

# SOUTHWESTERN

## LAW SCHOOL Los Angeles, CA

### Honors Programs Policies

Administrative policy approved July 22, 2022. Effective immediately.

**Revision history:** Formerly a part of the annually revised Student Handbook; established as a standalone policy in August 2022; updated August 2023; updated August 2024; revised December 2024 to add a timesheet requirement and clarify board responsibilities and grading for Law Review and Law Journal effective Spring 2025.

**Related policies:** Grading and Scholastic Honors Policy; Graduation Requirements Policy; Student Honor Code

**Scheduled Review Date:** April 2025 (Student Affairs Office; Honors Program Faculty Directors)

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#### A. Law Review

The *Southwestern Law Review* is a student-edited journal that publishes scholarly articles and commentary by members of the legal community and students.

##### 1. Program overview

Serving on the Law Review affords students the opportunity to study specific areas of the law and a pathway to publish their scholarly articles. The honor of participating on Law Review is offered to students with excellent academic standing.

**Mandatory Write-on Competition:** Any student who wishes to be considered for a position on Law Review must participate in the annual writing competition that is conducted after the spring semester (for residential and online full-time and part-time students) and after SCALE I Quarter 4. The specific dates for the write-on competition will be announced in advance.

The write-on competition is limited to Southwestern J.D. students who have completed the first or second year of a full-time program, the second or third year of a part-time program, or SCALE I. Transfer students may participate by invitation of the Student Services Office.

Each write-on participant is required to write a paper analyzing an assigned legal problem. The Student Affairs Office will provide instructions on the paper requirements and the criteria the Law Review will use to evaluate each paper. Each participant is allowed a set number of days to complete and submit their paper.

**Membership Selection Criteria:** The Law Review invites students who satisfactorily completed the write-on competition and are in the top ten percent of their ranked cohort to become a candidate.

The Law Review Executive Board, in consultation with the faculty advisor(s), may also select additional students who demonstrate exceptional writing and analytical skills through the write-on competition and who are in the top 30 percent of their class, as calculated at the end of the spring semester.

Students are prohibited from participating on both Law Review and Law Journal at the same time. If a student is selected for both Law Review and Law Journal, the student may choose one invitation.

In addition to writing an article of publishable quality, each candidate must complete production and proofreading assignments, which are necessary to publish the Law Review. Each candidate may also be assigned administrative duties. Failure to complete assignments may result in a "missed deadline." A candidate who receives a "missed deadline" will receive a written reprimand for a first offense and may be removed from Law Review by a vote of the Executive Board for a second "missed deadline." The candidate may appeal the removal to the faculty advisor(s), who will review the decision using an abuse of discretion standard.

A candidate secures full membership on Law Review by successfully completing the candidacy requirements during their first academic year on the Law Review. In April, the Law Review Executive Board will determine which candidates will be awarded full membership status. Recognition of Law Review membership will appear in the memoranda column on the student's official transcript, in addition to the course credit for applicable semesters. Any candidate or member placed on academic probation after being selected for the Law Review will be excluded from the program.

A vote of three-fourths of a quorum (a quorum is defined as two-thirds of the Law Review Executive Board) to deny membership will prevent a candidate from becoming a Law Review member. No absentee or proxy votes will be allowed. A candidate who is denied membership may appeal the decision to the faculty advisor(s), who will review the decision using an abuse of discretion standard. The faculty advisor(s) can affirm the Executive Board's decision or require the Executive Board to reconsider. Upon reconsideration by the Executive Board, a three-fourths vote of a quorum to again deny membership will affirm the prior Executive Board determination and will prevent the candidate from becoming a Law Review member.

## **2. Board of Editors**

The Law Review Board of Editors consists of an Executive Board and other non-voting Board members. The Law Review Executive Board consists of 8 to 12 members as follows:

- a.** Editor-in-Chief, responsible for the selection of the Law Review's contents and overall quality of publications;
- b.** Managing Editor, responsible for the daily operations of the Law Review;
- c.** Lead Articles Editors (3 or 4), responsible for soliciting and editing lead (non-student) articles;
- d.** Notes and Comments Editors (3 or 4), responsible for supervising second-year staff members and editing student notes; and
- e.** Special Projects Editor, responsible for researching topics, reviewing production assignments, and coordinating symposia.

Executive Board members are the only voting members of the Law Review. They may not accept outside employment during the academic year, participate in an externship for more than 3 units, or serve on Law Journal, Moot Court Honors Program, Negotiation Honors Program, or Trial Advocacy Honors Program without obtaining a positive majority vote from the Executive Board and waivers from the faculty advisors and the President and Dean (Dean).

Additional, non-voting, general Board members may include:

- a.** Associate Editors, who are responsible for performing editorial work on staff members' notes and comments and working closely with staff members throughout the stages of developing notes and comments. They are supervised by the Managing Editor and the Notes and Comments Editors.
- b.** Special Projects Staff Members, who produce book reviews or year-in-review articles and work with the Editor-in-Chief and the Special Projects Editor on assigned projects.

Editors for the succeeding Board are selected by the outgoing Executive Board members. All Board members must be in their final year of law school in the year they serve. SCALE II students graduating in 2.5 years will be limited to Board membership in their second year and not their final fall semester. The selection is based on performance as a candidate, academic standing, a written application, and an interview.

