LINCOLN
LAW SCHOOL
OF SAN JOSE

www.lincolnlawsj.edu

Serving the legal education needs of
Silicon Valley and the
Greater Bay Area
since 1919

CATALOG

2015-2016
Reservation of Rights

Every effort has been made to assure the accuracy of information contained in this Catalog, the Student Handbook and the Law School’s website as of the date of each publication. However, neither the Catalog, the Student Handbook nor the Law School’s website constitute a contract or the terms and conditions of a contract between students and the Law School. The Law School also makes no representation to any applicant that prior to graduation of any matriculating student that the Law School will either seek, apply for or be approved by the Western Association of Schools and Colleges (WASC).

Nothing in this Catalog, in the Student Handbook or the Law School’s website should be construed to operate as, or have the effect of either abridging or limiting any of the rights, powers or privileges of the Board of Trustees, the Dean or any other official designee of the Law School, to adopt, amend, or repeal rules and policies that apply to applicants or students. The Law School reserves its rights to make changes at any time, that it deems necessary, as to course offerings, tuition, fees, admission and graduation requirements, class schedules or any other rules, regulations or policies.

Upon acceptance to the program, each student is responsible for becoming familiar with the rules, regulations and policies of the Law School as set forth in the most current Catalog, Law School website and Student Handbook, as well as those of the State Bar of California Committee of Bar Examiners (CBE), and for conforming their conduct accordingly. CBE rules, regulations and policies can be found on the State Bar’s web page at www.calbar.ca.gov and, once there, by clicking on the title "Bar Exam" on the right margin. Please access the CBE site to ascertain education requirements for admission to the Bar, to register as a law student and to access application forms to register for the California Bar Exam.
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Lincoln’s mission is to provide a superior legal education to its students culminating in the conferral of the Juris Doctor Degree and certification to sit for the California Bar Examination. The Law School has over a 90 year tradition of seeking a student body as diverse as the population of the state and providing an opportunity to individuals who are qualified for the study and practice of law.

**HISTORY OF THE LAW SCHOOL**

Lincoln Law School of San Jose traces its origins to the early 1900’s when Dr. Benjamin and Susan Lickey founded a law school in San Francisco aimed at helping veterans and other adults acquire law degrees through an evening part time course of study. The Law School was one of San Francisco’s first evening adult education programs. Within a few years, additional subjects were added in other subject areas and the Law School became part of a larger university curriculum. In 1926, the new institution, Lincoln University, was chartered as a private, non-sectarian college and in 1949, it was incorporated as a non-profit institution.

In 1961, under the leadership of E. Barbara Jorss and Dean Jerome Sack, a second Law School campus was opened in San Jose, graduating its first class in 1965. The San Jose campus quickly developed a reputation as a center of innovative legal training and legal discourse. During the early 70’s, Lincoln broke new ground by producing a ten-part cable television series featuring panel discussions by local attorneys and Judges addressing legal issues of concern to the San Francisco and San Jose communities.

By 1987, Lincoln University’s entire Law School program was concentrated in San Jose. In 1993, the San Jose campus formally separated from Lincoln University becoming an independent, public benefit, non-profit corporation, changing its name to Lincoln Law School of San Jose. In the same year, the Committee of Bar Examiners of the State Bar of California conferred accreditation on the Law School and, in 1999 the Law School relocated its campus to the heart of downtown San Jose. In 2000, with the retirement of James Liontas, founder and Dean of Peninsula University School of Law, Lincoln was pleased to welcome many Peninsula students into its Law School family.

Engineers, parents, teachers, chemists, social workers, doctors, police officers, nurses, auto mechanics, journalists, elected officials, college professors, paralegals and others, have all found a home at Lincoln. Lincoln Alumni have become Judges, governmental officials, lawyers and successful business persons. Lincoln is proud to have graduated leaders in the Bay Area legal community, such as Kenneth Fung (’32), the first Chinese-American to be admitted to practice law in California; Presidential Fellow, Chris Moore, former Chief of the San Jose Police Department; former City Council members, Dave Cortese, now on the Santa Clara Board of Supervisors and Linda Lezotte, now on the Board of the Santa Clara County Water District; Assistant City Attorney, William Hughes; Superior Court Judges Hugh F. Mullin, Ronald Lisk, Linda Condron; Teresa Guerrero-Daley; Workers’ Compensation Judge Adoralida Padilla; and former Commissioners Lois Kittle, Harold Cole, James L. Heath and Constance Jiminez. Over 20 members of the Santa Clara County Bench have studied, taught, or served as Trustees of the Law School.

Contributing to Lincoln’s success is its outstanding faculty, which includes Judges, public defenders, prosecutors, public interest lawyers, and private civil and criminal law attorneys. Because of small class size, there is ample opportunity for students to interact with a faculty able to provide real-world insights into the practice of law in addition to communicating the basic principles of law. Students have the opportunity to learn in a collegial and supportive environment that facilitates dialogue and debate which promotes the acquisition of the analytical skills necessary for critical thinking and analysis of the law necessary for the effective lawyer.

Today, Lincoln continues to prepare students to meet the challenges of legal practice in the 21st Century. Lincoln’s curriculum includes such cutting-edge electives as Intellectual Property, as well as providing training in the latest research methodologies.
James F. Barbic, E.A.

A native of the San Francisco Bay Area, and a former professional baseball player, Mr. Barbic has been an enrolled tax consultant for over 40 years. A veteran of the Korean Conflict, he is known for both his skill and community activism. He has served as Chairman or Director of the California Society of Enrolled Agents, Central YMCA Board of San Francisco, Catholic Social Services, Chinese Youth Alternatives, East Side Heroes, and the World Boxing Foundation (with Mohammed Ali). He was a founding director of Lincoln Law School of San Jose.

Willie D. Brown

Willie D. Brown, Jr. is an attorney in the legal department at San Jose Water Company where his practice focuses on general corporate matters, contractual arrangements, compliance matters, and transactions. Prior to attending law school, Willie served an enlistment in the United States Air Force, was employed as a financial analyst with Applied Materials, Inc., and worked as a cost accountant with IBM. During law school, he served as an extern for the Honorable Anthony W. Ishi, U.S. District Court, Eastern District of California and authored the note, “The Forgotten Type of Capital: Addressing the Social Capital Deficiency in the Inner City,” Georgetown Journal on Poverty Law and Policy, Vol. 11, Nov. 3, 2004. Willie is the first lawyer in his family and obtained his JD from the Georgetown University Law Center where he served as the Executive Articles Editor for the Georgetown Journal on Poverty Law and Policy. He earned his B.A. in Economics from the University of California, Berkeley, where he also served as a student Senator. Willie attended Mission Community College in Santa Clara, California, where he served as a Student Trustee. He is currently a board member of the non-profit, For People of Color, Inc. which works to diversify the legal profession, is a member of the Rotary Club of San Jose, and is an active volunteer at St. Clare School and St. Clare Parish. He also served as a board member of the YWCA of Silicon Valley from 2009 to 2011. Willie was raised in Hanford, California and is of African-American and Filipino decent.

David Cortese J.D.

Mr. Cortese past President and current member of the Board of Supervisors of Santa Clara County grew up as part of a family that has been active in civic, cultural and business affairs. He was elected to the San Jose City Council in 2000, was Vice Mayor and was the only councilmember re-elected without opposition to a second four year term. Prior to serving on the city council, Mr. Cortese served on the East Side Union High School Board of Trustees and served as President of the Board on two occasions. He chaired the Evergreen Valley High School “new school committee” and co-chaired a successful $80 million bond campaign which led to the first new high school in Silicon Valley in over twenty-five years. Mr. Cortese was educated at Bellarmine College Prep, Santa Clara University, the University of California, Davis and Lincoln Law School of San Jose. He holds a Bachelor’s Degree in Political Science and a Juris Doctor. He has been involved in a variety of civic and community affairs, including the Police Athletic League Board of Directors, Board of Directors of the East Valley YMCA, the Italian American Heritage Foundation, President of the Sons of Sicily Club, the PTA and the Board of Directors of “Rotacare”. He has been a member of the Santa Clara County Bar Association, the Santa Clara County School Boards Association, the San Jose Real Estate Board, the Tri-county Apartment Association, the Silicon Valley Toxics Coalition, the Cal Aggi Alumni Association, the Most Holy Trinity Church Development Committee, East Side Heroes and St. Francis of Assisi Parish. Mr. Cortese chaired the Hispanic Foundation. He has been directly involved with the Evergreen, East Hills, Alum Rock and Berryessa Little Leagues. He was one of the founders of East Valley Girls Softball and formerly President of the San Jose (East Evergreen) Rotary Club and also a member of the Evergreen Business and Professional Association. He has also had the opportunity to work with his father; former Assemblyman Dominic L. Cortese, over a political career that commenced in 1968.

Rod Diridon, Sr. - Chair

Mr. Diridon, was the Executive Director of the Mineta Transportation Institute created by Congress at San Jose State University in 1991, began his political career in 1971 as the youngest person ever elected to the Saratoga City Council. Because of term limits, he retired, after 20 years and six terms serving as chair of the Santa Clara County Board of Supervisors and Transit Board. He is the only person to have chaired the San Francisco Bay Area’s three regional governments: the Metropolitan Transportation Commission, the Bay Area Air Quality Management District, and the Association of Bay Area Governments serving nine counties and 104 cities. He served as the Governor’s appointee to the California High Speed Rail Authority (CHSRA) Board of which he is chair emeritus. He also serves on the Corporate Board of Directors the Empire Broadcasting Company and Corporate Advisory Board of Wells Fargo Bank and presided over the San Jose Rotary Club in 2009/10. He founded and served as President of the Decision Research Institute, where he developed a “shared survey” research procedure adopted by UNICEF. He’s recently completed a terms as
President of the American Public Transportation Association and the national Council of University Transportation Centers, both in Washington, DC. Mr. Diridon earned a BS in Accounting and a MSBA from San Jose State University where he received the College of Business's Lifetime Achievement Award. Upon his retirement from elected office, the historic Amtrak/CalTrain Station in San Jose was renamed the “San Jose Diridon Station” in his honor. He has received numerous other awards and citations.

Sarwat S. Fahmy, J.D.

Mr. Fahmy is the principal and Chief Executive Officer of Calandev, LLC, a world-wide real estate development company headquartered in San Jose. Mr. Fahmy has been a major developer in China and the Middle East, as well as the United States. A graduate with honors from Lincoln Law School of San Jose, he holds a Masters degree in Business Administration from Pepperdine University, a Masters degree in Tax Law from Golden Gate University and attended Harvard University. He received his B. S. degree from Cairo University, Cairo, Egypt.

Susan Fish

Susan Oster Fish is a partner in Sheuerman, Martini, Tabari, Zenere & Garvin, a civil litigation firm specializing in medical malpractice defense. Prior to attending Law School, Susan was a graduate of the Santa Clara University/O'Connor Hospital School of Nursing and practiced hospital, private practice and clinical Nursing. Susan is a graduate of the Lincoln Law School of San Jose Class of 1995.

Josue Garcia

Mr. Garcia is currently the Chief Executive Officer for the Santa Clara & San Benito County Building & Construction Trades Council. The organization represents 26 construction unions with about 30,000 members. He is the first Latino to hold the position. He worked for the Northern California Fire Protection Compliance Group as the Director of Government Relations and Labor Compliance from October 2014 to January 2014 where he was also the first Latino to hold the position. Mr. Garcia served as the Deputy Executive Officer of the Santa Clara & San Benito Counties Building & Construction Trades Council for 10 years, an organization that represents 26 construction unions with more than 30 thousand union construction workers. Mr. García has a weekly radio segment where he talks to the community about worker's rights and has appeared on many TV programs on issues that affect the community.

