

IV. LAW SCHOOL CREDIT FOR COURSE WORK



A. Add/Drop/Withdrawal Date.

Courses may be added or dropped without penalty up to the end of the drop/add period designated in the Law School calendar. Following this date, students may withdraw from a course without penalty up to the end of the withdrawal period designated in the *USC Master Schedule of Classes*. A grade of “W” will be recorded on a student’s transcript, but the grade will not affect a student’s grade point average. Students withdrawing after the “withdraw without penalty” date will receive a grade of “WF”. A “WF” is treated as an “F” in computing a student’s grade point average. **Note:** No student will be permitted to drop or withdraw from courses that would result in the student taking less than 12 hours without written approval of the Associate Dean for Academic Affairs.

B. Auditing.

Law Students may audit courses subject to enrollment limitations and professor’s approval. Students who wish to audit a course are given lowest priority in enrollment. Law students may audit non-law courses provided that University audit procedures are satisfied. If a course is audited, it may not be subsequently taken for credit.

C. Class Attendance.

Students are expected to prepare all assigned work and attend all classes. A professor may reduce materially a student’s grade in a course because of absences. A student who is absent from a class for more than ten percent (10%) of the recitation periods may not take the examination or obtain a grade other than F unless the attendance requirement is waived by the Associate Dean for Academic Affairs. A violation of the Attendance Policy means you must petition for an attendance waiver.

- A student violates the Attendance Policy by missing 6 classes in a 4 credit hour course that meets four times a week
- A student violates the Attendance Policy by missing 5 classes in a 3 credit hour course that meets four times a week
- A student violates the Attendance Policy by missing 5 classes in a 3 credit hour course that meets three times a week
- A student violates the Attendance Policy by missing 4 classes in a 5 credit hour course that meets twice a week

- A student violates the Attendance Policy by missing 4 classes in a 3 credit hour course that meets twice a week
- A student violates the Attendance Policy by missing 4 classes in a 2 credit hour course that meets twice a week
- A student violates the Attendance Policy by missing 2 classes in a 2 credit hour course that meets once a week
- A student violates the Attendance Policy by missing 1 class in a 2 credit hour course that meets once every other week

Students are responsible for keeping track of their own attendance. No absences from class are “excusable” for purposes of determining whether a student has violated the Attendance Rule. The Associate Dean for Academic Affairs, however, can waive the Attendance Rule if a student has not missed more than thirty percent (30%) of the classes in a course. In exercising this discretion to waive the rule, the Associate Dean will consider the total number of absences and whether a substantial majority of these absences are for reasons set forth in §VI.G.2

NOTE: Students’ class schedules must enable them to attend all regularly scheduled classes in all of their courses. Therefore, students may not register for courses that have any overlapping classes.

D. Completion of Course Work at Another ABA/AALS Approved Law School.

With approval of the Associate Dean for Academic Affairs, students may complete course work at another ABA/AALS approved law school (for example, by attending such school for the student's sixth semester) and transferring the credit for such work towards the granting of a J.D. degree from the USC School of Law. Petitions for such credit are granted only where:

1. there is good cause;
2. the proposed course work is substantially equivalent to course work at this Law School; and
3. the student will satisfy requirements concerning the minimum number of hours in residence needed for the J.D. degree by successfully completing at least 60 credit hours in law courses at the University of South Carolina School of Law. The 60 required hours shall not include course work in independent research and co-curricular activities such as law review, journals, moot court, mock trials or any other trial competitions.

Students must take courses at another law school on a graded basis if the course is offered on that basis. Grades in these courses will be recorded on a student’s USC transcript on a Pass/Fail basis. Only grades of C or better will be recorded as a Pass (See §IV.I.3).

Grades of C or better will be recorded on the student's transcript as a S and any grade below a C will be recorded as an F. "Incomplete" (or its equivalent) will be recorded as an F if the work is not completed within three months of the end of classes for the session involved. Courses taken at another law school affect the number of credit hours a student may earn on a Pass/Fail basis at the Law School. (See §IV.H.1)

A student may not enroll in any distance education course prior to having completed 28 credit hours toward the J.D. degree. The law school shall not grant a student more than four (4) credit hours of distance education courses in any term, nor more than a total of 12 credit hours, toward the Juris Doctor degree for courses qualifying as distance education.

