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# Introduction

Founded in 1912, University of Detroit Mercy School of Law is a well-established Catholic law school sponsored by the Society of Jesus (Jesuits) and the Sisters of Mercy of the Americas. The School is approved by the American Bar Association and is a member of the Association of American Law Schools.

## University of Detroit Mercy Mission Statement

The University of Detroit Mercy, a Catholic university in the Jesuit and Mercy traditions, exists to provide excellent, student-centered, undergraduate and graduate education in an urban context. A Detroit Mercy education seeks to integrate the intellectual, spiritual, ethical, and social development of our students.

## University of Detroit Mercy School of Law Mission Statement

University of Detroit Mercy School of Law is a diverse, urban Catholic law school in the Jesuit and Mercy traditions. We seek to educate the complete lawyer through a dynamic curriculum that integrates theory, doctrine, and experiential learning; provides unique global perspectives through transnational educational opportunities; and emphasizes ethics and service to others.

## Academic Program

University of Detroit Mercy School of Law (Detroit Mercy Law) has changed the way lawyers are educated with an innovative curriculum. This curriculum complements traditional theory- and doctrine-based coursework with practical learning, providing a solid transition between law school and a legal career. The entire curriculum not only addresses the third and critical transition year in law school, but enhances the first and second years with more legal theory, intensive legal writing, required clinical experience, and an international perspective. Detroit Mercy Law has transformed its curriculum to address the challenges you will face in the profession.

## Diversity Statement

A critical component of helping our students achieve their personal and professional goals is preparing them to live and work in a world that is wonderfully diverse. We include, respect, and welcome into our community diverse individuals and perspectives. We value diversity in many forms, including gender, race, religion, national origin, economic status, sexual orientation, gender identity, gender expression, age, physical ability, and learning style. We strive to reflect this value through the vibrancy of student life and the composition of our student body, faculty, staff, and administration. In accordance with the Jesuit and Mercy traditions, University of Detroit Mercy School of Law is firmly committed to enriching and enhancing the diversity of our community.

## Challenge – Creating a Foundation and Developing Skills

First-year students study fundamental required doctrinal courses that begin to instill critical thinking, analysis, and writing skills. Whether students are going on to practice law or pursue another career, strong communication skills are sought after for new hires in every arena. For that reason, there is an emphasis on writing in the Detroit Mercy Law curriculum that begins in the first year, and Detroit Mercy Law material in a meaningful way that will be relevant in the workplace. Detroit Mercy Law teaches research and writing in the context of solving legal problems. Students learn to research, analyze, write, and create documents necessary to the practice of law. As early as the first year, students have an impressive portfolio of documents to share with prospective employers.

## Challenge – Building a Bridge to Practice

After the first year, Detroit Mercy Law helps students make the transition from school to practice, from a theoretical approach to a practical approach. Students continue to hone their legal research and writing skills with legal writing assignments in all required courses. Because these assignments are coordinated among the required courses, students undertake a wide range of writing projects about key issues in Evidence, Professional Responsibility, and Constitutional Law. Students also participate in a required clinic, bringing them face-to-face

with real clients with real problems, and select an international or comparative law course to become familiar with other legal systems.

#### Challenge – Learning to Practice

In the third or final year, students are required to work on complex transactions in the Law Firm Program. Law Firm Program courses introduce students to large firm issues and to smaller or boutique firm issues. Students draft documents, complete due diligence, receive instruction from "clients," and much more. While all students in their third or last year are required to take at least three credits of Law Firm Program coursework, students may spend much of their final year applying their knowledge to various Law Firm Program courses.

Detroit Mercy Law's innovative curriculum prepares graduates who:

understand



# I. ACADEMIC ELIGIBILITY

## A. DEGREE REQUIREMENTS



## 2. CANADIAN AND AMERICAN JURIS DOCTOR PROGRAM

For students in the Canadian and American (Dual JD) Juris Doctor Program, a student who receives passing grades in courses totaling 104 credit hours at both the University of Detroit Mercy School of Law and the University of Windsor Faculty of Law, with a cumulative grade point average of not less than 2.2, and meets all other requirements, is eligible for the award of the degree of Juris Doctor from both institutions. Students in this program must earn a minimum of 60 credits from Detroit Mercy Law and 44 credits from the University of Windsor Faculty of Law. In no case may a student graduate in more than 72 months from matriculation.

### a) COURSE OF STUDY AT DETROIT MERCY LAW

In the first year of the Dual JD program, the student will be automatically enrolled in Comparative Legal Writing and Research at Detroit Mercy Law for terms I and II, and in two courses during term III (the summer semester). First year dual degree students may not enroll in elective coursework at Detroit Mercy Law during Terms I and II, and may enroll in elective courses during Term III, subject to the credit hour limits outlined below.

