

HANDBOOK

Judicial Studies University of Nevada, Reno

2018

Judicial Studies Graduate Degree Program offered by:

University of Nevada, Reno
in collaboration with
The National Judicial College
and
National Council of Juvenile and Family Court Judges

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Note: This handbook lists graduate program academic policies and procedures. It includes information on graduate school policies, degree requirements, timeline for degree completion, committee selection guidelines and comprehensive exam/thesis requirements. Every effort has been made to make this handbook accurate as of the date of publication; however, this handbook does not constitute a contractual commitment. Graduate programs may not offer all of the courses as described, and policies are subject to yearly review and changes with program director and Graduate Council approval.

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INTRODUCTION

The Judicial Studies Program (JSP) for judges is a unique enterprise in American judicial education. The Master of Judicial Studies (MJS) Program began in 1985 by the University of Nevada, Reno, The National Judicial College, and the National Council of Juvenile and Family Court Judges. The Doctor of Philosophy in Judicial Studies (Ph.D.) Program was approved effective January, 2001 and requires that all by

- provides an academic degree program of national and international scope, enrolling judges from a majority of the 50 states and several foreign countries
- encourages judges to take an active role in teaching, planning, and administering judicial education in their own regions.

INSTITUTIONAL STRUCTURE AND FACULTY

The JSP offers a collaborative institutional structure to match its collaborative academic program. The program draws its faculty from a national pool of judges, academics (including law school faculty), and other professionals. Three distinct educational institutions (the University of Nevada, Reno, The National Judicial College, and the National Council of Juvenile and Family Court Judges) collaborate in presenting this program. Each cooperating institution provides faculty, research facilities or opportunities, institutional support, and educational expertise to the JSP. All three provide required and elective courses to the curriculum. Two separate majors are provided in the program: the Trial Court Judge Major and the Juvenile and Family Court Judge Major. Master's students, hearing officers, military and tribal judges would follow the Trial Court Judge Major.

While the program is diverse and collaborative, its administrative structure is unified and coherent. The program is under the College of Liberal Arts and the Graduate School of the University of Nevada, Reno. The program also is part of the School for Social Research and Justice Studies at the University. The JSP Program Director directs the program, designs and approves the curriculum, advises students, teaches, supervises faculty and staff, serves on thesis/dissertation advisory committees, promotes the program, provides program approval applications,

legislation on family violence and other juvenile/family law related topics, which is often adopted into statutory schemes around the country.

WHO CHOOSES THE JUDICIAL STUDIES PROGRAM?

Judges enter the JSP for diverse personal and professional reasons and at various stages of their judicial career. Experienced judges often wish to reflect on a lifetime in the law, interpreting their experience in a comprehensive legal and intellectual framework. They may wish to understand recent changes in the law, recommend directions for change, consider the effects of public policy on court proceedings, or improve judicial practice. New judges may anticipate a lifelong career in the judiciary and wish to prepare for it by undertaking a specific course of study in the JSP. Such judges often conduct ongoing research and analysis which improves judicial practice in their own courts or districts. Still others prefer to engage in theoretical study of legal history, legal theory, legislative issues, or the effects of social and economic change. Relationships formed in courses often begin continuing professional exchanges, which contribute to students' thesis or dissertation research.

Judges who enter the JSP are encouraged to plan carefully, thoughtfully, and comprehensively for a period of study and writing consistent with the work requirements of their courts. They should consider work, family, and other issues as they build a study plan, to make certain they can complete the program within the allowable time period.

ADMISSION REQUIREMENTS, CRITERIA, PROCEDURES, AND FORMS

Master's Program

Fulltime judges currently serving on the bench and who have graduated from an ABA accredited law school may apply for one of two academic majors: Trial Court Judge Major or the Juvenile and Family Court Judge Major. Appellate, administrative law, court masters, hearing officers,

The JSP evaluates the applicant's professional qualifications, potential for making a sustained contribution to the judiciary, and the applicant's potential contribution to the field of Judicial Studies. The JSP seeks students from widely dispersed geographic areas, intending to expose students to national and international perspectives. Applicants are notified by the Graduate School of UNRM

To be awarded the Master's degree, the student must complete a minimum of 26 course credits and 6 thesis credits for a total of 32 credits in the prescribed curriculum, maintain a 3.0 grade point average in graded courses, complete 12 weeks in residence on the University of Nevada, Reno campus (completing UNR/700 level courses fulfills this requirement), and complete all required courses, exam and assigned papers. The student

JS 622

File Program of Study

Year 5

600 Level Elective (NCJFCJ or NJC)

Complete Thesis Requirement

Graduation

- b. Students must successfully pass the current essay examination covering the basic topics and objectives of the relevant course.
- c. Students who have participated in a course as a faculty member, and have attended all sessions taught by other faculty members, may take the ~~examination~~ for retroactive credit.
- d.

