



lincolnlawschool
OF SAN JOSE

www.lincolnlawsj.edu

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



CATALOG
2019-2020

Reservation of Rights

Lincoln Law School of San Jose, referred to herein as "Lincoln", "Law School", and "School" has made every effort to assure the accuracy of information contained in this Catalog, the Student Handbook, the Law School's website, and other School publications as of the date of each publication. However, neither the Catalog, the Student Handbook, the Law School's website, nor other School publications constitute a contract or the terms and conditions of a contract between students or any other persons or entities and the Law School. The Law School has been deemed Eligible to be accredited by the Western Association of Schools and Colleges Senior College and University Commission (WSCUC), but makes no representations as to the timing or viability of such final accreditation.

Nothing in this Catalog, in the Student Handbook, the Law School's website, or other School publications 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, the Student Handbook, Law School website, and other School publications, as well as those of the Committee of Bar Examiners of the State Bar of California (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 entering the "Admissions" section of their website. 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, the Multistate Professional Responsibility Exam, the required Moral Character Determination, and any other requirements.

Table of Contents

LINCOLN'S MISSION	5
HISTORY OF THE LAW SCHOOL	5
BOARD OF TRUSTEES	7
AN OVERVIEW	12
Accreditation Disclosure	12
Bar Pass Rates	13
Practice of Law in California	13
Intellectual Property Clinic	13
Practice of Law in Other States	13
Location	13
Facilities	14
Hours	14
TUITION AND FEES	15
Registration	16
Payment of tuition and fees	16
Refunds	16
Veterans Refund Policy	17
Financial Assistance and Deferral	17
ADMISSIONS	18
General Admission Requirements	18
Law School Admissions Test (LSAT)	18
Admission as a Regular Student	19
Admission as a Special Student	19
Admission as a Transfer Student	20
Transfer of Credit from Other Schools	20
Attendance as a Visiting Student	20
Attendance as an Auditor	21
English as a Second Language	21
Registration with the State Bar of California	21
State Bar of California, Committee of Bar Examiners (CBE)	22
Policy of Non-Discrimination	22
Diversity Statement	22
Academic Freedom	22
STUDENT SERVICES, SUPPORT AND ACTIVITIES	23
Academic Success Program	23
Preparation to Enter the Bar	23
BARBRI	23
Bar Review Class	24
Academic Support for Students on Probation	24

Tutoring	24
Academic Counseling and Advisement	24
Career Services	25
Student Bar Association	25
Law Review and Gavel	25
Alumni Association	25
BOCCARDO LAW LIBRARY	26
JURIS DOCTOR CURRICULUM	27
MASTER OF LEGAL STUDIES CURRICULUM (GENERAL STUDIES)	31
MASTER OF LAWS CURRICULUM (FOREIGN LAW DEGREE)	32
Grading	33
Criteria for Advancement	33
Graduation/Degree Requirements	33
STUDENT HONORS, AWARDS AND SCHOLARSHIPS	34
Graduate Honors	34
Dean's Honor List	34
Awards	34
Scholarships	34
Scholarships for the Highest Class GPA	35
COURSE DESCRIPTIONS	36
SPECIAL COURSES AND PROGRAMS	44
FACULTY	45



LINCOLN'S MISSION

The mission of Lincoln Law School of San Jose is to provide, to a diverse population, an opportunity to receive a superior and affordable legal education culminating in the conferral of a Juris Doctor Degree and certification to sit for the California State Bar Examination.

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, and changed 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 Lontas, 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, military, 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 businesspersons. 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, who served as President of the Santa Clara Board of Supervisors and Linda Lezotte, now on the Board of the Santa Clara Valley Water District; Assistant City Attorney, William Hughes; Superior Court Judges Hugh F. Mullin, Ronald Lisk, Linda Condron, and Teresa Guerrero-Daley; Workers' Compensation Judge Adoralida Padilla; and former Commissioners Lois Kittle, Harold Cole, James L. Heath and Constance Jimenez. Over 20 members of the Santa Clara County Superior Court 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 sizes, 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.

BOARD OF TRUSTEES

Michael Ainsley, C.P.A.

Mr. Ainsley spent the majority of his career at Deloitte & Touch USA LLP, where he was the partner in charge of the West Region International Assignment Services Practice. His clients included Chevron, Toyota, Clorox, JDS Uniphase, Intuit and Sumitomo Electric. He won the APA's "speaker of the year" award. From 1987-1996, Mr. Ainsley focused on tax planning at Deloitte & Touche Tohmatsu Hong Kong, where he was a member of the Joint Liaison Committee of Taxation by appointment of the Financial Secretary of Hong Kong. He currently focuses his attention on executive and leadership coaching through workshops and training programs. He was the Vice Chairman of the Board, and Chairman of the Board Academic Committee at Valley Christian Schools, a National Blue Ribbon School. He is the co-author of "A Guide to Foreign Investment in the U.S."

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.

Frank E. Biehl - Chair

Mr. Biehl has been a Governing Board Member of the East Side Union School District since 2006, serving as President of the Board in 2011 and 2012. He also served as President of the Santa Clara County School Board Association from 2009-2010. In 2009, Mr. Biehl was selected to Chair the Santa Clara County Ed Coalition. Prior to serving in education, Mr. Biehl served as a Management Analyst to state and local governments, General Manager of an international distribution company, and as President and CEO of a regional non-profit. Since 2008, Mr. Biehl has chaired a number of successful multi-million dollar educational bond measures. For his extraordinary efforts to provide a quality education for all students, Mr. Biehl has been honored by Californians for Justice, the Latino Parent Coalition, and has twice received the "Amigos de Puente" award.

Rod Diridon, Sr.

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 of 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 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.

Deserie Escobar

Ms. Escobar is a Deputy Probation Officer III with the Probation Department of Santa Clara County. As such, she has a heart for community organizations and activities that provide opportunities for young people to make a positive impact. She is an enthusiastic cheerleader for Lincoln's students, and was the Chairperson for Lincoln's Centennial Celebration in 2019.

