

**(H) Interim/Final Orders**

A Student violates the Code when he or she fails to comply with an interim or final sanction imposed under this Code; or when a Student aids and abets any such action defined in this paragraph.

**(I) Other Policies**

A Student violates the Code when he or she violates policies or regulations applicable to the University; or when a Student aids and abets any such action defined in this paragraph.

Section 1.3. Limitation. Ordinary academic performance is generally assessed under the Academic Standards Regulations formulated by the College of Law. Consequently, the Code shall apply when a Student's academic performance stems from or results in a Student's misconduct that is proscribed hereunder.

**Section 2 - Regulation of Student Organizations and Activities**

Section 2.1. Meaning. Membership and participation in student organizations, including but not limited to Law Review, Law Student Association, Black Law Students' Association, and other student activities and groups, is restricted to students who are currently enrolled at the College of Law, who maintain good academic standing, and who obtain the approval of the assigned faculty member.

Section 2.2. Activities and Restrictions. The College of Law encourages its students to express their ideas through activities and organizations. It is understood that the views of its students and student groups do not necessarily reflect those of the College of Law itself. However, the College of Law expects that the exercise of freedom of expression shall be conducted in a non-disruptive manner, with respect for the personal rights of others and for opposing points of view. Consequently, the College of Law and/or the University reserves the right to reasonably regulate



the time, place and manner of all on-campus student activities and expression, and to limit or prohibit any activity, speech, or expression deemed by the College of Law Administration to result in or to likely result in: (1) blockage of hallways, roadways, walkways, or other physical access; (2) generation of excessive noise; (3) material interference with or substantial disruption of classes or other College of Law or University events or activities; or (4) any violation set forth in the Code.

Section 2.3. Violations. If a Student organization violates any provision of the Code, it may be banned from the College of Law when there is reasonable cause to believe that such action is desirable for the protection of the health, safety, or welfare of members of the College of Law Community or to avoid disruption of the academic process. Such exclusion may be made pending a final determination of the organization's status pursuant to the disciplinary procedures set forth in the Code. Written notice of such an interim measure shall be given to the student organization promptly, together with a statement of the reasons for such action. The disciplinary process shall thereafter proceed expeditiously.

### Section 3 – Disciplinary Procedures

Section 3.1. Introduction. Any Student found in violation of the Code shall be subject to the College of Law disciplinary procedures as detailed herein, unless a University rule or policy has also been violated and the Vice President of Academic Affairs of the University chooses to initiate disciplinary proceedings under University rules. Once University disciplinary procedures have been initiated, University disciplinary procedures apply. A Student cannot challenge the University's decision to initiate University disciplinary proceedings under the Code.

Section 3.2. Investigation and Enforcement. The Assistant/Associate Dean, as designated by the Dean, has the primary investigatory and enforcement role under the Code. If a complaint involves conduct to which the Assistant/Associate Dean is or may be a witness or in which he or she has any material interest or involvement, the Assistant/Associate Dean shall recuse himself or herself, and shall refer the matter to the Dean, who shall, within a reasonable time, appoint a disinterested enforcement officer, including himself or herself, at the Dean's discretion. That enforcement officer shall be bound by these procedures as if he or she were the Assistant/Associate Dean.

Section 3.3. Complaint and Preliminary Investigation. Any person may file a complaint alleging violations of the Code, either orally or in writing, to the Assistant/Associate Dean. The Assistant/Associate Dean shall investigate all complaints in a manner of his or her choosing. However, if a College of Law instructor refers a Student to the Assistant/Associate Dean for an alleged violation of the Code, the Assistant/Associate Dean shall either discuss the alleged violation with a Student in person or, at a Student's discretion, permit a Student to address the allegations in writing. Neither procedure is required, however, if doing so might endanger the health, safety, or welfare of the Assistant/Associate Dean or others or might disrupt the academic process.