Beginning in Term II of the second year, the dual JD student may enroll in elective courses at Detroit Mercy Law. The maximum number of credit hours in which a student may enroll in a given semester is 18. Students may request permission from the Associate Dean for Academic Affairs to enroll in up to 20 credit hours per semester. Such requests will be considered on a case-by



b) REQUIRED COURSES

Students in the JD/MBA program are required to complete all required law courses (foundation and core). In addition to these courses, students must complete the courses required by the College of Business Administration

## E. STANDARDS FOR CONTINUED ENROLLMENT

### 1. GENERAL STANDARD

A cumulative grade point average of not less than 2.2 at the completion of the foundation courses of legal studies and thereafter is a prerequisite for continued enrollment. In the American JD Program, the foundation courses are the 30 credits of courses described in section I.A.1.d a

The Petitions Committee may waive the above requirement only in exceptional circumstances, provided the student in question has a cumulative grade point average of not less than 2.0. The presumption, however, is that a cumulative G.P.A. of less than 2.2 at the conclusion of either the 30 credits of Foundation Courses for the American JD or at the conclusion of the First Year for the Dual JD will result in dismissal.

#### a) STANDARD FOR REQUIRED

For students ultimately permitted to remain in school, the Assistant Dean for Academic Success, the Associate Dean for Academic Affairs, and the Associate Dean for Student Affairs, working in consultation with the student, shall create a mandatory remediation plan for each student. The remediation plan shall be memorialized in writing, and a copy shall be provided to the School of Law Registrar. This plan may include academic requirements (retaking the course again, taking other courses, working one-on-one with the Academic Success Department) and other requirements (seeking available counseling, etc.).

Each student permitted to remain in school shall be placed on academic probation for at least one semester (excluding summer) and each such student is required to meet with the Associate Dean for Student Affairs at the end of the term to assess his or her progress in fulfilling the terms of the remediation plan. In assessing the student's progress, the Associate Dean for Student Affairs will consult with anyone involved in the implementation of the plan (Academic Success Department, professors, etc.). Absent exceptional circumstances, as determined by the Petitions Committee following the filing of a petition by the affected student, any student who fails to satisfy the remedial conditions imposed will then be dismissed from the School of Law.

REMEDIAL ACTIONS FOR13 492.07 Tm[(A)] TJETBT/F1 4(n).26 TmL5.S[(A)] TJETBT/F1 9.48 TF1 0 090.69(n).26 Tr

6. SUPPORT AVAILABLE FROM THE ACADEMIC SUCCESS DEPARTMENT

All students may access the services offered by the Academic Success Department. The Academic Success Department meets with students on an individual or small group basis to discuss various aspects of law school



in the School of Law for the first time. Such applications for readmission shall be in the jurisdiction of the Admissions Committee. Neither the Admissions Committee, the Petitions Committee, nor the administration may waive the two-year interval requirement. The application for readmission must be submitted by April 15 during the second year of academic absence.

#### G. WITHDRAWALS

Any student who voluntarily withdraws from the School of Law must communicate that intention in writing to the School of Law, including the date of the withdrawal, date of the withdrawal, and, if the student is transferring, the name of the institution to which the student has been accepted for transfer. This process should be completed once the student has made the determination that he or she is voluntarily withdrawing from the School of Law. Upon receipt of this communication, the School of Law will process the withdrawal.

#### H. WAIVER OF RULES

In exceptional cases such as reasons of health, unexpected employment obligations, or enrollment in approved courses in other schools, the Dean or other appropriate administrative official may approve a variance from the above requirements regarding Academic Eligibility except where waivers are expressly prohibited. Permission must be sought in writing.



Summer semester Writing Across the Curriculum assignment time schedule:

Course	Assignment Distributed	Assignment Due	Types of Assignments*
Professional Responsibility	1 <sup>st</sup> week of the semester	3 <sup>rd</sup> week of the semester	Formal complaint; ethics opinion
Evidence	1 <sup>st</sup> week of the semester	3 <sup>rd</sup> week of the semester	Motion in limine with brief; appellate brief; proposed evidence rule analysis
Constitutional Law	2 <sup>nd</sup> week of the semester	4 <sup>th</sup> week of the semester	Judicial opinion; petition for certiorari

\*A professor could assign a different type of writing assignment, with the exception of a traditional memorandum, as long as the type of assignment was not otherwise included in this list.

Such writing assignments shall consist of not less than 15 per cent of the course.

#### 1. ETHICS ACROSS THE CURRICULUM

At the beginning of the semester, all faculty members are required to include ethics in course syllabi as a topic that will be treated as it relates to the substantive area of the law covered in the course. This ethical component may be accomplished through discussion, in combination with the writing assignment, or by other means.

#### 2. UPPER LEVEL WRITING REQUIREMENT

Direction of the discussion with respect to both the fullest possible student participation and maintaining contact with the subject matter;

Maintenance of student discipline necessarily concomitant with an academic group undertaking; and

Evaluation of the individual student's performance for purposes of a grade and of the overall success of the seminar and areas for subsequent improvement.

b) ADVANCED ADVOCACY

Advanced Advocacy was designed and is taught from the perspective that advocacy is more than applied skill; in its purest form, advocacy is a form of art. This class takes students beyond the traditional moot court curriculum and thoroughly examines the art and various techniques of persuasion through innovative exercises and guest lectures. Although the class is required for all Moot Court members, the persuasion techniques taught in this class are so universal to the practice of law that all upper-class students are encouraged to enroll. Students must have an overall GPA of 2.5 to register for academic credit. This course, which will be numerically graded, meets the upper-level writing program.

c) JUDICIAL CLERKSHIP

This course provides students with an intensive and advanced research and writing experience. It will prepare students who are interested in pursuing a judicial clerkship, as well as expose students to the advanced legal skills necessary to be a successful attorney. Students will be required to prepare two drafts of at least three written assignments: a bench memorandum, a ruling on a trial motion, and an appellate decision. Students will be

