

# Drake University Law School Student Handbook Supplement Spring 2021

The following Handbook changes have been approved and will be incorporated into the Student Handbook at the end of the Spring 2021 term.

**Approved February 18, 2021**

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## 4.1.2 TIME FOR BEGINNING AND COMPLETING LAW STUDIES

Students may begin their law studies in ~~the fall~~any semester ~~or in the summer session~~when an incoming course of study begins, whether in Fall, Spring, or Summer. ~~New students are not admitted in the spring semester.~~ Pursuant to ABA Standard 311, entering students can not complete coursework for a J.D. degree in fewer than 24 months, and must complete all coursework for a J.D. degree within 84 months of entry absent extraordinary circumstances.

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## 5.2.2 ADVANCED WRITING REQUIREMENT

All students must satisfy an advanced writing requirement of two (2) credit hours. The minimum standards under which coursework can qualify for these requirements are:

1. The written project must be of professional quality. Indicia of professional quality include that the written project:
  - a. state clearly a plausible thesis,
  - b. identify and thoroughly analyze arguments in support of the thesis;
  - c. identify and thoroughly analyze the most likely plausible arguments for and against the thesis;
  - d. communicate ideas and information accurately and precisely;
  - e. identify relevant issues and show good judgment in the scope and depth of coverage given to issues of differing importance;
  - f. identify relevant research sources and utilize the data, insights, and information derived from those materials effectively in the writing, with appropriate attribution;
  - g. use legal authority appropriately;
  - h. distinguish between legal arguments and arguments or positions that are based on extralegal considerations;

- i. organize to maximize the effectiveness of communication;
  - j. follow the requirements of form, including spelling, grammar, and style, and other requirements as instructed.
2. The student work product must involve a written project(s) of 25 pages or more, including footnotes, when double spaced on 8 1/2" paper with standard margins and 12 point font in Times New Roman or 11 point font in Calibri or Arial. , including footnotes. Two or more papers whose cumulative total is 25 pages or more (with the proper formatting), at the discretion of the professor, may satisfy the 25-page minimum requirement. Alternatively, the paper may satisfy a word count requirement of at least 6,250 words, excluding footnotes.
  3. Two-thirds or more of the consideration for granting the credit hours must be based on the written project.
  4. The project must involve submission of a draft to the professor followed by a meeting between the student and professor to discuss and critique the work product, with the requirement of a rewrite at the option of the professor.
  5. The professor teaching the course or supervising the project must certify to the Dean or Associate Dean that the course qualifies for such advanced written treatment pursuant to the standards set out above.
  6. The Dean's office shall maintain a current list of classes which have been certified as qualifying for advanced writing credit. Designation of courses to this list can be reviewed by the faculty at the request of any faculty member or of the Curriculum Committee.
  7. A minimum of 4 classes satisfying the requirement will be offered each semester and these classes will be so designated in the pre-registration materials.
  8. The advanced Writing Requirement must be completed under the supervision of a full-time faculty member; however, when proposed by the Associate Dean and approved by the Curriculum committee, a course taught by a part-time faculty member can be designated as one in which the Advanced Writing Requirement can be satisfied.
  9. A student may not count one course towards both the advanced writing requirement and the skills requirement (§5.2.8).

*(Updated 4/28/11)*

*(Updated 5/12/16)*

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## **5.2.7 MINIMUM 69 HOURS IN REGULARLY SCHEDULED CLASS SESSIONS**

~~The Drake Law School faculty has implemented ABA Standard 304(b) which mandates that To ensure a quality educational experience for all graduates, Drake Law requires a minimum of 69 credit hours of the 90 credit hours needed for graduation a minimum of 45,000 minutes be earned in “regularly scheduled class sessions” by requiring students to earn a minimum of 69 credit hours of the 90 credit hours needed for graduation in qualifying courses. The faculty determination as to which courses qualify as “regularly scheduled class sessions” is set forth below.~~

#### (a) REGULARLY SCHEDULED CLASS SESSIONS

All Drake Law School courses except those in the ~~four~~ five categories identified below will count toward both the 69 credit-hour “regularly scheduled class sessions” and the 90 credit-hour graduation requirement. Traditional class room and simulation courses, such as trial advocacy and negotiations, do count toward the 69-credit hour minimum. Clinical courses ~~that satisfy ABA Standard Interpretation 304-3(e) also count toward the 69 credit-hour minimum, and all Drake Law School clinical courses as presently staffed and taught will count toward the 69 credit hour minimum.~~

The following courses will not count toward the 69 credit-hour “regularly scheduled class session” minimum:

1. Internships
2. Independent Study, Law 615
3. Iowa Supreme Court Scholar Research Opportunity, Law 618
4. Interdisciplinary and Joint Degree Credit
5. Drake Law Review, Agricultural Law Journal, moot court, and mock trial competitions

~~See ABA Interpretation 304.~~ Although excluded from the 69 credit-hour regularly scheduled class session count, the Law School will award credit for all Law School courses, including the above listed courses ~~(14)~~, and count them toward the 90 credit hours necessary for graduation.

