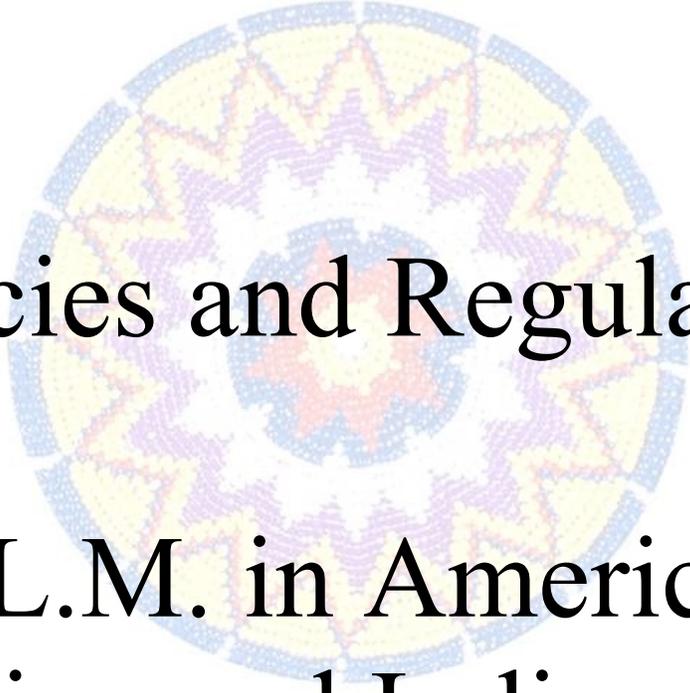


# The University of Tulsa College of Law



Policies and Regulations

LL.M. in American  
Indian and Indigenous  
Law

August 2008

## Statement of Purpose

These policies and regulations are intended to provide you with important information about the Native American Law Center and the LL.M. Program in American Indian and Indigenous Law.

These regulations are not intended to take the place of either the TU College of Law Student Handbook or the University Student Handbook. Both of those documents contain important information, including the College of Law Student Honor Code, and you should be familiar with them. Both of these documents are found on the TU website.

The University Student Handbook is at [www.utulsa.edu/studentaffairs](http://www.utulsa.edu/studentaffairs).

The College of Law Handbook is at [www.law.utulsa.edu/academics/handbook](http://www.law.utulsa.edu/academics/handbook).

These LL.M. policies and regulations supplement, and in some cases alter, the rules in the TU College of Law Student Handbook. Any differences are clearly explained in this document. In all other respects, the TU College of Law student handbook is in full force and effect.

For an interpretation of any policy contained in any of the three handbooks, please contact the Director of the LL.M. Program, the Associate Dean of Students for the College of Law, or the Vice Dean of the College of Law.

Please complete and sign the signature page at the back of this manual and return it to the Director of the LL.M. Program by September 1.

## **I. Degree Requirements**

### **A. General Requirements and Graduation with Honors**

To earn the LL.M. in American Indian and Indigenous Law, a student must successfully complete a minimum of 24 credit hours, with a cumulative grade point average (GPA) of at least 2.5.

To graduate with Honors, an LL.M. student must have a cumulative GPA of at least 3.5.

All LL.M. students must elect either the Academic Track or the Research Track upon enrollment. Students may switch tracks with the written permission of the Director of the LL.M. Program.

### **B. Academic Track**

An LL.M. student who chooses the academic track may complete the LL.M. in American Indian and Indigenous Law through 24 hours of course work alone, without a thesis.

Academic track students may enroll full or part time, and must complete the requirements in three years.

Students on the academic track are required to take the following courses, which fulfill 20 of the 24 credit hours required for graduation:

- Federal Indian Law (3 units)
- Native American and Indigenous Rights (3 units)
- Tribal Government (3 units)
- Native American Natural Resources (3 units)
- Protection of Minority and Indigenous Cultures (2 units)
- American Indian Law Seminar (3 units)
- Indian Gaming Law (3 units)

If a student has already taken one or more of those courses within the past three years, a different course may be substituted with the written consent of two of the Native American Law Center (NALC) faculty, one of whom must be the Director of the LL.M. Program.

A requirement may also be waived for other extraordinary circumstances with the written consent of two of the NALC faculty, one of whom must be the Director of the LL.M. Program.

The remaining credit hours may be taken from the list of approved electives, which is set forth below in section D.

### **C. Research Track**

The research track requires a minimum of 24 credit hours, of which at least three credits must be a thesis. Students on the research track may choose to take anywhere from 3-12 credit hours of thesis, with the remaining hours from course work.