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 member of the Board of Trustees for the West Valley-Mission Community College District. She 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. Garcia 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.

Sharon Hightower

Sharon Hightower is a senior partner and the Assistant Managing Partner in the San Jose office of Ericksen Arbuthnot. Her practice includes the defense of litigation involving professional liability claims, medical malpractice, employment litigation, and personal injury in civil matters. She also provides defense in professional administrative venues. Sharon is AV® Peer Review Rated by Martindale-Hubbell. She is an experienced trial attorney with more than twenty trials and an excellent record of defense verdicts. Over the more than 27 years of practice, Sharon has gained the respect of her colleagues for her success at trial as well as through the ADR process including arbitration and mediation. Prior to joining the firm, Sharon had a career as a dental hygienist. After graduating from law school in 1987, she passed the California Bar Examination and joined the San Jose office as an associate in 1988. Her background in the medical field provides her with the skills necessary to properly evaluate and prepare cases brought in a number of practice areas. Sharon is a member of and active with the State Bar and Santa Clara County Bar Associations, DRI, and Northern California Association of Defense Counsel. She serves on the ADR committee for the Santa Clara County Superior Court and has volunteered for the past fifteen years in the court's ADR program. She serves as a temporary judge for the court for settlement conferences and as a traffic judge in addition to serving as a neutral for early settlement conferences. She was appointed to the City of San Jose Civil Service Commission as a member and hearing officer and recently elected to the position of Vice-Chairman. Sharon provides services as a private mediator and has successfully mediated cases involving nursing homes and the Department of Health. She serves as an Arbitration Specialist for the Santa Clara County Bar Association Fee Arbitration Program. Her background also includes thirteen years of service on the Civil Service Commission as the Vice Chair and Hearing Officer for the City of San Jose.

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."

Kathleen King

Kathleen King is a Silicon Valley community leader recognized for delivering civic, health, and technology initiatives over a 30+ year career. Since 2008 Kathleen has been the CEO of the Healthier Kids Foundation. In 2002 and 2006 Kathleen was elected to the Saratoga City Council where she was also selected to serve two terms as mayor, in 2005 and again in 2010. She was influential in designing programs, developing partnerships, and resolving issues that led to an enhanced, more financially solvent, and safer Saratoga. Kathleen began her career with Applied Materials, Inc. Over a 19-year span she grew to manage an organization of 200 sales, service, marketing, and engineering professionals. She was integral in the company's growth from \$63M to \$10B, holding responsibility for more than 3% of all company revenue. Kathleen was the first woman hired into sales and promoted into sales management in the company. Kathleen is an active member of state and community boards including California State Dental Board, Valley Medical Center Foundation, Saratoga Monte Sereno Community Foundation, and the Housing Trust. Kathleen has been awarded at the state and local levels for her contributions to the health and well-being of the community. These awards include Woman of the Year from the California Assembly District 24 in 2004, California Community College Distinguished Alumni Award in 2007, Woman of the Year from Senate District 13 in 2010, San Jose Business Journal 2010 Women of Influence Award, Santa Clara County Medical Association's 2011 Citizen of the Year Award, and PACT's Community Builder Award for 2012. Kathleen retired from Applied Materials, Inc., a high-tech firm in Silicon Valley, after twenty-five years working for the company. She served on the Saratoga City Council for eight years and was mayor of the city in 2005 and 2010.

Radhika Mohandas, M.D.

A Double Board Certified Family Physician with over 25 years of experience as a Family Practitioner, Ms. Mohandas is the Medical Director at Monterey Medical Center, Pacific Rehabilitation and Pain Management, Dr. Mohandas MedSpa (Monterey and Saratoga), and Monterey Pelvic Medicine and Pain Management. She is the recipient of the Physician's Recognition Award with Commendation in Continuing Medical Education, American Medical Association. Her professional affiliations include:

Diplomate of the American Board of Family Medicine, Inc.; Associate Member of the American Academy of Cosmetic Family Medicine; and an Associate member of the American Academy of Cosmetic Physicians.

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.

Delana Romero, Treasurer

Delana Romero was most recently the Executive Director of the Santa Clara County Fairgrounds Management Corporation (FMC). She was appointed to this position in 2011, after serving in many other capacities for FMC for over 20 years. Under Delana's leadership, the FMC has achieved profitability for three consecutive years for the first time in its 21 year history. She is highly regarded in the community for her ability to create cohesive teams and for successfully bringing about collaborative, inclusive solutions. Prior to leading the FMC, Delana was Director of Youth Ministry for the Holy Family Parish, where she was also a contributing member of the committee Bishop McGrath assembled to plan for the future of the Diocese into the 21st Century. She has served on the Board of Directors of Los Lupenos, and her community involvement also ties to being an active Rotarian, participating in the Avon 39 Walk to End Breast Cancer, and volunteering for numerous organizations and events, including the Hispanic Foundation Ball, Holy Family Parish, and the Cursillo community. Delana is certified by the Institute of Fair Management Graduate Program, part of the International Association of Fairs and Expositions, and she holds a National Certification in Youth Ministry.

Carmen Sigler, Ph.D., Vice-Chair

Professor Emerita, Department of World Languages and Literatures and Retired Provost and Vice President for Academic Affairs, San Jose State University. Carmen Sigler was born and raised in Argentina. After completing her undergraduate education in Argentina, she received A.M. and Ph.D. degrees in Romance Languages and Literatures from the University of Michigan. Her field of specialization is Golden Age Spanish Literature and she has published books and scholarly articles on topics related to Renaissance Spanish literature and foreign language education in Spain, Argentina and the United States. She has also spoken on higher education issues at national and international conferences.

Dr. Sigler has taught at the University of Michigan, Stanford University and San Jose State University. She joined the faculty of San Jose State University in 1987 and rose through the ranks to hold numerous administrative positions: Chair of the Department of Foreign Languages, Dean of the College of Humanities and the Arts, Interim Dean of the College of Social Work, Interim Vice President for University Advancement, Acting University President, and Provost and Vice President for Academic Affairs.