All matters, including the complainant's name, the name of the Student(s), and all details with respect to the complaint,

shall remain confidential during the investigation, unless the Assistant/Associate Dean reasonably determines that referral to county, state, federal or University authorities is appropriate, or disclosure is otherwise required in order to investigate the matter fully.

If the Assistant/Associate Dean is satisfied, after a preliminary investigation or after a meeting with a Student, that the complaint need not be pursued, the matter shall be closed. If, however, the preliminary investigation reveals a Student may have violated the Code, the Assistant/Associate Dean has the authority to: 1) initiate informal proceedings pursuant to Section 3.5, below; 2) initiate formal proceedings pursuant to Section 3.6, below; or 3) initiate mediation pursuant to Section 4, below.

A Student cannot challenge the Assistant/Associate Dean's decision to initiate informal or formal proceedings, although the Student may request a formal proceeding as outlined in Sections 3.5 and 3.6, below.

Section 3.4. Interim Sanction. Nothing in this Section or any other provision of the Code is intended to limit the Assistant/Associate Dean's ability to impose any sanction listed in Section 5, below, on an interim basis (pending final resolution of the matter through formal or informal procedures), when there is reasonable cause to believe the interim sanction is desirable for the protection of the health, safety, or welfare of others or to avoid disruption of the academic process. Written notice of the interim sanction, including facts and conclusions in support, as well as its conditions, shall be provided to the Student by regular or electronic mail within five (5) calendar days after the interim sanction is imposed. A Student has no right to appeal the imposition or the nature or scope of any interim sanction, although the Student can expect the disciplinary process to proceed on an expedited basis if an interim sanction is imposed. A Student shall not be considered in violation of the interim sanction until oral or written notice of the terms and conditions of any interim sanction have been provided to a Student.

Any interim sanction imposed under this provision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners unless: 1) further investigation by the Assistant/Associate Dean reveals the interim sanction was actually unwarranted; 2) the Assistant/Associate Dean chooses to terminate any and all proceedings before securing a final resolution of the matter; or 3) following formal proceedings pursuant to Section 3.6, below, the Hearing Panel or Hearing Officer concludes the Assistant/Associate Dean abused his or her discretion in imposing the interim sanction.

Section 3.5. Informal Proceedings. The Assistant/Associate Dean shall notify a Student by regular or electronic mail about the allegations, including a brief statement of facts and Code and/or University policies or regulations allegedly violated, within ten (10) calendar days from the date he or she decides to resolve any complaint by an informal proceeding. A Student shall be afforded a right to respond in writing within fifteen (15) calendar days from the date the Assistant/Associate Dean's notice is sent to a Student. The Assistant/Associate Dean may meet with a Student, solely at the discretion of the Assistant/Associate Dean, and if such meeting

occurs, the Student has no right to the presence of counsel or any advisor, no right to call witnesses, and the rules of evidence do not apply. If, after receiving a Student's response and/or after conducting any further investigation, the Assistant/Associate Dean believes there is clear and convincing evidence that a Student has violated any provision of the Code, he or she may impose an appropriate final sanction pursuant to Section 5, below. The Assistant/Associate Dean shall provide a Student with a written statement of facts found and conclusions reached, the provision of the Code violated, and the nature and terms of any final sanction imposed. This final decision may be sent by regular or electronic mail.

The Student has no right to appeal any decision reached or sanction imposed under this Section. However, if a Student is not satisfied with the Assistant/Associate Dean's resolution of the matter, a Student may request in writing a formal proceeding, detailed in Section 3.6, below, within twenty (20) calendar days from the date the Assistant/Associate Dean's final decision is sent to a Student. A Student's written request for a formal hearing shall be sent to the Assistant/Associate Dean. If a Student timely requests a formal hearing, the Assistant/Associate Dean's final decision becomes inoperative, although any interim sanction imposed pursuant to Section 3.4, above, remains valid pending ultimate resolution pursuant to Section 3.6, below.