Teresa Guerrero-Daley, J. D. Judge of the Superior Court, Santa Clara County

Ms. Guerrero-Daley is a graduate of both Lincoln Law School and San Jose State University. She is a Judge with the Santa Clara County Superior Court. Judge Guerrero-Daley served as the Independent Police Auditor for the City of San Jose where her work received national, as well as international recognition. She was previously in private practice specializing in criminal law. Ms. Guerrero-Daley was appointed to the Discipline Audit Panel of the California State Bar and graded the California Bar Exam for five years. She served as President of the La Raza Lawyers of Santa Clara County, on the Board of Trustees of the Santa Clara County Bar Association, and Chair of the Hispanic Foundation of Silicon Valley.

Teresa Thu Huong Hung-Nguyen

Ms. Hung-Nguyen is a graduate of Peninsula University, which merged with Lincoln Law School of San Jose. She owns her own practice, The Law Office of Teresa Thu Huong Nguyen & Associates, with lawyers specializing in Immigration, Family Law, Bankruptcy, Wills & Trusts, Personal Injury and Criminal Law.

Robert S. Kieve

Robert S. Kieve is president of Empire Broadcasting Corporation, a company which he formed in 1967. Empire owns and operates 1590 KLIV and acts as operating partner of 95.3 KRTY. He also serves as a radio commentator, frequently sharing his views about issues in Silicon Valley. After graduating from Harvard and after summer jobs in New Jersey radio stations, he became Information Officer of the American Embassy in Madrid. He was program director of a radio station in Geneva, NY and was a promotion writer for CBS in New York City. In 1953 he became a special assistant in the White House, acting as a writer for President Eisenhower. In 1957 he was named manager of station WBBF in Rochester, NY. During his ten years in Rochester, he also put on the air station WBBF-FM, a 24 hour classical music
station which won the first annual award of the American Music Council for excellence in FM programming. He is the author of *El Arte Radiofonico*, a book that for many years was Spain’s only publication on radio broadcasting. He has been deeply involved in San Jose community activities, including the San Jose Rotary Club, Symphony Silicon Valley, the San Jose Chamber of Commerce and the Silicon Valley Leadership Group and as such is affectionately known by many as “Mr. San Jose.”

**Joseph H. Moless, Jr., Dean Emeritus**

Mr. Moless received his Juris Doctorate from the University of California Berkeley, where he was awarded the Order of the Coif. He has been a professor of Law at various universities, including Lincoln Law School of San Jose, Santa Clara University, and Golden Gate University since 1967. He spent many years as a partner in various prominent local law firms, where his cases included a First Amendment free speech matter which was argued at the United States Supreme Court. His partners in private practice included many lawyers who were elected or appointed to the judiciary. Mr. Moless chose instead to become the Dean of Lincoln Law School of San Jose, a position which he held from 1999 to 2015. Mr. Moless pioneered many innovative programs during his tenure with the school, including organizing a certificate program for Russian Lawyers.

**James Rees**

Jim Rees is the CEO at Boccardo Management Group, a privately held commercial real estate development and management company. His grandfather was revered local lawyer and philanthropist James F. Boccardo. His great-grandfather, John Boccardo, from Genoa, was a leader in the local Italian community and vice-president of the Bank of Italy, the forerunner to Bank of America. Mr. Rees has continued his storied family’s contributions to the San Jose community by spending the last three decades building a reputation for developing and managing high quality commercial real estate projects. He serves on the boards of numerous local businesses and philanthropic organizations.

**Willem P. Roelandts**

Mr. Roelandts is currently the lead independent director on the Board of Trustees of Applied Materials. He served as Chairman of the Board of Xilinx, Inc., from July 2003 to February 2009, and as a director from January 1996 to August 2009. Mr. Roelandts also served as President and Chief Executive Officer of Xilinx from January 1996 to January 2008. Prior to joining Xilinx, he held various executive positions during his 29-year career at Hewlett-Packard, where he last served as Senior Vice President and General Manager of Computer Systems Organizations. He currently serves on the board of directors of Aruba Networks, Inc. Mr. Roelandts is also a member of the Advisory Board of the Center for Science, Technology and Society at Santa Clara University. A native of Belgium, he received a Bachelor of Science degree in Electrical Engineering from Rijks Hogere Technische and has been awarded honorary doctorate degrees from Santa Clara University and K.U. Leuven. The latter degree noted, “His achievements are remarkable and can to a major extent be ascribed to his very personal management style focused on human values....”

**Carmen Sigler, Ph.D**

Dr. Sigler retired at the end of the fall 2014 semester as Professor of Romance Languages at San Jose State University where she served as Dean of the College of Humanities and the Arts, Interim Dean of the College of Social Work, Acting President, Provost of the University and Vice President for Academic Affairs. Her field of specialization is Golden Age Spanish Literature and she has published books and articles on topics related to Renaissance Spanish literature and foreign language education. Prior to serving as Provost, Dr. Sigler was Teacher Education Coordinator, Associate Chair for Curriculum, and Department Chair in the Department of Foreign Languages at San Jose State. She also served as Dean of the College of Humanities and the Arts, Interim Vice President for University Advancement and Acting Dean of the College of Social Work. She serves on the Board of Trustees of Montalvo Center for the Arts, Opera San Jose, and has chaired the Board of the Hispanic Foundation of Silicon Valley, and the YMCA Metro Board and was a Commissioner for WASC. Dr. Sigler was born and raised in Argentina. She received A.M. and Ph.D. degrees in Romance Languages and Literatures from the University of Michigan.
Trustees Emeriti

Craig E. Needham
LeRoy J. Neider
James F. Boccardo  (1911-2003)
Peter Carter (1943-2013)
Barry Swenson
ADMINISTRATION

Laura A. Palazzolo  
Dean

Christy Jansky  
Registrar/Administrator for Special Events

Cindy Ruggiero  
Assistant Registrar

Faadi Yamin  
Admissions

Farzin Forooghi  
Associate Dean of Academic Counseling

Angela Hassan  
Administrative Assistant
AN OVERVIEW

Lincoln offers a 4 and a 4 ½ year part-time, evening study program. Students who enter in the Fall complete the program in 4 years. Students who enter in the Spring or Summer programs take a lighter course load during the first one-half year of study and thus complete the program in 4 ½ years.

Students usually attend classes three nights per week, and sometimes 4 except during Summer Session when students generally attend classes two nights per week. Classes generally are conducted on week nights between the hours of 6:40 p.m. to 9:30 p.m.

Prospective applicants are encouraged to visit the Law School. Please contact the Admissions Office to arrange a tour of the facilities; a classroom visit; discussions with current students, alumni or faculty; a meeting with the Dean; or to request additional information not contained in the Catalog. Prospective applicants can also visit Lincoln’s web site at: www.lincolnlawsj.edu

In addition, prospective applicants are invited to attend Open House or Information Sessions at the Law School. The Law School hosts Open Houses at least twice a year to provide prospective students with an opportunity to tour the Law School facilities. At a typical Open House students learn more about the Law School program and the study of law. A diverse panel of speakers consisting of faculty, current students, and alumni speak about their unique experiences. Prospective students will then be able to ask questions and meet with an Admissions Advisor. Open House dates are also listed on the homepage at: www.lincolnlawsj.edu.

Accreditation Disclosure

Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements.

Bar Pass Rates

Information relating to the pass rates of graduates on the ten most recent administrations of the California Bar Examination may be found at: http://admissions.calbar.ca.gov/Examinations/Statistics.aspx

Practice of Law in California

Graduates of Lincoln are eligible to take the California General Bar Examination and, upon successful completion of the Examination, are qualified to practice law in the State of California. Information related to the school’s bar examination pass rates can be found at the State Bar’s website, www.calbar.ca.gov/admissions.

Before beginning legal studies, prospective students should familiarize themselves with the rules governing admission to the State Bar. Information may be obtained from the Law School or directly from the Committee of Bar Examiners of the State Bar of California in San Francisco, California or by visiting the State Bar’s web site at: http://admissions.calbar.ca.gov/.

Practice of Law in Other States

Many states require graduation from a law school accredited by the American Bar Association (ABA) or approved by the state's Supreme Court or examining committee of that state. “Study at, or graduation from, this law school may not qualify a student to take the bar examination or be admitted to practice law in jurisdictions other than California. A student who intends to seek admission to practice law outside of California should contact the admitting authority in that jurisdiction for information regarding its education and admission requirements.”

Location

The Law School is conveniently located in downtown San Jose at 384 S. Second Street. It is easily accessible from Highways 101, 880, 280 and 87. Because of its convenient location, the Law School has drawn students from as far north as San Francisco, Contra Costa, Marin, and the East Bay and as far south as Salinas and Santa Cruz.
There is adequate parking available in the parking lot directly across the street from the Law School. There is also a multi-level parking garage on Second Street. In addition, there are several smaller parking lots within walking distance, and some metered parking that is free after 6:00 p.m.

Facilities

The Law School is located in a newly upgraded downtown office building that contains classrooms, administrative offices, a student lounge and SBA office, and the James F. Boccardo Memorial Law Library which is equipped with computers. The Law School is wired for WIFI access.

The James F. Boccardo Memorial Library is open to students, faculty and alumni during Law School hours. It contains over 20,000 volumes, including decisions of federal and state courts, federal and California statutes, encyclopedias, digests, law review, treatises, and other legal reference materials. Reference and on-line legal research assistance is provided to students by Faculty and Staff.

Located in the James F. Boccardo Memorial Library is the Law School’s enclosed media center equipped with computers for conducting Westlaw on-line legal research and training. Access to Westlaw is via Wifi. As part of the Law School’s Westlaw each student is provided with individual Westlaw accounts and passwords for use on their home computer via the Internet.

The Law School is also located within yards of the Federal Courthouse and a few blocks from the County Law Library, both of which are located on the City’s light rail line.

The Law School does not have a permanent bookstore on campus, but required books are readily available.

The Law School does not have dormitory facilities but a wide range of housing options are available in the San Jose area.

Hours

The Law School is normally open as follows:

<table>
<thead>
<tr>
<th>Day</th>
<th>Hours</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monday-Thursday</td>
<td>10:00 a.m. to 10:00 p.m.</td>
</tr>
<tr>
<td>Friday</td>
<td>Closed</td>
</tr>
<tr>
<td>Saturday</td>
<td>9:00 a.m. to 5:00 p.m.</td>
</tr>
<tr>
<td>Sunday</td>
<td>Closed</td>
</tr>
</tbody>
</table>

During the Law School’s summer break, the Law School is usually open from 9:00 a.m. to 5:00 p.m. Monday through Thursday and closed on Friday.
TUITION AND FEES

Students must complete 84 units in order to graduate. Tuition is currently $777.00 per unit. Law School alumni may audit courses for ½ the regular tuition charge.

Tuition and fees are due at the time of registration. Only fully registered students are deemed to be enrolled. Registration is defined as both the payment of applicable tuition and fees and the completion of all registration forms.

A student can expect that the total cost to earn the J. D. degree, including tuition and fees for the four-year program, will be approximately $67,000. This cost does not include books, other required class materials or additional fees that a student may incur which include the following fees which are imposed to cover administration and related expenses occasioned by the event for which the charge is imposed.