Dr. Sigler is a former WASC WSCUC Commissioner and she has recently been elected to the Accrediting Commission for Community and Junior Colleges as a representative of four-year institutions.

Her commitment to community engagement is evidenced by her current and past service on numerous community philanthropic and arts organizations. She currently chairs the Board of Directors of the School of Arts and Culture at Mexican Heritage Plaza and serves on the Executive Committee of San José State

University's Emeritus Faculty Association, and the Hammer Theatre Community Advisory Group. Past non-profit service includes chairing the Board of Trustees of the Hispanic Foundation of Silicon Valley, and serving on the Board of Trustees of several arts organizations, such as the Montalvo Center for the Arts, 1st Act (a regional network of Silicon Valley's leaders in the arts, technology and government sectors focused on bringing about transformational change for the city of San José and the Silicon Valley region), SV Creates, Opera San José, and Silicon Valley Reads. She is also a past participant in the San José Community Leadership program and a member of the American Leadership Forum Class XIX.

Trustees Emeriti

Joseph H. Moless, Jr., Dean Emeritus
Craig E. Needham
LeRoy J. Neider
Barry Swenson
James F. Boccardo (1911-2003)
Peter Carter (1943-2013)
Dave Cortese
Hon. Teresa Guerrero-Daley (1952-2019)

ADMINISTRATION

Laura A. Palazzolo
Dean

Stephanie Kain Ferrill
Associate Dean and Dean of Academics
and Faculty Affairs

Farzin Forooghi
Associate Dean of Academic Counseling

Britten Sessions
Associate Dean and
Director of Intellectual Property Programs

Kim Zea
Registrar

Laurie Holm
Director of Student Services

AN OVERVIEW

For over 100 years, Lincoln has existed to provide a 4 (or 4 ½) year part-time, evening study program culminating in a Juris Doctor degree. Students who enter in the Fall Semester complete the program in 4 years. Students who enter in the Spring or Summer Semesters take a lighter course load during the first one-half year of study and thus complete the program in 4 ½ years. Lincoln also offers a Patent Agent Certificate, and both Master of Legal Studies (MLS) and Master of Laws (LL.M.) degrees in general studies and with concentrations in Intellectual Property Law. Each of these may be completed in class, by simultaneous video conference, or completely online.

On site and synchronous online students attend classes three nights per week except during short periods when they may have as many as four or as few as two classes per week. Classes generally are conducted Monday through Thursday evenings between the hours of 6:40 PM and 9:30 PM, Pacific time.

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 or on the website. Prospective applicants are encouraged to visit Lincoln's website 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 these sessions about once per month to provide prospective students with an opportunity to tour the Law School facilities and learn more about the Law School program and the study of law. The Dean and a diverse panel of speakers consisting of faculty, current students, or alumni speak about their unique experiences. Prospective students will then be able to ask questions and meet with an Admissions Advisor. On campus event dates are also listed on the homepage at: www.lincolnlawsj.edu.

Accreditation Disclosure

Lincoln Law School of San Jose is accredited by the Committee of Bar Examiners of the State Bar of California.

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.

Except as provided in rule 4.30 of the Admissions Rules (Legal Education in a foreign state or country), completion of a professional law degree program at this law school other than for a Juris Doctor degree does not qualify a student to take the California Bar Examination or satisfy the requirements for admission to practice law in California. It may not qualify a student to take the bar examination or to satisfy requirements for admission to the practice of law in any other jurisdiction. A student intending to seek admission to practice law should contact the admitting authority in the jurisdictions where the student intends to qualify to sit for the bar examination or to be admitted to practice for information regarding their legal education requirements.

Lincoln Law School of San Jose has applied for Eligibility from the Western Association of Schools and Colleges (WASC) Senior College and University Commission (WSCUC). WSCUC has reviewed the application and determined that the college is eligible to proceed with an application for accreditation. A determination of Eligibility is not a formal status with the WASC Senior College and University

Commission, nor does it ensure eventual accreditation. It is a preliminary finding that the institution is potentially accreditable and can proceed within five years of its Eligibility determination to be reviewed for Candidacy or Initial Accreditation status with the Commission. Questions about Eligibility may be directed to the institution or to WSCUC at wscuc@wscuc.org or (510) 748-9001.

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://www.calbar.ca.gov/Admissions/Law-School-Regulation/Exam-Statistics>

Practice of Law in California

Graduates of Lincoln are eligible to take the California General Bar Examination and, upon successful completion of the Examination and other CBE requirements, 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, <http://www.calbar.ca.gov/Admissions/Law-School-Regulation/Exam-Statistics>.

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 website at: <http://admissions.calbar.ca.gov/>.

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 one of only 18 patent and trademark clinics nationally. The IP Clinic is a pro-bono clinic that allows students to work under a supervising attorney directly with clients and with the United States Patent and Trademark Office to research, file, and prosecute patent and trademark applications.

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 the James F. Boccardo Memorial Law Library which is equipped with computers. The Law School is equipped with high-speed WIFI access.

The James F. Boccardo Memorial Library is open to students, faculty and alumni during Law School hours. It contains over 1500 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 Lexis Nexis and other on-line legal research and training. Access is via a robust WIFI connection. As part of the Law School's Lexis Nexis subscription each student is provided with individual Lexis Nexis 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:

Monday-Thursday	9:00 a.m. to 9:00 p.m.*
Friday	By Appointment
Saturday	By Appointment
Sunday	Closed

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. Appointments for admissions, counseling, and other meetings may be made at times mutually agreeable by calling the appropriate staff member.

*An appointment may be required on Saturdays and evenings when there are no classes and on days that the Law School is otherwise closed. (Please check the online academic calendar.)

TUITION AND FEES

Students must complete 89 units in order to graduate. Tuition is currently \$875.00 per unit. Law School alumni may audit courses for ½ the regular tuition charge plus a \$50.00 registration fee per semester.