The outgoing Executive Board must communicate the proposed slate of incoming Board members to the faculty advisor(s), Associate Dean for Student Services, Associate Dean of Student Affairs, and the Dean with clearly articulated and objectively verifiable reasons about the appropriateness of each choice and why each applicant was or was not selected. The communication should include a description

for each Board position. The Associate Dean for Student Services will ensure that each recommended student meets the grade eligibility requirement and will provide the Dean, Associate Dean for Student Affairs, and faculty advisor(s) with each recommended student's disciplinary history, if any. Each appointment is subject to veto or ratification by the faculty advisor(s) or the Dean. The selection is made during the summer for a one-year term and becomes effective on the date assigned by the outgoing Board in consultation with the faculty advisor(s).

### **3. Law review credit**

- a.** Law Review candidates may earn up to 3 units of academic credit for participating in Law Review. Credits will be granted in accordance with the following procedures:
  - i. Students participating in the first year of the program enroll for 2 units of credit in the course titled "Law Review" in the fall semester and 1 unit of Law Review credit in the spring semester.
  - ii. Unit credits for the fall semester will be Credit/C/No Credit. Unit credits for the spring semester will be Credit No/Credit.
  - iii. Completing the Law Review course with Credit during the fall semester will satisfy Southwestern's upper-division writing requirement. (See *Graduation Requirements Policy*.)
  - iv. To receive Credit for the fall semester, students must satisfactorily complete all staff assignments, attend regularly scheduled program meetings, satisfactorily complete all assignments for the Law Review course, and submit a suitable written product. Students must also comply with the Timesheet Requirement (see subsection v below). Students who satisfactorily complete all staff assignments, attend program meetings, and comply with the Timesheet Requirement but fail to complete course assignments or submit a suitable written product will receive a letter grade of "C" for the fall semester. Students who fail to satisfactorily complete staff assignments or attend program meetings **and** fail to complete course assignments, submit a suitable written product, or fail to comply with the Timesheet Requirement will receive No Credit for the fall semester.
  - v. Students must record their Law Review-related activities on a timesheet using the template provided by the Law Review. The timesheet should reflect all Law Review-related activities, except for attending or completing assignments for the Law Review course. The work recorded must relate to producing the Law Review and must have an educational component. On the timesheet, the student must describe in detail the particular activity or activities they engaged in each week and the time spent, using .25-hour increments. Appropriate activities may include, but are not limited to, researching and writing a student note or comment (after completing the Law Review course); attending regularly scheduled Law Review program meetings; completing production and administrative assignments;

selecting articles for publication; editing pieces; preparing substantive correspondence with authors about articles; completing management and supervisory activities; and organizing and putting on symposia. **The student's timesheets for the semester must reflect at least 44 hours of work for every credit the student is to receive that semester for Law Review (apart from the two credits received for the Law Review course). However, most staff members will need to spend substantially more than 44 hours per credit to satisfactorily complete their Law Review work.** Each student must submit their timesheet via the Canvas course page. The designated faculty member will review the timesheets on a regular basis during the semester. At the conclusion of each semester, the faculty member will determine if the student's Law Review-related activities satisfy this Timesheet Requirement.

- vi. Online J.D. Program students have the option to attend the in-person course or participate by watching the recorded class sessions. Online students who participate by watching recorded class sessions will be required to attend at least two synchronous Zoom sessions throughout the term.
- vii. The faculty member(s) teaching the Law Review course will determine whether students receive Credit, a letter grade of "C," or No Credit in the fall semester. Before the faculty member(s) teaching the Law Review course record a grade, the faculty advisor will advise the faculty member(s) in writing whether each student has satisfactorily completed staff assignments, attended program meetings, satisfied the Timesheet Requirement, and (if applicable) watched the required class sessions. As noted above, the faculty advisor(s) will review each student's timesheets for the semester, and the Law Review Board will advise the faculty advisor(s) in writing whether each student has satisfactorily completed staff assignments and attended program meetings. The faculty member(s)'s grade determination is final.
- viii. Students who satisfactorily complete all staff assignments, attend regularly scheduled program meetings, and satisfy the Timesheet Requirement will receive Credit for the spring semester. Students who fail to satisfactorily complete staff assignments, attend program meetings, or satisfy the Timesheet Requirement will receive No Credit for the spring semester.
- ix. The faculty advisor(s) will determine whether students receive Credit or No Credit for the spring semester. Before making that determination, the faculty advisor(s) will review each student's timesheets for the semester, and the Law Review Board will advise the faculty advisors(s) in writing whether each student has satisfactorily completed staff assignments and met the participation requirements. The faculty advisor(s)'s grade determination will be final, subject to Southwestern's grade change policy.

- x. Candidates may add Law Review units only within the one-week “add” period that governs the rest of the curriculum.
  - xi. Candidates may drop Law Review at any time until the last day of the semester.
- b.** Students participating on Law Review for a second year may earn additional units of credit for editorial work, staff supervision, and management according to the following procedures:
- i. Executive Board members may receive 2 units of credit in each semester, for a total of 4 units for the second year of service.
  - ii. Associate Editors and Special Projects Staff may receive 1 unit of credit per semester, for a total of 2 units.
  - iii. No student may receive more than 7 units of total credit for Law Review.
  - iv. All students must comply with the Timesheet Requirement (see subsection 3.a.v above).
  - v. The Executive Board will recommend to the faculty advisor(s) whether each editor should be awarded Credit or No Credit. The Board will regularly advise each editor and the faculty advisor(s) of the quality of work being performed by each editor. The faculty advisor(s) will consider the Executive Board’s recommendation but will make their own decision after reviewing each student’s timesheets and any other materials the faculty advisor(s) deem advisable.
  - vi. If an editor performs unsatisfactory work, the Board may recommend No Credit. If the Board recommends No Credit, it must provide a detailed explanation with a list of work performed in an unsatisfactory manner and representative examples of that work. In addition, the Board, Editor-in-Chief, or Managing Editor should warn both the under-performing editor of their concerns as quickly as possible to afford the editor an opportunity to improve and earn credit and inform the faculty advisor(s) of the situation so they can provide input, guidance, and if necessary, meet with the editor at issue.
  - vii. The faculty advisor(s)’s grade determination will be final.
- c.** All incompletes and withdrawals for Law Review units will be governed by the current academic regulations.
- d.** If a student is accepted by Law Review and successfully completes the written assignments and staff work required for membership but chooses not to enroll for credit, Law Review will be indicated on the academic transcript by a

notation of "Law Review Staff" or "Law Review Editor" in the memoranda column.

