

# RUTGERS

School of Law | Newark

## **Student Handbook**

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Dean's Office

Rutgers School of Law-Newark  
Center for Law and Justice  
University Heights  
123 Washington Street  
Newark, New Jersey 07102-3190



## Chapter 1 LAW SCHOOL FACILITIES

### **The Center for Law and Justice**

The Center for Law and Justice of Rutgers University, located at 123 Washington Street, Newark, houses the School of Law, the School of Criminal Justice, and the graduate Global Studies program, as well as the offices of the Chancellor (5<sup>th</sup> floor) and Alumni Relations (1<sup>st</sup> floor). The law school currently occupies the lower level and levels one through four. Questions and concerns about physical conditions in the Center for Law and Justice should be addressed to Francina Skipper in Room 192 (353-3055).

### **Classrooms**

The Center for Law and Justice contains 21 classrooms, with the primary lecture halls located on the lower level, and other classrooms and seminar rooms on each of the other floors. All rooms have been assigned three digit numbers, with the first digit signifying the floor level of the room. (Thus, the McCarter & English Lecture Hall 070 is located on the lower level, and the Marvin D. Hyman Seminar Room 408 is located on the fourth floor.) In addition to the traditional lecture and seminar rooms, the Center for Law and Justice holds two courtrooms, the Baker Trial Courtroom and the Chief Justice Robert N. Wilentz Appellate Courtroom, which are part of the David Cohn Court complex located on the first floor. A distance learning classroom is located on the third floor, and the south end of the fourth floor is dedicated to clinical studies.

### **School Office Locations**

**Administration:** Administrative offices are located on the first and second floors. With some exceptions, the offices are generally open from 8:30 a.m. to 4:30 p.m. Mondays through Fridays. Some offices are open several evenings a week. All offices will be available to part-time students in the evening by appointment. Students are encouraged to check notices at these offices for any schedule changes. More information regarding the services provided by these offices than provided in the text below can be found on the Law School webpage.

- The Career Services Office (second floor, rooms 220A-226) This Office is responsible for all law school career development activities for students and alumni, including career counseling sessions, seminars and workshops. This Office coordinates our extensive on-campus interview program, and maintains career search tools and resources, including on-line job postings, an electronic judicial clerkship application process, streamlined resume referrals, and a full service on-line career resource library, and work-study assignments. Assistant Dean Stephanie Richman oversees this office, and Jessica Kitson is Assistant Director of Career Services, and is its Public Interest Advisor.
- Financial Aid Office (second floor, room 229) This office works directly and exclusively with Law School Students, serving as liaison with the University financial aid office, and

is responsible for offering financial counseling to students, and administering awards, scholarships and other funds provided to Law School students. This office also coordinates the Loan Repayment Assistance Program, which helps graduates who take employment in public interest and public service jobs pay down their law school student loans. Nicky Fornarotto is the Law School Financial Aid Coordinator.

- **Minority Student Program Office (first floor, room 172)** Assistant Dean Yvette Bravo-Weber oversees the MSP Program, which includes the MSP Orientation, the MSP summer internship program and the MSP academic support program. She also is a member of the Admissions Committee and the MSP Committee, advises the Dean on minority legal issues and serves as liaison to the minority bar associations and other external organizations. Dean Bravo-Weber also oversees the law school's externship programs, including judicial externships, immigration law externships, the Attorney General externship and the IP externship.
- **Student Affairs Office (first floor, room 176)** The Office of Student Affairs provides a vast array of student services, including general counseling and academic advisement; oversight of independent projects, and all law school examinations; advising for all non-academic student organizations; coordination of orientation- and graduation-related activities; and serving as the clearinghouse for information and services for individual students. This office also administers the University Code of Student Conduct as it relates to Law Students, and handles questions about, or claims of, sexual, racial or other harassment among students, or involving students and law school personnel. Student Affairs also manages accommodations made by the law school for students with disabilities. Associate Dean Frances Bouchoux oversees the Student Affairs (as well as the Admissions and Career Services offices); Senior Assistant Dean Andrew Rothman is responsible for all services provided by the Student Affairs office.
- **Academic Affairs (fourth floor, room 413)** Associate Dean and Professor Cynthia Blum is principally concerned with faculty-related matters and educational programming and planning. Students may see her about curriculum, grading policies, and other matters affecting academic policies. She also administers, in cooperation with the other deans, the University Code of Student Conduct.
- **The Registrar's Office (Room 174)** The Law School Registrar's Office is responsible for all academic record-keeping functions; registration materials and class rosters are prepared and distributed from this office, enrollment changes and grades are recorded here, and examination numbers are distributed from here. Assistant Dean Linda Garbaccio manages this office.

**Faculty and faculty secretaries:** Faculty offices are located on the fourth floor. Faculty secretaries are in rooms 410 and 480; office hours are Monday - Friday 8:30 a.m. - 5:00 p.m.

**Clinics and other Student Advocacy Programs:** The clinics, clinical faculty offices, and the clinic library are located on the 4th floor, at the southern face of the building. The clin-

ics, in which students represent real clients in specialized practice areas under the supervision of faculty/practitioners, earn students academic credit just like any other course offering in the Law School. The clinic offerings include the Child Advocacy Clinic, the Community Law Clinic, the Constitutional Litigation Clinic, the Environmental Law Clinic, the Federal Income Tax Clinic, the Special Education Clinic, and the Urban Legal Clinic. In addition, the Law School Pro Bono Program offers students opportunities to serve the community while developing their legal skills, but not in credit bearing enterprises. These include the Domestic Violence Advocacy Project, and the Street Lawyering Project as well as other programs.

**Student Publications and Organizations:** Student organizations are on the lower level, near the Atrium. Student publications and the Moot Court Board offices are located on the third floor, on the western and northern sides of the building, respectively.

### **THE LAW SCHOOL WEB PAGE**

The Rutgers Law School web page is located at <http://law.newark.rutgers.edu>. This website contains a wealth of information, kept current by the Dean's Office. All students are urged to browse through this site frequently to stay current on all law school matters.

### **EMERGENCIES**

University Police:

**Emergency Telephone: 973-353-5111** Regular Telephone: 353-5581

Center for Law and Justice receptionist desk: 353-5561

Nearest hospital emergency room: St. Michael's Hospital, 306 Dr. Martin Luther King, Jr. Blvd. at Central Avenue 623-8200, ext. 261 **(Call University Police for emergency transportation.)**

Student Health Center, Blumenthal Hall, 249 University Avenue, at Raymond Blvd., 353-5231 **(Call University Police for emergency transportation.)**

To reach a law student, professor or staff member quickly and easily you can use the internet at <http://search.rutgers.edu/index.php?form=people>. To contact a student **in an emergency only**, call:

Dean Rothman: 973-353-5671, or 353-5561

To hear information regarding class cancellation or school closing (see page 11), check the "Announcements" page on the Law School website.

## **The Law Library (see also, Appendix A) (973-353-5676)**

The only entrance to the library is on the 1<sup>st</sup> floor, at the southern end of the building, and the circulation desk is located there. From the 1<sup>st</sup> floor, internal access is provided to the 2<sup>nd</sup> and 3<sup>rd</sup> floors, where additional reading rooms, computer labs, hard-wired internet accessible carrels and study tables will be found. All locations within the library provide wireless internet access as well. Except for emergencies, there is no access to or from the library except on the 1<sup>st</sup> floor. (Misuse of emergency exits is a violation of the University Student Code and may subject a student to dismissal.) Travel from one library floor to another may be accomplished through use of the elevator located in the western wing of the library or by using the internal library stairs, located at the rear of the 1<sup>st</sup> floor and the center of the 2<sup>nd</sup> and 3<sup>rd</sup> floors. Those requiring special access should consult with the library staff at the Circulation or Reference Desk on the 1<sup>st</sup> floor. After 7:00 p.m., access to the 3<sup>rd</sup> floor is limited to law students, and access is controlled by swiping the Law School ID card through a card reader at the access door. Cards must be specially programmed for access. Students should bring their IDs for programming to the Department of Public Safety, which is adjacent to the entrance to Parking Deck I on University Avenue.

A series of small study rooms is located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors within the library. These rooms are for the exclusive use of Rutgers Law School or Rutgers School of Criminal Justice students either in study groups or as individuals using audio or video equipment or typewriters for academic purposes. Procedures for reserving these rooms are described in Appendix A: Library Regulations; Regulation 21.

While classes are in session, the law library opens Mondays through Fridays at 8:00 a.m., Saturdays at 9:00 a.m., and Sundays at noon, and remains open every day until midnight. Special examination period, summer, and holiday schedules are announced and posted in advance.

The library's regulations are printed in Appendix A. Students are reminded of two rules of importance to the proper operation of the library and the well-being of the law school:

1. After using books, reshelve them to their proper locations unless:
  - a. the books have been charged out at the loan desk, in which case they must be returned to the loan desk, or
  - b. the books have call numbers, in which case the staff will reshelve them.
2. Patrons are not allowed to eat in the library. Patrons may consume beverages if they are contained in spill-proof mugs that the library staff has approved for use. Bottled water is also permitted. Repeated failure to obey this rule may subject a student to disciplinary proceedings that may result in suspension.

Law school students may, of course, study at, and charge out books from Dana Library, the main Rutgers-Newark library located on the Campus Plaza behind Conklin Hall. (This will be particularly convenient for students living in the Talbott apartments.) See a Circulation Desk

staff member or librarian about inter-library loans or the use of other libraries, including other Rutgers libraries.

## **The Atrium**

The Atrium serves as the central meeting area and student lounge. It is located on the lower level, at the foot of the spiral staircase, and extending back to the southern face of the building. Additional areas on the 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floors, around the staircase and at the front (northern) face of the building have been outfitted as small lounges with informal seating areas. The furniture in these areas is not to be moved from their general location. The Atrium is used primarily for informal purposes; large functions are kept to a minimum there.

Because of its proximity to the classrooms, during reading periods and when examinations are being taken, use of the Atrium for noisy events is restricted during those periods. Specifically, the Law School SBA and faculty adopted a resolution last year establishing the following limitations of the use of the Atrium during examination periods:

1. No bands, loud music or instruments with amplifiers will be used.
2. No PA systems will be used.
3. No event will reach a level that is disruptively audible in the Law School Library.

Regardless of this policy limiting noise at certain times, the Atrium remains a social setting where regular congregating, conversation and cell phone use is allowed. Students who require a quieter study environment during this period are expected to use the library.

There are also study rooms on the 2<sup>nd</sup> floor, facing into the spiral staircase. These study rooms are for the use of Rutgers Law students, and for use by the Career Services and the Dean's Office. To insure that they are maintained in good condition, they are kept locked at all times when not in use. See Dean Rothman or Francina Skipper for access to any one of these rooms.

**PLEASE try to keep these areas free of trash. Clean up! The law school's lounges and study rooms are yours to use and enjoy. Leave them the way you would like to find them, and please do not move the furniture into or out of these areas.**

Shrubs, plants and trees have been placed around the front entrance to the Center for Law and Justice. They are cared for by a professional landscaping company. Please refrain from watering, pruning or otherwise caring for the plants.

## **Lockers and Mailboxes**

Each registered student will be issued a locker/mailbox unit in their first year attending law school, which they will keep for all of the years of attendance. Locker/mailbox units are located in the lower level of the Center for Law and Justice, and are grouped by class (Day/Evening, Year of Graduation), with each student's locker arranged within each group by alphabetical order based on the class roster. Lockers for late matriculants will be grouped at the

end of the alphabet. There is no charge for the use of the locker/mailbox unit, but there is a \$25.00 non-refundable charge for lost or otherwise missing keys. Keys must be returned to the Faculty Support Office (Room 480A) upon graduation, transfer, or leave of absence. **There will be a hold on the transcript of those students who do not turn in their locker/mailbox or pay the \$25 charge.**

Each student will be issued a key to his/her unit at Orientation. If for some reason you do not obtain a key to your locker/mailbox unit at Orientation, you can pick it up from Francina Skipper, Room 192.

Students are urged to check their mailboxes regularly as they will at time contain official notices, such as registration materials, as well as intra-school communication. However, most official communications will be through your e-mail accounts (see below). **The mail boxes may not be used for commercial messages, including bar-review course information, nor for first class mail:** all first class mail sent to students at the law school will be held for five days and then returned to the sender. Use your home address! No one may place any material of any type on the outside of the locker/mailbox units. These units will be inspected each year, and a charge will be assessed to any student whose unit is found to have been damaged.

### **Student E-Mail Accounts**

Each first year student at registration is provided with an account on [pegasus.rutgers.edu](https://www.pegasus.com), which provides full e-mail and Internet access. This account permits electronic communications within the University and to all internet users world wide, and is included within the student fees; there is no additional charge. A computer lab is located in the library on the third floor, from which students can access their e-mail, research via the internet, and use other applications software (word processing, etc.). Instructions are also available at the computer lab for configuring home and laptop computers to access e-mail and internet service. *The Faculty and Deans Office routinely communicate to students via e-mail in lieu of messages in student mailboxes; it is therefore imperative that all students review their e-mail regularly.* You may also access unofficial transcripts from your pegasus account through the University Registrar's web site at <https://www.acs.rutgers.edu/grades>.

If you already have e-mail service, and wish to continue to use that service, you must still open a [pegasus.rutgers.edu](https://www.pegasus.com) account. **The Law School Faculty and administration will only contact you through your pegasus account,** and will only maintain a directory of students' pegasus e-mail addresses.

*Of course, you may configure your account so that all your pegasus e-mail is forwarded to another service of your choosing, but you should be aware that many commercial e-mail providers use software that shields their customers from bulk mailings, and most of the official notices from the Dean's Office is likely to be sent in a bulk distribution; thus, using a forwarding command may result in your not receiving important messages. We therefore strongly recommend that you adopt your pegasus account as your primary e-mail and internet access account.*

## **Mail for Faculty and Student Organizations**

Mailboxes for faculty, administration and clinics are maintained within the faculty lounge on the fourth floor. Mail for faculty members may be left with the faculty support personnel in Room 480A. Mailboxes for student publication and organizations are located in the student lounge, behind the vending machines on the lower level. These must be emptied prior to the last day of examinations in the spring semester.

## **Lost and Found**

The Library Circulation Desk on the 1st floor maintains a lost and found drawer. Items not retrieved from there within a reasonable period will be forwarded to Dean Rothman's Office. Items found in the library may be returned to the Circulation Desk. All other lost items should be brought to Dean Rothman's office within a day of the finding. Items of significant monetary value will be transferred to the University Police for safe-keeping. At the end of each academic year, unclaimed items will be discarded or donated to charity.

## **Photocopy Machines**

Coin-operated photocopy machines for general use are available on each floor of the library. A coin-operated microform reader printer is available on the 2nd floor. The Documents Librarian will provide assistance. Malfunctions of machinery may be reported to the Circulation Desk on the 1st floor.

## **Telephones**

Cell phone use is prohibited in the law library and in the classrooms while class is in session. If you are expecting a call or need to make one, please proceed to the building's front entrance or rear patio on the lower level to make your call.

## **Restrooms**

Large public restrooms are located on each level of the Center for Law and Justice, on the eastern side of the building, and are accessed from corridors marked by green exit signs that face the main elevators.

## **Overnight Delivery Service**

Overnight mail services (Federal Express) is available near the front of the Law School on Washington Street, at the New Street traffic light. Pick-up is daily, and usually by 6:00 p.m.

## **Facilities for the Physically Challenged**

Rutgers Law School-Newark complies with Section 503 of the Rehabilitation Act of 1973 and with the Americans with Disabilities Act, which prohibits discrimination on the basis of a handicap in educational programs and activities. An automated entrance, and classrooms, telephones, water fountains, toilets, and elevators accessible to persons in wheelchairs are provided. Physically challenged and otherwise disabled students requesting accommodations must consult with Dean Rothman. Students with bona fide disabilities that affect their capacity to take full advantage of the Law School's educational program should contact Dean Rothman. If, after discussion with him, it is determined that a reasonable accommodation will facilitate disabled students to enjoy the full benefit of this program on a par with their non-disabled colleagues, such accommodation will be provided.

The law school also recognizes the rights of faculty and is sensitive to issues of academic freedom when these rights do not conflict with the law. Thus, taping of classes, which might in some instances be an appropriate accommodation, can be made subject to certain conditions. These conditions may relate to such matters as copyright issues, privacy, and the sharing and return of tapes.

## **Purchase of Law Books**

The University Bookstore operates a permanent facility at Bradley Hall, on the corner of Warren Street and Martin Luther King Blvd. Check the bookstore for times. The University Bookstore (Barnes & Noble Book Service) stocks all textbooks assigned by the faculty as well as a complete line of hornbooks and other legal-studies aids. Most of the books it sells are new. It also carries a wide variety of school supplies and specialty items like Rutgers Law School T-shirts. The Bookstore plans to send a representative to the law school for sales of books during the first week of classes. First year students can check the Rutgers Law School web site for a listing of the books you will need, at [www.law.newark.rutgers.edu/entering\\_students\\_089.html](http://www.law.newark.rutgers.edu/entering_students_089.html). A second book store, unaffiliated with Rutgers, New Jersey Books, is located on the corner of University Avenue and Bleeker Street, and it, too, generally stocks all textbooks assigned by the faculty.

## **Parking and Transportation Services (353-5818)**

The University's Parking Decks are open as follows: Parking Deck I on University Avenue between New and Warren Streets is open 24 hours a day, seven days a week; Parking Deck II on Washington Street, corner of Warren Street, is open from 7:00 a. m. to midnight, Mondays–Thursday, and to 10:00 p.m. on Fridays. Students are eligible to park there upon purchasing a registration decal from the Parking and Transportation Services Office, Blumenthal Hall, 249 University Avenue. The decal charge is \$25.00 and the maximum per day charge is \$3.00. Students may also opt to purchase a semester long prepaid parking permit, for daily commuter parking during the period prior to the expiration of the permit, for \$179 (plus tax) per semester.

Campus parking and traffic regulations are obtainable from the Office of Parking and Transportation Services, Blumenthal Hall, telephone 353-1818, or on the Newark Campus web site at <http://nwkparking.rutgers.edu/index.html> .

### **Railroad Passes; Buses; Rutgers Shuttle Bus**

Full-time students may purchase monthly New Jersey Transit railroad commutation tickets at 25 % off the regular fare. See your local station master for the application. Forms are validated by Ms. JoAnn Watral in the Dean's Office, 1st floor. The University maintains shuttle bus service that connects the main Center for Law and Justice with Newark's train and bus stations and the Talbott and University Plaza Apartments. In addition, the Council for Higher Education in Newark (CHEN) provides van service to transport students and staff from Rutgers-Newark, Essex County College, NJIT, and UMDNJ to several stops in University Heights and to New Jersey Transit's Broad Street train station. For a schedule and more information on shuttle stops, visit <http://nwkpolice.rutgers.edu/chen.html>.

## PRACTICES, POLICIES, AND PROCEDURES

### Security

Because Rutgers School of Law is a public institution, with a law library serving the general public as well as the law school community, the Center for Law and Justice is open to the public at all times that the library is open. For the safety of students, and the Law School community as a whole, campus security officers regularly patrol the building during the day and evening hours, and new security measures put into effect last year have significantly decreased the traffic of members of the general public within the building. Under these new procedures, access to the building is limited to students, faculty and staff displaying a valid Rutgers ID; visitors using the library, and announced guests accompanied by a student, faculty member or member of the administrative staff. All people entering the building must show ID to the security guard stationed at the entrance, and all guests must be signed in and wait at the security desk until they are met by their Rutgers "host."

In addition to these security measures, house phones are installed on each floor, the restrooms and various offices have been wired with "panic buttons," and the front and sides of the building are under video surveillance. Nevertheless, caution is recommended, particularly with regard to your valuable personal belongings. Any unusual activity or suspicious person(s) should be reported at once to the front desk (353-5561), or directly to the campus police (353-5111). **Students should keep valuables including computers, cellular phones, books, notes, and coats close at hand, and should carefully re-lock lockers after use.**

The shuttle bus service (see above) stops at the Boyden Hall (across University Avenue, at the far west end of the Plaza in front of the Law School), and will take students to the New Jersey Transit stations during the afternoon and evening hours. Students are advised to walk in groups and be alert to the surroundings whenever walking through unfamiliar parts of Newark, or whenever there are few people around.

### Student Office Access

The faculty recognizes a right of privacy in student organization offices. Such right is not breached by entry for performance of custodial and maintenance tasks. Except in emergencies, all other persons who wish to enter a student organization office shall make reasonable attempts to provide actual notice in writing or by telephone and obtain a response from an authorized individual prior to such entry. If it is not possible to provide such actual notice, and serious inconvenience would result if entry were delayed, entry may be made in the presence of a student witness.

### **First-year Small Sections**

The entering class is divided into six sections of about 30-35 students to provide a more individual learning experience. To enable first-year students to meet their classmates and instructors in an informal setting, parties for each of these sections are held during the fall semester. Each party is organized by the section instructor, and Dean Rothman assists with the arrangements upon request.

### **Part-time Students**

There is no separate dean for the part-time program; all deans may be consulted by any student – part-time as well as full-time. Appointments in the evening are best arranged by first telephoning the appropriate dean during day-time working hours. Students are encouraged to communicate with the faculty and administration by e-mail for maximum convenience and responsiveness.

### **Emergency School Closing -- "Close-Line"**

Information on Rutgers University emergency closings is carried by the following radio stations: WOR-AM, WABC-AM, WCBS-AM, WINS-AM, WPST-FM, WRNJ-AM, WVNJ-AM & FM and WBRW-FM. However, the best place to obtain information regarding school closings is at the Rutgers webpage – closings are posted there even before the news media is alerted to the closing.

The Law School rarely cancels classes or examinations because of inclement weather. Individual professors will occasionally cancel a class because of the weather, health or other reason; students may learn of this by telephoning the law school's "CLOSE-LINE" (353-3490) or by checking their pegasus e-mail account. The Deans' Office will circulate global e-mail to the entire law school community or to the students in a particular class as soon as it is learned that school, or an individual class, has been cancelled. In the event of bad weather, the commencement of an examination may be delayed, but they are seldom, if ever, canceled.

### **Student Activity Period**

A mid-day break is scheduled each day for brief meetings and events. Events of longer duration are often held in the 3:50 to 5:50 p.m. time slot, so that both day and evening students may be able to participate.

### **Class Periods**

The law school's class day has class periods ("blocks") of varying lengths, ranging from 85 minutes to 2 hours. The purpose is to accommodate class sessions of varying length while minimizing the intervals between classes. Classes normally meet for 75 minutes, and seminars typically meet during the seminar period, 3:55 to 5:50 p.m.

## **Room Reservation Procedure**

A room in the Center for Law and Justice for a single event (such as a make-up class or organization meeting) may be reserved through Francina Skipper, by listing the event on the master calendar. Special or weekend use by student groups should be arranged in advance with Dean Rothman. This includes events that may require special custodial or security arrangements. Obviously, academic enterprises scheduling must take precedence over extra-curricular activities. Therefore, no reservations will be accepted during the first week of each semester while academic room assignments are being finalized. Reservations for the new student organization meeting room on the lower level, near the student offices, will be handled by Dean Rothman.

Reservations for Robson Student Center facilities are made directly with the Center (x5568). The scheduling of events in any other Rutgers-Newark buildings is made with the Scheduling Office (x5507). Dean Rothman may be consulted for help with arrangements.

## **Alcoholic Beverages**

The possession and use of alcoholic beverages on University property is regulated by state law and University policy. Alcoholic beverages may not be sold on the campus without a club license; nor may they be served free at functions having an admission, donation, or entertainment charge. **To reduce excessive drinking, nonalcoholic drinks, displayed as prominently, if not more so, than alcoholic drinks, and food, must be available whenever alcoholic beverages are served.** University insurance excludes coverage for injuries resulting from the sale of alcoholic beverages; thus the sponsor and seller may be held personally liable for damages. For further information, see Dean Rothman.

