

**ACADEMIC & ADMINISTRATIVE RULES OF
PIERCE LAW**

**Graduate Programs
in
Commerce & Technology Law**

*Master of Laws in Commerce and Technology Law**

Juris Doctor/Master of Laws in Commerce and Technology Law

*Master of Commerce and Technology Law**

Juris Doctor/Master of Commerce and Technology Law

Joint degree program rules are subject to faculty approval at the September 2007 faculty meeting.

**Subject to acquiescence by the ABA*



**2007-2008 Academic Year
(June 2007)**

RULE I Admissions

Admission will be based on clear evidence that an applicant can complete the required coursework. Persons admitted to the program will be notified in writing by the Pierce Law Admissions Office.

I.A. General Requirements

I.A.1. All LLM applicants must have completed a JD, LL.B., or a recognized equivalent law degree prior to matriculation in any Pierce Law LLM program. All Master of Commerce and Technology Law (MCT) candidates must have completed a baccalaureate degree.

I.A.2. All foreign-born applicants, even those living permanently in the United States, are required to submit a current Test of English as a Foreign Language (TOEFL) score. Native-born residents of the United Kingdom, Australia, New Zealand, Republic of Ireland, English-speaking Canada, are exempt from this requirement. For all Commerce and Technology graduate programs, Pierce Law requires TOEFL scores of 213 (computer), 550 (paper), or 80 on the Internet Based Testing (iBT) TOEFL. Pierce Law will not accept scores from TOEFL examinations taken more than two years prior to application to the program.

Note: Students with a TOEFL score on file with the Registrar may be eligible for extra time on examinations. Please refer to Pierce Law Academic Rules and Regulations rule III.F.(9).

I.B. Deferred Enrollment

Occasionally, once a student has been notified in writing of his/her admission and s/he has made the non-refundable deposit required to confirm their acceptance, a situation may arise (visa problems, family emergencies, etc.) that requires a delay in matriculation. In this situation, upon request in writing, the non-refundable deposit, application, and letter of acceptance will remain valid and the student may defer enrollment for up to two years. After two years any deferred applicant will need to reapply to the program as if they were a first time applicant.

Note: The tuition noted on the student's original Letter of Admission is valid for that academic year only. Any deferred applicant who later enrolls in Pierce Law classes is subject to the tuition of the academic year they actually begin classes. Likewise, any Pierce Law financial assistance awarded is good for the term accepted only. Deferred applicants will need to apply for new financial assistance. Financial Assistance requests must be received prior to 1 April for programs beginning in the Fall Semester, and 1 September for programs beginning in the Spring Semester.

RULE II The LLM Degree

To be recommended for the LLM degree in Commerce and Technology Law all candidates must successfully complete a minimum number of credits, meet the school residency requirement, maintain a minimum grade point average (GPA), and fulfill all financial obligations to Franklin Pierce Law Center. Those LLM candidates who hold a Juris Doctor degree from a U.S. law school must complete a minimum of twenty four (24) credits from a selection of required and elective curriculum. All other LLM candidates must successfully complete a minimum of thirty (30) credits. The maximum number of credits included in an LLM student's tuition is thirty-six (36).

II.A. Coursework

LLM-CT students must complete a variety of courses from a selection of required, core, and elective courses.

II.A.1. Required Courses

Unless already taken in a JD program or otherwise waived for cause, all LLM-CT candidates must complete the following required curriculum:

- IP0055 Graduate Programs Contracts
- IP0092 Graduate Programs Litigation Analysis
- IP0094 Graduate Programs Skills I (Research and Writing)
- IP0139 Introduction to U.S. Legal Systems

II.A.2. Core Courses

All LLM-CT candidates must complete a series of courses in five (5) core component areas: Intellectual Property, Transactions, Information Age Commercial Law, International Perspective and Tax/Regulation. Please see the LLM-CT Program Plan for specific courses that meet core component requirements.

II.A.3. Elective Courses

LLM-CT candidates will round out their program with a variety of courses selected from an Approved Elective List. Again, please refer to the LLM-CT Program Plan for a complete listing of available elective courses.

II.B. Other Course Options

II.B.1. Six (6) Intellectual Property Summer Institute (IPSI) credits are included in an LLM-CT student's tuition as a portion of their maximum program credits. Please see rule V.C. for more information. LLM-CT students in the 24-credit program who elect to take IPSI credits as part of their academic program will not be awarded a diploma until all course work is completed. Rule V.L. applies.