The thesis/dissertation requirement completes the program. Theses/Dissertations often result in recommendations to improve management of courts or types of cases, and sometimes result in changed legal thinking or ~~state~~ ~~laws~~. These ~~D~~ ~~issertations~~ often become part of ongoing scholarship in the field of study. (See Judicial Studies website for list of theses/dissertations completed by students)

For most students the thesis/dissertation topic derives from a personal interest. Some students come to the JSP with interests or problems they wish to study. Some students identify problems of interest during their course of study. Regardless, ~~it is~~ ~~highly recommended~~ that the thesis/dissertation topic be defined as early as possible. Thesis/Dissertation work in the JSP proceeds ~~through~~ ~~several~~ stages, under the direct guidance of the student's advisory committee, and the overall guidance of the JSP Director.

Writing the Prospectus

- a full description of the methods of research that will be used in completing the thesis/dissertation. *If the thesis/dissertation is to be empirical, the description should clearly define how the study will be conducted.* If the research is not empirical, then the prospectus should clearly describe the analytical methods (research in published law, analysis of law review articles, close study of language issues, and so on);
- a bibliography of literature reviewed and to be reviewed that the committee can advise and supplement the bibliography as necessary.

An issue to consider when a student writes a prospectus for the Master's degree is whether the document will take the form of a published article, book, or academic thesis. The thesis type affects the student's focus, audience, style, organization, and format during the writing process. The committee must be made aware of which thesis plan the student intends to follow. Publishing the thesis is the preferred way to meet the thesis requirement, since this helps build the discipline and also calls attention to the JSP and the judge doing the thesis research.

A Ph.D. dissertation must be presented as a regular dissertation, published in the University library. It is anticipated that several articles or a book will then be published from the dissertation, after it is accepted.

Students conducting such studies must complete and pass one or more Collaborative Institutional Training Initiative (CITI) ethics training courses. Once the student is CITI certified, they will establish an account in IRBNet to complete and upload their research application or protocol to be approved. Students are encouraged to work with the Program Director when developing any research instruments and to review the protocol before uploading. For further information on how to file for human subjects approval, please consult JSP program staff/faculty or contact the Research Integrity Office at (775) 327-2368.

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student must submit a Program of Study/Committee Change Form. The Graduate Dean of the University of Nevada, Reno gives final approval to the course of study for each student.

Drafting the Thesis/Dissertation

Students should apply the principles and techniques of clear writing as a means of organizing and critiquing ideas. Drafts are just drafts. They are not the final document, and are meant to be revised. The JSP encourages students to put ideas into continuous form, carefully revising

submission to the University of Nevada, Reno Graduate School in "modified thesis format" as defined below. If the thesis is to constitute a traditional academic thesis, then its style and format must follow the conventions of the academic thesis as described below.

The JSP assumes that all theses and dissertations constitute original work, that the student will correctly cite all work by others, and seek formal permission for the use of material copyrighted by others beyond brief excerpts. A formal plagiarism check is required for all theses and dissertations. A full discussion of copyrighting the thesis appears below.

Law Review Article/Modified Article Option Master's Degree ONLY

Article Format and Requirements

In lieu of a formal thesis, the UNR Graduate School allows Master's students to submit an article published in an acceptable law review or other refereed academic journal approved by the student's advisory committee, under the conditions discussed below. *The article must be approved by the student's committee before it is submitted.* Law reviews of ABA accredited law schools are acceptable venues for publication if approved by the advisory committee. Since law reviews allow submission to more than one review at a time, students do well to submit to several such reviews simultaneously. Students should develop lists of acceptable law reviews in consultation with the chair of their advisory committee. Acceptable academic journals are those which use external, confidential, referees to judge the quality of articles submitted to the journal. Refereed academic journals usually require that an article be submitted to only one journal at a time.

Published articles used to meet graduation requirements must acknowledge the JSP. The following sentence *must* be inserted at an appropriate place in the printed document (usually as a footnote to the title):

This article is in partial fulfillment of the requirements for the Master of Judicial Studies degree program at the University of Nevada, Reno.

For purposes of graduation, the JSP deems an article "published" when it has been accepted for publication in an approved law review or academic journal. The student must submit the original acceptance letter from the journal's editor to the JSP Program Officer, stating that the article has been accepted as submitted, and indicating the anticipated date of publication.

