

Brothers, Sheila C

From: Michael, Douglas C
Sent: Friday, November 07, 2014 12:54 PM
To: Brothers, Sheila C
Subject: RE: University Senate Proposed Rule Change - NEW VERSION
Attachments: Background on pass-fail credit limits Oct 2014.pdf; pass-fail credit increase Senate Rule version.docx

Sheila:

I have attached the memorandum from the Associate Dean for Academic Affairs (me) to the College of Law Faculty Curriculum Committee. That was approved by the Curriculum Committee and then by the full faculty at their most recent meeting on Oct. 23, 2014.

I have also attached the version amending the duplicate Senate Rules.

Please let me know if you need anything else.

Doug

5.1.2 EXCEPTIONS TO THE GRADING SYSTEM

5.1.2.1 College of Law

A. The College of Law uses a special letter grading system in which the following grades are conferred with the respective quality point values indicated:

A+	4.3	B+	3.3	C+	2.3	D+	1.3	E=0
A	4.0	B	3.0	C	2.0	D	1.0	
A-	3.7	B-	2.7	C-	1.7	D-	0.7	

B. A student's academic grade record is expressed as a grade point average computed by multiplying the semester hours of credit for each course by the quality point value of the grade received in the course. These products are added together, and the sum is divided by the total semester hours attempted. The grade point average thus derived is the basis for each student's academic status as indicated in the published rules and policies of the College of Law Faculty.

C. Selected College of Law courses are graded on a Pass/Fail basis, and law students enrolled in graduate courses for which the College of Law grants credit toward graduation are treated by the College of Law as Pass/Fail courses. A failing grade (F) in any Pass/Fail course in the College of Law or any graduate course in which a student in the College of Law enrolls for credit toward graduation from the College of Law will be taken into account at a quality point value of zero (0) in computing the student's grade point average. [US: 4/12/93]

D. Limitation on Pass/fail Units Creditable for College of Law Students [US: 4/12/93]

In determining the number of hours credited toward the requirement for the J.D. degree:

1. No more than 6 hours of graduate courses outside of the College of Law, graded on a pass/-fail basis, shall be counted. All such courses must be approved by the faculty in advance. A grade of "A" or "B" will be necessary in order to receive a College of Law passing grade.

2. No more than 69 hours of courses in the College of Law that are offered ~~only~~ on a pass/-fail basis, shall be counted.

3. No more than 912 of the total number of pass/-fail credit hours, whether earned ~~for graduate courses~~ under 1. (above) or ~~for College of Law courses offered only on a pass/fail basis~~ under 2. (above) shall be counted.

4. No more than one graduate course outside the College of Law, graded on a pass/fail basis, may be credited in any one semester.

Students in joint degree programs may only take up to sixnine pass/-fail course credit hours in the College of Law law school courses and may take no courses outside the College of Law for credit toward the J.D. other wise than pursuant to the applicable joint degree program.

5.3.3 ATTENDANCE AND ACADEMIC DISCIPLINE IN THE PROFESSIONAL COLLEGES

NOTE: All students in the professional colleges are subject to the rights, rules and regulations governing University of Kentucky students in all matters not specifically covered in the these rules.

5.3.3.1 College of Law

A. Exclusion for Poor Scholarship and Readmission

- 1.** All students in the College of Law must maintain a satisfactory cumulative GPA, and failure to do so will result in the student being dropped from the college for poor scholarship. Any student who earns a GPA below 1.5 for his or her first semester of law study may be suspended by the Dean on recommendation of the Law Faculty Academic Status Committee for poor scholarship. Any student who fails to earn a 2.0 cumulative grade point average at the end of the first two semesters will automatically be suspended for poor scholarship. In addition, any student whose cumulative GPA falls below a 2.0 at the end of any subsequent semester will also be suspended from the college. [US: 10/11/82]
- 2.** Any student who earns a grade of E in a required course must reregister for the course and complete all requirements thereof. When such a required course is retaken or when a student elects to repeat an elective course in which the student has earned a failing grade, both the initial and subsequent grade will be reflected on the student's record and counted in the computation of class standing, subject to readmission standards below.
- 3.** Any student dropped for poor scholarship may petition the Law Faculty Academic Status Committee for readmission. A recommendation to the Dean for readmission is within the discretion of the Academic Status Committee; however, in most cases, the following policies will guide the Committee: a student suspended after the first semester will be required to petition the full Law Faculty for readmission; in the case of students suspended at the end of the second semester, a student with a cumulative GPA of 1.90 and above will normally be readmitted, a student with a cumulative GPA of 1.70 to 1.89 may be readmitted but will be carefully scrutinized, and a student with a cumulative GPA below 1.70 will normally not be readmitted; any student dropped at the end of the third semester or thereafter will be subject to case-by-case analysis.
- 4.** Any student who is readmitted after being dropped at the end of the second semester and who fails to raise his or her cumulative GPA to 2.0 by the end of the third semester will be readmitted again at that time only if he or she has made material progress toward raising his or her cumulative GPA to 2.0. Material progress at a minimum shall mean obtaining a 2.0 GPA for the semester. Moreover, such a student must raise his or her cumulative GPA to 2.0 by the end of the fourth semester. In addition to the foregoing academic standards for readmission, the Academic Progress Committee may impose additional academic standards in individual cases, and in any case may impose other reasonable conditions of readmission including, but not limited to, limitation of outside work, specification of schedule of study (including specification of particular courses and limitation of hours), and the limitation of extracurricular activities.