II.B.2. International LLM-CT students in the 30-credit program may elect up to two (2) upper-level law courses during their academic program. LLM-CT students in the 24-credit program may elect one upper-level law course. Reasonable numerical limits may be placed on graduate student enrollment in these courses. LLM-CT students may not enroll in any first-year JD required course.

RULE III The Interdisciplinary MCT

To be recommended for the Master of Commerce and Technology Law (MCT) degree, all candidates must successfully complete a minimum of thirty (30) credits, meet school residency requirements, maintain a minimum grade point average (GPA), and fulfill all financial obligations to Franklin Pierce Law Center.

III.A. Coursework

MCT students must complete a variety of courses from a selection of required, core, and elective courses.

III.A.1. Required Courses

All MCT candidates must complete the following required curriculum:

- IP0055 Graduate Programs Contracts
- IP0092 Graduate Programs Litigation Analysis
- IP0094 Graduate Programs Skills I (Research and Writing)
- IP0139 Introduction to U.S. Legal Systems

III.A.2. Core Courses

All MCT candidates must complete a series of courses in five (5) core component areas: Intellectual Property, Transactions, Information Age Commercial Law, International Perspective and Tax/Regulation. Please see the LLM-CT Program Plan for specific courses that meet core component requirements.

III.A.3. Elective Courses

MCT candidates will round out their program with a variety of courses selected from an Approved Elective List. Again, please refer to the MCT Program Plan for a complete listing of elective courses.

III.B. Course Restrictions And Options

III.B.1. MCT students may not enroll in courses other than Master of Commerce and Technology Law approved courses without the prior permission of the Chair, Intellectual Property Graduate Programs and the Associate Dean.

III.B.2. Pierce Law may, at its discretion, create special courses for MCT students not enrolled either previously or simultaneously in a J.D. Program, open only to such students.

III.B.3. The maximum number of credits an MCT student may attempt as part of their tuition is thirty-six (36). Additional credits may be taken at the current per credit rate if desired.

III.B.4. Six (6) Intellectual Property Summer Institute (IPSI) credits are included in an MCT student's tuition as a portion of their maximum program credits.

RULE IV Degree Requirements for Joint Degree Students

The Pierce Law Joint Degree program allows Pierce Law students to complete both a Juris Doctor and a Master of Laws or an interdisciplinary Master's degree in the period they have committed to the JD program. Candidates can apply for joint degree status at the beginning of the second semester of the first JD year, but may not be formally enrolled in either the JD/LLM-CT or the JD/MCT program until completion of the first year of JD study. Joint Degree candidates are required to submit a shortened application and a processing fee. Application forms are available in the Graduate Programs Office. Applications for joint degree status will not be accepted after the last day of finals in the JD applicant's fifth semester.

IV.A. Program Requirements

The LLM for joint degree students is a 24-credit degree and the MCT is a 30-credit degree. To be awarded either degree, students must complete 15 credits over and above the minimum JD degree credit requirements (currently 84), and meet Rule II (or Rule III if appropriate) requirements. Nine (9) JD credits will "double" count toward both the JD and the LLM-CT degree, and fifteen (15) credits double count for the MCT degree.

IV.B. Tuition And Fees

JD students who enter the joint degree program will be charged additional tuition because of the extra credits required for the second degree. The tuition is equivalent to approximately one semester of Pierce Law graduate tuition, but will be billed by the business office over the semesters remaining in the student's JD program. JD students who apply for admission to the Joint Degree Program later than the end of their third semester will be charged tuition prorated to the current rate of tuition for Joint Degree students at the time of the election, plus an administrative fee.

IV.C. Program Planning

JD students should plan their Joint Degree program of study well in advance of enrolling in the program, preferably during the spring semester of the first year of JD study. Students are advised to develop a tentative plan and then talk to his/her IP faculty advisor.

IV.D. Grade Point Average (GPA) Requirement

To graduate with the LLM in Commerce and Technology Law, JD/LLM-CT students must complete their program with an overall GPA of 3.0. Those JD/LLM-CT students who do not meet the overall 3.0 requirement may be offered the option of being awarded the Master of Commerce and Technology Law degree.

