

ACADEMIC POLICY

For
LLM in Entertainment, Media, and Sports Law,
LLM in U.S. Law, and
Certificate in Entertainment, Media, and Sports Law (for non-Pepperdine JDs)

This Academic Policy is provisional and subject to change.

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ACADEMIC POLICY

Pursuant to the Reservation of Rights set forth in the Pepperdine University School of Law Catalog, the following statements of Academic Policy shall be effective as of the date of adoption. To the extent that there may be a conflict between this statement and the School of Law Catalog, the later-published statement shall govern. It is the intention of the School of Law to fully adhere to American Bar Association Standards for the Approval of Law Schools and the Standards for Membership in the Association of American Law Schools. All such standards not specifically mentioned in this document are incorporated by reference.

1.00 Academic Standards Policy Objectives

1.10 **Objectives:** The objectives to be achieved by the academic standards of the School of Law are as follows:

- A. **Providing Best Education:** To provide the best possible legal education to each student, including, but not limited to, knowledge about the nature and sources of law, legal principles, legal methods, legal analysis and reasoning, legal writing and advocacy skills, factual knowledge in selected fields, and professional attitudes.
- B. **Meeting Accreditation Standards:** To meet all professional and appropriate accreditation standards in the field of legal education for purposes of academic credit and recognition in the fields of both law and education.
- C. **Enhancing School's Reputation:** To enhance the professional reputation of the School of Law as a producer of highly qualified graduates so that the degrees issued by the School of Law will be recognized and accepted as evidence of excellence and achievement by the public and profession.
- D. **Encouraging Personal Integrity:** To provide a climate of professionalism, personal integrity and responsibility of the highest order based upon academic excellence, industry, ingenuity, dependability, and honesty.

So that these objectives may be achieved and maintained, the following standards will be adhered to by the School of Law, except as noted in Section 14.00.

2.00 General Requirements

- 2.10 Approval by Associate Dean or Academic Dean: All academic matters requiring the decision or approval of the Dean may, in the alternative, be decided or approved by the Academic Dean. Unless otherwise stated, any reference to the Dean means the Dean of the School of Law. All academic matters requiring the decision or approval of the Academic Dean may, in the alternative, be decided or approved by the Dean.
- 2.11 Definition of Academic Year: The academic year, unless otherwise indicated, consists of the fall semester, the following spring semester, and the following summer session.
- 2.12 Definition of Semester Unit: All academic work in the School of Law is measured in semester units. A semester unit is the equivalent of not less than 700 minutes of instruction. Final examination time is not included in the minutes of instruction.
- 2.13 Requirement of Make-up Class: When a scheduled class does not meet or is dismissed early, the lost time must be made up.
- 3.00 Academic Enrollment
- 3.10 Academic Program and Calendar: In compliance with the requirements imposed by Standard 311 of the American Bar Association Standards for the Approval of Law Schools, the School of Law requires an academic year of not fewer than 140 days on which classes and examinations are regularly scheduled in the law school, extending into not fewer than eight calendar months. The School of Law does not count more than five class days each week toward the 140-day requirement.
- A. Definition of “Class Hours”: The term “class hours” means time spent in regularly scheduled class sessions in the School of Law.
- B. Definition of “Full-Time Student”: The term “full-time student” means a student who devotes substantially all working hours to the study of law. The amount of time spent in any outside employment must in no way interfere with the full-time study of law and may not exceed twenty (20) hours per week. The school retains the right to decide, in individual cases, whether a student is, in fact, a full-time student.
- 3.11 Maximum Units Per Term: Pepperdine LLM students may take no more than 18 units from the law school per semester or summer session, absent permission from the Academic Dean.
- 3.12 Receiving Credit for Non-Classroom Activities: To the extent that the School of Law may permit or require student participation in studies or

activities away from the School of Law or in a format that does not involve attendance at regularly scheduled class sessions, the time spent in such studies or activities may be included as satisfying the class hours requirements provided the conditions of this subsection are satisfied.

- A. Credit Limited to Educational Benefit: The class hours credit allowed must be commensurate with the time and effort expended by, and the educational benefits to, the participating student.
 - B. Advance Approval Required: The studies or activities must be approved in advance in accordance with the School of Law's established procedures for curriculum approval and determination.
 - C. Faculty Supervision Required: Each such study or activity, and the participation of each student therein, must be conducted or periodically reviewed by a member of the faculty to insure that in its actual operation, it is achieving its educational objective and that the credit allowed for it is, in fact, commensurate with the time and effort expended by, and the educational benefits to, the participating student.
- 3.13 Regular Class Attendance Requirement: Regular and punctual class attendance is necessary to satisfy class hours requirements. See subsections 5.11 and 5.12 for further definition of regular and punctual class attendance.
- 3.14 Enrollment Requirement: No student may attend classes or receive credit for any course for which such student is not enrolled either as a regular student or as an auditor.
- 3.15 Satisfactory Progress Requirement: Pepperdine Law requires students make satisfactory progress in the program each year. Any student who does not enroll in classes for a period of two (2) semesters (Fall–Spring, Spring–Summer, or Summer–Fall) must enroll in classes during the next semester, receive written permission to delay enrollment one semester from the Academic Dean, withdraw from the program, or be dismissed from the program.
- 3.16 Time for Completion of Requirements: The requirements of the LLM degree must be completed within four (4) calendar years from commencement of study unless the student has obtained written permission from the Academic Dean. The requirements for the Certificate program must be completed within three (3) calendar years from its commencement unless the student obtains written permission from the Academic Dean. Permission to interrupt the program of study may only be granted by the Academic Dean, and must be obtained in writing in advance of the interruption. Failure to secure such approval or failure to resume study at

the end of such approved interruption may result in dismissal from the program.