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, fees, and other financial requirements and the completion of all registration forms.

A Juris Doctor 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 \$82,500.00. This cost does not include books, other required class materials or additional fees that a student may incur which include the following fees assessed to cover administration and related expenses occasioned by the event for which the charge is assessed.

Fees

Fall Semester

1 st , 2 nd , 3 rd Year	\$ 450.00
4 th Year (includes Graduation fee)	\$ 950.00

Spring Semester

1 st , 2 nd , 3 rd , 4 th Year	\$ 450.00
Entering	\$ 450.00

Summer Semester

Returning	\$ 50.00
Entering	\$ 250.00

The following additional fees may be incurred by students:

Untimely Registration Fees	\$ 225.00 plus \$10.00 per day late
Installment Fee	\$30.00 per installment
Installment Agreement Interest	Included in Installment fee for timely payments
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)	\$ 30.00/\$ 20.00
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 (with consent of 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 a secure electronic system portal provided by the School, personal delivery, or U.S. Mail. To be considered timely registration materials must be **received** 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 students to pay their 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. Students who choose to enter into an Installment Agreement must pay an installment fee, which is determined by the number of payments requested. 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, 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 verified financial aid, loans, or scholarships may be able to postpone payment of registration fees to coincide with receipt of such financial aid or scholarships. 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. There is a deferment fee listed under "Tuition and Fees." Students remain responsible for tuition and fees regardless of the receipt or lack of receipt of expected financial aid, loans, or scholarships. 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 therefrom 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 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 the 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 deferrable government student loan through Sallie Mae (www.salliemae.com), or may seek other private loan sources. 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".)

ADMISSIONS

Lincoln has a “rolling” admissions policy permitting students to enroll at convenient times. Students are admitted to commence study in January, May, 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,” “Transfer,” or visiting students. See below for descriptions and requirements particular to each of these classifications. Students may, at the sole discretion of the Dean, 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 must, prior to admission, obtain and furnish all of the following:

1. A completed application plus a non-refundable application fee in the amount of \$60.00. Any additional fees for translation/evaluation of transcripts, Law School Admission Council (LSAC) fees, or other costs must be paid by the applicant.
2. Official transcripts from all undergraduate and graduate schools must be provided;
3. A signed Personal Statement explaining in no more than two typed pages double spaced why you wish to study law;
4. Regular Students seeking admission to the JD program 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 seeking a Juris Doctor degree generally must take the Law School Admissions Test (LSAT) prior to admission. Special Students must take the test prior to admission. The LSAT is usually given in February, June, September, and December. Scores are generally accepted for a period of five (5) years from the date of the administration of the test. 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

Admission as a Regular Student

An applicant holding a Bachelors degree from a qualified institution may be admitted as a Regular Student. An applicant not holding a Bachelors 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 of Arts (AA) Degree or an Associate of Science (AS) Degree from a qualified institution. 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 Bachelors degree at a qualified institution. Subject to review, this is typically sixty (60) semester units or ninety (90) quarter units; 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 cumulative grade point 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, and is allowed, at the sole discretion of the Dean, to be provisionally admitted pending official transcripts, but does not provide official transcripts by the 45th day after the first day of attendance, shall not be permitted to continue, except that the School may extend attendance for no more than an additional forty-five days in exceptional circumstances which must be approved in writing by the Admissions Committee and 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:

http://www.calbar.ca.gov/Portals/0/documents/admissions/Education/CredentialEvalServ0217_R.pdf

An official credential evaluation report must be received, reviewed, and found to be acceptable by the Law School before the student may be admitted.

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 specified **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:

<http://www.calbar.ca.gov/Admissions/Requirements/Education/Pre-Legal-Education/College-Equivalency-Education>

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. The score achieved on this test will be used to evaluate both the applicant's admissibility and whether they may benefit by required or optional academic support and monitoring.

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 by 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 either taken and passed or earned an exemption from the First Year Law Student's Examination (FYLSX). Normally, only law course work completed within thirty-six (36) 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 and will have no effect on a student's grade point average at Lincoln.

Transfer students must meet all admissions requirements outlined in this catalog. Transfer students must take and pass a minimum of fifty-six (56) 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 Examiners 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 be permitted to 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. Tuition is the same as for regular students and fees are \$150. Fees may be higher dependent on the course and use of our subscription services.

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 graduates of the Law School are required to submit the following:

1. Application
2. Tuition equal to one-half (1/2) the current tuition charged to students for the class(es) audited.
3. Student fees equal to that charged to current students for the class(es) audited.

Auditor applicants who are not graduates of the Law School are required to submit the following:

1. Application, with non-refundable application fee of \$60.
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. Tuition and fees equal to that charged to current students for the class(es) audited.

Auditors do not receive credit for the audited course even in the event that 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. Attendance 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 in the range of "intermediate" or "fair" in each category 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
(609) 771-7100
On-line: <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: <http://www.calbar.ca.gov/Admissions>

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: <http://www.calbar.ca.gov/Admissions>

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 <http://www.calbar.ca.gov/Admissions>.

Policy of Non-Discrimination

The Law School does not discriminate on the basis of race, color, ancestry, national origin, religion, creed, age (over 40), disability (mental and physical), sex, gender, sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, or military and veteran status.

Anyone who feels they are being discriminated against due to their membership in one or more of these protected classifications should report the matter immediately to the Dean.

Diversity Statement

Lincoln Law School of San Jose maintains a commitment to an educational and a work environment that embraces diverse students, faculty, staff, and visitors on the basis of, for example, race, color, religion, national origin, gender, sexual orientation, age, and disability. Our students and employees pursue their responsibilities, duties, and goals in a supportive environment. A diversity of views, cultures, and experiences support our academic mission. The Law School is dedicated to diversifying the profession by fostering active and successful members of the legal profession through student admissions, faculty, and staff hiring, while implementing and maintaining fair academic rules and standards.

