



Faculty Senate Office
Ashe Administration Building, #325
1252 Memorial Drive
Coral Gables, FL 33146

facsen@miami.edu
web site: www.miami.edu/fs
P: 305-284-3721
F: 305-284-5515

MEMORANDUM

To: Donna E. Shalala, President

From: Richard L. Williamson
Chair, Faculty Senate

Date: October 22, 2012

Subject: Faculty Senate Legislation #2012-14(B) – Formation of a New Dual Degree (JD/PhD Environmental Science and Policy) from two Existing Degrees (School of Law and The Graduate School)

At its October 17, 2012 meeting, the Faculty Senate unanimously approved the proposal to approve the combination of two existing degree programs into a new dual program: JD/PhD Environmental Science and Policy. The program will enable students to earn a JD from the School of Law as well as a PhD in Environmental Science and Policy (ECS) awarded under the auspices of The Graduate School in six years. The accelerated time to degree is made possible through double counting of courses in Law and ECS.

This legislation is now forwarded to you for your action.


RW/rh

Enclosure

- cc: Thomas LeBlanc, Executive Vice President and Provost
Patricia White, Dean, School of Law
Kenneth Broad, Director, Abess Center for Ecosystem Science and Policy
Gina Maranto, Coordinator, Graduate Programs, Abess Center for Ecosystem Science and Policy
Sandra Abraham, Directory, Professional Program, School of Law
Karen Beckett, Associate Registrar

CAPSULE: #2012-14(B) – Formation of a New Dual Degree (JD/PhD Environmental Science and Policy) from two Existing Degrees (School of Law and The Graduate School)

PRESIDENT'S RESPONSE

APPROVED:  DATE: Oct 23, 2012
(President's Signature)

OFFICE OR INDIVIDUAL TO IMPLEMENT: DEAN BLAKE

EFFECTIVE DATE OF LEGISLATION: Immediately
(if other than June 1 next following)

NOT APPROVED AND REFERRED TO: _____

REMARKS (IF NOT APPROVED): _____

4 October 2012

Proposed Dual Program: JD / PhD Environmental Science and Policy

Amended based on General Welfare Committee recommendations

Rationale

We propose the formation of a new dual degree that will be earned through **two existing degree programs** in the University of Miami School of Law and the Leonard and Jayne Abess Center for Ecosystem Science and Policy. The program will enable students to earn a JD from the School of Law as well as a PhD in Environmental Science and Policy (ECS) from the Abess Center (which is awarded under the auspices of The Graduate School) in 6 years. The accelerated time to degree is made possible through double counting of courses in Law and ECS (details below). In multiple arenas, including environmental security, transnational security, international environmental law, energy technologies, climate change, and emissions reduction, there is a demand for researchers and policymakers with interdisciplinary training in both law and environmental science. The purpose of the dual degree program is to enable students with strong interests in both environmental policy and law to prepare for careers in either the private or public sector in a shorter amount of time than if pursuing both degrees separately.

This intensive, accelerated program will provide high level knowledge and research experience in an interdisciplinary setting and is especially suited to those seeking to implement environmental policy and regulation at the state or national levels; to engage in cutting edge research related to environmental policy in an academic setting; to serve as environmental legal consultants or litigators; and/or to work with international agencies, governments, or organizations.

Curriculum

The joint program will enable students to obtain both a JD and ECS PhD in 6 years. Students will fulfill all requirements of the current JD and ECS PhD programs, including completing and defending a doctoral dissertation (degree requirements for the existing programs are provided in Appendix A and B). One full year of the six will be spent taking courses in the School of Law, and during the additional five years will take both Law and ECS courses. Students must complete 79 credits in the School of Law and 9 credits from ECS will be double counted to complete the total of 88 JD credits. Students must complete 48 credits toward the ECS PhD and 12 Law credits will be double counted toward the total of 60 ECS credits. (Students entering with a master's degree are eligible to have 24 of the 60 ECS credits waived.)

Students wishing to pursue the JD/PhD program must be admitted to both the JD and ECS PhD programs separately. JD students wishing to pursue the JD/PhD program must apply to the ECS PhD program for admission no later than Fall semester of their second year of law school. Enrolled law students who are subsequently accepted into the joint program must notify the law school registrar before taking their first ECS credits. Students will generally commence their law study the first year; however, it is also possible to begin the PhD first. Acceptance by one program does not in any way indicate or guarantee acceptance by the other degree program.