4.00 Tuition and Student Accounts

- 4.10 Charges for Regular Students and for Auditors: Full tuition will be charged for all regularly enrolled students in all courses. Courses being audited by a student shall count toward the units eligible for flat rate tuition charge. Unless an exception is made by the Academic Dean, auditors not eligible for flat rate tuition will pay one-half of the regular per hour tuition charge for such courses.
- 4.11 School's Security Interest in Student's Academic Record: A student may not be graduated, nor may such student receive any diploma, certificate, or transcript until all accounts, current or otherwise, have been satisfied in accordance with policies announced by the School of Law. Any diploma, certificate or transcript, shall be retained by Pepperdine University as security for such obligations until they are satisfied. This security interest shall not be discharged in bankruptcy or other creditor arrangements. Release of any such security interest prior to, or subsequent to, any default by the debtor shall not be considered a binding precedent or modification of this policy.

5.00 Maintenance of Academic Standards

- 5.10 Strict Application: In order to achieve the objectives of this policy (see Section 1.00), Law School academic standards shall be strictly maintained.
- 5.11 Regular Attendance Requirement; Dismissal for Non-attendance: Regular attendance is required in all courses. It shall be the responsibility of the professor or the professor in conjunction with the Academic Dean, to monitor attendance and to provide appropriate documentation as needed. The maximum number of hours missed, whether excused or unexcused, shall not exceed two times the unit value of the course. Students missing more than that number may be academically dismissed from the class, may not be allowed to sit for any scheduled exams, and may not be given academic credit for the course. Whenever a student notifies a professor in writing of any absences arising from the observance of religious holidays, those absences shall not be counted as "hours missed" for the purposes of this section.
- 5.12 Attendance in Assessing Grades: Individual professors have the discretion to use attendance in assessing grades for the non-examination portion of the course grade. Any absences, at the discretion of the professor, could have an adverse impact on the course grade. In determining that impact, professors may, at their discretion, consider whether the absences were

excused or unexcused.

- 5.13 Petition for Re-admission after Dismissal from Class for Non-attendance: Students academically dismissed from class for violation of subsection 5.11 may petition the Academic Dean for re-admission to the class upon a showing that the absences were caused by serious medical or similar reasons. In order to be readmitted, the student must make satisfactory arrangements with the professor involved to make up the missed class sessions.
- 5.14 Dismissal from School for Non-attendance: A student dismissed from two or more courses during the same semester for failure to maintain regular class attendance may be dismissed from the School of Law.
- 5.15 Petition for Re-admission after Dismissal from School for Non-attendance: A student dismissed under the provision of subsection 5.14 may petition the Dean for re-admission. The burden of proof shall be upon the petitioner to demonstrate that the petitioner's future attendance in all classes at the School of Law will be both punctual and regular and that the petitioner has developed a satisfactory plan for making up the work missed. Re-admission after dismissal pursuant to Section 5.14 will be on academic probation.
- 5.16 Minimum Grade Point Average Requirement for Graduation: Students are required to maintain grades evidencing a satisfactory level of competence at all times. No student may graduate with a cumulative grade point average of less than 2.3. In order to maintain the standards of quality necessary to make a degree from the University compatible with levels of competency expected by the public and profession and in order not to raise false hopes and expectations in marginal students, minimum standards of performance are established and will be enforced.
- 5.17 Academic Good Standing: A student with a cumulative average of 2.3 or above after completing 13 units of course study is in good academic standing.
- 5.18 Academic Dismissal and Academic Probation:
- A. Petition for Probation: Students whose cumulative grade point average is below 2.3 after completing 13 units of course study must petition the Academic Dean to be continued on academic probation. The Academic Dean may refer the petition to a faculty committee for final decision. The petition for probation must clearly and convincingly demonstrate that the student has the ability to do satisfactory course work, and that the student will achieve the required 2.3 average upon completing the next 13

units. The granting of academic probation to petitioning students shall be discretionary and is not a matter of right. There is no presumption that any petition will be granted.

- B. Academic Dismissal: A student will be dismissed from school if the student failed to successfully petition to be continued on academic probation under 5.18 (A).

6.00 Bases for Awarding Academic Credit:

6.10 Requirement of Suitable Examination: The principal basis upon which academic credit may be awarded in the School of Law is a final examination of suitable length and complexity.

6.11 Final Examination Requirement; Standards for Waiver: A final examination is required in all courses, except those designated as seminars, unless the course is specifically exempted by the Dean. The criteria for evaluating requests for waivers shall be as follows:

- A. Course Objectives: Whether the course objectives are capable of being measured by a final examination.
- B. Size of Class: Whether the class is small enough in size to insure a greater degree of personal interaction between professor and student and a more reliable basis for evaluating a student.
- C. Research Requirements: Whether the research requirements of the project or the written work are substantial enough as to the quantity and quality of work expected.

6.12 Exceptions to Scheduled Examination Policy: Students are required to take final examinations at the scheduled dates and times unless an exception is approved by the Academic Dean. Students should not make arrangements with their faculty or notify their faculty that their examination will be rescheduled; faculty cannot authorize any changes to the examination schedule. A student may be excused from scheduled exams only under the following circumstances:

- A. A student may petition for a rescheduled exam in the case of serious illness, personal hardship (such as the death or serious illness of a spouse, significant other, parent, child, sibling, grandparent or other close family member), accident or other emergency that arises during the examination period. The student requesting a rescheduled exam for such an emergency must have appropriate documentation demonstrating that the student was unable to take the examination at the scheduled time. In the case of an examination that is rescheduled for medical reasons, the

student must be examined by a physician prior to or within 24 hours after the scheduled examination. Rescheduling in such genuine emergency situations beyond the student's control shall be governed as per below.