## **"Booths" in Atrium and Elsewhere**

Student groups may use the tables in the Atrium and cafeteria seating areas from time to time without permission for organizational activities such as distributing literature and soliciting petition-signers or membership, but not to sell things. Bar review representatives must get approval from Dean Rothman before launching their sales campaigns. Non-law students and outside groups require permission to use the any law school facility, and solicitation by outsiders is normally limited to specific law-related activities, such as bar review courses. For further information, see Dean Rothman.

No signs or posters may be attached to walls, floors, ceilings, columns or locker structures at any time. Neither may they be hung outside windows, or in any way that might create a dangerous situation. Those who do so will be charged the expense of removing such signs. Please use the bulletin boards (see page 12, above) and please use thumb tacks, not staples!

## **Student Demonstrations**

For fire safety and security reasons, demonstrations are not permitted in the building's lobbies, stairways, corridors, aisles, passageways, halls, or areas contiguous to exit doors, or in

the cafeteria. When space is available, meetings/demonstrations may be held in the central area of the Atrium and lobby, or in classrooms, so long as they are orderly and do not disrupt or interfere with the rights of other members of the academic community in carrying out their normal business. Realize that demonstrations cannot be conducted in the any space that by virtue of the noise or traffic will disrupt any class in progress or scheduled to be held.

### **Smoking**

**Smoking is prohibited in all areas of the building, including private offices.** Violations of this rule should be reported to Dean Rothman. First time violators receive a warning; second time violators are subject to the University's Disciplinary Code.

### **Identification Cards**

Rutgers I.D. cards are issued at the ID window on the third floor of Blumenthal Hall (Student Services Building). There is no separate charge for the cards, although there is a charge for replacement. A Rutgers University student number will be necessary to obtain an I.D. card; entering students will receive I.D. cards during Orientation. Students are required to carry their cards with them and show them upon request by University officials, most likely, security personnel. These cards must be programmed at the Record & Identification Section of the University Police (telephone: 353-5284) at Parking Deck I on University Avenue, for access to the building, to the third floor of the library, and to the parking garages. The Record office is open from 9:00 a.m. to 4:00 p.m., and is closed for lunch from noon to 1:00 p.m.

### **Change of Name or Address**

Students are required to report promptly any change of name, address, or telephone number to Dean Garbaccio. (If you tell us, we will tell the rest of the University. If you tell the main Registrar in Blumenthal Hall, they seldom tell us.) Students will be held responsible for notices sent to the address on file with the Academic Services Office. In compliance with the law on confidentiality of student records (see below), the law school will disclose the information on a registration form only in accordance with an individual student's instructions, and in conformity with the Buckley Amendment to the Family Educational Rights & Privacy Act (FERPA.)

### **Transcripts**

Official transcripts may be ordered on-line from the Rutgers University Registrar <https://transcripts.rutgers.edu/transcripts/index.html>. There is a no charge for transcripts to be sent outside Rutgers University.

### **Student Records (Buckley Amendment)**

The Family Educational Rights and Privacy Act of 1974, better known as the Buckley Amendment or FERPA, was enacted to ensure the confidentiality of educational records. The law seeks to achieve these goals by giving students these rights:

1. To inspect and review their education records (with some exceptions);
2. To seek correction of any inaccurate or misleading records, if necessary, through a hearing or the insertion of an explanation in the records;
3. To control the disclosure of the contents of the records to others (with exceptions); and
4. To file a complaint with the Department of Education concerning an alleged violation of the law by Rutgers Law School.

Accordingly, Rutgers Law School-Newark is hereby notifying you of your rights under the law and attendant regulations. Pursuant to the regulations, the school has formulated a statement of policies and procedures. The statement 1) explains your rights in some detail; describes the procedures you may follow to inspect your records and seek amendment of their contents; 2) gives the schedule of fees for copies; and 3) describes the circumstances under which "school officials," including faculty members, with "legitimate educational interests" may see your records without prior written consent. Summaries of the statement and the complete text are on reserve in the law library. The law school also has devised various forms, including consent forms, for students to use to authorize/limit the disclosure of records to others.

### **Directory Information**

The law permits the law school to disclose "directory information" about a student unless s/he has affirmatively requested the University not to disclose some or all of that information about him or herself. In conformity with the law's procedures, you are hereby notified that the University may choose to disclose the following information about you unless you inform the Campus Registrar's Office, 249 University Avenue, (on the sign-in registration form) by the end of the first week of the Fall semester not to do so: your local address, your local telephone number, your permanent address, permanent telephone number, educational institutions you have attended, degrees you have received, your course of study and years in attendance at the Rutgers Law School-Newark. The law school's policy of limiting disclosure, even though a student has not barred the disclosure of "directory information," is described in the statement mentioned above.

Further information on the law and Rutgers' policy and procedures of FERPA compliance is available from Dean Rothman or from the Office of Student Rights Compliance, Room 204, Van Nest Hall, Queens Campus, New Brunswick; telephone: (732) 932-7255.

### **Harassment**

As matriculants of the Law School, all students are bound by the University Code of Student Conduct (see Appendix C), as well as the Rules of Professional Conduct governing lawyers admitted to practice in New Jersey (see <http://njlawnet.com/nj-rpc/index.html>). Both prohibit sexual, racial, or other harassment of fellow students, faculty or staff. Harassment is statutorily defined by New Jersey law to mean, and here means, purposefully making or causing to be made a communication or communications anonymously or at extremely inconvenient hours, or in offensively coarse language, or in any other manner likely to cause annoyance or alarm, or subjecting or threatening to subject another to striking, kicking, shoving or other offensive touching, or engaging in any other course of conduct or of repeatedly committed acts with the purpose to

alarm or seriously annoy any other person. Harassment is considered a separation offense under the University Code of Student Conduct as a "heinous act."

Rutgers has adopted a policy prohibiting sexual harassment of employees by superiors and of students by faculty/staff and by fellow students. The following procedures are now in effect:

1. Any person on the Rutgers-Newark Campus who is made directly aware of a sexual assault or an incident of sexual harassment by faculty/staff must report the incident immediately to the Vice Chancellor for Student Affairs who can be reached at 973-353-5541.
2. Where continued danger exists for the victim, or for anyone else, the Campus Chief of Police should be notified first, who can be reached at 973-353-1670, and after that, the Vice Chancellor for Student Affairs.
3. The Vice Chancellor for Student Affairs will notify other agencies on Campus on a "need to know" basis, fully respecting the victim's right to privacy and the need to maintain confidentiality as required by law and our regulations.
4. Once Campus authorities have been informed, further notifications should be made, as appropriate, under University harassment or disciplinary procedures.
5. Reports of harassment between students should be made either to Dean Rothman or Dean Bouchoux, both of whom are trained campus Harassment Advisors/Investigators. Complaints by students about fellow students will be investigated and appropriate action taken under procedures adopted 7/1980 and subsequently amended.

### **Course and Professor Evaluations**

Questionnaires about courses and professors are distributed to all students by the SBA, in cooperation with Dean Rothman's Office, near the end of each semester, and sooner in the event of instructors whose promotion or tenure is being considered by the faculty. When tabulated, the statistical results are placed on file in the law library.

## **Tuition and Fees\***

Tuition and mandatory fees for the 2008-09 academic year are as follows:

Full-time New Jersey resident, per term*	\$ 10,430.00
Full-time non-New Jersey resident, per term	\$ 15,527.00
Part-time New Jersey resident, per credit	\$ 864.00
Part-time non-New Jersey resident, per credit	\$ 1,294.00

### *Student Fee* (per term)\*\*

Full-time (12 or more credits)	\$ 1073.50
Part-time (11 or fewer credits)	\$ 559.00

\*Applications for upper-class students to establish New Jersey domicile for tuition purposes are processed by the Registrar, Blumenthal Hall, Newark. Consult that office for forms, deadlines, and other requirements. Residency determinations for entering students are made by the Admissions Office.

\*\* The Student Fee (per semester) covers student use of the student center and the health center, and provides financial support for student activities and certain administrative services. The fee does not include the fee for intercollegiate athletics which entitles undergraduates to discounted prices for tickets.

## **General Refund Policy**

A student who voluntarily withdraws during the first six weeks of a semester will receive a partial refund of tuition on the following sliding scale:

Week of withdrawal:	<u>1st or 2nd</u>	<u>3rd or 4th</u>	<u>5th or 6th</u>	<u>Thereafter</u>
Percent of refund:	80%	60%	40%	0%

The effective withdrawal date is that date on which a written statement of withdrawal is received by the Registrar. No part of the student fee is refunded. The weeks as shown above are calculated from the day classes begin.

Any student whose registration is canceled by the Registrar will receive a full refund of tuition and student fee and a pro-rated refund of room and board. No tuition is refunded to students suspended or dismissed for disciplinary reasons.

### **Termination of Registration**

The University will terminate the registration of a student owing money to the University after it makes a diligent effort to collect the amount owed. The final bill will be calculated as though the student had voluntarily withdrawn. The student will be reinstated upon satisfying the indebtedness to the University and paying a substantial reinstatement fee. Failure to pay debts, including tuition and fees, parking fines, and library fines, also will result in the withholding of a) diplomas, b) transcripts; and c) certification of eligibility to sit for the bar. It also may result in a letter to the Board of Character and Fitness about the student's ability to manage financial matters.

## CHAPTER 2

### ACADEMIC INFORMATION

The material contained here is of critical importance to all law students. In it you will find graduation requirement information, program information, and the answer to nearly all your curriculum-related questions. *PLEASE READ IT CAREFULLY, AND CONSULT IT OFTEN.* If you still have questions after reviewing this material, contact Dean Rothman.

Students should consult the law school catalog and the registration materials distributed prior to each semester for further details on the academic program. Students should also regularly check e-mail directed to their “pegasus” accounts from the Dean's Office for information on impending deadlines, announcements of class lotteries, cancellation of classes, and review and makeup classes, changes in previous instructions, examinations and graduation instructions, and the like. You may also consult the Academic information page of the law school web site, which may be found at <http://law.newark.rutgers.edu> (and then click on “Students” and then “Current Students”).

#### J.D. REQUIREMENTS

A candidate for a J.D. degree must have completed two requirements:

- 6.0 semesters of residency, and
- 84 academic credits of work, of which at least 75 are not “soft” credit (see below for a complete description of “soft” credit), and of which at least 60 are taken in “in-class law<sup>1</sup>” courses.

**Residency Requirements:** Rules for meeting the 6.0 semesters of residency requirement differ for full-time and part-time students.

**Full-time students** complete each semester of residency by earning twelve or more credits during a semester of 14 to 15 weeks (exclusive of examinations). One of the semesters of residency may be completed by earning a total of 5.0 or more credits each during summer sessions in two different calendar years at Rutgers Law School, in classes that run for at least seven weeks. One-tenth (0.1) residency points are awarded for each law school credit earned in the summer session in such classes, up to a maximum of 0.5 residency points per summer session. Thus, successful completion of six full-time, fall or spring semesters completes this requirement ( $1.0 \times 6 = 6.0$  residency points), as does five full-time semesters and two summers of five or more credits ( $(1.0 \times 5) + (0.5 \times 2) = 6.0$  residency points), but not five full-time semesters plus

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<sup>1</sup> All “soft” credit enterprises, journal and moot court participation, other unscheduled credit, as well as clinic and interdisciplinary (non-Law) coursework can *not* be applied toward this 60 credit requirement.

one summer of four credits and one summer of six credits  $((1.0 \times 5) + 0.4 + 0.5 = 5.9$  residency points).

**Part-time students** meet their residence requirement as follows: 0.75 semesters of residency are completed during each fall or spring semester in which eight or more credits are earned as a part-time student. One-tenth (0.1) residency points are awarded for each law school credit earned in the summer session, in classes that run for at least seven weeks, up to a maximum of 0.5 residency points per summer session.

### **The 84 credit requirement**

After completion of the required curriculum (Contract Law, Criminal Law, Property Law, Torts, Civil Procedure, Constitutional Law, Legal Research and Writing, and the required first year elective), students are permitted to complete the required curriculum by selecting among the upper class electives classes, seminars, and clinics offered by the Law School each term with few limitations (see above), provided the Legal Ethics and Writing Requirements (described below) are completed before graduation.. In addition, students are permitted to take a limited number of courses offered by other graduate units at Rutgers, with Dean Rothman's prior approval.

Each semester, prior to the opening of registration, the Associate Dean of Academic Affairs circulates to students a letter offering guidance to aid in the selection of elective classes. A copy of the most recent such letter may be found at [www.law.newark.rutgers.edu/](http://www.law.newark.rutgers.edu/). To assist students further in understanding the 75 "hard" credit requirement, the following defines the coursework that does not satisfy the requirement – unscheduled, or "soft" credit.

### **Unscheduled ("soft) credit**

In addition to clinic work (which is considered "hard" credit), students may engage in other non-classroom experiences that will add to their understanding of the law, legal process, and legal scholarship. There is a total limit of nine credits for all these unscheduled, or "soft" credit undertakings together. (Of course, students may exceed this limit of nine unscheduled credits, but such excess credit will not count toward the 84 credits required for graduation.) Grades in all such enterprises, other than Independent Research and Research Assistants are Pass/"F". (But note: an election of the Pass/D/F option in a regularly scheduled class or in a clinic does not render that credit soft.) Carefully review the registration materials for each semester to check for any further explanations.

- a. Externships:** Students may register for two or three credits per semester to extern for a federal judge or magistrate, or a New Jersey judge or justice at the Superior Court level or above. There is a mandatory seminar component of this enterprise, which is supervised by Dean Bravo-Weber. There are also formal externships with the Attorney General's Office and with the National Labor Relations Board, and there is an Intellectual Property externship as well. Dean Bravo-Weber coordinates the formal externship program. Other externships, known as "Field Placements" are permitted in certain circumstances, but only under the supervision of a full-time faculty member, who must visit the site of the placement, coor-

dinate the work of the student with the on-site supervisor, and oversee the student progress and evaluation. All externships earn unscheduled (“soft”) credit only.

- b. Independent Research:** Students may register for up to three credits per project in supervised research with a full-time faculty member, but not adjunct faculty, visitors and staff attorneys. Students are expected to produce a work of substantial scholarship, or complete a directed reading comparable to that of a course or seminar with appropriate written accountability. Students should be aware that faculty members may not sponsor more than five such projects each semester. Projects intended to be written to gain admission as an editor on one of the Law School scholarly journals are limited to two credits. (Consult the journals for further details.) All independent research endeavors earn unscheduled (“soft”) credit only.
- c. Research Assistants:** Students may assist full-time faculty for two or three credits per project where a substantial portion of the student's work involves independent inquiry and analysis. All research assistantships earn unscheduled (“soft”) credit only.
- d. Teaching Assistants:** Students may assist faculty in particular courses, including acting as MSP facilitators, for up to two credits per semester. All teaching assistantships earn unscheduled (“soft”) credit only.
- e. Competitions:** Students may earn credit for intramural and interscholastic competitions which involve research, drafting, oral presentation, coaching or other substantive activities. Generally, intramural competitions will earn one credit, interscholastic competitions will earn two credits. Additional credit is awarded for advanced competition. There is a maximum of three credits per competition. Members of Competition Boards who research and draft problems, engage in other research activities or coach student competitors are eligible for up to two credits per semester for such work. All competition-based work earn unscheduled (“soft”) credit only.

**CAVEAT:** If you are a member of the Rutgers Law Review, the Computer and Technology Law Journal, the Race & the Law Review, the Law Record or the Women's Rights Law Reporter, you are eligible for up to six credits for your work. Three of those six credits will be counted towards the nine credits available for unscheduled coursework described above. Also note: all six credits earned on a journal, and all other unscheduled credits, are not counted toward the 60 required credits in non-clinic, law school courses described above. (See J.D. Requirements, pg 18.)

#### **The 60 “In-Class Law Course” credit requirement**

Consistent with the requirements for admission to the Bar in certain jurisdictions (New York and others), the Law School requires that no fewer than 60 credits be earned in scheduled

hard-credit, non-clinic classes offered by the law school. Thus, credit earned at another graduate unit (the Business School, for example) and applied (with Dean Rothman's approval) toward the 84 credits needed for graduation, will not satisfy this requirement. Nor will credit earned in one or more of the Law School clinics. Nor will any credit earned in an unscheduled "soft" credit enterprise. Nor will any of the credit earned for participation on a journal (even though some of that credit is treated as "hard" credit; nor will credit earned as a Rutgers Teaching Associate in the Legal Research and Writing Program (even though that credit is also treated as "hard.")

Students are responsible for insuring that they have complied with the J.D. requirements. Especially those students who plan to undertake multiple soft-credit enterprises or undertake a joint or dual degree, and who also plan to participate in one or more clinics should be mindful of these limitations. Students are urged to obtain a "credit check" from Dean Rothman before or during his/her fifth semester of residency.

### **PART-TIME VS. FULL-TIME STATUS**

A student carrying fewer than 12 credits a term is considered a part-time student for all purposes. Nevertheless, a student may carry as many as 12 credits with special permission and be considered part-time if before the term he/she files a declaration electing part-time status. As a declared part-time student, the student is not bound by the "work rule" prohibiting full-time students from being employed for more than 20 hours a week. However, such students will only receive 0.75 residency points for the semester of work.

Rutgers University considers any student carrying fewer than 12 credits to be part-time and as such the student (1) pays tuition based on his/her credit load rather than a flat amount; (2) pays a lower student fee which does not include health coverage (although this may be separately purchased); and (3) is only eligible for more limited financial aid under the Guaranteed Student Loans Program ("Stafford Loans"). Those students carrying 12 credits with special permission to declare part-time status, will nevertheless be considered full-time by Rutgers University for the purposes of assessment of tuition and fees, and for loan eligibility.

Part-time students must take the required curriculum in the evening. We do not have a part-time day program for beginning students. However, after the required curriculum is completed, part-time students may enroll in any courses - day or evening - but they will have enrollment priority over full-time students only in evening courses.

## COURSES OF STUDY

Only the first year curriculum (first- and second-year for part-time students) is prescribed. A part-time student may take either Professional Responsibility Legal Research & Writing II during the summer session. (Students with a weak law school record, who have experienced difficulty in Legal Research & Writing I, or have demanding outside commitments should avoid taking Professional Responsibility in addition to Legal Research & Writing II, so that more attention can be focused on the writing course.) The upper-class program consists entirely of electives, subject to prerequisites imposed by individual professors, except for the graduation writing requirement, and the professional responsibility requirement. However, all students whose grade point average after completion of the required curriculum is below 2.7 is subject to curriculum approval by the Committee on Scholastic Standing, and must have their course selection pre-approved by Dean Rothman.

Students are not assigned to advisers as such. However, Dean Rothman's office is available to all students seeking advice on academic (as well as non-academic) issues, and students should not hesitate to seek out the counsel of other deans and faculty with whom relationships have been built.

## MATRICULATION REQUIREMENTS

Some of the matriculation requirements and procedures are:

**Registration:** Every student must complete a sign-in registration form in person at the beginning of the semester. This hard copy registration is absolutely necessary, as it provides a basis for cross-checking on-line registration, and thus maintaining the accuracy of student records, and provides an opportunity to detect and address immediately any errors in registration that may have been made.

**Minimum credit load:** A full-time student must register for a minimum of 12 credits in the fall and spring semesters. A part-time student must register for a minimum of eight credits. **No residence credit will be earned from a course load of seven or fewer credits in one term.**

**Maximum credit load:** A full-time student wishing to carry more than 16 credits in one semester must obtain permission from Dean Rothman. Inasmuch as 13 to 14 credits is a normal upper class course load, this permission is rarely granted. The Law School policy, developed by the faculty as a whole, states that as graduate students, candidates for the *juris doctor* degree should focus their efforts on fewer academic enterprises, achieving scholarly excellence in fewer subjects to which they devote more time, rather than devoting less time to more enterprises and achieving only superficial knowledge as a result. Students carrying an unauthorized overload after the second week of classes will be required to reduce their load to the authorized level.

A part-time student may not register for more than 11 credits in any semester, except that with Dean Rothman's permission, a student may register for 12 credits. A form for requesting a 12-credit load is to be used. **Fourth term part-time students will not be granted a 12-credit load.**

Except with Dean Rothman's permission, students may not register for more than six credits of work taken during a summer session at this or any other law school.

**Interdisciplinary courses:** Law school students may take up to six credits of graduate-level courses at other Rutgers divisions for credit toward a J. D. degree. An allowance of nine credits of interdisciplinary work is reserved for those students in dual-degree masters programs who complete that program prior to or contemporaneous with earning the J.D. degree (12 credits in the joint M.B.A., M.S.W., M.C.R.P., M.D. and Ph.D. programs.) Along with your registration materials is a list of suggestions; they are only suggestions. You may consult Dean Rothman about your choices. Interdisciplinary courses intended to meet J.D. academic and residence credit requirements must have been approved in advance of registration by Dean Rothman. Permission is based on the following criteria: (1) the course must be reasonably related to the law, (2) the course may not duplicate a course offered in the law school curriculum, or be one that the student has taken prior to entering law school, and (3) the course cannot be a "core" type course. Students working simultaneously toward two degrees, such as J.D. and M.B.A. degrees, must make sure that they are carrying sufficient credits for J.D. residency requirement purposes. Courses taken prior to enrollment at the School of Law can never be considered towards J.D. requirements.

No law student may take a course at another school, even a course not for credit, toward a J.D., without prior approval from Dean Rothman. Outside courses are subject to the school's maximum credit limit (16 for full-time students, 12 for part-time students.)

Note that while up to six credits of interdisciplinary credits (or more in a joint degree program) may be applied toward the J.D. degree, these credits are *not* law courses, and therefore will not be applied toward the 60 credits that must be earned in non-clinical, in-class, law courses required for graduation.

**Graduation Writing Requirement:** All students must satisfy the upper class writing requirement. Students may meet the graduation writing requirement by completing a piece of work including critical analysis of a legal question and which may include professional papers such as pleading's which are the consequence of analytic work. Normally, the work will be at least 25 doubled-spaced typed pages, and must be completed **one semester prior** to graduation (unless prior permission to do it during the last semester has been obtained from Dean Rothman). Some examples of ways to meet this requirement are: a) seminar papers in designated enterprises, b) publishable notes submitted to an official Rutgers law journal, c) clinical program work, d) appellate advocacy coursework, e) a moot court competition appellate brief (if prepared alone), and f) a substantial scholarly paper completed in supervised independent research enterprise. The faculty member who certifies a paper as satisfying this requirement must be satisfied that the paper is of adequate quality, and may find the paper inadequate for certification even if the student received a passing grade on the paper.

**Enrollment in day or evening courses:** Full-time upper class students may enroll in evening courses (courses beginning at or after 6 p.m. or which are taught on Saturday) on-a-space-available basis, and upper-class part-time students may enroll in day courses on the same

basis. Part-time students will be given priority in registration for any over-subscribed evening courses, provided that they have properly declared part-time status and pre-registered for the courses, where appropriate.

**Repeating courses:** A student may not repeat a course in which s/he receives a grade with credit, including a grade of “D,” unless the Committee on Scholastic Standing has deprived the student of credit for that course. A student who gets a grade of “F” may repeat the course, but if it is in a required (first-year) course, s/he *must* repeat the course when it is next offered. A student repeating a required first year course is assigned to a section taught by a different professor. Grades are never expunged from the transcript; i.e., a later grade in a course does not replace an earlier grade.