**Section 3.6. Formal Proceedings.** The Assistant/Associate Dean may initiate a formal proceeding pursuant to this Section, or a Student may request a formal proceeding as detailed in Section 3.5, above. In either event, the Assistant/Associate Dean shall refer the matter either to a Hearing Panel, which shall consist of three members selected from the College of Law Student Conduct Committee, or a Hearing Officer, who shall sit as the sole adjudicator. The Assistant/Associate Dean, with the approval of the Dean, has authority to decide which procedure applies, and that decision, once made, shall be final. Once notified of the Assistant/Associate Dean's choice, the Chairperson of the College of Law Student Conduct Committee (Chairperson) is responsible for selecting the Hearing Panel, or, after consultation with the College of Law Student Conduct Committee, the Hearing Officer, who may or may not be a member of the University, at the discretion of the Chairperson. The Assistant/Associate Dean shall then schedule the formal hearing at such time as to protect the rights of all parties involved.

#### (A) Notice, Representation, Discovery

A Student shall be given written notice by regular or electronic mail at least thirty (30) calendar days prior to the hearing date, including a brief statement of the factual allegations, the Code and/or University policies or regulations allegedly violated, the time and place of the hearing, and the names of the members of the Hearing Panel or the name of the Hearing Officer. A Student may be represented by counsel or any other representative of his or her choice at the formal hearing, although the Student is entitled to have no more than two (2) advisors present at the formal hearing. Neither the University nor College of Law shall be responsible for the costs incurred by a Student in this regard. The College of Law may be represented at the formal hearing by the Assistant/Associate Dean, counsel, or other appointed

representative, at the discretion of the Assistant/Associate Dean, although the Assistant/Associate Dean is entitled to have no more than two (2) advisors present at the formal hearing.

The Assistant/Associate Dean shall provide copies of any witness statements and any other pertinent documentation in the possession of the Dean's office or College of Law at least one week before the scheduled hearing.

#### (B) Actual Bias Challenges

A Student and/or the Assistant/Associate Dean may seek to remove any member of the Hearing Panel or the Hearing Officer for actual bias only. The challenge shall be in writing, and shall be submitted to the Chairperson within ten (10) calendar days of the date the Student is notified of the formal proceeding pursuant to Section 3.6, Subdivision (A), above. The Chairperson shall permit the opposing party an opportunity to provide a written response within ten (10) calendar days from the date the notice of challenge is sent, or if hand delivered, received. The Chairperson is solely responsible for determining the merits of the challenge, and the challenge shall be granted only if the Chairperson believes actual bias is shown by clear and convincing evidence. The Chairperson shall provide a written decision within seven (7) calendar days from the date opposing party's written response is due, and this written decision shall be final, although if the challenge for actual bias is denied, the Student may raise the issue pursuant to Section 3.6, Subdivision (G), below, after the formal hearing has occurred and after formal disposition has been rendered. If the Chairperson grants the challenge for actual bias, the selection procedure detailed in this Section shall be initiated anew.

Any member of the College of Law Student Conduct Committee, any adjudicator sitting as a Hearing Officer, or the Chairperson shall recuse himself or herself if the individual was a participant in or witness to the alleged violation; or if the individual otherwise has a personal relationship with the accused Student or Assistant/Associate Dean that would impair that individual's ability to be fair and impartial. If the Chairperson shall be recused, the College of Law Student Conduct Committee as a collective body, pursuant to majority vote by all remaining members, shall act as the Chairperson.

#### (C) Evidence

Both parties shall have the opportunity to present documents and witnesses and to confront and cross-examine witnesses. The College of Law has the burden to demonstrate a Student violated the Code as alleged by clear and convincing evidence.

Relevant evidence may be admitted only if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule requiring exclusion in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but shall not be sufficient by itself to support a finding unless it would be admissible over objection in civil actions.

#### (D) Adequate Record

The College of Law shall be responsible for securing an adequate record of the hearing (other than the deliberation phase), either by tape recording or other appropriate means. Parties to the

hearing are free to take their own notes. The hearing record is confidential, and as a result, the College of Law shall insure the record is secured properly. A party may review and/or reproduce the record, as long as a written request is made to the Dean and review occurs during regular College of Law business hours. Each party shall notify the other of the request to review and/or reproduce the record, and each party shall bear any review and/or reproduction costs.