Children and the Law LFP  
Commercial Real Estate LFP  
Environmental Law LFP  
Family Law LFP  
Health Law LFP  
Immigration Law LFP  
Intellectual Property LFP  
International Commercial Arbitration LFP  
Juvenile Justice LFP  
Pretrial Civil Litigation LFP  
Pretrial Criminal Litigation LFP  
Small Firm Practice LFP

4. CLINICAL COURSES

## 6. DIRECTED RESEARCH

### a) LIMITS

Directed Research may be supervised by full-time faculty members. Faculty members shall not direct research for credit except in subjects in which they teach or have a particular expertise. A directed research project does not fulfill the upper-level writing requirement. A student must have a cumulative grade point average of 2.5 to enroll in a directed research. Adjunct faculty with a particular expertise may supervise a directed research project in coordination with a full-time faculty member. In this situation, the full-time faculty and adjunct faculty would grade the project jointly.

### b) INITIATION

A directed research project may be initiated by either faculty or student. A student wishing to elect Directed Research for one or two credit hours must submit a short outline of the proposed project to the chosen faculty member as a sponsor. The outline shall include a statement of the purpose of objective of the research and the anticipated results. This process shall be completed on or before the deadline for adding a course in a given semester.

Students wishing to elect Directed Research for more than two hours must submit a detailed proposal to the Curriculum Committee for approval. If the Committee approves of the project and the credit hours, it may appoint a special committee to supervise the project. The special committee may consist of members of faculty, or of both faculty members and individuals chosen from the community.

Students must register for Directed Research 4010 (1 credit) or 4020 (2 credits) through the registration process.

### c) PROCESS

Students enrolling in Directed Research must set up a schedule of meetings with the faculty member (or Committee) and due dates for stages of the project. It is suggested that five meetings should take place during the course of the project. At a minimum, each student working on a directed research project must meet at least comments.

Every student shall submit a substantial draft of the paper. The professor shall review the rough draft and make necessary corrections and suggestions. These should include direction of research, organization, legal reasoning and writing style. Detailed comments should be provided.

The research paper should be in acceptable law review form, unless good reason dictates otherwise. Proper citations, correct use of signals, and law review caliber writing style should be required. A student receiving one (1) credit hour should submit a paper of approximately 20 pages, exclusive of footnotes or endnotes. A student receiving two (2) credit hours should submit a paper of approximately 40 pages, exclusive of footnotes or endnotes.

A student writing for one credit hour should expect to put in about 45-60 hours work; a student writing for two credit hours, about 90-120 hours of work. A student writing for more than two credit hours shall work out arrangements with the supervising committee as to length of the paper and hours to be devoted to it.

Each student enrolled in Directed Research shall receive a written evaluation of performance and a numerical grade. Every paper written for Directed Research shall be placed on reserve in the library. Appropriate papers

shall be referred to the University of Detroit Mercy Law Review for consideration for publication. A student will normally be limited to two Directed Research projects during his or her law school career; petition shall be made to the Curriculum Committee for prior approval of a greater number.

## 7. EXTERNSHIP COURSES

Students participating in externships will work with a selected public sector agency, law office or judge taken from the approved list, unless otherwise agreed. Students are not eligible for credit with private firms or attorneys. Tasks undertaken include research, writing, analyzing, and assisting counsel or assisting judges. Depending upon the extern program, students may go to court to represent a client or agency.

Each student is required to work at the designated placement at least 120-180 hours a semester contingent upon the requirements of the specific program, or by what is arranged with the Director of Externships before the semester starts.

In addition to the hours required for the individual placements, there is a one-hour mandatory extern class every week in the fall and spring semesters. In the summer program, extern participants communicate via e-mail and telephone with their extern professor and work on a directed research project related to the work they are doing at the externship. This is normally an approved 7-page paper.

All extern participants are required to keep a weekly journal of their work. Participants in the fall and spring will close out the semester with a five page reflective paper on their work.

To be eligible for an externship, a student must have a cumulative GPA of 2.5, must have completed the 30 foundation credit hours, and must be pre-approved for placement by the Director of Externships. Students who wish to enroll in an externship during the summer after their first year of courses must have a cumulative GPA of 2.8, as well as the other eligibility requirements.

9. INTELLECTUAL PROPERTY LAW INSTITUTE



Students are strongly encouraged to cross enroll in one of the following Psychology courses on the McNichols campus for a minimum of 3 credit hours:

Pyc 5000 Social Psychology

Pyc 5420 Principles and Issues: Child and Adolescent Development

Students may apply for the Family Law Concentration by completing the application form, which is due in the Law

... from the ...

b) COURSES THAT MEET TWICE A WEEK

Unless a professor chooses to adopt a stricter policy as set forth in paragraph f, a student is permitted four





### III. EXAMINATIONS AND ASSESSMENTS

#### A. COURSE EXAMINATIONS

In most courses, written examinations will be given upon completion of the semester. At their discretion, professors may administer other exams in addition to a final examination. Course grades will be based substantially upon the results of these written examinations. Additional factors may be taken into consideration at the discretion of the professor for that examination even if the student is unable to complete the examination.