Academic Freedom

Lincoln Law School of San Jose is committed to the principle that the pursuit of knowledge and free expression of ideas is at the heart of the academic mission, whether in the classroom, in the selection of clinical projects and clients, and in research, scholarship, public presentations, and contributions to public fora. This is especially true when the ideas or subjects are unpopular or controversial in society, as orthodox ideas need no protection. No person or organization outside the academic community should be permitted to determine which ideas or projects may be explored, expressed, supported or endorsed.

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 Jon T. Strauss, who taught a two semester Bar Examination Training course at Roger Williams University School of Law in Rhode Island, who wrote:

“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, Introduction to Law, Legal Writing I and II, Legal Research and Writing, Legal Skills and Ethics, Legal Reasoning, Advanced Legal Writing, Legal Exam Writing Workshops, Performance Exam Workshop, a Multi-State program, Academic Support for Students on Probation, and Academic Counseling and Advisement available to all students, as described below. All of this is bolstered in the fourth year with two semesters of Bar Review.

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.

BARBRI

The Law School has partnered with BARBRI, Inc., who has designed a comprehensive and integrated program to train students for the bar examination, beginning with their first year of law school. This program will enhance Lincoln students’ legal education, test taking abilities, understanding of the law, critical thinking and legal analysis, putting them on an early road for academic and bar exam success. The system allows both faculty and students to enhance the classroom learning, in a personalized way, to ensure our students are prepared for the bar and the practice of law. Feedback to the faculty and administrators through reports from the program, will allow the Law School to monitor students’ comprehension for early academic intervention, if needed, ensuring Lincoln students’ success.

Specifically, students will have access to grade-appropriate outlines, online tools, quizzes and tests, as well as the following: BARBRI’s Extended Bar Review Course for 3L students; AMP, an online learning tool for all subjects tested on the Multi-State Bar Examination (MBE); a Formative Assessment System, offering reports to students, faculty and administrators on students’ progress and understanding of the subjects; First Year and Upper Level review volumes, including outlines; and a Multi-State Professional Responsibility Examination (MPRE) review, including outlines, lecture and practice questions. Wrong answers in AMP are immediately followed with an explanation of the correct answer, and why all the other answer choices were incorrect. The program is always available to the student, and can be used to reinforce the necessary techniques and knowledge presented as often as needed by the student.

Also included in the program is a complete BARBRI Bar Review course. Students will be able to take quizzes for all MBE subjects – with real time results. The program is adaptive, so that as a student masters a concept, the quiz adapts to move on to new material, or revisit topics the student struggled

with. Lectures for all topics and skills tested on the MBE, essays and MPT are provided, as well as a day-by-day personal study plan. BARBRI provides their exclusive Mini Review and a complete set of practice questions for all sections of the bar, model answers, and a simulated MBE with national performance ranking for each student. Practice essay answers can be submitted for grading by former and current bar exam graders. All costs are included in Lincoln students' tuition and fees over the course of 4 years.

Bar Review Class

This course, taken in two ten-week sessions in the Fall and Spring Semesters of the fourth year, is designed to improve skills in writing answers to bar-style essay questions and Multistate Bar Examination (MBE) questions, which are multiple choice questions. Strategies for completing the Performance Test portion of the bar examination will also be covered.

Emphasis will be placed on the most heavily-tested topics on the bar examination. The course includes extensive practice in writing answers to both essay and performance test questions. MBE questions will be scored in class and the correct answers will be discussed.

The style of this class varies from typical law school classes. Most classes are intended to impart knowledge in the various aspects of the law in depth. This class is designed around short lectures on material and strategies with lots of practice in applying those strategies.

Grading in this course is Pass/No Pass and is depended upon the student's attendance, participation, and completion of homework assignments.

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), they have a reasonable probability of meeting the requirements for advancement in good standing at the end of the subsequent year. The ASC will determine the Academic Support required to help the student achieve and maintain good standing. Programs available include working with an assigned mentor, being assigned mandatory Barbri or other supportive study and practice material, tutoring, and/or meeting with an Academic Dean at least once a month. Students advanced to their next year of law study on Academic Probation must be academically disqualified if they do not meet the Law School's requirements for advancement in good standing and retention at the end of that year.

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. Tutoring may be arranged through the Associate Dean – Academics.

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 soon as they can determine that a difficulty is arising.

Career Services

All job listings received by the Law School are posted on the website: <http://www.lincolnlawsj.edu/career-services/> and on the student bulletin board for appropriate periods of time. In addition, students may 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, while providing leadership opportunities to those who serve as Officers and Class Representatives. 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". It is published by students with the assistance of a faculty advisor.

Alumni Association

All graduates of the Law School are alumni of the School. The School encourages all alumni 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.

BOCCARDO LAW LIBRARY

The Boccardo Law Library is normally open as follows:

Monday-Thursday	9:00 a.m. -9:00 p.m.*
Saturday	9:00 a.m. - 5:00 p.m.*

*Notice may be required on Saturdays and evenings when there are no classes and on days that the Law School is otherwise closed.

- Changes in the above schedule will be posted on the Student Notices bulletin board.
- Food and drinks are not permitted in the library.
- Because the Law School does not have a full-time library staff, we request student cooperation in re-shelving all books when research is completed.
- Students may also access legal research materials through LexisNexis. A computer room and equipment are located adjacent to the library for this purpose.
- Books may not be checked out of the main library. However, many of the materials contained in the main library are available to students through LexisNexis and can be accessed from home if they have a computer.
- There is a reference library in a separate room, which contains hornbooks, outlines and other reference materials. These materials may be borrowed by students for use at the Law School and, except for casebooks, may be checked out for three (3) days. Casebooks in current use and other assigned books or materials are found in the administrative offices and can only be used at the Law School.
- Students are also permitted to use the Santa Clara County Law Library, which is conveniently located near downtown San Jose and easily accessible by car or public transportation. The County library is located at 360 North First Street a few miles from the Law School and is open as follows:

Monday-Thursday	8:00 a.m. – 7:00 p.m.
Friday	8:00 a.m. – 5:00 p.m.
Saturday-Sunday	Closed

JURIS DOCTOR CURRICULUM

The standard Juris Doctor curriculum takes 4 years for students entering in the Fall Semester as shown below and 4 ½ years for students entering in the Spring or Summer Semesters as shown on the following pages. Students should contact the Admissions Coordinator for additional information. **89 units are required for graduation.**

CURRICULUM FOR 4 YEAR PROGRAM

One (1) Unit = 15 hours of Instruction

<u>First Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>	
Intro to Law	1			
Contracts	3	3		
Torts	3	3		
Criminal Law	3	3		
Legal Writing I	2			
Legal Writing II		2		
Legal Research & Writing			2	
TOTAL 1ST YEAR UNITS	12	11	2	25

<u>Second Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>	
Business Organizations	2	2		
Real Property	3	3		
Civil Procedure	2	2		
Professional Responsibility	3			
Legal Skills and Ethics		1		
Elective		2		
Personal Property			2	
Moot Court			2	
TOTAL 2ND YEAR UNITS	10	10	4	24

<u>Third Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>	
Evidence	3	3		
Constitutional Law	3	3		
Community Property	3			
Negotiation & Mediation		2		
Legal Reasoning	1			
Advanced Legal Research		1		
Elective			2	
Elective			1	
TOTAL 3RD YEAR UNITS	10	9	3	22

<u>Fourth Year</u>	<u>Fall</u>	<u>Spring</u>		
Wills & Trusts	3	3		
Remedies	3			
Criminal Procedure	3			
Trial Practice		2		
Bar Review*	0	0		
*(Optional-no tuition)				
Advanced Legal Writing		2		
Elective		2		
TOTAL 4TH YEAR UNITS	9	9		18

TOTAL CUMULATIVE UNITS 89

CURRICULUM FOR 4 ½ YEAR PROGRAM

One (1) Unit = 15 hours of instruction

<u>First Year Spring Entering Program</u>	<u>Spring</u>	<u>Summer</u>	
Introduction to Law	1		
Personal Property	2		
Agency		2	
TOTAL UNITS	3	2	5

<u>First Full Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>	
Contracts	3	3		
Torts	3	3		
Criminal Law	3	3		
Legal Writing I	2			
Legal Writing II		2		
Legal Research & Writing			2	
TOTAL 1ST YEAR UNITS	11	11	2	24

<u>Second Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>	
Business Organizations	2	2		
Real Property	3	3		
Civil Procedure	2	2		
Professional Responsibility	3			
Legal Skills and Ethics		1		
Elective		2		
Moot Court			2	
TOTAL 2ND YEAR UNITS	10	10	2	22

Third and Fourth Years are the same as the 4 Year Program except that students entering in the Spring will only require 1 unit of electives in the Summer of the 3rd year.

<u>1st Year Summer Entering Program</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>	
Introduction to Law			1	
Personal Property			2	
TOTAL SUMMER UNITS			3	3

First Full Year

Contracts	3	3		
Torts	3	3		
Criminal Law	3	3		
Legal Writing I	2			
Legal Writing II		2		
Legal Research & Writing			2	
TOTAL 1ST YEAR UNITS	11	11	2	24

Second Year

Business Organizations	2	2		
Real Property	3	3		
Civil Procedure	2	2		
Professional Responsibility	3			
Prof Ethics & Responsibility		1		
Elective		2		
Moot Court			2	
TOTAL 2ND YEAR UNITS	10	10	2	22

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

MASTER OF LEGAL STUDIES CURRICULUM (GENERAL STUDIES)

The standard Master of Legal Studies curriculum takes 2 years for students entering in the Fall Semester as shown below and 2 ½ years for students entering in the Spring or Summer Semesters. Students should contact the Admissions Coordinator for additional information. 33 units are required for graduation.

CURRICULUM FOR 2 YEAR PROGRAM

One (1) Unit = 15 hours of Instruction

<u>First Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>
<i><u>Required:</u></i>			
Intro to Law	1		
Contracts I	3		
Torts I	3		
Criminal Law I	3		
Legal Writing I	2		
 <i><u>Choose from:</u></i>			
Legal Writing II		2	
Negotiation and Mediation		2	
Personal Property		2	
Legal Skills & Ethics		1	
Other electives as may be added		up to 3 units	
Legal Research & Writing (required)			2
Other electives as may be added			Up to 3 units
<u>Second Year</u>	<u>Fall</u>	<u>Spring</u>	<u>Summer</u>
Business Organizations I	2 (Required)		
Constitutional Law I	3		
Civil Procedure	3		
Capstone Legal Thesis		2 (Required)	
18 Required Units 15 Elective Units			

MASTER OF LAWS CURRICULUM (FOREIGN LAW DEGREE)

The standard Master of Laws curriculum for students with foreign law degrees who wish to prepare for the California Bar Exam takes 1 year for students entering in the Fall Semester. Students should contact the Admissions Coordinator for additional information. 20 units are required for graduation.

CURRICULUM FOR 1 YEAR PROGRAM

One (1) Unit = 15 hours of Instruction

<u>Fall</u>	<u>Units</u>
Contracts I or Criminal Law I	3 (required)
Torts I or Contracts I	3 (required)
Professional Responsibility	3 (required)
Legal Reasoning	1 (optional)
Other electives as may be offered	up to 3 units (optional)

Spring

Choose from:

Criminal Law II	3
Torts II	3
Contracts II	3
Real Property II	3
Civil Procedure II	2
Business Organizations II	2
Constitutional Law II	2
Evidence II	3
Wills & Trusts II	3
Negotiation & Mediation	2
Personal Property	2
Legal Skills & Ethics	1
Adv. Legal Research & Writing	1

Other electives as may be added

9 Required Units 11 Elective Units

Grading

Grades are assigned on a non-curve/normative grading scale. 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:

94-100	4.00 Excellent
90-93	3.67
87-89	3.33
84-86	3.00 Good
80-83	2.67
77-79	2.33
74-76	2.00 Satisfactory
70-73	1.67
67-69	1.33
64-66	1.00 Unsatisfactory
60-63	0.67
55-59	0.00 Failing

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 in the program. Students advanced to their next year of law school on probation must be academically disqualified if they do not achieve a minimum cumulative GPA of 2.00 at the end of that year. While on probation, students must accept all academic support and comply with other requirements as specified by the ASC or an academic dean.

