The items listed below (approved by Faculty Senate) will be considered to have the necessary faculty approval unless a petition requesting further consideration of these items is signed by five faculty members and submitted to the chair of the Faculty Senate within 14 calendar days after the date of circulation – March 31, 2011. As a rule, if no petition is received within 14 days, or by April 14, 2011, the report will be submitted to the president for approval and transmittal to the regents, if regents' action is required. If a petition is received, the report will be referred to the Faculty Senate. On referred items, Faculty Senate may: (1) affirm the action and report it to a meeting of the university faculty, (2) amend the action and report it to a meeting of the university faculty, or (3) rescind the action.

The following items will be presented in the policy report that begins immediately below:

UCC Catalog Changes:

- **FS-11-030**: Graduate Studies Grade Requirements
- **FS-11-034**: CLASS – Department of Foreign Languages and Literatures change to Department of Modern Languages & Cultures
- **FS-11-035**: Juris Doctorate Law – Litigation & Alternative Dispute Resolution
Grade Requirements. A candidate for an advanced degree must have a cumulative GPA, based on all grades on his or her graduate record, of at least 3.00 (A = 4.00). The relevant GPA is calculated as stated in regulation E, except that it is based only on grades received in all courses taken at UI while the student was enrolled in the particular program (major) leading to the degree sought, whether or not those courses are on the student’s study plan; in courses that were taken at UI before the student enrolled in his or her current program and have been included in that program by the student’s committee; and, in the case of candidates for the master’s degree, in UI courses 500 and 599 for an aggregate of not more than 10 credits or the department’s allowance of research credits, whichever is the lesser. Grades received in these courses for credits in excess of this limitation are treated as if the courses were graded P or F. Though courses in which grades of D or F are received may not be counted toward the satisfaction of degree requirements, however, those grades are included in the GPA. Thesis or dissertation credits cannot be used towards a non-thesis master’s or special degree.

Rationale: There are two parts to this policy to be considered for revision. First, if approved, all credits on the graduate transcript would be calculated into the student’s GPA. Several students have graduated with less than a 3.00 GPA by changing a major and having only the courses used for the degree counted towards their GPA. Second, there is no way that BANNER can calculate in only 10 credits of thesis towards a degree. If it could, which 10 credits would or should be used? All credits are calculated into the student’s GPA. This is a long overdue housekeeping issue.
TO:    University Curriculum Committee

FROM:    College of Letters, Arts, and Social Sciences

RE:    Change of name for an existing academic department  [Summer 2011]

DATE:     March 3, 2011

The College of Letters, Arts, and Social Sciences is requesting that the Department of Foreign Languages and Literatures be changed to the Department of Modern Languages & Cultures.
Idaho State Board of Education
Academic/Professional-Technical Education
Notice of Intent

Institution Submitting Proposal: University of Idaho
Name of College, School, or Division: College of Law
Name of Department(s) or Area(s): Indicate if this Notice of Intent (NOI) is for an Academic or Professional-Technical Program

Academic X Professional - Technical

For a New, Expanded, or Off-Campus Instructional Program, or Administrative/Research Unit (circle one), and list the title/name:

JURIS DOCTORATE (J.D.) - LAW - Litigation and Alternative Dispute Resolution Emphasis

(Title of Degree or Certificate or Name of Unit)

Proposed Starting Date: First Emphasis to be awarded May 2012

For New Programs: 

Juris Doctorate - Law - Litigation and Alternative Dispute Resolution Emphasis
Program (i.e., degree) Title

22.0101

CIP 2010 Code (consult Institutional Researcher/Registrar)

For Other Instructional Activity:

x Program Component (major/minor/option/emphasis)

Off-Campus Program Activity

Instructional/Research Unit

Addition/Expansion

Discontinuance/consolidation

Contract Program/Collaborative

Other

For Existing Programs:

Program (i.e., degree) Title

CIP 2010 Code

College Dean (Institution) Date

VP Research and/or Graduate Dean (as applicable) Date

Chief Fiscal Officer (Institution) Date

State Administrator, SDPTE (as applicable) Date

Chief Academic Officer (Institution) Date

Chief Academic Officer, OSBE Date

President Date

SBOE/OSBE Approval Date
Before completing this form, refer to Board Policy Section III.G., Program Approval and Discontinuance.