Research track students may enroll full or part time, and must complete the program within 5 years.

Research track students are required to take the following courses:

- International Law OR Native American and Indigenous Rights (3 units)
- Federal Indian Law (3 units)
- American Indian Law Seminar (3 units)
- LL.M. Indian/Indigenous Law Thesis (3-12 units)

Substitution of courses may be made if the student has taken a required course within the past three years or, in other extraordinary circumstances a requirement may be waived; in either case, the written consent of the Director of the LL.M. Program and one other member of the NALC faculty is required. Students are encouraged to take their additional courses from the Indian law curriculum or the approved list of academic track courses, but substitutions may be made with the written consent of the Director of the LL.M. Program.

### **D. Approved Electives**

The following is a list of all approved elective courses. Courses not on the approved list may be substituted only with the written consent of both the Director of the LL.M. Program and one other NALC faculty member.

Administrative Law	Employment Law
American Legal History	Energy Policy: The REEL World
Arbitration	Environmental Law
Basic Corporate Law	Federal Courts
Basic Oil and Gas	Geneva Institute on Indigenous Peoples Law <i>(any course offered)</i>
Comparative law	
Conflict of Laws: International & Domestic	Hazardous Substances Controls

Health Care Org., Finance, & the Law	Legislation
Independent Study	Mediation
Indian Gaming Law	Native American and Indigenous Rights
Intellectual Property	Native American Lands
International Business Transactions	Native American Natural Resources
International Energy & Natural Res. Law	Natural Resources: Public Lands
International Environmental Law	Non-Profit Law: Nonprofit Law Practice
International Law	Protection of Minority & Indig. Cultures
Interviewing, Counseling & Negotiation	Regulated Industries: Energy & Nat. Res.
Introduction to ADR	Tribal Government
Jurisprudence	Water Law
Land Use Controls	

## **II. Enrollment and Its Procedures**

Before an LL.M. student may enroll in any given semester, the student's proposed schedule must be reviewed and approved by the Director of the LL.M. Program.

## **III. Academic Standards**

### **A. Minimum Passing Grade**

A student in the LL.M. in American Indian and Indigenous Law Program must earn a grade of C or higher for a course to count towards the 24 required hours for the LL.M. degree. If a student earns less than a C, the grade will count as part of the student's GPA, but the credit hours for the course will not count toward the LL.M. degree.

## **B. Retaking of Required Courses**

If a student in the LL.M. in American Indian and Indigenous Law Program earns a grade less than a C in a required course, the student must retake the course. The grade originally earned in the course and the grade earned in the retaking of the course will both appear on the student's transcript and be included in the student's GPA in the same manner as is done for students in the J.D. program under the College of Law Policies and Regulations.

## **C. Independent Study**

Students in the LL.M. in the American Indian and Indigenous Law Program may enroll in more than two (2) credits of Independent Study permitted for JD students. In addition, students in the LL.M. program may earn Independent Study credit for non-traditional projects such as drafting a tribal code on a particular topic or writing a manual for handling certain types of cases.

An LL.M. student in the American Indian and Indigenous Law Program must have the written approval of the Director of the LL.M. Program, one other NALC co-director AND the Vice Dean in order to undertake a non-traditional research project or to enroll in more than two (2) credits of Independent Study.

## **D. Thesis**

Any student in the LL.M. program in American and Indian and Indigenous Law who wishes to write a thesis must follow the thesis guidelines, which are included as an appendix to this document.

## **IV. Dismissal, Probation, and Certificates of Attendance**

*For purposes of these policies, the term "semester" includes the summer term.*

A student in the LL.M. program must maintain a cumulative GPA of 2.5. For purposes of dismissal, cumulative GPA's for students who have completed a minimum of 9 hours will be reviewed at the end of each semester.

If such a review reveals that the cumulative GPA of a student in the LL.M. program in American Indian and Indigenous Law is below the required 2.5 GPA for the first time at the end of a semester [including a semester in which he or she is scheduled to graduate], the student may be permitted to continue in the College of Law if both the Vice Dean AND the Director of the LL.M. Program approve the student's continued enrollment after making a determination that the student has a reasonable prospect of attaining the required 2.5 GPA within the next 9 hours of course work in which the student is permitted to enroll. The Vice Dean and the Director of the LL.M. Program shall report to the faculty when a student is permitted to continue under these circumstances, stating clearly and concisely the bases for the determination that the student has a reasonable prospect of attaining the required 2.5 GPA within the required time frame. Unless both of the required parties approve the student's continued enrollment, he or she will be dismissed from the LL.M. Program at the College of Law.

