

Notice of VLGS Amendment to the Academic Regulations

Effective:	Wednesday, November 6, 2024
Students Effected:	Effective immediately upon approval by faculty.
Amendment Type:	AWR Academic Regulations
Academic Regulation:	III.A.2.b, III.C.5.c, III.D.5, IV.I.b, XI.E, and XI.F.2
Amendment Description:	In sum, the proposed amendments remove the Advanced Writing Requirement (AWR) from the JD degree as approved by the Curriculum Committee on October 17, 2024. While the AWR has served students well for many years, this curricular change is proposed for three reasons. First, the current AWR model for the OHJD is unsustainable with existing faculty resources. Second, even for some residential students, the AWR presents ongoing scheduling challenges that may outweigh the requirement's benefits. Third, neither the current bar examination nor the NextGen bar examination tests students on academic writing. In light of this, academic writing may be less useful for students than other kinds of writing or additional bar classes. Eliminating the AWR will generate more faculty and student resources for developing bar examination and postgraduation employment skillsets.

NEW LANGUAGE

Amend academic regulation section III.A.2.b with the changes in red below.

~~Satisfactory completion of the Advanced Legal Writing Requirement (AWR) is also a graduation requirement. A student must submit a written project which a regular faculty member determines would receive a grade of B or better were it the sole basis of grading in a course for two or more credits. The student may submit a project:~~

~~(1) In satisfaction of any written requirement in any course or Independent Research Project which a regular faculty member has certified as meeting the provisions of the Advanced Legal Writing Requirement; or in completion of any project, whether or not submitted for academic credit, which a regular faculty member has certified as meeting the provisions of the Advanced Legal Writing Requirement.~~

~~(2) Every student must either satisfy the requirement prior to the beginning of the student's sixth semesterⁱ or file with the Registrar a statement approved by a regular faculty member setting forth the particulars of the project which the student intends to complete to satisfy the requirement.~~

~~(3) PURPOSE: The purpose of the Advanced Legal Writing Requirement is to provide each student with an opportunity to enhance his or her writing skills on a more sophisticated project than is afforded in the Legal Research and Writing, Legal Writing II, and Appellate Advocacy courses, preferably in an area of law of his or her choosing, and with the assistance of detailed and individualized feedback from a member of the faculty. Close interaction between student and instructor is considered essential to the success of this requirement, the focus of which should include the substantive content of the student's work, the quality of his or her writing, and the process by which the student organizes and develops ideas, conducts research, and writes.~~

~~(4) GENERAL GUIDELINES: The following guidelines set forth the criteria to be used generally in designing a student's project and in structuring faculty supervision of the project. Both faculty and students are urged to abide by these guidelines except where special circumstances, which allow the goal of the AWR program to be served in some other way, justify variance from them. In this connection, the fact that an AWR project is written in conjunction with a seminar does not, without more, justify departure from these guidelines.~~

~~(a) Genre: A project need not culminate in any particular genre of legal writing to be satisfactory. Such diverse projects as law review articles, advanced moot court briefs, seminar papers, proposed statutes with comment, or other projects might serve as appropriate vehicles for demonstrating one's competence for Advanced Legal Writing. The determinative criteria are the project's requirements for research, analysis, and writing.~~

~~(b) Length: No particular length is required, although most projects have been in the range of 20 to 30 pages. In any event, the length should be such that the student is required to demonstrate such fundamental writing skills as grammar, syntax, organization, clarity of expression, and ability to present fully the message of the project in a well-reasoned fashion.~~

~~(c) Drafts: Each project should require, in addition to the final draft, at least one detailed outline and one preliminary draft, or two preliminary drafts of the final product. In addition, the student and the faculty supervisor should complete a written evaluation at the end of the term, focusing on the quality of the student's work, on improvement in the student's skills, and on the quality of the learning process. Outlines, if required, and preliminary and final drafts should be reviewed and critiqued by the certifying faculty member. The final product should reflect consideration of the comments and critiques of the faculty member.~~