All tuition and fee payments due must be paid in full or arrangements made for payment before a student will be permitted to take final examinations.

The Faculty has adopted an anonymous grading policy that applies to all courses in which the determination of the course grade is based primarily on the final examination. Students use three- and four-digit exam numbers unique to each semester. This number will be used to identify the student's examinations and other assignments graded anonymously.

Professors will specify what academic materials may be brought into the examination room. The examination

a) SCHEDULING P

## IV. GRADES

### A. GRADING SYSTEM

A student's academic performance is indicated by numerical grades with approximate letter grade equivalents as shown below:

A	A-	B+	B	B-	C+	C	C-	D+	D	F
4.0	3.8 3.9	3.5 3.7	3.0 3.4	2.8 2.9	2.5 2.7	2.0 2.4	1.8 1.9	1.5 1.7	1.0* 1.4	0.0 0.9

\*lowest passing unless 2.0 required

The range of failing grades is designated to differentiate between work whose quality is insufficient to merit passing but nonetheless reflects some accomplishment and work that reflects no accomplishment or that cannot

An / (incomplete) is assigned whenever a student has failed to satisfy the requirements, other than an examination, for a course, or due to a pending administrative matter. Students will be allowed a maximum of four weeks after the original due date of the work to complete it.

## D. PASS/NO PASS OPTION

Any student who has successfully completed 30 credit hours may choose to take one elective course within a term on a pass/no pass basis in his or her remaining terms. Only in extenuating circumstances, and only with approval from the Associate Dean for Academics may a student take more than one elective course pass/no pass within a term. No more than six (6) credit hours for elective courses may be taken under the pass/no pass option and counted toward graduation requirements. Courses that a student must take in order to graduate (which may vary depending upon the specific program and performance of a student) may not be taken on a pass/no pass basis. A student may not exceed 11, including credits for optional and mandated pass/no pass credits such as Law Review, Moot Court, Externships, etc.

The decision to take an elective on a pass/no pass basis, or to revoke the decision, must be communicated to the Registrar, in writing, by the end of the second full week of classes of both fall and winter semesters. During the summer session, the intent to take an elective on a pass/no pass basis must be communicated to the Registrar, in writing, by the end of the first full week of classes. A professor may forbid the pass/no pass option by notifying the Registrar in writing before registration. Notice of a student's intent to take an elective on a pass/no pass basis shall not be communicated to the professor.

The Registrar shall administratively substitute a P (passing) for any grade reported by a professor of 2.0 or above. If the professor reports a grade of 1.9 or below, the Registrar shall administratively substitute a grade of NP (not passing). A grade of NP will not be included in the calculation of the student's semester or cumulative grade point average, and the student will receive no credit towards the satisfaction of graduation requirements.

## E. GRADE CHANGES

The professor shall not change a student's grade except for one of the following reasons:

- A. An error in the mathematical computation or transcription of the grade; or
- B. Substantially unequal treatment of the student in the grading of the examination on which the grade is based or in the calculation of the final grade as compared to the grading of other students in the same course.

To change a grade for one of the above reasons, a professor must supply the Administration with a written justification that includes the reasons for the change, a statement of the original grade, the amended grade, the number of points involved in the change, the distribution of grades, and the cut off point for each grade. Grade changes will not be permitted more than 180 days after release by the School of Law Administration.

## F. APPEALS FROM GRADES

Students may appeal a final grade in two circumstances, described below.

### 1. MATHEMATICAL ERROR

Any student may appeal a final grade because the student believes an error has been committed in the mathematical computation or transcription of the grade. Any student who feels aggrieved shall first consult 62(s)51 0 0 1 ag-BT.



If, after consultation with the professor, the student still feels aggrieved, the student may petition the Committee specifically established by the faculty for the purpose of reviewing student grade appeals. The petition shall be submitted in writing to the Associate Dean for Student Affairs and must contain a clear, accurate, concise, full, and complete statement of the grounds for appeal and the facts relied on in support of the petition. The petition shall be filed within six weeks after the student's final grade in the course is posted by the School of Law Administration. This requirement can be waived by the Committee for good cause.

## 2. SUBSTANTIALLY UNEQUAL TREATMENT

A student may appeal a final grade because the student believes he/she suffered substantially unequal treatment in the grading of the examination on which the grade was based as compared to the grading of other students' examinations in the same course, or any other substantially unequal treatment in the assignment of the course grade. A student who receives a final grade of 2.0 or above will not have the right to appeal pursuant to this section.

## 3. PROCESS FOR GRADE APPEALS

### a) CONSULTING WITH THE PROFESSOR

Any student who feels aggrieved shall first consult with the professor about the grievance. The professor shall explain to the student the standard of measurement by which the grade was determined. This consultation need not take the form of a face-to-face meeting if it is unreasonable to do so under the circumstances.

### b) PETITIONS COMMITTEE REVIEW

If, after consultation with the professor, the student still feels aggrieved, the student may petition the Committee specifically established by the faculty for the purpose of reviewing student grade appeals. The petition shall be submitted in writing to the Associate Dean for Student Affairs and must contain a clear, accurate, concise, full, and complete statement of the grounds for appeal and the facts relied on in support of the petition. The petition shall be filed within six weeks after the student's final grade in the course is posted by the School of Law Administration. This requirement can be waived by the Committee for good cause. If the professor is not available for the consultation described in this paragraph during this six week time period, the presumption stated in paragraph F(3)(c) infra shall apply, and the student must file his/her appeal within an additional four week period after expiration of the six week period.

