



Course Catalog

2023-2024

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The content of this 2023-2024 Course Catalog is subject to change, is published for informational purposes only and should not be construed as constituting any promise or contract or the terms of any promise or contract. The most current version of the 2023-2024 Course Catalog is posted on the school’s website at www.lincolnlawschool.edu.

Message from the Dean

As we embark on yet another year, we are delighted to share with you the opportunities and experiences that await you at Lincoln Law School of San Jose, where we have been at the forefront of access to legal education for decades. Over the years, many notable Lincoln graduates have excelled in diverse areas of the law, including corporate law, public interest advocacy, government service, private practice, and the judiciary. Their accomplishments are a testament to the work ethic embodied by Lincoln alumni in the study and practice of law, personal and professional development, and community service, and we are happy to have you as part of the tradition.

Our diverse faculty is comprised of experienced practitioners, judges, and legal scholars dedicated to fostering intellectual curiosity and cultivating a theoretical and practical understanding of the law, who believe in nurturing passionate and driven individuals aspiring to make a difference in the legal profession and society. They will interactively guide you through the intricacies of legal theory while imparting practical knowledge through real-world applications, case studies, and clinical experience. In teaching you to analyze complex legal issues, our faculty aims to empower you on your journey to becoming exceptional legal professionals and advocates for justice.

As many of you know, Lincoln is striving to re-obtain accreditation status with the California Committee of Bar Examiners. Because re-obtaining accreditation is a process that will take time, we want each of you to know that Lincoln is committed to transparency and keeping its student body and the community abreast of its progress and developments. The administrative team, board of trustees, and faculty are committed to providing students with a comprehensive legal education rooted in civility, ethics, critical thinking, and practical skills.

We hope that those of you who have chosen to be part of the Lincoln community not only find exceptional value in your time spent here, but are able to also contribute to the remarkable, dynamic, and inclusive community here at Lincoln with your own gifts, talents, and experiences, helping to foster a caring, supporting, and collaborative spirit among your cohort.

Again, congratulations on your willingness to continue the legacy of Lincoln Law School in becoming a beacon of legal excellence and a catalyst for positive change. Looking forward to a fabulous year ahead together!

All the Best,



J. Jason Amezcua, M.S., J.D.

Dean, Lincoln Law School of San Jose

Section I. An Overview

1.1 Lincoln's Mission.

The mission of Lincoln Law School of San Jose is to provide members of the community, who are qualified to study and practice law in California, with access to a quality and affordable legal education.

1.2 History of Lincoln Law School of San Jose.

Lincoln Law School of San Jose, a private, non-profit corporation located in the heart of downtown San Jose, has been disrupting the landscape of legal education for over 100 years! Lincoln's roots trace back to 1919, to a law study program established in San Francisco by a married couple to provide World War I veterans and working-class students with the opportunity to obtain a legal education through part-time, evening courses. The law study program was incorporated into Lincoln University in San Francisco in 1926 and became a non-profit institution in 1949. A second law campus was opened in San Jose in 1961, with its first graduating class in 1965, and by 1987 Lincoln University's entire law program was centralized in San Jose. In 1993, the San Jose campus separated from Lincoln University and changed its name to Lincoln Law School of San Jose.

Since 1995, Lincoln has provided a legal education to notable alumni such as David D. Cortese, current California State Senator and former Santa Clara County Supervisor, Linda J. LeZotte, former San Jose City Council Member, and Vartkes Yeghiayan, lawyer and legal activist for victims of the Armenian Genocide.

Notable faculty members have included Maya Harris, former chair of the Kamala Harris 2020 presidential campaign, and James S. Ware, former Chief Judge of the U.S. District Court for the Northern District of California, Rod Diridon, Sr., former Chair of the California High Speed Rail Authority, and Desiree Reed-Francois, lawyer and current Athletic Director of University of Missouri.

In 2013, Lincoln became the first law school in Northern California approved by the United States Patent and Trademark Office to operate both a Patent and a Trademark Clinic, through which students assist the public, pro bono, in filing and prosecuting patents and trademarks.

This past school year, Lincoln was fortunate to have co-founder of Apple Computer, Steve Wozniak, serve as the Keynote Speaker at Lincoln's 2023 Scholarship Gala. Mr. Wozniak's keynote addressed the intersection between technology and the law and was moderated by NBC news anchor, Scott McGrew.

Lincoln is proud of its rich history and looks forward to expanding access to affordable legal education for years to come as the landscape of legal education continues to evolve.

1.3 Accreditation Status.

Lincoln Law School of San Jose's registration with the Committee of Bar Examiners of the State Bar of California is as an unaccredited fixed facility law school. Lincoln Law School of San Jose was an accredited law school until the Committee of Bar Examiners terminated its accreditation due to noncompliance with Rule 4.160(D), Minimum, Cumulative Bar Exam Pass rate. It transitioned to registered, fixed-facility status on January 1, 2023.

1.4 Consumer Disclosures.

Registered Status and Degree Granting Authority - Lincoln's degree-granting authority in connection with its students qualifying to take the CA Bar Exam and obtain admission to the practice of law in CA is based on its registration as an unaccredited law school with the Committee of Bar Examiners.