Rule V CT Program Academic Information

V.A. The Program Plan

Once accepted into the CT Program, each student should consult with his/her advisor and complete the Program Planning Sheet appropriate to their program. Once a program plan has been established, the student must be cautious changing it since all courses do not run every semester. Any changes should be coordinated in advance with the student's Academic Advisor. A completed Program Plan, signed by the student and the appropriate Academic Advisor, must be submitted to Graduate Programs.

V.B. No Special Course Of Study

Courses required or qualifying for any Pierce Law graduate degree are offered annually (except as expressly noted in the published course descriptions) as part of the JD degree course of study at Pierce Law. Pierce Law is not, however, obliged to offer courses in the summer or in the same semester every year (if not otherwise offered annually), or to give priority or access to any limited-enrollment course in the JD degree course of study, solely for the purpose of enabling a student to complete any graduate degree within a certain time period or within a specific enrollment sequence.

V.C. Summer Program Options

V.C.1. During their programs, full-time LLM-CT, joint degree, and MCT students may enroll in up to six (6) credits of course work in the Intellectual Property Summer Institute as part of their tuition. Additional tuition will be charged on a per credit hour basis for any credit hours taken in excess of six

V.C.2. Participation in the Pierce Law -Tsinghua Intellectual Property Summer Institute, the Pierce Law - University College Cork eLaw Summer Institute, and/or the Advanced Licensing Institute is not considered part of a student's tuition and will be at the student's additional expense.

Note: Summer programs' tuition is established separately from, and will not necessarily be the same as, standard academic tuition.

V.D. Independent Study

With the permission of the Chair, Commerce and Technology Graduate Programs, LLM-CT students in the 30-credit LLM program and MCT students may take up to six (6) credits of independent study during their program. Students in the 24-credit LLM program may enroll in up to three (3) credits of independent study. Joint degree students must comply with the requirements of Pierce Law Academic Rule VIII.A.(9) in applying any Independent Study credits to their joint degree program.

V.D.1. Per Pierce Law Academic Rule VIII.A.(7), Independent Study courses are only graded Outstanding/Satisfactory/Unsatisfactory (O/S/U). Outstanding and Satisfactory grades will not be considered in computing GPA. Unsatisfactory (U) grades, however, are equated with the letter Grade "F" and will be counted in computing a student's GPA.

V.D.2. It is up to the individual student to coordinate with a professor who will supervise the independent study and to complete the proper independent study paperwork through the Registrar. Generally, an Independent Study must be supervised by a full-time FPLC faculty member, but the Associate Dean may approve part-time faculty supervision of Independent Study courses.

V.D.3. Independent Study courses taken during the summer semester are not included as part of a student's six summer credits and are always subject to an additional tuition charge.

V.E. Maximum Credits Per Semester

Generally, Pierce Law students may not enroll in more than sixteen (16) credits per regular academic semester. This number can be raised under special circumstances to seventeen (17) credits with the permission of the Dean of Students.

V.F. Transfer Credits

V.F.1. Up to six (6) credits earned in courses equivalent to program electives may be transferred from another institution to a Pierce Law graduate IP degree program, subject to the approval of the student's Academic Advisor and the Director of Graduate Programs. A transfer fee will apply. If the student earned more credits for a listed course (or its equivalent irrespective of title) the additional number will be allowed only if the student demonstrates that the coverage (breadth, depth, or both) was correspondingly greater than in the Pierce Law counterpart. Transfer credits may not have been used to earn any other graduate academic degree and are not considered in computing a student's GPA.

V.F.2. With the approval of the Pierce Law graduate faculty, a student may count credits earned in a course not listed as a program elective toward the degree, provided that if there was interest in the course and the resources to pay for it, Pierce Law would include such a course in its curriculum.

V.G. Minimum Grade Point Average (GPA)

To graduate, all MCT, JD/MCT, and students in the 30-credit LLM-CT program must maintain a grade point average of 2.0 (C) or higher. LLM-CT students in the 24-credit program must achieve an overall 3.0 (B) or higher GPA to earn the LLM degree. JD/LLM-CT joint degree students must have an aggregate 3.0 GPA in all classes to be awarded the two degrees.

V.H. Academic Standing

Failure in any required course, or failure to meet minimum GPA at the end of any semester, will place a graduate student within the jurisdiction of the Pierce Law Academic Standing Committee (ASC). The ASC will review the student's situation to determine the probability of academic rehabilitation, will provide written direction on how the student may repair their academic standing, and will document the consequences of continued failure to meet standards. At the conclusion of their program, LLM-CT students who are unable to meet the minimum GPA may be offered the option of a MCT degree if they meet that program's requirements.