The Committee, or a designated member, shall examine the petition after receiving it. If, upon review, the Committee or its designated member concludes that the allegations on the face of the petition are insufficient to state a grievance pursuant to paragraph F(1) or F(2) supra, the Committee shall dismiss the petition. The student may file an amended petition within ten days after the mailing or other delivery of the written notice of the

If, upon examination of the petition or amended petition, the Committee, or designated member, concludes that the allegations on the face of the document are sufficient to state a ground for appeal under paragraph F(1) or F(2) supra, the Committee shall forward the petition to the professor involved and request a reply to the petition, which must include a written explanation of the standard of measurement by which the student's grade was determined. The standard of measurement shall consist of one or more of the following:

- A. a sample or model answer for each of the questions being appealed on the examination;
- B. a key to correct answers on the examination;
- C. a written statement of the criteria used in assessing the quality of student answers;



## V. STUDENT RIGHTS AND RESPONSIBILITIES

Some of the content of this section of the *Student Handbook* was taken from the University of Detroit Mercy *Student Handbook*, and specifically the *Student Policies*, which may be found in their entirety at [\\_\\_\\_\\_\\_](#). The Detroit Mercy Law *Student Handbook* is intended to be consistent with and to complement the University's *Student Handbook* and *Student Policies*. To the extent that a matter involving student rights and responsibilities is not addressed by this *Student Handbook* but is addressed by a published University rule or policy, the University rule or policy will apply.

### STUDENT R

## 2. STANDARDS OF CONDUCT

The Honor Code prohibits any conduct pertaining to academic or other University matters that demonstrates fraud, deceit, dishonesty, or the giving or taking of unfair advantage over other students or the attempt to give or take an unfair advantage over other students. Conduct that violates the Honor Code includes, but is not limited to the following:

- a. Using unauthorized assistance or material or the giving of unauthorized assistance or material in the

5 to 8 Student Members, to be elected from the following divisions:

- 2L Day
- 2L Evening
- 2L Dual
- 3L Day
- 3L Evening
- 3L Dual
- 4L Evening
- 5L Evening

Elections will be overseen by the Associate Dean for Student Affairs, in consultation with the Student Bar Association. Students will be elected in the Winter term, and their term shall run from May 15 to May 14.

In order to be eligible for membership on the Honor Council, students must be in good academic standing, may not have been found responsible for a prior honor code violation, and must attend a mandatory training once elected.

The Dean shall appoint one faculty member of the council to serve as the faculty chair.

b) TRAINING FOR HONOR COUNCIL MEMBERS

All members of the Honor Council will undergo training on an annual basis to ensure familiarity with the Honor Code and Honor Council Procedure.

4. HONOR COUNCIL PROCEDURE

Upon receipt of the investigator's report in which a finding of credible evidence is made, the faculty chair shall meet with the student and will describe the findings of the report. The student's advisor (SA or his or her designee) may also attend this meeting.

‡ The student facing charges may choose to accept responsibility for the honor code violation, or communicate the decision to contest the report. The student facing charges must submit his or her decision in writing to the faculty chair of the Honor Council. If the student contests the report, or accepts the report but wishes to present mitigating evidence, he or she will have an opportunity to do so via a written statement to the Honor Council Panel, which is submitted at least two school days in advance of the hearing, as described below. The student need not submit these arguments or evidence as part of his or her

Failure of a student to respond in a timely fashion to any communications from the Faculty Chair of the Honor Council will be presented to the honor council panel at the hearing stage.

After the student facing charges submits his or her response to the Faculty Chair, the matter will move to the hearing phase. The Faculty Chair appoints three members of the Honor Council to serve on an Honor Council Hearing Panel, described below. The Faculty Chair also sets the hearing date, following the timeline described below. When a student facing charges accepts responsibility for the honor code violation, the matter will be heard by an Honor Council Hearing Panel for sanctioning purposes only, as described below.

If the student facing charges contests the report, then the matter will move to the Honor Council Hearing Panel, which will both hear the case and impose sanctions, as appropriate.

#### c) HONOR COUNCIL HEARING

The Honor Council Hearing will take place 10 - 15 school days after the student facing charges response to the investigator's report is due.

The Honor Council Hearing Panel (HCHP) will be composed of three members selected from the Honor Council: one faculty member and two student members. The Faculty Chair of the Honor Council, or his or her designee, is responsible for appointing members to the HCHP. The faculty member serving on the HCHP will be responsible for chairing the panel.

The HCHP may take one of two forms: either a conduct and sanctioning hearing or only a sanctioning hearing. A full hearing will be held when the student facing charges contests the Investigator's Report, while a sanctioning hearing will be held when the student facing charges accepts responsibility for the Honor Code violation found in the Investigator's Report. For either type of hearing, the student facing charges will have the opportunity to submit a written statement to the HCHP at least two school days in advance of the hearing. The student's statement should be signed and submitted by the student, not by an advisor or other representative.

In advance of a hearing, the HCHP will review the Investigator's report and the response of the student facing charges. The HCHP may request documents, require witnesses to testify at the hearing, and otherwise prepare for the hearing.