(E) Closed Hearing

The hearing shall generally be closed to all other than the Hearing Officer or Hearing Panel, the complainant(s), a Student and his or her advisors, witnesses for both sides, College of Law representatives, and others necessary to insure an adequate record. A Student may request the hearing to be open, and this request can be granted only by the Hearing Panel or Hearing Officer if an open hearing does not interfere with the orderly conduct of the hearing.

(F) Decision

The Hearing Panel or Hearing Officer shall issue a written decision or disposition within fourteen (14) calendar days following the final day of the hearing, and preferably earlier. Two members of a Hearing Panel shall agree in order to resolve the matter before it. The Hearing Panel or Hearing Officer may impose any of the sanctions authorized by Section 5, below. A written copy of the decision or disposition shall be sent by registered mail to all parties, including the Student, Assistant/Associate Dean, and Dean. The notice to a Student shall include a notice of the right to appeal and a description of the appeal process as described in Section 3.6, Subdivision (H), below.

The deliberations of the Hearing Panel or Hearing Officer shall be confidential. However, the written decision should address the following questions:

- i) Did the Assistant/Associate Dean meet his or her burden of proving the violation by clear and convincing evidence?
- ii) Did the conduct violate any provision of the Code or University rules and policies? If so, which specific rules were involved?
- iii) How culpable was the Student?
- iv) What disciplinary sanctions are requested by the Assistant/Associate Dean, as listed in Section 5, below, for purposes of the final sanction? Are those final sanctions reasonable in light of the violation? What final sanctions are warranted? What final sanctions are imposed, if any?
- v) Did the Assistant/Associate Dean abuse his or her discretion in imposing any interim sanction? Did the Student violate any interim sanction?
- vi) If probation is warranted, what are its terms and conditions? What is the penalty if the conditions or terms are violated? What procedures should be utilized in determining whether a probationary violation has occurred? Should the procedures outlined in Section 5, below, apply?

vii) Shall the College of Law place the disciplinary sanction in the Student's file and report the disciplinary sanction to The Committee of Bar Examiners as detailed in Section 5, below?

(G) Finality

If a Student does not appeal the decision or disposition pursuant to Section 3.6, Subdivision (H) below, the Hearing Officer's or Hearing Panel's decision shall be final.

(H) Appeal

i) Limitations Period

A Student may appeal the decision of the Hearing Officer or Hearing Panel, and/or the Chairperson's decision to deny a challenge based on actual bias as outlined in Section 3.6, Subdivision (B), above, to the Vice President of Academic Affairs of the University within fifteen (15) calendar days after notice of the Hearing Officer's or Hearing Panel's decision is sent to a Student via mail. A Student forfeits the right of appeal if the appeal petition is not filed with the Vice President of Academic Affairs in a timely manner, unless good cause is shown as determined by the Vice President of Academic Affairs.

ii) Contents of Appeal Petition

A Student shall expressly indicate in the appeal petition that he or she wishes to challenge the Hearing Panel's or Hearing Officer's decision, the Chairperson's decision, or both; failure to make any one of these three designations shall be treated by the Vice President of Academic Affairs as a challenge to the Hearing Panel's or Hearing Officer's decision only.

A Student shall attach a copy of the challenged decision(s). A Student may attach any other relevant documents a Student feels would be helpful, although these optional attachments shall be no more than fifteen pages in length. The Student may ask the Vice President of Academic Affairs for permission to submit more than fifteen pages.

iii) Scope of Review

The Vice President of Academic Affairs shall review the written decision of the Hearing Panel or Hearing Officer and/or the written decision of the Chairperson denying a claim of actual bias outlined in Section 3.6, Subdivision (B), above, subject to the limitations stated in Section 3.6, Subdivisions (H)(i) and (ii). The Vice President of Academic Affairs may also request an interview with or written statement from a Student. A Student has no right to have counsel or any advisor present at the interview, has no right to call witnesses, and the rules of evidence do not apply.