A student, including a transfer student from another law school or a student who has transferred from the part-time or the full-time program, who must take or re-take a required course, must take it when it is next given unless Dean Rothman has pre-approved a deferment.

**Course conflicts or overlaps:** Students are prohibited from registering for courses whose class-meeting times conflict or overlap in any way on the class schedule (even by 5 minutes!) Any student who registers for a schedule of classes that contains a conflict or overlap in class-meeting times will be required to withdraw from a course to eliminate the conflict and will not be permitted to take more than one examination for each class-meeting time.

If class meeting times do not conflict but exam times do, the student will be permitted to defer one exam to the next available day, with prior permission from Dean Rothman. An exam conflict is deemed as two exams on the same day at the same time, or three exams within a span of three days or less.

**Transfer to full-time status:** Part-time students who have completed the required portion of the curriculum (terms 1 through 4) may transfer to full-time status by declaring such at registration. A student who has not completed the required curriculum may transfer to full-time status with permission of Dean Rothman: this permission will be routinely granted because the school encourages early transfer. However, the student must obtain schedule approval for each subsequent full-time semester until all required courses have been completed, in order to ensure that a student does not elect upper class courses before taking the underlying first-year work.

A student may transfer to full-time status at any point up to the beginning of the semester in which transfer is contemplated. Early notification is desirable, however, because students who transfer after registration is complete will not be able to register for closed courses.

Part-time students normally graduate in four years, including two summers. Students who transfer to full-time status can graduate in 3-1/2 years, depending on how early they transfer, when they enroll in certain required courses, and whether they attend summer sessions. Students who so transfer should understand, however, that by changing programs and accelerating graduation, they may render unavailable certain scholastic opportunities (such as Moot Court and journal participation) and some elective course offerings.

**Transfer to part-time status:** Full-time students, including those who may have begun as part-time students, may transfer to part-time status, following the same procedures outlined in the paragraph above.

**Lottery:** When a course is over-subscribed during the preliminary registration – by limits imposed by room size, by the instructor, or by school policy to equalize enrollment – the enrollment is reduced by lot, unless a professor instructs otherwise. In an upper class course, preference is given to third- and fourth-year students and in evening courses, to part-time students. Students are urged to check their “pegasus” e-mail accounts and the Law School webpage for lottery results before attending classes and purchasing books. **Mistakenly attending the wrong class will not gain you subsequent admission.**

### **ADDING AND DROPPING COURSES**

A course may be added without obtaining approval during the **first week of classes**. Thereafter, a student may add a course only with the permission of the instructor and Dean Rothman.

An upper class student may drop a course without approval up until the examination for the course has been distributed, provided (1) the student has not seen the examination questions and (2) the student is not thereby in effect withdrawing from school. A course with a take-home examination may be dropped until the day on which the take-home first becomes available. With the instructor's permission, a seminar or clinic may be dropped until the final official meeting of the class, and Independent Research may be dropped until the last day of examinations. A student may drop a required course only with the permission of Dean Rothman; except under extraordinary circumstances, withdrawal from any required class will be permitted only upon withdrawal from all classes for that semester. A student may drop a first year elective course and add another in its place before the expiration of the deadline for adding courses. After that, a student may drop the first year elective only with the permission of Dean Rothman. Such permission is given only under extraordinary circumstances.

After the third week of classes, the transcripts of students who withdraw from a course will reflect the grade of "W." Caveat: the instructor's permission also will be required in a course or seminar with a small enrollment where reliance on the student's participation may be an integral part of the course, but such permission shall not be unreasonably withheld. "Add/drop" forms are available in the Academic Services Office, Room 170.

### **COURSES AT OTHER LAW SCHOOLS**

Students may take courses at other A.B.A. accredited law schools for credit toward their Rutgers-Newark J.D. degree with the *prior* approval of Dean Rothman. This includes summer session and summer-abroad programs; however, clinic, externship, and unscheduled coursework may not be earned at another law school. Students are advised that approval for visiting student status, for a semester or academic year is rarely granted, and only upon a showing of extraordinary circumstances or extreme need in furtherance of academic best interest. These criteria do not apply, however, to students seeking to participate in Rutgers' semester abroad program at

Leiden. For information about this program, speak with Dean Mark; inquiries about taking classes at other schools should be directed to Dean Rothman.

Dean Garbaccio has forms for this purpose, which should be filled out if a student (1) wants to take a course at another graduate unit of Rutgers, or (2) a student wants to take a course at another ABA accredited law school. This form should also be used for students wishing to participate in a summer abroad program sponsored by another ABA law school. If you participate in a summer abroad program, you will not be granted residency credit (and thus possibly not accelerate your graduation date) unless the program meets over for at least 35 class days. If it does not extend over that period of time, you may still earn semester credit but you may not accelerate your graduation date as a result. If you seek permission to take such a summer program, you must provide a complete description of the course(s) you wish to enroll in, an explanation of the credit to be awarded, and an academic schedule showing when the program meets.

## **EMPLOYMENT**

It is a policy of the American Bar Association, which accredits our law school, that a full-time student is one "who devotes substantially all of his working hours to the study of law." The ABA interprets this to mean that a student may not work in excess of 20 hours a week while attending school on a full-time basis. A student's declaration of full-time status thus constitutes a declaration that s/he will limit outside employment during the school year to no more than 20 hours a week. From time to time, Dean Rothman may ask for work records to ensure that students are in compliance with the ABA rule.

## **CLASS ATTENDANCE**

Prompt and regular class attendance, with preparation adequate for full class participation, is expected of all students. **A faculty member is permitted to count classroom performance – both good and bad performance – in grading, provided s/he has informed the students of that intention at the beginning of the semester.**

The Faculty have approved an attendance enforcement policy prohibiting any student from sitting for the final exam or otherwise receiving a passing grade in any course for which that student has attended fewer than 80% of the scheduled class sessions, and whose absences have not been excused by the Dean's Office. To implement this policy, attendance will be taken in all classes, and absences will be recorded. Late arrival, early departure, or extensive mid class exits may, at each faculty member's discretion, be treated as absence from class. It is therefore incumbent upon all students who must miss any class for medical reasons or other emergency to contact Dean Rothman in advance of the class meeting, or as soon as they are able to return to school, so that a determination can be made whether the absence will be excused. A student whose absence is of long duration (one week or more) *must* consult with Dean Rothman.

All faculty members are permitted to establish rules regarding decorum in the classroom. Repeated violation of such rules may be considered an element of classroom performance, and may be counted in grading, and/or may constitute a breach of the University Code of Student Conduct (see Appendix C). Among other rules faculty are permitted to establish are rules related

to use of laptop computers, PDAs and smart phones in the classroom. Individual instructors may ban the use of laptops altogether; however, in such circumstances, notice will be given with the registration materials. Faculty members may also permit the use of laptops but imposes restrictions specific to laptop use. In these instances, information about the restrictions and any sanctions for violation will be clearly stated to all enrolled students during the add-drop period for the class. Students should assume that accessing the internet to read email or to surf the web for purposes unrelated to the class they are attending is not permitted, unless the professor says otherwise.

## **INCOMPLETES**

All work for an academic enterprise must be submitted to the instructor on the due date established by the faculty member; when an extension beyond that date is granted by the professor, it nevertheless must still be submitted in final form no later than two weeks before the date when grades must be submitted to the University for recording for the semester during which the enterprise was taken. Generally, this means that work from the spring semester cannot be submitted beyond June 15, and work from the fall semester cannot be submitted beyond February 1. Summer work is generally due by August 25. Extensions beyond these deadlines (which will be fixed each semester and noted in the registration materials) will be granted by Dean Rothman only under the same conditions as for exam deferrals – extreme illness, religious reasons, or sudden, unforeseeable, and unavoidable emergency. Upon certification by the instructor that substantial progress has been made towards completion of the work, a short deferral will be granted. Generally, this is not more than a few days.

**Failure to ask for an extension prior to the deadline date will constitute a waiver; the student will receive the grade of "F" for failure to submit required course work.** Do not set yourself up for failure – complete your work on time, and see Dean Rothman if there is a problem, before that problem is unremediable.

## **EXAMINATIONS**

### **Examination Procedures**

Written examinations are given in almost all courses and some seminars at the end of each semester. Examinations are closed-book, limited open-book, or open-book, at the discretion of the instructor. The instructor also determines the length of the examination – one hour for each course credit is the norm – and whether the students must remain in the assigned examination rooms.

Detailed examination rules are posted and circulated to the student body at the time student examination numbers are distributed, and most instructors provide students with their ex-

amination instructions prior to the exam. You are responsible for knowing the examination rules; if you have the slightest doubt, see Dean Rothman for further explanation.

### **Absence from Examinations**

Examination schedules for both the fall and spring semesters are included in the registration materials. Because upper class students can thereby select courses with the examination schedule in mind, deferments will not be granted for examinations because of a taxing examination schedule, except for conflicts in examinations. (A conflict is deemed as two examinations on the same day at the same time, or three examinations in three consecutive days. Generally, such conflicts will be resolved by setting one examination to the next day, or at an alternate time at the discretion of Dean Rothman.) First-year examinations are scheduled to equalize the intervals between examinations.

For similar reasons, students who anticipate that problems will interfere with a heavy examination schedule are expected to register for non-examination courses, register for a reduced or part-time load, or withdraw from school for a semester. Deferral requests based on examination schedule problems that should have been anticipated at the time of registration will not be granted. In short, permission to defer an examination will be granted only in the event of a student's severe illness on the day of the examination, for religious reasons, or for another sudden and unavoidable emergency. Inadequate exam-preparation for any reason will not excuse absences from an examination. Deferrals are usually granted for a minimal amount of time, seldom exceeding a day or two.

Students may enroll in two courses whose examinations conflict, if the class meeting times do not. Dean Rothman will defer one of the exams. Requests for deferral are granted only by the Dean's Office through Dean Rothman. *A student is not to discuss the matter with any instructor because this would undermine the anonymous grading system.* A request for deferral must be made before the time the examination is to begin, unless emergency or compelling circumstances make prior notice impossible. A student who is absent from an examination without having been excused by the Dean automatically receives a grade of "F" in the course, with the transcript notation "Grade imposed for failure to take examination." For further information, see Chapter 3 ("Appeals of Administrative Decisions").

### **Deferred Examinations**

A student who has been excused by the Dean's Office from a regular examination must take the deferred examination when directed by the Dean in his discretion. Dean Rothman administers this rule; each student must call as soon as access to a telephone is possible, and deferrals are granted for very short periods of time, usually a day or two, and seldom exceeding one week.

## GRADING POLICIES

### Grading System

Letter grades are given in all required and elective classes. The letter grades are: A+, A, A-, B+, B, B-, C+, C, C-, D and F.

The following numerical equivalents are used only for internal purposes such as determining honors and grade-based prize winners at the law school. In determining your average for use on a resume or the like, these are the equivalents you should use:

A+	4.33	B+	3.33	C+	2.33	D	1.00
A	4.00	B	3.00	C	2.00	F	0.00
A-	3.67	B-	2.67	C-	1.67		

N.B. When calculating your GPA for this or any other purpose, your calculation should be extended to three decimals, and then rounded to the nearest 1/100<sup>th</sup>. The significance of the grades and conditional symbols is explained in Scholastic Regulation 1 (see Appendix B). A program is available to help calculate GPA, that can be found and downloaded from <http://law.newark.rutgers.edu/069GPA.exe>.

### *Pass/D/Fail Grading Option*

For elective classes, students have the option of choosing between a letter-grade system and Pass/D/Fail system. A letter grade for every student will be entered by the faculty member. A student may however, choose to for grade to be recorded by the registrar on a Pass/D/F system whereby a grade of “A,” “B,” or “C” (including pluses and minuses) is entered on the student's transcript as a “Pass.” A grade of “D” or “F” will be recorded as a “D” or as an “F” regardless of whether students choose this option. ***The Pass/“D” or “F” option is available only in elective courses and may be exercised in only one course per semester, up to a maximum of 12 credits in total.*** (Grades of “Pass” earned in an unscheduled enterprise such as an externship or journal participation do not count as an exercise of this option.) Graduating students who have elected the Pass/D/Fail option for a substantial number of courses are not eligible to graduate with honors: the Faculty and Committee on Scholastic Standing require candidates for honors to have received at least 68 credits in graded courses.

NOTE: Letter grades in courses taken Pass/“D”/“F” are unofficial and are not recognized by the school for any purpose except for compliance with Regulations 2 and 5 regarding academic good standing. Students who elect this option may not themselves publish the letter grade entered by the faculty member for any purpose, if that letter grade is later learned. A student who fails to choose the Pass/“D” or “F” option will automatically be given a letter grade.

Students who wish to exercise this option must make this decision during the first three weeks of the semester. Decisions on opting cannot be changed after the deadline. Opting forms for the Pass/“D”/“F” system are available from Dean Garbaccio after the first week of school.

## **Anonymous Grading System**

All examinations and some written assignments are graded on an anonymous basis. Each student is assigned a different number each semester and summer session to use on all examination books and papers. The number is obtained during the semester from the Academic Services Office, Room 170. The number should be obtained prior to the commencement of the examination period; watch for the announcement noting when this number will be available.

**NOTE:**       **In order to preserve anonymity, students are cautioned never to talk directly with an instructor about the possibility of seeking permission to defer an examination. All communications about possible absences from examinations must be made only with Dean Rothman. Discussing this kind of problem with the faculty member may severely limit any accommodations which might otherwise be possible, and may be treated as a violation of the Honor Code.**

In order to protect the anonymous grading system, professors wishing to count classroom performance are required to submit to the Registrar's Office a separate list of the students whose grades are to be raised or lowered for class performance and the amount of change. Dean Garbaccio then makes the requested adjustment to the grades previously submitted. A student is entitled to know whether his/her grade was adjusted for class performance, and to what extent.

## **Grading Pattern**

There is no requirement at the law school that grades in upper class courses follow a specific distribution. First year required courses (with the exception of Legal Research & Writing I/II) must average between 2.925 and 3.075, regardless of the size of the class. First year freshman electives and the course in Legal Research and Writing I/II are not subject to this rule. However, the Legal Research & Writing instructors have agreed among themselves that the grades in each LRW section must have an average between 2.90 and 3.10

## **Grade-grievance Procedure**

A student puzzled or dissatisfied by a grade should make an appointment to see the instructor who assigned the grade. This meeting is often useful in highlighting exam-taking deficiencies or gaps in a student's knowledge. Thereafter, a complaint about a grade may be discussed with Dean Rothman. Once it is recorded, however, no grade may be changed except to correct a mathematical or clerical error in the calculation of the grade. The faculty has consistently declined to review an individual instructor's grades.

## **ACADEMIC DEFICIENCY**

Scholastic Regulations, as amended, appear in full in Appendix B of this Handbook.

Students who fall short of the minimum standards imposed by the law school are required to appear before the Committee on Scholastic Standing. The committee is empowered to determine whether and to what extent residency and academic credit have been earned for the subject semesters.

The Committee on Scholastic Standing consists of approximately six faculty members, who sit in panels of three, and Dean Rothman, who serves *ex officio*, as well as seven student members. Dean Garbaccio serves as the Committee's secretary, and Dean Bravo-Weber also participates in deliberations when the petitioner to the Committee is an MSP student. Dean Rothman also serves as a counselor for students prior to and following Committee hearings. A student called before the Committee may choose to have student members of the Committee present at the hearing. In that case, as many as three student members may participate in the deliberations. They have no vote. The decision may be appealed to a reviewing panel composed of three faculty members (and two students, if requested) who did not participate in the original decision. The reviewing panel may reconsider the findings of the original panel hearing if it finds that (1) there was bias in the original hearing; (2) the procedural rights of the student were violated, or (3) the decision at the first hearing was arbitrary, capricious or constituted an abuse of discretion. The decisions of the reviewing panel, both as to whether to reconsider the findings of the original hearing and as to its own determination, are final.

Students whose grade point average after completion of the required curriculum is below 2.7 are required to obtain the approval of their course selection from Dean Rothman. Students should submit their proposed programs to Dean Rothman as soon after registration materials are made available, to facilitate the approval process.

### **WITHDRAWAL FROM SCHOOL (LEAVES OF ABSENCE)**

A student in good standing may obtain a leave of absence by completing a withdrawal form or submitting a letter of withdrawal to Dean Garbaccio. An interview with Dean Rothman is also desirable. Students not in good academic standing must consult with Dean Rothman before withdrawing, and all students who have received financial aid must have an "exit interview" with a University financial aid representative. Information about withdrawing before a student has taken any examination or near the end of a semester, or by a student not in good academic standing, appears in Scholastic Regulation 8. Scholastic Regulation 9 explains the treatment of credits more than five years old. These regulations appear in Appendix B.

### **DEGREES**

Degrees are conferred by the University upon recommendation of the law school faculty. Degrees are conferred and diplomas issued only at the annual Convocation each May/June. A student who completes degree requirements at another time during the academic year may request an interim certificate for use in lieu of the diploma until the Convocation exercises. Requests for interim certificates should be made to the Academic Services Office. It is the responsibility of each student to make certain that all the graduation requirements of the law school have been fully met before the graduation date. There is no charge for the diploma.

**Diploma information cards must be completed and filed in the Academic Services Office by candidates for graduation as follows:**

**October degrees by no later than September 15;  
January degrees by no later than December 1;  
May/June degrees by no later than March 1.**

**Failure to meet the deadline may delay the issuance of the diploma to a future graduation date.**

A separate diploma information card is required for each degree being earned. Thus, a law student working towards an M.B.A. or an M.C.R.P. must also file a diploma information card with the Graduate School of Management or the Graduate School-New Brunswick, respectively.

A student who will be absent from the Convocation exercises should notify the Newark Registrar's office, in writing, of the address to which the diploma should be mailed in June or July. The address of the Newark Registrar is as follows:

Mr. Miguel Estremera, Rutgers-Newark Registrar  
Blumenthal Hall  
249 University Avenue  
Newark, NJ 07102

Graduating students are reminded that they must have submitted a final undergraduate and graduate (if applicable) transcript, showing the degree conferred and the date of conferral. This requirement should be met during a student's first year at the law school. Graduating students are urged to clear up all outstanding debts well before the date of graduation so that issuance of the diploma and certification to bar examinations are not delayed.

**Honors and Prizes/ Order of the Coif:** Neither class rank nor class standing is disclosed to students or to the public for any purpose for students at the law school. Academic honors are awarded by the faculty on the recommendation of the faculty members of the Committee on Scholastic Standing on the basis of distinguished scholastic attainment over the entire law school career. Generally, those who receive honors will also be elected to the Order of the Coif, the law's equivalent of Phi Beta Kappa. The calculation is made immediately prior to graduation and may be awarded to not more than ten percent of the graduating class. ("Grading Policies" above describes the numerical equivalent of letter grades and the policy on the minimum number of credits in graded courses required of candidates for honors and grade-based prizes.) Honors are based on grade-point average. The faculty members of the Committee on Scholastic Standing, in consultation with other faculty members, also select the recipients of various specialized graduation prizes for achievement in a variety of legal disciplines.

## **CHAPTER 3 DISCIPLINARY MATTERS**

Violation of the University's code of prohibited conduct subjects a student to disciplinary action.

### **University Code of Student Conduct**

The University Code of Student Conduct was promulgated in 2002 and became effective April 5, 2002. The Code and the regulations governing its implementation have since been amended from time to time, most recently in Academic Year 2007-08. The Code provides guidelines for behavior within and without the law school and reminds students they are responsible not only for basic normative values, but also for the norms common to the profession of law. The Code of Professional Conduct applicable to law students is the one used by lawyers in the State of New Jersey. The student disciplinary code and procedure is set forth in full at [www.\\*\\*\\*.com](http://www.***.com).

### **Honor Code**

The law school trains for a profession not only learned but honorable, in whose members the utmost faith and confidence can be reposed. Adhering to professional standards is an obligation which begins in law school, and a formal Honor Code has been adopted to guide students while at Rutgers. The following are violations of the Code adopted by the student body, with the concurrence of the faculty, in 1967, and as amended by the faculty in 1982. Students found in violation of the Honor Code are subject to a judicial proceeding, in accordance with Paragraph 10(a) of the University Code of Student Conduct, attached as Appendix C to this handbook.

#### **A. Examinations**

1. Obtaining unauthorized knowledge or knowing possession of examination questions prior to the time that the examination is to be administered, *EXCEPT THAT* a person innocently gaining such knowledge or possession may exculpate him/herself by reporting such knowledge or possession to the Dean of the School of Law.
2. The giving or receiving of unauthorized aid during the administration of any examination.
3. The use during an examination of any materials not specifically authorized.

#### **B. Papers and Other Written Work**

1. Plagiarism as defined in subparagraph E, below.

2. The use, in connection with any written work, of any materials prohibited by an appropriate notice.
3. This provision applies to all written work submitted by a student for academic credit, membership on a journal or moot court/mock trial, or any academic prize.

**C. Stealing** – The unauthorized taking or knowing unauthorized possession of any academic materials, such as notebooks and textbooks, from any member of the law school community. The monetary value of the item stolen will not be considered in determining guilt.

**D. Library Facilities**

1. Removal of any materials from the library in an unauthorized manner.
2. Mutilation of any of the contents of any work in the library collection.
3. Concealing or misplacing any library materials with intent to deprive other students of their use.

**(Please note: All students receive material on plagiarism at the time they take Legal Research & Writing I/II. This material is applicable to all written work, not just that for Legal Research and Writing I and II. Further, the scope of a student's obligations may widen based on the actual materials each student will receive from the coordinators of the Legal Research and Writing Program.)**

**E. Plagiarism**

1. Plagiarism means representing another's work as the product of one's own labor.
2. Conferring on a paper, which may include the exchange of ideas, information, and sources of information, will not be considered a violation of this Honor Code, so long as specific permission has been granted by the instructor.
3. A student may not incorporate into work the student offers for credit any work of another person unless the student credits the original author and identifies the original author's work with quotation marks and footnotes or other appropriate written explanation.
4. The student may not use, in connection with any written work, any materials prohibited.
5. This provision applies to all written work submitted by the student.

**The above rules are enforced by the Rutgers University Code of Student Conduct.**

## **Chapter 4**

### **UNIVERSITY GOVERNANCE, LAW SCHOOL ORGANIZATION, AND STUDENT ACTIVITIES**

The University is governed by a Board of Governors, which is composed of the President of the University, six governors appointed by the Governor of New Jersey with the advice and consent of the Senate, and five governors elected by the Board of Trustees of the University. The President of the University is Dr. Richard McCormick. The principal academic administrative officer for the University in Newark is Chancellor Steven Diner, whose offices are located at 123 Washington Street (5th Floor).

The University Senate is composed of faculty representatives elected by the faculties of the various divisions of the University, student representatives elected from each degree granting college or school, and certain administrative members who serve *ex officio*. The law school elects one faculty and one student representative. Our faculty representative is Professor Peter Simmons. Dean Deutsch serves *ex officio*. The Senate, in general, advises the President of the University on a variety of matters pertaining to the University, and establishes the University calendar and schedule.

There are both undergraduate and graduate programs on the Newark campus. Two colleges offer programs leading to a baccalaureate degree - Newark College of Arts and Sciences (NCAS), the full-time day program, and University College-Newark (UC-N), the evening program. The graduate and professional schools, besides the School of Law, are the Rutgers Business School (RBS), which offers programs leading to a Master of Business Administration and a Ph.D.; the Graduate School-Newark, which offers programs leading to various masters degrees and to a Doctor of Philosophy; and the School of Criminal Justice, which offers programs leading to both Masters and Doctorate degrees. The School of Nursing offers both an undergraduate and a graduate program.