Fees

<table>
<thead>
<tr>
<th>Fees</th>
<th>Fall Semester</th>
<th>Spring Semester</th>
<th>Summer Semester</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$338.00</td>
<td>$80.00</td>
<td></td>
</tr>
<tr>
<td>$338.00</td>
<td></td>
<td>$188.00</td>
<td></td>
</tr>
<tr>
<td>$838.00</td>
<td>$50.00</td>
<td>$158.00</td>
<td></td>
</tr>
</tbody>
</table>

The following additional fees may be incurred by students:

- Untimely Registration Fees $225.00
- And costs attributable thereto
- Installment Fee Based on number of units and number of payments made
- Installment Agreement Interest Based on the balance owed
- Deferment fee $50.00
- Returned check fee $50.00
- Add/Drop Class fee $25.00/$50.00
- Examination rescheduling fee $300.00
- Transcript fee (Official/Unofficial) $15.00/$10.00
- Letter of Good Standing $10.00
- Course Materials fee Based on the number of copies
- Fee to take classes at another law school $100.00

(Consent thereto being previously obtained from both schools)

Tuition and fees are subject to change upon notice to applicants and students.
Registration

Registration forms will be sent to returning students by e-mail. All Registration forms must be returned with an Enrollment Agreement, and all requisite fees and tuition, by the deadline indicated on the form by way of U.S. mail ONLY. To be considered timely registration materials must be post-marked by the deadline indicated in the registration materials.

Tuition and fees are due at the time of registration. Registration requires timely payment of all applicable tuition and fees and the completion of all registration forms, including the Enrollment Agreement and Installment Agreement if applicable.

Students must complete all registration activities prior to attending classes. The School is required to certify students’ attendance for purposes of “residency” to the State Bar of California so that they may sit for the General Bar Examination. Attendance has two components: enrollment and physical attendance. A student who is not enrolled has placed in jeopardy any certification for residency. We urge to pay your tuition and fees no later than the deadline listed on the registration material.

Payment of tuition and fees

For those students who qualify, the Law School may, in its sole and absolute good faith discretion, permit such students to pay their tuition and fees by way of installments upon receipt and approval of their applications. If you wish to pay your tuition and fees by way of installments, please make sure that you submit your applications prior to the Registration deadline. Please contact the Registrar for an application and a payment schedule. In the event you are approved to pay by installments, your signed Installment Agreement/Promissory Note, along with your first Installment payment, must accompany your Registration Form and Enrollment Agreement for registration to be completed in a timely manner without the imposition of a late fee.

Students who are recipients of financial aid or scholarships may be able to postpone payment of registration fees. Postponing payment of registration fees is called a “deferment.” Deferments allow students with unpaid fees to remain registered for classes, but only until the deferment expires. For additional information please contact the Registrar.

Refunds

Fees, and tuition, for non veterans are non-refundable except in the following instances:

- If a student cancels their Enrollment Agreement within 5 business days of the first day of instruction, in either the Fall or Spring semesters, the Law School will refund all charges paid by the student.
- If a student cancels their Enrollment Agreement within 2 business days of the first day of instruction in the Summer semester, the Law School will refund all charges paid by the student.
- If a student withdraws or is dismissed prior to the completion of the semester, the Law School will refund unused tuition on a pro rata basis as set forth in the Law School Enrollment Agreement. Fees are non-refundable.

Veterans Refund Policy

This school has and maintains a policy for the refund of the unused portion of tuition, fees and other charges in the event the veteran or eligible person fails to enter the course or withdraws, or is discontinued there from at any time prior to the completion. The amount charged to the veteran or eligible person for tuition, fees, and other charges does not exceed the approximate pro rata portion of the total charges for tuition, fees and other charges and that the length of the completed portion of the course should bear to its total length. Note: The maximum non-refundable registration fee allowed by VA is $10.00. Any amount above $10.00 shall be included in the pro rata refund.

Financial Assistance and Deferral

It is the applicant’s or student’s sole responsibility to procure any financial assistance that may be required. The Law School does not participate directly in any federal or state insured student loan programs and does not have a Department of Education I.D. number. However, many law students may be able to obtain a private law loan through Sallie Mae (www.salliemae.com). School officials are authorized only to certify student’s loan amounts that do not exceed tuition, fees and books. A loan request in excess will not be certified.
Securing private financing is not a guarantee of either the acceptance or continuance as a student. The Law School offers a limited number of merit scholarships. However, no tuition scholarships are available to first year law students. (For more information see Student Honors, Awards and Scholarships on p. 28)

**ADMISSIONS**

Lincoln has a “rolling” admissions policy permitting students to enroll at convenient times. Students are admitted to commence study in February, May (provided faculty determine there should be May classes) and August. Accordingly, the Law School permits enrollment so long as the student’s records for admission are complete and satisfactory and the student can attend all classes.

Admitted students are classified as “Regular,” “Special” or “Transfer” students. Students may be provisionally admitted and allowed to begin classes pending receipt of all necessary documentation, as set forth below under “Admission Requirements.” Students will not be formally accepted until all of the necessary documentation has been timely received.

**General Admission Requirements**

It is recommended that applicants meet with an Admissions Advisor, the Dean or the Dean’s designee as soon as practical prior to their intended entrance date in order to begin, and promptly complete, the admissions process. Applicants wishing to be admitted as Regular Students must, prior to admission, obtain and furnish all of the following:

1. A completed application plus a non-refundable application fee for In-state applicants in the amount of $60.00 and Out of state applicants in the amount of $200.
2. An official transcript from all undergraduate and graduate school must be provided or an official LSDAS report that contains copies of transcripts from all colleges attended;
3. A signed Statement of Intention explaining in no more than two typed pages double spaced why you wish to study law;
4. Regular Students seeking admission are required to take the Law School Admission Test (LSAT);
5. Resume or C.V.; and
6. Two current letters of recommendation.

**Law School Admissions Test (LSAT)**

Regular and Transfer students generally must take the Law School Admissions Test (LSAT) prior to admission. Special Students must take the examination prior to admission. Commencing the study of law is defined as beginning any introductory course or other course at Lincoln.

The LSAT is usually given in February, June, October, and December. To obtain an application, information about the test, and information regarding the location of testing centers, please contact the Law School or contact the Law School Admission Council directly:

Law School Admission Council
662 Penn Street
Newtown, PA 18940-0998
(215) 968-1001
On-line: [www.LSAC.org](http://www.LSAC.org)

**Admission as a Regular Student**

An applicant holding a bachelor’s degree from a qualified institution may be admitted as a Regular Student. An applicant not holding a bachelor’s degree from a qualified institution may be admitted as a Regular Student if either one of the following requirements is met:

1. The applicant has earned an Associate in Arts Degree or an Associate in Science Degree from a qualified institution in California. The Specialized Associate Degree (occupational) and the Associate of Applied Science Degree, and other associate level degrees which are vocationally oriented, do not satisfy this requirement; or
2. Studies completed prior to admission constitute not less than one-half the total acceptable for a bachelor’s degree at a qualified institution, and
3. at least 90 percent of the total credits necessary to satisfy this requirement were in courses with academic, non-vocational, and non-occupational content satisfactorily completed at a qualified institution, and
4. the applicant’s grade average on all subjects undertaken was at least equal to that required for graduation from the institution attended, and
5. the applicant’s grade average on all courses with substantive content was at least equal to that required for graduation from the institution attended.

An applicant who seeks admission as a Regular Student but does not provide official transcripts by the 45th day after the first day of attendance, shall not be permitted to attend unless the Law School has received transcripts from the Law School Data Assembly Service showing eligibility for admission as a Special Student. The School may extend attendance for no more than an additional forty-five days in exceptional circumstances which must be documented in the Student File.

Applicants who have attended a college in a foreign country must first have their transcripts evaluated by a credential evaluation service. The State Bar of California’s Committee of Bar Examiners has compiled a list of credential evaluation services which may be found on their website at:

Regular Student applicants may be required, as a condition of admission, to participate in the Law School’s Academic Success Program, based on their pre-law education, pre-law grade point average, LSAT score, or any combination thereof.

**Admission as a Special Student**

Students who have not qualified as a Regular Student may apply for admission as a Special Student. Applicants seeking admission as a Special Student must take and pass three College-Level Examination Program (CLEP) examinations prior to admission to law school and must attain passing scores of 50 or higher. For information on CLEP examination requirements, please refer to the State Bar’s website at:

For registration materials and information about the location of testing centers and testing dates, please contact the Admissions Office or the College Board directly:

College Board, CLEP
P. O. Box 6600
Princeton, NJ 08541-6600
(800) 257-9558
On-line: http://www.collegeboard.com/

Special Student applicants must also take the Law School Admission Test (LSAT) prior to admission. A score at or above the 50th percentile must be achieved and, in addition, the applicant must provide the same documentation required from applicants applying as a Regular Student.

All Students who are accepted as Special Students must take and pass the First Year Law Students’ Examination (FYLSX) given by the Committee of Bar Examiners of the State Bar of California before advancing to the second year of Law School.

**Admission as a Transfer Student**

Students wishing to transfer to Lincoln must provide official transcripts from all law schools attended showing completion of all prior law studies.

Under exceptional circumstances, admission may be possible for persons who were previously disqualified from law study if it can be shown that the prior disqualification was a result of factors other than lack of capacity to successfully study law. Ordinarily, this may be shown personal declaration, and by letters from the Dean or faculty members of the Law School previously attended. In all such transfers, a personal interview must be arranged with the Dean at Lincoln.

Lincoln reserves the right to determine the number of transfer credits to be accepted. This determination will be made by the Dean on an individual basis and will depend, in part, on an evaluation of course content and grades.
received in various courses and on a determination as to whether the student has earned an exemption from the First Year Law Student’s Examination (FYLSX). Normally, only law course work completed within twenty-seven (27) calendar months prior to the date the applicant will begin his or her studies at Lincoln will be transferable. Some scheduling adjustment may be needed for transfer students to ensure that they receive the necessary instruction in subjects covered on the General Bar Examination and the corresponding unit credit required for graduation. Grades are not transferable.

Transfer students must meet all admissions requirements outlined in this catalog. Transfer students must take and pass a minimum of 60 units in residence in order to qualify for graduation from Lincoln.

**Transfer of Credit from Other Schools**

A student attending Lincoln Law School may take courses for credit at other law schools but only with the prior written permission of the Dean which may be provided by the Dean in the Dean’s good-faith subjective determination consistent with The State Bar of California Committee of Bar Examiner requirements. Credit for courses successfully completed at other law schools may be transferred with the prior written permission of the Dean and on the terms stated in that writing. However, grades are not transferable and will not be included in the student’s grade point average at Lincoln.

**Attendance as a Visiting Student**

At the discretion of the Dean, a student who attends another Law School may attend Lincoln as a Visiting Student. The effect of any grade received at Lincoln is dependent upon the policy of the Law School where the student regularly attends.

**Attendance as an Auditor**

The Law School permits law school graduates as well as non-law students to audit courses as set forth below.

Auditor applicants who are law school graduates are required to submit the following:

1. Application
2. Non-refundable application fee of $60.00

Auditor applicants who are not law school graduates are required to submit the following:

1. Application
2. Resume
3. Cover letter, including a discussion of the purpose for auditing and any qualifications or experience relevant to the course(s) the applicant would like to audit
4. Non-refundable application fee of $60.00.