A student in the LL.M. Program in American Indian and Indigenous Law who is permitted to continue in the College of Law under the circumstances set forth above shall be permitted only one opportunity in which to attain the required GPA. If he or she does not attain the required GPA within the allocated time frame, he or she will be dismissed from the graduate law program at the College of Law.

A student who is permitted to continue under this policy and who attains the required 2.5 GPA within the permitted time frame, shall be dismissed from the College of Law at the end of any future semester in which his or her GPA falls below the required 2.5 GPA. He or she will not be permitted to enroll in any additional classes to attempt to attain the required 2.5 GPA.

A dismissal from the College of Law under any of the above circumstances shall be final and the faculty shall not entertain any petitions for readmission. In addition, a graduate law student who has been dismissed shall not be permitted to re-enter the graduate law program as a new student.

A Certificate of Attendance may be awarded by the faculty to a graduate law student who is dismissed from the graduate law program at the College of Law when both the Vice Dean and the Director of the LL.M. Program recommend the award of the Certificate upon a determination that, despite the dismissal, the student has received significant benefit from his or her participation in the graduate law program.

## **V. Miscellaneous**

### **A. Listserv and Contact Information**

Once you are enrolled, you will be assigned a university email address. Many important announcements will be communicated via this address. Even if you do not plan to use the assigned address, you are responsible for setting up a forwarding address on the account, as you will be held responsible for the information sent to the university email address.

In addition, NALC operates several relevant listservs. One, tu-LLM, is a discussion group for the LLM students. No professors are members of the list, although a NALC professor does have posting privileges for purposes of disseminating necessary information to the LLM students. You will automatically be subscribed to this listserv at your assigned university email address.

You may also be interested in joining the tu-nalsa, tu-nalsa-announce, ok-nalsa, and/or the nnalsa listservs. For more information on these, please contact Faye Hadley in the Mabee Legal Information Center (MLIC).

### **B. Accessing Your Records on Web Advisor**

The University of Tulsa does not normally print schedules or post grades. You can access that information on the Web Advisor portion of the TU website. A handout containing instructions for accessing Web Advisor is available at the College of Law's front office.

**APPENDIX**

Thesis Guidelines

for

LL.M. in American Indian and Indigenous Law

The Native American Law Center  
at the  
University of Tulsa College of Law

August 2008

## **I. Overview**

All students enrolled in the research track of the LL.M. in American Indian and Indigenous Law program must complete a thesis as part of the degree requirements. Research track candidates are expected to write a substantial thesis of publishable quality. Since the LL.M. is a post-graduate degree, all candidates' theses should contain a systematic and authoritative explanation of the selected topic. The thesis should demonstrate a thorough and scholarly command of the material and should be a significant contribution to the understanding and analysis of the topic.

The length of a student's thesis will depend on the nature of the chosen topic, the number of credits dedicated to the thesis, and the type of research required by the topic (doctrinal, empirical, etc.). All of these determinations must be made in consultation with the thesis advisor, who will recommend a page range for the final product. The University of Tulsa College of Law has a general requirement of twelve pages per credit hour.

During the Fall and Spring semesters, a "thesis roundtable" meeting will be held once a month. The dates of each semester's meetings will be announced at the beginning of the semester. At each roundtable meeting, students will provide an oral report about the status of their thesis. These meetings will allow the NALC faculty and other LL.M. students to provide feedback to each candidate, as well as discuss the general process of post-graduate research and writing. The roundtable meetings are open to all students enrolled in the LL.M. program. ***Please note that LL.M. students are REQUIRED to attend the roundtable meetings during the semesters in which they are enrolled in thesis hours. These roundtable meetings constitute the "course" component of the thesis.***

## **II. Applicability of These Rules and Regulations**

The rules and regulations contained in this packet apply to three categories of students:

- A. All students matriculating in the LL.M. program during or after the Fall semester 2002.

- B. All students who matriculated in the program prior to the Fall semester 2002, but who first enroll in thesis credits during or after the Fall semester 2002.
- C. Any other student who matriculated in the program prior to the Fall semester 2002 who wishes to be bound by these procedures. A student invoking this clause must file a written statement with the thesis advisor declaring that intention. The written statement is non-revocable.