Students are required to complete the request to visit forms available in the Office of the Registrar/Academic Services and have the Associate Dean for Academic Affairs sign the forms. Students are also required to have an official transcript sent from the visiting school to the Office of the Registrar/Academic Services by the required date that students must discuss and confirm with the Registrar/Director of Academic Services.

E. Co-curricular Activities.

No credit is allowed for any co-curricular activity except as follows:

1. Journals.

Students may obtain two (2) hours credit on a pass/fail basis for serving in a position on the Editorial Board of the Journal of Law and Education; the South Carolina Law Review; the ABA Real Property, Probate and Trust Journal; or the South Carolina Journal of International Law and Business.

- a. No credit may be given without the approval of a faculty advisor or the Associate Dean for Academic Affairs.
- b. In awarding credit the faculty advisor or the Associate Dean may rely on a certification from the Editor in Chief that a Board member has substantially fulfilled the duties of his/her position. NOTE: not all editorial board positions receive academic credit.
- c. To obtain credit for being on the editorial board, a student must complete a form available in the Office of the Registrar/Academic Services.

2. Supervised Extracurricular Competition.

Students participating in extracurricular competitions (for example, moot court, trial competition, client counseling competition, negotiation competition, etc.)

may receive degree credit only once for participating in an extracurricular competition:

- a. The program must be supervised or advised by a faculty member and approved for credit by the curriculum committee or the Associate Dean for Academic Affairs.
- b. The student must make a substantial intellectual contribution to the activity. Alternates may receive credit if they make substantially the same contribution to the team as that made by the primary members of the team. Administrators or "managers" of the programs who do not participate in the intellectual exercises required by the program are not eligible for credit. However, an administrator or manager can receive credit if he/she qualifies for credit under paragraph (c) below.
- c. The student must complete a written exercise in connection with the activity, which will be evaluated by the faculty supervisor or advisor. In many cases this will be a requirement of the competition. When there is no such requirement, students may receive credit if they reduce their learning to a written form which is evaluated by the faculty supervisor or advisor. This may take the form of a brief, trial memorandum, file memorandum, or other document relating to what they learned in the preparation for the competition. If the rules of the competition limit the involvement of faculty supervisors or advisers, evaluation and criticism of the written product may be postponed until the competition is complete.
- d. To obtain credit for supervised extracurricular competition, a student must complete a form available in the Office of the Registrar/Academic Services.

F. Credit Hour Policy.

1. The Law School faculty, upon the recommendation of the Curriculum Committee, establishes the number of credit hours for each course. All course proposals beginning academic year 2016-17, must include a justification for the number of credit hours to be awarded (including out-of-course work).
2. In accordance with ABA Standard 310 (b), a "credit hour" is an amount of work that reasonably approximates: (1) not less than one hour of classroom or direct faculty instruction and two hours of out-of-class student work per week for fifteen weeks, or the equivalent amount of work over a different amount of time; or (2) at least an equivalent amount of work as required in number (1) of this definition for other academic activities as established by the institution, including clinical, simulation, field placement, co-curricular, and other academic work leading to the award of credit hours.

3. For each course, the course faculty member must determine that adequate work has been assigned such that a student would be expected to spend a minimum of 30 hours a semester per credit hour outside of the classroom in preparation for the course. The hours include time spent preparing for and taking exams.
4. To document the basis for this determination, the faculty member must include in the course syllabus an adequate description of the work to be assigned.
5. Students enrolled in clinics or externships must submit written documentation for time spent on course-related work to their supervising faculty member at regular intervals, to be determined by their supervising faculty member. Faculty will determine the number of hours required for each unit of credit; at a minimum, students must complete 42.5 hours for 1 credit; 85 hours for 2 credits, and 127.5 hours for 3 credits.
6. Students enrolled in directed research and other non-regularly scheduled classes must complete a minimum of 42.5 hours for 1 credit; 85 hours for 2 credits, and 127.5 hours for 3 credits.
7. For Law Journals and Co-Curricular activities, such as mock trial and moot court, the Editor in Chief or similar position, is responsible for verifying to the faculty advisor that each student to be awarded 2 credits has completed 85 hours of work, which may include written materials, preparation time and performance in competitions.
8. The Associate Dean for Academic Affairs is responsible for interpreting this Policy to ensure consistency and compliance with ABA Accreditation standards and conducting a review of course syllabi every 3 years to ensure compliance with this credit hour policy. At the Associate Dean's request, the Curriculum Committee will further review a number of course syllabi to ensure compliance.