The Vice President of Academic Affairs may overturn the decision of the Chairperson (which, if done, would require a new proceeding pursuant to this Section), or overturn or modify the Hearing Panel's or Hearing Officer's decision, only if the Vice President of Academic Affairs finds an abuse of discretion. The Vice President of Academic Affairs, however, may not assess a greater sanction than that imposed by the Hearing Panel or Hearing Officer.

The Vice President of Academic Affairs shall issue a written decision in the matter, which shall be considered a final decision by the University.

iv) Records/Notification

The Assistant/Associate Dean shall keep a record of all proceedings. The Assistant/Associate Dean shall notify the University if it is necessary to include the decision of the Hearing Officer or Hearing Panel in the Student's academic file pursuant to Section 5, below.

Section 4 - Mediation

If both the Assistant/Associate Dean and the Student agree to mediation in lieu of informal or formal proceedings as detailed in Sections 2 and 3, above, the mediation shall be conducted without counsel or advisor, and shall be informal and confidential. If mediation is agreed upon by both parties, the Dean, at University expense, shall choose a mediator from existing University faculty; the faculty member shall have no connection with the alleged violation. Alternatively, the Dean, at University expense, may choose any other person willing to serve in such capacity when that person is not involved in the alleged violation. Both parties must agree to the mediator. If the matter is not resolved to the satisfaction of both parties within a reasonable time, but no later than ninety (90) calendar days from the time the parties agreed to mediation, any alleged violations shall be processed pursuant to the procedures contained in Sections 2 and 3, above.

Section 5 - Permissible Sanctions

Permissible sanctions contemplated by the Code include one or any combination of the following:

(A) Private Warning

Oral or written notice to the Student that future violation(s) of the Code shall be cause for disciplinary action as herein provided. No record of this disciplinary action or decision shall be noted in a Student's academic file and shall not be reported to The Committee of Bar Examiners.

(B) Written Apology

A Student shall be asked to apologize in writing to those offended by any violations of the Code. A copy of the written apology shall be submitted to the Assistant/Associate Dean for review before being sent to the offended parties. No record of this disciplinary action or decision shall be noted in a Student's academic file and shall not be reported to The Committee of Bar Examiners.

(C) Private Censure

Written reprimand that a Student has violated specific provisions of the Code. No record of this disciplinary action or decision shall be noted in a Student's academic file and shall not be reported to The Committee of Bar Examiners.

(D) Public Censure

Written reprimand that a Student has violated specific provisions of the Code. This disciplinary action or decision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

(E) Probation

Written notice that a Student has violated specific provisions of the Code, although a Student may continue to attend classes and activities, or may continue to conduct meetings and activities, under conditions and for a period of time specified by the sanctioning entity or person. Such conditions may include, but are not limited to, written apology and/or restitution for injury or damage. This disciplinary action or decision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

i) Continued Supervision/Hearing/Interim Sanction

The College of Law Administration shall continue to supervise the conduct of the Student until the imposed probationary term has expired. Unless otherwise specified in a decision by the Hearing Officer or Hearing Panel, if at any time during the probationary period the Assistant/Associate Dean learns a Student may have violated any probationary term, the Assistant/Associate Dean shall conduct a hearing, during which the Student shall be afforded an opportunity to explain the conduct at issue. A Student is not entitled to have counsel or advisor present at the hearing, has no right to call witnesses, and the rules of evidence do not apply. The Assistant/Associate Dean may impose any interim sanction to the same extent and degree as permitted under Section 3.4, above.