Presenting the law review or academic article in "Modified Article Format"

Although an approved published article meets graduation requirements for the Master's degree, law review and/or academic journal formats *do not* meet the format requirements of the UNR Graduate School and JSP for filing in the UNR Library. Students who take the law review/academic journal option must therefore prepare the article in "Modified Article Format" for submission to the UNR Graduate School. The words "modified article" refer to the article and supporting materials submitted to the UNR Graduate School as a substitute for a formal academic thesis. When questions arise concerning what additional material is to be included in a "modified article," consult the JSP Director.

- g. Chapter II: Literature Review
- h. Chapter III: Methodology
- i. Chapter IV: A series of chapters reporting the results and interpretation of thesis study. The number of chapters in the body of the thesis will be dictated by itself.
- j. Final Chapter: Summary, Conclusions, and Recommendations
- k. Bibliography and Table of Cases. (The "modified article" must contain a separate list of sources at the end of the document. The sources must be alphabetized within each category (books, articles, court cases). The Bibliography should conform to the style

g. Photographs:

Advancing to Candidacy

The JSP~~h.D.~~ student "advances to candidacy" when all courses are complete, the prospectus and Program of Study have been approved, residency requirements (completion of UNR/700 level courses fulfills this requirement) and the student anticipates graduating within the next six to twelve months. In order to advance to candidacy, Master's student must file an application for graduation. The Ph.D. student must file an admission to candidacy form i8 0 miod (file)-io a3 (an)pouation(f)-316.6 .5 (6)-6.

NJC tuition is payable on a per course basis. Tuition for courses includes the cost of course materials. The conference fee includes welcome reception, daily lunches, and award presentation dinners on Thursday evenings. Fees do not include room and board. Adjustment may be arranged with the NJC Finance Office for students unable to attend Thursday evening functions because they are attending JSP classes.

Fees as of 2016 (fees subject to change):

- One-Week, On Site Course \$1,025 tuition/\$255 conference fee
- One-Week, Off Site Course \$1,295 tuition/\$415 conference fee
- Two-Weeks, On Site Course 1,645 tuition/\$515 conference fee

JSP students who have previously taken NJC courses which qualify for JS credit, and who successfully pass retroactive credit examinations for those courses, do not pay additional tuition.

NCJFCJ Fees

NCJFCJ tuition and fees are payable on a per course basis. For some NCJFCJ courses only include the cost of materials, while fees for other NCJFCJ courses may include coffee, light breakfast and lunch. Please contact NCJFCJ to determine what the program or course tuition and fees cover.

Tuition and conference fee rates vary per program or course. Contact NCJFCJ to obtain an

JS 710

JS 622 SCIENTIFIC EVIDENCE AND EXPERT TESTIMONY, 2 credits

JS 622 is an overview of the use of medical evidence in the courtroom: Nature of scientific evidence, expert testimony, pathology, toxicology, child abuse, and technological innovations.

JS 623 HANDLING CAPITAL CASES, 2 credits

JS 623 studies techniques for instituting and maintaining high quality court management of capital cases; addresses the demands and judicial responsibilities unique to capital cases.

JS 624 ENHANCING JUDICIAL BENCH SKILLS, 2 credits

JS 624 emphasizes the essential management and communication skills needed to effectively oversee the courtroom.

JS 625 DISPUTE RESOLUTION SKILLS, 2 credits

JS 625 explores the strengths, weaknesses, and potential uses of alternative dispute resolution methods, including arbitration, mediation, summary trials, and summary jury trials.

JS 626 ADVANCED JUDICIAL WRITING, 2 credits

JS 626 extends writing skills developed in JS 615 by working intensively on one's own writing projects in the classroom and with private tutors.

JS 627 EFFECTIVE CASEFLOW MANAGEMENT, 2 credits

JS 627 teaches techniques for processing cases in an expeditious manner while being responsive to legal requirements.

JS 628 PRACTICAL APPROACHES TO SUBSTANCE ABUSE ISSUES, 2 credits

JS 629 (e)-6 (n)-0.3 (t)-5,7 (O)-.3 (p)-0-6 (l)7.1 (e).7 (a)-3.9 ()TJ -0.001 Tc 0.003 Tw -3.261 -1.217 Tb3
 JS 6293 (8)-7.-6 (e)4.9 (m)-9.3 (p)-0h3 (n)-0.7 (a)-3.3 (s)-

JS 636 examines pretrial and trial issues in domestic violence cases; ~~and~~ cutting edge issues; TROs and contempt powers, child sexual abuse issues, methods of accountability, and sentencing.