#### **LAW SCHOOL FACULTY**

Subject to policies and regulations adopted by the University Board of Governors and the central administration in New Brunswick, the law school faculty is empowered to make the important decisions affecting the law school - admission, curriculum, appointments to and promotion of faculty, academic standards, interdisciplinary programs, and the MSP. The faculty decides such questions as the school calendar and the length of class periods.

The faculty meets as a body regularly throughout the school year with Dean Deutsch presiding. It holds its meetings on Thursdays from 3:55-5:30 p.m. in Room 90, lower level. The meetings are open to the student body up to the seating capacity of the room, except when the faculty meets in executive session primarily to deal with personnel matters. The agenda is distributed to the SBA in advance of each meeting. The SBA president may designate up to five students to have the right to speak at faculty meetings.

The faculty maintains a number of standing committees to deal with areas of special concern. Many committees are composed of both of students and faculty members. With certain

exceptions, all committee members have full voting power. Faculty members are appointed by the Dean who also designates the chairperson. The student members are appointed by the SBA at the beginning of the fall semester. Each member serves for one year beginning in the fall semester.

Following is a list of the faculty committees, a short description of the committee's duties, and the role of the student members where the role is limited.

**Admissions Committee** recommends to the faculty criteria for the admission of students and establishes policy guidelines by which the Admissions Office operates. The faculty members may review individual applications forwarded to it by the Assistant Dean of Admissions. Dean Bouchoux, Dean Bravo-Weber and Dean Walton are *ex officio* members. Students are not members of this committee.

**Curriculum and Academic Policy Committee** examines and recommends to the faculty all requests for additions to or major changes in specific courses. (Decisions about seminars or course offerings of two credits or less are made by the Associate Dean.) The committee also concerns itself with matters of long-range planning and major administrative policies. The committee also is responsible for advice and recommendations concerning library, placement and alumni relations, grading and examination policy, and development of the academic calendar.

**Appointments Committee** screens applicants for faculty appointment and makes recommendations to the faculty on appointments. It arranges for faculty candidates to be interviewed by the faculty and students. (Decisions about adjunct faculty appointments are made by Dean Mark and Dean Bell in consultation with Dean Deutsch.)

**MSP Committee** is concerned with all aspects of the MSP, including admissions policies and special programs, and advises the Dean of the MSP.

**Promotion and Tenure Committee** prepares background material for the tenured faculty relating to the promotion and tenure of faculty members. Students are not members of this committee, though the Student Bar Association may maintain its own committee to advise the faculty committee.

**Scholastic Standing Committee** - makes recommendations to the faculty on such matters as scholastic regulations. The committee also sits in adjudication of individual student cases, and deliberates in matters of academic deficiency: when the committee hears these cases, student members participate only upon the request of the student before the committee, and then only in a limited fashion. Committee procedures are described in Chapter 2 ("Academic Deficiency"). Dean Rothman is an *ex officio* member.

**Public Interest Committee** – serves an advisory role to the Eric R. Neisser Public Interest Program and works closely with the Public Interest Fellows to develop initiatives within the school.

**Planning and Budget Committee** engages in strategic long-range planning and considers issues which relate to the school's budget.

**Faculty Development Committee**, through symposia and regular gatherings, encourages the production and development of faculty scholarship.

**Library and Computer Advisory Committee** works with our law library director to meet the curricular needs of the law school and the scholarly research requirements of the faculty.

**Student Life Committee** addresses non-academic issues related to law student life, including student services, student health, residence options, and recreational activities.

## LAW SCHOOL STUDENT ACTIVITIES - Student Publications and Organizations

The variety of student-run organizations reflects the varied professional, political, social, and community interests of the student body. Each organization may receive a budget from the Student Bar Association which in addition to covering expenses for various programming needs, covers the costs of duplication (xeroxing) and telephone service, if the organization has telephone service. Membership in all organizations is open to all students except those groups awarding academic credit - indicated by an asterisk (\*) below - who select staff members through competition or by submission of satisfactory written work. Organizations that received funding from the Student Bar Association for the 2006-2007 academic year are listed below, with the names and e-mail addresses of organization leaders for this year.

Publication	Office Tele. No.	Office No.	Key Member(s)	e-mail Address
* <b>Rutgers Computer and Technology Law Journal</b>	353-5549	Rm. 312	Damian Vargas	<a href="mailto:damian.vargas@gmail.com">damian.vargas@gmail.com</a>

The Journal is a student-run, law-review-style publication, focusing on issues arising from the interaction of computers and other technologies with the law.

<b>Rutgers Law Record</b>	353-5381	Rm.001D	Kevin Murphy Adam Blakeman	<a href="mailto:kjmurp@pegasus.rutgers.edu">kjmurp@pegasus.rutgers.edu</a> <a href="mailto:blakeman@pegasus.rutgers.edu">blakeman@pegasus.rutgers.edu</a>
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The Law Record serves as the school newspaper, reporting events at the law school, printing features of interest, and stimulating discussion of issues relevant to the law school community.

* <b>Rutgers Law Review</b>	353-5391	Rm. 313	Heidi S. Alexander	<a href="mailto:halex@pegasus.rutgers.edu">halex@pegasus.rutgers.edu</a>
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The Review publishes critical legal opinion, including articles on important legal problems by authorities in their respective fields, student commentary, and book reviews.

* <b>Rutgers Race and the Law Journal</b>	353-3141	Rm. 314	Janelle Edwards-Stewart Edythe Huang	<a href="mailto:jedstew@pegasus.rutgers.edu">jedstew@pegasus.rutgers.edu</a> <a href="mailto:edytheh@pegasus.rutgers.edu">edytheh@pegasus.rutgers.edu</a>
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Rutgers Race and Law Review will provide a forum for scholarship and dialogue on race, ethnicity, and the law.

* <b>Women's Rights Law Reporter</b>	353-3106	Rm. 312	Allison Vogel Riadh Quadir	<a href="mailto:ajvogel@pegasus.rutgers.edu">ajvogel@pegasus.rutgers.edu</a> <a href="mailto:rquadir@pegasus.rutgers.edu">rquadir@pegasus.rutgers.edu</a>
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The Reporter is a journal of legal scholarship and feminist criticism published by students. It has been formally affiliated with the law school since 1972. It is the oldest feminist's law journal in the country.

## Other Student Organizations

Organization	Office No.	Key Member(s)	e-mail Address
<b>American Constitution Society</b>	Rm. 011	Eric Rinish Jarrett Seidler	<a href="mailto:rinishe@pegasus.rutgers.edu">rinishe@pegasus.rutgers.edu</a>

The American Constitution Society for Law and Policy (ACS) is one of the nation's leading progressive legal organizations. Founded in 2001, ACS is a rapidly growing network of lawyers, law students, scholars, judges, policymakers, and other concerned individuals. Our mission is to ensure that fundamental principles of human dignity, individual rights and liberties, genuine equality, and access to justice enjoy their rightful, central place in American law.

<b>Asian/Pacific-American Law Student Association</b>	Rm. 092	Naomi Lee Yuri Lee	<a href="mailto:naomilee@pegasus.rutgers.edu">naomilee@pegasus.rutgers.edu</a> <a href="mailto:yurilee@pegasus.rutgers.edu">yurilee@pegasus.rutgers.edu</a>
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APALSA, established at the law school in 1976, is dedicated to the admission and retention of Asian/Pacific-American law students, particularly those who will go on to help the legally underserved Asian/Pacific-American community. Members work to foster awareness of Asian/Pacific-American legal and social issues within the law school and strive to build ongoing relationships with other groups and students interested in both law and justice. The Rutgers chapter also sponsors joint activities with other east coast APALSAs aimed at community education and the development of interest in legal careers among Asian and Pacific-Americans.

<b>Association of Black Law Students</b>	Rm. 093	Jewel M. Watson Julius Redd Aarin Williams	<a href="mailto:jredd@pegasus.rutgers.edu">jredd@pegasus.rutgers.edu</a> <a href="mailto:aarin@pegasus.rutgers.edu">aarin@pegasus.rutgers.edu</a>
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ABLS is the organization of black/African-American law students whose goal is to foster a just and equitable administration of the law. The organization strives to ensure that the fundamental human rights of blacks/African Americans and other oppressed groups are protected. The organization serves as a vehicle of expression for progressive causes in the world politic. ABLS, in essence, seeks to employ judicial and legal processes to increase social, political, and economic resources within black/African American communities in order to promote human dignity. Each year, the Rutgers chapter sponsors a team in the Frederick Douglass Moot Court Competition.

<b>Association of Latin American Law Students</b>	Rm. 014	Eduardo DeMarco Lynette Rente Jorge Sanchez	<a href="mailto:demarcoe@pegasus.rutgers.edu">demarcoe@pegasus.rutgers.edu</a> <a href="mailto:lrente@pegasus.rutgers.edu">lrente@pegasus.rutgers.edu</a> <a href="mailto:supremek@pegasus.rutgers.edu">supremek@pegasus.rutgers.edu</a>
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The Association of Latin-American Law Students' goals are to 1) encourage the study of law among Latin-American students by initiating programs of recruitment and information; 2) ensure the retention of Latin-American law students enrolled at the law school by implementing programs of assistance designed to aid the student beyond the scope of materials covered within the classroom; 3) protect the interests of Latin-American students within the law school on issues pertaining to school policies, particularly in the areas of academic standing, hiring and firing of faculty, and admissions procedures; 4) educate and sensitize the law school community and other interested groups to the pressing problems confronting the Latin-American community; and 5) support and assist, wherever possible, those other groups both within and without the law school that demonstrate their concern for the well-being and survival of the Latin-American community.

**Bankruptcy Law Journal** Rm.001D TBA

The Bankruptcy Law Journal is a student run scholarly journal at Rutgers that publishes critical legal opinion in the area of bankruptcy law.

**The Christian Legal Society** Rm. 011 Nikaela Jacko Rojas-Ramirez

Pantea (Ponnie) Yazdian [ponnie@pegasus.rutgers.edu](mailto:ponnie@pegasus.rutgers.edu)

The Christian Legal Society is devoted to developing individual and collective relationships with God; to studying and analyzing the law and recent developments from the Christian perspective; and to establishing closer ties between the law school and the surrounding community through community service activities.

**Conflict Resolution Law Journal** Rm.001D Thomas Jambor [tjambor@pegasus.rutgers.edu](mailto:tjambor@pegasus.rutgers.edu)  
Jana Olivova [olivova@pegasus.rutgers.edu](mailto:olivova@pegasus.rutgers.edu)

The Conflict Resolution Journal is dedicated to the exploration of alternative dispute resolution, such as negotiations, mediations, arbitration, consensus building and alternative forms of litigation such as mini-trials. The journal features writings relevant to lawyers, practitioners of ADR and scholars in diverse disciplines who are concerned with alternate forms of resolving conflict. The RCRLJ encourages those interested in alternative conflict resolution to find effective means of settlement of issues ranging from neighborhood disputes to international conflict. The RCRLJ is available on-line at: [www.pegasus.rutgers.edu/~rcrlj](http://www.pegasus.rutgers.edu/~rcrlj).

**The Entertainment and Sports Law Society** TBA Gregory DePaul [gdepaul@pegasus.rutgers.edu](mailto:gdepaul@pegasus.rutgers.edu)  
Corey Cohen [cmcohen@pegasus.rutgers.edu](mailto:cmcohen@pegasus.rutgers.edu)  
Bridget Bland [bbland@pegasus.rutgers.edu](mailto:bbland@pegasus.rutgers.edu)

The Entertainment and Sports Law Society is open to all students interested in entertainment and sports law and the practice within those industries. It sponsors "meet-and-greet" sessions with practicing members of the Entertainment and Sports Law Bar and speakers and presentations on current issues in this aspect of the law, and serves as a clearinghouse for information on conferences, symposia, and informal meetings.

**Environmental Law Society** TBA Sheila Jain [Sheila09@pegasus.rutgers.edu](mailto:Sheila09@pegasus.rutgers.edu)

This organization is dedicated to the study of environmental law, and the advancement of understanding of the field.

**The Evening Students Association** TBA Christine Phelan [cphelan@pegasus.rutgers.edu](mailto:cphelan@pegasus.rutgers.edu)  
Tara Brown [taranick@pegasus.rutgers.edu](mailto:taranick@pegasus.rutgers.edu)

The Evening Students' Association (ESA) consists of elected representatives from the evening program and is designed to represent the needs of evening students. The organization strives to: foster communication between evening students, day students, and the administration; promote fruitful relationships between past and present evening students; and to highlight the evening students' skills and areas of interest.

**The Federalists Society**

Rm. 011

Shawn Brennan

[swbren@pegasus.rutgers.edu](mailto:swbren@pegasus.rutgers.edu)

Alysia Proko Smickley

[amproko@pegasus.rutgers.edu](mailto:amproko@pegasus.rutgers.edu)

The Federalist Society is a group of conservatives and libertarians interested in the state of the legal order. It is founded on the principles that the state exists to preserve freedom, that the separation of powers is central to our Constitution, and that it is emphatically the province and duty of the judiciary to say what the law is, not what it should be. Since its inception, the Federalist Society has provided a forum for legal scholars of opposing views to come together.

**The Intellectual Property Law Society**

Rm. 012

TBA

The Intellectual Property Law Society advances the study of and encourages interest in the various areas of intellectual property law at Rutgers School of Law-Newark. The goal of the society is to provide the law school community with exposure to the fields of copyright, trademark, trade secret, patent and unfair competition laws.

**The Irish American Law Student Association**

Rm. 012

TBA

The Rutgers Law School Irish Society was established in 2000 and is open to all students. The organization's principle objective is to encourage inclusiveness and cross-cultural understanding with a secondary focus on current political and legal issues in Ireland.

**The Jewish Law Students Association**

Rm. 011

TBA

TBA

The Jewish Law Student Association (formerly the Decalogue Society) looks to promote issues of importance to the Jewish community and to provide cultural, social, charitable, and educational events for Jewish students and other students interested in same. We have monthly meetings, cultural events, social events, lunch and learns, and distinguished speakers. Membership in the JLSA is open to all interested Rutgers School of Law-Newark students, regardless of race, religion, ethnicity or any other classification.

**The Justinian Law Society**

Rm. 012

Keith Travers

[ktravers@pegasus.rutgers.edu](mailto:ktravers@pegasus.rutgers.edu)

John Visconi

[jvisconi@pegasus.rutgers.edu](mailto:jvisconi@pegasus.rutgers.edu)

Kelly Magnus

[kelly\\_magnus@hotmail.com](mailto:kelly_magnus@hotmail.com)

Named after the Roman Emperor whose legal code inspired the modern concept of civil law and, indeed, the very spelling of "justice," JLS provides a forum for, and increased awareness of, issues of importance to the Italian-American legal community. As a chapter of the National Italian American Bar Association ([www.niaba.org](http://www.niaba.org)), JLS provides networking opportunities with this and other national and regional Italian-American organizations, provides national networking opportunities with Italian-American judges and lawyers, opens doors to summer internships and scholarships, and sponsors numerous academic and social events throughout the school year.

**The Labor and Employment Law Society**

Rm. 011

Eric Sposito

[sposito@pegasus.rutgers.edu](mailto:sposito@pegasus.rutgers.edu)

Maritza Rodriguez

[maritzar@pegasus.rutgers.edu](mailto:maritzar@pegasus.rutgers.edu)

The Rutgers Labor and Employment Law Society (LELS) is a student-run organization devoted to promoting educational and career-oriented activities for students interested in the practice of labor and employment law. LELS creates networking opportunities for students by facilitating contact with potential employers, assists in hosting an ICLE event each year, and organizes a speaker series that addresses substantive and practical issues in the field.

**Law Students for Choice**

Rm. 011

Mandy Sheridan

[mandy.v@gmail.com](mailto:mandy.v@gmail.com)

Law Students for Reproductive Justice is dedicated to raising awareness on issues related to contraception, abortion, and sex education. We promote equality for women across all socioeconomic levels and racial and ethnic groups.

**The Medicine and Health Law Society**

Rm. 011

TBA

TBA

The Medicine and Health Law Society is an association of law student sharing an interest in the discipline and practice of medicine and health law, and sponsors lectures and social events featuring scholars and practitioners in this area of law.

**\* The Moot Court Board**

Rm. 391

Brian Fischkin

[fischkin@pegasus.rutgers.edu](mailto:fischkin@pegasus.rutgers.edu)

Stephanie Palo

[spalo@pegasus.rutgers.edu](mailto:spalo@pegasus.rutgers.edu)

The Moot Court Board assists in the administration of the Appellate Moot Court and Mock Trial programs. The board is selected each spring from among those students demonstrating high achievement in writing briefs and in oral advocacy. Some board members may act as advisers to students participating in Appellate Moot Court courses, and others are responsible for the conduct of the Spring Moot Court Competition. The board also sponsors a team in the annual National Moot Court Competition. In addition, it encourages student participation in specialized competitions; this includes the Wagner Labor Law Competition, the Albert R. Mugel National Moot Court Tax Competition, the American Patent Law Association Competition, the Jerome Prince Evidence Moot Court, the National Mock Trial Competition, the ABA/LSD Client Counseling Competition, and the Negotiations Competition.

**The Muslim Students Association**

Rm. 011

TBA

The Rutgers-Newark Muslim Law Students Association (MLSA) is designed to promote and advance knowledge of Islamic jurisprudence and Islamic culture in the R-N Law School community and serve the best interests of Muslim students.

**Older and Wiser Law Students (OWLS)**

Rm. 13

Kate Fredland Ziemba

[fredland@pegasus.rutgers.edu](mailto:fredland@pegasus.rutgers.edu)

O.W.L.S. provides support, networking, and social events for students with significant life experience prior to entering law school. Formed in 2005, O.W.L.S. helps students identify career opportunities, solve challenges unique to older students, and provide academic and social mentoring for first-year students. Regular meetings and events are held throughout the school year, including collaborations with O.W.L.S. groups at other area law schools, coffee hours, and lectures by others for whom law was a second career. We welcome new members throughout the year.

**The Pro Bono Service Program**

Rm. 001C

Stephanie Scannell

[stephsc@pegasus.rutgers.edu](mailto:stephsc@pegasus.rutgers.edu)

The Pro Bono Service Program gives students the opportunity to gain practical legal experience and at the same time provide needed help to the community through a wide variety of placements

in Newark and the surrounding communities. Projects have included AIDS legal services, criminal defense, immigration law, women's issues, civil court, and family law. Students who provide 35 hours of pro bono service receive a notation on their law school transcripts and certificates upon graduation.

**The Public Interest Law Foundation (PILF)**

Rm. 013

Rachit Choksi  
Kate Paddock  
Kiran Nagulapalli

[rachitc@pegasus.rutgers.edu](mailto:rachitc@pegasus.rutgers.edu)  
[kpaddock@pegasus.rutgers.edu](mailto:kpaddock@pegasus.rutgers.edu)  
[kirann@pegasus.rutgers.edu](mailto:kirann@pegasus.rutgers.edu)

PILF, the Public Interest Law Foundation, at Rutgers School of Law-Newark is a unique, student-run, non-profit organization charged with the primary task of raising funds which are provided to students with summer positions in the public interest field. PILF grants allow our students to pursue unpaid domestic and international internship opportunities in government, community, and private organizations. PILF also works on campus to increase awareness of public interest law and the benefits of community involvement.

**Rutgers Business Law Journal**

TBA

Alex Rasi  
Eric Kleveland

[arasi@pegasus.rutgers.edu](mailto:arasi@pegasus.rutgers.edu)  
[ekleveland@hotmail.com](mailto:ekleveland@hotmail.com)

The Rutgers Business Law Journal is an interdisciplinary, academic journal that publishes scholarly articles in the areas of corporate law, business law, bankruptcy, and insolvency-related topics.

**Rutgers International Law Society**

Rm. 011

Osato Chitou  
Jesse Butler  
Ann Domyancic

[ochitou@pegasus.rutgers.edu](mailto:ochitou@pegasus.rutgers.edu)  
[jrbutler@pegasus.rutgers.edu](mailto:jrbutler@pegasus.rutgers.edu)  
[annadom@pegasus.rutgers.edu](mailto:annadom@pegasus.rutgers.edu)

The Rutgers International Law Society (ILS) is the catalyst for students interested in international law. Members' interests are broad, and include international business, human rights, and environmental law, among many others. ILS provides a forum for students wishing to develop an awareness of international legal issues and for those wishing to pursue careers in international law. The society plans presentations on international law, sponsors speakers, coordinates with other student organizations, and promotes international law programs and courses at the law school in order to integrate an international law perspective.

**Rutgers Intellectual Property Law Society**

Rm. 011

Jared Heady  
Georgina Nemecek

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[gnemecek@pegasus.rutgers.edu](mailto:gnemecek@pegasus.rutgers.edu)

The Intellectual Property Law Society advances the study of and encourages interest in the various areas of intellectual property law at Rutgers Law School-Newark. The goal of the society is to provide the law school community with exposure to the areas of Copyright, Trademark, Trade Secrets, Patent, and Unfair Competition Law.

**Rutgers Lesbian Gay Bisexual Transgender Caucus**

Rm. 013

Michel Pignatiello  
Jessica Scheckengost

[michelp@pegasus.rutgers.edu](mailto:michelp@pegasus.rutgers.edu)  
[js1736@alum.barnard.edu](mailto:js1736@alum.barnard.edu)

The Rutgers Lesbian Gay Bisexual Transgender Caucus was organized in 1976. Its main objectives are to represent the interests of the gay, lesbian, bisexual and transgender students of the school; to encourage the study of law affecting gay, lesbian, bisexual and transgender people; to

educate the general school community on important issues relating to the rights of gays, lesbians, bisexuals and transgender people; and to provide information, leadership, encouragement, and debate on the important issues affecting gays, lesbians, bisexuals and transgender people such as the right to marry and divorce, the right to privacy, the right to be free from employment and public accommodations discrimination, the right to child custody, and criminal law reform. The organization coordinates efforts with all schools in the metropolitan area and with national professional organizations such as Lesbians in Law and others.

**Rutgers Law School Runners Club**      TBA      TBA

This newly formed organization joins together students with a passion for running, and provides training and racing opportunities throughout the school year

**Rutgers Student Lawyers Guild**      Rm. 013      Patrick Barnacle  
Daniel Schoenberg      [ccxcone@pegasus.rutgers.edu](mailto:ccxcone@pegasus.rutgers.edu)  
[dschoenb@pegasus.rutgers.edu](mailto:dschoenb@pegasus.rutgers.edu)

The Rutgers Student Lawyers Guild is a chapter of the National Lawyers Guild, an association dedicated to the need for change in the structure of our political and economic systems. The Rutgers chapter sponsors progressive programs on such social and legal topics as the Roe v. Wade abortion decision, capital punishment, and immigrants' rights. It also works to ensure that the school is sensitive to the needs of minorities, women, and working-class students.

**Rutgers University Civil Liberties Union (RUCLU)**      Rm. 013      TBA      TBA

The Rutgers Chapter of the American Civil Liberties Union, champions the cause of protection of the civil liberties of all Americans, sponsoring events, and volunteering in various endeavors written and outside the law school.

**Women's Law Forum**      Rm. 014      Lindsey Ferioli  
Sara Gregory      [lferioli@pegasus.rutgers.edu](mailto:lferioli@pegasus.rutgers.edu)  
[sara15g@pegasus.rutgers.edu](mailto:sara15g@pegasus.rutgers.edu)

The Women's Law Forum is a collective committed to discussing, promoting, and advocating for women's issues. It provides a forum to explore the diversity of women's experiences, including differences of race, class, national origin, and sexuality. It challenges -- and struggles to eliminate -- the inherent gender bias of the legal system. It actively works toward building coalitions with other organizations to advance common goals and encourages the involvement of all women in the law school community.