Auditors do not receive credit for the audited course even in the event the auditor is later admitted to the Law School as a law student. Auditors are not required to take course examinations. The number of auditors admitted to any given course may be limited depending on the number of law students also enrolled in the course. Admission as an auditor under any circumstance is subject to the subjective good faith discretion of the Dean. The Law School reserves the right to deny auditor status to anyone.

**English as a Second Language**

Applicants for whom English is a second language should take the Test of English as a Foreign Language (TOEFL) and achieve a minimum score of 600 in order to ensure sufficient fluency in English for the study of law. Applicants who did not complete undergraduate or graduate pre-law studies in English are normally required to take the TOEFL. Application to take the TOEFL examination should be made to: TOEFL Services

P. O. Box 6151
Princeton, NJ 08541-6151
On-line: [http://www.toefl.org](http://www.toefl.org)

All Law School courses are taught in English. The Law School does not provide English language services (e.g. instruction or translation).
Registration with the State Bar of California

Every student accepted by the Law School to study law must register with the Committee of Bar Examiners of the State Bar of California. Such registration will be on a form provided by the Committee and shall be filed not later than ninety (90) days after the commencement of the first semester for which the student has enrolled at the Law School. Please note that registration as a law student with the Committee requires a filing fee. Students must register on-line at: www.admissions.calbar.ca.gov

Students are advised that it is their sole responsibility to comply with the Rules Regulating Admission to Practice Law in California, which are published by and obtainable from the Committee of Bar Examiners at:

Committee of Bar Examiners
180 Howard Street
San Francisco, CA 94105-1639
On-line: www.admissions.calbar.ca.gov

Any and all consequences resulting from a student's failure to meet the registration requirements of the Committee of Bar Examiners are to be born exclusively by the individual student. Students should retain copies of all forms and information sent to and received from the Committee of Bar Examiners.

State Bar of California, Committee of Bar Examiners (CBE)

All Students should be acquainted with and review changes as published on the CBE website at www.admissions.calbar.ca.gov/

Policy of Non-Discrimination

The Law School does not discriminate on the basis of age, sex, disability, sexual orientation, national or ethnic origin, marital status, religious or political affiliation in the development, implementation, or enforcement of its policies and procedures or in any other matter.

STUDENT SERVICES, SUPPORT AND ACTIVITIES

Academic Success Program

The Law School has a robust Academic Support program offering numerous programs (summarized below) which are available to students generally at no cost. We subscribe to the basic philosophy of John Strauss, who teaches a two semester Bar Examination Training course at Roger Williams University School of Law in Rhode Island, who has written:

"If law schools have an obligation to prepare their students to become attorneys, it follows that law schools also have an obligation to prepare their students for the qualifying examination which they must pass in order to become attorneys. . . . Regarding law schools as providing "supplemental bar review options" is backwards thinking. . . . in my opinion [this is] one of the major reasons why law school graduates either fail the bar exam or pass it only after enduring enormous anxiety."

Lincoln has Preparation to Enter the Bar, Legal Exam Writing Workshop, Comprehensive Exam, Advanced Analysis-Essay Preparation, Performance Exam Workshop, a Multi-State program, a Bar Review class and Academic Support for Students on Probation each described below.

Preparation to Enter the Bar

This program is offered to all incoming registered students. It is offered the week before classes begin and is a survey of skills required of the successful law student.
**Legal Examination Writing Workshop**

The Fleming’s Fundamentals of Law (FFOL) “Legal Examination Writing Workshop” has been integrated into the first year curriculum at Lincoln Law School for the express purpose of enhancing every student’s performance on law examinations.

FFOL provides one complete set of Writing Workshop material including the Writing Course audio CDs, for the students use during his/her entire law school tenure. Each set will consist of nine-hours of audio instruction and a 133 page Writing Workbook. Each Lincoln student will have the audio CDs for use throughout his/her law school career. Students can listen to the course over and over in order to reinforce the necessary techniques presented.

Since the ability to analyze and issue spot are the keys to high grades in law school course and are essential for passing the Bar examination, the Writing Workshop is designed to provide the tools necessary to accomplish these objectives and teaches law students how to effectively use the law.

As part of the program, students are permitted to attend live writing workshop seminars in February and October of each calendar year. Lincoln students can attend these workshops throughout law school.

**Comprehensive Examination**

Once a student has successfully completed the student’s first and second academic years, the student will be tested in a comprehensive examination on four (4) of the seven (7) core classes the student has taken; namely, Contracts, Torts, Criminal Law, Real Property, Civil Procedure, Business Organizations and Professional Responsibility. No question or questions will focus exclusively on Professional Responsibility but Professional Responsibility will be tested by way of cross-over embedded within the question. The examination questions may be both essay and multiple choice or simply essay. The combination thereof and the examination will be administered subsequent to the Summer Semester but preceding the student's third academic year in the Fall Semester. A student will not be eligible for advancement into the third academic year until the student has passed the examination. The passing grade on the comprehensive examination is determined for each particular examination by the Dean and the Academic Standards Committee.

**Advanced Analysis-Essay Preparation**

The Advanced Legal Writing course is a fourth year, Spring semester course requirement. It is a ten week course and since Spring 2012 has been based on Professor Flemings program entitled Advanced Analysis For The CA Bar Essay ExamTM, a multi-media approach to learning designed to distill each bar exam subject into individual. Each class includes a one-hour video presentation to enhance memory retention and information recall under the stress of the bar examination. Professor Fleming includes a step-by-step subject guide to issue spotting, so that issues in every hypothetical reveal themselves.

The focus of the class will be on writing and analysis and not on substantive law. Students are expected to have sufficient command of substantive law to write on all the topics covered. Weekly preparation is critical! All written assignments are from prior California bar exams.

The assignment for each week requires the student to review the law for the upcoming subject. For each subject, the student must outline (outside of class) the first two questions (1 & 2) in the student manual for in-class review.

The class is Pass/No Pass. All 20 homework exams (exams 1 & 2) and 10 in-class writing assignments must be completed for a student to receive credit for the course. Missed in class assignments must be completed, even if the class was missed.

The homework and in class assignments will cover all the 14 areas covered on the Bar Exam.

**Performance Examination Workshop**

Fleming’s Fundamentals of Law (FFOL) has designed a Performance Workshop tailored exclusively to Lincoln Law School students. The Performance Workshop is a live two and one-half day (18 hours in length) course. The Workshop is held in the spring. This course is offered at a reduced cost to Lincoln students.

The Performance Workshop is structured to teach the differences between the types of Calls tested on the Performance Exam, how to interpret the Calls properly, how to manage the materials in the testing packet, how to gather relevant legal and factual data in the testing packet, how to outline, how to manage test time, and how to write. Because the performance exam is worth 26% of the Bar Exam, it is imperative that students master the skills
and techniques necessary to succeed on the Performance section of the exam.

The students will write two in-class performance exams. One will be critiqued in class. The other two will be submitted to FFOL for grading. The exams submitted for critique will be returned with a detailed CD critique within two weeks after completion of the Workshop.

**Bar Review Class**

Beginning in Spring 2009, the School has had its own Bar Review class that is designed by Flemings and implemented by Lincoln faculty and taught by Lincoln professors. It is a required tuition-free non-credit class for 30 hours over 10 weeks. Every fourth year student must take and pass the class. The final examination for the class is modeled after the General Bar Examination and consist of three parts; a two hour morning session with one essay question and 30 MBE questions and in the afternoon, a ninety minute Performance Examination. In preparation for the examination, the students have taken Advance Legal Writing, Performance Exam Workshop as well as being exposed to additional writing exercises and the MBE portion of the Bar Review class.

**Academic Support for Students on Probation**

A student may advance on Academic Probation if, and only if, in the subjective good faith discretion of the Academic Standards Committee (ASC). The ASC will determine the Academic Support to help the student achieve and maintain good standing. Programs available are PASS, attendance at a live presentation of the Legal Exam Writing Workshop and/or meeting with an Academic Dean at least once a month.

**Tutoring**

For students who may prefer or need individual tutoring, the school maintains a list of qualified tutors. However, students must make their own arrangements for tutoring sessions and must pay any associated costs. Students are free to use Law School facilities, if available, for their tutoring sessions.

**Academic Counseling and Advisement**

Academic counseling and advisement are available to all students through the Associate Dean of Academics and the Faculty. Students are encouraged to contact the Associate Dean of Academics and individual faculty members as needed.

**Career Services**

All job listings received by the Law School are posted on the website: [http://www.lincolnlawssj.edu/sss-career.html](http://www.lincolnlawssj.edu/sss-career.html)

Reference materials on law firms and government agencies are located in the Law School’s Library. These materials are available for review by students and alumni during Law School hours. In addition, students receive placement counseling and advisement from the Dean and Faculty.

**Student Bar Association**

All students enrolled at the Law School become members of the Student Bar Association (SBA). The SBA is governed by elected Officers and appointed Class Representatives. The purpose of the SBA is to assist law students and acclimate them to Law School life. The SBA sponsors a number of student events, including pizza nights, holiday parties, and an annual awards banquet.

**Law Review and Gavel**

Publication of the Lincoln Law Review began in 1966 to present articles and book reviews on issues relevant to the legal community and to provide students with an opportunity to hone their skills in legal research, writing and citation. Governed by the Editor-in-Chief, the Law Review continues to be published annually.

Students who want to become members of the Law Review must be in good standing. Future members are chosen by the current members based on grade point average or demonstrated writing ability.

In addition, any student may submit articles, papers or book reviews they have written for consideration for publication in the Law Review.
The student newspaper is known as the "Gavel".

**Alumni Association**

All graduates of the Law School are alumni of the School. To join the Alumni Association the School encourages all alumni to pay the minimal yearly dues to join the association and take advantage of the benefits of membership. The Alumni Association supports and furthers the objectives of the Law School, promotes social activities and welcomes new graduates into the legal community.

*For more information about Student Services and Activities, please refer to the Student Handbook.*
CURRICULUM
The standard curriculum takes 4 years for students entering in the Fall as shown below and 4 ½ years for students entering in Spring or Summer as shown on the following pages. Students interested in the 4 ½ year program should contact the Admissions Coordinator for additional information. 84 units are required for graduation.