Method of Instruction - The method of instruction at this law school for the Juris Doctor (J.D.) degree program is principally in physical classroom facilities.

First Year Law Students' Examination - Students enrolled in the J.D. degree program at this law school who successfully complete the first year of law study must pass the First-Year Law Students' Examination required by Business and Professions Code § 6060(h) and Title 4, Division 1, Chapter 1 Rule 4.3(I) of the Rules of the State Bar of California as part of the requirements to qualify to take the California Bar Examination. A student who passes the First-Year Law Students' Examination within three (3) administrations of the examination after first becoming eligible to take it will receive credit for all legal studies completed to the time the examination is passed. A student who does not pass the examination within three (3) administrations of the examination after first becoming eligible to take it must be promptly disqualified from the law school's J.D. degree program. If the dismissed student subsequently passes the examination, the student is eligible for re-enrollment in this law school's J.D. degree program, but will receive credit for only one year of legal study.

Qualification to Practice Law in California - Study at, or graduation from, this law school may not qualify a student to take the bar examination or to satisfy the requirements for admission to practice law in jurisdictions other than California. A student intending to seek admission to practice law in a jurisdiction other than California should contact the admitting authority in that jurisdiction for information regarding the legal education requirements in that jurisdiction for admission to the practice of law.

Professional Law Degree Programs – Lincoln Law School of San Jose offers no professional law degree program, or any other degree program, other than the Juris Doctor (J.D.) degree program.

Disclosures under BPC §§ 6061, 6061.7, Rule 4.241, and Guideline 2.3(D)(1) can be found at:

<https://lincolnlawschool.edu/cal-bus-prof-code-%c2%a7-6061-7-standardized-report/>

<https://lincolnlawschool.edu/rule-4-241-disclosure-statement/>

<https://lincolnlawschool.edu/guideline-2-3d1-disclosure/>

Section II. General Information

2.1 Administrative Team.

J. Jason Amezcua, Dean of Lincoln Law School of San Jose

Dean Amezcua came to Lincoln with over 20 years of experience in the field of Student Affairs at several colleges and universities. He has also served at other non-profit organizations as both staff and board member. His experience includes leadership development, equity, and labor investigations, as well as executive management. Dean Amezcua earned his J.D. from Saint Louis University, where he took evening courses while also working as a full-time administrator.

Dean Amezcua also holds a M.S. in Higher Education/Administration from the University of Central Missouri, and a B.A. in History from New Mexico State University. Educating and improving the lives of others is a passion that Dean Amezcua has had his entire life and is a strong advocate for service, equity, and social justice.

Carlos Singh, Associate Dean of Academics and Faculty

Dean Singh is a former Assistant U.S Attorney and Trial Attorney. He has been a Lincoln Law School faculty member since 1996 and has advised multiple Lincoln Law School deans. He has also served as an instructor at Stanford Law School and University of San Francisco Law School.

Dean Singh has served on many national and Silicon Valley non-profit boards and professional organizations. He is a past President and Board Chair of the Hispanic National Bar Association. His past board and volunteer services work includes, among others, the Santa Clara County Juvenile Justice Commission, Silicon Valley Children's Hospital, Silicon Valley Hispanic Foundation, and Mexican Heritage Corporation. He was a member of the San Jose Downtown Rotary Club.

In addition, he has served as a mentor for students for over 25 years. Dean Singh's leadership will ensure the strength and continuity of our curriculum taught by the talented group of Lincoln Faculty, who are the life's blood of a Lincoln Law School education.

Kim Zea, Registrar

Ms. Zea has a background in accounting and has served as Registrar at Lincoln for over seven years. Ms. Zea is a talented administrative professional and serves an essential role in the law school's daily operations and service to students. She has capably advised three different Lincoln Law School deans and provided her steady leadership through the school's dynamic evolution.

Ms. Zea is a well-known and essential resource to the students, alumni, and faculty of Lincoln Law School of San Jose.

2.2 Official Website.

The official website of Lincoln Law School of San Jose is: www.lincolnlawschool.edu

2.3 Physical Campus and Location of Class Sessions.

Lincoln Law School of San Jose's physical campus, where all class sessions are held, is located in the heart of Downtown San Jose at:

Lincoln Law School of San Jose
384 South 2nd Street
San Jose, CA 95113

2.4 Administrative Office and Mailing Address.

Lincoln's Law School of San Jose's administrative office and mailing address is:

Lincoln Law School of San Jose
384 South 2nd Street
San Jose, CA 95113

2.5 Contact Information.

The main telephone number for Lincoln Law School of San Jose is:

(408) 977-7227

The Dean's Office can be reached at:

(408) 479-3345

The Registrar's Office can be reached at:

(408) 479-5906

The Admissions Office can be reached at:

(408) 769-4268

In the case of an emergency, please contact 911.

Additional information about Lincoln Law School can be found on the school's website (www.lincolnlawschool.edu).

Section III. Requirements for Award of Juris Doctor (J.D.)

3.1 Unit Requirement.

Students entering the Juris Doctor (J.D.) program in the 2023-2024 Academic School Year must satisfactorily complete 81 units, including 5 elective units, and all other J.D. program requirements to be awarded a J.D.