V.H.1. Graduate students under the jurisdiction of the ASC who are not able to meet academic standards within their established tuition year may be offered the opportunity to continue at Pierce Law if there is reason to believe the student may be able to reach minimum standards with additional effort. In the first semester immediately following their tuition year, such students may take up to six (6) credits with no tuition charge. If additional credits are taken they will be charged at the prevailing per credit rate with no tuition waiver. If the student is unable to meet minimum requirements at the end of the additional semester and the ASC determines that the student, even with additional time, will be unable to meet standards, the student will be dismissed from the IP program.

V.H.2. If a student is still unable to meet standards after the first semester immediately following their tuition year, the ASC may offer an additional semester to rehabilitate their academic record, but all credits taken will be charged at the prevailing per credit rate. If the ASC allows a second semester and the student is still unable to meet standards, dismissal is automatic.

V.I. Internships

The Commerce and Technology program supports one- or two-month internships for academic credit.

V.I.1. Although internships are not considered part of their academic program, LLM-CT students may elect a post-program internship for either three (3) or six (6) credits. Although the student will not be charged additional tuition, there will be a processing fee involved. Any post-program internship must be arranged by the student, approved in advance by the Chair, Commerce and Technology Graduate Programs, and take place during the semester immediately following program completion. As in all "for-credit" internships, the student can not be paid a salary by his/her sponsor during the internship. Application forms for this internship are available in the Graduate Programs Office and will be processed by the Director of Graduate Programs. Post-Program internships are graded S/U only.

V.I.2. After completing two full-time academic semesters, MCT candidates with a Grade Point Average (GPA) of 2.25 or better may elect an optional period (not to exceed two months) of internship at a U.S. law firm, corporate or government office, for up to six (6) credits as part of their regular academic program. Students electing the MCT Internship must make all their own internship arrangements. The location, host, length, the number of credits, and the supervisor must be approved in advance by the Chair, Commerce and Technology Graduate Programs. Upon completion of the internship, the supervisor must submit an evaluation to the Director of Graduate Programs. Students will be awarded a Satisfactory/Unsatisfactory grade based on the Supervisor Evaluation and the student's self assessment.

V.I.3. Students who elect the internship option will not be awarded their degree until the Internship is complete, graded and entered on the student's transcript. Rule V.L. applies.

V.J. Financial Obligations

V.J.1. All students must satisfy outstanding financial obligations to Pierce Law. Any student who has not paid outstanding tuition at the end of any given semester may not register for the next semester and a Business Office hold will be placed on his/her record. Any student with a Business Office hold on his/her account will not be allowed to receive official grades or transcripts and they will not be allowed to graduate.

V.J.2. Full-time graduate students are expected to complete their program within one year of enrollment (one fall, one spring, and one summer semester). Any full-time student who continues his/her studies beyond the one-year-of-enrollment parameters will be charged additional tuition. Courses taken after the first full year of enrollment will be charged at the current per credit rate, with no tuition waiver. The only exceptions to this policy are for (1) those students who attend the summer session immediately preceding their one-year program; the first and second summer, to a combined total of six credits will be considered as part of their one year of enrollment for tuition purposes, and (2) those students under the jurisdiction of the Academic Standing Committee as discussed in rule V.H., above.

Note: Pierce Law tuition is established annually based on an academic year that runs from the beginning of the Fall Semester to the end of the Summer Semester. Students who start their program in the Spring Semester, may be subject to a tuition increase during the Fall Semester.

V.J.3. Part-time LLM-CT and MCT students are charged tuition on a per credit basis. The cost-per-credit rate is set annually and is effective for the full academic year.

V.J.4. When awarded by the Admissions Committee, Graduate Programs financial aid is valid only for the year authorized by the original acceptance letter. If an accepted graduate degree candidate defers enrollment for more than one semester, or fails for some reason to matriculate within a year of being accepted, s/he must also reapply for tuition assistance. Tuition waivers are not available for graduate students who continue studies beyond the initial enrollment year. Part-time students are not eligible for financial assistance through the Graduate Programs Office.

V.K. Additional Requirements

V.K.1. Residency

All Commerce and Technology program students must complete two semesters of full-time enrollment (12 credits minimum each) at Pierce Law, or an approved equivalent enrollment in a part-time Pierce Law program.

V.K.2. Program Time Limits

A student must meet the requirements for any Pierce Law graduate degree within five academic years of matriculation.