A hearing will be divided into two portions: a conduct hearing and a sanction hearing.

### i. Conduct Hearing

The Conduct Hearing is a non-adversarial, proceeding in which formal rules of evidence are inapplicable. The HCHP decides what documentary evidence to request, what witnesses to call, and what questions to present in order to conduct a thorough examination of the facts of the charged violation. The Chair of the HCHP has final authority to ensure an orderly and complete hearing.

The student facing charges shall have the right to have one personal representative, including a family member, student, friend, or retained counsel, attend the hearing with them. The student has the right to reasonably consult with that person during the hearing, but the person shall not participate as an advocate or speak on the student facing charges behalf.

The student facing charges also has the right:

- a. To request the HCHP to ask further questions of a witness;
- b. To request the HCHP call additional witnesses in the matter;
- c. To testify and submit relevant materials;
- d. To refuse to answer any incriminating question; and
- e.

The minimum sanction that will be imposed for any Honor Code violation is a written reprimand, which will be placed in the student's educational file.

d) EXTENSIONS OF TIME

Extensions of time may be granted for good cause, as determined by the Faculty Chair of the Honor Council. Multiple extensions of time will only be granted in extraordinary circumstances, as determined by the Faculty Chair of the Honor Council.

e) DECISION

The HCHP shall issue its decision in writing to the student facing charges within 10 school days of the hearing. The decision shall contain findings of fact, findings of responsibility, and sanctions. The Honor Council Process concludes with the delivery of the HCHP decision.

f) APPEAL

A student facing charges is able to appeal a decision by the HCHP only after the conclusion of the Honor Council Process (that is, after the HCHP has determined responsibility and sanction(s)).

The HCHP's decision may be appealed on the following bases:

1. The finding of responsibility is based on finding of fact that are clearly erroneous;
2. The finding of responsibility is based on an erroneous interpretation of this Honor Code that resulted in prejudicial error;
3. The recommended sanction is disproportionate in light of the violation of this Honor Code;
4. Departures from procedures detailed in this Honor Code caused a prejudicial error.
5. A student may submit a written appeal to the Dean of the School of Law within 10 school days of the receipt of the HCHP decision.

Upon a review of the full written record, the Dean will issue his/her decision to uphold the HCHP in full, uphold in part, or reverse. The Dean's decision will be issued within 10 school days of receipt of the student's appeal. The Dean's decision is final.

g) RECORD KEEPING

When a student is found responsible for an Honor Code Violation, a copy of the Investigation Report and the HCHP decision will be placed in the student's educational file. If a student is found not responsible, a copy of the Investigation Report and Hearing Panel Decision with names of the hearing panel members will be placed in the student's educational file for the duration of the academic year.

h) REPORTING

On an annual basis, the Honor Council will report to the student body and faculty statistics of its proceedings as follows:

1. Number of reports received by the ADAA of alleged Honor Code Violations
2. Number of completed Investigations
3. Number of findings of Responsible / Not Responsible
4. Description of the types of violations heard through the Honor Council process and the types of sanctions imposed
5. Recommendations for strategies to improve the culture of integrity at the School of Law



## D. COMMUNITY STANDARDS CODE

### 1. PREAMBLE

that all students will respect the rights of all members of the Detroit Mercy Law community to enhance the educational environment. The Community Standards Code establishes a commitment to fostering an environment that recognizes the personal, ethical, psychological, social, and spiritual potential of all students. All members of the Detroit Mercy Law community are expected to read this Code and adhere their conduct to it.

This Code also sets forth the procedures to be followed when there is an allegation that the Community Standards Code has been violated. This Code is designed to address any alleged violation in a fair and expeditious manner.

### 2. COMMUNITY STANDARDS

The Community Standards Code is based on the expectation that all students, and other members of the Law School Community, treat all members of the Community with dignity, respect, fairness, and civility and to behave in a responsible manner at all times both in and outside of the classroom. Conduct that violates this expectation includes:

- a) Disorderly conduct including:
  - i.

- n) Sexually harassing another person in violation of the University's Sexual Harassment Policy and/or the Sex- and Gender-Based Discrimination Policy.
- o) Acts of retaliation – words, actions, or written communication that imply or state another individual of the Detroit Mercy Law community will be harmed or harassed for participating in the Community Standards or Honor Code procedure.

### 3. PROCEDURE

#### a) REPORTING

All members of the Detroit Mercy Law community have an affirmative duty to report known or suspected violations of the University's Honor Code. Other than reports of sexual harassment or misconduct, reports must be made in person or in writing to the Assistant Dean for St-2(h)

1. Statement of the allegations and the relevant Community Standards at issue;
2. Review of the steps taken in the investigation; and
3. A determination of whether credible evidence supports the charge, and if so, a description of the evidence.

Absent good cause, the investigator's report should be completed no more than 10 school days after the ADSA receives notification of an alleged violation. The investigator will submit his or her report to the ADSA.

If the investigator does not find credible evidence to support the charge, no further action will be taken, but the ADSA will keep the report with names redacted for the duration of the academic year.

c) COMMUNITY STANDARDS RESOLUTION HEARING PROCESS

Upon receipt of the investigator's report in which a finding of credible evidence is made, the ADSA shall set a hearing date, which shall be within 10 to 15 school days after the student facing charges response is due, as described below.