Students who commence law study first will complete 32 credits the first year. In subsequent years, students will take a combination of law and ECS-related courses, with the caveat that all work toward the law degree, including a required professionalism/ethics course, an upper-level writing requirement, and a skills course, must be completed within 5 years of entering the JD program. Students will also complete an environmentally related law externship for 6 credits.

Students may also begin in the PhD program, completing a year of coursework, including the 4 core ECS courses, before taking up their legal studies. PhD students who take Law courses prior to admission to the School of Law will not be able to count any 1L courses toward their JD; consequently, it is expected that ECS students exploring the possibility of the JD will be advised to take only Law electives. **For the PhD, students must also pass comprehensive examinations and take at least 13 dissertation credits. To be awarded the doctoral degree, students must successfully complete and defend a dissertation. The dissertation will, ipso facto, be implicated with the student's legal studies and focus, and be formulated in concert with advisors from both Law and the ECS PhD program.**

The sample schedule below is intended as a general scheme that shows how a student would proceed through the program, entering with Law first, and is not intended to be prescriptive.

We have not included a sample schedule for students entering through the ECS PhD program. They would follow a similar course, but details would be worked out on a case-by-case basis, considering that each student's funding profile will differ and that it could be difficult, by the terms of a grant, for a student to interrupt her ECS PhD work for an entire year in order to complete the 1L courses. We are confident that it will be feasible to devise programs of study that will satisfy all Law school requirements and also enable ECS PhD students to meet their research obligations to faculty sponsors.

Sample Schedule: Students Entering through the School of Law

	Fall	Spring	Law CR	ECS CR*	Cumulative credits
Year 1					
	LAW 16 CR	LAW 16 CR	32 CR	0 CR	32 LAW
Year 2					
	LAW 9 CR ECS 6 CR	LAW 9 CR ECS 6 CR	18 CR	12 CR	50 LAW 12 ECS
Summer 2					
	LAW Externship 6 CR		6 CR		56 LAW 12 ECS
Year 3					
	LAW 9 CR ECS 6 CR	LAW 9 CR ECS 6 CR	18 CR	12 CR	64 LAW 24 ECS
Year 4					
	LAW 9 CR ECS 6 CR	LAW 6 CR ECS 3 CR	15 CR	9 CR	79 LAW 35 ECS

Year 5					
	ECS 3 CR	ECS 3 CR	0 CR		79 LAW 41 ECS
				6 CR	
Year 6					
	ECS 3 CR	ECS 4 CR	0 CR		79 LAW 48 ECS
				7 CR	

* At least 13 of the ECS credits must be dissertation credits

Application process

Interested candidates from the School of Law must contact Sandy Abraham, Executive Liaison for Interdisciplinary Programs and Initiatives, sabraham@law.miami.edu, 305-284-4030. Interested candidates from the PhD program will contact Andee Holzman, Assistant Director, Abess Center for Ecosystem Science and Policy, 305-284-8259.

In order to be accepted to the Law School, students must take the LSAT and complete the online Law School application. In order to be accepted to the PhD program, students must take the GRE and complete the ECS PhD application.

Budget/ Financial arrangements

Students will receive four years' worth of stipends and tuition waivers from the ECS program for their PhD work, with the obligation to serve as a Teaching Assistant for one year out of the four.

The Law School will provide a \$25,000 tuition scholarship for the equivalent of two years in Law School, and then a comparable scholarship pro-rated for subsequent years depending on the number of law school credits by semester.

Will this new joint degree program add anything to existing operating budgets for either the School of Law or the Abess Center? The answer is, nominally. There will be a small fraction of administrative and teaching time utilized for this program. We do not believe it will be a significant amount for either entity, since these costs are built into the respective unit's budgets.

Market/Demand for JD/PhD

There are relatively few JD/PhD programs in the U.S. The preponderance of linked JD degrees are with Master's programs. Our proposal of a JD/PhD is based on the recognition that studying and formulating policy to deal with many of the most pressing environmental issues requires not only interdisciplinary understanding of ecosystems and social science theory, but also a conversancy with legal principles. We have noted this need among our own students, as well as among students inquiring about our program. For example, one of our current PhD students is involved in cutting edge research regarding carbon sequestration and has found that she needs to acquire in-depth understanding of property and natural resource law at multiple scales from local to transnational. Were a JD/PhD program in place, she would likely pursue it. Other students are working on marine conservation and coastal conservation issues, and need to understand some legal fundamentals in order to formulate policy recommendations for these regimes. We have also fielded queries from students who were contemplating applying to, or

have been admitted to, UM School of Law and were interested in the possibility of also completing an environmentally related PhD. While this is a small pool of candidates, we anticipate that such students would be highly motivated and competitive.