V.K.3. Academic Probation

Any graduate student subject to the terms of any academic probation must satisfy such terms or be automatically dismissed from the program.

V.L. Graduation

Once a candidate has fulfilled all requirements, the Associate Dean or his/her designee will recommend to the Registrar in writing that the Dean award the student the appropriate degree. Once approved, graduate diplomas are conferred in May, July and January.

V.L.1. LLM students in the 24-credit program who chose to take advantage of the any of the six (6) summer credits available to them during the Intellectual Property Summer Program immediately following their 24-credit academic program may participate in the May graduation ceremony, but will not be conferred their degree until after completion of their summer program.

V.L.2. Candidates in good standing who have completed a minimum of 24 credits toward their 30-credit degree pro-

gram may participate in the May graduation ceremony. They will, however, be awarded their degree only after completion of all academics.

RULE VI General Information

VI.A. Transcripts

The Registrar maintains a single transcript for each Pierce Law student which reflects all academic courses taken at, or transferred to, Pierce Law.

VI.B. Part-Time Enrollment

A student may enroll in graduate degree programs on a part-time basis, or change their status from full-time to part-time. Requests for part-time status must be made in writing and approved by the Director of Graduate Programs. Provisions of Rules VI.H. and VI.I. apply. Students who change their status from full- to part-time will no longer be eligible for any Graduate Programs awarded financial assistance.

VI.C. Discretion Of The Associate Dean

The Associate Dean may set forth reasonable academic terms for enrollment of graduate students, pursuant to these rules and the standards of the Academic Rules of the Law Center, which are hereby incorporated. (Pierce Law Academic Rule XIII-1.L. applies)

RULE VII CT Program Relationship to other Pierce Law Programs

VII.A. Transfer Between Graduate Programs

LLM-CT candidates may opt to change programs and pursue an Intellectual Property or International Criminal Law and Justice (ICL&J) LLM. They may also opt to complete the Master of Commerce and Technology Law or Master of Intellectual Property. Likewise, ICL&J degree program students may request a change to an Intellectual Property or Commerce and Technology program. Such students may request recognition of courses taken during their initial program toward the new degree program. Requests to change programs and for course recognition must be submitted to the Director of Graduate Programs in writing. The Director will notify the student of his/her decision by letter.

VII.B. Transfer Of Graduate Students To The Jd Program

VII.B.1. LLM-CT students with a non-U.S. law degree, who subsequently matriculate into the Pierce Law JD program, enter the program as JD/LLM-CT joint degree students. Credits earned as a graduate student may not be applied toward the JD degree, but will continue to count toward their LLM-CT degree. Both degrees will be awarded upon completion of all joint degree academic requirements.

VII.B.2. MCT students who matriculate into the JD program automatically enter the program as joint degree JD/MCT students. Credits earned as a graduate student may not be applied toward the JD degree, but will continue to count toward their MCT degree. MCT students who enter the JD program may request a transfer to the LLM joint degree program through the Graduate Programs Office.

Note: With the exception of limited credits earned in the joint degree programs, Pierce Law students may not apply credits towards two degrees, i.e. credits earned as an LLM-CT candidate can be counted toward that degree or (upon request) the MCT, but not both.

RULE VIII Rules Application

Graduate students are subject to all rules and policies of Pierce Law Graduate Programs and, barring irreconcilable differences with these rules, those found in the current Academic Rules and Regulations, Franklin Pierce Law Center. These rules shall apply to all graduate program candidates enrolled after June 1, 2007. Candidates enrolled prior to that date are subject to the rules in effect at the time of their enrollment, but may elect to be covered completely by these rules.

NOTICE OF NON DISCRIMINATION: Franklin Pierce Law Center does not discriminate on the basis of sex, age, race, color, religion, ethnicity, disability, marital status, national origin, sexual orientation, physical or mental disability or veteran status in admission to, employment in, or treatment in Pierce Law programs and activities. Pierce Law is committed to equal educational opportunity and full participation for persons with qualified disabilities. No qualified person will be excluded from participation in any Pierce Law program or be subject to any form of discrimination. Inquiries regarding Pierce Law's nondiscrimination policies should be directed to the Assistant Dean for Student Affairs or referred to the Region Director, US Department of Education, Office for Civil Rights, JS McCormack Post Office and Court House Building, Room 222, Boston, MA 02109-4557.