- B. A student may petition for a rescheduled exam if the student has two examinations scheduled on the same day. The student may take one examination at the scheduled time and the other examination either the day before or the day following the scheduled date for the examination. All requests to reschedule examinations must be made in writing using the printed form "Petition for Examination Schedule Change." All requests must be approved by the Academic Dean.

Examinations deferred under Section (A.) must be made up as soon as possible, but no later than three weeks after the end of the examination period. If a student cannot take the examination within that time, the student will receive an Incomplete in the course and will be required to take the examination the next time the course is offered.

Midterm and other interim exams may be rescheduled at the professor's discretion. The intent of this policy is to regulate only final exams.

6.13 Content and Form of Examinations: It shall be the responsibility of the professor to prepare an examination suitable in both complexity and length to test adequately the extent to which the student has met the objectives of the course.

- A. No Maximum Length: There is no maximum length or time requirement.
- B. Minimum Length and Form Requirements: All graded exams shall consist of essay exams and/or Multi-State Bar type multiple-choice questions. Both essay questions and multiple-choice questions shall require the legal and factual analysis commonly required of attorneys. At the professor's discretion, multiple-choice questions may count as much as 50% of the final exam grade. (Generally, students would be expected to answer 25 to 35 multiple-choice questions of this type per hour of exam time.) There is no limit on the weight given to the essay portion of the exam.

Any requests for exceptions to this policy shall be submitted in writing each year to the Chair of the Academic Standards Committee who shall give notice of the requests and any granted exceptions to the Dean. Each request for an exception must be supported by the reasons therefore and should note any aspects of the course, which would specifically warrant such an exception. In

all elective courses, it is strongly recommended that the policy set forth in the first paragraph be followed regarding both the length and content of the examination. In any event, the minimum length of each examination shall be one hour for each credit unit of the class, up to three hours.

- C. Take-home Examinations: A professor may elect to administer a take-home examination in lieu of, or in addition to, a proctored final examination given at Pepperdine School of Law. The take-home examination must be due before the first scheduled proctored final examination of the semester.
- 6.14 Viewing Graded Examination Answers: When graded and marked, the answers to all final examinations and papers for which credit is given shall be filed with the Faculty Support Office. Students are authorized and encouraged to review their answers as part of the learning process.
- 6.15 Requirement of Anonymity: All final examinations shall be administered, graded, and posted in such a way as to assure the anonymity of the student.
- 6.16 No Credit for Grade of F: No credit shall be given for any course in which the student receives a course grade of F. A student must retake any required course in which such student fails to receive credit.
- 6.17 Petition for Re-Examination for Grades of F: A student who fails the examination given in a course, and, because of such failure, does not receive credit for such course, may petition the Dean to obtain credit by re-examination.
- 6.18 Standards for Re-Examination for Grades of F: Inasmuch as failing grades are not ordinarily awarded in a course except upon a determination that the student should repeat the course, such petitions for re-examination will not be granted except in truly exceptional circumstances, such as illness, death in the family, automobile accident, or other types of traumatic experiences that rendered the student unable to function properly during the exam. The burden of establishing such circumstances shall be upon the petitioner.
- 6.19 Transcript Treatment of Re-Examination: When a student is allowed to take a re-examination pursuant to subsections 6.17 and 6.18, the student will receive the average of the original grade and the subsequent grade as the grade for the course; however, both grades will be noted on the transcript.
- 6.20 Specially-Prepared Re-Examination: Any student permitted to re-examine under subsection 6.17 should take the examination the next time it is

offered in the course.

In cases where taking the next regularly scheduled examination is impractical or will impose an extreme hardship, the student may petition the Dean for a specially-prepared examination to be given at a time mutually convenient to the student and to the professor. The granting or denial of the petition shall be discretionary and all such specially-prepared examinations permitted under this subsection shall be subject to a \$60 special examination fee.

6.21 Treatment of Transcripts for Repeated Course: Any student required to repeat a course in order to obtain credit will receive both the original grade and the subsequent grade as the grade for the course with both grades counting towards the student's cumulative average.

6.22 Assignment of Letter Grades: Letter grades shall be assigned to all students in graded courses other than those designated as High Pass/Pass/Credit/Fail.

- A. Distinguishing Levels of Competence: The grade assigned to examinations, papers, and other indicia of learning progress are intended to facilitate meaningful evaluation of the relative degree to which the student has achieved the course objectives and to make a relative distinction between the levels of competence demonstrated by students.
- B. Discretion of the Professor: All grades assigned to examinations, papers and other indicia of learning progress shall rest within the sound discretion of the professor(s). All such grading will be done in accordance with the grading policies stated herein.
- C. Numerical Weight of Letter Grades: Letter grades shall be assigned the following numerical weights in the computation of grade point averages:

| | |
|----|------|
| A+ | 4.33 |
| A | 4.00 |
| A- | 3.67 |
| B+ | 3.33 |
| B | 3.00 |
| B- | 2.67 |
| C+ | 2.33 |
| C | 2.00 |
| C- | 1.67 |
| D+ | 1.33 |
| D | 1.00 |

| | |
|----|------|
| D- | 0.67 |
| F | 0.00 |

- D. Medians: Medians referenced in this paragraph are for course grades and are to be determined after the discretionary modification of grades under subsection 6.23 (B). All first year courses must have a median grade of B. All upper-division courses must have a median grade of B+.
- E. Grades of F: A course grade of F should be reserved for those who, in the opinion of the professor, should be required to repeat the course.
- F. Grade Upon Failure to Take Required Examination: Students who fail to take a required examination, produce a required paper or assignment, or meet any other criterion necessary to make the proper assessment of a course grade and who fail to show circumstances excusing such failure will be assigned a course grade of F for the affected course. (See subsection 6.23 (C) for grades of “Incomplete” and subsection 12.10 for treatment of “Withdrawals.”)