1. Briefly describe the nature of the request. The University of Idaho College of Law proposes the creation of a Litigation and Alternative Dispute Resolution Emphasis (LADR) to provide formal recognition for University of Idaho College of Law students who complete the coursework necessary to develop expertise in this field. The Emphasis does not create a new degree program, does not increase the unit requirement for a J.D. from the College of Law, and does not require the development of new curriculum. It will merely focus students on taking those courses necessary to develop substantive knowledge and practical experience in litigation and alternative dispute resolution.

2. Students in the concentration will be required to take 41 credits of required general law courses plus an additional 10-11 credits required courses - Evidence (3), Trial Skills or Trial Advocacy (3 or 2), Negotiation and ADR (3), and a Basic Mediation Course (2). They must also take one practice/skills course – Appellate Moot, Legal Aid Internship, Mock Trial, or certain externships - and ten additional credits from a list of elective courses. Of those ten credits, at least one must be from the list of approved doctrinal courses such as Administrative Law, Conflicts of Law, Remedies, and Federal Courts, and at least one from the list of approved Practice Courses such as Advanced Legal Writing, Lawyering Process, and Legal Research. In addition, students in the Emphasis must complete a significant research and writing project under the supervision of the law faculty on a topic related to litigation or ADR.

2. Provide a statement of need for a new program or a program modification. Include (but do not limit to) the following:
   a) A projection of full-time and part-time enrollment over a three year period of time
   b) A projection of state workforce needs such as job titles requiring this degree. Also include Department of Labor research on employment potential.
   c) A description of how the proposed change will act to stimulate the state economy by advancing the field, providing research results, etc.

Attach a Scope and Sequence, SDPTE Form Attachment B, for professional-technical education requests.

Enrollment in the LADR Emphasis will come from our existing student body. Idaho has the sixth highest projected population growth rate in the United States in the next 25 years, placing increasing demand on its courts and systems for dispute resolution. Litigation and alternative dispute resolution skills have become more varied and have become more technical with the advent of technologies used in courtrooms throughout the state and region. Law graduates with proficiency in litigation and alternative dispute resolution will be more competitive in the legal market and will be better prepared to meet the needs of the judicial system in Idaho and the nation for alternative means for efficient dispute resolution.

College of Law students and faculty participate in the Northwest Institute for Appropriate Dispute Resolution (NWI), initiated at the University over 15 years ago. LADR complements the NWI and allows interested students to gain greater depth in this field than would be the case simply by attending the Northwest Institute. Approximately fifteen years ago, law students formed a student group called Law Students for Alternative Dispute Resolution (LSADR). This student group has grown to be one of the largest and most established student groups at the law school. The LADR Emphasis will allow them to receive recognition for their concentration in this area.

Approximately 21-27% of our employed graduates are placed in judicial clerkships. A concentration of litigation and alternative dispute resolution courses will assist the students in their work.

3. Briefly describe how the institution will ensure the quality of the program (e.g., program review, accreditation, professional societies, licensing boards, etc.). The quality of the program is assured in the first instance by the quality and accreditation of the existing J.D. program. There are no separate
accreditation requirements for, what are referred to by various law schools as, concentrations, certificates, emphasis areas, etc. Unlike other programs, we have the Northwest Institute for Appropriate Dispute Resolution (NWI) which can enrich the students’ experience. This Emphasis complements and enhances the work of the NWI. Faculty advisors for the LADR Emphasis are accustomed to working with law students interested in litigation and alternative dispute resolution.