The Academic Progress Committee with the approval of the full Law Faculty may also require the repetition of courses either with or without substitution of the grades earned in the courses retaken. Failure to comply with the requirements and conditions of readmission will result in the student being suspended again from the College of Law, in which case he or she will not be readmitted without approval of the University Senate Council upon the recommendation of the Dean following action by the full Law Faculty. Any student aggrieved at any time by recommendation of the Academic Status Committee may petition the full Law Faculty for review. [US: 12/4/89; US: 4/12/93]

5. For purposes of the above rules, a student who is required by the Academic Status Committee to repeat fourteen (14) or more hours of the freshman curriculum in his or her third and fourth semester will be considered as enrolled in his or her first and second semesters.

6. A student who has once been suspended for poor scholarship and who fails to have a 2.0 cumulative GPA at the end of the semester or summer session in which he or she completes the 90th hour of course work will not be allowed to graduate from the College of Law. Such student will not be allowed to enroll in additional hours of course work in an attempt to achieve a 2.0 cumulative GPA. [US: 11/8/76; SC transmittal: 3/14/91]

B. Withdrawal and Readmission [US: 4/12/93]

1. First-year students are expected to complete their first year of law study without interruption. If a student withdraws from the college and University during his or her first year of law study, readmission is not automatic. If a student withdraws during the first semester of law study, application for readmission will be referred to the Admissions Committee; if a first-year student withdraws during the second semester, application for readmission will be referred to the Academic Status Committee; provided that in either of the above withdrawal situations, the Dean's designee may grant a special leave of absence for the balance of the academic year for reasons relating to extended illness or equivalent distress.

2. After completion of all required first-year courses, a student who withdraws from the College of Law and the University is subject to the rules stated herein regarding readmission after a leave of absence and grades for students who withdraw. To officially withdraw from the College of Law, a student must obtain from Registrar's Office to obtain a withdrawal card; this card must be signed by the Dean of the College of Law or the Dean's designee. If a student plans to complete a semester, but not reenroll for the subsequent semester, he or she must give the Dean's designee written notice of such intention.

3. If a student withdraws from the college and University or does not continue enrollment **and** has complied with paragraph B.2 of this rule, the student will routinely be readmitted to the college provided that the student is in good standing and the absence was not longer than two semesters plus one summer term. No student will be readmitted pursuant to this paragraph more than one time.

4. A student who intends to remain away from the college for more than 2 semesters plus one summer term must request permission for a Leave of Absence.

These requests are not routinely granted and will be referred to the Academic Status Committee for recommendation to the Dean.

5. Readmission for students who are not entitled to readmission pursuant to paragraphs B.1-B.4 of this rule is not automatic. Applications for such readmission will be referred to the Academic Status Committee for a recommendation to the Dean. The Academic Status Committee may consider all relevant facts and circumstances, including the length of time out of the college and reasons for the absence. The Academic Status Committee and Dean will normally not approve readmission for any student who has been away from the college for six regular semesters. Reasonable conditions, including the repetition of courses for no credit, may be imposed if readmission is approved.

6. A second-year student, a third-year student, or a first-year student with special permission of the Dean's designee may withdraw from any course or seminar within the first half of a semester or summer session. To withdraw from a course or seminar within the first half of a semester or summer session, the student must submit a completed course withdrawal card to the Dean's designee. A student may withdraw from a course or seminar during the last half of a semester or summer session only on a petition certifying reasons relating to extended illness or equivalent distress. This petition must be approved by the instructor and the Dean's designate.

C. Limitation on Pass/fail Units Creditable for College of Law Students [US: 4/12/93]
In determining the number of hours credited toward the requirement for the J.D. degree:

1. No more than 6 hours of graduate courses outside of the College of Law, graded on a pass/fail basis, shall be counted. All such courses must be approved by the faculty in advance. A grade of "A" or "B" will be necessary in order to receive a College of Law passing grade.

2. No more than ~~69~~ hours of courses in the ~~law school~~ College of Law that are offered ~~only~~ on a pass/fail basis shall be counted.

