

EP.08.25
(Rev. 2/12/08)

PROGRAM PROPOSAL
University of Illinois at Urbana-Champaign

Title of the Proposal:

JOINT DEGREE PROGRAM IN LAW AND PHILOSOPHY (J.D./Ph.D.)

Colleges involved: The College of Law and the College of Liberal Arts and Sciences

Units involved: The College of Law and the Department of Philosophy

Sponsors:

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Brief Description:

Basic structure of the course of study and degree requirements

The regular Ph.D. program in Philosophy is conceived as a five-year program. The regular J.D. program in Law is conceived as a three-year program. The Law and Philosophy (L&P) J.D./Ph.D. program (henceforth "the Program") is conceived as a six-year program, with the possibility of a seventh year for those whose dissertations require the additional year (beyond the year and a half built into the six-year plan).

To make this possible, some double-counting of courses in Philosophy and in Law will be necessary. This can be done within existing guidelines in both Philosophy and Law. Philosophy allows 16 hours of graduate-level course credit outside of the department to count toward the satisfaction of the requirement of 64 hours of graduate-level course credit for the Ph.D., if those 16 hours are structured as an extra-departmental minor. For students in the Program, these hours can be courses taken in Law. Law likewise now allows 16 hours of course credit in a Ph.D.-granting department outside the College in which a student is a J.D./Ph.D. candidate to count toward the J.D. For students in the Program, these hours will be graduate-credit courses taken in Philosophy.

Despite this shortened time frame for the attainment of the two degrees, students in the Program will nonetheless be required to satisfy or complete most of the normal requirements for each degree. (One exception: in view of the nature of the combined degree program and the interests it is intended to serve, students in the Program will be exempted from the Philosophy Ph.D. program language requirement. The reason is that the interests and future professional concerns of people doing a Law and Philosophy program will typically relate primarily if not entirely to a scholarly literature in English, about a legal literature and body of law that are written in English, making it unreasonable to require all students in the Program to have the competence in at least one of the foreign languages that it has traditionally been deemed appropriate for philosophy Ph.D. students focusing entirely on philosophy to have.)

Students in the Program will normally begin in Philosophy, and will take 48 hours of appropriate graduate-credit Philosophy courses over a two-year period (an average of 12 hours, or three graduate-level courses, per semester). This number of courses and hours (plus 16 hours of appropriate Law courses to be taken subsequently) will satisfy Philosophy's course-credit hours requirement; and they are expected to be selected in ways satisfying Philosophy's logic and distribution requirements as well. Program students who wish to have previous graduate-level coursework in philosophy (whether taken

while earning an M.A. in philosophy from another institution or otherwise) count toward the required course hours and other requirements for the Ph.D. degree must petition Philosophy for the granting of such credit in the same manner as all other Philosophy Ph.D. students, and Program students' petitions for such credit will be considered on the same bases and subject to the same limitations (e.g., no more than 32 hours of transfer credit will be granted for coursework resulting in an M.A. from another institution) as the petitions of all other Philosophy Ph.D. students.

Upon completion of all required Philosophy coursework, Program students will then enter the J.D. program in Law, and should be able to complete it in two and a half years (with cross-crediting). The entire first-year Law curriculum must be taken as a unit during one full academic year.

The required coursework in both units thus will normally be completed in a total of four and a half years, after which the student will return to Philosophy to do the dissertation. During the second semester of the fifth year, students in the Program will be expected to satisfy their Preliminary Examination requirement in Philosophy. At that point, assuming that all other pre-dissertation requirements will likewise have been satisfied, they will be advanced to Stage III of the Ph.D. program, and will be deemed by Law to have completed all work necessary in Philosophy for the purpose of earning and being awarded the J.D. degree. (Note: this is a partial modification of the typical requirement for joint degrees that neither degree is awarded until all requirements for both degrees are completed. This modification is necessary to permit Program students to receive the J.D. degree and thus be eligible to sit for state bar exams before completing the Ph.D. dissertation requirement, which is highly desirable and well warranted for Program students.)

It will be conceivable for a student to complete the dissertation requirement in one and a half years after completing the Law program and returning to Philosophy. That would result in the earning of both degrees in six years. In cases in which completion of the dissertation requirement takes an additional year, the two degrees will be earned in a total of seven years.