CURRICULUM FOR 4 YEAR PROGRAM—Effective Fall 2012

One (1) Unit = 15 hours of Instruction

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<th>First Year</th>
<th>Fall</th>
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TOTAL CUMULATIVE UNITS 84

CURRICULUM FOR 4 ½ YEAR PROGRAM-Effective Spring 2013

One (1) Unit = 15 hours of instruction

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NOTE: Students entering in Spring will only require 1 unit of Electives in the Summer of the 3rd year
Third and Fourth Years are the same as the 4 Year Program

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**First Full Year**

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**Second Year**

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<td>Professional Responsibility</td>
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<td></td>
<td>1</td>
</tr>
<tr>
<td>Prof Ethics &amp; Responsibility</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Elective</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moot Court</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td><strong>TOTAL 2ND YEAR UNITS</strong></td>
<td><strong>10</strong></td>
<td><strong>10</strong></td>
<td><strong>2</strong></td>
</tr>
</tbody>
</table>

Third and Fourth Years are the same as the 4 Year Program
Grading

Grades are assigned on a non-curve/normative grading scale. Beginning with the 2003-2004 Academic Year, the grading of examinations, papers, and the calculation of course grades and grade point averages, are based upon the following grade point scale, rounded to the nearest 100th:

<table>
<thead>
<tr>
<th>Score Range</th>
<th>Grade Point</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>94-100</td>
<td>4.000</td>
<td>Excellent</td>
</tr>
<tr>
<td>90-93</td>
<td>3.667</td>
<td></td>
</tr>
<tr>
<td>87-89</td>
<td>3.333</td>
<td></td>
</tr>
<tr>
<td>84-86</td>
<td>3.000</td>
<td>Good</td>
</tr>
<tr>
<td>80-83</td>
<td>2.667</td>
<td></td>
</tr>
<tr>
<td>77-79</td>
<td>2.333</td>
<td></td>
</tr>
<tr>
<td>74-76</td>
<td>2.000</td>
<td>Satisfactory</td>
</tr>
<tr>
<td>70-73</td>
<td>1.667</td>
<td></td>
</tr>
<tr>
<td>67-69</td>
<td>1.333</td>
<td></td>
</tr>
<tr>
<td>64-66</td>
<td>1.000</td>
<td>Unsatisfactory</td>
</tr>
<tr>
<td>60-63</td>
<td>0.667</td>
<td></td>
</tr>
<tr>
<td>55-59</td>
<td>0.000</td>
<td>Failing</td>
</tr>
</tbody>
</table>

In elective classes, students will be required to submit a graduate school level paper on an issue raised and discussed in class. The paper must be evaluated to be 74 quality or better for the student to receive a "Pass". In order to inform the student as to the quality of their work, instructors may designate the pass as "High Pass," "Pass" or "Low Pass" although the transcript will reflect only the fact that the student has passed or not passed the class. Of course, unit credit will be received only if the course is passed. In Moot Court and Research and Writing classes, the Pass/No Pass determination will be made by the instructor(s) based on performance on assignment(s) required by instructor(s).

Criteria for Advancement

Except as provided herein a student must achieve a minimum GPA of 2.00 in each academic year in order to be advanced to the next year. However a student may advance on Academic Probation if, and only if, in its subjective good faith discretion the Academic Standards Committee (ASC) permits such advancement. A petitioning student will be evaluated by the ASC and permitted to continue only if the ASC determines both that (a) the Petition has substantive and honest merit; and (b) there is a reasonable indication based upon all the facts available to the ASC that the student has the ability, and a reasonable and workable program of study that will likely permit the petitioning student to succeed with the program. In any case, a student who is advanced on Academic Probation after the first year must achieve a minimum 2.00 GPA collectively for both the 1st and 2nd years in order to advance to the 3rd year unless otherwise determined by the ASC. A student advanced on Academic Probation but who does not meet the terms of probation will if required by the Guidelines of the Committee of Bar Examiners of the State Bar of California be disqualified.

A student must also pass the Comprehensive Exam subsequent to the Summer Semester preceding the student's Fall Semester of the student's third academic year. Once he or she has successfully completed the student’s first and second academic years, the student will be tested on four (4) of the seven (7) core classes namely, Contracts, Torts, Criminal Law, Real Property, Civil Procedure, Business Organizations and Professional Responsibility. None of the question or questions will focus exclusively on Professional Responsibility but Professional Responsibility will be tested by way of cross-over issues. The examination questions may be both essay and multiple choice or a combination thereof and the examination will be administered at the school on one full day. The passing grade on the comprehensive examination is determined for each particular examination by the Dean and the Academic Standards Committee. A student who does not pass the comprehensive examination may advance on Academic Probation if, and only if, in its subjective good faith discretion the Academic Standards Committee (ASC) permits a such advancement. A petitioning student will be evaluated by the ASC and permitted to continue only if the ASC determines both that (a) the Petition has substantive and honest merit; and (b) there is a reasonable indication based upon all the facts available to the ASC that the student has the ability, and a reasonable and workable program of study, that will likely permit the petitioning student to succeed with the program. A student advancing on such probation must pass a re-administered new comprehensive examination paying the reasonable costs for its administration as a condition to graduation.
Graduation/Degree Requirements

A student will not be certified to the California State Bar for purposes of taking the General California Bar Examination unless they meet all requirements for the Juris Doctor degree. The J. D. degree is conferred upon students who have:

- Successfully completed the required academic program;
- Successfully completed at least 84 units;
- Been advanced to 4th Year and achieved at the end of the 4th Year a grade point average of at least 2.00;
- No Honor Code Violations; and
- All amounts owed to the School are paid in full.
HONORARY DOCTOR OF LAWS DEGREES CONFERRED AND PAST COMMENCEMENT SPEAKERS

1970  Madame Anna Chennault, wife of Major General Claire Chennault, leader of WWII "Flying Tigers"

1971  Hiram L. Fong, U. S. Senator, Hawaii 1972 Elliot L. Richardson, U. S. Secretary of Health, Education & Welfare

1973  Robert M. Worthington, Asst. Secretary of Vocational & Adult Education

1974  Joseph T. Sneed, III, Justice, U. S. Court of Appeals, 9th Circuit

1975  J. Stanley Pottinger, Asst. Attorney General of the U. S., Civil Rights Division


1977  Nathaniel Baccus, III, Deputy Solicitor General, U. S. Solicitor General's Office

1979  Spark Masayuki Matsunaga, U. S. Senator, Hawaii
      Jean Graham Hall, Resident & Liaison Judge, Croydon Crown Court, Surrey, England

1980  Robert F. Peckham, Chief Judge, U. S. District Court, Northern District of California

1981  Arthur L. Alacron, U. S. Circuit Judge, U. S. Court of Appeals for the 9th District
      Elam K. Hertzler, Chief of Staff, U. S. Department of Education

1982  Bernard E. Witkin, Legal Scholar 1983 Cruz Reynoso, Associate Justice, Supreme Court of California

1984  Mervyn M. Dymally, Congressman, 31st Congressional District of California

1985  Romero A. Arguelles, Counsel General of the Philippines to San Francisco, Rank of Ambassador
      John D. Fitzgerald, Member and Secretary of the California State Bar Committee Section on Civil Litigation

1990  Nancy Pelosi, Congresswoman, 5th Congressional District of California

1991  Ronald D. Whyte, Judge, U. S. District Court, Northern District of California

1992  James F. Perley, Associate Justice, California Court of Appeals

1994  Anna Ollinger, Santa Clara County Superior Court Commissioner, Juvenile Division

1997  Saundra Brown Armstrong, U. S. District Court Judge for the Northern District of California

1998  Congresswoman Zoe Lofgren, 16th Congressional District of California

1999  Bill Lockyer, Attorney General of the State of California

2000  The Honorable Susan Y. Illston, U. S. District Court Judge for the Northern District of California

2001  Elaine Kontaminas Alquist, Assemblywoman, 22nd Assembly District of California

2002  Liz Figueroa, California State Senator
2003 Carlos T. Bea, U. S. Circuit Judge, U. S. Court of Appeals for the 9th District
George W. Kennedy, District Attorney, County of Santa Clara
David D. Cortese, Councilmember, City of San Jose

2004 Robert S. Kieve, President of Empire Broadcasting
Linda J. LeZotte, Councilperson, City of San Jose
Consuelo M. Callahan, Judge of the United States Court of Appeal for the Ninth Circuit

2005 Leigh Weimer, Journalist
James F. Barbic, Philanthropist
Teresa Guerrero-Daley, Judge of the Santa Clara County Superior Court

2006 Don W. Kassing, President of San Jose State University
Congresswoman Zoe Lofgren, 16th Congressional District of California
Ronald T. Lisk, Judge, Santa Clara County Superior Court

2007 Dr. Carmen Sigler, Provost, San Jose State University

2008 Joe Coto, Assembly Member 23rd District
Honorable Marc Poche, Judge Santa Clara County Superior Court
Honorable Constance Jimenez, Commissioner, Santa Clara County Superior Court

2009 Honorable Leslie C. Nichols
Donald E.J. Kilmer, Jr., Attorney at Law
Pat Dando, President, Silicon Valley Chamber of Commerce

2010 John Kennett, Executive Director, Rotary Club of San Jose
Lawrence E. Stone, County Assessor, Santa Clara County

2011 Pamela D. Simmons, Attorney at Law
Ro Khanna, Deputy Assistant Secretary for the U.S. and Foreign Commercial Service at the U.S. Department of Commerce

2012 Deanna Burneikis, Attorney at Law
Honorable Paul S. Grewal, U.S. Magistrate Judge

2013 Joey S. Zizuleuskas, Sales and Use Tax Auditor at the California State Board of Equalization, and Attorney at Law
Ann Ravel, Chair of the California Fair Political Practices Commission

2014 Patricia McKenzie, Attorney at Law
Judge John Flaherty, (ret.)

2015 Phillip B. Rose, Attorney at Law
Joseph H. Moless, Jr., Dean Emeritus
**STUDENT HONORS, AWARDS AND SCHOLARSHIPS**

**Graduate Honors**

The graduate with the highest grade point average will be named Class Valedictorian. To qualify, a student must complete at least 68 units in residence at the Law School. This achievement is noted on the graduate’s transcript.

**Dean’s Honor List**

Students with a grade point average of at least 3.00 at the end of the academic year will be placed on the Dean’s Honor List for that academic year.

The Law School does not compute Class Rank except for the naming of the Class Valedictorian and the Dean’s Honor List as set forth above.

**Awards**

- **Academic Excellence Award** This award is presented by the Law School to the student in each course with the highest grade in the course.
- **Moot Court Awards** The Moot Court teams selected by the Moot Court instructor as having submitted the best written brief and the best oral argument are presented with the Best Written Brief Award and Best Oral Argument Award. These awards are noted on the student’s transcript.
- **Outstanding Graduate Award** This award is presented by the Law School to a student who has determined by the graduating class to be its outstanding member.
- **Philip J. Siggins Award** This award is presented by the Dean and the Board of Trustees at graduation to the graduating student who has made the most significant contribution to the Law School community.
- **Sarwat Fahmy Award** This award is presented by the Student Bar Association to the student who has made the most significant contribution to the Law School community.
- **Student Bar Association Recognition Award** This award is presented annually by the Student Bar Association (SBA) to the SBA Officer or Class Representative who has made the most significant contribution to the SBA.
- **Res Ipsa Loquitur Award** This award is presented annually to the Fourth Year student selected by the Fourth Year Class as having completed law school with the least visible effort.
- **Susan O. Fish Award** This award is presented to an alumnus who has made a significant contribution to the Law School community.
- **Patricia A. Grossman Memorial Award**
  This award is presented to a student who has demonstrated outstanding skills in Legal Research and Writing.

**Scholarships**

(Note: Scholarships are awarded only after completion of the first academic year).

- **James F. Boccardo Memorial Scholarship** Awarded to a student who, over a three year period, has exhibited distinction in the areas of professional competency, wisdom, concern and compassion, which are indicative of the superior practicing attorney and counselor at law.
- **Lucille Hamrick Memorial Scholarship** Awarded to a needy student who, in the Dean’s sole opinion and discretion, has demonstrated “true grit” in the pursuit of a legal education.
- **Richard Huerta Memorial Scholarship** Awarded to a student who is a member of a public safety unit of government and whose law school career is distinguished by selfless service to the School, its students and to the community.
- **Kieve Foundation Scholarship** Awarded to the student who is a builder of bridges across various communities.
- **Felicia Greenwood Lucero Scholarship** Awarded to an academically successful female student who is the primary support of her family while attending law school.
• **Honorable Adoralida & John Padilla Scholarship**  Awarded to an academically successful female student who best exemplifies scholarship and the virtues of diversity.