JS 638 PROBATE COURT: CONTEMPORARY ISSUES, 2 credits

JS 638 studies the cutting edge issue in probate court; elder abuse; ~~and~~ ~~guardianship~~ care and dying, adult guardianship medication, ethics, case flow management and national probate standards.

JS 642 TODAY'S JUSTICE: THE HISTORICAL BASIS, 2 credits

JS 642 reviews landmark documents, statutes, and cases which have formed fundamental rights, such as trial by jury, due process, equal protection, and judicial review.

JS 644 WHEN JUSTICE FAILS, 2 credits

JS 644 analysis of threats to the independence of the judiciary, with World War II war crimes and related contemporary ~~issues~~ used as examples.

JS 645 THE FOURTH AMENDMENT: COMPREHENSION AND SEIZURE, 2 credits

JS 645 analyzes what constitutes search/seizure; when it is within the Fourth Amendment; admissibility; issues in voluntary search consent; "plain view"; ~~and~~ ~~current~~ legal standings.

JS 649 ADMINISTRATIVE LAW: ADVANCED, 2 credits (ALJ's only)

JS 649 is an in-depth analysis of judicial writing methods, ~~pre~~ trial strategies, judicial bench skills, management strategies and recent dev7 (IS)7IE2ld001 TcTBg (p)2.3 (lai)10.7 (n)2.s retratet(t)S2 L9 (s)-1.3 (t)

JS 64

JS 760 LANGUAGE AND JUDICIAL PROCESSES, 3 credits

JS 760 studies theories of legal language in contemporary criticism, philosophy of actions, sociology of law, psychology of discourse, and structure of English and their uses in judicial practice.

JS 765 SCIENCE IN LAW, 3 credits

JS 765 explores the philosophical historical foundation of science in law, considering scientific methodology, research and statistics, law, context and ethics.

JS 770 GAMING AND THE LAW, 3 credits

JS 770 overview of regulations, laws and legal environments, historical context, public policy, administrative agencies, legislation and judicial decisions and analysis.

JS 899 GRADUATE ADVISEMENT, 3 credits

JS 899 provides continued faculty consultation and advisement while working on thesis, subject to approval of the JS Director.

Additional UNR courses for Ph.D. ONLY

JS 775 INDEPENDENT STUDY, 3 credits

JS 775 provides supervised extended research in an area of student's choice, subject to approval of the JS Director.

JS 780 SPECIAL PROBLEMS, 3 credits

JS 780 provides supervised research on a special topic pertaining to student's court or jurisdiction, subject to approval of JS Director.

JS 795 COMPREHENSIVE EXAM, 1 credit

JS 799 DISSERTATION, 24 credits

JS 799 work and completion of dissertation.

Leave of Absence

If a student cannot take a course in a given semester, the student must file a Leave of Absence form by the dates below to remain in good standing. If a student does not file the Leave of Absence form the student will lose graduate standing and will not be able to register for a course until a Notice of Reinstatement is filed and the \$60 fee paid. If the student takes a leave of more than one semester without filing a Leave of Absence form, the Graduate School may require the student to reapply to the program.

- Spring semester submit by January 8th
- Fall semester – submit by August 8th

Comprehensive Exam (Ph.D. only)

Ph.D. students must complete and pass a comprehensive examination, after taking all required 700 level courses. You must enroll in JS.795 comprehensive examination in order to receive a grade. The comprehensive examination requires you to assess what you have learned in each of your UNR 700 level courses, (including those taken for the Master's degree), provide an overview of your experience in the program and define how your experience in the program will inform your proposed dissertation topic/research. The comprehensive examination is a written document and should be 15-30 pages in length, double spaced. Please send the document to your Committee Chair for approval. The Chair will circulate the document to the entire committee. This is a pass/fail graded exam, and there are no retakes allowed.

- DUE -one month prior to the grade posting deadline in the semester student registers for the course.

Thesis/Dissertation

Depending on the type of study you are performing (case law analysis, historical literature review or empirical research) it will take between 1-1/2 years to complete a thesis, and 2 years, possibly more, to complete a dissertation. It is best to start the project as soon as possible in your program of study and to work continuously over time. Please obtain a copy of *Dissertation*

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After you find a topic, you will conduct preliminary research. Review existing literature in the field to