## **B. Law Journal**

The Southwestern Journal of International Law (Law Journal) is a student-edited journal that publishes scholarly articles and commentary by law professors, Southwestern students, and members of the legal community. Participating on the Law Journal allows students to develop their legal writing and research skills along with their substantive knowledge of topics covered by the journal.

### **1. Staff member program**

Serving on the Law Journal provides students with an opportunity to participate in the editorial process of an academic journal, study specific areas of the law, and publish their own scholarly articles in a national publication. The honor of participating on Law Journal is offered to students who have demonstrated exceptional research and writing capabilities.

**Mandatory Write-on Competition:** Any student who wishes to be considered for a position on Law Journal must participate in the annual writing competition that is conducted immediately following the spring semester (for residential and online full-time and part-time students) and after SCALE I Quarter 4. The specific dates for the write-on competition will be announced in advance. The write-on competition is limited to Southwestern J.D. students who have completed the first or second year of a full-time program, the second or third year of a part-time program, or SCALE I.

Transfer students may participate by invitation of the Student Services Office. Each write-on participant is required to write a paper analyzing an assigned legal problem. The Student Affairs Office will provide instructions on the paper requirements and the criteria the Law Journal will use to evaluate each paper. Each participant is allowed a set number of days to complete and submit their paper.

**Membership Selection Criteria:** Law Journal will extend an invitation to become a candidate to those students who (1) participated in the write-on competition, (2) are in good academic standing, and (3) demonstrate exceptional research and writing capabilities. Selection will be based on the write-on competition (50%) and academic performance (50%).

Students are prohibited from participating on both Law Review and Law Journal simultaneously. If a student is selected for both Law Review and Law Journal, the student may participate in only one of them.

**Law Journal Course** - All students selected as Law Journal staff members are required to register for a 2-unit, Credit/C/No Credit course, which is taught by one or more of the Law Journal's faculty advisor(s) during the fall semester.

Enrollment is mandatory. Registration in the course is restricted to students who have been selected for Law Journal. Completing the Law Journal Course will satisfy Southwestern's upper-division writing requirement. (See *Graduation Requirement Policy*.)

## **2. Board of Editors**

The Law Journal Board of Editors consists of an Executive Board and other non-voting Board members. The Law Journal Executive Board consists of 8 to 12 members as follows:

- a.** Editor-in-Chief, responsible for the selection of the Journal's contents and overall quality of publications;
- b.** Managing Editor, responsible for the daily operations of the Law Journal;
- c.** Lead Articles Editors and Note and Comment Editors (6 to 8), with Lead Articles Editors primarily responsible for soliciting and editing lead (non-student) articles, and Note and Comments Editors primarily responsible for supervising second-year staff members and editing student notes; and
- d.** Research/Special Projects Editor, responsible for the research of topics, the review of production assignments, and the coordination of symposia.

Executive Board members are the only voting members of the Law Journal. They may not participate in an externship for more than 3 units, or serve on Law Review, Moot Court Honors Program, Negotiation Honors Program, or Trial Advocacy Honors Program without obtaining a positive majority vote from the Executive Board, and waivers from the faculty advisors and Dean.

Additional, non-voting, general Board members may include Associate Editors who are responsible for performing tasks as assigned by the Board. These assignments may include, but are not limited to, soliciting articles, selecting submissions, and editing articles for Journal publication.

Each Executive Board is selected by the outgoing Executive Board members. All Board members must be in their final year of law school in the year during which they serve. The selection is based on the evaluation by the Board of the candidate's performance in the Law Journal course and production work, a statement of interest, academic standing, and writing and editing skills.

The outgoing Executive Board must communicate the proposed slate of incoming Board members to the faculty advisor(s), Associate Dean for Student Services, Associate Dean of Student Affairs, and the Dean with clearly articulated and objectively verifiable reasons as to the appropriateness of the choices and why each student was selected or not selected. The communication should include a description for each Board position. The Associate Dean for Student Services will ensure that each recommended student meets the grade eligibility requirement and will provide the Dean, and faculty advisor(s) with each recommended student's disciplinary history, if any. Each appointment is subject to veto or ratification by the faculty advisor(s) and the Dean. The selection is made during the summer for a one-year term and becomes effective on the date assigned by the outgoing Board in consultation with the faculty advisor(s).