• **Pamela Lee Thagard Memorial Scholarship**  Awarded to the student who having qualified and participated in the William Ingram Inn of the American Inns of Court has shown skill in the study of law, and commitment to the highest professional ethics in the search for justice.

• **Pat Tillman Memorial Scholarship**  Awarded to the 3rd Year student who best exemplifies selfless devotion to duty. Created in memory of the son of Lincoln graduate who gave his life for his country after having a distinguished academic, athletic and military career.

• **Peter Carter Memorial Scholarship**  Awarded to a student for their selfless and effective contribution to the betterment of the student body.

• **Jim Fox Memorial Scholarship**  Awarded to a student who is a person of their word and whose word is their bond.

• **Nancy Biagini Memorial Scholarship**  Awarded to a student who exemplifies scholarship, need, a strong work ethic, a sense of humanity, a consummated willingness to befriend others, and has a keen belief in practice of charity toward others exemplifying the principles that we best serve those we love by our generosity to those we can help.

• **Robert and Sue Avina Scholarship**  Awarded to a student who is disabled or in the law enforcement community.

• **Cynthia Ware Young Scholarship**  Awarded to a student who is tenacious in studies, kind to all and loyal to the School and its students.

**Scholarships for the Highest Class GPA**

These awards are presented by the Law School to the first, second and third year students who have achieved the highest grade point average for the academic year. The awards presented are as follows:

• **Dean Jerome Sack Memorial Scholarship Award**  -  First Year

• **Dean Joseph V. Thibodeaux Scholarship Award**  -  Second Year

• **D. J. Murphy Memorial Scholarship Award**  -  Third Year
COURSE DESCRIPTIONS

(Electives are offered on a periodic basis at the discretion of the Dean)

Administrative Law 2 Units: Elective, Pass/No Pass
Statutory and Executive laws frequently empower administrative agencies to flesh-out the law and administer its commands. As such the bureaucratic regime created thereby engenders a complex set of legal rules. These rules may be found in Administrative Procedures Acts and agency rules. The regulatory complex so created, the sources for authority, the processes and rules of the agency and predicates for successful challenges thereto make up the substance of this class.

Admiralty Law 1 unit: Elective; Pass/No Pass
An introduction to the principles of admiralty law addressing the general concepts of jurisdiction, carriage, cargo, salvage, injury to sailors and others involved in maritime activity. The course explores the similarities and dissimilarities of admiralty principles and those of the common law pertaining to Contracts, Torts, and Property.

Advanced California Civil Procedure: Law and Motion Practice 2 units; Elective; Pass/No Pass
This course provides practical introduction to the basic procedures practice with special attention to the Code of Civil Procedure, Rules of Court and the forms provided by the Judicial Council. Major class projects may include a Demurrer (including the so-called "General Demurrer" and Response thereto, and a Motion and Defense of a Summary Adjudication proceeding. Students will be required to prepare, among other things, appropriate and evidentiary sound Declarations; and Points and Authorities.

Advanced Contracts 2 units: Elective; Pass/No Pass
The usual law school course in contracts presents the law of contracts, but does not emphasize what transactional lawyers do in putting together contracts once their clients have acceded to the "deal points". This course addresses the problems on placing intent to paper, the need to anticipate problems, and the standard "forms" and boilerplate the careful scrivener is likely to consider and use in translating the client's instructions to a sound contract in fact.

Advanced Criminal Law 2 units; Elective; Pass/No Pass
The Seminar will focus on selected California Criminal Law "cutting edge" issues. In 2002 these were the death penalty; the so-called "Three Strikes" law; Proposition 36, the Drug Treatment Initiative; and Proposition 21, the so-called Juvenile Justice Initiative.

Advanced Evidence 2 units: Elective; Pass/No Pass
The law of evidence is both difficult and theoretical. This course presents a refined and detailed approach to the problems and solutions of arcane recent developments in the law of evidence.

Advanced Legal Writing 2 units; Required; Pass/No Pass
This fourth-year course consolidates skills in legal analysis and written communication of legal information. It emphasizes concise, coherent analysis in a variety of subject areas. Students are instructed in organizing complex legal arguments in a number of advanced writing exercises.

Advanced Torts 2 units: Elective; Pass/No Pass
The course focuses on the practical application of tort concepts to actual cases the practitioner may encounter in the areas of personal injury and business. Determining the elements of the tort to be alleged appropriate defenses to the claims and the lawyer's fitting responses will be developed in the careful and intense study of 7 real life cases from event to verdict. The class will address the methods of fact-finding and application of legal principles.

Agency 2 units; Elective; Pass/No Pass
In many transactions it is more efficient for one person or entity to be represented by another. When one, an "agent," is authorized to act on behalf another, a "principal," the principal is deemed to be duty bound and rights entitled to the consequences of the agent's act. The creation of such a relationship and its effect form the basis of this introductory class.
Honors Seminar: Attorney Client Relationship 1 unit; Elective; Pass/No/Pass
The nature of this relationship beyond professional ethics is explored in a practical way including problems of professional liability. Pre-Requisite Professional Responsibility. Class limited to 5 students. Please petition the Dean for approval to enroll.

Bankruptcy 2 units; Elective; Pass/No Pass
The course broadly explores the history, theory and procedure of U. S. Bankruptcy law with special emphasis on property, tort and contract implications of the Bankruptcy Act. The objective of the course will be to provide a reasonably practical, as well as theoretical familiarity with the law in preparation for handling bankruptcy issues in private practice.

Bar Review 0 units; Required; Pass/No Pass
This course seeks to accurately set student expectations for what they will encounter on the California Bar Exam ("CBX") and prepare them to succeed in passing that exam. Instructors will offer LLSSJ 4th year students a cutting edge value-added experience that will realistically map for them a road to passage of the CBX along with the tools necessary to accomplish it. Students are given the opportunity to practice the techniques that are taught with both class exercises and a short version of the Bar examination. There is currently no tuition charged for the class and no unit credit.

Business Organizations 4 units; Required; Letter Grade
The class analyzes the legal structure and characteristics of various business organizations using the corporation as the basic model. Topics include the utilization of agents; the promotion of business; selection between the various forms available; the attributes of each and problems and issues in formation; the distribution of power and benefits within the organization; the limitations on conduct and the consequences of action or inaction imposed by the applicable duties of care, duties of loyalty and special fiduciary responsibilities emanating from federal law and state law (whether by statute, regulation or common law); the procedural requirements of litigation inter se; capital structure and financing; and the fundamental changes that may occur in the organization such as dissolution, sale of assets, mergers, as well as the rights and duties attendant thereto.

California Residential Landlord-Tenant Litigation 2 units; Elective; Pass/No Pass
Students will study the residential tenancy from its creation and the issues involved, to its termination in Unlawful Detainer and the problems of litigation when a person is ousted from their residence.

Civil Procedure 4 units; Required; Letter Grade
Using the Federal Rules of Civil Procedure and the California Code of Civil Procedure, this course studies the rules which govern civil cases from filing to final disposition. In the first semester, the course surveys each of the procedural stages followed by a detailed consideration of issues of personal and subject matter jurisdiction; venue; and conflicts of law. The second semester will focus on pleadings; joinder: discovery; pretrial disposition; trial; appeal and preclusion.

Community Property 3 units; Required; Letter Grade
The course involves the careful study of the origin, history and development of community property law in California; rights and interests of the respective spouses in the community, including agreements and dissolution; and differentiation of separate and community property.

Conflict of Laws 2 units; Elective; Pass/No Pass
Conflict of Laws is the study of how law is applied when courts decide legal issues that have connections to and implications for diverse legal systems, both foreign and domestic. Often referred to as Private International Law in civil law jurisdictions, it is a particularly topical subject since the frequency of Conflict of Laws issues confronting legal practitioners is on the rise given the growth of international trade and travel. This course will focus more heavily on choice of law, and to a lesser extent, on jurisdiction and recognition. In addition, quality time will be spent learning and discussing the various approaches to Conflict of Laws that have been espoused over the years by some of the law's greatest thinkers.
Constitutional Law 6 units; Required; Letter Grade
A comprehensive study of the American constitutional system, comprised of Supreme Court interpretations of the most frequently litigated clauses of the U.S. Constitution; emphasis on procedures by which constitutional issues are raised and determined with materials appropriate for the process of decision; national and state power; separation and delegation of powers; due process of law; equal protection under the law; First Amendment and other civil liberties.

Contracts 6 units; Required; Letter Grade
A basic study of the fundamental principles governing the law of contracts, including offer, acceptance and consideration; parties affected by contracts, including joint obligations, conditions, interpretation, assignments and contracts for the benefit of third persons; illegality and discharge; study of the Statute of Frauds and Parole Evidence as they pertain to contracts.

Construction Law 2 units; Elective; Pass/No Pass
The course provides a background in construction law, with an emphasis on practical application of legal concepts pertaining to construction contract agreements to remedies for their breach. Students will be called upon to analyze construction contract clauses, and to learn to advise clients about the risks and benefits of such clauses as they relate to indemnity, remedies (with particular consideration of ADR), attorney’s fees and insurance.

Copyright Law 2 units; Elective; Pass/No Pass
Copyright, although one of the oldest statutory laws, is the subject of today’s headlines in actions such as Viacom vs. Google, involving the issue of whether internet videos infringe copyrights of media firms. This course will explore the nature of copyright in contrast to other forms of intellectual property protection. The course will cover copyrightable subject matter, ownership and federal registration. Scope of copyright, particularly for software and media, will be examined, together with general limitations on copyright including fair use. How copyright should be applied to new technologies, such as digital file sharing, also will be addressed as well as infringement actions, damages, injunctions and license agreements as negotiated settlements. Brief treatments of international copyright and federal preemption will be included.

Corporate Counseling; 1 Unit; Elective; Pass/Fail
The class explores the expanding role of in house counsel in the corporate world. Among the subjects to be discussed will be conflicts; corporate governance; skills and techniques of corporate counseling; and interaction with employees, shareholders and investors, and the Board of Directors.

Criminal Law 6 units; Required; Letter Grade
Fundamental problems in the substantive law of crimes and its administration; the content of criminal law, punishable acts and omissions, mental state requisite to punishment, scope of liability under modern law for conspiracy and attempt, and for participation in crimes committed by others; the enforcement of the law and an introduction to criminal procedure.

Criminal Procedure 3 units; Required; Letter Grade
This course studies the validity of arrests, searches and seizures, and motions for suppression; the right to counsel and proceedings preliminary to trial; plea bargaining; prosecution and defense tactics and strategies.

Employee Rights 1 unit; Elective; Pass/No Pass
This course offers a hands-on approach to representing employees in the workplace

Employment Law 2 units; Elective; Pass/No Pass
This course is a survey of the development of and current issues and cases in employment law with an emphasis on California law. It includes a discussion of the evolution of both the Federal and State statutory regulation of the employment relationship including the National Labor Relations Act, Occupational Safety and Health Act, Fair Labor Standards Act and various other state and federal statutes. The course explores the employment relationship, terms and conditions, employment contracts, employee/employer rights and terminating the relationship. In addition, it reviews the erosion of the employment-at-will doctrine and the growth of wrongful discharge litigation.
Environmental Law 1 unit; Elective; Pass/No Pass

This introductory survey course will focus on the variety of legal mechanisms that regulate the environment including common law property and tort doctrines such as nuisance and negligence, as well as the major federal statutes such as RCRA, CERCLA, NEPA, the Clean Air Act and the Endangered Species Act. The course will explore the scope and selection of regulatory tools, risk assessment and environmental ethics. In light of the public controversy over the range of environmental and natural resource regulation the political context for environmental regulation will also be explored.