6.23 Criteria for Course Grades: In assigning final course grades, the following criteria shall be applied:

- A. Interim and Final Examinations: The final course grade shall be based on a final examination and, at the professor’s option, one or more interim examinations given during the semester. At the professor’s option, any interim examination or examinations may, in total, account for any portion of the grade up to one-third. In first semester, first year courses, any interim examination or examinations may only be considered as part of the discretionary modification of grades discussed in paragraph B of this section. Final examinations may not be limited to material covered after any interim examination or examinations, but must instead be cumulative over the entire semester.
- B. Discretionary Modification of Final Exam Grade: In all courses where a letter grade is assigned, the professor shall have the discretion to raise or lower a student’s examination-based grade by one grade on the grading scale. For example, the professor may raise a B to a B+ or lower a C to a C-. Such changes shall be based upon the professor’s evaluation of the following:
 1. regular and punctual attendance;
 2. quality of preparation and recitation;
 3. willingness to participate in discussion;

4. performance on any interim examination;
5. completion of other assignments.

Examination grades should be raised or lowered only when the student's performance is well below or above that normally expected in the course. After the faculty member has turned into the Records Office a list of the examination grades (according to examination numbers), the faculty member may be provided with a list of examination grades and matching student names. The professor may then furnish the Records Office with a list of any students whose course grades will be modified from their final examination grades. The final course grade shall be computed by the Records Office.

- C. Grade of Incomplete: Students who have regularly attended a course but, due to circumstances determined by the Dean as being excusable, have failed to take a required examination, produce a required paper or assignment, or meet some other criterion necessary to the proper assessment of a course grade shall be given the grade of "Incomplete" ("I") for the affected course. The grade "I" shall not be computed in the hours completed or in the cumulative or grade point average. The time for completion of the required work shall be determined at the time the grade is assigned and, if the work is satisfactorily completed, the final course grade shall be substituted for the grade "I". The provisions of subsection 6.22 (F) above shall govern the failure to satisfactorily complete the work.
- D. High Pass/Pass/Credit/Fail Courses: Certain courses may be designated by the Dean as High Pass/Pass/Credit/Fail courses. Because it is the purpose of the School of Law to reflect adequately the level of competence achieved by students, a student will achieve a grade of High Pass ("HP") if that student's work would have received a grade of at least A- and a grade of Pass ("P") if that student's work would have received a grade of less than A- and at least C. Students will be given the grade of credit ("CR") if the student's work would have received a grade below C but above F. Students shall be assigned the grade of Fail ("F") if the student's work would have been F. High Pass/Pass/Credit/Fail grades will appear on the transcript but will not be computed in the grade point average.
- E. Bar to Repeating Courses: No student may repeat any course in which such student has already received credit, except when required as a Term of Academic Probation or when approved by the Academic Advisor.

When a student on Academic Probation is required to repeat a course, credit will be given for the course, and the letter grade received in the repeated course will be calculated into the student's overall grade point average. The student's original grade will remain on the student's transcript but will not be calculated into the student's overall grade point average.

Students may be granted permission by the Academic Advisor to repeat a course completed as a JD student only when there is a significant difference in the description and substance of the course. In such instances, the student shall supply course descriptions, syllabi, and any other documentation requested by the Academic Advisor necessary to determine whether the course may be repeated.

- F. Special Grading Criteria for Seminar and Dispute Resolution Courses: It is recognized that written assignments in dispute resolution and seminar courses cannot always be graded anonymously because of the nature of some assignments and/or the small seminar format of the classes where faculty are expected to work closely with students on their research and writing.

Whenever possible, grading should be done on an anonymous basis with examination numbers. Notice should be given to students at the beginning of the course regarding any non-anonymous grading of work.

The grade awarded in a seminar course or in a dispute resolution survey or skills course shall be based primarily upon any examination or written papers produced for that course. An instructor may determine up to thirty-three percent (33%) of the course grade based upon significant class participation.

- 6.24 Modification of Grades: Grades recorded on the student's permanent record may not be modified except due to an arithmetical error or a specific, demonstrable grading error. In connection with a specific, demonstrable grading error, it is the policy of the school that a professor may not increase a grade based upon an overall reappraisal of the quality of the examination once the course grade has been assigned. Reappraisal of the overall quality of an examination made after the identity of the student is known is unfair to other students whose papers were graded anonymously. No grade change will be made until a memorandum from the professor detailing the change, and the specific basis for the change, has been approved by the Dean. Such changes will be approved only in rare circumstances. For all examinations taken during the fall semester, any grade corrections must be made prior to the end of the following

spring semester. For all examinations taken during the spring semester or summer session, any grade corrections must be made prior to the end of the following fall semester.

6.25 Procedure for Challenging Grades: The procedure for challenging a grade in a particular course is as follows:

- A. Professor to Evaluate Student's Examination: It is the policy of the school that the person best able to evaluate the student's examination is the professor who taught the course. This policy is based upon the belief that evaluation is affected by participation in the course, by the course objectives, and by reference to the level of response of the class as a whole.
- B. Student Challenge of Examination Grade: In the event that a student believes that the grade given on an examination is a grossly unfair assessment of the student's performance on the examination, the student shall first consult with the professor who assigned the grade unless the professor is unavailable.
- C. Review of Challenged Grade by Academic Standards Committee: If, after discussion with such professor, the student still believes the grade given on an examination is a grossly unfair assessment of the student's performance on the examination, the student may submit a timely petition to the Dean challenging that particular grade and stating fully the bases upon which relief is sought.