3. No more than ~~912~~ of the total number of pass/fail credit hours, whether earned under 1. (above) or under 2. (above) shall be counted.

4. No more than one graduate course outside the College of Law, graded on a pass/fail basis, may be credited in any one semester.

Students in joint degree programs may only take up to ~~six~~ nine pass/fail course credit hours in the College of Law ~~courses~~ and may take no courses outside the College of Law for credit toward the J.D. other wise than pursuant to the applicable joint degree program.

MEMORANDUM

October 8, 2014

TO: Curriculum Committee

FROM: Doug Michael, Associate Dean for Academic Affairs *DCM*

SUBJECT: Background on the limitation on pass-fail credits

Current rule. The limitation on pass-fail credits appears in Faculty Rule X.D:

In determining the number of hours credited toward the requirement for the J.D. degree:

1. No more than 6 hours of graduate courses outside of the law school, graded on a pass-fail basis, shall be counted.
2. No more than 6 hours of courses in the law school that are offered only¹ on a pass-fail basis shall be counted.
3. No more than 9 of the total number of pass-fail credit hours, whether earned for graduate school courses under (1) or for law school courses offered only on a pass-fail basis under (2), shall be counted.
4. No more than one graduate school course outside the law school, graded on a pass-fail basis, may be credited in any one semester.

The 9 hours that joint JD/MBA and JD/MPA students are permitted to count toward the JD take the place of the graduate school courses otherwise limited under (1), (3), and (4), but joint program students are still subject to (2). That is, students in joint degree programs may only take up to six pass-fail course credit hours in law school courses and may take no courses outside the law school for credit otherwise than pursuant to the applicable joint degree program.

The six-hour limitation within the law school has apparently been one of long standing, but was only officially codified by the faculty in March, 1992. At that same meeting, the faculty decided to limit the overall total of pass-fail credits to nine, a reduction from the previous twelve credits. The minutes of this meeting are Attachment I to this memorandum.

As the faculty minutes indicate, this was partially in response to the then-prevalent student practice of students negotiating with the Associate Dean for Academic Affairs (course catalog in hand) whether certain courses would be eligible for law school enrollment. It was the judgment of many Associate Deans that this course-shopping was not done by

¹ [Footnote supplied.] The word "only" is redundant; there is no option within the College of Law to switch grading options between pass-fail and letter grades. Such an option does exist for undergraduates under University Senate rules.

students with genuine academic interest in mind. This latter issue was eventually addressed by the faculty's decision that courses outside the College of Law must be approved by the *faculty*. This happens in two ways. The faculty has given standing² approval to the following courses:

Health Administration/Public Administration 621 ECONOMETRICS FOR POLICY ANALYSTS - 3 credits

A survey of behavioral science research methods for the public administrator. Emphasis is placed upon problem selection and identification, research design, and data analytic techniques. Lecture, two hours; laboratory, one hour per week. **College of Law Prerequisite:** none, although College Algebra is strongly recommended. Usually offered in the Fall.

Economics/Health Administration/Public Administration 652 PUBLIC POLICY ECONOMICS - 3 credits

Principles and practices of economical resource management in the governmental sector: tax and expenditure types, intergovernmental fiscal cooperation, debt financing, budgeting and financial planning. **College of Law prerequisites:** One of the following: (1) Taxation I (Law 860) and an advanced tax course (Law 861, 863, 865, 866 or 937), which may be taken concurrently, or (2) Administrative Law (Law 920), or (3) Health Care Organizations & Finance (Law 830). Usually offered in the Spring.

Public Administration 651 THE POLICY PROCESS - 3 credits

Broad-based course in public policy formulation and social planning. Emphasis is on the parameters of policy formulation as well as the social planning and impact variables. Both policy processes and relevant content areas will be stressed. **Enrollment is limited** to three College of Law students unless permission is otherwise granted from the Martin School of Public Administration. Usually offered in the Fall. **College of Law prerequisite:** Administrative Law (Law 920).

Political Science 737 TRANSNATIONAL ORGANIZATIONS AND PROCESSES - 3 credits

An analysis of approaches to the study of international, transnational and regional political and economic organizations and processes within the context of world politics. An examination of the impact of these activities and processes on contemporary problems of world order. **College of Law prerequisite:** International Law (Law 925), International Trade Law (Law 924), or International Environmental Law (Law 923). Usually offered in the Spring.

In addition, the faculty may approve, upon recommendation from the Curriculum Committee, an individual student's request to enroll in a course not on this list.

² This approval is usually given with a five-year "sunset," at which time the list is reexamined by the Curriculum Committee and submitted to the faculty.

Changes since original adoption.

When this rule was put in place in 1992, the College offered only the following pass-fail courses: the four "co-curricular" courses (TAB, Moot Court, two journals), and three externships (Judicial, Prosecutorial, and Prison). Currently, there are fourteen externships (see Attachment II for a list and the catalog descriptions of each).