*Please note: all LL.M. students MUST be enrolled during the semester in which they complete the degree requirements.*

### **III. Responsibilities and Duties of Student, Advisor, and Committee**

#### *A. Duties of the Student*

The student preparing a thesis is responsible for:

1. Selecting a research area and topic;
2. Conducting thorough research of the topic; and
3. Writing the thesis

The student is solely responsible for the form, style, clarity, proper use of English, and other details.

#### *B. Duties of the Thesis Advisor*

The faculty member supervising the student's thesis is responsible for:

1. Suggesting appropriate research areas;
2. Evaluating the general appropriateness of the student's proposed topic;
3. Suggesting limitations or expansions of the scope of study;
4. Suggesting possible sources of information;

5. Advising the student regarding the depth and quality of the analysis; and
6. Advising the student on the preparation of the written material.

Advisors are responsible for evaluating the form, style, clarity, use of English, etc., but they are not responsible for any extensive editorial rewriting of the student's material.

*C. Duties of the Thesis Committee*

The co-directors of the Native American Law Center will constitute the thesis committee for each student. Upon written consent of the NALC co-directors, another University of Tulsa faculty member may be substituted, depending on the subject matter of the thesis. The primary responsibility of the committee is to uphold the University of Tulsa College of Law's standards of post-graduate research in evaluating and approving the thesis. The committee will decide whether to accept or reject the thesis, and the committee may also send the thesis back to the student for additional work. The committee is also responsible for assigning a grade to the thesis.

**IV. The Process**

*A. The Interim Thesis Advisor*

Upon enrollment, each student will be assigned a faculty member to serve as an interim thesis advisor. The interim thesis advisor will counsel the student regarding possible topics and guide the student in preparing a thesis proposal.

*B. The Thesis Proposal*

Each student must submit a two page description of the proposed thesis for approval. Once the thesis advisor has signed off approving the proposal, the proposal must then be approved by the Dean of the College of Law.

#### DEADLINE FOR SUBMISSION:

1. For students matriculating in the Fall: October 1
2. For students matriculating in January: February 15

#### *C. Permanent Thesis Advisor*

Once the thesis proposal is approved, the student will be assigned to the faculty member who will serve as the permanent thesis advisor through the completion and approval of the thesis. The thesis advisor will also work with the student to set interim assignments and due dates. The interim assignments will vary depending on the advisor and the topic, but at a minimum, each student must turn in a rough draft and a final draft of the thesis.

#### *D. Thesis Committee*

Once the student and the thesis advisor determine that the thesis is complete, it must then be submitted to the thesis committee, as defined at III.C. above. The committee can take one of three possible actions:

1. Accept the thesis. *Please note that the thesis is graded only on a pass/fail basis – it will not receive a letter grade. A thesis must be of at least A- quality in order for it to be accepted and receive a passing grade.*
2. Reject the thesis.
3. Return the thesis to the student with requests for modification.

If the committee chooses to return the thesis to the student, the committee is not expected to line edit the thesis. Rather, the committee is expected to identify the areas of the thesis needing improvement and make general suggestions regarding the types of improvement required. The student, in consultation with the thesis advisor, is expected to undertake the suggested changes. Once the thesis advisor determines that sufficient changes have been made, the thesis may be

resubmitted to the committee. At that point, the committee still has the same three choices outlined above.

DEADLINES:

- A student wishing to graduate in May must submit the final version of the thesis to the committee no later than April 15.
- A student wishing to graduate in August must submit the final version of the thesis to the committee no later than August 1.
- A student wishing to graduate in December must submit the final version of the thesis to the committee no later than December 1.

*Note to Students: Conducting research and writing a thesis are extremely time consuming. Do not wait until the last minute to work on the thesis. Reviewing and evaluating your work are also time consuming activities for your thesis advisor, who also has significant other demands on the advisor's time. The promptness with which advisors and the committee can provide counsel and feedback depends upon their other University duties and responsibilities. The drafts of the thesis, as well as other interim work, must be placed before the advisor well in advance so that it can be reviewed and, if need be, revised before it is submitted in final form to the committee.*

*For practical and "how to" advice about writing research papers, we suggest you consult **Scholarly Writing for Law Students by Elizabeth Fajans and Mary R. Falk (West 2005)** and/or **The Clockwork Muse: A Practical Guide to Writing Theses, Dissertations, and Books by Eviatar Zerubavel (Harvard Univ. Press 1999).***

*E. Participating in Graduation Exercises*

The University of Tulsa College of Law's policies allow an August graduate to decide whether to walk in either May or December. In addition, the policies also allow a student until the end of the next term to finish an "incomplete." Both of these policies have the potential to impact an LL.M. candidate's participation in graduation ceremonies. Because the thesis can be a

time-consuming endeavor, and one for which it is particularly difficult to accurately predict a "finish" date, the rules for LL.M. students on the research track have been clarified. A research track LL.M. candidate may not participate in graduation ceremonies until the student's thesis is complete and accepted.