Such petitions will, unless impracticable, be referred to the Academic Standards Committee for evaluation and recommendation. If the professor in question is a member of the committee, the remaining members of the committee shall decide the issue. In those instances where referral to the Academic Standards Committee is impractical, the Chairman of the Committee or the Dean may act upon the petition. No petition for re-evaluation will be considered after the time limited for grade correction referred to in Section 6.24.

- D. Professor Submits Documentation to Committee: The reviewing party shall next contact the professor whose grade is being called into question and shall ask the professor to submit to the committee the examination in question along with an explanation of the grade given and any other information which may be pertinent to the committee's review.
- E. Recommendation of Remedy to Dean: The committee shall consider the petition of the student, the examination, and all

relevant information supplied by the professor and shall determine whether there was a gross abuse of grading discretion. The committee shall report its findings to the Dean. Only upon a finding of gross abuse of grading discretion will the committee recommend to the Dean that the grade be changed.

- 6.26 Release and Review of Examination Grades: Inasmuch as grades are considered to be tentative until approved by the Academic Standards Committee and by the Dean, final examination and course grades will not be released by the professor but will be made available at an appropriate time by the Records Office. Course grades for graduating third year students will be submitted at the time requested by the Dean. All other final examination and course grades will be submitted as soon as reasonably possible, but in no event later than four (4) weeks from the date the final examination was given to the class. Independent Study credit or grades based on written assignments will be submitted as soon as reasonably possible, but in no event later than four (4) weeks from the last regularly scheduled class day for the semester in which credit is to be awarded. When grades are compiled, they shall be submitted to the Dean via the Academic Standards Committee. The professor must assume responsibility for turning in grades in a timely manner and in conformity with the grading standards of this Section. Any apparent deviation from the policy or standards for grading defined herein will be discussed with the professor by the committee or the Dean, except where impractical.
- 6.27 Student Work Product Rule: The standards of the University and the School of Law demand that each student be graded and credited only upon the basis of such student's own work product.
- A. Presumption Against Collaboration: It will be presumed that students are not allowed to collaborate on the preparation of work product (examinations, research papers, assigned problems, etc.) unless the professor specifically authorizes such collaboration.
 - B. Violations of this Section: Any attempt by a student to obtain credit for any activity, examination answer, or other work product not actually performed by such student, or to a degree not reflective of the actual activity or performance of such student, whether or not such attempt is successful, will be subject to administrative discipline. Such discipline may include, *inter alia*, the forfeiture of all or part of any credit obtained by such cheating and such forfeiture may be cumulative with any other penalty imposed.
 - C. Prohibition on Submitting Papers for Credit Multiple Times: Students may not submit their own work product for credit in more than one course. Credit will not be awarded for a student's own work product that has already been submitted to obtain academic

credit in another course, either at Pepperdine School of Law or elsewhere.

- D. Canned Briefs: A canned brief is generally defined as a commercially prepared brief which gives the facts and holding of cases to be discussed in the classroom. Where the predominant material is explanatory in nature, the mere statement of the holding of a case or cases will not be deemed a canned brief. Because of their detrimental impact on the student's legal analysis, the use of canned briefs in the classroom is expressly prohibited. The use of canned briefs outside the classroom is strongly discouraged.

7.00 Independent Studies

- 7.10 General Provisions: LLM in EMS students must complete a two (2) unit LLM Independent Study Research Project that counts toward the elective units required for the program.
 - A. Statement of Values: Two (2) unit Independent Studies with proper planning provide a valuable opportunity for individual study by a student in an area of special interest.
 - B. Faculty Participation: Faculty members are encouraged to participate in the independent study program when they believe they can offer direction and supervision. Faculty members should not agree to supervise an independent study when they cannot provide guidance in the substantive area involved or do not believe their schedules will permit proper supervision. Normally, a faculty member will not be supervising more than three Independent Studies at any time.
 - C. Units for an Independent Study: All Independent Studies will be for two (2) units. No student will be allowed to do more than one (1) Independent Study.
 - D. Waiving LLM Independent Study Requirements: The LLM Independent Study Research Project requirement will be waived for any international student planning to sit for the bar who completes twelve (12) units of doctrinal law courses.
 - E. Quality of Final Written Product: Students enrolled in an Independent Study are required to write a research paper of substantial merit no less than twenty-five (25) pages in length under the supervision of a faculty advisor. The paper must be of publishable quality, appropriately footnoted, and in a form suitable for publication in a scholarly journal. Students should conform to law review standards unless permission to use another form is granted in writing by the LLM Academic Advisor. The topic for the paper must be specific,

focused, and require independent thought and analysis.

Proposed subjects that can be easily completed from secondary sources or existing literature are not appropriate. The subject matter for Independent Studies, therefore, will be specific rather than general and will require independent thought and analysis by the student. Students are expected to review existing literature in the area of proposed study prior to beginning the study.

The purpose of the writing requirement is to provide a significant new learning experience. Accordingly, an independent study project may not be based upon research and study done for other purposes, such as a paper or article for which academic credit has been given, a revision of a previously written paper or article, or work done during an externship taken for academic credit.

As with all participants in Pepperdine academic programs, the Honor Code will apply to papers prepared for Independent Studies Research Projects. While students may confer with others concerning their study, their work product must be their own. A plagiarism detection service, or an acceptable alternative, will be utilized for all Independent Study projects.