G. Outside Employment While Enrolled as a "Full Time Student".

Because of the rigorous nature of the Law School curriculum and the requirements of law school accrediting agencies, law students are required to be "full time" students. Students should not be employed during the first year of law school. Excessive employment during the second and third year is inadvisable; if undertaken employment should not exceed fifteen hours per week and must not exceed twenty hours per week during the second and third years of law school. The fact of employment will not be considered a mitigating factor in the event of academic difficulties.

H. Pass/Fail Grading.

1. Maximum Number of Credit Hours.

A student may receive a maximum of six (6) hours of credit on a pass/fail basis for course or non-course work in the Law School. Students may receive a pass/fail credit for approved course work done outside the Law School at either other ABA accredited law schools or departments at USC other than the Law School. If a student receives pass/fail credit for courses taken outside the Law School, the number of Law School credits that may be taken pass/fail is reduced, but a student shall be allowed to take at least four (4) hours of Law School work on a pass/fail basis. Additional hours taken pass/fail will not count toward meeting graduation requirements unless the student obtains written approval from the Associate Dean for Academic Affairs.

2. Standard for Earning an S in a Course Taken on a Pass/Fail Basis

For all course work taken on a pass/fail basis, whether in the Law School or outside the Law School, a student must do C quality work to earn an S. A grade below C is recorded as an F.

3. Upper Level Law School Courses in Which Law Students May Earn Pass/Fail Credit

The only upper level Law School courses in which candidates for the Juris Doctor degree may earn pass/fail credits are those courses offered exclusively on a pass/fail basis, such as Criminal Trial Practice, Legislative Externship, and Trial Advocacy and with the professor's permission, Supervised Legal Research I and/or II.

A student who wants to take Supervised Legal Research on a pass/fail basis must obtain the written approval of the instructor prior to the end of the drop/add period. Note that the professor may refuse to allow a student to take Supervised Legal Research on a pass/fail basis. A form for such approval is available in the Office of the Registrar/Academic Services.

4. Other Upper Level Law School Credit Awarded on a Pass/Fail Basis

Credit for serving on the editorial board of the Journal of Law and Education; the South Carolina Law Review, the ABA Real Property Probate and Trust Journal and the South Carolina International Law and Business Journal is awarded on a pass/fail basis. In addition, credit for supervised extracurricular competition, such as moot court and mock trial, is awarded on a pass/fail basis.

5. Non-Law School Courses

Credits earned by J.D. candidates for course work done in other departments of the University of South Carolina or at other ABA approved law schools are recorded on a pass/fail basis.

I. Summer School.

1. Eligibility; Graduation during the summer.

The Law School offers a Maymester and one session each summer. No student may enroll for summer school who is not eligible to return in the following fall semester. The Law School does not contemplate that students will normally complete their legal education at the end of a summer session. Therefore, any student intending to complete the requirements for graduation by attending summer school should contact the Office of the Registrar/Academic Services prior to registering for summer school.

2. Accelerated Graduation by Attending Two Summer Sessions

Normally, students will obtain residence credit for the fall and spring semesters of each of their three years of law school and graduate in May of their third year. Students may elect, however, to accelerate their graduation by one semester (graduating in December of their third year rather than May) by attending two summer sessions. These two summer sessions taken together will qualify for one (1) semester of residency if the following requirements are met:

The student must matriculate in two summer sessions and satisfactorily complete not less than twelve (12) hours in the two sessions, with a minimum of six (6) hours being required in each summer session.

Although credit hours earned during Maymester can be included in determining the minimum 6 credit hours per summer session requirement, to receive residency credit a student must complete at least one course during both regular 7-week summer sessions.

3. Credit for Summer School Courses Taken at Other Law Schools.

With approval of the Associate Dean for Academic Affairs, students may receive credit for courses taken at another ABA/AALS approved law school or taken at a summer program sponsored by such a law school. Such approval is contingent upon satisfactory completion of the approved courses. The student must take the course for a letter grade if the course is offered on this basis. Grades of C or better will be recorded on the student's transcript as a S and any grade below a C will be recorded as an F. "Incomplete" (or its equivalent) will be recorded as an F if the work is not completed within three months of the end of classes for the session involved. Limitations on number of pass/fail hours apply to summer courses taken at other law schools. (See §IV.H).