3.2 Classroom Hours Requirement.

All students regardless of entry year must have satisfactorily completed 270 classroom hours per year for 4 years to be awarded a J.D.

3.3 Minimum Cumulative GPA Requirement.

Students must have a minimum cumulative GPA of 2.33 upon program completion to be awarded a J.D.

3.4 First Year Law Students' Examination.

Students attending unaccredited law schools intending to qualify to take the California Bar Exam must take the First Year Law Students' Examination ("FYLSE") upon successful completion of their first year of law study. The FYLSE is the examination specified in California Business and Professions Code § 6060(h) and Rule VIII of the *Rules Regulating Admission to Practice Law in California*. Students who pass the examination within the first three administrations of the examination after first becoming eligible to take it will receive law study credit up to the time of passage of the examination. Students who pass the FYLSE on an attempt following the third administration of the FYLSE after their first becoming eligible to take it will only receive credit for one year of law study toward qualifying to take the CA Bar Exam.

To be awarded a J.D. from Lincoln Law School of San Jose, a student must pass the FYLSE, unless the student is statutorily exempt from this requirement.

3.5 Restriction on Issuance of J.D.

The Juris Doctor degree must only be granted upon completion of a law program that qualifies a student to take the California Bar Examination. The legal education requirements to qualify a student to take the California Bar Examination are set forth in Business and Professions Code § 6060(e), the *Rules of the State Bar*, and the *Guidelines for Unaccredited Law School Rules*.

3.6 Evaluation of Study Completed or Contemplated.

An applicant may request that the Committee of Bar Examiners determine whether general or legal education contemplated or completed by the applicant meets the eligibility requirements for beginning the study of law, the FYLSE, or the California Bar Examination. See Rule 4.33 of Title 4, Division 1, Chapter 3 of the *Rules of the State Bar*.

Students who entered the J.D. program at Lincoln prior to Fall 2021 may be subject to different minimum GPA and/or graduation requirements. A comprehensive overview of Lincoln Law School's Academic policies and procedures can be found on the school's website (www.lincolnlawschool.edu) and in the 2023-2024 Student Handbook.

Section IV. Overview of Juris Doctor (J.D.) Curriculum

Lincoln's J.D. curriculum covers the subjects tested in the CA Bar Exam, Professional Responsibility, and offers students the opportunity to take electives on a variety of subjects and gain clinical experience.

4.1. Juris Doctor (J.D.) Curriculum Map.

To stay on course to graduate, students must take the following courses as mapped out below.

1L Year

| Fall Semester | Units | Spring Semester | Units |
|----------------------|-------|-------------------|-------|
| Torts I | 3 | Torts II | 3 |
| Contracts I | 3 | Contracts II | 3 |
| Criminal Law I | 3 | Criminal Law II | 3 |
| Legal Writing | 2 | FYLSE Preparation | 2 |
| Total Units: | 11 | Total Units: | 11 |
| Summer: FYLSE | | | |

2L Year

| Fall Semester | Units | Spring Semester | Units |
|-------------------------------------|-------|------------------------|-------|
| Civil Procedure I | 3 | Civil Procedure II | 3 |
| Real Property I | 3 | Real Property II | 3 |
| Prof Responsibility | 3 | Business Organizations | 3 |
| Elective | 0-3 | Personal Property | 2 |
| Total Units: | 9-12 | Total Units: | 11 |
| Summer: Electives (0-3units) | | | |

3L Year

| Fall Semester | Units | Spring Semester | Units |
|-------------------------------------|-------|-----------------------|-------|
| Constitutional Law I | 3 | Constitutional Law II | 3 |
| Evidence I | 3 | Evidence II | 3 |
| Elective | 1-3 | Research & Writing II | 2 |
| Neg & Med | 2 | Community Property | 3 |
| Total Units: | 8-11 | Total Units: | 11 |
| Summer: Electives (0-3units) | | | |

4L Year

| Fall Semester | Units | Spring Semester | Units |
|-------------------------|-------|-------------------------|-------|
| Remedies | 3 | Wills & Trusts | 3 |
| Criminal Procedure | 3 | Trial Practice | 3 |
| Bar Exam Preparation I | 3 | Bar Exam Preparation II | 3 |
| Elective | 0-3 | Elective | 0-3 |
| Total Units: | 9-12 | Total Units: | 9-12 |
| Summer: Bar Exam | | | |

4.2 Required and Elective Juris Doctor (J.D.) Courses.

| <u>1L Required Courses</u> | <u>2L Required Courses</u> | <u>3L Required Courses</u> | <u>4L Required Courses</u> |
|--|---|---|---|
| Torts I Torts II Contracts I Contracts II Criminal Law I Criminal Law II Legal Writing *Legal Analysis FYLSE Preparation | Civil Procedure I Civil Procedure II Real Property I Real Property II Personal Property Prof. Responsibility Business Organizations | Constitutional Law I Constitutional Law II Evidence I Evidence II Community Property Negotiation & Mediation Research & Writing II | Remedies Trial Practice Wills & Trusts Criminal Procedure Bar Exam Preparation I Bar Exam Preparation II |

| <u>Elective Courses</u> | | |
|-------------------------|---------------------|----------------------------|
| Bankruptcy | Family Law | Law Practice Management |
| Domestic Violence | Immigration Law | Moot Court |
| Employment Law | Introduction to IP | Practical Lawyering Skills |
| Estate Planning Seminar | IP Clinic | Small Business Clinic |
| Externship | Landlord Tenant Law | |

4.3 Practical Experience.

The CA Bar permits law students to obtain practical experience through its Practical Training of Law Students (“PTLS”) Program, through which students are certified to provide legal services under the supervision of an attorney. California Rule of Court 9.42 and Title 3, Division 1, Chapter 1 of the Rules of the State Bar set forth the requirements for participation in the PTLS Program.