4. Identify similar programs offered within the state of Idaho or in the region by other colleges/universities. If the proposed request is similar to another program, provide a rationale for the duplication. This may not apply to PTE programs if workforce needs within the respective region have been established.
Several schools in the region offer certificates in dispute resolution. The recognition from a certificate or demarcation as an Emphasis area assists students interested in advocacy and dispute resolution to focus their studies and to notify future employers of this concentration.

<table>
<thead>
<tr>
<th>Institution and Degree name</th>
<th>Level</th>
<th>Specializations within the discipline (to reflect a national perspective)</th>
<th>Specializations offered within the degree at the institution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Montana</td>
<td>J.D.</td>
<td>Alternative Dispute Resolution Certificate</td>
<td>Law School</td>
</tr>
<tr>
<td>Oregon</td>
<td>MA/J.D.</td>
<td>Master’s Degree in Program in Conflict and Dispute Resolution</td>
<td>Graduate School</td>
</tr>
<tr>
<td>U. Of Washington</td>
<td>J.D.</td>
<td>Dispute Resolution Concentration Track</td>
<td>Law School</td>
</tr>
<tr>
<td>BYU</td>
<td>J.D.</td>
<td>Student group – ADR Society</td>
<td>Law School</td>
</tr>
<tr>
<td>Willamette</td>
<td>J.D.</td>
<td>Certificate Program in Dispute Resolution</td>
<td>Law School</td>
</tr>
<tr>
<td>U. Of Utah</td>
<td>J.D.</td>
<td>N/A</td>
<td>Law School</td>
</tr>
</tbody>
</table>

The Law Schools at Gonzaga, Lewis and Clark, and Seattle University do not have a certificate or emphasis in Litigation and Alternative Dispute Resolution.
Enrollment and Graduates (i.e., number of majors or other relevant data)
By Institution for the Proposed Program
Last three years beginning with the current year and the 2 previous years

<table>
<thead>
<tr>
<th>Institution</th>
<th>Relevant Enrollment Data</th>
<th>Number of Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Current</td>
<td>Previous Year</td>
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<tr>
<td>UI</td>
<td>342</td>
<td>322</td>
</tr>
</tbody>
</table>

5. Describe how this request is consistent with the State Board of Education's policy or role and mission of the institution.
The College of Law is a designated part of the University of Idaho, part of its flagship mission, and is a program with a statewide mission. The proposal enhances the ability of the College to graduate students with a level of proficiency in the field of litigation and alternative dispute resolution required for a competitive practice in these areas.

6. Describe how this request fits with the institution’s vision and/or strategic plan.
The Litigation and Alternative Dispute Resolution Emphasis is consistent with the University’s Strategic Plan. The University of Idaho’s Strategic Plan 2011-2015 identifies four goals. The LADR Emphasis area falls squarely under three of the University’s four goals. Under the Goal of teaching and learning, the College is adapting to meet the needs of our students who as graduates will be expected to be proficient in litigation and alternative dispute resolution.

Consistent with the University’s outreach and engagement goal, the Litigation and Alternative Dispute Resolution Emphasis provides students an opportunity for contact with real clients as well as with external constituents -- the bench and bar.

Consistent with Goal 4, the Emphasis creates a subset of law students with whom they can create community. LADR also exposes these students to alternative ways to manage and resolve conflict.

Moreover, LADR provides the students with knowledge of local, state, and national mechanisms for the efficient and just resolution of disputes that would otherwise be limited to the court system.
7. Is the proposed program in your institution’s regional 8-year plan? Indicate below.

   Yes   No  x

If not on your institution’s regional 8-year plan, provide a justification for adding the program.

This is not a new program. This is an Emphasis area which helps guide students interested in Advocacy and Dispute Resolution with their course of study and notifies potential employers that the students have focused on these areas during their three years in law school.

8. List potential ways your campus can collaborate with other institutions on this program to reduce cost and expand learning opportunities in Idaho. For example, what courses, if any, can be delivered electronically by another state institution.