**Student Bar Association**      353-5868      Rm. 091      David Gold  
Erin Kragh      [dgold280@pegasus.rutgers.edu](mailto:dgold280@pegasus.rutgers.edu)  
Eric Pelz      [ekragh@pegasus.rutgers.edu](mailto:ekragh@pegasus.rutgers.edu)  
[ericpelz@pegasus.rutgers.edu](mailto:ericpelz@pegasus.rutgers.edu)

The Student Bar Association (SBA) is the umbrella organization for all other organizations in school. Extracurricular affairs of the school are governed by the SBA, which consists of elected representatives from each class, chosen on a proportional basis; these representatives elect offi-

cers to govern the association. The SBA is governed by a constitution and bylaws, and has at its disposal funds received from student activity fees. These funds are allocated by the association to the various student organizations in the school. Other activities planned by the organization include student-faculty coffee hours, parties, and speakers. The SBA also plans for a for the discussion of contemporary problems.

The SBA is the representative body of law school students acting as a vehicle for the expression of student concerns and the promotion of student participation in the affairs of the law school, the Rutgers University system, the legal community, and the community in general. A major function of the SBA is appointment of student members to most of the faculty standing committees. These appointments are open to all members of the student body. They provide an opportunity for students to work face-to-face with faculty in developing and directing school policy, programs, and functions. Appointments to these committees are made by the SBA Executive Committee with the advice and consent of the SBA membership.

The SBA also maintains many of its own committees, comprised exclusively of students, to help develop and advocate constructive changes in the law school and the community at large. Participation of all students is highly encouraged. The SBA needs the participation of the student body. Please join it; the work will be enjoyable, educational and rewarding.

## Chapter 5

### UNIVERSITY AND AREA SERVICES AND FACILITIES FOR STUDENTS

University-operated services and facilities for Rutgers-Newark students are described below. The telephone extension numbers should be preceded by "353" when telephoning from outside the University internal telephone system. When dialing from a University phone, dial just the extension. A few private facilities on related topics are also mentioned.

**Student Health Center, Blumenthal Hall, 249 University Avenue, ext. 5231.** In an emergency call the University Police at ext. 5111 (353-5111) or regular ext. 5581 (353-5581). Sandra Samuels, M.D., Medical Director.

Open Mondays through Fridays from 8:30 a.m. to 4:30 p.m., the Health Center offers a wide range of medical services including: unlimited visits with the full-time staff physician and nurses: physical assessments and consultants; gynecological examinations (by appointment only), including pelvic examinations and family planning; referrals as needed; health-education consultation, including STD screening and hypertension screening; and laboratory tests, when ordered by the staff physician or nurse. The Center operates a pharmacy, open Monday-Friday from 8:45 a.m. 4:45 p.m. Two psychiatrists and two psychologists are also on staff, as well as a licensed alcohol and CDS abuse counselor. There is a modest charge for some services, such as allergy injections and immunizations, but generally services are free to full-time students who have paid for them through the student fee. "Part-time" students (i.e., students enrolled for 11 or fewer credits) may use the Center upon payment of the health and insurance fee of approximately \$140 per semester. The Center's services also are available to a student's spouse or dependents for whom appropriate fees have been paid. The Center encourages the appointment system. All services in the Center are purely confidential.

#### **Accident and Sickness Insurance Program**

All full-time students are covered by a basic accident and sickness (medical/surgical) insurance plan, financed by the student fee, and they may purchase a major-medical plan for themselves. The cost of the major medical plan, depending on the amount of coverage desired, runs approximately \$400 -\$600 for the calendar year. Full-time students also may purchase the basic plan or both the basic and major- medical plans for their spouses or spouses and dependents. "Part- time" students (i.e., students enrolling for 11 or fewer credits) may purchase the basic plan by paying the health and insurance fee of approximately \$140 a semester. (This rate is subject to change; interested students should see Dean Rothman for a current brochure. This fee also entitles them to use the Student Health Center described above.) If they do so they then become eligible to purchase the optional insurance plans available to full-time students. Plans may be purchased throughout the academic year, as there is no longer a cut-off date for enrollment.

Brochures and application forms are ready in early September and are retroactive to the first day of school. They may be obtained from Dean Rothman or from Student Health. These forms can also be found on the internet, at the Newark Student Health Service's webpage [http://health.newark.rutgers.edu/documents/FT\\_Students\\_and\\_Dependents\\_application.pdf](http://health.newark.rutgers.edu/documents/FT_Students_and_Dependents_application.pdf).

Claim forms must be filled out at the Student Health Center. All injuries, whether occurring on or off-campus, should be reported to the Center.

**Psychological Services**, Blumenthal Hall, Room 101, ext. 5805, Dr. Pamela Heard.

The staff at counseling services is available for short-term psychological counseling done in complete confidence. Appointments can be made by calling the above number, but because of the high demand for these services campus-wide, there is often a fairly long wait for an initial appointment. However, special needs and emergency circumstances will take priority over regular appointments, and Dean Rothman has had great success in arranging for emergency sessions on extremely short notice. Do not hesitate to consult with Dean Rothman if you have any concerns, and think that you might need to consult with a mental health professional.

**Alcohol & Substance Abuse Counseling**, Blumenthal Hall, Room 101, Ms. Polly McLaughlin ext. 1236.

The Alcohol Assistance Program and the Substance Abuse Counseling Program is a counseling and information program for students who are concerned about their drinking or drug use, about a friend's drinking or drug use, or about alcohol and other substance abuse in their family. Services are confidential and there is no fee. Ms. McLaughlin has been inordinately helpful and encouraging to the students who have sought her guidance; this is one of Rutgers' most successful programs.

### **University Police**

200 University Avenue, at street level adjacent to Parking Deck I. Regular ext. 5581 (353-5581); emergency ext. 5111 (353-5111), Michael Lattimore, Director of Public Safety.

Open 24 hours a day, seven days a week, the University Police is charged with protecting the Rutgers University community - students, staff and faculty, and property. It should be called promptly in the event of any suspicious activity or in an emergency, including an accident or severe illness. Its officers, armed while on duty, are police officers having the power to arrest. All have graduated from an accredited New Jersey State Police academy, and many have received additional training in such subjects as narcotics, investigations, and emergency medical treatment. Its equipment includes a cardiac pulmonary resuscitator and its patrol cars contain first-aid equipment. While it works closely with other agencies, such as the Newark Police and SARA (Sex Assault Rape and Analysis), the University Police should be called first because it is so close and response time is often critical.

### **SARA (Sex Assault Rape Analysis)**

This agency, a unit of the Newark Police, may be reached for incidents occurring in Newark by calling 733-RAPE from 8:00 A.M. to 5:00 P.M., or 733-6000 during other hours. For incidents occurring elsewhere, telephone your local police department or the one in the locality where it occurred.

### **Shuttle Bus & Shuttle Van**

A free shuttle bus service is available to Rutgers University faculty, staff, and students between the hours of 3:30 p.m. and 11:30 p.m., Monday through Friday. The shuttle bus service is provided for the exclusive use of Rutgers and NJIT faculty, staff, students, and their guests. Proper identification in the form of an ID card must be presented to enter the bus. The two shuttle bus routes include designated stops at key locations around the main campus, law school, the Broad Street and Pennsylvania Railroad Stations, and Kearny. Schedules are available at the Office of Parking & Transportation Services, University Police Headquarters, or from shuttle service drivers. All times listed are approximate and the schedule is subject to change. For more information, contact the Office of Parking & Transportation Services, 249 University Avenue, Blumenthal Hall, (973) 353-5873. If there is a delay in service, or missed service, please notify Dean Rothman so the problem can be reported and resolved.

### **Campus Registrar**

This office is responsible for determining in-state, out-of-state status, and for preparing your official transcript, although most law school record-keeping requests are filled by Dean Linda Garbaccio, Assistant Dean for Academic Services. This is also the office to see about using buildings on the main NCAS campus (except the Robeson Campus Center) for meetings and other programs. The office is located on the third floor of Blumenthal Hall, Room 309, ext. 5324. Dr. Miguel Estremera is the Registrar for the Newark Campus.

**Office of International Student Services**, Conklin Hall, Room 120, ext. 1427, Theresa Cann

Theresa Cann will provide international students with special counseling, and assistance with paperwork problems.

### **Campus Ministries**

Chaplains are available at regularly scheduled times and by appointment for personal counseling and assistance with programs and activities. Students may consult the following organizations:

Catholic:	Newman Center,	45 Bleeker St.,	642-1613
Episcopal:	Trinity/St. Phillips Cathedral,	24 Rector Street.,	622-4306
Greek Orthodox:	St. Nicholas Church,	555 M.L. King Blvd,	623-6211
Muslim:	Mohammed's Mosque No. 25	312 Washington Street,	622-9400
Jewish:	Jewish Community Center,	760 Northfield Avenue, West Orange, NJ	736-3200

## Child and Day Care Facilities

A partial list of child and day care facilities in Newark, compiled by the University, is provided below. Other sites can be found at <http://hr.newark.rutgers.edu/childcarecenters.doc>.

<i>FACILITY</i>	<i>ADDRESS</i>	<i>CITY</i>	<i>TELEPHONE</i>	<i>AGESACCEPTED</i>
Childtime Children Center (NJIT)	105 Lock St.	Newark, NJ	973 645-0442	6 wks-5 years
Chen School Inc.	32 Central Ave	Newark, NJ	973 624-1681	3 mo-5 years
Child Development Daycare	103 Prince St.	Newark, NJ	973 824-5633	4 mo-5 year
Essex County College (E.C.C.)	303 University Ave.	Newark, NJ	973 877-3357	2-5 years
Rainbow Land Learning	517 Market St.	Newark, NJ	973 491-5358	3-4 years
St. Joseph's Day Care Center	187 W. Market St.	Newark, NJ	973 643-2411	2½-5 years
Ironbounds Children	317 Elm St.	Newark, NJ	973 589-6873	3-4 years
La Casa De Don Pedro	75 Park Ave.	Newark, NJ	973 485-0850	3-4½ years

### Dana Library, Campus Plaza, ext. 5161

This is the general reference library for the Rutgers-Newark campus. Rutgers law students may borrow not only books, but also audiovisual materials (records, cassettes, filmstrips, etc.), films from the Rutgers film library, and government documents. The library is open Mondays through Thursdays from 8:00 a.m. to 12:00 p.m., Fridays 8:00 a.m. to 7:00 p.m., Saturdays 10:00 a.m. to 6:00 p.m., and Sundays 12 noon to 8:00 p.m.

### Gymnasium, ("Golden Dome") Warren and Washington Streets, ext. 5475

The gymnasium is available for individual students and student-group use. It has and Olympic-sized swimming pool, basketball, volleyball, and tennis facilities on a multipurpose floor, and a newly equipped and expanded weight-room and aerobics center equipped with video monitors, conditioning machines, floor an exercise space, crew training equipment, and nautilus trainers. The gym also has full show and locker facilities.

**Robeson Campus Center**, 350 Dr. Martin Luther King, Jr. Blvd., behind Dana Library  
Telephones: main office, ext. 5568.

This building has numerous facilities available to law students. Here are located the Dining Hall & food court, a variety of meeting rooms for student groups and organizations, and a catering service. The self-service Dining Hall serves meals and snacks on Mondays through Thursdays until 6:30 p.m. and on Fridays until 4 p.m. Meetings and program rooms - including the Multipurpose Room - may be reserved at little charge at the Campus Center office. Audio-visual equipment may be borrowed by students at little cost. ARA, the food service, caters func-

tions either at the Center or elsewhere on campus. The Center also contains lounges (one with a TV), game room, and an art gallery. The Robeson Center is supported solely by funds from student fees and user charges. For further information about the facilities at the Center, as well as those at other nearby locations, such as the New Jersey Institute of Technology (NJIT), see Dean Rothman.

**Bookstore**, Bradley Hall, Warren Street and Martin Luther King Blvd. The University Bookstore (Barnes & Noble Book Service) stocks all textbooks assigned by the faculty as well as a complete line of hornbooks and other legal-studies aids. Most of the books it sells are new. It also carries a wide variety of school supplies and specialty items like Rutgers T-shirts.

New Jersey Books, Inc., a private bookstore on University Avenue at Bleeker Street, sells law books (both used and new) and supplemental materials. It is a second source for law school materials, and acts as a back-up for the regular bookstore in stocking class texts.

### **Rutgers Law School Alumni Association**

The Alumni Association actively supports the law school's programs and activities. Its fund-raising efforts contribute to the school's scholarship program, the faculty's research, the law library's development, and the quality of student life through the Dean's discretionary fund. For example, the discretionary fund is used to underwrite part or all of the costs of extramural moot court competitions, this student handbook, orientations, and small-section parties for first-year students. Our liaison to the Alumni Association is Zahara Wadud-Pinkett, Senior Alumni Relations Officer, on the 1<sup>st</sup> floor, in room 172.

## **NEWARK CULTURAL INSTITUTIONS**

**Newark Public Library** (5 Washington Street): Just three and one half blocks from CLJ, this library offers all the facilities of a first-rate library, plus exhibits, print- and record-lending, concerts, and lectures. The library recently expanded their video cassette lending library, and has renovated the entire first floor over the past year. Newark and non-Newark resident students are permitted to obtain a card directly from the Newark Public Library. The library is open Monday, Wednesday and Thursday, 9:00 a.m.-9:00 p.m., Tuesday and Friday 9:00 a.m. -5:30 p.m.; and Saturday 9:00-1:00. Closed Sundays.

**Newark Museum** (53 Washington Street): Besides its regular collection with its notable Tibetan artifacts, the museum features special exhibits, Sunday concerts, a garden with summer jazz hours, and the adjoining Ballantine House- a century-old beer baron's mansion whose first and second floors have been refurnished, and is specially decorated at Christmas time. The museum is open Wednesday through Sunday from noon to 5:00 p.m. Closed Mondays and Tuesdays. Admission is free.

**NJPAC** Following a phenomenally successful 1997-98 inaugural year, this Newark landmark has remained a central component in Newark's cultural life. It will also continue to be

the home of the Law School graduation ceremonies.

**Sacred Heart Cathedral** (Catholic) (Clifton Avenue by Branch Brook Park), one of the landmark works of architecture, and recently designated as a Basilica, the French Gothic-style cathedral is well worth a visit and tour. Concerts at Christmas and throughout the year.

**Branch Brook Park** – the nation’s largest county park, designed by the same landscape architect who designed New York’s Central Park, Branch Brook Park is spectacular, but never more so than in late April, during the Newark Cherry Blossom Festival: Branch Brook Park is filled with more cherry trees than Washington D.C.

## APPENDIX A

### Library Policies and Procedures

Reference: 973-353-5676 | Circulation: 973-353-5677  
Administration: 973-353-3121 | Government Documents: 973-353-5966

#### 1. LIBRARY USERS

The Law Library is primarily for the use of Rutgers Law School and School of Criminal Justice students, staff, and faculty members and borrowing privileges are granted upon completion of an application and issuance of a bar code. Rutgers non-law Law faculty, staff and students may also qualify for borrowing privileges upon completion of an application and issuance of a bar code. All Rutgers faculty, staff and students are **required** to display a Rutgers ID card while in the law library.

Law school graduates or attorneys may purchase Library cards upon completion of an application and payment of a nominal fee. Also, limited Library privileges are granted to other persons upon application. All non-Rutgers patrons are required to wear the identification tag issued to them by the registration desk in the lobby of the Center for Law and Justice.

Library card privileges are not transferable to other persons and privileges may be revoked or suspended for violations of library policies.

A patron is responsible for reporting to the Library of all changes in name, home address, business address, telephone numbers and e-mail addresses.

#### 2. BORROWING OF MATERIALS

With exceptions stated below, single-volume material, which is not on reserve, may be borrowed for one month by a patron with valid Rutgers Law Library bar code. One-month loans are obtained by charging materials out at the circulation desk. Materials from multi-volume sets, loose-leaf materials, books with pocket or pamphlet supplements, statutes, reporters, periodicals, and other materials without call numbers do not circulate. As a general rule, materials on reserve may be charged out for up to two (2) hours for use in the library only. Certain reserve materials may be charged out for up to twenty-four (24) hours. Course materials which have been placed on reserve by a particular faculty member, for use by students enrolled in the faculty member's class, circulate for a period of time designated by the faculty member, not to exceed two (2) days.

#### 3. RENEWALS OF ONE MONTH LOANS

Borrowed materials with a circulation period of one (1) month which are not overdue and which have not been requested by other patrons may be renewed by telephone any day before 5:00 p.m., or by bringing them to the circulation desk any time up to fifteen (15) minutes before clos-

ing. Materials may not be renewed sooner than one (1) week before the due date. Patrons renewing by telephone must have the books in front of them for quick reference, if needed.

Overdue material may be renewed only by bringing it back to the circulation desk and paying the applicable fines before renewal.

Materials can only be renewed once, except by special permission of the Head of User Services or the Head of Circulation.

#### 4. **RECALL OF BORROWED MATERIALS**

All borrowed materials are subject to recall at the library's discretion. Failure to return a recalled item within one (1) week of the recall notice date will result in a per item fine of four dollars (\$4.00) **per day**.

#### 5. **MATERIALS ON RESERVE**

Reserve materials are kept behind the circulation desk. The library, at its sole discretion, reserves the right to change designation of materials.

Current issues of law reviews may be borrowed for use in the library only. Other reserve items, which can also be borrowed for use within the library only, are due back to the circulation desk in two (2) hours (or fifteen (15) minutes before closing, whichever is sooner). A two (2) hour loan may be renewed by bringing the material back to the circulation desk where it will be renewed if the material is not overdue and if it has not been requested for use by another patron.

Designated copies of certain books and audio-visual materials on reserve may be borrowed for twenty four (24) hours by Rutgers School of Law and Rutgers School of Criminal Justice faculty, staff and students only. Renewal of 24-hour loan material may be renewed by bringing the material to the circulation desk where it will be renewed if the material is not overdue and if it has not been requested for use by others.

Course materials, which are placed on reserve by faculty members for use by students registered in the faculty member's class, have a circulation period designated by the particular faculty member. Generally, course reserves will have a circulation period of any where from four (4) hours to two (2) days.

#### 6. **FEES AND FINES FOR LOST OR OVERDUE MATERIALS**

Overdue notices will be forwarded to patrons via e-mail or regular mail. However, failure of the library to send, or failure of a patron to receive, an overdue notice will not dismiss the patron from the responsibility to pay overdue fines. Each patron is responsible to know the due dates of items he/she has borrowed from the library and for returning the borrowed items to the library in a timely manner.

*One (1) month loan materials* - There is a per item fine of 30 cents (\$0.30) **per day**, up to a maximum per item fine of twenty dollars (\$20.00) on all overdue one-month loans.

*Reserve materials* - There is a per item fine of two dollars (\$2.00) **per hour**, up to a maximum fine of twenty dollars (\$20.00) for overdue reserve materials, such as audio and video cassettes, periodicals, two-hour loans, and twenty-four (24) hour loans.

*Lost Materials* – The patron must pay full replacements costs, all overdue fines, and a fifteen dollar (\$15.00) processing fee to replace lost materials which were charged against his/her bar code.

#### 7. **GOVERNMENT DOCUMENTS**

Federal and state documents which are located in the Government Documents area on the 2<sup>nd</sup> floor can only be charged out, and checked in, by the Government Document librarian or staff. Where duplicate copies of materials are available, the Documents librarian, in his/her sole discretion, may permit a patron to borrow one copy of the material for one (1) month. When the Documents area is closed, materials may be returned at the 1<sup>st</sup> floor circulation desk.

#### 8. **RETURNING BORROWED MATERIALS**

As a courtesy to the rest of the law school community, library patrons are expected to re-shelve in the proper location all library materials that they have used in the library, **unless** the material has been charged out from the circulation desk, the Government Documents area, or the material is coded with a call number.

Materials charged out at the circulation desk or material coded with a call number must be brought to the circulation desk for re-shelving.

Charged out materials which are left in carrels or on tables will be treated as overdue and fined the maximum fine for overdue materials.

Materials borrowed using the Rutgers University Libraries (RUL) IRIS system must be returned to the Dana Library or another RUL Library. RUL materials must not be returned to the Rutgers Law Library - Newark.

Materials borrowed from Rutgers Law Library - Camden must be returned to the circulation desk at Rutgers Law Library – Newark for return to Rutgers Law Library - Camden.

#### 9. **MATERIALS LEFT IN CARRELS OR ON TABLES**

Notes left with materials requesting that the materials be left un-shelved will not be honored unless written approval is obtained from the Head of User Services, or librarian in charge. Patrons who receive approval to leave material un-shelved must bring the un-shelved material to the circulation desk where it will be held for the patron overnight.

#### 10. **BORROWING BY LAW STUDENTS FOR LAW FACULTY MEMBERS**

A law student, employed by a faculty member as a research or teaching assistant, may borrow non-circulating material from the law library for use only in the law faculty member's office upon presentation of a letter from the faculty member stating that the law student is so employed

and authorized to borrow for the law faculty member. This letter must be dated and shall be valid only during the semester in which it is written. The student must request that the faculty member's name be added to the student's circulation record. The student must also present his/her personal Library card to charge out materials.

For borrowing privileges at the Rutgers University Libraries (RUL), the student must go the Dana Library and request a form that must be completed, signed, and returned to Dana Library by the authorizing faculty member. The form can also be downloaded and printed from the RUL webpage.

#### **11. BORROWING BY STUDENTS FOR USE IN PUBLICATIONS**

Single volume material which is not on reserve may be borrowed for up to an academic year by members of student members of law journals only for use on journal projects and only in journal offices. A member of a student publication must sign out these materials with his/her own library card and ask to have the name of the student publication added to the circulation record.

As noted in section 5 above, reserve material, generally, does not circulate outside the library and borrowing is usually limited to two (2) hours. For this reason, it is recommended that a member of a student publication use PDF copies from an on-line source or photocopies of reserve materials that are needed for journal projects. In the rare instance that reserve material is not available from an on-line source, or that reserve material cannot be photocopied, a member of a student publication may request special permission to charge out reserve materials for use on journal projects and only in journal offices. This special charge out period is not to exceed twenty-four (24) hours.

If borrowed material becomes overdue and cannot be found in the student publication office, the student to whom the material was checked out will be held responsible for the material and will be subject to replacement costs.

Use of reference materials is limited to in-library use only with the permission of the reference librarian.

#### **12. BORROWING BY STUDENTS FOR USE IN CLINICS**

As noted in section 5 above, reserve material, generally, does not circulate outside the library and borrowing is usually limited to two (2) hours. For this reason, it is recommended that student members of clinics use PDF copies from an on-line source or photocopies of reserve materials that are needed for clinic projects. In the rare instance that reserve material is not available from an on-line source, or that reserve material cannot be photocopied, a student member of a clinic may request special permission to charge out reserve materials for use on clinic projects and only in clinic offices. This special charge out period is not to exceed twenty-four (24) hours.

If the borrowed material becomes overdue, the student will be held responsible for it and will be subject to fines. If the material is lost and cannot be found in the clinic offices, the student will

be held responsible for it and will be charged fines, and replacement and processing costs appropriate for the type of material.

Use of reference materials is limited to in-library use only with the permission of the reference librarian.

### 13. **SUSPENSION OF BORROWING PRIVILEGES**

The library reserves, in its sole discretion, the right to revoke, suspend, or modify the privilege granted to any individual.

### 14. **MEDIA SERVICES**

The Library has a collection of video and audio cassettes, which may be borrowed by Rutgers Law School and School of Criminal Justice faculty and students, for viewing, or listening, in the Library. Designated copies of certain audio or visual materials may circulate overnight. The library has viewing facilities for VHS videotapes for both individual viewing and for viewing by groups. A list of video and audio cassettes owned by the Library can be found at the circulation desk. Arrangements to view videotapes, or listen to audiotapes, in library can be made at the circulation desk.