## **3. Law Journal credit**

- a.** Law Journal candidates obtain up to 3 units of academic credit for participating in the Law Journal staff member program. Credits will be granted



in accordance with the following procedures:

- i. Students participating in the staff member program in the fall semester must enroll in the 2-unit graded Law Journal Course and 1 unit of Law Journal credit in the spring semester.
- ii. Unit credits for the fall semester will be graded as Credit/C/No Credit. Credit units for the spring semester will be Credit/No Credit.
- iii. Candidates may add Law Journal units only within the one-week period that governs the rest of the curriculum.
- iv. To receive Credit for the fall semester, students must satisfactorily complete all staff assignments, attend regularly scheduled program meetings, satisfactorily complete all assignments for the Law Journal course, and submit a suitable written product. Students must also comply with the Timesheet Requirement (see subsection vi below). Students who satisfactorily complete all staff assignments, attend program meetings, and comply with the Timesheet Requirement but fail to complete course assignments or submit a suitable written product will receive a letter grade of "C" for the fall semester. Students who fail to satisfactorily complete staff assignments or attend program meetings **and** fail to complete course assignments, submit a suitable written product, or fail to comply with the Timesheet Requirement will receive No Credit for the fall semester.
- v. Completing the Law Journal Course during the fall semester will satisfy Southwestern's upper-division writing requirement. (See *Graduation Requirements Policy*.)
- vi. Students must record their Law Journal-related activities on a timesheet using the timesheet template provided by the Law Journal. The timesheet should reflect all Law Journal-related activities except for attending or completing assignments for the Law Journal course. The work recorded must relate to producing the Law Journal and must have an educational component. On the timesheet, the student must describe the particular activity or activities they engaged in each week and the time spent (using .25-hour increments). Such activities may include, but are not limited to, researching and writing a student note or comment (after completion of the Law Journal course); attending regularly scheduled Law Journal program meetings; completing production and administrative assignments; selecting articles for publication; editing pieces; preparing substantive correspondence with authors about articles; completing management and supervisory activities; and organizing and putting on symposia. **The student's timesheets for the semester must reflect at least 44 hours of work for every credit the student is to receive that semester for Law Journal (apart from the two credits received for the Law Journal course). However, most staff members will need to spend**

**substantially more than 44 hours per credit to satisfactorily complete their Law Journal work.** Each student must submit their timesheet via the Canvas course page. The designated faculty member will review the timesheets on a regular basis during the semester. At the conclusion of each semester, the faculty member will determine if the student's Law Journal-related activities satisfy this Timesheet Requirement.

- vii. Online J.D. Program students have the option to attend the in-person course or participate by watching the recorded class sessions. Online students who participate by watching recorded class sessions will be required to attend at least two synchronous Zoom sessions throughout the term. To receive Credit for the fall semester, online students must satisfactorily complete all staff assignments, watch all course videos, satisfactorily complete all assignments for the Law Journal course, satisfy the Timesheet Requirement, and submit a suitable written product.
- viii. In all cases, the determination of the faculty advisor(s) regarding the granting of Credit, a letter grade of C, or No Credit will be final, subject to Southwestern's grade change policy.

**b.** Students participating on Law Journal for a second year may earn additional units of credit for editorial work, staff supervision, and management according to the following procedures:

- i. Executive Board members may receive 2 units of credit in each semester, for a total of 4 units of credit in the final year of law school.
- ii. Associate Editors may receive 1 unit of credit in each semester, for a total of 2 units of credit in the final year of law school.
- iii. All students must comply with the Timesheet Requirement (see subsection 3.a.vi above).
- iv. The Executive Board may recommend to the faculty advisor(s) whether each editor should be awarded Credit or No Credit. The Board will regularly advise each editor and the faculty advisor(s) of the quality of work being performed by each editor. The faculty advisor(s) will consider the Executive Board's recommendation but will make their own decision after reviewing each student's timesheets and any other materials the faculty advisor(s) deem advisable.
- v. If an editor performs unsatisfactory work, the Board may recommend No Credit. If the Board recommends No Credit, it must provide a detailed explanation with a list of work performed in an unsatisfactory manner and representative examples of that work. In addition, the Board, Editor-in-Chief, or Managing Editor should warn both the under-performing editor of their concerns as quickly as possible to afford the editor an opportunity

to improve and earn credit and inform the faculty advisor(s) of the situation so they can provide input, guidance, and if necessary, meet with the editor at issue.

- c.** All incompletes and withdrawals for Law Journal units will be governed by the current academic regulations.
- d.** If a student is accepted by Law Journal and successfully completes the Law Journal Course, the written assignments, and staff work required for membership, and chooses not to enroll for credit, the Law Journal membership will be indicated on the academic transcript by a notation of "Law Journal."

## **C. Moot Court Honors Program**

First-year students in any J.D. program who wish to be considered for membership in the Moot Court Honors Program must (1) successfully complete the requirements of the LAWS II course; (2) participate in one of the intramural competitions; and (3) interview with the Moot Court Honors Program.

First-year students have the opportunity to participate in one of three LAWS II courses that introduce them to a type of advocacy in their first-year spring semester: (1) appellate advocacy; (2) negotiation; and (3) trial practice. The focus selected gives the student exposure to a particular skill set. However, a student's choice has no bearing on the intramural competition a student may choose to do. Each honors program has meetings and workshops to help students prepare for the intramural competition of their choice, subject to the rules set by the honors programs.

### **1. First-year Intramural competition**

The Moot Court Honors Program Intramural Competition is open to all first-year students enrolled in LAWS II. No academic credit is given for participating in the intramural competition. For purposes of this section, first-year students include first-year residential students (full-time, PLEAS/part-time, and SCALE) and first-year online students (online full-time and online part-time).

### **2. Moot Court Honors Program**

#### ***a. Membership generally***

Interschool competitors participate as brief writers, oralists, or swing writers (brief writers who argue at least one round at competition).

#### ***b. Membership: rising second years***

Moot Court members are selected by the Moot Court Board of Governors with the assistance and agreement of the Program Directors. Selections are based on a student's LAWS II final paper, grades, performance in the intramural competitions, an interview with the Moot Court Board of Governors, and interviews with the Program Directors.