All Independent Study projects must be completed and turned in to the supervising faculty member no later than the last regularly scheduled class day for the semester in which credit is to be awarded. After the Faculty Advisor grades the paper, a copy shall be submitted to the Academic Dean for approval.

F. Grade: Independent Studies Projects are graded on a high pass/pass/credit/fail basis.

G. Guidelines for Formatting an Independent Study Project:

Typeface, Font, and Paper: The final paper should be typewritten and printed in 12-point font size.

Photocopies: Photocopies are acceptable if made from a clearly printed original and the photocopy image is clean, clear, dark, and sharp.

Spacing and Margins: The main text of the thesis, abstract, and dedication should be double-spaced. Footnotes, long quoted passages, and the bibliography should be single spaced. Leave a margin of 1.5 inches on the left side of each page, to allow for binding, and one inch (1") margins at the top, bottom, and right side

of each page.

Pagination: All page numbers (Arabic and Roman numerals) should be centered at the bottom of the page.

Footnotes: Footnotes should be in 10-point font size, single-spaced and placed at the bottom of the appropriate pages. Do not use endnotes. The format in The Blue Book should be followed.

Tables, Graphs, Figures, and Computer Printouts: Tables, graphs, figures, and computer printouts may be placed in the main text or in an appendix. If they are too large for the margin requirements, they should be reduced appropriately.

Title Page and Advisor's Approval/Signature Page: A title page and an advisor's approval/signature page, consecutively, should begin the paper. These pages should not be numbered or counted in page numbering.

- H. Policies and Procedures for Research that Involves Obtaining Data and Information from Human Sources: Pepperdine University requires that research involving human participants be conducted in accordance with University and Federal policies, regulations, and procedures. All Independent Studies, LLM Independent Research Projects must be in compliance with this requirement. Accordingly, if the research includes a survey, interviews, or other means of collecting information from human sources, the candidate and faculty advisor should check the University's Protection of Human Participants in Research: Policies and Procedures Manual to ensure compliance. The Manual, and related documents, can be found at the following website: <http://www.pepperdine.edu/provost/policies/>. See, in particular, Section II. In addition, see <http://services.pepperdine.edu/irb/>, which contains procedures and guidance for obtaining the necessary approval or an exception for a research project from the appropriate University Institutional Review Board (IRB).

7.11 Additional Provisions Governing LLM Independent Research Projects:

- A. In addition to the student's initial discussions with the supervising faculty member, the student is expected to confer regularly with the faculty member. Before the student begins writing the paper, the faculty member must approve a detailed outline of the proposed paper. Normally, twenty (20) percent of the total time commitment for an Independent Study will be utilized prior to the submission of this outline. Independent Studies normally will be for one semester or one summer session.

- B. The policies in Section 7.10 above affecting Independent Studies apply to LLM Independent Research Projects, except where different policies are presented in this section.
- C. Adjunct professors are eligible to supervise LLM Independent Research Projects.
- D. Upon completion, two (2) copies of the completed paper, with evidence of approval by the candidate's faculty advisor, must be submitted to the LLM Academic Advisor for approval. The LLM Academic Advisor will submit a copy to the Law School's Academic Dean for approval. A candidate's grade will not be recorded until the paper has been approved by the Academic Dean.

8.00 Auditing of Courses

- 8.10 Enrolled-Student Auditor: Students enrolled in the School of Law may audit any elective course upon payment of the auditor's fee established by the School of Law (see subsection 4.10).
- 8.11 Non-Enrolled Auditors: Persons not enrolled in the School of Law may audit courses; however, non-enrolled auditors will be limited to the following individuals: (1) teachers and professors who desire certain courses in order to improve their effectiveness in their own disciplines and who present a letter from their immediate supervisors attesting to their professional purpose; (2) currently enrolled students in approved law schools who present a letter from the Dean of their school authorizing such an audit; (3) graduates of approved law schools; (4) members of the bar of any state; and (5) any other person specifically approved in writing by the Dean.
- 8.12 Participation at the Discretion of the Professor: Admission shall be limited to a few students only. The extent of participation by such students may be limited at the discretion of the professor.
- 8.13 Credit Not Granted for Auditors: The School of Law grants no credits to auditors that apply toward any School of Law degree or certificate.
- 8.14 Auditors Must Complete Class Work: Auditors admitted hereunder will be held to the same standards of performance and must complete the same work as regularly enrolled members of the class.
- 8.15 Persons Not Enrolled May Not Attend Class: Persons other than students officially enrolled in the particular course or those given permission to audit the course may not attend classes. The professor may grant

permission to visit an individual class session.

- 8.16 Auditors and the Final Examination: Auditors may take the final examination for the course. Auditors who do take the examination will receive an examination grade but shall not receive a course grade.
- 8.17 Auditors Taking the Course for Credit: Enrolled student auditors who have audited an elective course pursuant to the provisions of 8.10 may not at a later date and during their enrollment in the School of Law take the same course for credit.

9.00 Clinical Law Credit

- 9.10 Separate Policy Requirements for Clinical Law Program: The Clinical Law Program of the Law School is an integral part of the educational program of the School of Law and is subject, therefore, to the academic standards of this policy statement. To the extent that separate policy statements are developed to govern the Clinical Law Program, such statements are, by reference, incorporated herein and become an integral part of the academic policy of the School of Law.
- 9.11 Maximum Clinical Units for a Single Semester: The maximum number of credits in a single semester which may be earned in clinical law fieldwork is three (3) units; however, seminar units in the Clinical Law Program shall not be counted as fieldwork units.