In the event that a student drops out of the Ph.D. portion of the Program before advancing to Stage III, the student will receive Law credit only for coursework that otherwise would receive credit toward the 90-hour coursework requirement for the J.D. degree. In the event that a student drops out of the Law portion of the Program, the student will receive full credit for up to 16 hours of appropriate Law courses taken, but will be required to satisfy the Philosophy Ph.D. program language requirement.

(The College of Law has established a list of features, requirements, rules and limitations pertaining to all of the College's joint degree programs that apply to the Program. It is appended.)

Program administrative and supervisory committee

A Program administrative and supervisory committee to be known as The Law and Philosophy Joint Degree Program Committee (henceforth the "Program Committee"), consisting of faculty from Philosophy and from Law, will be formed, to consider applicants to the Program, oversee its operation, monitor and advise students in it, and serve as contacts with other committees and officers in each unit whose responsibilities affect students in the Program or the Program itself, and otherwise oversee its operation. The Law faculty will be appointed by the Dean of the College of Law; and the Philosophy faculty will be appointed by the Chair of the Department.

Admission to the program

Interested students will have to apply competitively for admission to both the Philosophy Department Ph.D. program and the College of Law. In the case of the College of Law, in which full-time study will not commence until the third year of the Program, this will require an early decision on admission to the College of Law either before the student's entrance into the Philosophy graduate program or during the student's first year of Philosophy graduate studies, as a student cannot earn credit towards the J.D. degree for Philosophy courses begun before the student's admission to the College of Law. Students interested in the Program will be asked to identify themselves as joint degree applicants in

their letters of application to the two unit programs so that their admission to both programs can be coordinated in this way.

Application for admission to the Program by a prospective new student may be made by a separate letter of application addressed to "The Law and Philosophy Joint Degree Program Committee," copies of which should be enclosed with the letters of application to the two unit programs. Admissions committees in Law and in Philosophy will inform each other of their assessment of the applicants to their respective programs. If both recommend admission, the applicants will then be reviewed by the Program Committee, which will thus function as an admissions committee for the Program. Application by a student already admitted to or enrolled in one of the two unit programs may be made by such a letter enclosed with the student's letter of application to the other unit. If the student's application to the other unit is successful, the student's application for admission to the Program will then be considered by the Program Committee. An applicant admitted to both units but denied admission to the Program may subsequently apply again for admission to the Program.

Financial aid for students in the program

Students in the regular Ph.D. program in Philosophy are typically admitted with financial aid in the form of assistantships (sometimes combined with fellowships) and tuition waivers, and are given reasonable assurance of the continuation of aid from the department for a total of five years (assuming normal progress, and adjusted downward for credit allowed for graduate work taken previously at other institutions), with aid possible beyond that point. (Philosophy generally does not admit more students than can be provided with financial aid.) Students admitted to both Philosophy and Law and to the joint degree Program will be given the same assurance of continuation of aid from the Philosophy department, and will be given the same consideration for aid beyond that point as other students in the Ph.D. program in any given year.

During the first two years in the Program, normally to be devoted to studies in philosophy, students in the Program will be supported by financial aid packages in the form of teaching assistantships and/or fellowships, together with associated tuition waivers. The third year in the Program will typically be the first year in the Law curriculum. Owing to the rigors of the first-year Law curriculum, students in their first year of Law studies are neither expected nor generally permitted to hold teaching assistantships. Program students will, however, be eligible to apply to the College of Law for scholarship assistance at the time of their initial application, and will be able to receive offers from Law of deferred scholarships (to be used during their first Law year) as well as of admission at that time.

After their first year of Law studies, Program students will be enrolled in Law for an additional three semesters. During these remaining semesters of law study, Program students will be allowed to utilize further portions of Philosophy's five-year assurance of financial aid from funds at the department's disposal, which, if wholly or partially in the form of assistantships of over 25% FTE, will entitle them to a tuition waiver at the LAS rate. The College of Law will waive any right to receive tuition at the LAS rate from Philosophy for Program students' remaining semesters of law study, and the College of Law will award Program students (upon their admission to the Program) a scholarship for the difference (if any) between Law and LAS graduate tuition rates for these remaining semesters of Law study. In any semester during these three remaining semesters of Law study that a Program student's financial aid from Philosophy is entirely in the form of a fellowship, the College of Law will waive the student's tuition obligations. After completion of their Law coursework, Program students will continue to be eligible for financial aid in Philosophy, while completing their dissertations. In combination, then, Philosophy's and Law's financial aid will provide all Program students reasonable assurance that they will incur no tuition obligation, other than for their first year of Law studies (for which they are also eligible to apply for scholarship assistance from Law).