Evidence 6 units; Required; Letter Grade

The course addresses the rules of common law, California and Federal Rules of Evidence with special attention to hearsay, relevancy, privileges, character evidence, real proof, judicial notice, and other doctrines affecting the admissibility of evidence in judicial proceedings.

Family Law 2 units; Elective; Pass/No Pass

This course addresses the legal rights and responsibilities in both marital and non-marital relationships. Topics include dissolution and separation; maintenance; child custody and support; domestic violence and child abuse; adoption and termination of parental rights.

Firearms Law: 2 units; Elective; Pass/No Pass

This will be a course for students who have already completed law school classes in Criminal Law (1L) and who are concurrently enrolled in Constitutional Law (3L). This course will cover federal and state laws regulating the "right to keep and bear arms." Special emphasis will be placed on California's unique role in shaping modern gun policy, including issues as diverse as domestic violence, mental health, commercial sales, movie props, assault weapons, self-defense and the civil rights movement.

Federal Taxation 2 units; Elective; Letter Grade

This course explores the federal taxation of individuals, business partnerships, and corporations; income, exemptions and deductions; timing problems; capital gains and losses; choice of taxable person; tax procedures; use of statutes, regulations, decisions, and other materials.

Immigration Law 2 units: Elective; Pass/No Pass

Exploration of the U. S. immigration system from constitutional, statutory, regulatory and policy perspectives forms the core of this course. Topics include source and scope of congressional power to regulate immigration; procedures for admission and removal; proposals for immigration reform; and the acquisition and loss of U. S. citizenship.

Independent Study Maximum of 2 units per semester with a maximum of 6 units during entire law school attendance; Elective; Credit/No Credit.

The Independent Study curriculum is designed to provide students with the opportunity to enhance their legal education through non-classroom activities. Students may earn academic credit for approved Independent Study activities. Students interested in participating in Independent Study must review the Independent Study Handbook, which contains the guidelines and forms applicable to the Independent Study curriculum, and follow the procedures set forth therein. The Independent Study curriculum is comprised of the following three electives:

- **Directed Research:** This course provides students with an opportunity to conduct thorough research on a topic of their choice and prepare a paper of publishable quality under the direction and supervision of a faculty member. Please be advised that students must obtain written advance approval from the Director of Independent Study in order to take this course.

- **Internship:** This course provides students with an opportunity to receive practical legal training under the supervision of a judge or an attorney. Please be advised that students must obtain written advance approval from the Director of Independent Study in order to take this course.

- **Law Review:** Members of the Lincoln law Review may receive credit for their academic work on Law Review through the Independent Study curriculum.

Insurance Law 2 units; Elective; Pass/No Pass

The course offers a survey of insurance law from the requirement of an "insurable interest" to the scope and limitations of coverage under various policies. Topics include the nature of an "insurable interest"; the standard form...
insurance contract; the scope of coverage; and the rights and duties of the insurer and insured. The class emphasizes California law.

**Intellectual Property Survey**, 1 unit; Elective; Pass/No Pass

The course contains three main modules. First, an overview of the fundamentals of intellectual property law, including patents, copyrights, trademarks, and trade secrets, with reference statutory and common law. Second, an analysis of the practical realities of the role intellectual property plays in all stages of a company’s life from the start-up phase all to dissolution or reorganization. Third, the mechanisms used by companies to develop and add value to their intellectual property portfolios, and the various alternatives thereto based on market demand. This course accommodates students who want to pursue a career in intellectual property law, as well as those students who simply want a sampler of intellectual property law and practices. A technical background is not required. Please note this is a survey and introductory class only.

**International Commercial Dispute Resolution** 2 units: Elective; Pass/No Pass

The expansion of global markets has heightened the need for the amicable settlement of transnational commercial disputes. While some international disputes will be resolved through litigation, most will not be settled in national courts. What alternative resolution options are available to commercial disputants form the basis for this course? The course will emphasize the utility of mediation, conciliation, arbitration, as well as litigation as appropriate vehicles for the settlement of international contentions.

**International Law** 2 units; Elective; Pass/No Pass

The intent of this course is to serve as an introduction to both public and private International Law. In addition to an historical overview of public International Law, the sources and fundamental concepts of international law will be reviewed, including the system of treaties, state sovereignty, the role of the UN, and emerging principles of customary law. Students will be exposed to the basic concepts of EU Law, Human Rights Law, as well as International Humanitarian Law. This course will also survey private international law, often called “choice of laws,” since it almost always involves resolution of differing principles and ways of legal proceedings among diverse legal systems.

**Introduction to Law** 1 unit; Required; Pass/No Pass

This course, offered to entering first-year students during the weeks preceding the commencement of the first-year of substantive courses is an introduction to the substance and process of law and legal education and explores the general sources of law; an introduction to legal reasoning; the case method and techniques used by the courts in resolving cases. Students are taught to analyze case law and statutes and to cultivate an understanding of the judicial and legislative processes. The course also provides students with an opportunity to practice briefing cases and take a practice examination and receive individual feedback on their writing and analyses in preparation for the first-year substantive courses.

**Law and Logic** 2 units; Elective; Pass/No Pass

It is an old and oft repeated maxim that law school teaches a “new way to think.” If reasoning from the particular rather than the general is that “new” way, the adage is simply inaccurate for reasoning inductively, while less common than reasoning deductively, requires a device that has been known for centuries. If, on the other hand, what is meant by maxim is that lawyers’ reasoning’s sometimes are not necessary logical, but nonetheless treated so, we have embarked on a unique aspect of the law and its practice particularly in Common Law countries. When lawyers argue about the “reasonable person,” “good-faith,” “subjective and objective standards”, they seem to be doing something that has elements of logic, social theory, philosophy, politics and political power. This course addresses these matters.

**Legal Malpractice** 2 units; Elective; Pass/No Pass

In a complex and litigious society professional liability is both threat and fact. This course addresses not only the elements and proofs required to state a professional liability claim against a lawyer, it teaches the defenses and safeguards against such claims.

**Legal Research & Writing** 3 units; Required & Prerequisite to Moot Court; Pass/No Pass

This first-year course provides integrated instruction in legal research, analysis and writing. The curriculum alternates short task-based exercises with longer assignments that require effective legal research strategies and management of multiple authorities in legal writing. Primary and secondary sources are explained. Various methods for updating legal authority are also included. The initial research component emphasizes manual library research and later,
computer-assisted legal research.

**Legislative Advocacy and Statutory Law** 2 units; Elective; Pass/No Pass

This course is a comprehensive study of the California state legislative process, creation of statutory law and how advocates and advocacy impacts the process. There will be limited discussion of federal and local legislative processes. Significant time will be devoted to this interactive course to activities such as drafting legislation, reading and analyzing bills, as well as participating in mock hearings and legislative meetings.

**Moot Court** 2 units; Required; Pass/No Pass

Emphasis on the skills, techniques, and format of appellate brief preparation, procedure in reviewing courts, oral presentation of facts and law, and the persuasive argument.

**Moot Court (Honors Class)** 2 units; Elective; Pass/No Pass

This course is open only to students who have successfully completed the Moot Court and who have received the recommendation of the professors who taught that course. The course seeks to prepare students for Moot Court competitions.

**Mortgages: Real Estate Finance** 2 Units; Prerequisite-Real Property I Elective; Pass/No Pass

The utilization of real property as security for the performance of a contractual promise is a critical component of our commercial society as has been shown by our recent economic duress; this class addresses the fundamentals of so-called mortgage law including the concept of security, the various forms of security agreements and the enforcement of such agreements. Prerequisite: Completion of Real Property -

**Mortgage Seminar** 2 to 4 units; Elective; Pass/No Pass

This honors seminar involves intense study of the regulation of security devices affecting interest in real property with particular emphasis on the limits on freedom of contract imposed by California’s unique approach to land security and the reasons and purported justifications therefore. Open only to students who have successfully completed the California Real Estate Finance course.

**Negotiation & Mediation** 2 units; Elective Honors Course; Pass/No Pass

This is an "Honors" course requiring interested students to submit a Petition to the Dean. Admittance is based on approval by, and at the sole discretion of the Dean. The course explores the theoretical and practical aspects of negotiating and mediating disputes with emphasis on the collaborative negotiation model. The objectives of the course are to: (1) familiarize students with various negotiation models as a foundation for creating their own negotiating style; (2) develop an understanding of the context in which particular negotiation and mediation strategies are successfully employed; (3) explore ethical considerations and their impact on negotiations and mediations; (4) develop proficiency in negotiation through role plays and other practical exercises; (5) acquire basic skills essential to service as a mediator, including convening, conducting joint sessions, caucusing and assisting in the creation of durable and enforceable agreements.

**Patent Prosecution** 1 unit; Elective; Pass/No Pass

The class will focus on acquiring practical patent skills through: 1. Learning strategies to effectively function as a patent attorney; 2. Applying strategies to assignments and discussions; 3. Using real lessons learned from real trials (e.g. Samsung v. Apple, etc.) and/or patents to model how to effectively use and/or protect intellectual property. Each class and assignment focuses on a patent skill which will enable you to be a more marketable patent prosecution graduate. The extent to which you focus on these classes and assignments will determine your ultimate skill set at the conclusion of the course. The following Apple/Samsung patents may be used through the class:

1. U.S. Pat. No. 7,844,915 to Platzer et al. (technical field: scrolling on mobile device; assignee: Apple)

**Intellectual Property Patent Clinic** 1 or 2 units; Elective; Pass/No Pass

The IP clinic allows for students to have limited recognition before the USPTO to work on actual client matters. Goals for the clinic include: master more than the basics of ethical legal behavior; master the basics of counseling and interacting with clients; master the basics of intellectual property; master the basics of intellectual property strategies; master the procedural aspects of patent/trademarks; master patentability/registerability searches; master the basics of patent/trademark application drafting; master the basics of patent/trademark office action work; master
the basics of international routes for patents/trademarks. A technical degree is required to work with patents; no technical degree is required for trademarks.

**Personal Property** 2 units; Required; Letter Grade

A study of the law attendant to tangible and intangible personal property that provides an analysis of ownership; possession; methods of acquisition, transfer, and hypothecation; and remedies to vindicate ownership or possession of such property. Attention is devoted to the problems of bailment and common carrier responsibilities. The course also serves as a brief introduction to the concepts of so-called intellectual property.

**Products Liability** 2 units; Elective; Pass/No Pass

The history of products liability from its antecedents in strict liability and warranties to the modern test of consumer expectations and chain of commerce are carefully analyzed together with the policy issues that led to the development of this tort as well as of the criticism that it operates to reduce entrepreneurship and to limit markets and choice.

**Professional Responsibility/Ethics** 3 units with an additional 1; Required; Letter Grade

This course entails study of the legal profession as an institution; the development of a sense of professional responsibility; privileges and duties as a member of the legal profession; review of the fundamentals of ethics and their application to legal problems; study of the Model Rules of the American Bar Association and the Rules of Professional Conduct of The State Bar of California. An addition unit has been added to the class in order for students to analyze, describe and resolve issues connected with the professional and ethical practice of the law. One unit of the course will be devoted to writing including Opinion Letters relating to rule compliance and advice.

**Real Property** 6 units; Required; Letter Grade

This is a yearlong course for 2nd year students that provides an overview to the law of real property, focusing on interests and estates in land; the co-ownership of such interests and estates; the acquisition of ownership and lesser interests in real estate, the nature of that ownership, restrictions thereon, the consequences of ownership and methods and procedures connected with transfers of such ownership.