Comparable programs exist at three other universities: University of Colorado, Boulder; University of Minnesota; and Stanford University. All employ double counting as a means to accelerating the process of earning the dual degree. At UC, Boulder, PhD students may double count up to 12 credits. At University of Minnesota, students can receive a JD with three PhD programs: Ecology, Evolution & Behavior; Natural Resources Science and Management; and Conservation Biology. In each of these, they may double count up to 12 credits. At Stanford, the JD/PhD is in Law and Environment and Resources. We do not have data on how many students have graduated from these programs: the American Bar Association, National Center for Education Statistics, and Chronicle of Higher Education do not break out such figures. However, we anticipate demand for this program would be 2-4 students every 5 years.

Analysis

Since we do not anticipate having more than 2-4 students in the program every five years, it is difficult to put together an accurate market survey or profile of potential demand. However, we have had interest from both current ECS PhD students and potential School of Law applicants.

From the PhD perspective, a critical thing to keep in mind is that law is the primary arena in which environmental problems are addressed, whether via treaties and international agreements or, domestically, via Congressional Acts, agency regulations, or case law. Therefore, students aiming to have an impact on policy are greatly merited by having and understanding of how the legal system works.

From the JD perspective, for those who want to go into environmental law it is increasingly the case that employers in both the private and public sectors look for candidates who are both cognizant of and comfortable with the sciences. More than ever, law firms are emphasizing that they need lawyers who can talk to the scientists and understand and communicate scientific concepts effectively to a broad audience.

Appendix A

Degree Requirements For the ECS PhD

Completion of the PhD will take approximately five years. In most cases, students are supported by research assistantships that include tuition remission and a monthly stipend. All students are also required to serve satisfactorily for one term as teaching assistants in the Abess Center undergraduate program.

Opportunities for graduates are available in a range of prestigious institutional settings; an increasing number of leading universities are developing academic programs and centers that span disciplines, as are independent think-tanks and well-funded research centers and non-governmental organizations.

Prerequisites

Students admitted into the program must have earned a Bachelor's or Master's degree in an appropriate field.

Core Courses and Credit Requirements

Students must complete 12 credits worth of coursework in the following core courses:

- ECS 501 Interdisciplinary Environmental Theory
- ECS 503 Interdisciplinary Environmental Methods
- ECS 605 Interdisciplinary Environmental Law and Policy
- ECS 507 Interdisciplinary Environmental Decision Analysis
- ECS 572 Special Topics in Environmental Science and Policy

By the end of their second semester, students must submit a proposed group of additional courses, totaling at least 18 hours, related to their research interest and intended dissertation research area. This group of courses requires approval of both the student's advisor and the Director of Graduate Studies.

To attain the PhD, students must take a minimum of 60 credits, of which at least 26 must be for coursework taken while in residence at the University of Miami. (Students entering the program with a Master's degree in a related field may be given credit for up to 24 course credits.) Students must accrue at least 13 credits worth of dissertation research.

Examinations

All PhD students will be given comprehensive examinations following the conclusion of the core series of courses. A majority of the examination committee must be members of the graduate faculty of the University. In the event of failing to pass an examination, students are required to retake and pass the examination within one calendar year. By the end of their second year, students must present and defend a research proposal. Following successful completion of the comprehensive examination and research proposal defense, the student may apply to candidacy for the degree. Any student who fails to be admitted to candidacy for the degree within this two-year period can be dismissed from the program.

Dissertation

By the beginning of the second year, students should form a four-member dissertation committee; by the end of the second, write and defend a research proposal. Students may proceed with the dissertation after the dissertation committee has been appointed and the Director of Graduate Studies and the Graduate School have accepted the dissertation proposal. The dissertation must be an investigation of a substantial scholarly topic and bridge both scientific and policy aspects of the topic area. A final oral defense of the dissertation is required.

Appendix B

J.D.-JURIS DOCTOR

Students enrolled in the full-time Juris Doctor (J.D.) program usually complete the degree requirements in three years. A minimum of 88 credits is required for the degree. Students register for 32 credits in their first year.

The University of Miami School of Law grades students according to the traditional four-point system, in which a D converts to one point and an A to four points. A cumulative average of 2.0 or above is required for the J.D.

Classes for first-year law students provide a basis for understanding the theory and substance of the law, as well as an essential foundation for exploring the political, commercial, and social dimensions of legal institutions. All full-time students are required to take the courses listed below in their first year.