10.00 Transferring Credit for Units Completed at Other Universities

- 10.10 Transfer Credit: No credit will be allowed for courses transferred from other graduate programs absent the permission of the Academic Dean.
- 10.11 Transferring from the LLM Program to the JD Program: Pepperdine LLM students who earned their law degree outside the United States may apply to the JD Program as transfer students without taking the Law School Admission Test (LSAT). The applicant's grades and relative difficulty of coursework pursued in Pepperdine's LLM program will be very important factors. Successful applicants will usually have a median grade or higher in at least 12 units tested on the bar exam, or four courses tested on the bar exam.

If the applicant is accepted into the JD Program, he or she may apply to transfer the credits from law classes taken toward completion of the LLM degree. The student must then complete the first year curriculum in his or her second year at Pepperdine. In the third year, enough advanced courses must be completed in order to satisfy the JD graduation requirement. Students transferring from the LLM to the JD will be awarded the JD

degree upon completion of the JD requirements and will not be awarded a LLM degree. Only students currently enrolled in Pepperdine’s LLM program may apply in this manner.

11.00 Change of Program Policy and Procedure

11.10 Withdrawal from a Class: Students may withdraw from any course only by filling out the appropriate withdrawal or “drop” form. After the initial add/drop period, approval of the Academic Dean is required. A notation of “W” for withdrawal will appear on the transcript for any withdrawal after the initial add/drop period. The notation of “W” does not affect the student’s grade point average. The add/drop period for semester term courses is two weeks. Summer and short session courses may have a shorter add/drop period. In case of extenuating circumstances or approval of a clinical placement after the add/drop period, the Academic Dean may extend the period allowed for withdrawal without the notation of “W” appearing on the transcript.

11.11 Requirement that Official Forms be Completed: A student will not be considered officially withdrawn from any course until such student completes and returns the required forms to the Records Office.

11.12 Unofficial Withdrawals or Student Dismissals: Unofficial withdrawals by the student or dismissals given by the professor will be assigned a course grade of “0” for the affected courses. The student may petition the Academic Dean to have the grade changed to “Fail” upon the showing of unfair hardship. The grade of “Fail,” if assigned, will appear on the transcript but will not be computed in the grade point average.

12.00 Curriculum Requirements for Graduation

12.10 LLM in Entertainment, Media, and Sports Law Requirements (26 Units)

| | |
|---|---|
| Foundational Courses – At least 6 units required | |
| Note: LLM students with foreign law degrees will be required to take Introduction to U.S. Law and Legal Research and Writing I in addition to the other foundational courses. | |
| LAW 912. Copyright Law (3) | -OR- LAW 2512. Intellectual Property Survey (2-3) |
| LAW 1622. Entertainment Law (3) | -OR- LAW 1252. Sports Law (2-3) |

| | |
|--|---|
| Required Courses – At least 12 units required | |
| LAW 1852 | Communications Law (2-3) |
| LAW 2282 | Dispute Resolution: Selected Issues in the Entertainment Industry (2) |
| LAW 932 | Entertainment Law Seminar - Film Industry (2) |

| | |
|--|---|
| LAW 942 | Entertainment Law Seminar - Music Industry (2) |
| LAW 2122 | Entertainment Law Seminar - Television Industry (2) |
| LAW 2114 | First Amendment (2-3) |
| LAW 274 | International Entertainment and Copyright Law (2-3) |
| LAW 2142 | Internet Law (2) |
| LAW 2782 | Licensing (2) |
| LAW 1863 | Media and the Law (2-3) |
| LAW 123 | Olympic and International Sports Dispute Resolution (2) |
| LAW 922 | Trademark (2) |
| Selection and participation in EMS-DR competitions | |

| | |
|--|--|
| Electives Courses in Relevant Subject Matters – Remaining Units as Needed | |
| | Any course listed above as Foundational or Required |
| LAW 232 | Antitrust (2-3) |
| LAW 982 | Employment Law (2-3) |
| LAW 272 | International Business Transactions (2) |
| | Other relevant courses with the permission of the Director |
| Note: International students whose original law degree is outside the United States and who are not fully licensed lawyers in another country must complete 12 units of bar-tested substantive law courses including legal ethics if they wish to sit for the California bar. They may use their elective courses toward this requirement. | |
| <i>EMS Classes Cross-Listed with Business School - subject to availability. Students may take up to 2 courses from outside the School of Law with the permission of the Associate Dean for Academics.</i> | |
| | Business of Sports |
| | Sports Marketing |
| | Sports Economics |
| | Sports Analytics |
| | Digital Media & Entertainment |
| | Entertainment Finance |
| | Entertainment Marketing |
| | Idea Generation (.661) |
| | Idea Feasibility Analysis (.662) |
| | Entrepreneurship (661-662) |
| | Digital Innovation and Strategic Transformation |

| | |
|--------------------------------|---|
| Graduation Requirements | |
| | At least one EMS-relevant externship (2) |
| | AND LLM Independent Study (2) |
| | Note: International students sitting for the CA bar exam may request a waiver from the independent study requirement. |

12.11 LLM in U.S. Law Requirements (26 Units)

A. Fundamentals Track Requirements

| Foundation Courses (4 units) – required | |
|--|-----------------------------------|
| LAW 2942 | Introduction to U.S. Law* (2) |
| LAW 181.05 | Legal Research and Writing I* (2) |

| Required Courses (12 units) | |
|------------------------------------|------------------------------|
| LAW 803 | Corporations (3) |
| LAW 754 | Civil Procedure (5) |
| LAW 614 | Contracts (5) |
| LAW 802 | Community Property (2-3) |
| LAW 733 | Constitutional Structure (2) |
| LAW 622 | Criminal Law (3) |
| LAW 822 | Criminal Procedure (3) |
| LAW 904 | Evidence (3-4) |
| LAW 634 | Ethical Lawyering** (2-3) |
| LAW 714 | Property (5) |
| LAW 723 | Remedies (3) |
| LAW 654 | Torts (5) |
| LAW 824 | Wills and Trusts (3-4) |

| Electives Courses in Relevant Subject Matters – Remaining Units as Needed | |
|--|--|
| | Any course listed above as Required |
| | Other relevant courses with the permission of the Academic Advisor |