### 15. **HOURS OF OPERATION**

When school is in session, the regular hours of the library for Rutgers University faculty, staff and students are:

#### **Monday through Friday, 7:30 a.m. to midnight**

Circulation desk services commence at 8:00 a.m.

Non-Rutgers patrons may not enter, or remain in, the library after 9:00 p.m.

After 7:00 p.m. access to the third floor is limited to Rutgers ID holders.

Circulation desk and computer lab services end at 11:45 p.m.

Photocopy machines are turned off at 11:45 p.m.

Second and third floors close to all patrons at 11:45 p.m.

#### **Saturday and Sunday, 10:00 a.m. to midnight**

Circulation desk and computer lab services end at 11:45 p.m.

Non-Rutgers patrons may not enter, or remain in, the library after 6:00 p.m.

Circulation desk and computer lab services end at 11:45 p.m.

Photocopy machines are turned off at 11:45 p.m.

Second and third floors close to all patrons at 11:45 p.m.

Materials must be charged out fifteen (15) minutes before closing time.

Changes in library hours for summer, intersession, holidays, or other reasons are posted in advance.

## 16. **PHOTOCOPIERS**

Pay-per-copy photocopy machines, operated by a pre-paid copy card, are located on the 1<sup>st</sup> and 2<sup>nd</sup> floors of the library. Copy cards may be purchased from the vending machine next to the circulation desk on the 1<sup>st</sup> floor. Refunds for machine malfunctions will be made only if the patron notifies the circulation desk staff as soon as the malfunction occurs and immediately completes a Request for a Refund form.

Photocopiers are turned off fifteen (15) minutes prior to the library's closing.

## 17. **CONSUMPTION OF FOOD AND DRINKS**

Patrons are not permitted to eat or drink in the Criminal Justice library or any of the computer laboratories on the 3<sup>rd</sup> floor of the library.

In other parts of the library, a patron is permitted to eat light snacks, such as pretzels, chips, nuts, crackers, fruit, or cookies.

A patron is permitted to bring a non-alcoholic beverage into the library provided the beverage is in a spill-proof container. Spill-proof containers are defined by the library staff, but include water and soda bottles with twist-top caps. A patron is not permitted to bring into the library beverages in open-top containers, such as those with pop-top lids or sip-top covers. Patrons are permitted to drink beverages from authorized, spill-proof containers in the Cyber Café which is located on the 1<sup>st</sup> floor in the room off the reference desk area.

As with all library policies, the library reserves the right to modify or revoke this privilege at any time.

## 18. **CONDUCT OF PATRONS**

The following are not permitted in the law library:

- A. Noise that disturbs or interferes with the use of the library by another person.
- B. Patrons whose bodily hygiene interferes with the use of the library by other library patrons or staff.
- C. Patrons who are not properly attired, such as patrons without shoes or shirts.
- D. Conduct interfering with another person's use of the library or with library personnel's performance of their duties.
- E. Misusing a restroom, such as using the restroom as a laundry or bathing facility.
- F. Solicitation of contributions or signatures or conducting surveys of any type.
- G. Bringing animals into the library, other than guide dogs.

## 18. SMOKING

Smoking is not permitted in the Center for Law and Justice, including the Law Library.

## 19. REGISTRATION REQUIRED

All public, non-Rutgers faculty, staff or students library users are required to register at the security desk located at the entrance to the Center for Law and Justice building and again at circulation desk prior to using the law library. Public patrons who only wish to use the Government Documents area may do so without registering at the law library circulation desk.

## 20. CELL PHONES

Cell phone use is limited to the area adjacent to the Reference and Circulation desks on the 1<sup>st</sup> floor of the library. No cell phone use is permitted in the 1<sup>st</sup> floor galleries, or on the 2<sup>nd</sup> or 3<sup>rd</sup> floors of the library, including the computer labs, the Criminal Justice library, or the restrooms.

## 21. USE OF STUDY ROOMS

Only Rutgers Law School students and Rutgers School of Criminal Justice students are permitted to use the study rooms located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the library. Use of the study rooms is done by reservation only on a first come, first serve basis, using the form in the reservation book located at the circulation desk. Reservations for up to four (4) hours of use must be made on the day of use only; no reservations in advance of the current date will be accepted. Use of study rooms is limited to study groups; to an individual student using audio or video equipment, a typewriter or a personal computer; Legal Research and Writing Teaching Assistants; and other authorized tutors.

A study group, which consists of two or more qualified students, may make same-day reservations for up to four hours total on that same day. The name of each member of the group must be on the reservation form. Multiple individuals in the same study group may not reserve a study room on the same day; however, the study group using the room does not need to vacate the study room until the next group with a reservation arrives. Study groups have priority and an individual student may be asked to vacate the study room to accommodate the study group.

Legal Research and Writing Teaching Assistants, and other authorized tutors, may reserve study rooms for **up to four (4) hours per day for an entire semester.**

If a room is reserved by an LR&W Teaching Assistant, tutor, or a study group, a student using the room must vacate the room upon request.

All rules applicable to library use also apply to use of the study rooms; however, emphasis is placed on the following rules:

- Smoking in the study rooms is not permitted
- Obscuring the windows in the study rooms is not permitted
- Users must not make noise loud enough to disturb other library users.
- Users must keep rooms neat and clean.

- *Failure to pick up paper and other debris will result in the revocation of study room privileges for the group or for the individual.*

Attorneys, students from other divisions of Rutgers, students from other institutions, and the general public are not permitted to use study rooms at any time.

## 22. **QUIET AREAS**

The 2nd and 3rd floors are restricted study areas where **no conversations or cell-phone use is permitted**. Quiet conversations are permitted only on the 1st floor, in computer labs, and in study rooms.

## 23. **LIBRARY ENTRANCE AND EXIT**

Entering and exiting is only through the main doors located on the 1<sup>st</sup> floor. Using any other doors or means to enter or exit the library is prohibited by fire code as well as building policy.

## 24. **LEXIS-NEXIS AND WESTLAW LABS**

Lexis-Nexis and Westlaw labs are located on the 3rd floor and are accessible only through the library. These laboratory facilities, equipment, and database services are provided solely for use by Rutgers Law School students, faculty and staff members for purposes of legal academic course work and research.

## 25. **PRIVACY POLICY**

The Law Library respects the rights of users to pursue their research and recognizes that the subject of their research is private. Protecting user privacy and confidentiality is an integral part of the mission of this library. In order to insure this right, the Law Library adopts the American Library Association Code of Ethics, and the New Jersey Confidentiality of Library Records law, N.J.S.A. Sections 18A:73-43.1.- 43.3, as the basis for its privacy policy.

## 26. **RULES FOR USE OF THE LAW LIBRARY COMPUTER RESOURCES**

**The computer laboratories close fifteen (15) minutes prior to the closing of the library.**

A. Computer terminals in the Law Library Labs are for use by Rutgers University ID holders. Patrons must adhere to all University policies relating to the use of the laboratory.

B. The Law Library is primarily a research facility and first priority is given to meeting the research needs of students, faculty, and staff. A patron using a computer for word processing is required to yield the workstation to a patron who wishes to do research.

C. If on-line material is also available in hard copy in the library, patrons are expected to copy the material using a photocopy machine. If on-line material is not available in hard copy in the library, one copy of the material may be printed from the on-line source; if additional copies of the material are needed, they must be made by photocopying.

D. Alteration of the equipment, including terminals, modems, printers, cables as or connections by a patron is not permitted; this includes saving files, or downloading programs, to the hard-drive. Only the on-duty laboratory attendant may add paper or clear paper jams from the printers, or remove, switch or replace ink cartridges.

1. The laboratory attendant will not place on “hold” print requests received.

The library, at its sole discretion, reserved the right to suspend, revise, or repeal the policies, procedures, rules, regulations, programs and activities governing the library and the computer laboratories at any time without prior notice.

Changes in library policy and policy updates will be posted on the bulletin board which is located at the library entrance on the 1<sup>st</sup> floor and notices will be placed in the computer lab.

**APPENDIX B**  
**SCHOLASTIC REGULATIONS**  
**(AS AMENDED 1979-80, 1984, 1987, AND 1995)**

The following regulations have been adopted by the faculty.

1. Grading System. Students have an option between two grading systems. This option can be exercised each term and may be exercised for each separate course. One system uses the grades A+, A, A-, B+, B, B-, C+, C, C-, D & F. The "D" is presumed to carry credit, and an "F" is a failure. The other option is a system of Pass/"D" & "F". The "D" & "F" are treated as in the first option. The Pass/"D" & "F" can not be exercised more for more than one course in any semester, and cannot be exercised for any required course. In addition, the following conditional grades and symbols are used in the law school:

I-Incomplete. Used whenever the student is absent from the final examination.

W-Withdrawn without evaluation. This symbol is used when a student has withdrawn with permission of the proper authority.

N-Deprived of credit.

E-Not taken for credit.

2. Conditions for Dismissal. This regulation applies to students entering August, 2007 and after.

A student shall be deemed not in good standing and shall be referred to the Committee on Scholastic Standing for a hearing as to why he or she should not be dismissed if at any time after two semesters (three for part-time students), the student's grade point average ("GPA"), as calculated by the grade equivalents noted in the Student Handbook, is below 2.0.

If the student has completed no more than two semesters (three for part-time students), and the student's GPA is 1.67 to 1.5, the Scholastic Standing Committee may permit the student to re-enroll for the entire first year program as the only alternative to dismissal. Students whose GPA is less than 1.5 shall be automatically dismissed without hearing;

Every student who has been subject to an order to show cause and has not been dismissed from school shall be required to participate in academic counseling as described in Regulation 7.

All students, including those who entered prior to August, 2007 must achieve a GPA of 2.00 to be graduated, and the Committee on Scholastic Standing is not permitted to relax this rule.

For purposes of Regulation Two, a grade of Unsatisfactory awarded for disciplinary rea-

sons shall be treated like a grade of Unsatisfactory awarded for academic reasons.

After affording the student an opportunity for a hearing to show cause why the student shall not be dismissed for poor scholarship, the Committee shall enter an order either dismissing the student or placing the student on academic probation for one or more semesters on such conditions, if any, as the Committee shall deem appropriate. The student's record shall be marked "Referred to the Committee on Scholastic Standing" and the Committee's action noted on the record. If the student is not dismissed, the Committee's order shall specify whether and to what extent residence and academic credit shall be granted. The student shall be informed in writing as to the Committee's action.

3. Special Consideration for First Semester Performance. The first semester of law school requires a difficult adjustment for many students. Accordingly, in exercising its discretion under Regulation Two, the Scholastic Standing Committee shall take this factor into consideration in appropriate cases.

4. Courses Failed. A student who complies with the requirements of Regulation Two, but who receives a grade of F in any course shall receive no credit for the course. He or she is required to repeat a required course.

5. Probation. This regulation applies to students entering August, 2007 and after.

All students (except part-time students who have only finished the first semester of the required curriculum) whose cumulative grade point average ("GPA") as calculated by the grade equivalents listed in the Student Handbook, at the end of any semester is below 2.33, and who have not already been referred to the Scholastic Standing Committee pursuant to Regulation Two during that semester, will be referred to the Committee and placed on academic probation for one or more semesters on such conditions, if any, as the Committee shall deem appropriate.

The Committee has discretion to deprive the student of academic credit for any enterprise for which a grade of "D" was received during any such semester(s). Upon receipt of a J.D. from this institution, all references to probation pursuant to this regulation shall be expunged from the student's record.

For students entering prior to August, 2007, Regulation Five applies to all students whose GPA at the end of any semester is below 2.00, and who have not already been referred to the Committee on Scholastic Standing pursuant to Regulation Two.

6. Absence from Examinations. A student who is absent from an examination without being excused by the Dean, either before, or reasonably soon after, the time of the examination, will automatically receive the grade of "F" in the course for the purpose of determining the student's eligibility to continue in the school. If the student has been excused by the Dean, s/he must take deferred examinations in incomplete courses when the regular examinations in the courses are next given or as permitted in the discretion of the Dean.

7. Residence Credit. Full time students are required to be in residence for six academic

semesters. "Residence" for full-time students requires that at least twelve credits be earned in any given semester.

1. A student must earn at least 6.00 semesters of residency to receive the J.D. degree.
2. A student is awarded 1.00 semester of residency for any fall or spring semester in which the student is enrolled in and successfully completes 12 credits and certifies that he/she has not worked more than 20 hours during any calendar week in which classes or exams were being conducted.
3. A student is awarded 0.75 semesters of residency during any semester in which the student is enrolled in and successfully completes 8, 9, 10 or 11 credits, or in which he/she is enrolled in and successfully completes 12 credits as a part-time student with the permission of the Dean, and does not certify that he/she is working 20 hours or less during any calendar week in which classes or exams were being conducted.
4. A student who enrolls in and successfully completes less than 8 credits during a fall or spring semester is awarded no (0.00) residency. A student may not enroll in less than 8 credits during a fall or spring semester unless he/she has already completed the residency requirement.
5. For residency purposes, a student who withdraws from a course (with a W grade) is counted as not having enrolled in the enterprise at all. A full-time student who fails a course and thereby falls below 12 credits but still successfully complete 8 credits receives 0.75 semesters of residency. A student who fails a course and thereby falls below 8 credits receives no (0.00) residency, but the Scholastic Standing Committee, by special petition, may award pro rata residency points (number of credits successfully completed/10 = maximum pro rata semesters of residency allowable).
6. A student is awarded residency for summer sessions according to the following schedule:

1 credit	0.1 semesters of residency
2 credits	0.2 semesters of residency
3 credits	0.3 semesters of residency
4 credits	0.4 semesters of residency
5 or more credits	0.5 semesters of residency

A student may not earn more than 0.50 semesters of residency for a summer session, regardless of the number of credits earned. (Note: A student may not under any circumstance earn more than eight credits in the summer session.)

Regular class attendance, with preparation adequate for full class participation, is expected of all students.

8. Withdrawal from the School. A student in the school who is in good academic standing will be permitted to withdraw upon proper written notice. The written notice is to be given to the Dean who then transmits it to the Registrar. Withdrawal without prejudice is permitted until the student's first examination for the semester. However, a student who withdraws while on probation or who withdraws with prejudice, must obtain the approval of the Committee on Scholastic Standing before s/he can be readmitted. A student who withdraws without prejudice before taking any examinations in the law school must apply to the Committee on Admissions for readmission. A law student receiving any form of financial assistance must have an interview with the Director of Financial Aid, prior to withdrawal.

9. Lapsed Credits. Normally, the ABA standards require that a full-time law student complete the J.D. degree within five years and a part-time student within six years.

10. Academic Honors. Honors may be recommended by the faculty on the advice of the Committee on Scholastic Standing on the basis of distinguished scholastic attainment over the entire law school career. Such honors are not recommended for more than ten percent of the graduating class. In exceptional cases recommendations may be made for high honors or highest honors.

(Note: graduating students who have elected the "Pass" option in a substantial number of courses are not eligible for honors.)

11. Withdrawals from Courses. A student will be permitted to drop a law school non-required course or course elective until the time of the course examination. Students may drop seminars and clinics until the last day of class only with permission of the instructor. After the second week of classes, a "W" will appear on the record.

12. Withdrawal to Enter Military Service. A student in the law school who has satisfactorily completed at least two terms of work in the school and who is required to withdraw in any term except his/her final term in order to enter the armed forces will be granted advanced standing toward his/her degree to the extent of the number of credit hours for which s/he is registered, and if registered for at least 12 credit hours, for one term's residence credit. A student who is required to withdraw during his/her final term in order to enter the armed forces will receive his/her degree. To be eligible to receive the degree or advanced standing toward the degree, the student must (1) have done work of such quality that, if continued until the end of the term, it would, in the judgment of the Committee on Scholastic Standing, have entitled the student to full credit; (2) remain in regular attendance until s/he is required to report for active military duty; (3) have been denied a deferment to complete the term; and (4) have been in regular attendance for at least one-half of the term. A student who is required to withdraw to enter the armed forces who does not meet the above requirements may petition the Committee on Scholastic Standing, acting in its discretion, for appropriate relief. A student wishing to withdraw to enter the armed forces but who has voluntarily enlisted for military service may petition the Committee on Scholastic Standing, acting in its discretion, for his/her degree or for advanced standing toward his/her

degree, provided (a) s/he has satisfactorily completed at least two terms of work in the school; (b) s/he fulfills requirements 1, 2, and 4, above; and s/he presents to the Committee weighty reasons for requiring such relief.

13. Cross-Registration. Students in their second and third years may register for selected or specially approved courses offered by the University outside the law school. With special permission, students may cross-register for six credits toward law school graduation.

14. Clinic Credits. Students may take, during their second and third (and fourth) years, a maximum of 28 credits in clinical education programs; credits earned for interdisciplinary courses taken outside of the school shall be counted toward this 28-credit maximum. However, every student must complete 60 credits in non-clinic, non-unscheduled, non-interdisciplinary courses to be eligible to receive a *juris doctor* degree.

**APPENDIX C**  
**UNIVERSITY CODE OF STUDENT CONDUCT**  
**RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY**  
**(Effective July 1, 2007)**

**PREAMBLE**

A university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Its rules should be conceived for the purpose of furthering and protecting the rights of all members of the University community in achieving these ends.

All members of the Rutgers University community are expected to behave in an ethical and moral fashion, respecting the human dignity of all members of the community and resisting behavior that may cause danger or harm to others through violence, theft, or bigotry. All members of the Rutgers University community are expected to adhere to the civil and criminal laws of the local community, state, and nation, and to regulations promulgated by the University. All members of the Rutgers University community are expected to observe established standards of scholarship and academic freedom by respecting the intellectual property of others and by honoring the right of all students to pursue their education in an environment free from harassment and intimidation.

This document and the accompanying annotations<sup>a</sup> describe the University's Code of Student Conduct. It specifies prohibited types of behavior, the sanctions that can be applied, and the jurisdiction, structure, and operation of the University system for adjudicating student disciplinary cases. It supersedes those documents pertaining to student disciplinary hearing procedures, in conflict herewith, currently in force in any division of the University. It is the responsibility of all University students to familiarize themselves with these regulations.

**AUTHORITY FOR STUDENT DISCIPLINE**

1. Ultimate authority for student discipline is vested in the Board of Governors of Rutgers, The State University of New Jersey. Disciplinary authority may be delegated to University administrators, faculty members, students, committees, and organizations, as set forth in this Code, or in other appropriate policies, rules, or regulations adopted by the Board.

**RATIONALE**

2. The primary purpose for the imposition of discipline in the University setting should be to foster the personal, educational, and social development of those students who are held accountable for violations of University regulations, to ensure the orderly functioning of the University, and to protect the University community and its integrity.

**DEFINITIONS**

3. When used in this Code:

(a) the term "college" means any academic division of the University.

(b) the term "regional campus" means any of the three major geographic divisions of the University, i.e., Camden, Newark or New Brunswick/ Piscataway.

(c) the term "Vice President for Student Affairs" means that official or that individual(s) to whom the Vice President has assigned any one or more of his or her responsibilities under this document.

(d) the term "Provost" means that official on the Newark or Camden Campus, or the individual(s) to whom the Provost has assigned any one or more of his or her responsibilities under this document.

On the New Brunswick Campus, the term "Provost" means the Executive Vice President for Academic Affairs or the individual(s) to whom the Executive Vice President for Academic Affairs has assigned any one or more of his or her responsibilities under this document.

(e) the term "Senior Dean of Students" shall mean that official or the person(s) at that campus designated to have the responsibilities assigned to the Senior Dean of Students by this document.

(f) the term "Dean of Students" shall mean that official or the person(s) at that campus designated to have the responsibilities assigned to the Dean of Students by this document.

(g) the "Director of Student Judicial Affairs" means that official or other such title to whom that responsibility has been assigned or that individual to whom the Director has assigned one or more of his or her responsibilities under this document.

(h) the term "Judicial Officer" shall mean that official or the person designated to have the responsibilities assigned to the Judicial Officer by this document.

(i) the term "respondent" means any student who has been accused of an act prohibited under this Code.

(j) the term "complainant" means any member of the University community who has elected to serve as the complaining party in Hearings or Conferences conducted under this Code.

(k) the term "victim" means a member of the University community who alleges that she or he has suffered personal harm or injury as a result of an alleged violation(s) of part 10 of this Code.

(l) the term "Campus Adviser" means a member of the University community who has been selected by a respondent or by a complainant to assist him or her in Hearings or Conferences conducted under this Code.

(m) the term "attorney" means a person who holds a J.D., LL.B. or LL.M. degree from an accredited college or university, who has passed a bar exam, and is not a member of the University community, as defined in Part 3 (s) of this Code.

(n) the term "working day" means any day, except Saturday and Sunday, which is not listed as a University holiday on the University Calendar. Days when class is not in session, but which are not University holidays, are "working days."

(o) the term "notice sent to a student" means a notice delivered to the student or his or her residence by any reasonable means. Such means may include e-mail, hand delivery or first class mail to a student's most recent local address as it appears in the Registrar's records, or to the student's current home address as it appears in the Registrar's records.

(p) the terms "institution" and "University" mean Rutgers, The State University of New Jersey and all of its undergraduate, graduate and professional schools and colleges, divisions, and programs.

(q) the term "student" means any person for whom the University maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations, and who has not yet been awarded his or her degree from the University.<sup>b</sup>

(r) the term "faculty" means any person who holds a current academic appointment within the University.

(s) the term "administration or staff" means any person who currently holds a non-faculty appointment within the University. This does not include faculty who serve as department chairs.

(t) the term "member of the University community" means any student, faculty, administration or staff member at the University.

(u) the term "University premises," for purposes of this Code, means buildings or grounds owned, leased, operated, controlled or supervised by the University.

(v) the term "University sponsored activity" means any academic, co-curricular, extra-curricular or other activity on or off campus, which is initiated, aided, authorized or supervised by the University.

(w) the term "weapon" means any object or substance designed or which may be utilized to inflict a wound, cause injury, or incapacitate. A harmless instrument designed to look like a firearm, explosive or weapon that is used by a person to cause reasonable apprehension of harm, or to assault another person, is expressly included within the meaning of weapon.

(x) the term "aggravated violation" means a violation which resulted or foreseeably could have resulted in significant damage to persons or property or which otherwise posed a substantial threat to the stability and continuance of University activities or University sponsored activities.

(y) the term "distribution" means any form of sale, exchange or transfer.

(z) the term "reckless" means conduct which one should reasonably be expected to know would

create a substantial risk of harm to persons or property or which would otherwise be likely to result in substantial interference with University activities or University sponsored activities.

(aa) the term "shall" is used in the imperative sense.

## **INTERPRETATION OF REGULATIONS**

4. . Disciplinary regulations at the University are set forth in writing in order to give students general notice of prohibited conduct. This Code is not written with the specificity of a criminal statute and is not designed to define misconduct in exhaustive terms.<sup>c</sup>

## **INHERENT AUTHORITY**

5. The University reserves the right to take necessary and appropriate action to protect the safety and well being of the campus community. Such action may include taking disciplinary action against those students whose behavior off University premises indicates that they pose a substantial danger to others in the University community.<sup>d</sup>

## **VIOLATIONS OF LAW AND DISCIPLINARY REGULATIONS**

6. Students may be accountable to both external authorities and to the University for acts which constitute violations of law and this Code. Action at the University will normally proceed during the pendency of administrative, civil or criminal proceedings arising out of the same or other events, and shall not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced, or are pending.<sup>e</sup>

## **INTERIM SUSPENSION**

7. The Senior Dean of Students may suspend a student from the University for an interim period pending disciplinary or criminal proceedings. The interim suspension shall become immediately effective without prior notice whenever the Senior Dean of Students determines there is a reasonable basis to conclude that the continued presence of the student at the University poses a substantial and immediate threat to himself/herself, to others, or to property. For students on the Newark and Camden campuses, the responsibilities of the Senior Dean of Students under this section shall be carried out by the Provost or designee.