The Assistant/Associate Dean shall notify a Student in writing by regular or electronic mail of the hearing date, the purpose of the hearing, and the nature of the allegations at least ten (10) calendar days before the hearing is scheduled.

ii) Written Response

A hearing is not required if the Assistant/Associate Dean has reasonable cause to believe that conducting the hearing might endanger the health, safety, or welfare of others or might disrupt the academic process. In lieu of a hearing, however, the Assistant/Associate Dean shall notify the Student by regular or electronic mail that he or she may submit a written response to all allegations, as detailed in the mailing, and that any written response is due within twenty (20) calendar days after the Assistant/Associate Dean mails such notification to the Student. The Student may submit any writing outside this time frame only after good cause has been shown, as determined by the Assistant/Associate Dean.

iii) Standards for Probationary Violation

A Student shall be found in violation of probation if the Assistant/Associate Dean believes by a preponderance of evidence a Student has violated any probationary term. Upon finding a probationary violation, the Assistant/Associate Dean may continue or modify the terms of probation or impose any other sanction deemed appropriate, including but not limited to expulsion. The Student shall be notified by regular or electronic mail of the Assistant/Associate Dean's findings of fact, ultimate decision, and terms and conditions of any sanction imposed within twenty (20) calendar of the hearing, or if no hearing has been held, within twenty (20) days after the Student's opportunity to provide a written response has expired.



## iv) Appeal

A Student may appeal the Assistant/Associate Dean's final probationary decision to the Vice President of Academic Affairs of the University. A Student may also appeal any decision by the Assistant/Associate Dean to forego the hearing, to impose an interim sanction, and/or to deny submission of written document(s), if any, to the Vice President of Academic Affairs. However, the Student may appeal these decisions only after the Assistant/Associate Dean has rendered a final probationary decision and only if a Student challenges the final probationary decision on appeal. A Student must expressly designate which decisions are being challenged in the appeal petition; only those decisions expressly designated shall be reviewed. Failure to make any designation shall be treated by the Vice President of Academic Affairs as a challenge to the Assistant/Associate Dean's final probationary decision only.

All other provisions of Section 3.6, Subdivision (H), above, apply to an appeal under this provision.

## v) Report

Any disciplinary action imposed as a result of a probationary violation shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

## (F) Exclusion from Activities

Exclusion from participation in designated classes or activities for a specified period. This disciplinary action or decision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

## (G) Suspension

Exclusion from classes or from other designated activities or from designated areas of the campus as a final action on an alleged violation, for a designated period of time, where there is reasonable cause to believe that such action is in the best interest of the College of Law. This disciplinary action or decision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

## (H) Expulsion

Surrender of all rights and privileges afforded a student of the College of Law and University. Expulsion includes exclusion from campus, from all College of Law and University property, and from all College of Law and University functions, including exclusion from all functions or events sponsored by any College in the University, unless the Student receives the express written permission from the Dean to attend the function or event. A Student may be held responsible for meeting any financial obligations to the College of Law and University and may not visit the College of Law or University while under expulsion. This disciplinary action or decision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

## (I) Restitution

Reimbursement to the injured party, organization, the College of Law, or University may be ordered for any violation of these

rules. This disciplinary action or decision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

## (J) Grade Reduction

A student may be denied course credit or a grade may be reduced to a numeric grade of 50 or a grade of FW, as determined by the Assistant/Associate Dean and University Registrar to be appropriate, where the relevant misconduct consists of cheating on an examination, plagiarism in a paper, or other academic dishonesty. This disciplinary action or decision shall be noted in a Student's academic file and shall be reported to The Committee of Bar Examiners.

## (K) Any Other Sanction

Any other sanction that is deemed reasonable and appropriate under the circumstances. This disciplinary action or decision shall be reported in a Student's academic file and may be reported to The Committee of Bar Examiners, depending on the nature of the sanction imposed, at the discretion of the Dean.

## Definitions of Key Terms

**Abuse of Discretion:** Whether the findings made by the trier of fact or tribunal exceeded the bounds of reason, all of the circumstances before it being considered.

**Assistant/Associate Dean:** Assistant/Associate Dean of John F. Kennedy University College of Law.

**Chairperson of the College of Law Student Conduct Committee (or Chairperson):** Person selected by the Dean at the beginning of each academic year to chair the College of Law Student Conduct Committee.