As the faculty broadened its experience with externship programs, it was clear that it was believed beneficial to have all externships graded on a pass-fail basis. It had become difficult to obtain adherence by externship adjuncts to the recommended average grade, and pass-fail grading seemed more appropriate for externships in any event.³

In 1992, there was no specific requirement of professional skills training. Currently, the College requires that a student complete a course with "substantial instruction in professional skills." All externships (along with other clinic and simulation courses) are included on this list. In addition, new ABA Standard 303(a)(3) requires that a law school require students to complete "one or more experiential courses totaling at least six credit hours." Early implementation is encouraged, but this standard *must* be effective for the class entering in Fall 2016.

In addition, the problem which the rule was put in place to address, the "shopping" by students of numerous courses in which they could enroll on a pass-fail basis, no longer exists. Rather, students more frequently complain that they cannot enroll in another externship and receive credit for that work. If, for example, a student participates in one co-curricular activity (TAB, Moot Court, journal) for three credits, that student could take no more than one additional pass-fail course. It is also commonplace for students to enroll in two co-curricular activities, which forecloses any further pass-fail credit within the College altogether.

Recommendations.

My suggestion is that the limit on pass-fail credits from courses within the College of Law in paragraph (1) of the rule be raised *at least* to nine. This will allow a student to enroll in one co-curricular program and the six required credits of experiential courses entirely through externships if the student so desires. It is true that a student could (or could be required to) fulfill this experiential-course requirement through a mixture of externships, clinics, and simulation courses, but I believe we should make it possible for students to make this choice from among faculty-approved alternatives without further limitation. This would also suggest that the overall limit in paragraph (3) of the rule be similarly raised to twelve.

³ The sole exception has been the Kentucky Innocence Project Externship, which will switch to pass-fail grading effective Fall 2015.

In addition, I believe the rule should be updated in the following areas:

1. There is no mention of two joint-degree programs approved since March 1992: the JD/MA in Diplomacy, which is only a three-credit cross-award (and could have a different rule), and the JD/MHA, which is a nine-credit cross-award similar to the existing JD/MBA and JD/MPA programs. In addition, the JD/MBA program is under further review and may include up to 19 credits of cross-award. I suggest the first sentence of the rule's "flush language" be changed to read as follows:

The 9 credit hours that joint ~~JD/MBA and JD/MPA~~ degree students are permitted to count toward the JD take the place of the graduate school courses otherwise limited under (1), (3), and (4), but joint ~~program~~ degree students are still subject to (2).

2. Paragraph (1) of the current rule should be modified to reflect current practice in two respects. First, that courses taken outside of the law school must be approved by the faculty in advance; and second, that for these purposes, a graduate school grade of "A" or "B" will be necessary in order to receive a College of Law passing grade.

Attachments: I. Minutes of March 25, 1992 faculty meeting.

II. List of externships as of Spring 2015

Attachment I

UNIVERSITY OF KENTUCKY COLLEGE OF LAW

FACULTY MEETING MINUTES

Wednesday, March 25, 1992

Present: Deans Campbell, Bakert, Rogers, Eberle and Kennedy; Professors Michael, Lewis, Goldman, Schwemm, Healy, Welling, Oberst, Graham, Short, Ham, Linneman, Ausness, Gaetke, Davis, McMahon, Garvey, Vasek, Harding.

Dean Rogers called the meeting to order at 12:02 p.m. There were on the agenda three items each from the Academic Status Committee and the Curriculum Committee.

TREATMENT OF STUDENT PETITIONS FOR READMISSION

Dean Rogers presented to the faculty on behalf of the Academic Status Committee its recommendation that University Senate Rule 3.3.1(b) be amended in the second paragraph to read as follows (additions indicated by underlining, deletions by strikeout):

Any student who is readmitted after being dropped at the end of the second semester ~~must make~~ and who fails to raise his or her cumulative grade point average to 2.0 by the end of the third semester will be readmitted again at that time only if he or she has made material progress toward raising his or her cumulative grade point average to 2.0. Moreover, ~~S~~such student must raise his or her cumulative average to 2.0 by the end of the fourth semester. In addition to the foregoing academic standards for readmission, the Committee may impose additional academic standards in individual cases, and in any case may impose other reasonable conditions of readmission including, but not limited to, limitation of outside work, specification of schedule of study (including specification of particular courses and limitation of hours), and the limitation of extracurricular activities. The Committee with the approval of the full law faculty may also require the repetition of courses either with or without substitution of the grades awarded in the courses retaken. Failure to comply with the requirements and conditions of readmission will result in the student being dropped again from the College, ~~a second time~~ in which case he or she will not be readmitted without approval of the University Senate Council upon the recommendation of the Dean following action by the full Law Faculty. Any student aggrieved at any time by recommendation of the Academic Status Committee may petition the full Law Faculty for review.