4.4 Course Descriptions.

| Course Name and Description | Units |
|---|-------|
| Bankruptcy (Elective) This course offers a survey of the United States Bankruptcy Code with emphasis in the laws and processes pertaining to chapter 7 and chapter 11 bankruptcy proceedings. | 2 |
| Bar Exam Preparation I (Required) This course is designed to help students prepare to take and pass California Bar Exam. Students will perform a series of multiple choice questions and write a series of essays covering subjects tested on the CA bar exam. Students will also learn strategies for writing a performance test. | 3 |
| Bar Exam Preparation II (Required) This course will build on Bar Exam Preparation I, and students will take a series of multiple choice questions and write a series of essays covering subjects tested on the CA bar exam under timed conditions. Students will also gain experience writing a performance test under timed conditions. <i>Prerequisites:</i> Bar Exam Preparation I. | 3 |
| Business Organizations (Required) This course introduces students to the laws governing agency, partnerships, and corporations. It covers liability and fiduciary obligations of agents, fiduciary obligations and rights of partners, dissolution, limited partnership, corporate entity and limited liability, shareholder derivative actions, formation and operation of the limited liability company, duties of officers and directors, and mergers, acquisitions, and take overs. | 3 |
| Civil Procedure I (Required) This course provides a survey of the Federal Rules of Civil Procedure and California Code of Civil Procedure. Students are given an overview of structure of a lawsuit and the court system and introduced to general principles of personal jurisdiction, subject matter jurisdiction, venue, forum non conveniens, conflict of laws, and choice of law. | 3 |
| Civil Procedure II (Required) This course builds on Civil Procedure I and explores mechanisms such as pleadings, responses to complaints, amended pleadings, joinder of claims and parties, class actions, and the scope and mechanisms of discovery. It also covers disposition without trial, trial, preclusive effect and effect of prior adjudication, and appeal. <i>Prerequisites:</i> Civil Procedure I. | 3 |

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| <p>Community Property (Required) This course provides a survey of California community property law and covers characterization, management and control of property, division of property at dissolution, and post-dissolution remedies.</p> | 3 |
| <p>Constitutional Law I (Required) This course introduces explores the Constitution of the United States, the Articles of Confederation, and the Supreme Court. It covers the legislative power, the executive power, and the judicial power, including enumerated powers, limits on congressional power, state power, and executive power, and separation of powers, and concepts of judicial review, such as political question doctrine, standing, ripeness, and mootness.</p> | 3 |
| <p>Constitutional Law II (Required) This course covers concepts of slavery, citizenship, due process, and equal protection of the law. Students will explore the scope of the Thirteenth and Fourteenth Amendments and individual rights regarding freedom of speech and press, freedom of association, free exercise of religion, no law respecting the establishment of religion, the right to keep and bear arms, and taking private property for public use. <i>Prerequisites:</i> Constitutional Law I.</p> | 3 |
| <p>Contracts I (Required) This course introduces students to basic principles of contract law, including enforceability of promises, contract formation, statute of frauds, performance, breach, and remedies for breach.</p> | 3 |
| <p>Contracts II (Required) This course builds on the principles learned in Contracts I by introducing students to mechanisms for determining the parties' obligations under the contract, limits on the bargain and its performance, basic assumptions of mistake, impracticability, and frustration, and third party rights and responsibilities. <i>Prerequisites:</i> Contracts I.</p> | 3 |
| <p>Criminal Law I (Required) This course surveys substantive criminal law pertaining to offenses against property and person and introduces students to theories of culpable mental states, punishable acts and omissions, liability for criminal attempts, conspiracy, aiding and abetting, and defenses to criminal liability. This course also examines fundamental problems in the interpretation and application of substantive criminal laws, both common law and statutory.</p> | 3 |
| <p>Criminal Law II (Required) This course builds on the content covered in Criminal Law I and introduces crimes of homicide, including murder in the first degree, murder in the second degree, felony murder, and manslaughter, and defenses to homicide, as well as culpability based on criminal negligence, recklessness, and strict liability. <i>Prerequisites:</i> Criminal Law I.</p> | 3 |