The opportunity to collaborate with other academic institutions in Idaho is limited. The real collaboration exists between the bench and bar and students who are participating in Clinics, Externships or Moot Court Competitions.

9. Explain how students are going to learn about this program and where students are going to be recruited from (i.e., within institution, out-of-state, internationally).

Prospective law students will learn about LADR from the College’s Admission’s Director, and from materials about the Emphasis and information on our webpage. Once enrolled, law students will learn about LADR during orientation, from discussions with faculty advisors and fellow students, from materials on the webpage, and from emails discussing LADR.
10. This section requires institutions to reference all cost savings and/or additional resources needed. (Use additional sheets if necessary.): The College does not have to expend any new funds to operate this Emphasis Area. The courses listed as part of the Emphasis are already being offered. New courses may be developed in the future.

<table>
<thead>
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<th>Estimated Fiscal Impact</th>
<th>FY_______</th>
<th>FY_______</th>
<th>FY_______</th>
<th>Cumulative Total</th>
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<td>Non-Recurring</td>
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<td>Non-Recurring</td>
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<tr>
<td>1. Personnel</td>
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<tr>
<td>2. Operating</td>
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<tr>
<td>3. Equipment</td>
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<tr>
<td>4. Facilities</td>
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<tr>
<td>Total Expenditures</td>
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B. Source of Funds

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<tr>
<th></th>
<th>FY_______</th>
<th>FY_______</th>
<th>FY_______</th>
<th>Cumulative Total</th>
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<td>Recurring</td>
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<td>Recurring</td>
<td>Non-Recurring</td>
</tr>
<tr>
<td>1. Appropriated - Reallocate</td>
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<td>2. Appropriated - New</td>
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<td>3. Federal</td>
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<tr>
<td>4. Other (Specify)</td>
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<tr>
<td>Total Expenditures</td>
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</tbody>
</table>
Amended requirements for Emphasis in Litigation and Alternative Dispute Resolution (LADR)

Required Courses
   Evidence (3)
   Trial Skills (3) or Trial Advocacy (2)
   Negotiation and ADR (3)
   Basic family or civil mediation course (2)

Practice/Skills: one of the following:
   Appellate Moot Court (1-2)
   Legal Aid Internship (1-6)
   Mock Trial (2)
   Select Externships* (an externship for which a limited license is required or one which has received prior approval by Professor Laflin and Externship Director Katie Ball).

Elective Courses: Students must take an additional 10 credits from the list of elective courses. Students must take at least one elective from the list of Doctrinal Courses and one elective from the list of Practice Courses listed below:

Doctrinal Courses:
   Administrative Law (3)
   Conflict of Laws (2)
   Criminal Procedure (3)
   Federal Courts (3)
   Immigration Law (3)
   Remedies (3)
   Taxation (3)

Practice Courses:
   Advanced Legal Research (2)
   Advanced Legal Writing (2)
   Appellate Advocacy (McNichols) (2)
   Architecture and the Law (2)
   Clinical Labs (1-4)
   Lawyering Process (2)
   Legal Aid Internship (1-6)
   Legal Drafting (2)
   Public Service Externship (1-5)
   Semester in Practice (1-12)
   Topics in Dispute Resolution (1)

Writing requirement: Under the supervision of the student’s LADR Emphasis Advisor, or another full-time faculty member pre-approved by the LADR Emphasis Advisors, the student must complete a significant independent writing project on a Litigation or ADR-related topic. Whether written for Law 983 (Directed Study), Law 982 (Law Review), or in fulfillment of the requirements of an elective class under this Emphasis, the paper must be equivalent in length and depth to a publishable law review article. If initially prepared for a regularly scheduled paper course, the paper will require additional effort and drafts beyond that required to pass the requirements of the course for which it is submitted for a grade. LADR papers which meet the rules for the Upper Division Writing Requirement may also be used to satisfy that requirement.

Advisors: Maureen Laflin, Alan Williams, Pat Costello, and Monica Schurtman