8. A student suspended on an interim basis shall be given an opportunity to appear personally before the Vice President for Student Affairs or a designee within two working days in order to discuss the following issues only:

(a) the reliability of the information concerning the student's alleged misconduct, including the matter of his or her identity.

(b) whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses a substantial and immediate threat to himself/herself, to others, or to property.

The Vice President may affirm or alter the decision to suspend on an interim basis based on such discussion. If the decision is affirmed, it shall be the responsibility of the Vice President for Student Affairs to notify the student in writing of the basis for this decision and to see that a University Hearing, as described in Parts 23 - 46, proceeds as expeditiously as possible. Any student placed on interim suspension will be given an opportunity to appear at a formal Hearing within ten working days of being placed on suspension<sup>f</sup> or as soon as practical after the respondent is prepared to participate in a Hearing. If the University fails to provide the respondent such an opportunity, the interim suspension shall cease although the original charges shall not be dropped.

## **STANDARDS OF CLASSROOM BEHAVIOR**

9. The primary responsibility for managing the classroom environment rests with the faculty. Students who engage in any prohibited or unlawful behavior that results in disruption of a class may be directed by the faculty member to leave the class for the remainder of the class period. Longer suspensions from a class, or dismissal on disciplinary grounds, must be preceded by a Hearing or Disciplinary Conference, as set forth in Parts 23 - 46 or 49 - 52 of this Code, or in accordance with Parts 7 - 8.<sup>g</sup>

## **PROHIBITED CONDUCT**

10. Students who engage in the following conduct on University premises, or at University sponsored activities, or at activities involving University recognized organizations may be subject to disciplinary action. Although violations of standards (a) through (t) may result in either expulsion or suspension from the University, lesser sanctions will be considered whenever appropriate. Violations of standards (u) through (y) may not, standing alone, result in expulsion or suspension from the University, except as specified in Part 11 of this Code.

### **Separable Offenses**

- (a) [violations of academic integrity.](#)<sup>h</sup>
- (b) forgery, unauthorized alteration or unauthorized use of any University documents or records, or any instrument or form of identification.
- (c) intentionally furnishing false information to the University.
- (d) intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion or other emergency.
- (e) use of force against any person or property or the threat of such force.
- (f) sexual assault or nonconsensual sexual contact.
- (g) hazing.<sup>i</sup>

(h) [violation of the University's Student Life Policy Against Verbal Assault, Defamation and Harassment.](#)<sup>j</sup>

(i) unauthorized entry into, unauthorized use of, or misuse of University property, including computers and data and voice communication networks.<sup>k</sup>

(j) intentionally or recklessly endangering the welfare of any individual.

(k) intentionally or recklessly interfering with any University activity.<sup>l</sup>

(l) intentionally or recklessly interfering with any University sponsored activity. (See fn.12)

(m) use, possession or storage of any weapon, dangerous chemical, fireworks, or explosive, whether or not a federal or state license to possess the same has been issued to the possessor.<sup>m</sup>

(n) the distribution of alcohol, narcotics or dangerous drugs on University property or among members of the University community, if such distribution is illegal, or the possession of a sufficiently large quantity as to indicate an intention to distribute illegally.<sup>n</sup>

(o) theft of University services or theft of, or intentional or reckless damage to, University property, or property in the possession of, or owned by, a member of the University community, including the knowing possession of stolen property. Intentional or reckless misuse of fire safety equipment shall be regarded as damage under this section of the Code.

(p) the violation of the ethical code of one's intended profession either by graduate students enrolled in any of the University's professional or graduate schools or by undergraduate students in clinical courses or settings related to their intended profession.

(q) violations of federal, state or local law where such violations have an adverse effect on the educational mission of the University.

(r) failure to comply with the lawful directions of University officials, including campus police officers, acting in performance of their duties.

(s) knowingly providing false testimony or evidence, disruption or interference with the orderly conduct of a Disciplinary Conference or Hearing, violating the terms of any disciplinary sanction imposed in accordance with this Code, or any other abuse of the University's disciplinary procedures.<sup>o</sup>

(t) stalking.<sup>p</sup>

### **Non-Separable Offenses**

(u) disorderly conduct on University premises or at University sponsored activities.

(v) obstruction of the free flow of pedestrian or vehicular traffic on University premises or adjacent to University premises, or at University sponsored activities.

(w) violations of other published University regulations or policies. Such regulations or policies may include regulations governing the residence hall lease agreement and accompanying regulations, as well as those regulations relating to the use of amplifying equipment, parking office rules and regulations, and regulations governing student organizations.

(x) illegal use or possession of alcohol or any controlled substance or illegal drug.

(y) the willful failure or refusal to testify as a witness at a University Disciplinary Hearing or Disciplinary Conference.<sup>9</sup>

11. Repeated convictions for violations of established University rules and regulations regardless of the seriousness of the individual offense involved, or any aggravated violation, may result in either expulsion or suspension from the University.

12. Attempts to commit acts prohibited by this Code or assisting others to commit acts prohibited by this Code shall be treated in the same manner as completed violations and subject to the same sanctions.

## **SANCTIONS**

13. Sanctions for violations of disciplinary regulations consist of:<sup>f</sup>

(a) **Warning:** Notice, orally or in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action. Notice of this action may appear on the student's academic transcript for up to one year.

(b) **Disciplinary Probation:** A student who is placed on disciplinary probation may continue to participate in student activities but shall be ineligible to represent the university in any official function or leadership position, including but not limited to: varsity athletics, student leadership position, cheerleader, standing committee chairperson, university senator, officer of a student government association, or an elected office in any registered student organization. After at least one semester free of behavioral violations, the student may petition the senior student affairs officer for the campus, or designee, for the restriction on participation to be removed as a condition of the probation.<sup>5</sup>

(c) **Restitution:** Repayment to the University or to an affected party for damages resulting from a violation of this Code.

(d) **Suspension:** Exclusion from University premises, and other privileges or activities, as set forth in the suspension notice. Suspension is of two types, term and/or conditional. A term suspension shall be for a stipulated period of time after which the student may return to the University community at the commencement of a regular period of study for which he or she is eligible. A conditional separation shall condition re-entry of the student into the University community upon fulfillment of specified requirements. The suspension shall continue until the Director of Student Judicial Affairs determines that the conditions have been satisfied. While on term or conditional suspension, a student shall not be permitted to earn credits at any other institution for

the purpose of transferring those credits and making progress towards a Rutgers degree. Notice of the suspension shall appear on the student's academic transcript for the term of the suspension and may appear on the student's academic transcript for up to five years.

(e) **Expulsion:** Permanent termination of student status, and exclusion from University premises, privileges and activities. This action shall be permanently recorded on the student's academic transcript.

(f) **Other Sanctions:** Other sanctions may be imposed instead of, or in addition to, those specified in sections (a) through (e) of this part. For example, students may be subject to removal from University housing for disciplinary violations. Likewise, students may be subject to restrictions upon or denials of University parking privileges for violations involving the use of registration of motor vehicles on campus and the loss of privileges for access to University computers or networks. Service or research projects may also be assigned and the student may be required to attend a specified University class or workshop at his or her own expense. For violations of academic integrity, appropriate academic penalties may also be applied.

## **STANDARDS OF DUE PROCESS**

14. Students subject to expulsion or suspension shall have the right to a University Hearing as specified in Parts 23 - 46 of this Code. Students subject to less severe sanctions will be entitled to a Disciplinary Conference as set forth in Parts 49 - 52. Instead of a University Hearing, a student may request to have his or her case referred to a Disciplinary Conference, as set forth in Part 22.

15. The focus of inquiry in disciplinary proceedings shall be to determine whether a student(s) has violated the University Code of Student Conduct. Formal rules of evidence shall not be applicable. Deviations from prescribed procedures shall not invalidate a decision or proceeding unless, in the opinion of the Hearing Officer, significant prejudice to a student respondent resulted from the deviation.

## **COMPLAINTS AND PRELIMINARY REVIEW**

16. Any individual may report a student suspected of violating this Code to the Director of Student Judicial Affairs. However, individuals who are not members of the University community may not serve as the complainant in any proceedings conducted under this Code.<sup>t</sup>

17. If the individual initiating the complaint is a member of the University community, including members of the University police, he or she will normally be expected to serve as the complainant and to present relevant evidence in Disciplinary Conferences or Hearings that may result from his/her complaint. The complainant may request the assistance of a Campus Adviser, as set forth in Parts 54-55 of this Code. On occasion a Dean of Students may serve as the complainant; however, that Dean may not conduct the Preliminary Review.<sup>u</sup>

18. In all disciplinary matters, except in cases of Interim Suspension as specified in Part 7, there shall be a Preliminary Review of information and evidence that may result in a charge(s) being brought against the student. The purpose of this Review shall be to determine if there is suffi-

cient evidence to proceed with a Hearing. It shall be the responsibility of the Judicial Officer who conducts the Preliminary Review to advise the respondent that:

(a) he or she has the right to remain silent throughout any proceedings conducted under this Code and this silence will not be held against him or her; and

(b) matters discussed during the Preliminary Review become part of the case record and may be presented during any Hearing or Disciplinary Conference.

19. The Director of Student Judicial Affairs shall assign jurisdiction for the Preliminary Review.

20. The Judicial Officer conducting the Preliminary Review shall make one of the following determinations:<sup>v</sup>

(a) dismissal of the complaint.<sup>w</sup>

(b) a charge(s) against the student which in the Judicial Officer's opinion does not merit separation and which shall be referred to a Disciplinary Conference as described in Parts 49 - 52.

(c) a charge(s) against the student which in the Judicial Officer's opinion may merit separation and which shall be referred to a University Hearing as described in Parts 23 - 46.

(d) a charge(s) against the student involving both separable and non-separable offenses, which offenses are related to a single incident or set of incidents, which shall be referred to a University Hearing as described in Parts 23 - 46 or a Disciplinary Conference as described in Parts 49-52.

(e) a decision to defer disciplinary proceedings for alleged minor violations of this Code for a period not to exceed ninety days. Pending charges may be withdrawn or pursued on or before the ninetieth day, at the discretion of the Judicial Officer.<sup>x</sup>

21. Disciplinary matters may be disposed of without the initiation of any formal hearing process if the individual conducting the Preliminary Review determines that there is not adequate cause or evidence to proceed with a formal Hearing (see Part 20 (a)), if the respondent acknowledges engaging in conduct prohibited by the Code, or if the respondent elects not to contest the charge(s). If the respondent acknowledges engaging in prohibited conduct or elects not to contest the charges, the individual conducting the Preliminary Review may assign any of the sanctions specified in Part 13. Any disciplinary determination for suspension or expulsion, as specified in Parts 13 (d) and (e), constitutes a recommendation to the Vice President for Student Affairs.

Prior to acting upon a sanction recommendation from the Judicial Officer who conducts the Preliminary Review, the Vice President shall give the respondent and the complainant at least five working days to submit written statements concerning the sanction. The Vice President may also solicit written comments from the Judicial Officer who conducted the Preliminary Review and the Director of Student Judicial Affairs. The Vice President shall mail notice of his/her decision to the student in a timely fashion and a copy shall be sent to the Judicial Officer who conducted the preliminary review and the Director of Student Judicial Affairs. This notice shall include a brief explanation of the Vice President's rationale for his or her decision. In reaching his/her decision, the Vice President shall also take note of the student's prior disciplinary record and the penalties provided in previous cases involving similar offenses. Any appeal of a sanction determination made by the Vice President for Student Affairs for a respondent who acknowledges en-

gaging in prohibited conduct or who elects not to contest the charges, shall be directed to the Appeals Committee at the campus of the student's registration pursuant to Part 56 of this Code. In such cases, appeals only will be considered on the ground that the sanction may be grossly disproportionate to the offense.

22. For cases which are referred to a University Hearing in Part 20, a respondent may request instead to have his or her case referred to a Disciplinary Conference as described in Parts 49-52 of this Code. Such requests shall not be granted unless the Judicial Officer has obtained the agreement of the complainant.

### **UNIVERSITY HEARING BOARD PROCEDURES**

23. The intent of University Hearings is to provide the University community a forum in which alleged incidents of student misconduct may be reviewed. Except as specified in Part 31, University Hearings shall take place before a Hearing Board comprised of individuals from the regional campus of the University in which the respondent(s) is enrolled. University Hearings give the Hearing Board an opportunity to determine the relevant facts in a case upon which they may make an informed decision. To this end, both the Hearing Officer and members of the Hearing Board are expected to play investigatory and adjudicative roles. They shall be allowed to call witnesses, to question the complainant, and to question any witnesses appearing at a Hearing in an effort to determine the relevant facts about the complainant's charge(s) and the respondent's response. The Hearing Officer and the Hearing Board shall also be allowed to question the respondent if he/she waives his/her privilege against self-incrimination. It shall be the responsibility of the Hearing Officer to advise the respondent that he or she has the right to remain silent.

24. It shall be the responsibility of the Director of Student Judicial Affairs to develop and train a pool of qualified individuals to serve as Hearing Officers. In cases where there is the potential for the filing of criminal charges outside the University or where the respondent selects a Campus Adviser who holds a J.D., LL.B. or LL.M. degree from an accredited college or university, the Hearing Officer shall be a member of the University community who holds a J.D., LL.B. or LL.M. degree from an accredited college or university or an attorney as defined in Part 3 (1) of this Code.

25. The Director of Student Judicial Affairs shall be responsible for annually assembling and training a pool of qualified students and faculty eligible to serve on University Hearing Boards.<sup>y</sup>

26. When a University Hearing is to be convened, three students and two faculty shall be selected from the pools described in Part 25 of this Code to serve as a Hearing Board. Should a selected individual be unable to serve for any reason, his/her replacement shall be assigned by the Director of Student Judicial Affairs from the appropriate Hearing Board pool. If a Hearing Board member becomes unable to serve once a Hearing has commenced, the Hearing may proceed or continue provided that there remains a minimum of two students and one faculty member on the Board.

27. The Director of Student Judicial Affairs may appoint Ad Hoc Hearing Boards whenever any University Hearing Board is not constituted, is unable to obtain a quorum, or is otherwise unable

to hear a case. Ad Hoc Hearing Boards shall consist of a minimum of two students and one faculty member and a maximum of three students and two faculty members. Ad Hoc Hearing Boards may consist of members of the University community who are not part of the Hearing Board pool assembled in accordance with Part 25 of this Code.

28. Hearing Officers or Hearing Board members who are charged with a violation of this Code or a criminal offense may be suspended from their positions by the Director of Student Judicial Affairs, or his or her designee, during the pendency of the charges against them. Members found guilty of any such violation or offense will be disqualified from further participation in University disciplinary proceedings by the Director of Student Judicial Affairs or his or her designee. The Director of Student Judicial Affairs may establish additional grounds and procedures for removal.

29. The Director of Student Judicial Affairs shall give the respondent(s) notice of the Hearing and the specific charges against the student(s) at least ten working days in advance of the Hearing date. This notice shall contain: a statement of the charge(s) to be presented at the Hearing in sufficient detail to enable the student(s) to understand the nature of the offense(s) charged; the names of the Hearing Officer and the members of the Hearing Board for the case in question; the time and place of the Hearing; a listing of the names and addresses of available Campus Advisers; a copy of this document; and a list of the names of the witnesses who will testify at the Hearing on behalf of the complainant and a brief summary of the facts to which each will testify. Within five working days of the receipt of notice, the respondent(s) shall supply the Director of Student Judicial Affairs a list of witnesses who will testify on his/her behalf and a brief summary of the facts to which each will testify. The Hearing Officer may, at his or her discretion, allow a respondent(s) a greater period of time in which to prepare a list of witnesses. Witnesses whose names have not been submitted in accord with this provision will be allowed to testify only at the discretion of the Hearing Officer.

30. Any party may challenge the Hearing Officer or a member of the Hearing Board on the ground of personal bias<sup>z</sup> by delivering a written statement setting forth the facts on which he or she relies to the Director of Student Judicial Affairs at least five working days prior to the scheduled date of the Hearing. The Director shall determine whether the facts presented are grounds for disqualification and his or her decision shall not be subject to appeal. In the event of the disqualification of a Hearing Officer, the Director of Student Judicial Affairs shall assign a new Hearing Officer. In the event of a disqualification of a member of the Hearing Board, a replacement will be assigned by the Director of Student Judicial Affairs from the appropriate Hearing Board pool.

31. Where more than one student is charged with an offense arising from a single occurrence or, in the opinion of the Director of Student Judicial Affairs, out of connected occurrences, a single Hearing may be held for all students so charged. The Director of Student Judicial Affairs will establish the site of this Hearing. At least five working days before the scheduled Hearing, any student charged may make written application to the Director of Student Judicial Affairs for a separate Hearing setting forth the facts on which he or she relies to demonstrate that a consolidated Hearing would prejudice him or her. The decision of the Director of Student Judicial Affairs shall not be subject to appeal.

32. Respondents and complainants shall be accorded reasonable access to the case file, which will be retained in the office of the Director of Student Judicial Affairs<sup>aa</sup>. The case file shall contain a written summary of the Preliminary Review, as described in Parts 18 - 19. This summary also will be made available to the Hearing Officer and members of the Hearing Board or the individual conducting the Disciplinary Conference.

33. Written applications setting forth good cause may be made to the Hearing Officer by either party for a postponement of the scheduled Hearing. Except in emergency situations, no application for a postponement shall be considered unless received at least five working days before the scheduled Hearing date. The decision of the Hearing Officer shall not be subject to appeal.

34. At least five working days before the scheduled Hearing, respondents and complainants shall inform the Director of Student Judicial Affairs of their choice of Campus Adviser (Part 54), their choice of attorney (Part 53), and/or support person, if any, who will assist them in the Hearing. The respondent shall be free to pick any member of the University community as his/her Campus Adviser. If the respondent selects a Campus Adviser who holds a J.D., LL.B. or LL.M. degree from an accredited college or university, the complainant shall be free to do likewise. If, for whatever reason, the respondent selects a Campus Adviser who does not hold a J.D., LL.B. or LL.M. degree from an accredited college or university, the complainant shall not be allowed to do so.

35. The Hearing Officer:

(a) shall conduct the University Hearing in such a manner as to insure a fair Hearing to all concerned. He/she shall take all necessary action to maintain an orderly Hearing.

(b) shall exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the Hearing. The Hearing Officer may exclude any person, including the respondent, who disrupts a Hearing.

(c) may summon witnesses upon the request of either party or the referring Dean of Students. The Hearing Officer may also summon additional witnesses who he/she believes may provide pertinent information. A notice to appear as a witness may be delivered by any reasonable means, including e-mail, hand delivery or first class mail to the individual's most recent campus or home address as it appears in University records. Members of the University community are expected to comply with a summons issued pursuant to this procedure, unless compliance would result in significant and unavoidable hardship. If either party believes that a fair Hearing cannot be held without the testimony of a particular witness and, after good faith attempts are made, the witness either fails to or refuses to appear, the Hearing Officer may postpone the Hearing until the witness agrees to appear, he/she may dismiss the charges against the respondent, or he/she may direct that the Hearing proceed without the witness.

(d) shall make all necessary rulings on evidence. In the exercise of this responsibility, the following general guidelines shall apply. Formal rules of evidence shall not be applicable in disciplinary proceedings conducted pursuant to this Code. The Hearing Officer shall respect the rules of confidentiality and privilege, but shall otherwise admit all matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs.<sup>bb</sup> The Hear-

ing Officer may exclude evidence if its probative value is substantially outweighed by its potential to cause unfair prejudice, confusion, or needless delay of the Hearing.

(e) shall advise the respondent at the beginning of the Hearing that he or she has the right to remain silent.

36. Respondents who fail to appear after proper notice shall be deemed to have pled no contest to the charges pending against them. Nonetheless, the complainant shall be required to present evidence to demonstrate that the respondent probably engaged in the conduct that is the subject of the charge.

37. University Hearings shall ordinarily be closed to the public, except for the respondent, the respondent's Adviser, the respondent's attorney, the complainant, the complainant's Adviser, the complainant's attorney, and the Director of Student Judicial Affairs and the Judicial Officer conducting the Preliminary Review. The respondent and the complainant may each petition the Hearing Officer to admit one additional support person.<sup>cc</sup> If the victim of an alleged act of misconduct is not the complainant, the Hearing Officer may also allow the victim to attend, subject to Part 55 of this Code. An open Hearing will be held if requested by the respondent unless the victim or complainant objects. In such cases, the Director of Student Judicial Affairs will be responsible for determining whether the Hearing is open or closed.

38. A tape recording of the Hearing, but not the closed deliberations of the Hearing Board, shall ordinarily be made and shall be preserved in the custody of the Director of Judicial Affairs. If a recording is not made for any reason, the decision of the Board must include a summary of the testimony and shall be sufficiently detailed to permit review by the Vice President for Student Affairs.

39. Witnesses shall be asked to affirm that their testimony is truthful and may be subject to charges of intentionally providing false information to the University, pursuant to Part 10 (s) of this Code.

40. The Hearing Officer and members of the Hearing Board shall be accorded an opportunity to question all witnesses who testify at a Hearing. After the Hearing Officer and the Hearing Board have completed their initial questioning of a witness, the complainant and then the respondent, or their Campus Advisers, will be accorded an opportunity to question that witness. However, the respondent and his/her Campus Adviser or the complainant and his/her Campus Adviser may not both question witnesses. Both the complainant and respondent shall elect at the beginning of any Hearing whether they or their Campus Adviser will question witnesses. This election will be binding throughout the Hearing unless the Hearing Officer permits a party to rescind his or her election.

41. Prospective witnesses other than the victim(s) shall ordinarily be excluded from the Hearing during the testimony of other witnesses. Under highly unusual circumstances the Hearing Officer, in his/her discretion, may choose not to exclude one or more witnesses during the testimony of other witnesses. If a victim will be present during a Hearing, that victim will ordinarily be the first witness to present testimony and to be subject to questioning.

42. Affidavits shall only be admitted into evidence if signed by the affiant and witnessed by the referring Dean of Students or a notary. Unless the individual making the affidavit personally appears at the Hearing, it may be used for the purpose of supplementing or explaining other evidence only, but shall not be sufficient to support a finding by itself.

43. Board members may take judicial notice of matters that would be within the general experience of members of the University community.<sup>dd</sup>

44. At the completion of the presentation of all the facts on the charge(s), the Hearing Board shall retire to closed deliberations. Hearing Board deliberations shall not be recorded or transcribed. Each respondent shall be regarded as not responsible unless the Hearing Board determines the contrary based on the facts adduced at the Hearing. The decision shall be by majority vote. Each Board member shall vote and may not abstain. The Hearing Officer and the Director of Student Judicial Affairs shall not be considered voting members of the Hearing Board and shall not be present in the hearing room during the Hearing Board's deliberations regarding the finding.<sup>ee</sup>

45. The standard of clear and convincing evidence shall be employed in all Hearings and Conferences conducted under this Code. This standard requires that the Hearing Board (the Judicial Officer in Disciplinary Conferences) be persuaded that there is a high probability that the allegations brought against the respondent are true, i.e., that there is a reasonable certainty that the charges are true.

46. The decision shall be read by a member of the Hearing Board in a reconvened University Hearing and a copy provided to the respondent either at the hearing or as soon thereafter as is practical. The victim, if any, and the complainant may be present during the reading of the Hearing Board's decision; however, other witnesses will be excluded. The determination of the Board with respect to each charge shall be supported by a brief written summary of the findings relied upon by the Hearing Board. The written summary will be placed in the case file and made available to the respondent.