The ADSA will present the student facing charges with a description of the charge(s), a copy of the Investigator's Report, as well as the Community Standards Resolution Hearing date. Within 5 school days, the student facing charges must either admit responsibility for the Community Standards violation, or contest the report. The student facing charges

least two school days in advance of the Resolution Hearing if a student intends to bring an advisor to a Resolution Hearing. The advisor serves as a support person and is intended to be of direct assistance to the student before and during the Resolution Hearing. The student has the right to reasonably consult with the advisor during the

A

f) APPEAL

appeals committee already exists. Illustrative examples might include a failure to provide wheelchair access to a classroom or classroom harassment. Even if discriminatory animus is alleged, the grievance procedure does not include appeals from academic determinations such as grades, probation, admission, dismissal, or readmission, that are within the jurisdiction of the appeals committee, which has its own procedures.

*Student* means anyone enrolled for the purpose of taking courses at Detroit Mercy Law. *Grievance* means an allegation of improper discrimination. A law school grievance officer shall be appointed by the Dean but shall not consult with the Dean on any particular grievance. *Respondent* means the person or person alleged to have discriminated.

A grievance shall be initiated with the filing of signed, written charges with the Associate Dean for Student Affairs. If the law school grievance officer finds an allegation of discrimination to be supported by probable cause, s/he shall furnish the respondent and the Dean with a copy of the written charges and the Dean shall convene a three-member *ad hoc* Student Civil Rights Grievance Committee (SGC). The SGC shall consist of two faculty members and one student.

In not less than seven nor more than 21 days after the charges have been served upon the respondent, the SGC shall hold a hearing to consider oral and written evidence in support of and in opposition to the charges. The hearing shall be held with the necessary decorum of a quasi-legal proceeding, an oath or affirmation shall be administered, and the parties shall have the rights to be represented, present witnesses, confront and cross examine witnesses. The respondent may testify or refuse to testify. The law school shall tape record the hearing.

4.

formal complaint of misconduct. However, it does allow those affected by such violations to have a support system and an avenue for recourse.

Students proven responsible for hate-motivated violations are subject to a range of disciplinary sanctions up to and including disciplinary expulsion from Detroit Mercy Law. The Associate Dean for Student Affairs may impose harsher sanctions when behavior is proven to be motivated by hate. As in all cases of misconduct, including hate-motivated offenses, both the accused student and the complainant have rights that are granted through the *Student Handbook*.

## G. MEDICAL AND PSYCHIATRIC SEPARATION

To help students perform their best, the University of Detroit Mercy provides the service of a personal counselor. If a student's behavior, as determined by the Associate Dean for Student Affairs, significantly impairs his or her welfare, disrupts or threatens the campus community, or makes excessive demands on the staff, the Associate Dean for Student Affairs, possibly in consultation with the personal counselor and/or the health center director, may request the student to undergo an examination by a medical doctor and/or a psychiatrist at his/her own expense. The Associate Dean for Student Affairs will, if necessary, call for the separation of the student on medical or psychiatric grounds.

## H. ALCOHOL AND OTHER DRUGS POLICY

As an academic community, the School calls on its members to seek knowledge, build healthy relationships, and take responsibility for their individual well-being. Alcohol and other drugs can endanger this lifestyle. Abuse of alcohol and the use of illicit drugs causes damage to health, threatens safety of self and others, interferes with academic and societal performance, and often leads to legal and financial problems. Even in a situation of legal and normal use, alcohol can increase the likelihood of injury, property damage, and deterioration of a healthy lifestyle.

To protect the privileges of all members of the Detroit Mercy Law community, the School prohibits the unlawful possession or distribution of alcohol and other drugs on campus. The School prohibits the use of alcohol and other drugs in any School-related activities. The school wants each student to be aware of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of alcohol. Students may find copies of these laws in the library. Here is a summary of Detroit Mercy Law





1. Smoking is prohibited in any Detroit Mercy Law building, space within a building, or structure owned, leased, rented, or operated by the School.
2. Smoking is prohibited in any vehicle owned, leased, or rented by Detroit Mercy Law.
3. Smoking is prohibited at the Larned entrance and on the Larned ramp at all times and in all weather conditions.
4. Smoking is prohibited within 25 feet of all other Detroit Mercy Law entrances, including the loading dock, fire exits, etc., at all times and in all weather conditions.
5. Smoking is permitted in the courtyard. Smokers are responsible for properly disposing of cigarette butts and other smoking-related trash.
- 6.

1. A person responsible for admission to a facility or event may require that ID is shown as a condition of admission.
2. School employees responsible for the security of buildings, facilities, grounds, or property may require ID to be shown.
3. ID cards must be used to enter areas of the School with doors protected by card readers, including the atrium and main doors leading to the classroom wing.
4. Falsified ID is subject to confiscation. Valid ID may be confiscated by those mentioned above for infractions of Detroit Mercy Law policy. ID will be turned over to Student Affairs officials by the next business day for appropriate disciplinary action.
5. Student identification cards are valid only for those terms in which a student is enrolled and registered. Students who are dismissed or transfer must return their cards to Student Affairs.