Students may interview for only one advocacy honors program. Any student, regardless of LAWS II Track, who receives an A+ or A in their second- semester LAWS II class will also have the opportunity to interview for the Moot Court

Honors Program as a brief writer even if they did not participate in the Moot Court intramural competition.

A student may be eligible for membership In the Moot Court Honors Program as a rising 2L student only if they have a minimum 2.9 cumulative GPA and a minimum grade of B- in LAWS II.

Transfer students who have been accepted into their law school's moot court program, by invitation of the Student Services Office, may be eligible to apply to the Moot Court Honors Program.

Any student placed on academic probation will be excluded from participating in the Moot Court Honors Program and will not receive academic credit during that probation period. If academic probation is cured, the prospective program member may become eligible and be able to interview if a position becomes available. Selections for the subsequent semesters are at the discretion of the Program Directors. If a student is placed on academic probation during their last semester of law school, the student will not receive academic credit during the last semester and should discuss alternatives for academic credit and graduation requirements with the Student Services Office.

**c. *Membership: upper-division students***

The Program Directors, at their discretion and depending on the year, may conduct moot court tryouts for upper-division students who did not get to try out in their first year and are interested in being oralists. If a tryout for upper-division students is held, upper-division students (in any of the J.D. programs) who did not participate in the intramural competition may apply to be oralists provided they have a minimum cumulative 2.9 GPA in LAWS I and II, and a minimum grade of B in LAWS II. All entering members must have a cumulative GPA of 2.9 following the conclusion of their academic year at the time of the application process. Students should contact the Program Directors for more information.

Upper-division students who wish to be writers in the program may apply to Moot Court to be a writer if they received an A or A+ in LAWS II, providing they have a minimum cumulative 2.9 GPA in LAWS I and II. Students should contact the Program Directors for more information. Note, all entering members must have a GPA of 2.9 following the conclusion of their academic year at the time of the application process.

**d. *Interschool competitions***

Southwestern participates in several competitions throughout the United States, most of which occur during the spring semester. The Board of Governors assigns Moot Court Honors Program members to particular competitions with the assistance and approval of the Program Directors. Students register for academic credit in accordance with the policies set forth below.

At the end of each semester, the Program Directors determine whether academic credit is to be awarded.

When a student is placed on academic probation following the fall semester or SCALE Quarters 5 and 6, they are generally not permitted to participate in competitions during the subsequent spring semester or SCALE Quarters. However, if the Program Directors determine that significant preparation has already begun, the Associate Dean for Student Services (in consultation with the Program Directors) has the discretion to allow the student to compete if the student wishes to compete. If the team advances to the national competition, the Associate Dean for Student Services (in consultation with the Program Directors) has the discretion to allow the student to compete.

Students are not permitted to participate in any regional or national oral advocacy competitions (moot court, trial advocacy, negotiation, mediation, arbitration, client counseling, or any regional or national competition that assesses law students' advocacy skills) while attending Southwestern Law School unless (i) the student's participation is sponsored by one of Southwestern's Honors Programs; or (ii) the student's participation has been otherwise approved by one of the Directors of the Honors Programs and the Associate Dean for Student Affairs. Students who violate this provision are subject to discipline under Southwestern's Honor Code.

**e. *Board of Governors***

The incoming Board of Governors is selected by the Program Directors with the assistance and consultation of the Board of Governors. Each appointment is subject to veto or ratification by the Dean. The selection is made at the end of the spring semester and is for a one-year term, becoming effective on the date assigned by the law school as graduation day.

A member of the Moot Court Board of Governors may not serve on the Trial Advocacy Honors Program or Negotiation Honors Program. Further, a member of the Moot Court Board of Governors may not accept outside full-time employment during the academic year or participate in an externship for more than 3 units without obtaining waivers from the Program Directors. In addition to any units awarded for participation in an interschool competition, Board members are eligible to receive 1 unit of academic credit for each semester they serve as a Governor. As with competitors, academic credit for Board of Governors participation must be approved by the Program Directors.

**f. *Moot Court Fellows***

Returning non-board Moot Court Honors Program members are designated as Moot Court Fellows. In this capacity, a Moot Court Fellow assumes a leadership role in the Moot Court Honors Program, assisting with the Moot Court Appellate Advocacy course, brief-writing and oral advocacy preparation, the spring Intramural Competition, in addition to participating as a writer and/or oralist in a competition.

**g. *Online J.D. Program & Residential Program***

Students who are enrolled in the Online J.D. Program have the same ability to participate in the Moot Court Honors Program as students who are enrolled in

the residential program.

Residential program students who are invited to join the Moot Court Honors Program will attend the Moot Court Appellate Advocacy course in person (if required), attend practice oral argument rounds in person, and meet the program requirements regarding campus events by attending in person. Because residential program students are able to practice at a podium with an in-person bench, those students are eligible to travel to an in-person interscholastic competition.

Online J.D. students who are invited to join the Moot Court Honors Program and can come to campus and meet all of the on-campus requirements listed above, will be eligible to travel to an in-person interscholastic competition.

Online J.D. students who are invited to join the Moot Court Honors Program *and **cannot** meet **all** of the on-campus requirements will still be vibrant and equal members of the Moot Court Honors Program.* Students will attend the Moot Court Appellate Advocacy course via Zoom, attend practice oral argument rounds via Zoom, and meet all the program requirements via Zoom. Because these students are able to practice online, these students will compete in online interscholastic competitions.