Develop your thesis/dissertation proposal into a prospectus. At the Master's level the prospectus should be 6-8 pages in length. At the Ph.D. level the prospectus should be 3-40 pages in length. Your thesis/dissertation prospectus will include an Introduction, Literature Review, Methodology, and Bibliography. The Introduction should clearly identify your topic, state the research question(s) to be answered, why your research is important (benefit), your hypotheses or expected findings, and the claims you wish to make. The Literature Review should assess major lines of existing research in your field and identify issues which have not been studied by others. The Methodology section should propose research techniques you will use to study the topic. If you are writing an empirical thesis/dissertation, identify variables, measures, procedures and subjects you will use to prove or disprove your hypothesis. Justify your data analysis plan, including any comparisons (court v court, state

Please see UNR Dissertation & Thesis Submission Requirements on the UNR Graduate School website. Keep in mind pagination requirements: double space throughout (including before and after headings), 1" top and right margins, 1 ½" left margin, and 1 ¼" bottom margin. Type should be no smaller than 12 point. Sequence of pages: Title page (not numbered), copyright page (not numbered), committee page (not numbered), abstract (Roman numeral i), dedication or acknowledgement (optional, continue Roman numerals), table of contents (continue Roman numerals), body of document (begin Arabic numbering and continue through end of document), bibliography and table of cases. Page numbers should appear at the top right of page. Citations of other peoples' work used/referred to, even if paraphrased, should be done in an APA format. You can use endnotes or footnotes.

Write your Thesis/Dissertation. Over a period of months, develop your prospectus into a complete written document, testing the claims you initially made, assembling and evaluating the evidence you have found and drawing reasonable conclusions about your topic. Work systematically with your committee throughout the writing process, revising as necessary and responding to committee suggestions. Please remember that all theses and dissertations in the JS program end with conclusions and recommendations.

Application for Graduation

Once your committee has indicated you are ready to graduate, complete and submit a graduation application and pay the \$75 graduation fee once, no later than:

- Spring Semester March 1st
- Summer Semester – May 1st
- Fall Semester – October 1st

Continue working with your chair and committee, sending drafts on a regular basis. When your document is complete, write an abstract to preface your work. Present findings clearly and be sure any charts, graphs or tables are understandable and reflect what has been written. Write appendices as necessary.

A dissertation defense is required for Ph.D. candidates (At the Master's level, an oral defense may or may not be required). The student must attend, in person, a three hour oral dissertation defense with the entire advisory committee. The defense will take place on the UNR campus. Please work with the Program Officer to set a date and time that will work for all committee members. Advisory committee members who are local will attend in person. Out of state members will attend via teleconference. The student will summarize the dissertation for approximately 30 minutes, respond to questions from advisory committee members, then be asked to leave the room. The advisory committee will determine whether the student has passed the oral defense, or whether further work is required. Once advisory

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Doctoral Degree Admission to Candidacy/Comprehensive Examination Report (Ph.D. only)

The application for Doctoral Degree Admission to Candidacy/Comprehensive Examination Report is an acknowledgement the student has completed all coursework, passed the comprehensive exam, completed dissertation and defense and is ready to graduate. The Doctoral Degree Admission to Candidacy/Comprehensive Examination Report form must be signed by the student's advisory committee members and the Program Director by:

- DUE– Prior to thesis/dissertation submission (upload) in ProQuest

Notice of Completion Form

The Notice of Completion form confirms that a student has completed all the necessary requirements for the degree including the thesis/dissertation. This form is signed by all committee members and the Program Director. The Notice of Completion form must be turned into the Graduate School with a check for the thesis/dissertation processing/binding fee (\$95 PhD, \$85 MJS, \$105 if submitting a hard copy). Mail check made payable to the Board of Regents to the Program Officer who will assist in this step.

- DUE– Prior to thesis/dissertation submission (upload) in ProQuest OR by following dates for graduating Doctoral Students who are being hooded

- Spring– May 5th
- Fall– November 23rd

Final Review Approval Form

The Final Review Approval Form is an acknowledgement by the Committee Chair that the student's thesis/dissertation is in correct format, that citations and content are consistent and acceptable and that all corrections, revisions, and modifications required by the advisory committee have been met. The Committee Chair will sign and submit the form to Graduate School on behalf of the student.

- DUE– Prior to thesis/dissertation submission (upload) in ProQuest

Final Thesis/Dissertation Submission (upload) in ProQuest and Microfilm Agreement Form
The final, approved, version of the thesis/dissertation must be submitted electronically to the university.

1. Before submitting your thesis/dissertation online at ProQuest for final print copies, the Graduate School must receive your signed Notice of Completion and Final Review Approval form:
 - a. Turn in your Notice of Completion form to the Program Officer with a check for the thesis/dissertation processing/binding fee (\$95 PhD, \$85 M.A.) Mail check made payable to the Board of Regents to the Program Officer who will assist you in this step.
 - b.