## O. DEMONSTRATIONS

Students who wish to engage in demonstrations as a means of intellectual, spiritual, ethical, or social development may do so. However, their ability to demonstrate does not supersede the right to safety, protection of property, or the educational process of the larger Detroit Mercy Law community. Therefore, demonstrations may not interfere with the educational mission of Detroit Mercy Law, nor may they impede the free passage in rooms, corridors, walks, street entranceways, or areas where members of the Detroit Mercy Law community or its guests have the right to be. The ability to demonstrate is protected only so long as it does not interfere with the rights and freedoms of others. Detroit Mercy Law reserves the right to dictate time, place, and manner of demonstrations or any similar gathering.

If the Associate Dean for Student Affairs or the Director of Public Safety (or their designees) judge that the demonstration is not respecting the rights and freedoms of others, the demonstrators will be informed that they need to modify their behavior to be respectful of those rights and freedoms listed above. Demonstrators are expected to comply immediately. Failure to comply may result in a notification of local law enforcement authorities with appropriate legal and Detroit Mercy Law charges filed against the demonstrators. Demonstrators that fail to respect the rights and freedoms listed above may incur both civil penalties and Detroit Mercy Law disciplinary action.

## P. POLICY ON STUDENT COMPLAINTS IMPLICATING COMPLIANCE WITH ABA STANDARDS

Detroit Mercy Law is committed to the highest standards of legal education and its compliance with the ABA Standards as required by Standard 512.

### 1. SUBMITTING A COMPLAINT:

A student complaint about Detroit Mercy Law must be submitted in writing to the Associate Dean for Academic Affairs or the Assistant Dean for Student Affairs. The complaint should state the facts that form the basis for the complaint and how the matter implicates the or more specific, identified ABA Standards. The person to whom the complaint is submitted shall acknowledge receipt of (n)-4(t)-16(is)7()-14(s)53(t)-122(A)-28(l)-25(N)-24(T)] TJ2.0

Associate or Assistant Dean shall attempt to resolve the complaint within this 20 business day period. Any resolution of a complaint under this policy should include a meeting between the Associate or Assistant Dean and the student complainant and a written response to the complainant. This written response shall include information about the steps to be taken to further investigate or address the complaint. The person investigating and resolving the complaint shall prepare this written response to the student complainant within 10 business days after completing his/her investigation.

### 3. APPEAL PROCESS

A student complainant may appeal the resolution of a complaint under this policy to the Dean. The student must first request a meeting with the Associate Dean who investigated the complaint. The student must submit a written appeal to the Dean within ten business days of receiving the Associate Dean's decision. The Dean's decision is final. The Dean or his/her designee shall inform the student complainant and the Associate Dean who investigated the complaint of his/her decision within ten business days of receiving the appeal.

### 4. MAINTAINING THE RECORD OF A COMPLAINT

The School shall maintain a complete written record of each complaint and its resolution for seven years in a confidential file in the Office of the Associate Dean for Academic Affairs.

## Q. SOCIAL MEDIA POLICY\*

This policy provides guidelines for student use of social media sites. Social media sites include, but are not limited to, Facebook, Twitter, MySpace, YouTube, and LinkedIn.

product, or publication.

- i. In personal posts, you may identify yourself as a Detroit Mercy Law student. However, please be clear that you are sharing your opinions as an individual and not as a formal representative of Detroit Mercy Law.

3.

Mercy. This policy also applies to all vehicles owned or leased by Detroit Mercy and all vehicles that enter any Detroit Mercy campus.

Detroit Mercy reserves the right at any time and at its discretion to search all Detroit Mercy-owned or leased vehicles, and all vehicles entering any Detroit Mercy campus. Detroit Mercy also reserves the right at any time and at its discretion to search all packages, backpacks, duffels, handbags, boxes, bags, containers, dormitory rooms, lockers, desks, work areas, and persons entering the campus, to determine whether a person or persons have brought weapons onto any Detroit Mercy campus in violation of this policy. Any student or employee who refuses to permit a search will be subject to discipline up to and including expulsion or discharge, as appropriate. Independent contractors will be subject to termination and immediate removal from the campus.

## S. TITLE IX AND CAMPUS EQUITY

It is the policy of the University of Detroit Mercy to maintain an educational and working environment that stresses the dignity of all individuals. University of Detroit Mercy does not tolerate sex or gender-based discrimination, sexual harassment, sexual misconduct, stalking, retaliation or other behaviors proscribed by Title IX of the United States Education Amendments of 1972, 20 U.S.C. § 10622, and the University of Michigan-Larsen Civil Rights Act. These behaviors are not tolerated by any student, faculty, employee, independent contractor, vendor, visitor or other individual who does business with the University.

All members of the University community, as noted above, are obligated to abide by the University's Policy Prohibiting Sex and Gender-Based Discrimination, which can be found here:

[https://www.udmercy.edu/academics/academic-affairs/titleix/files/Detroit\\_Mercy\\_Policy\\_Prohibiting\\_Sex\\_Gender\\_based\\_Discrimination.pdf](https://www.udmercy.edu/academics/academic-affairs/titleix/files/Detroit_Mercy_Policy_Prohibiting_Sex_Gender_based_Discrimination.pdf)

The Deputy Title IX Coordinator for the Law School is Megan Jennings, Associate Dean for Student Affairs.

As a part of your training, you are required to complete the online training module *About It-Grad*, an online CampusClarity training module. *Think*

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