Upon motion by Professor Ausness and seconded, it was proposed that the Committee's recommendation be amended by inserting after the first sentence the following new sentence:

"Material progress" shall mean, at a minimum, obtaining a 2.0 grade point average for the semester.

The faculty discussed the extent to which this amendment would make readmission more difficult and whether it ought to do so, whether the 2.0 standard would become a *de facto* sole standard, and whether a "sliding scale" of material progress ought to be considered instead.

The amendment was approved on a show of hands: nine in favor, five opposed.

The Committee's recommendation as amended was approved on a show of hands: eleven in favor, three opposed.

RULES GOVERNING WITHDRAWAL BY STUDENTS

Dean Rogers presented to the faculty on behalf of the Academic Status Committee its recommendation that Faculty Rule V be approved for submission to the University Senate for incorporation into the University Senate Rules. He noted that incorporation of the College's own rule into the University Senate Rules would remove an apparent conflict concerning withdrawal from courses prior to the midpoint of the semester.

The Committee's recommendation was approved on a show of hands: fourteen in favor, none opposed.

APPEAL OF DENIAL OF READMISSION

Dean Rogers presented to the faculty the appeal of Jonathon T. Davis from the Academic Status Committee's denial of Mr. Davis' petition for readmission.

The denial was unanimously affirmed by voice vote.

Dean Campbell thereupon assumed the chair at 12:22 p.m.

LIKE TREATMENT OF "F" AND "E" GRADES

Professor McMahon presented to the faculty on behalf of the Curriculum Committee its recommendation to add to University Senate Rules, Section II, Rule 1.2.1, the following:

Selected College of Law courses are graded on a Pass/Fail basis, and law students enrolled in courses offered by the Graduate School for which the College of Law grants credit toward graduation are treated by the College of Law as Pass/Fail courses. A failing grade (F) in any Pass/Fail course in the College of Law or any Graduate School course in which a student in the College of Law enrolls for credit toward graduation from the College of Law will be taken into account at a quality point value of zero (0) in computing the student's academic average.

After a brief discussion, the faculty approved the Committee's recommendation unanimously by voice vote.

LIMIT ON PASS/FAIL CREDIT HOURS IN LAW SCHOOL COURSES

Professor McMahon presented to the faculty on behalf of the Curriculum Committee its recommendation to adopt a rule limiting to six the total number of Pass/Fail course credit hours in law school courses that will be counted toward graduation. He noted that this limitation had always appeared in the Curriculum Planning Guide and the approval of the faculty was sought to justify reinstating that limitation after its inadvertent deletion from the most recent edition of the Curriculum Planning Guide.

The faculty approved the Committee's recommendation unanimously by voice vote.

OVERALL LIMIT ON PASS/FAIL CREDIT HOURS

Professor McMahon presented to the faculty on behalf of the Curriculum Committee its recommendation to adopt a rule limiting to nine the total number of Pass/Fail course credit hours in any courses that will be counted toward graduation, and that law students be limited to enrolling for law school credit in only one course outside the law school (graduate school course) in any semester.

Professor McMahon noted that current rules permit up to 12 course credit hours, and that the Committee's recommendation is based in part upon the "incredible flood" of law students to graduate school programs, particularly in the two most recent academic years.

Upon motion by Professor Goldman and seconded, it was proposed that the rule be amended to provide that students in joint degree programs may only take up to six Pass/Fail course credit hours in law school courses and may take no courses outside the law school for credit otherwise than pursuant to the applicable joint degree program.

The faculty discussed whether joint degree students should be limited to nonlaw courses in their joint-degree field, and the general theories and justification for these programs.

The amendment was approved unanimously by a voice vote.

Discussion then returned to the Committee recommendation as amended. There was discussion of the recommended effective date (beginning for classes entering in Fall 1991).

Upon motion by Professor Ausness and seconded, it was proposed that the rule be amended to limit to three hours courses taken outside the law school on a Pass/Fail basis.

Professor Ausness noted his belief that the Committee recommendation is not stringent enough. Professor McMahon presented the Committee's view that it would be willing to hold more stringent rules in abeyance until there is more experience by Dean Rogers with his new "written application" procedure for approval to enroll in courses outside the law school. Dean Rogers discussed the standards he would likely follow in implementing this new procedure.

The amendment failed on a show of hands: seven in favor, nine opposed.

The faculty approved the Committee's previously-amended recommendation unanimously by voice vote.

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Dean Campbell announced that the second budget cut imposed by the University may be less severe than originally anticipated, and reviewed schedules and procedures in connection with the imminent arrival of the ABA site visitation committee.