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 89 units with at least 56 completed in residence at Lincoln;
- Been advanced to 4th Year and achieved at the end of the 4th Year a cumulative grade point average of at least 2.00;
- No outstanding Honor Code Violations; and
- All amounts owed to the School are paid in full.

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 60 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 instructors 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.
- 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.

Scholarships

(Note: Donor-directed scholarships are awarded only after completion of the first academic year).

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

- Martin King Scholarship - Awarded to an academically successful student with a background in law enforcement.

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.

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.

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.

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.

Constitutional Law 6 units; Required; Letter Grade

A comprehensive study of the American constitutional system, comprised of Supreme Court of the United States 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

This course explores 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 is particularly relevant. Infringement actions, damages, injunctions, license agreements, and negotiated settlements will be studied. Brief treatments of international copyright and federal preemption will be included.

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.

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.

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 four elective programs:

- **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.
- **Peer Court:** The Peer Court Mentorship Program works with the Santa Clara County Juvenile Probation Department in 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.

Remedial interventions decided upon can range from restitution, apologies to the victim, rehabilitation such as anger management classes, community service, etc. In addition the youth offender will have an opportunity to serve on a future Peer 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, Silicon Valley Career Technical Education, Andrew Hill High School and the Santa Clara 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."

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 Litigation 2 units, Elective; Pass/No Pass

The course will cover unique aspects of Intellectual Property litigation, in general, and the unique aspects of patent litigation with a special emphasis on the local rules for patent cases here in the Northern District. The course will review governing statutes and rules and sample litigation forms. It begins with discussions of who to sue from the plaintiff's perspective, and where to sue. From both the plaintiff's and defendant's perspectives this course will cover pleading requirements, discovery, and trial strategy as well as substantive legal issues. Then it will cover remedies, including injunctive relief, and money damages.

Intellectual Property in Mergers and Acquisitions, 1 unit; Elective; Pass/No Pass

Mergers and Acquisitions is one of the most lucrative and exciting practice areas. Here in Silicon Valley it is almost impossible to practice law without touching M&A practice at some point. This is especially true for the Intellectual Property lawyer. The fact is that the value of an acquisition lies in its intellectual property. Lawyers advising small technology startups hoping one day to be acquired need to counsel their clients on how to get ready for IP due diligence, so they can maximize their firm's value. Likewise, an IP attorney at a larger established company needs to be able to jump into a fast paced due diligence session and extract the key information to make a smart acquisition decision.

Students will end the IP in M&A course knowing the nuts and bolts of how to practice in this booming field of the Law. From the perspective of a company being acquired, students will know how to prepare a due diligence checklist, to make sure major IP concerns are addressed in advance. Conversely, students will also learn what they need to know to dive into the fast world of in-process due diligence and make a difference.

In particular, you will leave the course with tools to address these major IP M&A topics: (1) identifying pre-existing IP entanglements; (2) identifying limitations on created IP, including employment agreements; (3) identifying and addressing problems with licensed-in IP; (4) determining if procedural IP-compromising rules have been followed; (5) auditing IP protection for strategic business segments; (6) reviewing monetization and protection plans; and (7) negotiating the IP terms of the Asset Acquisition Agreement.

This course requires a prerequisite of Intellectual Property Survey.

Intellectual Property Patent Bar Review 2 units; Elective; Pass/No Pass

This course is designed to prepare students for the Patent Bar Examination. It is an intensive review of the information presented in the substantive intellectual property classes and uses a combination of lecture, written, and online material designed to support passage of the Patent Bar Examination.

Intellectual Property Patent Clinic 2 units; Elective; Pass/No Pass

This IP clinic allows students to have limited recognition before the United States Patent and Trademark Office to work on actual client matters. Students should master the basics of intellectual property strategies and learn the procedural aspects of drafting, searching, and registering patents; all while interacting with clients. A technical degree is required to work with patents.

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.

Intellectual Property Trademark Clinic, 2 units; Elective; Pass No/Pass

This IP clinic allows students to have limited recognition before the United States Patent and Trademark Office to work on actual client matters related to trademarks only (not patents). Students should master the basics of intellectual property strategies and learn the procedural aspects of drafting, searching, and registering trademarks; all while interacting with clients. This course does not require a technical degree.

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, take a practice examination, and receive individual feedback on their writing and analyses in preparation for the first-year substantive courses.

Legal Research & Writing 2 units; Required & Prerequisite to Moot Court; Letter Grade

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.

Legal Writing I 2 units; Required; Letter Grade

This course provides a practical approach to the fundamentals of legal writing. Students will gain experience with the elements of analyzing and briefing legal issues, structuring legal argument, and the essentials of solid analytical and persuasive legal writing. Principles taught include reading for specific purposes, framing complex ideas, composing effective prose, and revising for clarity and persuasion. The curriculum includes a series of in-class writing assignments, weekly writing exercises, and one final paper.

Legal Reasoning 1 unit; Required; Letter Grade

This course explores advanced approaches to legal reasoning. Students will build on their experience identifying legal issues, and applying legal principles to variations on fact patterns. Principles taught include the simultaneous analysis of multiple issues, compiling relevant facts from diverse sources, and composing effective communications in varying formats. The curriculum includes a series of in-class writing assignments, weekly writing exercises, and one final assessment.

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.

Negotiation & Mediation 2 units; Required Course; Pass/No Pass

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.

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.

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.

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.