**Clear and Convincing Evidence:** Evidence of such convincing force that it demonstrates, in contrast to the opposing evidence, a high probability of the truth of the facts for which it is offered as proof. Such evidence requires a higher standard of proof than proof by a preponderance of evidence.

**Code:** The Code of Student Conduct.

**College of Law Student Conduct Committee:** A College of Law committee is appointed by the Dean at the beginning of each academic year; it is responsible for maintaining the student discipline of the College of Law. The Committee shall include three (3) College of Law faculty members, one (1) College of Law Student, and one (1) faculty member from another school in the University.

**College of Law, Law School:** John F. Kennedy University College of Law.

**College of Law Administration:** The Dean and/or Assistant Dean of John F. Kennedy University College of Law, and/or their designated representatives.

**College of Law Community:** Fellow Students, faculty, staff, administration, alumni, and guests of the College of Law or University, and members of the University.

**Dean:** Dean of John F. Kennedy University College of Law.



**Preponderance of Evidence:** The existence of a fact or facts that is more probable than its nonexistence.

**Student(s):** All registered law students (either part-time or full-time), students who have withdrawn from the College of Law, graduates of the College of Law, students and applicants who plan to register for, with, or at the College of Law, students who are on an approved leave of absence from the College of Law or University, observers, guests of registered law students, guests of the College of Law, University students and/or their guests, and all student organizations as described in Section 2 of the Code, and their representatives and affiliates associated with the College of Law or the University.