The meeting was adjourned at 1:00 p.m.



Douglas C. Michael
Meeting Secretary

Attachment II

COLLEGE OF LAW EXTERNSHIPS 2014-15

October 4, 2014

The College offers several externship opportunities for students to work under the guidance of practicing attorneys for academic credit. The specific course descriptions can be found in the College of Law Catalog and are reprinted below.

General requirements. Each externship requires 100 hours of work during the semester for 2 pass/fail credits. The Innocence Project Externship must be taken for an entire academic year, fall and spring, for a total of four credits. No student may receive both pay and academic credit for the same work. However, if you work more than 100 hours in an externship, you may be paid for the amount of work over 100 hours.

Scheduling. Most of these externships are offered every semester including the 8 week summer session if the externship supervisor is available and there is sufficient enrollment. Check the table below or the summer schedule for those externships offered.

Third-year practice rule. The Prosecutorial Externship and the Legal Clinic *require* students to be certified under Kentucky Supreme Court Rule 2.540, the limited student practice rule. A student is eligible for admission under this rule only if, at the time the course is taken, the student will have completed 60 hours of law study (59 hours for students who will be receiving credit for one co-curricular course, or 58 hours for those receiving credit for two co-curricular courses). Students must complete and have notarized a legal intern application form as soon as possible after enrollment in the course. The application is available on the law school website (under "Current Students") and from the Registrar's office. For two other externships (Department of Public Advocacy and the Children's Law Center), this certification is *optional*, that is, it is required only if the extern chooses to appear in court.

Application. Many externships require students to apply rather than simply enroll. These are indicated in the table below. The applications can all be found on the College of Law web page under Students → Forms. The form should be submitted to the Registrar with your priority registration materials. Once all forms are collected the instructors will choose and notify the students to be enrolled.

Summary Chart. This chart lists the main features of each externship.

Externship	Prerequisites	Recommended	3 rd yr Pract	App	Summ	Cap
Child Advocacy Today	Third year standing	See course description			X	3
Children's Law Center			Opt			3
Department of Public Advocacy	Evidence (Law 890)		Opt	X	X	3
Fayette County Attorney				X	X	3
Federal Government					ONLY	4
Immigration Law		Immigration Law, fluency in Spanish		X	X	2
Innocence Project		Evidence, Criminal Procedure				10
Judicial					X	18
Kentucky Energy and Environment Cabinet	Environmental Law (concur. enrollment OK)					4
Kentucky Refugee Ministries		Immigration Law, fluency in Spanish or French		X	X	1
Lexington City Attorney				X	X	2
Prosecutorial			Req			12
UK Healthcare Risk Management	Evidence; fourth-semester standing	Bioethical Issues, Medical Liability		X	X	3
UK Office of Legal Counsel				X	X	2

COURSE DESCRIPTIONS (FROM COLLEGE OF LAW CATALOG)

CHILD ADVOCACY TODAY EXTERNSHIP

The Child Advocacy Today Externship is a 2 credit hour pass/fail externship, requiring 100 hours of student work, that offers students the opportunity to develop their legal skills while providing free, quality representation to low-income pediatrics patients and their families. CAT is operated in partnership with the Equal Access to Justice Foundation and Kentucky Children's Hospital and is located in General Pediatrics at Kentucky Clinic. CAT Externship students become part of the healthcare team at Kentucky Children's Hospital in order to assess patients' legal needs. The students engage in interviews with patients and their families, and identify legal issues that adversely affect the health of the patients. Students will then have the opportunity to assist these clients and prepare the matter for referral to outside counsel, where appropriate. Students will conduct legal research, write memos and prepare legal documents under the supervision of staff attorneys. Students will analyze and implement case strategies and prepare work plans for their cases. In addition, because the mission of the medical-legal partnership is to educate healthcare providers to recognize legal issues that are detrimental to their patients' health, students will prepare a presentation on a topic of their choice to be presented to UK's pediatrics residents. **PREREQUISITE:** This course is open only to third-year students. **RECOMMENDED:** Completion of any of the following courses is helpful, but not required: Administrative Law, Constitutional Law II, Professional Responsibility, Healthcare Organizations and Finance, Children and the Law, and Education Law. This course is limited to three students.

CHILDREN'S LAW CENTER EXTERNSHIP

This externship develops students' litigation, counseling and research skills under the supervision of the Litigation Director of the Lexington office of the Children's Law Center, a 20-year-old foundation based in Northern Kentucky. The Center provides direct representation to children involved in high conflict custody

cases, to children who are victims of sexual abuse and must be a witness in criminal proceedings, to children with disabilities in educational matters, and children who are homeless or have other dependency issues. Students will assist their supervising attorney on these cases. Students will be expected to work at least 100 hours during the semester, in addition to classroom time discussing substantive law, roundtable discussions and case status conferences. Enrollment is limited to three students.