Justification:

The desirability of a joint graduate degree program in Philosophy (Ph.D.) and Law (J.D.) on this campus has long been recognized in both the Philosophy Department and the College of Law. Some students have taken degrees in both units; but they have had to do so on their own, with no institutional support or recognition.

The Program proposed in this document is intended to prepare its graduates to teach legal and political philosophy in law schools, philosophy departments, departments of government and political science, undergraduate legal studies and pre-law programs, and other such programs. This is a small market, so it is anticipated that the number of students admitted into the Program will also be small.

The case for such a program is easily made. Knowledge and professional skills in both law and philosophy have become essential for those preparing to teach legal philosophy and political theory. From the law side, it is no longer possible to do acceptable scholarly work in legal or political philosophy without being able to do acceptable professional work in philosophy. Similarly, on the philosophy side, legal scholarship and the law itself have become too theoretically sophisticated for philosophers to make contributions (to scholarly debate or to the design of institutions) without mastering the state of the art that well-educated lawyers know.

Budgetary and Staff Implications:

- a. Additional staff and dollars needed:
None required because no additional students will be admitted to either Law or Philosophy, although additional hiring of faculty in both units with interests in "law and philosophy" might be done if the units so choose.
- b. Internal reallocations:
None necessary; no new required courses are being added in either Law or Philosophy (although new elective courses may be developed); no additional students will be admitted to either Law or Philosophy.
- c. Effect on course enrollment in other departments:
None; students in both programs typically take few courses in other departments. In fact, while law students can typically receive credit toward their J.D. requirements for a limited number of credit hours taken in other departments, Program students will not be permitted to credit any non-Law hours (other than Philosophy hours through the Program) toward their J.D. requirements.
- d. Impact on library, computer use, etc:
No new uses of any such resources. (No additional numbers of students.)

Clearances:

Richard Schacht
Department of Philosophy

1/29/07
(date)

Ann M. Yurt
College of LAS

5/4/07
(date)

Ned M. Nord
College of Law

5/23/07
(date)

Graduate College

(date)

Office of the Provost

(date)

Senate Educational Policy Committee

(date)

Attachment: College of Law specifications pertaining to all of its joint degree programs

Attachment

College of Law specifications pertaining to all of its joint degree programs

The following features, requirements, rules, and limitations pertain to all of the College of Law's joint degree programs, and so will also be applicable to the Law and Philosophy Program:

- A. The student must apply to and be admitted independently to both the College of Law and the other college or department.
- B. The student will only receive credit in Law for courses taken in the other college or department that count towards the other degree.
- C. To receive credit in Law for the courses taken in the other college or department, the student must receive the minimum grade prescribed by the non-Law college or department.
- D. The student must earn passing grades in a minimum of 56 hours of Law courses at the College of Law.
- E. Joint degree students may not apply any non-Law courses, other than the specified amount of their joint degree courses, towards the 90 hours required for the J.D. degree.
- F. Courses that are cross-listed with a "Law" number count toward the required number of hours in Law.
- G. Grades earned in non-Law courses will not count towards the student's Law GPA or the student's class ranking or eligibility for honors.
- H. The student must complete all required courses in Law and complete all Law graduation requirements.
- I. If the other college or department permits a course to be taken pass/fail, the College of Law will give credit for the course on the same basis.
- J. All academic regulations of the College of Law apply fully to students in the joint degree program.
- K. The student is responsible for obtaining all information about the requirements and rules of the other college or department and complying with them.
- L. The student must complete all requirements for both degrees before either degree will be issued.
- M. Students cannot earn credit towards the Law degree for non-Law courses begun in the other college or department before matriculation at the College of Law.
- N. A student cannot be awarded a JD degree more than 84 months after he/she first commences coursework in the College of Law.

September 9, 2006