*F. Final Approval and Submission of Accepted Thesis*

Once the thesis is accepted and graded, the student must submit

1. Four hard copies of the thesis on high quality paper with good, clear printing (dot matrix printouts, blurred, smeared or light copies are not acceptable).
  - a. Two of these copies will be bound and distributed as follows:
    - i. one will be returned to the student;
    - ii. one will be held by the MLIC in a non-circulating collection;
  - b. The third copy will be retained as part of the student's file.
  - c. The fourth copy will be submitted to University Microfilms.

The Native American Law Center and the LL.M. Program will pay the costs of binding the two copies of the thesis, as well as the costs charged by UMI to include your abstract and thesis in their collection.

2. A completed and signed agreement with UMI. These agreements can be found in the UMI guidelines packets, which are available from the Director of the LL.M. Program.
3. An electronic version of your thesis, which may be included in a future TU database of theses and student papers.

## V. The Format

### A. *Basic Typing Mechanics*

1. Margins: The left margin must be one and one-half inches (for binding purposes). The top, right, and bottom margins must be one inch.
2. Font: You should chose a standard font (such as Courier, New Times Roman, or Arial). The same font should be used throughout the thesis. The text of the thesis should be in 12 point type. The footnotes may be in either 12 point or 11 point type.
4. Spacing: The text of the thesis should be double-spaced, and the footnotes should be single-spaced (with a double-space between each footnote). Block quotations within the thesis should be single-spaced. Your thesis should be printed on only one side of the page. Do not put extra spaces between paragraphs; each new paragraph should be indicated by the standard five space indentation or use of the tab key.
5. Page #s: Do not number the title page of the thesis. The table of contents and any other preliminary pages should be numbered using small Roman numerals in the bottom center of the page. The pages of the text of the thesis should be numbered in Arabic numerals at the bottom center of the page.
6. Citations: Students may use either the Bluebook or ALWD for citation style, so long as the citations are in a consistent style throughout the thesis.

*B. Order of Material*

Your thesis will consist of three basic sections: preliminary material, the text/body of the thesis, and reference materials.

1. Preliminary Material

All thesis must contain:

- a. Title Page (the format of the title page is indicated below)
- b. Abstract (the format of the abstract is indicated below)

The abstract is a summary of the primary arguments and conclusions of the thesis. Its purpose is to allow a researcher to determine whether the researcher should read the entire thesis. The abstract should be no more than 350 words.

- c. Table of Contents

In addition, the thesis may also contain other preliminary matter, such as acknowledgments, lists of tables, lists of figures, lists of statutes, lists of cases, etc. Each student, in consultation with the thesis advisor, will determine what additional preliminary matter should be included and in what order.

2. Text/Body

The format of the text/body of the thesis shall be determined by the student in consultation with the thesis advisor. Candidates writing substantial theses may choose to use chapters or other similar formatting.

### 3. Reference Matter

Each thesis should include a bibliography. Some theses may also contain appendices as appropriate.

#### *C. Format of Title Page and Abstract*

For purposes of publication, it is important to ensure that the title page and abstract follows a consistent format. The follow pages illustrates the proper format for these items.

(2 inches from top)

THE UNIVERSITY OF TULSA

COLLEGE OF LAW

(6 spaces)

The Legal Status of Native Hawaiians:  
An Exploration of the Requirements  
Imposed by International Law

(6 spaces)

by  
Jane Q. Student

(7 spaces)

A thesis submitted in partial fulfillment of  
the requirements for an  
LL.M. in American Indian and Indigenous Law

May 2002

(2 inches from top)

ABSTRACT

(3 spaces)

Student, Jane Q. (LL.M. in American Indian and Indigenous Law)

The Legal Status of Native Hawaiians: An Exploration of the Requirements Imposed by  
International Law (75 pp.)

The legal status of Native Hawaiians has come under scrutiny . . . .

(Please note: the text of the abstract should be double spaced)

*Acknowledgment of Receiving and Reading Policies.*

I hereby acknowledge that I have received and read the policy manual.

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Signature

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Print Name

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Date