Students are required to complete the request to visit forms available in the Office of the Registrar/Academic Services and have the Associate Dean for Academic

Affairs sign the forms prior to submitting an application to the other law school. Students are also required to have an official transcript sent from the visiting school to the Office of the Registrar/Academic Services by the required date that students must discuss and confirm with the Registrar/Director of Academic Services.

J. Supervised Legal Research.

Second and third year students may, with the advance permission and supervision of a faculty member, receive up to a maximum of two (2) hours credit for researching and writing a significant paper in a field of law of particular interest. Students may not utilize or submit the work performed in such an approved project for other academic credit. Students interested in pursuing a research project should contact a professor who teaches in the area. Once a topic is agreed upon, the student must complete and submit a form available in the Office of the Registrar/Academic Services in order to receive credit for the project. A student may not receive credit for any other project as supervised legal research without the approval of the Associate Dean for Academic Affairs. (See §IV.E.2 for credit for extracurricular competitions.) No student may receive more than two (2) credit hours of supervised legal research credit on the same project without the written approval of the Associate Dean for Academic Affairs, and in no event may any student receive more than four (4) credit hours for supervised legal research.

To meet the requirements for a Supervised Legal Research, the following page requirements must be met.

- A minimum of 30-50 pages for a student taking Supervised Legal Research I for a writing requirement.
- A minimum of 10 pages for a student taking Supervised Legal Research II for one credit hour.
- A minimum of 20 pages for a student taking Supervised Legal Research II for two credit hours.

K. Transfer Students.

Transfer students will receive a letter of acceptance from the Office of Admissions. After receiving the acceptance letter, students are required to meet with the Registrar/Director of Academic Services to review transfer of hours, grade point average, graduation requirements and registration. The grades earned at the student's former school in courses accepted for transfer credit will be included in computing the transfer student's cumulative grade point average. Although graded hours may exceed 30 hours, no more than 30 earned hours will be accepted toward the 90 hours required for graduation. During the first year a transfer student is enrolled at the Law School the student will not be awarded a class rank. Upon the completion of two full semesters at the Law School a

transfer student will be awarded a class rank computed on the basis of all law school grades earned at both the Law School and the student's former school.

L. University Courses outside the Law School.

First year students are not permitted to take courses outside the School of Law under any circumstances. With prior permission of the Associate Dean for Academic Affairs, second and third year students may take for Law School credit, up to two (2) courses or six (6) hours of credit in another department of the University. Only graduate (500 level and up) courses that are related to the student's legal education are acceptable. Grades in all such courses shall be recorded on a Pass/Fail basis, with a grade of below C being recorded as a Failure. Note further that such courses count affect the maximum number of Pass/Fail hours that can be counted toward the J.D. (see §IV.H). Students must also satisfy requirements concerning the minimum number of hours in residence needed for the J.D. degree by successfully completing at least 60 credit hours in law courses at the University of South Carolina School of Law. The 60 required hours shall not include course work in independent research and co-curricular activities such as law review, journals, moot court, mock trials or any other trial competitions.

Second and third year students may also enroll in courses in other departments of the University that are not taken for Law School credit without restrictions on the type of course. Note that the sixteen (16) hours maximum rule still applies. (See §III.B).

A form for taking courses outside the Law School is available in the Office of the Law Registrar/Academic Services. This form must be filled out and submitted to the Associate Dean for Academic Affairs for approval.

M. Dual Degree Programs.

The Law School offers the following dual degree programs:

- Accelerated Master of Business Administration
- International Master of Business Administration
- Master of Accountancy
- Master of Arts in Economics
- Master of Criminology and Criminal Justice
- Master of Earth and Environment Resource Management
- Master of Health Administration
- Master of Human Resources
- Master of Mass Communication
- Master of Public Administration
- Master of Social Work
- Master of Environmental Law and Policy (with the Vermont Law School)