DEPARTMENT OF PUBLIC ADVOCACY EXTERNSHIP

The goals of this externship course are to develop practical litigation skills; to give practical experience in researching legal topics; and to increase understanding of the criminal litigation process, especially as it relates to how lawyers representing defendants in that system develop the case, identify a strategy for litigating the case, and implement that strategy. Students will be expected to complete 100 hours of work under the supervision of the Lexington DPA Directing Attorney in addition to a classroom component. The expectation is that a very significant proportion of student work will be accomplished under the student practice rule in cases before the Family Court and Juvenile Court, and in District Court misdemeanor cases. Enrollment is limited to three students and is by application only. **PREREQUISITE:** Law 890 (Evidence).

FAYETTE COUNTY ATTORNEY EXTERNSHIP This externship develops students' interviewing, counseling, legal research and litigation skills under the supervision of the attorneys in the Fayette County Attorney's Office. Students will be expected to do legal research and writing, contact and interview witnesses, attend court sessions and assist the prosecutors therein, and assist in maintaining electronic case files. Students will support their supervising attorney in all areas related to the representation. Enrollment is open to both second- and third-year students, is upon application and interview only, and is limited to three students per semester. **Scheduling note:** Although not required, students should plan to have one full morning available for externship work to accommodate court appearance schedules.

FEDERAL GOVERNMENT EXTERNSHIP

This externship provides for academic credit for summer unpaid legal internships with a federal government agency or executive department. Students will be required to submit periodic work logs, samples of written work (if released by the agency or department), and meet with the field supervisor and the Associate Dean for Academic Affairs once on site (this may be done by video) and once upon completion of the externship. The student must present work logs totaling at least 100 hours exclusive of any travel time, and there must be no direct or indirect compensation (including any fellowship or scholarship) received for the internship work.

IMMIGRATION LAW EXTERNSHIP

This externship develops students' interviewing, counseling, fact-gathering, legal planning and legal research skills under the supervision of the Director of the Maxwell Street Legal Clinic. The Clinic is part of the Kentucky Equal Justice Center, a nonprofit poverty law advocacy and research center. Students will be expected to meet with potential and existing clients, perform initial and subsequent client interviews, prepare legal research products on assigned topics, and attend staff meetings and legal proceedings. Students will assist their supervising attorney in all areas related to the representation. Preference will be given to students who have taken Law 919 (Immigration Law) and who are fluent in Spanish. Enrollment is upon application only; limit is one student per semester.

INNOCENCE PROJECT EXTERNSHIP

Participants in this externship are placed with the Department of Public Advocacy's Kentucky Innocence Project. Students are assigned one or more cases involving claims of factual innocence. The clients are individuals convicted of serious criminal offenses who received sentences of twenty years or more. The experiential component of the externship will give students the opportunity to learn a variety of practical skills, such as developing, organizing, and conducting case investigations, interviewing clients and witnesses, researching legal issues, drafting legal documents and correspondence, and working with experts. The classroom component provides instruction on the above topics and other topics such as DNA and problems with eyewitness testimony. The class generally meets every other week. Enrollment is limited to ten students. Students are required to work on their cases for a minimum of one hundred hours each semester and must maintain a case log documenting their externship activities. **This course is only available as a full-year**

externship. Credits will not be awarded for participation in the Fall only and students will not be permitted to register for the course in the Spring unless they have met the course requirements for the Fall semester. The course is worth four credits: 2 for the Fall semester and 2 for the Spring semester. **RECOMMENDED:** Evidence (Law 890) and Criminal Procedure (Law 811).

JUDICIAL EXTERNSHIP

This course allows students to experience the court system by clerking for a local judge. Students can see how the system works, what makes some lawyers better than others, and how judges make decisions.

Each student is assigned to a particular local state or federal judge at the beginning of the semester. Students are required to work 100 hours with their judge and to prepare a typed log with an explanation of their activities. The log must be approved by the judge and submitted to the professor. The judge also evaluates the student's performance on a written questionnaire.

The class meets as a whole approximately every three weeks to discuss the experience. This course is offered on a two-hour pass-fail basis. Enrollment is limited to 18 students. This course may be repeated once with the permission of the instructor, provided the clerkship is before a different judge.

KENTUCKY ENERGY AND ENVIRONMENT CABINET EXTERNSHIP

This Externship course will allow students to develop an understanding of legal issues arising from environmental protection in Kentucky, and to increase their understanding of the role played by attorneys in the Energy and Environment Cabinet. Student work at the Cabinet will be supervised by a full-time attorney at the Cabinet. Students will also meet together with the Environmental Law instructor every two weeks to discuss and reflect on their work at the Cabinet. The externship is open to students who are concurrently enrolled in or who have completed the course in Environmental Law. The two-credit externship is limited to four students. **Scheduling note:** Students planning to enroll in this externship should be sure to have half- or full-day time slots to allow for travel to Frankfort on working days. **PREREQUISITE:** Environmental Law (Law 898) or concurrent enrollment.

