

## **UPPER LEVEL RESEARCH AND WRITING REQUIREMENT**

### **A. Purpose and Goals**

In order to be awarded a JD degree, a student must satisfactorily complete an Upper Level Research and Writing project. This requirement is mandated by accrediting regulations which provide that each student must complete "at least one rigorous writing experience after the first year." This experience, which involves "writing in a legal context," must include "legal analysis and reasoning, legal research, and problem solving."

The Upper Level Research and Writing Requirement is intended to provide students with the opportunity to refine the research and writing skills learned in the first year, and to enhance the skills necessary to undertake writing projects on their own following graduation. Students choose topics, submit outlines, prepare and submit a first draft, and complete the final paper in consultation with faculty members in approved courses and co-curricular programs.

### **B. The Criteria**

The upper level writing project should show the student's mastery of the in-depth research undertaken and demonstrate how the student has organized, clarified, or advanced this body of knowledge in resolving the issues raised by the paper. When certifying that a student has satisfactorily completed the upper level writing requirement, the supervising faculty member is indicating that the student has produced a paper which evidences qualities of legal scholarship, writing ability and craftsmanship.

Each faculty member may establish particular procedures and technical requirements for an upper level writing project to be completed under his or her supervision, provided that the minimum standards set forth here are met.

1. Preparation of a paper used to satisfy the Upper Level Research and Writing Requirement must include the following steps:

- a. Topic. The student must submit for approval a proposed topic for the project which includes a statement of a thesis for the paper. The topic must be approved by the supervising faculty member.
- b. Outline. After the topic has been approved, the student must submit a complete outline of the proposed paper which the supervising faculty member will review to provide necessary guidance on scope and/or direction.
- c. First Draft. The student must submit a complete first draft of the paper, including footnotes, for review and comment by the supervising faculty member.
- d. Final Draft. The student must submit a final draft of the paper which is reasonably responsive to the comments, criticisms and suggestions received from the supervising faculty member.

2. The paper must exhibit substantial, careful and competent research, and it must demonstrate articulate, thoughtful, and well structured analysis of the subject matter.

- a. The paper must be at least twenty-five pages in length, including footnotes. This assumes double spaced pages using a twelve (12) point Times Roman font with one inch margins all around.
- b. The paper must include extensive footnotes. The footnotes must comply with either the ALWD or "Blue Book" citation system, as directed by the supervising faculty member. The paper should rely on multiple sources and on primary authority. It may include empirical or other research in addition to more traditional legal research, provided the supervising faculty member approves of the project, and provided the overall tenor of the paper is legal.

### **C. Completing the Requirement**

The Upper Level Research and Writing Requirement paper may be completed under supervision of a faculty member in the following ways: (Note that in seminars or designated

elective classroom courses taught by Adjunct Professors no more than three students may complete the upper level writing requirement.)

1. Satisfactory completion of a paper meeting the criteria in an elective course designated as a seminar in the schedule of classes.
2. Satisfactory completion of a paper meeting the criteria in a non-seminar classroom elective course designated by the Associate Dean for Academic Affairs as a course in which the upper level writing requirement may be fulfilled.
3. Satisfactory completion of a paper meeting the criteria in conjunction with a directed research project under supervision of a full-time faculty member.
4. Satisfactory completion of a significant case brief or research memorandum in the USF Criminal Law Clinic or USF International Human Rights Clinic.
5. Completing a publishable note or comment for the USF Law Review which a full-time faculty member Law Review advisor certifies evidences a significant amount of original legal research and analysis. (Note that editorial work, cite checking, and other work of editors or members does not satisfy the requirement.)
6. Satisfactory completion of the Appellate Advocacy course.

#### **D. Completion Deadline/Extensions**

Completing the Upper Level Research and Writing Requirement involves a substantial amount of effort. It is often difficult to complete the project in a single semester, and extensions are available in appropriate circumstances with approval of the supervising faculty member and the Assistant Dean for Academic Services. Because the project must be completed before a degree is granted, failure to finish the project in a timely fashion may delay graduation and certification of eligibility to sit for the bar examination. Students should be mindful that the supervising faculty member needs time to review the final submission before the project is certified to satisfy the requirement. For that reason, students are advised to begin and complete the requirement prior to the semester in which they plan to graduate.

#### **E. Grading**

No units or credits are earned by completing the Upper Level Research and Writing Requirement. (If the upper level writing requirement is fulfilled in conjunction with a course, including directed research, units may be earned for the course.) When satisfactorily completed, the upper level writing requirement will be noted on a student's transcript with the designation "credit" ("CR").

#### **F. Enrollment/Completion Requirements**

At the time a student begins an Upper Level Research and Writing Requirement, he or she must formally "enroll" in the project (in addition to any course or program in conjunction with which the project is undertaken). To enroll, the student must complete and submit a "writing requirement enrollment form" to the Registrar's office. Upon completion of the project, the student must notify the Registrar by submitting a copy of the final draft of the paper.

#### **G. Courses with the Writing Requirement Option**

The Upper Level Research & Writing Requirement may be fulfilled this semester by completion of an appropriate research paper in courses offered during each semester. The Schedule of Classes will indicate in which courses students may fulfill this requirement. Please note that some courses have the writing requirement option limited to only a few students. Students should check the class schedule for examination information. An instructor may require a student who is satisfying the writing requirement to also sit for the final examination. Additionally, students enrolled in one of the following Special Programs have the option to complete the writing requirement:

Criminal & Juvenile Justice Law Clinic  
Directed Research  
Law Review Paper  
Street Law