1. Dual Degrees with other Departments at USC

- a. Students admitted to a dual degree program must complete the law school's dual degree application available in the Office of the Registrar/Academic Services, room 128.
 - b. Once officially recognized as dual degree, students may apply 9 graduate credit hours from the other program towards the student's J.D. degree. Similarly, students may apply 6 to 12 hours (depending upon the program) of Law School credit toward the other graduate degree. The hours transfer as pass/fail credits.
 - c. Even if admitted to more than one dual degree program, a student may not apply more than a total of 9 graduate credit hours toward the J.D. degree.
 - d. The courses which are transferred into Law School must have been begun subsequent to being admitted to Law School. In other words, courses completed prior to being admitted to Law School will not count toward a dual degree.
 - e. Unless a waiver is obtained, all course work for the non-law program must be completed simultaneously with, or prior to, Law School graduation.
 - f. If a course is offered both in Law School and in the graduate program, e.g., Administrative Law, the graduate school version may not be transferred in for Law School credit. In other words, these courses must be taken in the Law School. Students should obtain permission from the Associate Dean for Academic Affairs before taking the same titled course in both the Law School and Graduate school.
 - g. Other than mentioned above, any graduate level course in the combined program may be transferred for the 9 Law School credit hours.
 - h. Dual degree students must also comply with the 12 hour residency requirement when applying the 9 hours of graduate work (see §III.F).
 - i. Tuition and fee payment for dual degree programs vary based on an established memo of understanding between the law school and the graduate program.
 - j. It is required that students enrolling in a dual degree program meet with the Registrar/Director of Academic Services to obtain additional information on graduation requirements and tuition/fee payment. For more specific information, please contact the Law Registrar/Director of Academic Services.
2. Dual Degree in Studies in Environmental Law with the Vermont Law School

Students at the University of South Carolina School of Law can take advantage of the nation's largest environmental law curriculum through a Dual Degree program with Vermont Law School. The University of South Carolina School of Law's excellent in-house educational opportunities in the field of environmental law are expanded through the Vermont Law School's Master Environmental Law and Policy (M.E.L.P.) degree program.

Together, the University of South Carolina and Vermont Law School offer a dual degree program that enables qualified University of South Carolina law students to earn two degrees in three or three and a half years: a J.D. from the University of South Carolina, and an M.E.L.P from Vermont Law School. In addition to courses at the University of South Carolina, dual degree candidates take courses taught in Vermont's Summer Session and courses offered by distance learning during the regular academic year, or a combination of summer session and distance learning courses and approved internships.

a. Earning the MELP and JD Degrees

University of South Carolina School of Law first-year students initially seek approval to participate in the MELP/JD dual degree program from the Office of the Associate Dean for Academic Affairs, who grants approval pursuant to regulations and in consultation with the Dual Degree Committee. Approved students then apply to Vermont Law School for the M.E.L.P. Degree early in the spring semester of their first year of law school. If accepted, dual degree students register for Summer Session courses later in the semester. Dual degree students typically attend a ten-week Summer Session at Vermont Law School during the summer between their first and second years of law school. In the second and third years of law school, dual degree students complete additional environmental law courses via distance learning from Vermont Law School. Students may also combine distance learning courses with an approved internship at an organization involved with environmental work. Dual degree students share the remaining credits required for their J.D. degree with the M.E.L.P. degree, thus reducing the overall M.E.L.P. requirements.

b. The Dual Degree Requirements

<https://www.vermontlaw.edu/academics/academic-catalogs/master-of-environmental-law-and-policy-degree-requirements>

c. Financial Arrangements

Dual degree students pay tuition for their J.D. degree to the University of South Carolina, which includes the nine credits shared with the M.E.L.P.

degree. Dual degree students pay Vermont Law School for M.E.L.P. credits on a per-credit basis at the prevailing tuition rate.

- d. Note that students in the Juris Doctor – Master of Environmental Law and Policy dual degree program can also pursue the Juris Doctor – Master of Earth and Environmental Resource Management with the School of the Environment at USC. A student can earn all three degrees in four years.

N. Children’s Law Concentration Program.

Students enrolled in the J.D. program have the ability to earn a concentration in an area of law that benefits children and families. These areas include family law, juvenile justice, education law, and child protection and welfare. Students who complete the designated Children’s Law Concentration curriculum will receive a certificate of concentration. The concentration will be noted on the student’s law school transcript and the student will receive a certificate recognizing the achievement. To receive a Children’s Law Concentration a student must:

1. Complete an “Intent to Seek Children’s Law Concentration” form and submit it to the Director of Externships and Special Academic Programs.
2. Complete at least four courses from the established Children’s Law Concentration curriculum.
3. Complete the law school 30 page writing requirement either through one of the designated Children’s Law Concentration writing courses or an approved Supervised Legal Writing paper.
4. Complete an approved experiential course in Children’s law.
5. Attend the required Children’s Law Concentration speaker series presentations. Participating students must attend two (2) presentations during their 2nd year and two (2) presentations during their 3rd year. A student who applies for the Children’s Law Concentration in his or her 3rd year must attend all four (4) presentations during his or her last year.