FIRST YEAR COURSEWORK	Credit Hours
FIRST SEMESTER	
Contracts or Property	(4)
Torts	(4)
Elements of Law	(3)
Civil Procedure I	(3)
Legal Communication & Research Skills I	(2)
	16
SECOND SEMESTER	
Contracts or Property	(4)
Criminal Procedure	(3)
U.S. Constitutional Law I	(4)
Elective	(3)
Legal Communication & Research Skills II	(2)
	16

While we ensure that our students receive a broad-based legal education, we also want to give them the option of concentrating on special areas of interest. Accordingly, after the first year, the list of courses, seminars and workshops offered is extensive— including traditional classroom courses, specialized legal skills courses, seminars designed to provide intensive research and writing opportunities, workshops that enable students to apply theoretical skills to practical problems, and courses that deal with timely issues. Students must take one course in legal professionalism but have substantial flexibility in selecting the rest of their curriculum.

The University of Miami School of Law has curricular strengths in a variety of areas, as shown below.

Students should note that not each of these courses listed is necessarily given each year.

Business, Commercial, Taxation Law | Entertainment and Sports Law | Environmental and Consumer Protection Law | International, Foreign, and Maritime Law | Labor and Employment Law | Legal Process, Litigation, Clinical Placement, and Skills Training | Constitutional Law, Public Health, and Social Issues |



M. Brian Blake, Ph.D.
Vice Provost for Academic Affairs
& Dean of the Graduate School

Graduate School
P.O. Box 248125
Coral Gables, FL 33124-3220

Phone: 305-284-4154
Fax: 305-284-5441
graduateschool@miami.edu


MEMORANDUM

DATE: September 24, 2012

TO: Richard Williamson
Chair, Faculty Senate

FROM: M. Brian Blake, Ph.D.
Dean, The Graduate School

SUBJECT: JD/Ph.D. in Environmental Science and Policy



The School of Law and the Leonard and Jane Abess Center for Ecosystem Science and Policy have submitted a request to combine two existing degree programs (JD/Ph.D. in Environmental Science and Policy). The joining of the degree programs was discussed at the meeting of the Graduate Council on Thursday, September 20, 2012, and was approved by those present.

cc: Patricia White, Dean, School of Law
Sandy Abraham, Executive Liaison, Interdisciplinary Programs, School of Law
Andee Holzman, Assistant Director
Office of Planning, Institutional Research and Assessment

UNIVERSITY OF MIAMI
SCHOOL of LAW



Office of the Dean

P.O. Box 248087

Coral Gables, Florida 33124

Ph: 305-284-2394

Fax: 305-284-3210

pwhite@law.miami.edu

Patricia D. White
Dean and Professor of Law

September 24, 2012

Professor Richard Williamson
Chair, Faculty Senate
University of Miami

Dear Professor Williamson:

I am delighted to report that the JD/PhD in Environmental Science and Policy joint degree program proposal between the School of Law and the Leonard and Jayne Abess Center for Ecosystem Science and Policy was presented to the law school faculty on September 12, 2012 and that it was reviewed and approved by our faculty. I am fully supportive of this JD/PhD joint degree program.

Sincerely,

Patricia D. White
Dean and Professor of Law



MEMORANDUM

DATE: September 24, 2012
TO: Andee Holzman, Assistant Director
FROM: David E. Wiles, Executive Director, Assessment and Accreditation *[Signature]*
SUBJECT: New JD/PhD in Environmental Science and Policy Joint Degree Program

On 09/13/2012, the Leonard and Jayne Abess Center for Ecosystem Science and Policy, submitted a proposal notifying our office of their intent to implement the Juris Doctor and PhD in Environmental Science and Policy joint degree program, effective beginning in the Fall of 2013. Based on the details of the proposal, the program involves two presently existing degree programs, and will be offered only on the main UM campus. The combining of the two programs will not require additional resources or the hiring of new faculty.

Although a letter of notification will be submitted, the joint degree program offering is not considered a Substantive Change, and will not require formal approval from the Southern Association of Colleges and Schools (SACS) in order to proceed with the joint program's implementation.


Please feel free to contact our office should you have any further questions (305) 284-9431.

cc: Faculty Senate
Dean Blake, Graduate School
Dean White, School of Law



MEMORANDUM

TO: Faculty Senate

FROM: Dr. Kenny Broad 
Director, Abess Center for Ecosystem Science and Policy

DATE: September 24, 2012

SUBJECT: Abess Center approval of joint JD/PhD Program

The Leonard and Jayne Abess Center for Ecosystem Science and Policy Faculty Advisory Committee unanimously approved the joint JD/PhD in Environmental Science and Policy program at its last meeting on September 10, 2012. Should you need further information, please contact me at 305.284.2721.