### 3. Unit credit

All Moot Court Honors Program members in their first year of eligibility, whether in-residence or online, will enroll for 2 units of credit in the fall in the course entitled "Appellate Advocacy" and 1 unit of credit in the spring, regardless of when they compete. The grade for the fall semester will be Credit, a letter grade of C, or No Credit. Unit credit for the spring semester will be Credit/No Credit. To receive unit credit in the fall semester, students are required to complete the class and complete all other responsibilities outlined in the Moot Court Honors Program Bylaws. To receive unit credit in the spring semester, students are required to compete in the interschool competition and complete all other responsibilities outlined in the Moot Court Honors Program Bylaws.

- a.** Returning non-board Moot Court Honors Program members, called Moot Court Fellows, enroll for 3 units of credit: 1 unit of credit in the semester they do not compete and 2 units of credit in the semester they compete. Unit credit will be Credit/No Credit. To receive unit credit, students are required to compete in the interschool competition and complete all other responsibilities outlined in the Moot Court Honors Program Bylaws.
- b.** Students may add Moot Court units only during the add period that governs the rest of the curriculum. However, should an opening on a Moot Court team arise after the regular add period has passed, the student selected to fill that opening will be allowed to register for the allotted units as a second-year competitor, with the approval of the Program Directors and the Dean.
- c.** Students may drop Moot Court only during the regular drop period that governs the rest of the curriculum **and** only after having informed the Board of Governors of their intention to drop.

- d.** The Program Directors have the responsibility to notify any student who is not performing satisfactorily in the Honors Appellate Advocacy course. A student not performing satisfactorily may receive a C or No Credit in the course, and/or may be removed from the program. The Board of Governors has a duty to notify any student who is not performing satisfactorily within the Moot Court Honors Program. Responsibilities and procedures for disciplinary action, including removal from the program, are clearly laid out in the Moot Court Honors Program Bylaws. All disciplinary measures require the approval of the Program Directors.
- e.** If students are accepted as members of the Moot Court Honors Program and they successfully complete program requirements, their membership will be indicated on the academic transcript by the notation "Moot Court Honors Program" in the memoranda column. Membership on the Board of Governors will be indicated on the academic transcript by the notation "Moot Court Honors Program Board of Governors" in the memoranda column.
- f.** The number of Moot Court units that any student may take during the course of their academic career must not exceed 7.
- g.** In all cases, the Program Directors' determination about whether competitors and members of the Board of Governors should receive academic Credit, a letter grade of C, or No Credit will be final.

#### **D. Negotiation Honors Program (NHP)**

First-year students, in any J.D. program, who wish to be considered for membership in the Negotiation Honors Program must (1) complete the requirements of the LAWS II course; (2) participate in the Negotiation Intramural Competition; and (3) interview with the Negotiation Honors Program.

Entering first-year students have the opportunity to participate in one of three LAWS II courses that introduce them to a type of advocacy in their first-year spring semester: (1) appellate advocacy; (2) negotiation; and (3) trial practice. The LAWS course focus to which the student is assigned gives the student exposure to a particular skillset. However, a student's LAWS course assignment has no bearing on the intramural competition a student may choose to do. Each honors program has meetings and workshops to help students prepare for the intramural competition of their choice, subject to the rules set by the honors programs.

##### **1. Intramural competition**

The Negotiation Honors Program Intramural Competition is open to all first-year law students who are enrolled in the LAWS II course and Upper Division Students who have at least 1 full year of classes remaining prior to graduation. For the purposes of this section, first-year students include first-year residential students (full-time, PLEAS/part-time, and SCALE) and first-year online students (online full-time and online part-time). No academic credit is given for participation in the intramural competition.

The initial rounds of the Negotiation Honors Program will take place remotely. The advanced rounds of the Negotiation Honors Program will take place in person at

Southwestern Law School. All first-year students will have the opportunity to participate in the advanced rounds of the competition, subject to their ranking in the initial rounds. Students must be able to participate in person at Southwestern to participate in the advanced rounds. Upper-division students are only permitted to participate in the initial rounds of the competition. Students who participate in the initial rounds of the Negotiation Intramural Competition are eligible to be invited for an interview with the program.

**a.     *Membership***

NHP members are selected by the Program Directors with the assistance of the Board of Governors. Selections are based on performance in the intramural competitions, the completion and quality of a written negotiation analysis, the student's grade point average, an interview with the Program Directors, the student's ability to foster collaboration and teamwork in a positive and professional manner, and the availability and ability of the student to commit to the program. Students must have a minimum cumulative GPA of 2.5 to be invited to participate in NHP and must maintain a cumulative GPA of 2.5 to remain in the program.

Students are invited for one academic year and may be invited to continue for the next year. Transfer students may interview for the team when invited by the Program Directors. Any student placed on academic probation will be excluded from participating in the Negotiation Honors Program and will not receive academic credit during the probation period. If academic probation is cured, the prospective program member may become eligible and be able to interview if a position becomes available. Selections for the subsequent semesters are at the discretion of the Program Directors. If a student is placed on academic probation during their last semester of law school, the student will not receive academic credit during the last semester and should discuss alternatives for academic credit and graduation requirements with the Student Services Office.

Students selected for the program must enroll in the 2-unit Negotiation Honors Program course during the fall semester of their first year of participation. Students must also commit to leaving specific lunch periods open from 12:30 p.m.-1:50 p.m. Pacific Time for negotiation events (for both fall and spring).

**b.     *Interschool competitions***

Southwestern participates in several competitions throughout the United States during the fall and spring semesters. The Program Directors assign competitors to particular competitions. Competitors negotiate in teams but receive individual scores. Students register for academic credit in accordance with the policies set forth below in Section 2 (Unit Credit).

When a student is placed on academic probation following the fall semester or SCALE Quarters 5 and 6, they are generally not permitted to participate in competitions during the subsequent spring semester or SCALE Quarters.