# INDEX

- A**  
 Academic Advising ..... 8  
   Holds..... 47  
 Academic Calendar ..... 41  
 Academic Policies ..... 29  
 Academic Policies  
   and Procedures  
   (Appendix A) ..... 44  
 Academic Sessions ..... 4  
 Academic Standards  
   Committee ..... 29, 51  
   Regulations ..... 51  
   Sessions..... 4  
 Academic Standards  
   Regulations  
   (Appendix B) ..... 51  
 Academic Support  
   Program..... 48  
 Accommodations and  
   Services for Students  
   with Disabilities ..... 31  
 Accreditation..... 4  
 Activities and  
   Organizations ..... 30  
 Adding Course ..... 44  
 Administration,  
   University..... 39  
 Administrative  
   Dismissal..... 13  
 Admission..... 32  
   Advanced Standing ... 33  
   Cancellation of..... 34  
   Procedure ..... 32  
   Regular Status ..... 32  
   Special Status ..... 33  
 Advancement ..... 13  
 Animal Legal Defense  
   Fund..... 31  
 Anonymous Grading  
   Identification  
   Numbers (AGINs) ... 47  
 Applicants  
   Auditors ..... 33  
   International ..... 33  
   Nondegree ..... 33  
   Previously  
   Dismissed ..... 33  
   Visiting ..... 33  
 Application ..... 32  
   Incomplete File ..... 34  
   Reapplication ..... 34  
 Attendance ..... 13  
 Auditors ..... 33  
**B**  
 BarBri Bar Review  
   Program..... 7  
 Black Law Students'  
   Association (BLSA) ... 31  
 Board of Trustees..... 38  
 Books/Course  
   Materials ..... 48  
**C**  
 Calendar, Academic..... 41  
 California State Bar  
   Examination..... 30  
 Career Services..... 32  
 Certification of Available  
   Finances International  
   students ..... 34  
 Children, Families and  
   the Law  
   Certificate ..... 7  
   Clinic ..... 5  
 Clinical Programs ..... 5  
 Code of Student Conduct  
   (Appendix C) ..... 55  
 College-Level Examination  
   Program (CLEP) ..... 33  
 Commencement  
   Ceremony..... 49  
 Completion of Degree  
   Requirements ..... 49  
 Computer Lab ..... 50  
 Conduct ..... 55  
 Conflict Resolution..... 49  
 Course Descriptions  
   Electives ..... 16  
   Required..... 14  
 Course Loads ..... 12  
 Credit/No Credit  
   Courses ..... 50  
 Curriculum  
   Full-time JD ..... 9  
   Full-time JD/MBA ... 11  
   Part-time JD..... 10  
   Part-time JD/MBA... 12  
**D**  
 Dean's List..... 48  
 Degree Programs,  
   University..... 40  
 Degree Requirements..... 13  
 Deviations from Standard  
   Curriculum ..... 12  
 Diploma ..... 49  
 Directed Studies ..... 46  
 Directions..... 43  
 Directory ..... 65  
 Disability Services..... 31  
 Discrimination and/or  
   Harassment, Policy  
   Against ..... 49  
 Dismissal, Previous..... 33  
 Dropping Course ..... 44  
**E**  
 Elective Courses ..... 16  
 Equal Justice Works ..... 31  
 Events for Students ..... 8  
 Examinations  
   Bar ..... 30  
   First-Year Law  
   Students' ..... 30  
   Rescheduling..... 47  
   Typing on Laptop..... 48  
**F**  
 Faculty ..... 20  
 Fees ..... 34  
 FERPA ..... 29  
 Financial Aid ..... 35  
   Application Forms  
   and Deadlines ..... 36  
   Warning ..... 36  
 First-Year Law Students'  
   Examination  
   (FYLSX)..... 30  
**G**  
 General Information ..... 40  
 Grading ..... 50  
**H**  
 Honors ..... 48  
 Housing ..... 41  
 Housing Advocacy  
   Clinic ..... 5  
**I**  
 Incomplete Policy ..... 44  
 Independent Study ..... 46  
 International  
   Applicants ..... 33  
 Internship Program ..... 6  
**J**  
 JD Program ..... 5  
 JD/MBA Program ..... 5, 11  
**L**  
 Law School Admissions  
   Test (LSAT) ..... 32  
 Law Students'  
   Association ..... 30  
 Leave of Absence ..... 38, 45  
 Legal Clinic for Elders .... 6  
 Library, College  
   of Law ..... 4, 31  
 Loans ..... 35  
**M**  
 Map ..... 43  
 Matriculation Policy ..... 12  
 Maximum and Minimum  
   Course Loads ..... 12  
 Mission Statement ..... 1  
**N**  
 Non-Degree Students..... 33  
 Non-Discrimination  
   Policy..... 40, 49  
**P**  
 Petition for Degree ..... 49  
 Privacy Rights of Students  
   (FERPA) ..... 29  
 Public Interest Law  
   Program..... 5, 7  
   Certificate ..... 7  
 Public Interest/Public  
   Sector Legal  
   Careers Day ..... 7  
**R**  
 Reapplication ..... 34  
 Refunds ..... 44  
 Registration ..... 44, 46  
 Registration as a  
   Law Student ..... 30  
 Regular Status ..... 32  
 Religious Pluralism ..... 41  
 Repeating Courses ... 36, 44  
 Required Courses ..... 14  
 Residency  
   Requirement ..... 13  
**S**  
 Satisfactory Academic  
   Progress ..... 36  
 Special status ..... 33  
 State Bar of California  
   Requirements ..... 30  
   Rules ..... 30  
 Student Associations ..... 30  
   Black Law ..... 31  
   JFK University  
   Law ..... 30  
 Student  
   Conduct ..... 55  
   Handbook ..... 8  
   Lounge..... 50  
**T**  
 Transfer Credit ..... 45  
 Tuition ..... 34  
**U**  
 University  
   Administration..... 39  
**V**  
 Veterans'  
   Benefits..... 38  
   Success Center..... 32  
 Visiting Students ..... 33  
**W**  
 Western Association of  
   Schools and  
   Colleges..... 4  
 Withdrawal from a  
   Course ..... 38, 44  
 Witkin Awards ..... 49  
 Writing Assistance..... 51  
**Y**  
 Yellow Ribbon  
   Program..... 33

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# JOHN F. KENNEDY UNIVERSITY

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