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| <p>Criminal Procedure (Required) This course provides students with an overview of principles of criminal procedure including Constitutional protections under the Fourth, Fifth, and Six Amendments, limitations on search and seizure, detention and arrests, interrogation, confessions, and identification, and explores the exclusionary rule and limitations of prosecution based on jurisdiction, extradition, statute of limitations, former jeopardy, and ex post facto laws. <u>Prerequisites:</u> Civil Procedure I, Civil Procedure II, Evidence I, and Evidence II.</p> | 3 |
| <p>Domestic Violence (Elective) This course explores domestic violence law and its intersection with family law and criminal law. <u>Prerequisites:</u> Civil Procedure I, Civil Procedure II, Evidence I, and Evidence II (may be taken concurrently with Evidence I or Evidence II).</p> | 2 |
| <p>Employment Law (Elective) This course offers a survey of the general principles of employment law. <u>Prerequisites:</u> Civil Procedure I, Civil Procedure II, Evidence I, and Evidence II (may be taken concurrently with Evidence I or Evidence II).</p> | 2 |
| <p>Estate Planning Seminar (Elective) This course provides students with the opportunity to draft various estate planning instruments such as a pour-over will, revocable trust, advance health care directive, and durable power of attorney. <u>Practical Skills:</u> Drafting Legal Documents, Counseling, and Negotiation. <u>Prerequisites:</u> Must be taken concurrently with Wills & Trusts.</p> | 2 |
| <p>Evidence I (Required) This course explores the common law, Federal Rules of Evidence, and CA Rules of Evidence pertaining to relevance, prejudice, documentary evidence and witnesses, including concepts of competency, preparation, form of examination, and credibility, as well as privileges such as privilege against self-incrimination and attorney-client privilege.</p> | 3 |
| <p>Evidence II (Required) This course builds on Evidence I and explores the definition, scope, and admissibility of hearsay, circumstantial evidence, character evidence, expert evidence, and judicial notice, as well as related exceptions and exemptions. <u>Prerequisites:</u> Evidence I.</p> | 3 |
| <p>Externship (Elective) This course allows students to gain supervised practical experience in applying legal skills in an approved organization in combination with classroom work. <u>Prerequisites:</u> Professional Responsibility, Civil Procedure I and Civil Procedure II.</p> | 1-3 |
| <p>Immigration Law (Elective) This course offers a survey of U.S. immigration and naturalization law <u>Prerequisites:</u> Civil Procedure I and Civil Procedure II.</p> | 2 |

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| <p>Intellectual Property Clinic (Elective) The IP Clinic operates under the United States Patent & Trademark Office's Law School Clinic Certification Program which requires that all legal services performed by qualifying law students be conducted under the supervision of a licensed IP Clinic faculty supervisor. Qualifying law students which participate in the IP Clinic will perform tasks involved in preparing and filing patent and trademark applications for clients. <u>Prerequisites:</u> Introduction to Intellectual Property.</p> | 1-3 |
| <p>Introduction to Intellectual Property (Elective) This course will introduce students to the basic doctrines and principles of U.S. intellectual property law, focusing on patent, copyright, and trademark law. Although these protection schemes will be discussed sequentially, the course will highlight the common structure, principles, and rationales that apply across these fields.</p> | 2 |
| <p>Landlord Tenant Law (Elective) This course offers a survey of the rights and duties of landlords and tenants. <u>Prerequisites:</u> Real Property I, Real Property II, Civil Procedure I, and Civil Procedure II.</p> | 2 |
| <p>Law Practice Management (Elective) This course explores skills required for effective and ethical law practice management. <u>Competency Training:</u> Teaches and develops those skills needed by a licensed attorney to practice law in an ethical and competent manner. <u>Practical Skills:</u> Law Office Management, Counseling, and Drafting Legal Documents. <u>Prerequisites:</u> Professional Responsibility, Civil Procedure I, and Civil Procedure II.</p> | 1 |
| <p>Legal Analysis* (Required for 1L's advanced to Spring semester on Academic Probation) This course provides intensive skill-based academic support to 1L students advanced to Spring semester on Academic Probation. Students will be provided targeted instruction in a small group and one-on-one setting in issue spotting, effective case briefing, identification of rules and holdings, synthesizing material into manageable subject outlines, formulating rule statements, applying the law to facts, and strategies for approaching multiple choice questions and essays. Students will be required to take a series of essays and multiple choice questions. <u>Competency Training:</u> Teaches and develops those skills needed by a licensed attorney to practice law in an ethical and competent manner. <u>Prerequisites:</u> Enrollment in Legal Analysis requires approval from the Academic Dean.</p> | 2 |
| <p>Moot Court (Elective) Moot Court is a simulation of an appellate proceeding in which the advocates argue whether a decision made by the trial court correctly interpreted and applied the law. <u>Practical Skills:</u> Trial/and or Appellate Advocacy. <u>Prerequisites:</u> Civil Procedure I, Civil Procedure II, Evidence I, and Evidence II (may be taken concurrently with Evidence I and Evidence II).</p> | 2 |