~~(d) Collaborative Efforts: Some projects may involve the collaborative efforts of two or more students. In such instances, the individual student must be able to identify his or her contributions to the research, analysis, and writing incorporated in the drafts and final project. The certifying instructor should take such steps as he or she deems necessary to ensure that each student~~

~~within the group has demonstrated competence in research, analysis, and writing.~~

~~(e) Meeting: Every faculty supervisor and student may expect each other to be available for a minimum of four face-to-face meetings during the semester to discuss the student's project.~~

~~(f) Supervision: Faculty supervision should be directed at improving the student's skills in the following areas, the attention paid to each item to be a function of the student's individual needs: (i) fundamentals of writing (grammar, syntax, organization, and clarity of expression), (ii) legal analysis, (iii) legal research and (iv) capacity for self-reflection and self-evaluation on both the quality of the student's work and the process of learning involved in the project.~~

~~(g) Supervision by Adjuncts: Adjunct faculty, other than individuals who are full-time employees of Vermont Law and Graduate School, may not supervise an advanced legal writing project unless (1) the project is done in satisfaction of course requirements in a course taught by the adjunct that the Vice Dean of Students has approved in advance of the semester in which it is offered as appropriate for advanced legal writing credit, or (2) the Vice Dean of Students approves the specific project in advance of commencement of the project. In all such cases, the student must draft, and the adjunct faculty supervisor and the Vice Dean of Students approve, a contract for the project containing the information required for independent legal research projects.~~

Amend academic regulation section III.C.5.c with the changes in red below.

~~Notwithstanding an agreement not to grade an Independent Research Project, if a student elects to satisfy the AWR with an Independent Research Project, the sponsor must still determine that the written product would receive a grade of C or better were it the sole basis of grading a course for two or more credits in order for the student to satisfy the AWR requirement. See regulation III.A.2.b.~~

Amend academic regulation section III.D.5 with the changes in red below.

GRADUATION REQUIREMENTS

~~If the student and sponsor agree, the Directed Study may satisfy the Advanced Legal Writing Requirement. In this case, the method of assessment must satisfy the requirements of the AWR in regulation III.A.2.b. including the requirement that the written product would receive a grade of B or better were it the sole basis of grading a course for two or more credits.~~

A Directed Study may not be used to satisfy any **other** graduation requirement including a required course, or the experiential requirement.

Amend academic regulation section IV.I.b with the changes in red below.

Project/Writing Requirement	
	Independent Research Project or AWR (on an energy topic)
	MERL Externship (4–10)
	Participation in the Institute for Energy and the Environment research associate program
CLI9302	Environmental Advocacy Clinic (on an energy topic)
CLI9318	Environmental Justice Clinic (on an energy topic)
CLI9323	Advanced Environmental Advocacy Clinic (on an energy topic)
CLI9348	Advanced Environmental Justice Clinic (on an energy topic)
CLI9427	Energy Clinic (3-6)
CLI9437	Advanced Energy Clinic (3-6)
ENV5535	Transnational Environmental Practicum (4) (on an energy topic)
POL5700 and POL 5701	Thesis Seminar I (3) and Thesis Seminar II (1) (on an energy topic)
WRI7301	Advanced Writing Seminar

Amend academic regulation section XI.E with the changes in red below.

Writing Requirements (0-3 credits)	A law review note written on a criminal law topic and submitted for AWR credit (2 credits) or a seminar paper, to be chosen from the following list, in which the student fulfills his/her AWR requirement (2-3 credits):
CRI7304	Sex Crimes Seminar (2)
CRI7305	Advanced Criminal Law Seminar (2)
CRI7313	Capital Punishment Seminar (2)
CRI7314	Narcotics Law and Policy Seminar (2)
CRI7319	Juvenile Justice Seminar (2)

Amend academic regulation section XI.F.2 with the changes in red below.

TAKE BOTH Required	(7 credits)
BUS6235	Business Associations (4)
Business Law – Related AWR or IRP	As approved by the Business Law Concentration Director

Proposed adopted date: immediately upon approval by faculty

Proposed effective date: spring 2025, for students matriculating after May 1, 2022