**Remedies** 3 units; Required; Letter Grade

This course provides a review, using both a historical and an analytical approach, to remedy jurisdiction and the principles of remedies with respect to contracts, torts and real property. Topics include the powers of courts of equity; specific performance; specific relief against torts; special equitable remedies; interpleader; cancellation and surrender of contracts; removal of cloud of title; declaratory judgment; the merger or union of law and equity, both procedural and substantive.

**Statutory Interpretation** 2 units; Elective; Pass/No Pass

Statutes form the foundation for resolving most legal disputes, and they impact virtually every aspect of the practice of law. This is particularly true in so-called “Code” states such as California where fundamental law is stated in our statutes. So, too, in Federal law. Knowing how courts analyze statutes and regulations is an essential skill for the successful lawyer. In this class students will practice the observant reading of text and learn how to clearly define issues and frame winning arguments following the analytical models used by the courts. They will learn the importance of distinguishing between competing theories, such as Legislative Intent or Plain Meaning. Students will learn the time-tested rules and canons of statutory interpretation, and how to use legislative history to further support a case. This course will also provide a foundation for understanding the relationship between the legislature and the courts in the area of statutory and regulatory interpretation.

**Survey of Government Contracts** 1 unit; Elective; Pass/No Pass

The course addresses the special considerations imposed when an agency of the federal government is one of the contracting parties.

**Torts** 6 units; Required; Letter Grade

The course addresses the invasion of legally protected interests of one person by another and study of the simple social obligations which an individual owes to others according to the traditions of the common law and subsequent development. Individual torts are considered within the broad categories of intentional invasions, negligent invasions and absolute liability. Also included are issues related to defamation; deceit; interference with business, political and family relations; and addressing the major problem of determining who should bear the loss incurred through the tortuous act of another.
**Trademarks: An Introduction** 2 Units; Elective; Pass/No Pass

The course will answer the following questions: What is a trademark and how are rights in trademarks acquired? What is the test of trademark infringement and what are the remedies therefore? What are defenses against infringement? How does unfair competition and trademark dilution differ from trademark infringement? How do rights in domain names differ from trademarks? How do trademark rights impact advertising, performers’ rights and authors’ rights? What are the formalities of trademark registration? What are the dynamics of a trademark law practice?

**Trial Practice** 2 units; Required; Pass/No Pass

This course provides students with a general introduction to trial practice, procedures and strategies through a combination of lectures and practical skills exercises.

**Uniform Commercial Code** 1 unit; Elective; Pass/No Pass

Introduction to Commercial Law surveying primarily Articles 2, 3, 4 and 9 of the Uniform Commercial Code. Coverage includes an examination of the reciprocal rights, duties and responsibilities of sellers and buyers of goods. The course also examines the payment system, focusing on the principles of commercial paper and bank deposits and collections, including the relationship of the commercial bank and its customer.

**Unique Restitutionary Remedies** 1 unit; Elective; Pass/No Pass

The concept of Restitution: Recovery of unjust enrichment, ill gotten gains and the “Plus” and “Minus” factor will be explored. Subjects will include quasi-contracts and waving the tort, constructive trusts, equitable liens and fiduciary problems and special rules.

**Wills & Trusts** 6 units; Required; Letter Grade

This course covers such issues as intestate succession; execution and revocation of wills; incorporation by reference and related issues; planning, creating, and administering trusts; duties and liabilities of trustees; charitable trusts; and the nature and application of the rule against remotely contingent interests.

**Workers’ Compensation Law** 2 units; Elective; Pass/No Pass

This course surveys the law relevant to the practice of Worker’s Compensation law before the State of California Workers’ Compensation Appeals Board and covers topics from forms, pleadings, procedures and appeals to issues of accidents, occupational diseases and the relationship between tort law and worker’s compensation law.

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**SPECIAL COURSES AND PROGRAMS**

**Russian Lawyer Program**

The Russian Lawyers Law Office Management Program has been developed in conjunction with the Russian law firm, Intellectus. The school presents a 10 day program whereby Russian lawyers are taught cutting-edge American law office management techniques. These lawyers together with Lincoln faculty have visited some of Silicon Valley’s and the nation’s most prominent law firms.

**Peer Court Mentorship Program**

The Peer Court Mentorship Program works with the Santa Clara County Juvenile Court in the hosting ‘peer court’ where young offenders get a second chance through peer accountability. The roles of prosecutor, defense attorney and jury are filled by youth volunteers. Faculty members from Lincoln Law School of San Jose serve as mentors to train these volunteers on their roles and responsibilities.

Sentences handed down can range from restitution, apologies to the victim, rehabilitation such as anger management classes, community service, etc. In addition the youth offender will have to serve on a future Youth Court Jury to deliberate on a peer’s offense.

Other departments and agencies assisting in this program include the Santa Clara County Probation Department, the Santa Clara County Social Services Agency, East Side Union High School District, the Central County Occupational Center, Andrew Hill High School and the Santa Cruz County Office of Education.

The program focuses on restorative justice – for the victim, the defendant, and the community – to show the defendant how his or her actions affect the victim and the community,” said Supervisor Dave Cortese, President of
the Board of Supervisors. “Allowing the defendants’ peers to provide the ‘sentencing,’ has a greater impact on their understanding of the impacts of their crimes.”

**Intellectual Property Clinic**

The Intellectual Property Clinic at Lincoln Law School is the only non-ABA USPTO approved clinic in the United States, the first patent and trademark clinic in Silicon Valley, and is one of only 18 patent and trademark clinics nationally.

The IP Clinic at Lincoln Law School is a pro-bono clinic focusing on patent and trademark matters. Clients are selected based on financial need, matching of technology background with student and faculty members, potential of the technology, and potential to create jobs in Northern California. Under the direction of a supervising attorney, students work with clients in areas of trademarks and patents. Students work directly with the United States Patent and Trademark Office to file and prosecute patent and trademark applications.

*Intellectual Property clinic Faculty members:*

(Back row from left) Mark Good, Bryan Butler, Chris Cook, Carlos Rosario, Lee-Ann Smith-Freeman, Britten Sessions, David Schneck
FACULTY

Tyler Atkinson
Lincoln Faculty since 2013. Remedies
B.A., UC Santa Cruz; J.D. Notre Dame Law School, IN

Georg F. Behrens
Lincoln Faculty since 2013. Securities Law
B. A., Amherst College, Amherst MA; J.D., UC Berkeley SOL Boat Hall, Berkeley, CA

Ted Biagini
Lincoln Faculty since 2008. Honors Jurisprudence Seminar/Tutorial
B.S.C. Santa Clara University; J.D. Santa Clara University School of Law; L.L.M. Santa Clara University

J. Michael Bewley
Lincoln Faculty since 2011
B.A., Princeton University; J.D., University of Arizona College of Law

Alison P. Buchanan
Lincoln Faculty since 2007. Professional Responsibility; Legal Malpractice
B. A., University of California, Irvine; J. D., Chicago-Kent College of Law

Bryan W. Butler
Lincoln Faculty since 2014. Intellectual Property Litigation
B. S., Swarthmore College, MBA, Univ. of Chicago Graduate School of Business; J.D. University of San Diego SOL

Andrew J. Cook
Lincoln Faculty since 2009. Advanced Legal Writing; Academic Support Program-Bar Examination Preparation
B.A., Glassboro State College, MBA, Golden Gate University, J.D., Lincoln Law School of San Jose

Chi Dinh
Lincoln Faculty since 2013. Agency
B.S., University of California, San Diego; J.D. Lincoln Law School of San Jose, L.L.M., Santa Clara University School of Law.

John F. Domingue
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Francis B. Doyle
Lincoln Faculty since 1990. Wills & Trusts; Real Property
B. A., Santa Clara University; M.S. in Taxation, Golden Gate University; J. D., University of San Francisco School of Law.

Kirsten Fish
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B.S., University of California, Davis; J.D. Santa Clara University School of Law

Farzin Forooghi
Lincoln Faculty since 2008. Remedies and Personal Property
B.A., San Jose State University; J.D., Lincoln Law School of San Jose

Jill E. Fox
Lincoln Law School faculty since 2010. Legal Writing for American Lawyers. B.A., Vassar College; M.A., University of Southern California; J.D., Hastings College of the Law
Arthur J. Gemmell  
Lincoln Faculty since 2006. Civil Procedure, Constitutional Law  
B.A., Hunter College Army Language School; J.D., Lincoln Law School of San Jose; L.L.M., Santa Clara University; S.J.D., International Law, Golden Gate University

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Lincoln Faculty since 1999. Trial Practice  
B.A., Santa Clara University; J.D., University of San Francisco Law School

Terence M. Kane  
B.S., Magna cum laude, Santa Clara University; B. Phil., Oxford University; J. D., University of Southern California

Patrick H. Kelly  
Lincoln Faculty since 2008. Criminal Law  
B.A., UCLA; J.D. cum laude, Santa Clara University School of Law

Anne J. Kepner  
Lincoln Faculty since 2011 Basics of Legal Writing, Torts  
B.S., San Jose State University; J.D., Hastings College of the Law

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Lincoln Faculty since 2001. Constitutional Adjudication; Constitutional Law  
B.A., San Jose State University; J.D., Lincoln University of Law

Jeffrey A. Kroeber  
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J.D. Lincoln Law School of San Jose

James McManis  
Lincoln Faculty since 2012, Remedies  
B.A., Stanford University; J.D., UC Berkeley SOL Boalt Hall

John Minarik  
Lincoln Faculty since 2013, Evidence, Entrepreneurship Certificate Program  
B.A., Santa Clara University; J.D., Lincoln Law School of San Jose

Craig E. Needham  
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B.A., Santa Clara University; J.D., Hastings College of the Law
Honorable Dan Nishigaya
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Laura A. Palazzolo, Dean
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B.A., San Jose State University; J. D., Lincoln Law School of San Jose, Valedictorian

Richard R. Pedersen
Lincoln Faculty since 2003. Moot Court; Advanced Torts; Negotiation & Mediation
B.S., California State University, Long Beach; J. D., Southwestern University School of Law

Immigration Law Judge Tue Phan Quang, (ret)
Lincoln Faculty since 2013, Immigration Law
Saigon University Law School, Bachelor of Laws, Drake University Law School

William J. Purdy, III
Lincoln Faculty since 1990. Federal Taxation; Advanced Federal Taxation; Estate Tax; Personal Property
B.S., with Highest Honors, Oregon State University; J.D., Stanford Law School; LL.M. in Taxation, New York University School of Law

Sue Saign
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B.A. San Jose State University; J.D. Lincoln Law School of San Jose

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B.S.C., University of Santa Clara; J.D. University of Santa Clara, School of Law, cum laude

Thomas Schneck
Lincoln Faculty since 2001. Intellectual Properties; Copyright Law, Religion and the Constitution
B.A., University of California, Berkeley; J. D., Santa Clara University School of Law

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B.S., Brigham Young University; J. D., Santa Clara University School of Law

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B.A., University of California, Los Angeles; J.D., Georgetown University Law Center

Jonathan J. Sweet
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B.A., University of California, Berkeley; J. D., University of San Francisco School of Law

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B.A., Cornell University; JD, Stanford University; MA, Portland State University

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B.A., Santa Clara University; JD, University of San Francisco School of Law; Diploma in Fine Arts, Cambridge University