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| <p>Negotiation and Mediation (Required)</p> <p>This course provides an overview of the process of mediation and its role in resolving disputes outside of court. It covers general principles of mediation and students will explore strategies for negotiation.</p> <p><u>Competency Training:</u> Teaches and develops those skills needed by a licensed attorney to practice law in an ethical and competent manner.</p> <p><u>Practical Skills:</u> Drafting Legal Documents, Counseling, and Negotiation.</p> <p><u>Prerequisites:</u> Civil Procedure I, Civil Procedure II, and Professional Responsibility.</p> | 2 |
| <p>Personal Property (Required)</p> <p>The class introduces students to the law of personal property as it develops first with tangible and ultimately intangible personal property including intellectual property. Students learn to analyze the key components of "ownership" including possession, lost or mislaid property, various methods of acquisition, transfer, and hypothecation; as well as the legal terminology for remedies employed to recover ownership or possession of personal property. The course focuses on the multiple personal property rules students encounter daily that are hidden such as bailments, liens, restricted area rules, as well as the rights and responsibilities of common carriers.</p> | 2 |
| <p>Practical Lawyering Skills (Elective)</p> <p>This course provides students with the opportunity to practice practical lawyering skills.</p> <p><u>Competency Training:</u> Teaches and develops those skills needed by a licensed attorney to practice law in an ethical and competent manner.</p> <p><u>Practical Skills:</u> Legal Research, Drafting Legal Documents, Counseling, Negotiation.</p> <p><u>Prerequisites:</u> Professional Responsibility</p> | 1 |
| <p>Professional Responsibility (Required)</p> <p>This course explores the professional rules of responsibility under the CA Rules of Professional Responsibility as well as the Model Rules, and provides students with the opportunity to apply the rules in hypothetical situations.</p> <p><u>Competency Training:</u> Teaches and develops those skills needed by a licensed attorney to practice law in an ethical and competent manner.</p> | 3 |
| <p>Real Property I (Required)</p> <p>This course introduces students to the principles of real property law and covers the bundle of rights, acquisition of property, and covers possessory interest in estates, future interests in estates, and co-ownership.</p> | 3 |
| <p>Real Property II (Required)</p> <p>This course builds on Real Property II and covers leaseholds, transfers of land, judicial land use controls, and private land use controls.</p> <p><u>Prerequisites:</u> Real Property I.</p> | 3 |
| <p>Remedies (Required)</p> <p>This course covers equitable and legal remedies available to litigants in resolving disputes.</p> <p><u>Prerequisites:</u> Contracts I, Contracts II, Torts I, and Torts II.</p> | 3 |

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| <p>Research & Writing (Required) Students will explore legal research strategies using both hard copy and electronic primary and secondary sources, basic rules of citation, principles of statutory constructions, strategies for formulating issue statements and holdings, identifying applicable rules, and synthesizing rules. Students will draft an objective memorandum and a persuasive memorandum. <u>Competency Training:</u> Teaches and develops those skills needed by a licensed attorney to practice law in an ethical and competent manner. <u>Practical Skills:</u> Legal Research and Drafting Legal Documents.</p> | 3 |
| <p>Small Business Clinic (Elective) Students enrolled in this course gain practical experience in the area of small business law under the supervision of faculty who is a licensed attorney. <u>Prerequisites:</u> Professional Responsibility, Civil Procedure I and Civil Procedure II, and Evidence I and Evidence II (may be taken concurrently).</p> | 1-3 |
| <p>Torts I (Required) This course first introduces students to the development of fault-based liability and intentional tort theory. Students will learn the elements of intentional torts as well as the defenses to intentional tort liability. The course then introduces students to no-fault-based liability by exploring theories of negligence and strict liability.</p> | 3 |
| <p>Torts II (Required) This course introduces students to theories of products liability, including recovery based on theories of product defect, breach of warranty, and negligence. Students will also learn the elements of, and defenses to, various torts such as those related to nuisance, defamation, privacy, misrepresentation, and interference with advantageous relationships. <u>Prerequisites:</u> Torts I.</p> | 3 |
| <p>Trial Practice (Required) This course provides a survey of trial practice. Students will explore the progression of a case at the trial level from filing through trial. Students will gain experience drafting legal documents including pleadings, pre-trial motions, memorandum of points and authorities, discovery instruments, and a closing argument. <u>Competency Training:</u> Teaches and develops those skills needed by a licensed attorney to practice law in an ethical and competent manner. <u>Practical Skills:</u> Legal Research, Drafting Legal Documents, and Trial Advocacy. <u>Prerequisites:</u> Professional Responsibility, Civil Procedure I and Civil Procedure II, and Evidence I and Evidence II.</p> | 3 |
| <p>Wills & Trusts (Required) This course is a survey of wills and trusts and covers freedom of disposition, intestate succession, the formalities, forms, and construction of wills, non-probate transfers, the formalities, forms, and construction of trusts, and the basic principles of trust administration and wealth transfer taxation. <u>Prerequisites:</u> Real Property I and Real Property II, and Professional Responsibility.</p> | 3 |

Section V. Academic Policies

5.1 Semester Units.

Lincoln's curriculum is offered in semester units. One semester unit is defined as fifteen (15) hours of classroom instruction. Generally, one hour of instruction per week for fifteen (15) weeks equals one semester unit of credit. One classroom or contact hour of instruction is defined as fifty (50) minutes of instruction.

A student must attend a minimum of 270 hours of classroom attendance a year for four years. A year is defined as any consecutive twelve (12) month period.

5.2 Grading.

Lincoln uses a numerical grading system.

All required courses are graded numerically, except FYLSE Preparation and Bar Exam Preparation I and II which are graded Credit/No Credit.