KENTUCKY REFUGEE MINISTRIES EXTERNSHIP

This externship develops students' interviewing, counseling, fact-gathering, legal planning and legal research skills under the supervision of the Immigration Attorney in the Lexington office of Kentucky Refugee Ministries, Inc. (KRM). KRM assists refugees who have been legally admitted to the United States as victims of warfare or other forms of persecution because of their religious or political beliefs. Students will be expected to meet with potential and existing clients, perform initial and subsequent client interviews, prepare legal research products on assigned topics, and attend staff meetings and legal proceedings. Students will assist their supervising attorney in all areas related to the representation. **RECOMMENDED:** Preference will be given to students who have taken Law 919 (Immigration Law) and who are fluent in French or Spanish or have worked with an interpreter. Enrollment is upon application only; limit is one student per semester.

LEXINGTON CITY ATTORNEY EXTERNSHIP

This course provides the extern with an introduction to the practice of in-house counsel for a local government. The Law Department of the Urban County Government acts as counsel for the Mayor, the Urban County Council, and for all of the Urban County Government's Departments and Divisions. The department drafts all legislation (ordinances and resolutions) and handles a majority of the Urban County Government's litigation. The extern will research, analyze and write on legal issues that arise in a local government, attend court proceedings and witness meetings, participate in preparation of materials to respond to motions, briefs and appeals, and attend and participate in Urban County Government staff meetings as appropriate. Specific assignments and activities will be determined by supervising attorneys. Enrollment is upon application only; limit is two students per semester.

PROSECUTORIAL EXTERNSHIP

The purposes of the Prosecutorial Externship course are to develop practical litigation skills, to give practical experience in researching legal topics, to increase understanding of the criminal justice system, and to improve writing, advocacy, and negotiation skills.

The class meets on a bi-weekly basis. Students are required to work eight hours per week at their placement, which may be in either the Commonwealth Attorney's office or the County Attorney's office. In

their placement, students work closely with prosecuting attorneys assigned to them by the instructor. They assist in criminal prosecutions under the State's third-year student practice rule. Students must maintain a placement activity log, and prepare a short paper evaluating their internship experience. The course is offered on a two-hour pass-fail basis. Enrollment is limited to 12 students.

UK HEALTHCARE RISK MANAGEMENT OFFICE EXTERNSHIP Students will develop practical interviewing, counseling, strategic legal planning, litigation, and legal research skills as interns in the University of Kentucky Healthcare (University Hospital) Risk Management Office, under the supervision of the Risk Management Director. Students will be expected to complete legal research and writing projects, attend legal proceedings and hospital committee meetings, and review clinical investigations. Each student must sign an externship agreement covering, among other things, compliance with all statutory requirements governing patient confidentiality, including HIPAA, and an anticipatory conflict agreement, which will include an agreement that the participant will be bound by SCR 3.130(1.9) and SCR 3.130(1.10) as if the participant were a practicing attorney at the time of the internship. Enrollment is limited to two students and is by application only. **PREREQUISITES:** Second-semester, second-year status; Evidence (Law 890); transfer students must have completed Torts (Law 805). **RECOMMENDED:** Bioethical Issues and the Law (Law 831), Medical Liability (Law 832).

UK OFFICE OF LEGAL COUNSEL EXTERNSHIP

This externship will provide students with the unique experience of the application of law, legal principles and legal analysis at a public, post-secondary educational and academic medical institution. The Office of Legal Counsel (OLC) advises the administration, faculty, staff and student leaders on legal matters pertaining to the University and UK HealthCare, while striving to minimize the legal risk and liabilities facing the institution.

The OLC is comprised of two offices, one on central main campus and one in the medical center. The OLC provides a wide range of legal services including risk and liability evaluation and prevention, advice on the legal implications of proposed policies and actions, counsel on compliance with state and federal laws and administrative regulations, counsel on clinical enterprise matters including healthcare law and healthcare institutions, regulatory issues, drafting or reviewing of University contracts and coordination of the University's real, personal, and intellectual property issues.

The extern will be required to complete 100 hours of work per semester. The extern will engage in a variety of activities, including research, analysis and writing on legal issues that arise in a higher-education context; attending administrative proceedings and University committee meetings with counsel; participation in the preparation of materials needed to respond to open records requests and OLC Legal 101 training sessions (and attending the training session); and participation in OLC staff meetings as appropriate. The extern's activities will be supervised by counsel. Enrollment is limited to two students and is by application only.