However, if the Program Directors determine that significant preparation has already begun, the Associate Dean for Student Services (in consultation with the Program Directors) has the discretion to allow the student to compete if the student wishes to compete. If the team advances to the national competition, the Associate Dean for Student Services (in consultation with the Program Directors) has the discretion to allow the student to compete.

Students are not permitted to participate in any regional or national oral advocacy competitions (moot court, trial advocacy, negotiation, mediation, arbitration, client counseling, or any regional or national competition that assesses law students' advocacy skills) while attending Southwestern Law School unless (i) the student's participation is sponsored by one of Southwestern's Honors Programs; or (ii) the student's participation has been otherwise approved by one of the Directors of the Honors Programs and the Associate Dean for Student Affairs. Students who violate this provision are subject to discipline under Southwestern's Honor Code.

**c. *Board of Governors***

The incoming Board of Governors is selected by the Program Directors with input from the outgoing Board. The selection is made during the spring semester and is for a one-year term, becoming effective on the date assigned by the law school as graduation day. Students may only serve on the Board during their final year of law school, absent special approval of the Program Directors.

A member of the Negotiation Honors Program Board of Governors may not hold an executive editorial position on Law Review or Law Journal, serve on the Trial Advocacy Honors Program or Moot Court Honors Program, or participate in an externship for more than 3 units without obtaining a positive recommendation from the Program Directors. Board members are eligible to receive 2 units of academic credit for each semester they serve as a Governor. As with competitors, academic credit for Board of Governors participation must be approved by the Program Directors.

**2. Unit credit**

- a.** Entering members of the Negotiation Honors Program enroll for 2 units of credit in the fall semester and 1 unit of credit in the spring semester, regardless of the semester in which they compete.
- b.** Negotiation Honors Program Fellows enroll for 1 unit of credit in the fall semester and 2 units of credit in the spring semester, regardless of the semester in which they compete.
- c.** Returning Negotiation Honors Program Members enroll for 1 unit of credit in the fall semester and 1 unit of credit in the spring semester. Returning members do not compete in national competitions.
- d.** For all positions within the Negotiation Honors Program, unit credit for the fall semester will be Credit, a letter grade of C, or No Credit. Unit Credit for the spring semester will be Credit, a letter grade of C, or No Credit.

- e. Students may add Negotiation Honors Program units only during the add period that governs the rest of the curriculum. However, should an opening on a Negotiation Honors Program team arise after the regular add period has passed, the student selected to fill that opening will be allowed to register for the allotted 3 units, with the approval of the Program Directors and Associate Dean for Student Services.
- f. Students may drop the Negotiation Honors Program only during the regular drop period that governs the rest of the curriculum **and** only after having informed the Board of Governors and Program Directors of their intention to drop.
- g. The number of Negotiation Honors Program units that any student may take during the course of their academic career must not exceed 7 units (absent special circumstances with Program Directors approval and Associate Dean of Student Services approval).

If a student is accepted as a member of the Negotiation Honors Program and the student successfully completes program requirements, their membership will be indicated on the academic transcript by the notation "Negotiation Honors Program" in the memoranda column. Membership on the Board of Governors will be indicated on the academic transcript by the notation "Negotiation Honors Program Board of Governors" in the memoranda column.

- h. If a student fails to meet the expectations of the Negotiation Honors Program, the Program Directors have discretion to remove a student from the Program, suspend a student's membership in the Program, or change a student's position within the Program. For minor infractions of Program expectations, the Program Directors) will notify any student who is not performing satisfactorily prior to removal or suspension. However, if a student's actions constitute a serious violation of expectations, as determined by the Program Directors, no warning will be given prior to removal/suspension. In all cases, the determination of the Program Directors as to the student's withdrawal, suspension, change of position, as well as whether students should receive academic Credit, a letter grade of C, or No Credit will be final.

## **E. Trial Advocacy Honors Program**

First-year students who wish to be considered for membership in the Trial Advocacy Honors Program (TAHP) must (1) complete the requirements of the LAWS II course; (2) participate in the Trial Advocacy Honors Program intramural competition; and (3) interview with the Trial Advocacy Honors Program. This is an in-person program only. To be eligible to participate in the Trial Advocacy Honors Program, students must, for example, attend all TAHP events, tryouts, and office hours in person, commit to attending all class sessions in person, participate in all practice rounds in person, and travel to competitions. Online J.D. Program students are eligible to participate in the Trial Advocacy Honors Program provided that they are able to meet all of the in-person requirements. TAHP does not currently offer virtual or remote options.

Entering first-year students have the opportunity to participate in one of three LAWS II courses that introduce them to a type of advocacy in their first-year spring semester: (1)

appellate advocacy; (2) negotiation; and (3) trial practice. The focus selected gives the student exposure to a particular skill set. However, a student's choice has no bearing on the intramural competition a student may choose to do. Each honors program has meetings and workshops to help students prepare for the intramural competition of their choice, subject to the rules set by the honors programs.

## **1. Intramural competition**

The Trial Advocacy Honors Program Intramural Competition is open to all residential first-year day and PLEAS/Part-time day students who have completed the requirements of the LAWS II course. A separate tryout is held in the fall for first-year SCALE students. Participants compete for a position as a member. Transfer residential students, by invitation of the Student Services Office, may also participate in the fall tryouts. No academic credit is given for participation in the intramural tryout competition.

### ***a. Membership***

Members are selected by the Trial Advocacy Honors Program Board of Governors with the assistance and agreement of the Program Directors. Selections are based on performance in intramural competitions and an interview with the Board of Governors.