Elective courses may be graded Pass/Fail.

Clinical courses and externships are graded Credit/No Credit.

5.3 Academic Standing.

A student must obtain a minimum cumulative GPA of 2.33 at the end of each academic school year to remain in good academic standing. A student who's minimum cumulative GPA drops below a 2.33 at the end of any semester may be advanced to the next semester on academic probation, or may be subject to academic disqualification.

5.4 Academic Support.

Any 1L advanced to the Spring semester on academic probation must enroll in Legal Analysis, a course designed to provide intensive skill-based academic support.

5.5 Evaluation for Advancement, Retention, and Disqualification.

Students are evaluated for advancement and retention at least as often as the end of each school year. Students who have not maintained the grade average required for advancement or graduation or who have failed to pass the First-Year Law Student's Examination within the required time frame must be promptly disqualified from Lincoln's Juris Doctor (J.D.) degree program.

Students who entered the J.D program at Lincoln prior to Fall 2021 may be subject to different minimum GPA and/or graduation requirements. A comprehensive overview of Lincoln Law School's Academic policies and procedures can be found on the school's website (www.lincolnlawschool.edu) and in the 2023-2024 Student Handbook.

Section VI. Admissions

6.1 Admissions Policy.

Lincoln has a “rolling” admissions policy in which prospective students can apply and be granted acceptance throughout the year. Applications for admission will be accepted up to the posted deadline for the next available enrollment period for new students. 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. Lincoln Law School of San Jose has the responsibility not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program. Thus accepted applicants are those who reasonably appear to be qualified to study law and reasonably appear to be likely to succeed in that study.

6.2 Law School Admissions Test (LSAT).

Applicants are not required to take the Law School Admissions Test (LSAT), but it may be of value in assessing an applicant’s potential for success. Lincoln recommends that all applicants, especially those who do not have at least two years of college work and students admitted after a prior disqualification, take the LSAT.

6.3 Admission as a Regular Student.

An applicant holding a bachelor’s degree from a qualified institution may be admitted as a Regular Student.

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

1. The applicant has earned an Associate of Arts (AA) Degree or an Associate of Science (AS) Degree from a qualified institution.
 - a. The Specialized associate degree (occupational) and the Associate of Applied Science Degree, and other associate level degrees which are vocationally oriented, may not satisfy this requirement.
2. Studies completed prior to admission constitute not less than one-half the total acceptable for a bachelor’s degree at a qualified institution.
 - a. Subject to review, this is typically sixty (60) semester units or ninety (90) quarter units
 - b. 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
 - c. The applicant’s grade average on all courses with substantive content was at least equal to that required for graduation from the institution attended.

An applicant who seeks admission as a Regular Student but fails to provide official transcripts by the 45th day after the first day of attendance, shall not be permitted to continue. Under exceptional circumstances, the school may extend attendance for no more than an additional 45 days, 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. 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, take the LSAT or to participate in a predetermined academic success determination program, based on their pre-law education, pre-law grade point average, LSAT score, or any combination thereof.

6.4 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](#).

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
<https://www.collegeboard.com/>

Special Student applicants must also take the 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, regardless of the school’s accreditation status. For more information, visit the CBE at <https://www.calbar.ca.gov/Admissions/Examinations/First-Year-Law-Students-Examination>.

6.5 Admission as a Transfer Student.

Law students wishing to transfer to Lincoln must satisfy the General Admission requirements and provide official transcripts from all law schools attended showing completion of all prior law studies. Students must provide proof of their current academic standing from their prior school if it is not noted directly on the transcript.

Under exceptional circumstances, admission may be possible for applicants who were previously disqualified from law study when there is an affirmative showing by the applicant that he or she possesses the requisite ability for the study of law. Such a showing may be made: (A) At any time, if the applicant presents credible evidence that the prior disqualification was not caused by the applicant's lack of capacity for the study of law, but resulted from a traumatic event or serious hardship that prohibited the applicant from performing at her or his normal level; or (B) After at least two (2) years have elapsed since the disqualification, if the applicant demonstrates that work, study, or other experience during the interim has resulted in a stronger potential for law study than the applicant exhibited at the time he or she was previously disqualified for academic reasons. Guideline 5.34. In all such transfers, the applicant must submit a signed declaration to make their showing and attend a personal interview 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 Students' Examination (FYLSE). Normally, only whole courses completed not more than twenty-seven (27) months prior to the date the applicant will begin his or her studies at Lincoln will be transferable. In some instances, such as illness, personal tragedy, or military service the dean may permit transfer credit for courses completed more than twenty-seven (27) months prior to admission. Any exceptions made must be approved by the Dean or their appointee.

Satisfactory completion of a course of classroom study requiring a minimum of 270 hours of classroom attendance a year for four (4) years is one of the requirements to earn a J.D. from Lincoln. Some scheduling adjustments may be needed for transfer students to ensure that they receive the necessary instruction in subjects covered on the General Bar Examination and meet the minimum hourly requirement(s) 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 take and pass a minimum of thirty-six (36) units in residence to qualify for graduation from Lincoln. Students who do not complete their entire education at Lincoln are not eligible for graduation awards.