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.

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.

FACULTY

Douglas B. Allen

Lincoln Faculty since 2019. Real Property

M.A., San Jose State University; J.D., Santa Clara University School of Law

Tyler Atkinson

Lincoln Faculty since 2013. Remedies

B.A., UC Santa Cruz; J.D., Notre Dame Law School, IN

William Baker

Lincoln Faculty since 2015.

B.A., University of California, Berkeley; J.D., Lincoln Law School of San Jose

Lance B. Burrow

Lincoln Faculty since 2013. Moot Court

B.S., University of Nevada, Reno; J.D., Lincoln Law School of San Jose, ALR honors - corporations law

Elizabeth Chien-Hale

Lincoln Faculty since 2018. Intellectual Property in International Transactions

J.D., University of Hawaii School of Law; LL.M., Georgetown University Law Center

Steven Dal Porto

Lincoln Faculty since 2016.

B.A., Santa Clara University, J.D., University of San Francisco School of Law

Steven Dick

Lincoln Faculty since 2018. Legal Writing

J.D., Loyola Law School

John F. Domingue

Lincoln Faculty since 2013. Civil Procedure, Advanced Legal Writing

B.S., San Jose State University, magna cum laude; M.A., Theological Studies, Western Seminary;

J.D., Santa Clara University School of Law, magna cum laude

Omar Farooqui

Lincoln Faculty since 2017. IP Patent Bar Review

B.S., University of California, Riverside; J.D., McGeorge School of Law, University of the Pacific.

Kirsten Fish

Lincoln Faculty since 2009. Legal Research & Writing, Torts

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

Johnny Gogo

Lincoln Faculty since 2015. Evidence
B.A., University of California San Diego; J.D., Thomas Jefferson SOL; San Diego CA

David Henningsen

Lincoln Faculty since 2016. Civil Procedure
B.A., University of Santa Clara; J.D., University of Puget Sound

Patrick H. Kelly

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

Donald E.J. Kilmer, Jr.

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

Jeffrey A. Kroeber

Lincoln Faculty since 1982. Criminal Procedure; Constitutional Law
B.A., Cum Laude, Williams College; J.D., Hastings College of the Law

Heather Ledgerwood

Lincoln Faculty since 2016. Wills & Trusts
B.A., University of San Diego, J.D. and L.L.M., Taxation and Estate Planning, Golden Gate University School of Law.

Arthur Lin

Lincoln Faculty since 2015. Community Property
J.D., Lincoln Law School of San Jose

Rodney Mayr

Lincoln Faculty since 2018. Contracts, Bar Review
J.D., Lincoln Law School of San Jose

Sandra McManus

Lincoln Faculty since 2017. Family Law
B.A. University of California, Santa Barbara; J.D., Lincoln Law School of San Jose

Danielle Marie Mihalkanin

Lincoln Faculty since 2018. Intellectual Property Clinic
J.D., Santa Clara University School of Law

Kavya Mohankumar

Lincoln Faculty since 2018. Civil Procedure
J.D., Santa Clara University School of Law

Honorable Dan Nishigaya

Lincoln Faculty since 2010. Criminal Law
B.A., Amherst College; J.D., Santa Clara University School of Law

Laura A. Palazzolo, Dean

Lincoln Faculty since 2004. Real Property, Civil Procedure
B.A., San Jose State University; J. D., Lincoln Law School of San Jose, Valedictorian

Julian Pardo de Zela

Lincoln Faculty since 2017. Introduction to Law
B.A., Tufts University, Masters in International Political Economy, Fordham University, J.D., George Washington University Law School

Mitesh Patel

Lincoln Faculty since 2014. Intellectual Property – Trademark Clinic
B.A., University of California, San Diego; J.D., Santa Clara University School of Law

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

William J. Purdy, III

Lincoln Faculty since 1990. Federal Taxation; 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

Philip Rose

Lincoln Faculty since 2018. Landlord and Tenant Law
B.A., UC Santa Cruz; J.D., Lincoln Law School of San Jose

Karl Rees

Lincoln Faculty since 2015. Patent Bar Review
B.A., Brigham Young University, J.D., Brigham Young University J. Reuben Clark Law School

Sue Saign

Lincoln Faculty since 2015. Civil Procedure
B.A., San Jose State University; J.D., Lincoln Law School of San Jose

Margaret Schneck

Lincoln Faculty since 2017. Professional Responsibility and Ethics
B.A., University of California, Berkeley; J.D., Santa Clara University School of Law

Gary Shara

Lincoln Faculty since 2012. Entrepreneurship Certificate Program; Advanced Corporations; Religion and the Constitution, Business Organizations
B.S.C., University of Santa Clara; J.D., University of Santa Clara, School of Law, cum laude

Britten Sessions

Lincoln Faculty since 2013. Associate Dean and Director/Founder, Intellectual Property Clinic
B.S., Brigham Young University; J. D., Santa Clara University School of Law

P. Carlos Singh

Lincoln Faculty since 1997. Evidence; Legal Reasoning; Advanced Evidence, White Collar Crimes; Legal Reasoning; Corporate Compliance.
B.A., University of California, Los Angeles; J.D., Georgetown University Law Center

Steven Studulski

Lincoln Law Faculty since 2016. Intellectual Property – Patent Clinic
B.S., University of California, Berkeley; J.D., Santa Clara University School of Law

Joseph Daniel Tang

Lincoln Faculty since 2018. Introduction to Law
B.A., Carnegie Mellon University; J.D., University of California at Davis, King Hall

Miguel Valdovinos

Lincoln Faculty since 2016
B.A., California State University, Los Angeles; J.D., University of California Davis.

Hillary Weddell

Lincoln Faculty since 2016. Remedies
B.S., San Jose State; J.D., Boston College Law School

LINCOLN LAW SCHOOL OF SAN JOSE

384 S. Second Street
San Jose, California 95113

PH: 408.977.7227
FX: 408.977.7228

www.lincolnlawsj.edu