## **DETERMINATION OF SANCTIONS**

47. Any determination of responsibility will generally be immediately followed by a supplemental proceeding in which the respondent, the complainant, the victim (if he or she is not the complainant), the referring Judicial Officer, and the Director of Student Judicial Affairs may submit evidence or make statements concerning the appropriate sanction to be imposed. The past disciplinary record<sup>ff</sup> of the respondent shall be supplied to the Board by the referring Judicial Officer only if a determination of responsibility has been reached. At the completion of any presentations, the Hearing Board shall retire to closed deliberations to determine a recommended sanction, which shall be forwarded to the Vice President for Student Affairs as well as to the complainant, the respondent, and Hearing Officer, and the Director of Student Judicial Affairs. The recommended sanction shall be by majority vote and each Board member shall vote and may not abstain. Neither the Hearing Officer nor the Director of Student Judicial Affairs shall be considered voting members of the Hearing Board and shall not be present in the hearing room during the Hearing Board's deliberation regarding the sanction.<sup>gg</sup>

48. Prior to acting upon such recommendation, the Vice President shall give the respondent and the complainant at least five working days to submit written statements concerning the sanction recommended by the Hearing Board. The Vice President may also solicit written comments from the Hearing Officer assigned to the case and/or the Judicial Officer who conducted the Preliminary Review. The Vice President shall mail notice of his/her decision to the student in a timely fashion and a copy shall be sent to the Judicial Officer who conducted the Preliminary Review. This notice shall include a brief explanation of the Vice President's rationale for his or her decision. In reaching his/her decision, the Vice President shall also take note of the student's prior disciplinary record and the penalties provided in previous cases involving similar offenses.

### **DISCIPLINARY CONFERENCES**

49. Students charged with a non-separable offense (Part 10 (u) through (y)) who contest the charge will be referred to a Disciplinary Conference.<sup>hh</sup> Additionally, students charged with separable offenses (Part 10 (a) through (t)) who have been referred to a University Hearing may request instead to have their case referred to a Disciplinary Conference.<sup>ii</sup> The Disciplinary Conference is designed to reduce unnecessary proceduralism and contentiousness in disciplinary proceedings. A Disciplinary Conference is an informal, non-adversarial hearing usually conducted between the respondent and the Judicial Officer assigned by the Director of Student Judicial Affairs.<sup>jj</sup> Complainants would not be required to participate in the Disciplinary Conference, unless cross-examination was necessary to resolve a dispositive factual issue.<sup>kk</sup> The Judicial Officer shall conduct the Disciplinary Conference in such a manner as to insure a fair Conference to all concerned and shall exercise control over the process to avoid needless consumption of time and to achieve orderly completion of the Disciplinary Conference. The standard of proof shall be clear and convincing evidence as more fully explained in Part 45.

50. In the event of a Disciplinary Conference, the respondent shall be accorded the following procedural protections:

(a) written notice of charges at least five working days prior to the scheduled Disciplinary Conference.

(b) reasonable access to the case file prior to and during the Disciplinary Conference, subject to Part 32 of this Code.<sup>ll</sup>

(c) an opportunity to respond to the evidence against him or her and to call appropriate witnesses on his or her behalf.

(d) the right to be advised by an attorney as provided in Part 53 of this Code.

(e) the right to be assisted by a Campus Adviser, as provided in Part 54 of this Code.

(f) the right to appeal the determination of responsibility or the sanction in accordance with Parts 56-66 of this Code.

51. Any of the sanctions specified in Part 13 may be assigned as the result of a Disciplinary Conference, except that the sanctions of suspension and expulsion are not available when a student is charged with only non-separable offenses (See Part 10 (u) through (y)). Any disciplinary deter-

mination for suspension or expulsion as specified in Parts 13 (d) and (e) of this Code, constitutes a recommendation to the Vice President for Student Affairs.<sup>mmm</sup>

52. A tape recording of the Disciplinary Conference shall ordinarily be made and shall be preserved in the custody of the Director of Student Judicial Affairs. If a recording is not made for any reason, the decision of the Judicial Officer conducting the Disciplinary Conference must include a summary of the testimony that shall be sufficiently detailed to permit review.

### **ATTORNEYS AND ADVISERS**

53. Both complainants and respondents may be advised by an attorney as defined in Part 3 (m). The role of this attorney shall be limited to consultation and he/she may not address Hearing Officers, Hearing Boards, speak in Disciplinary Conferences, or question witnesses.

54. The Director of Student Judicial Affairs will maintain a list of qualified individuals who are currently eligible to serve as Campus Advisers and who may be selected to assist complainants or respondents in Disciplinary Conferences or University Hearings on any campus. Campus Advisers shall be allowed to speak in Disciplinary Conferences and Hearings, make procedural objections, question witnesses, and make opening and closing statements. Attorneys, as defined in Part 3 (m) of this Code, shall not be permitted to serve as Campus Advisers.

55. Any respondent in a Disciplinary Conference or University Hearing shall have the option of selecting the Campus Adviser of his or her choice from the trained corps of Advisers described in Part 54, or from the University community at large. The complainant, subject to the limitations of Part 34, shall also have the right to be assisted by a Campus Adviser. If the victim of an alleged instance of misconduct is not the complainant, he/she may have a support person present, but shall not be entitled to have a Campus Adviser or attorney present at any Hearing. As a matter of University policy, the conversations between a Campus Adviser and a person being assisted by that adviser in a Hearing or Conference under this Code will be deemed confidential in subsequent University proceedings.

### **APPEAL PROCEDURES**

56. Any determination of responsibility by a University Hearing Board or by a Judicial Officer conducting a Disciplinary Conference for a suspension offense (Part 10 (a) through (t)) or determination of sanction by the Vice President for Student Affairs may be appealed to the Appeals Committee of the regional campus of the student's registration, as described in Parts 75 - 76.

57. Appeals for decisions made by Judicial Officers in Disciplinary Conferences for non-separable offenses will be referred to the Director of Student Judicial Affairs in New Brunswick and to the Provost for cases involving students registered in Newark or in Camden. The appeals procedures to be followed on each campus are available in the Office of Student Judicial Affairs.

58. Requests for appeals must be submitted in writing to the Director of Student Judicial Affairs, who will transmit the appeal to the appropriate Appeals venue. Such requests must be received within ten working days from the date of the letter notifying the respondent of the finding and sanction. Respondents may appeal on any or all of the following grounds: (a) appeal the finding

that the Respondent violated the Code; (b) appeal the sanction imposed; and (c) appeal on the basis of specified procedural errors in the disciplinary process. Failure to appeal within the allotted time will render the original decision final and conclusive.<sup>mn</sup>

59. The Appeals Committee may solicit written clarification on any issue raised on appeal from the Hearing Officer assigned to the case, the Judicial Officer who conducted the Preliminary Review or Disciplinary Conference, the Vice President of Student Affairs, the Director of Student Judicial Affairs, the respondent, and/or the complainant. Such written comments shall be retained as part of the case record.

60. In the preparation of an appeal, the respondent may have access to the tape of the proceedings of the University Hearing or Disciplinary Conference. The respondent may not have custody of the original tape, but may obtain a copy from the Director of Student Judicial Affairs.

61. Appeals shall be decided upon the record of the original proceeding and upon written briefs submitted by any of the parties described in Part 59. The Appeals Committee shall not conduct a new hearing.

62. The Appeals Committee may:

(a) affirm the finding of the Hearing Board or Judicial Officer and the sanction imposed by the Judicial Officer or Vice President for Student Affairs.

(b) affirm the finding and remand the determination of sanction to the Judicial Officer or Vice President for Student Affairs. On remand, neither the Judicial Officer nor the Vice President may increase the sanction originally imposed.

(c) remand the case to the original Hearing Board or Judicial Officer, in accordance with Part 63.

63. Deference shall be given to the determinations of Hearing Boards and Judicial Officers concerning findings of responsibility and to the Judicial Officer and Vice President for Student Affairs concerning the determination of sanctions.

(a) Sanctions may only be remanded if found to be grossly disproportionate to the offense.

(b) Cases may be remanded to the original Hearing Board or Judicial Officer who conducted the Disciplinary Conference if new and significant evidence becomes available which could not have been discovered by a properly diligent respondent before or during the original Hearing or Conference or if specified procedural errors or errors in interpretation of University regulations were so substantial as to effectively deny the respondent a fair Hearing or Conference. In the latter case, the Hearing Board or Judicial Officer will be directed by the Appeals Committee not to repeat the specified errors that caused the remand. If the finding of the original Hearing Board or Judicial Officer is held to be arbitrary and capricious, the case shall be remanded to a new Hearing Board or Judicial Officer. In this case, no indication or record of the previous Hearing will be introduced or provided to members of the new Hearing Board or Judicial Officer, except to impeach contradictory testimony at the discretion of the Hearing Officer.

64. The Appeals Committee will generally be expected to mail notice of its decision to the Respondent within fifteen working days of the filing of the appeal by the respondent. A copy shall be sent to the Vice President for Student Affairs and Director of Student Judicial Affairs. In cases where a respondent is found to have violated the Academic Integrity Policy, the faculty member(s) of the affected course(s) will also be notified.

65. Within ten working days of the decision of the Appeals Committee, the respondent may petition the President of the University, in writing, to review the finding and/or sanction. The decision to review or not to review shall be solely within the discretion of the President.

66. At the discretion of the Vice President for Student Affairs, the imposition of sanctions will normally be deferred during any appellate proceedings and the status of a student shall not change until the avenues of appeal described in this Code have been exhausted, except that a hold may be put on a student's transcript and no degree will be awarded to the student pending completion of the appeals process. Once these avenues have been exhausted, or when a respondent elects to forego further appeal, it shall be the responsibility of the Director of Student Judicial Affairs to oversee the implementation of the imposed sanction. Where permitted by state and federal laws, the Director of Student Judicial Affairs may notify the victim of an act of student misconduct of any sanction imposed.

## **DISCIPLINARY FILES AND RECORDS**

67. Case referrals may result in the development of a disciplinary file in the name of the respondent, which shall be voided if the respondent is found not responsible for the charges. Voided files shall be so marked, shall not be kept with active disciplinary records, and shall not leave any student with a disciplinary record. Voided files will be destroyed at the end of six years.

68. The disciplinary files of respondents found responsible for any charges against them shall be retained as a disciplinary record for a minimum of three years from the date of the letter providing notice of final disciplinary action. Disciplinary records may be reported to third parties, in accordance with University regulations and subject to the Family Educational Rights and Privacy Act of 1974.

69. After all the terms of a sanction have been fulfilled, disciplinary records may be voided by the Vice President for Student Affairs for good cause, upon written petition of respondents. Factors to be considered in review of such petitions shall include:

- (a) the present conduct of the respondent.
- (b) the conduct of the respondent subsequent to the violation.
- (c) the nature of the violation and the severity of any damage, injury, or harm resulting from it.

## **TRANSCRIPT NOTATIONS**

70. A hold may be placed on a student's University records by the Director of Student Judicial Affairs while disciplinary proceedings are pending.

71. Permanent notation of disciplinary action shall be made on the transcript whenever a student is expelled and as otherwise provided in Part 13. Transcript notations of disciplinary action will also be made if a suspension is implemented. When the transcript notation has expired, the notation will be removed.

### **COMMITTEE ON STUDENT CONDUCT**

72. The Committee on Student Conduct will be a standing University-wide committee that will be responsible for advising the Vice President for Student Affairs on issues pertaining to student discipline. The duties of the Committee on Student Conduct include reviewing this Code and suggesting appropriate amendments or modifications.

73. The Vice President for Student Affairs shall annually appoint the members of the Committee on Student Conduct. Members may be reappointed at the discretion of the Vice President for Student Affairs.

74. It will be the responsibility of the Vice President for Student Affairs to inform the University Senate, the President and the Board of Governors of any substantive changes in the student disciplinary process recommended by the Committee on Student Conduct review.

### **APPEALS COMMITTEE**

75. Each regional campus will have its own Appeals Committee, which shall be composed of the following members:

- (a) One faculty member.
- (b) One administrative member.
- (c) One undergraduate student.
- (d) One graduate student.

The Provost on each campus will be responsible for establishing reasonable and fair procedures by which members of the Appeals Committee shall be appointed or selected on their campus.

76. Appeals shall be referred to the Appeals Committee of the respondent's regional campus. A panel drawn from the Appeals Committee consisting of the faculty member, the administrator, and one student will consider each appeal. If the respondent is an undergraduate, the student member of the Appeals Committee shall be the undergraduate student member. If the respondent is a graduate student, the student member of the Appeals Committee shall be the graduate student member. If one of these members is unable to serve in this role for any reason<sup>oo</sup>, the appropriate Provost shall name a replacement. In all cases, however, the Appeals Committee shall consist of one student, one administrator, and one faculty member.

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<sup>a</sup> The accompanying endnotes shall have the same force and effect as any other part of this Code. (See Preamble, Paragraph 3)

<sup>b</sup> A person who has been awarded one or more degrees from the University, but who undertakes further studies at the University is a student. (See Part 3 (q))

<sup>c</sup> Colleges and universities are not expected to develop disciplinary regulations that are written with the scope or precision of a criminal code. Rare occasions may arise when conduct is so inherently and patently dangerous to the individual or to others that the University must take extraordinary action not specifically authorized in this Code. (See Part 4)

<sup>d</sup> The University will not routinely invoke the disciplinary process for student misconduct that occurs off University premises unless it occurs at a University sponsored activity. Nonetheless, it will be necessary to endeavor to protect the campus community when there are reasonable grounds to believe that a student may pose a substantial danger to others. Normally, such "substantial danger" will be manifested by a pending criminal charge, usually relating to a crime of violence, burglary, sexual assault, substantial theft or fraud, the distribution of illegal drugs, or the possession of substantial quantities of illegal drugs. (See Part 5)

<sup>e</sup> A member of the University community initiating a complaint under this Code is not precluded from filing civil or criminal charges outside the University. (See Part 6)

<sup>f</sup> A student who requests such a Hearing will be entitled to receive the notice of Hearing described in Part 29 of this Code five working days in advance of the scheduled Hearing date. Notice limits described in Parts 30, 31, 33 and 34 of this Code will be reduced to two working days in such instances. (See Part 8)

<sup>g</sup> The term "prohibited or unlawful behavior" would include behavior prohibited by a faculty member. It must be emphasized that this provision shall not be used to punish classroom dissent. The lawful expression of a disagreement with a faculty member is not in itself disruptive behavior. A student who believes that he/she has been treated in an arbitrary manner in this regard should contact his/her Dean of Students. (See Part 9)

<sup>h</sup> Standards of academic integrity are more particularly set forth in the academic policies of the University and its various campuses and colleges. (See Part 10 (a))

<sup>i</sup> A person is responsible for hazing if, in connection with the training, initiation, or acceptance of applicants to or members of any organization (including, but not limited to fraternal organizations, athletic teams, and student clubs) he/she knowingly or recklessly organizes, promotes, facilitates or engages in any conduct, other than competitive athletic events, which places or may place another person in danger of bodily injury. The consent of the victim shall not be a legitimate defense in hazing incidents. (See Part 10 (g))

<sup>j</sup> Prohibited Conduct under this policy includes:

- (a) Use of force against the person or property of any member of the University community or against the person or property of anyone on University premises, or the threat of such physical abuse. (Verbal assault may be prosecuted as a "threat of...physical abuse.")
- (b) Theft of, or intentional damage to, university property, or property in the possession of, or owned by, a member of the university. (Acts of graffiti or other vandalism may be prosecuted as "intentional damage to...property.")
- (c) Harassment, which is statutorily defined by New Jersey law to mean, and here means, purposefully making or causing to be made a communication or communications anonymously or at extremely inconvenient hours, or in offensively coarse language, or in any other manner likely to cause annoyance or

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alarm, or subjecting or threatening to subject another to striking, kicking, shoving or other offensive touching, or engaging in any other course of conduct or of repeatedly committed acts with purpose to alarm or seriously annoy any other person. Harassment is considered a separation offense under the University Code of Student Conduct.

(d) Defamation, which is judicially defined to mean, and here means, the unprivileged oral or written publication of a false statement of fact that exposes the person about whom it is made to hatred, contempt, or ridicule, or subjects that person to loss of the good will and confidence of others, or so harms that person's reputation as to deter others from associating with her or him. Defamation is considered a separation offense under the University Code of Student Conduct. (See Part 10 (h))

<sup>k</sup> All students are required to abide by the "Rutgers University Acceptable Use Policy for Computing and Information Technology Resources," the "Guidelines for Interpreting and Administration of the Acceptable Use Policy for Computing and Information Technology Resources," any supplementary policies issued by individual units whose computing facilities students are using, and specific instructions from staff supporting computing facilities being used by a student. (See Part 10 (i))

<sup>l</sup> This charge may include any willful act which disrupts or obstructs an academic class or lecture, an administrative or support function or official University event (including studying, teaching, research, meetings, interviews, ceremonies, public events, official University business, or fire, police or emergency services), other creative or productive activities, or public services rendered by the University. (See Part 10 (k) and Part 10 (l))

<sup>m</sup> The possession and storage of personal protection devices such as small containers of mace, which are permitted under New Jersey law, are specifically excluded from this definition. The legal use of such devices is also excluded from this definition. Law enforcement officials who are authorized by law to carry firearms are also excluded from this definition. (See Part 10 (m))

<sup>n</sup> Such prohibited distribution of alcohol shall include providing or facilitating the consumption of alcohol by any person without taking reasonable and prudent precautions to insure that the person is of legal drinking age in New Jersey. (See Part 10 (n))

<sup>o</sup> Other potential abuses of the University's Hearing procedures include, but are not limited to:

- (a) attempting to discourage an individual's proper participation in, or use of, the University's Hearing or Disciplinary Conference procedures.
- (b) attempting to unduly influence an individual participating in a Hearing or Conference prior to, and/or during the course of, any Hearing or Disciplinary Conference.
- (c) harassment (verbal or physical) and/or intimidation of an individual involved in a Hearing or Disciplinary Conference prior to, during, and/or after a Hearing or Conference.
- (d) influencing or attempting to influence another person to commit an abuse of the Hearing and Conference provisions of this Code. (See Part 10 (s))

<sup>p</sup> A person is responsible for stalking if he/she purposely and repeatedly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear bodily injury or death to him or herself or a member of his or her immediate family. (See Part 10 (t))

<sup>q</sup> Witnesses, as well as respondents, may invoke their privilege against self-incrimination. (See Part 10 (y))

<sup>r</sup> A student may receive more than one sanction for a single incident. For example, a student found guilty of stealing may be suspended, be required to make restitution, and be required to complete some form of community service. (See Part 13)

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<sup>s</sup> As used in this section, honors and awards does not include scholastic or athletic financial aid awards or loans, unless otherwise specified under strict terms of the award. (See Part 13 (b))

<sup>t</sup> In the event of cross-complaints, it shall be the responsibility of the individual conducting the Preliminary Review to determine who shall be assigned the roles of complainant and cross-complainant. In the case of multiple complainants, the individual conducting the Preliminary Review shall determine who will act as the complainant in any proceedings under this Code. (See Part 16)

<sup>u</sup> For example, the victim of an alleged act of misconduct may not be a member of the University community or may be unwilling to serve as the complainant. In such circumstances, if the Dean of Students believes there is good cause for charges to be brought against the accused student in the interest of the University community, the Dean may serve as the complainant. (See Part 17)

<sup>v</sup> If the individual conducting the Preliminary Review makes the determination that the charges warrant a University Hearing or Disciplinary Conference, he or she may recommend to the Director of Student Judicial Affairs that a hold be put on the student's transcript, including the awarding of the student's degree, until the Hearing process is complete. (See Part 20)

<sup>w</sup> A decision to dismiss the complaint is subject to the discretionary review of the Director of Student Judicial Affairs. (See Part 20 (a))

<sup>x</sup> Students may be referred to a campus mediation service during this period. If the mediation is successful, the disciplinary charges will be dropped. (See Part 20 (e))

<sup>y</sup> The Director of Students Judicial Affairs will make a reasonable effort to identify and train students from each unit within the University to serve on University Hearing Boards. (See Part 25)

<sup>z</sup> The term "personal bias" means animosity toward a party or favoritism toward the opposite party. (See Part 30)

<sup>aa</sup> Copies of Rutgers University Police Department reports will not be provided to any individual involved in a Hearing or Conference under this Code without the approval of the chief of the Rutgers University Police Department or his/her designee. Reports that are not made available to the accused cannot be used as evidence in any Hearing or Conference. (See Part 32)

<sup>bb</sup> In cases involving allegations of sexual assault, the Hearing Officer will ensure that protections afforded under New Jersey's "Rape Shield Law" are followed. (See Part 35 (d))

<sup>cc</sup> Any support person admitted to a University Hearing shall not be allowed to participate in the Hearing in any way. In rare instances, the Hearing Officer may admit more than one support person for either party. (See Part 37)

<sup>dd</sup> It is not necessary to prove matters in a Hearing or Conference that would be common knowledge to members of the University community. (See Part 43)

<sup>ee</sup> Both the Hearing Officer and the Director of Student Judicial Affairs shall be available to the Hearing Board to entertain clarification questions or questions of a technical nature. The Hearing Officer may reconvene the hearing with all parties present, if he/she feels it is appropriate to have the question(s) answered on the record. (See Part 44)

<sup>ff</sup> A student's "disciplinary record" includes only those incidents where the student either has admitted responsibility or has been determined to be responsible for a previous violation of the University Code of Student Conduct, whether by university hearing, disciplinary conference, or disciplinary records maintained by the Office of Residence Life. (See Part 47)

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<sup>gg</sup> Both the Hearing Officer and the Director of Student Judicial Affairs shall be available to the Hearing Board to entertain clarification questions or other questions of a technical nature. The Hearing Officer may reconvene the hearing with all parties present, if he/she feels it is appropriate to have the question(s) answered on the record. (See Part 47)

<sup>hh</sup> Certain graduate and professional schools have established processes to review non-separable cases that are used in lieu of a Disciplinary Conference for students in those units. Copies of such procedures are on file in the Office of Student Judicial Affairs. (See Part 49)

<sup>ii</sup> Requests for Disciplinary Conferences shall not be granted unless the Judicial Officer has obtained the agreement of the Complainant. (See Part 49)

<sup>jj</sup> Either the respondent or complainant may challenge the Judicial Officer on the basis of personal bias according to the same procedures set forth for challenging Hearing Officers (see Part 30). In the event of the disqualification of the Judicial Officer, the Director of Student Judicial Affairs shall designate a replacement who will be a member of the University community who has been trained to serve in this capacity. (See Part 49)

<sup>kk</sup> In such cases, the complainant may be accompanied by a Campus Adviser. Documentary evidence and written statements could be relied upon, so long as the respondent was given access to them in advance, and allowed to respond to them at the Conference. (See Part 49)

<sup>ll</sup> Copies of Rutgers University Police Department reports will not be provided to any individual involved in a Hearing or Conference under this Code without the approval of the chief of the Rutgers University Police Department or his/her designee. Reports that are not made available to the accused cannot be used as evidence in any Hearing or Conference. (See Part 50 (b))

<sup>mm</sup> Written notice of the decision and of any sanction imposed shall be mailed to the student charged and a copy shall be sent to the Director of Student Judicial Affairs. (See Part 51)

<sup>nn</sup> An appellant may request an extension of the deadline for filing his/her appeal by written application to the Director of Student Judicial Affairs stating the reason(s) why such an extension is needed. Under unusual circumstances the Director may grant such a delay. (See Part 58)

<sup>oo</sup> Committee members who, in the opinion of the Director of Student Judicial Affairs, have played any role in a particular case shall be disqualified from the appeal process. (See Part 76)