6.6 Admission of Applicants Previously Disqualified for Academic Reasons.

Applicants previously disqualified for academic reasons may be granted admission when there is an affirmative showing by the applicant that he or she possesses the requisite ability for the study of law. Such a showing may be made:

(A) At any time, if the applicant presents credible evidence that the prior disqualification was not caused by the applicant's lack of capacity for the study of law, but resulted from a traumatic event or serious hardship that prohibited the applicant from performing at her or his normal level; or

(B) After at least two (2) years have elapsed since the disqualification, if the applicant demonstrates that work, study, or other experience during the interim has resulted in a stronger potential for law study than the applicant exhibited at the time he or she was previously disqualified for academic reasons.

6.7 Refundable Deposit.

A \$500 deposit is collected as a placeholder for applicants that may be accepted prior to the final application deadline. The amount will be applied toward tuition and fees at enrollment and is fully refundable until the published application deadline date. Student must accept admissions and read, understand and sign the required disclosure document prior to paying any fees for enrollment.

Students wishing to audit or transfer from another institution should contact the Admissions Office for information. A comprehensive overview of Lincoln Law School's Admissions policies and procedures can be found on the school's website (www.lincolnlawschool.edu) and in the 2023-2024 Student Handbook.

Section VII. Institutional Policies

7.1 Equal Opportunity and Non-Discrimination.

Lincoln Law School of San Jose is committed to providing equal opportunity to study law and in the hiring, retention and promotion of faculty without regard to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status.

7.2 Privacy and Confidentiality.

Lincoln Law School of San Jose must protect student privacy and the confidentiality of student communications and regards. Lincoln must not disclose, without a student's consent, information about the student, including grades, grade average, class schedule, address or telephone number, or other private information, unless: (a) required by law, including administrative subpoena or court order; (b) the information is requested by the Committee of Bar Examiners; (c) the information is requested by an accrediting agency; or (d) in case of emergency.

7.3 Compliance with Americans with Disabilities Act (ADA).

Lincoln Law School of San Jose offers reasonable accommodations to qualifying students under the Americans with Disabilities Act (ADA).

A comprehensive overview of Lincoln Law School's institutional policies can be found on the school's website (www.lincolnlawschool.edu) and in the 2023-2024 Student Handbook.

Section VIII. Tuition and Fees

8.1 Schedule of Total Charges.

Students must satisfactorily complete 81 units and all Juris Doctor degree program requirements to graduate, including the satisfactory completion of 270 classroom hours per year for 4 years.

“Course registration” means the act of signing up for a course. A student is deemed “fully registered” for a course upon payment of corresponding tuition and fees, except that a student on an installment plan is deemed “fully registered” for a course/s upon payment of the first installment.

The approximate cost to earn a Juris Doctor degree is \$88,000 plus the cost of books, required course materials, and applicable fees, as set forth below:

Tuition

| | |
|---|------------------------|
| Flat Rate Tuition: | \$21,000/academic year |
| Tuition per Unit (auditor/course repeat): | \$1,040/unit |

Registration Fees

| | |
|------------------------------------|-----------------------|
| Registration Fees: | \$1,000/academic year |
| Late Registration Fee: | \$200/term |
| Visiting Student Registration Fee: | \$150/term |
| Auditor Registration Fee: | \$50/term |

Installment Plan Fee

| | |
|--------------------------------|------------|
| 10-month Installment Plan Fee: | \$40/month |
|--------------------------------|------------|

Late Payment Fees

| | |
|-------------------------------|---|
| Late Payment Fee: | \$200/term |
| Late Installment Payment Fee: | \$50/first occurrence per academic year \$100/each subsequent occurrence |

Other Fees

| | |
|---|-----------------|
| Exam Rescheduling Fee: | \$300 |
| Graduation Fee: | \$500 |
| Diploma Replacement Fee: | \$50 |
| Official Transcript Fee: | \$15/transcript |
| Official Transcript Expedited Handling Fee: | \$10/transcript |
| Official Transcript Overnight Service Fee: | \$20/transcript |
| Returned Check Fee: | \$50 |
| 3 rd Party Deferment Fee (Sallie Mae Loans): | \$50 |

8.2 Refunds

Students that cancel their Enrollment Agreement before the first day of instruction in the Fall will be refunded the full amount paid toward tuition and registration fees. After instruction has begun, the refundable base is reduced by the amount paid toward registration fees.

Students seeking to take a Leave of Absence or Withdraw must notify the Academic Dean and Registrar in writing by submitting the appropriate form (forms can be found on Populi). Students are eligible for a prorated refund for the number of hours of instruction not completed up to the point that 60% of instruction is completed in the term. Refunds will be based upon the percentage of the instruction completed as of the business day that the appropriate form is received. Any classes missed prior to that date will be considered completed.

$$\frac{\text{Total Hours of Instruction Offered less Hours Elapsed}}{\text{Total Hours of Instruction Offered}} \times \text{Tuition Paid (not to include fees)}$$

Refunds shall be paid within thirty (30) days of cancellation. However, if the School provided the student any equipment or other property which has not been returned within thirty (30) days of cancellation, the School may retain a portion of any refund due equal to the fair market value of the equipment or other property as delineated in a detailed statement.