Students may interview for only one advocacy honors program. Any student, regardless of Track, who receives an A+ or A in their second-semester LAWS II class will also have the opportunity to interview for the Moot Court Honors Program as a brief writer without regard to their performance in the intramural competition.

Students must have a minimum cumulative GPA of 2.5 to be invited to participate in the Trial Advocacy Honors Program and must maintain a cumulative GPA of 2.5 to remain in the program.

Participating on a TAHP competition team as an advocate requires that a student has completed or is enrolled in Evidence within the same academic year of the competition. This requirement may be waived by the Program Directors. Any student placed on academic probation after their selection to the program but prior to their completing the TAHP Trial Advocacy course will be ineligible from participating in the program. Any student placed on academic probation after successfully completing the TAHP Trial Advocacy course will be excluded for the semester they are on academic probation. If academic probation is cured, the prospective member may become eligible and be able to participate in the program if a position becomes available. If a student is placed on academic probation during their last semester of law school, the student will not receive academic credit during the last semester and should discuss alternatives for academic credit and graduation requirements with the Student Services Office.

Program members participate as junior and senior advocates. Students selected for the program act as junior advocates during the first year of participation and, in the spring, enroll in the introductory Trial Advocacy

course for Trial Advocacy Honors Program students. During the spring semester, participants receive 3 units for the course, but no additional Trial Advocacy Honors Program units. As part of the final exam for the introductory Trial Advocacy course, junior advocates must participate in the annual JEBs Tournament, which gives them the opportunity to showcase what they have learned during the year by conducting 2 to 3 full trials.

The following year, the Board of Governors invites students who are continuing Trial Advocacy Honors Program members to return to the program and participate as senior advocates.

**b. *Interschool competitions***

Southwestern currently participates in several competitions throughout the United States during the fall and spring semesters. Advocates are assigned to particular competitions by the Program Directors. Advocates participate as plaintiff or defense counsel and receive 1 unit of academic credit in the semester of their competition. Students register for academic credit in accordance with the policies set forth below. At the end of each semester, the Board of Governors compiles a list of competitors, which is given to the Program Directors, who, thereafter, determine whether academic credit is to be awarded.

When a student is placed on academic probation following the fall semester or SCALE Quarters 5 and 6, they are generally not permitted to participate in competitions during the subsequent spring semester or SCALE Quarters. However, if the co-directors determine that significant preparation has already begun, the Associate Dean for Student Services (in consultation with the co-directors) has the discretion to allow the student to compete if the student wishes to compete. If the team advances to the national competition, the Associate Dean for Student Services (in consultation with the co-directors) has the discretion to allow the student to compete.

Students are not permitted to participate in any regional or national oral advocacy competitions (moot court, trial advocacy, negotiation, mediation, arbitration, client counseling, or any regional or national competition that assesses law students' advocacy skills) while attending Southwestern Law School unless (i) the student's participation is sponsored by one of Southwestern's Honors Programs; or (ii) the student's participation has been otherwise approved by one of the Directors of the Honors Programs and the Associate Dean for Student Affairs. Students who violate this provision are subject to discipline under Southwestern's Honor Code.

**c. *Board of Governors***

The incoming Board of Governors is selected by the outgoing Board under the supervision of the Program Directors. All Board members must have successfully participated as junior advocates. The selection is based on performance as a participant in the Trial Advocacy Honors Program, a statement of interest, and academic standing. The name of each student selected and not selected is presented to the Program Directors and the Dean with a written statement that

includes a description of the responsibilities of the office and a statement of objectively verifiable reasons as to the appropriateness of the choice. Each appointment is subject to veto or ratification by the Program Directors and the Dean. The selection is made at the end of the spring semester and is for a one-year term, becoming effective on the date assigned by the law school as graduation day.

A member of the Trial Advocacy Honors Program Board of Governors may not hold an executive editorial position on Law Review or Law Journal, serve on the Moot Court Honors Program or Negotiation Honors Program, or participate in an externship for more than 3 units without obtaining a positive recommendation from the Board of Governors, and waivers from the Program Directors and the Office of the Dean. A full-time student who is a Board member may not work without the consent of the entire Board.

An evening or PLEAS/Part-time day student may work a maximum of 20 hours per week.

## **2. Unit credit**

- a.** Trial Advocacy Honors Program is graded on a Credit/No Credit basis.
- b.** Students receive 2 units of credit for the course and 1 additional unit of credit during the semester of competition. A total of 3 units may be granted for participating in competitions.
- c.** Board members receive 1 unit of academic credit for each semester they serve on the Board.
- d.** Students may add Trial Advocacy Honors Program units only during the add period that governs the rest of the curriculum unless the Associate Dean for Student Services approves a late add.
- e.** Students may drop the Trial Advocacy Honors Program only during the regular drop period that governs the rest of the curriculum **and** only after having informed the Board of Governors and Program Directors of their intention to drop.
- f.** The Board of Governors has a duty to notify any student who is not performing satisfactorily. If, after warning(s), the student's performance is not satisfactory, the Board may vote to remove the student from the Trial Advocacy Honors Program. Removal requires the approval of the Program Directors.
- g.** If a student is accepted as a member of the Trial Advocacy Honors Program and successfully completes program requirements, their membership will be indicated on the academic transcript by the notation "Trial Advocacy Honors Program" in the memoranda column. Membership on the Board of Governors will be indicated on the academic transcript by the notation "Trial Advocacy Honors Program Board of Governors" in the memoranda column.

- h.*** In all cases, the Program Directors' determination about whether senior advocates and members of the Board of Governors should receive academic credit will be final.