#### (b) DRAKE CLINICAL COURSES

Drake Clinical Courses ~~do comply with ABA Interpretation 304-3(e) as each includes a classroom instructional component and the clinical work is done under the direct supervision of a member of the law school faculty or instructional staff whose primary professional employment is with the law school. are required to comply with the requirements of ABA Standard 304.~~

#### (c) LIMIT ON MOOT COURT

No more than six (6) hours of Moot Court activities may count toward the ninety (90) credits required for graduation.

(d) GRADUATION CHECKLIST

Students will be provided a Checklist Form that will enable them to determine compliance with the 69 credit-hour rule. Students and their faculty advisors should regularly monitor the progress of their advisees toward the 69 credit-hour requirement. As part of the graduation audit, each student must submit his or her completed Checklist form demonstrating compliance to the Student Records Specialist.

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### 5.2.8 PROFESSIONAL SKILLS COURSE REQUIREMENT

- (a) Students beginning law school prior to Summer 2015 must satisfy a professional skills course requirement of two (2) credit hours. (Internships may NOT be used to satisfy this requirement.)
- (b) Students beginning law school in Summer 2015 and after must satisfy a professional skills course requirement of six (6) credit hours. (Internships may be used to satisfy this requirement.)
- (c) Professional skills courses must be simulation courses, law clinics, or internships (as defined in ABA Standard 304, so long as the term “internship” in this Handbook shall be construed as identical to the term “field placement” in that Standard). The Associate Dean will post a list of qualifying courses to the website, and that list must be reviewed annually. Faculty members who desire to add courses to this list may do so by submitting a petition to the Curriculum Committee for its review and decision.
- (d) A student may not count one course towards both the skills requirement and the advanced writing requirement (§5.2.2).
- (e) Faculty members who desire to add courses to this list may do so by submitting a petition to the Curriculum Committee for its review and decision. The Committee must ensure compliance with the requirements of ABA Standard 304 to approve the course.
- (f) In order to comply with the requirements of ABA Standard 304, simulation courses must be primarily experiential in nature and must:
  - (1) integrate doctrine, theory, skills, and legal ethics, and engage students in performance of one or more of the professional skills such as knowledge of the law, legal analysis and reasoning, legal research, problem solving, written or oral communication, exercise of proper professional responsibilities, or other professional skills needed for competent and ethical participation as a member of the legal profession;

2) develop the concepts underlying the professional skills being taught;

(3) provide multiple opportunities for performance;

(4) provide opportunities for student performance, self-evaluation, and feedback from a faculty member, or, for a field placement, a site supervisor;

(5) provide a classroom instructional component; and

(6) provide direct supervision of the student's performance by the faculty member.

(g) Each instructor of a simulation course will ensure compliance with ABA Standard 304 each semester the course is scheduled.

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**6.3 REGISTRATION PRIORITIES**

A system based on credits earned is used to assign registration priority dates as follows:

1. In the fall (registering for spring semester classes) students who have ~~60~~55 or more earned credit hours will register on day one. Students with fewer than ~~60~~55 earned hours register on day two.
2. In the spring (registering for fall and summer semester classes) students who have 45 or more earned credit hours will register on day one. Students with less than 45 earned hours register on day two.

In applying all registration priority rules, J.D. students will always receive priority enrollment in any classes in which students in the M.J. and LL.M. degree programs are also allowed to enroll.

Registrations are accepted on a first-come, first-served basis, using the above priorities. Students may periodically check for openings in closed courses by using the MYDUSIS system

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**9.7 STUDENT GRIEVANCES**

(b) NON-COMPLIANCE WITH AMERICAN BAR ASSOCIATION STANDARDS FOR ACCREDITATION OF LAW SCHOOLS

A claim of non-compliance by Drake Law School with the American Bar Association Standards for Approval of Law Schools should be filed using the Student Accreditation Standard Complaint Procedure. If the non-compliance claim is also the subject of a complaint under another more specific Law School or University complaint procedure, the Dean may stay consideration under the accreditation standard complaint procedure pending resolution of the matter under the other specific procedure.

