

Program Planning Summary

University of South Carolina

Master of Law
with a concentration in Federal Practice

A handwritten signature in cursive script, appearing to read "H. Pastides", positioned above a horizontal line.

Harris Pastides, President

Master of Laws in Federal Practice Program Planning Summary

1. Designation

New Program Proposal for 24-credit-hour program, leading to award of Master of Laws [LL.M.] degree with a concentration in Federal Practice.

2. Proposed date of implementation

Fall 2009

3. Justification of need for the proposed program

The establishment of the National Advocacy Center [NAC] in Columbia has created a unique opportunity for the University of South Carolina. The proposed program, taught in collaboration with the NAC, would be the only program of its kind in the nation, providing a comprehensive program of instruction that would prepare attorneys for advanced-level practice in federal courts, with an emphasis on those attorneys who seek to practice on behalf of the federal government. The courses included in the proposed program would be more advanced than those customarily offered in the first professional law degree, the J.D. That first degree is designed to prepare attorneys to practice in any field of law, anticipating that skills will be honed through the learning that develops in practice. The advanced LL.M. degree foreshortens that learning, through advanced courses, offering both conceptual knowledge and specialized skills. Attorneys who concentrate their practice in federal courts require specialized knowledge, beyond that of the generalist whose practice lacks a specific focus. The NAC offers courses for attorneys employed by the federal government, concentrating on the issues raised by representing a governmental client. The collaboration between the Law School and the NAC will allow the LL.M. courses to combine advanced conceptual courses with advanced skills courses.

The program would be taught concurrently at the Law School and at the National Advocacy Center, allowing those enrolled to combine theoretical learning with skills training. Currently, attorneys who work with the federal government hone their skills through episodic training, with courses taken while working full-time for the government. Only attorneys who are presently employed by the federal government are permitted to access Department of Justice training courses at the National Advocacy Center. The proposed degree program would allow already-employed federal attorneys to concentrate their education within a single academic year. In addition, practicing attorneys who seek employment with the federal government would take courses side-by-side with current Department of Justice attorneys, gaining valuable exposure and earning consideration through a special Department of Justice hiring program. Finally, attorneys whose practice was before federal courts, though not on behalf of the federal government, would receive

4. Anticipated program demand and productivity

The audience for the program will be both attorneys who strive to work with the Justice Department and attorneys who anticipate specializing in practice before federal courts, representing non-governmental parties. (Because the program is open only to attorneys, all students will already have earned a J.D. degree.) The program will be separate from the courses regularly offered at the National Advocacy Center. Those courses are intensive, short-term offerings (no more than two weeks), frequently concentrating on skills. The LL.M. program will emphasize conceptual learning, complemented by the skills training.

Enrollment would be limited to no more than twenty students a year, to allow for the faculty-intensive courses in practical skills. With a mix of students seeking placement with the Justice Department and those planning to remain in private practice, the program should have more applicants than places in each class. Attorneys seeking employment within the Department of Justice will find this LL.M. program attractive not only for its educational value but also for the “foot in the door” opportunity, as hiring at the Department is highly competitive. For example, the Department typically hires approximately 150-180 new attorneys each year through the Honor Program (DOJ’s entry-level hiring program for new law graduates and judicial law clerks) from a pool of 2000-3000 applicants each year.

5. Assessment of extent to which the proposed program duplicates existing programs in the state

There is no comparable program in the state. Because this program could be offered only at a law school, there are only two locations in the state where a program of this sort could be offered. Neither the University of South Carolina School of Law nor the Charleston School of Law offers a similar graduate program.

6. Relationship of the proposed program to existing programs at the proposing institution

The proposed program would complement the existing Juris Doctor [J.D.] program at the School of Law. Students enrolled in the program would take courses along with J.D. students, thereby enhancing the experiences of the J.D. students through contact with practicing attorneys. In addition, new courses added for the proposed program would be open to advanced J.D. students, thereby enriching the curricular offerings for the existing J.D. program. As is common in law schools across the country, J.D. students will be able to enroll in selected courses that satisfy the LL.M. degree. Because the J.D. curriculum is an advanced degree, leading to the first professional degree, students enrolled in the J.D. program are advanced students. Once the J.D. students have completed their required, basic courses, they are qualified to enroll in more advanced courses, including the LL.M. courses. The J.D. students will not earn the LL.M. degree; the courses in which they enroll will count toward the J.D. degree only.

7. Relationship of the proposed program to other institutions via inter-institutional

the courses in which they enroll will count toward the J.D. degree only.

7. Relationship of the proposed program to other institutions via inter-institutional cooperation

The program would be taught exclusively at the School of Law and the National Advocacy Center, which is operated by the Department of Justice's Executive Office for United States Attorneys. The Center trains civil and criminal federal litigators in advocacy skills and management of legal operations. Under the program, practical skills courses would be taught at the NAC, during breaks in the Law School's academic year. Faculty at the NAC are senior Department of Justice attorneys, with considerable experience both in practice and in theory. The faculty at the NAC will teach courses offered through the NAC.

8. Total new costs associated with implementing the proposed program (general estimates only)

The program would require the addition of two faculty members to the Law School staff; additional teaching would come from the staff at the NAC, at no additional cost to the program. Because the program would offer courses at an advanced level, the new faculty should be experienced, thereby earning a higher salary than would novice faculty. These costs could be anticipated:

Base salary	150,000
Fringes	42,000
Summer research	22,500
Summer fringes	6,300
TOTAL	\$220,800

The total faculty costs would therefore be \$441,600.

Additional administrative costs at the Law School would arise from one support staff member, with salary and benefits estimated at \$60,000.

The total estimated costs for the new program would be \$501,600.

The proposed tuition per academic year is \$24,000.

Pending approval, the Department of Justice will annually fund ten full-tuition scholarships (or twenty half-tuition scholarships), for a total scholarship commitment of \$240,000.