* *minimum of 2 units in these classes is mandatory to qualify for the NY Bar*

** *mandatory to qualify for the CA and NY Bar*

Bar Requirements

For California, students must take three or four courses totaling at least 12 units in different bar subjects: Corporations, Civil Procedure, Community Property, Constitutional Law, Contracts, Criminal Law & Procedure, Evidence, Professional Responsibility, Property, Remedies, Torts, Trusts, Wills and Succession. One of these courses must be a Professional Responsibility course that covers California Rules of Professional Conduct, California Business and Professions Code, ABA Model Rules, federal and case law.

For New York, students need to take a minimum of 2 credits in each of the following classes: Professional Responsibility, Legal Research and Writing, and American Legal System.

B. Flexible Track Requirements

| | |
|--|-----------------------------------|
| Foundation Courses (4 units) – required | |
| LAW 2942 | Introduction to U.S. Law* (2) |
| LAW 181.05 | Legal Research and Writing I* (2) |

| | |
|------------------------------------|---|
| Required Courses (12 units) | |
| LAW 232 | Antitrust (2-3) |
| LAW 803 | Corporations (3) |
| LAW 754 | Civil Procedure (5) |
| LAW 614 | Contracts (5) |
| LAW 802 | Community Property (2-3) |
| LAW 733 | Constitutional Structure (2) |
| LAW 622 | Criminal Law (3) |
| LAW 822 | Criminal Procedure (3) |
| LAW 904 | Evidence (3-4) |
| LAW 1792 | Employment Discrimination Law (2-3) |
| LAW 102 | Family Law (2-3) |
| LAW 814 | Federal Income Taxation (3-4) |
| LAW 272 | International Business Transactions (2) |
| LAW 634 | Ethical Lawyering (2-3) |
| LAW 714 | Property (5) |
| LAW 723 | Remedies (3) |
| LAW 654 | Torts (5) |
| LAW 824 | Wills and Trusts (3-4) |

| | |
|--|--|
| Electives Courses in Relevant Subject Matters – Remaining Units as Needed | |
| | Other relevant courses with the permission of the Academic Advisor |

12.12 Requirements for Certificate in Entertainment, Media, and Sports Law (14 Units)

| | |
|--|---|
| Foundational Courses – At least 6 units required | |
| Note: Certificate students with foreign law degrees will be required to take Introduction to U.S. Law in addition to the other foundational courses. | |
| LAW 912. Copyright Law (3) | -OR- LAW 2512. Intellectual Property Survey (2-3) |
| LAW 1622. Entertainment Law (3) | -OR- LAW 1252. Sports Law (2-3) |

| | |
|---|--------------------------|
| Required Courses – At least 6 units required | |
| Any course listed above beyond the minimum requirements | |
| LAW 1852 | Communications Law (2-3) |

| | |
|--|---|
| LAW 2282 | Dispute Resolution: Selected Issues in the Entertainment Industry (2) |
| LAW 932 | Entertainment Law Seminar - Film Industry (2) |
| LAW 942 | Entertainment Law Seminar - Music Industry (2) |
| LAW 2122 | Entertainment Law Seminar - Television Industry (2) |
| LAW 2114 | First Amendment (2-3) |
| LAW 274 | International Entertainment and Copyright Law (2-3) |
| LAW 2142 | Internet Law (2) |
| LAW 2782 | Licensing (2) |
| LAW 1863 | Media and the Law (2-3) |
| LAW 123 | Olympic and International Sports Dispute Resolution (2) |
| LAW 922 | Trademark (2) |
| Selection and participation in EMS-DR competitions | |

| Electives Courses in Relevant Subject Matters - Remaining Units as Needed | |
|--|--|
| | Any course listed above as Foundational or Required |
| LAW 232 | Antitrust (2-3) |
| LAW 982 | Employment Law (2-3) |
| LAW 272 | International Business Transactions (2) |
| | Other relevant courses with the permission of the Director |

13.00 Classification of Students

13.10 Academic Status of Students: Enrolled students may be classified for purposes of transcript as follows:

Academic Probation.....(AP)
students placed on academic probation for academic reasons;

Withdrew.....(W)
students withdrawing in good standing;

Academic Dismissal.....(D)
students dismissed for failure to comply with academic standards;

Disciplinary Dismissal....(DD)
students dismissed for failure to comply with disciplinary standards.

14.00 Wavier of Policies:

14.10 Dean’s Authority to Consider Waiver: In some cases, regulations and policies may work undue hardship. For good cause, certain regulations may be waived by the Dean provided that the quality of the student’s academic program is not impaired and that the waiver is consistent with the goals and objectives set forth in Section 1.00.

- 14.11 Requirements of Written Petition for Such Exception: In order to preserve an accurate record of the basis upon which such exceptions are granted, a petition must be submitted to the Dean requesting the waiver and outlining the reasons therefore.
- 14.12 Requirement that Exception to Policy Be in Writing: No exception to the policies stated in the Catalog or this statement shall be allowed unless approved in writing by the Dean and placed in the file of the student.
- 15.00 Prospective Application of Changes to Academic Programs or Policies: Any changes made to any academic program or policy will only be prospectively applied unless otherwise stated.