The Student Accreditation Complaint Procedure begins with a complaint made to the Dean of the Law School, as follows:

(1) SUBMISSION TO DEAN

- (A) must be made in writing to the Dean of the law school
- (B) must include the name and contact information of the complainant and identify the complainant as a student of the law school
- (C) must specify by number the accreditation standard(s) it is alleged the law school is not in compliance with
- (D) must specify with particularity the facts relied upon to support the allegation.

(2) ACTION UPON COMPLAINT

*Upon receiving a Student Accreditation Standard Complaint, the dean shall have 30 calendar days in which to respond to the complainant in writing. Such response may be:*

- (A) notice to the complainant that investigation of the allegations of the complaint is currently being handled under another Law School or University procedure, and that investigation/consideration of this non-compliance complaint is stayed pending resolution under the other procedure;
- (B) notice to the complainant that an investigation of the allegations of the complaint has been initiated, together with a date by which it is expected a final substantive response will be made;
- (C) a preliminary substantive response to the allegations of the complaint, together with a date by which it is expected a final substantive response will be made; or
- (D) a final substantive response to the allegations of the complaint.

(3) APPEAL

*Upon receiving a final substantive response to a Student Accreditation Standard Complaint, the complainant may appeal the matter to the provost of the University.*

- (A) Such appeal must be taken within 14 calendar days of the dean's final substantive response.
- (B) Such appeal must be in writing, must include the name and contact information of the complainant, must identify by number the accreditation standard or standards as to which it is alleged the Law School is not in compliance, must specify with

particularity both the facts relied upon to support the allegation and the ways in which the final substantive response of the dean is in error.

(C) A copy of the appeal shall be given to the dean at the same time it is given the provost.

(D) The provost shall have 30 calendar days in which to make a substantive response to the complainant, copies of which shall be supplied the complainant and the dean, at which point the process shall be complete.

(4) RECORDS RETENTION

All records relating to a complaint received under the Student Accreditation Standard Complaint Procedure must be retained for no fewer than ten years, or until the next ABA Site Visit, whichever is later.

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**12.1 MASTER OF LAWS (LL.M./M.J.) IN INDIVIDUALIZED LEGAL STUDIES (ILS)**

***12.1.11 TRANSFER OF STUDENTS FROM OTHER GRADUATE LAW PROGRAMS***

Candidates wishing to transfer from a graduate law program from another accredited law school should follow the procedure listed for new applicants. Subject to approval by the Program Director, up to nine (9) semester hours of courses in which the student earned a grade of 2.5 (on a 4.0 scale) or above usually can be transferred to Drake University Law School. Grades from transferred courses, however, will not be calculated into the student's cumulative grade point average at the Law School. Coursework may only be credited toward a Drake University Law School degree when that coursework occurred in a program of study that has not yet resulted in graduation.

**12.2 MASTER OF LAWS (LL.M./M.J.) IN COMPLIANCE AND RISK MANAGEMENT**

**12.2.1 ACADEMIC REQUIREMENTS**

(d) PREVIOUSLY AND CONCURRENTLY COMPLETED COURSEWORK

*(2) PREVIOUS COURSEWORK PERFORMED IN A GRADUATE PROGRAM OTHER THAN AT DRAKE*

Graduate course credit hours may be considered for transfer provided they are: (1) earned within four years of applying for the Drake Compliance and Risk Management MJ Program, (2) of at least a “B-” grade, (3) approved by the Program Director of Compliance and Risk Management, and (4) directly related to the MJ program. A maximum of 9 semester hours of graduate course credits from an AACSB accredited graduate business school or ABA accredited law school will be allowed.

### ~~12.2.7 TRANSFER OF STUDENTS FROM OTHER GRADUATE LAW PROGRAMS~~

~~Candidates wishing to transfer from a graduate law program from another accredited law school should follow the procedure listed for new applicants. Subject to approval by the Program Director, up to nine (9) semester hours of courses in which the student earned a grade of 2.5 (on a 4.0 scale) or above usually can be transferred to Drake University Law School. Grades from transferred courses, however, will not be calculated into the student’s cumulative grade point average at the Law School.~~

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