

# **BYLAWS OF THE LEGAL STUDIES PROGRAM** **UNIVERSITY OF DELAWARE**

## I. LEGAL STUDIES PROGRAM

The Legal Studies Program (the “Program”) of the University of Delaware (the “University”) shall be dedicated to the study of law and legal issues from a wide variety of perspectives and reflecting various academic disciplines. The Program is intended as a cross-college, multidisciplinary undertaking and shall welcome all faculty and students from all colleges who are interested in the scholarly pursuit of the study of law and legal studies to participate in its various activities. The Program shall award undergraduate students a Minor in Legal Studies and graduate students a Certificate in Legal Studies upon satisfying the requirements of the Program, as determined by the Legal Studies Director (the “Director”) and the Legal Studies Executive Committee (the “Executive Committee”). The faculty of the Program shall teach courses for Legal Studies and organize the various activities of the Program. Governance of the Program shall be vested in the Director and Executive Committee. The Program shall be managed by the Director with the advice of the Executive Committee.

## II. LEGAL STUDIES FACULTY

- A. Categories. Those faculty participating in the Program (the “Faculty”) shall fall into two categories: Joint Faculty and Associated Faculty.
1. Joint Faculty.
    - a. Joint Faculty are those University faculty members who are actively involved in teaching, research and/or service directly related to the Program and who have a joint appointment in Legal Studies. Members of the Joint Faculty shall have a joint appointment as Professor, Associate Professor, Assistant Professor or Instructor of Legal Studies, such rank to be comparable to their rank in the Unit of their primary appointment.
    - b. Joint Faculty are expected to attend at least one meeting of the Legal Studies Faculty (if called) and a minimum of one event sponsored by the Program, annually.
  2. Associated Faculty.
    - a. Associated Faculty are those University faculty members who teach courses, conduct research, or contribute advisement and/or service activities that are part of, or contribute to the Program, but who do not have a joint appointment in Legal Studies.

b. Associated Faculty may participate in activities sponsored by the Program; however, they do not enjoy the voting privileges of Joint Faculty and may not serve on the Executive Committee or as Director.

## B. Appointment

### 1. Joint Faculty

a. Upon request, the Director shall nominate Associated Faculty members who wish to join the Joint Faculty. If approved by two-thirds of the Executive Committee, by the chair of the faculty member's primary unit, as well as by the Dean of Arts and Science (the "Dean"), such member shall become Joint Faculty and receive a joint appointment in Legal Studies.

b. The Executive Committee shall review the record of such Associated Faculty members who wish to join the Joint Faculty. Teaching a course that is part of the Program, regularly attending and participating in events sponsored by the Program, writing papers and/or books in the legal studies area, or doing service for the Program, such as helping to organize seminars and conferences, are evidence of commitment to the Program and shall provide support for the appointment of an Associated Faculty member to the Joint Faculty. The quality of teaching, research, and service at a high level also shall be considered in this appointment process. Such activity must be significantly beyond what is required to be an Associated Faculty member in the Program. However, it shall be taken into account that some Associated Faculty are unable to teach courses in the Legal Studies area — for example, due to departmental needs. Accordingly, a high level of research in legal studies and a high level of service to the Program may satisfy the requirement to join the Joint Faculty.

### 2. Associated Faculty

a. Unless such faculty member objects, full time faculty (including continuing track, tenure track and tenured faculty members) who have taught a course eligible for Legal Studies credit in the past five years will be automatically considered Associated Faculty.

b. Upon request, the Director shall nominate additional instructional personnel who wish to join the Associated Faculty. The Executive Committee shall review the record of such nominees, and if approved by a majority of the Executive Committee, they shall become Associated Faculty.

## C. Reappointment

1. Joint Faculty will be reviewed by the Executive Committee every three years and must be re-approved by a majority vote to remain a member of the Joint Faculty. The chair of the faculty member's primary unit and the Dean must also re-approve.

2. Associated Faculty will maintain their status as Associated Faculty without formal reappointment. However, Associated Faculty may be removed at any time by a majority vote of the Executive Committee.

### III. GOVERNANCE

- A. Governance of the Program will be vested in the Director and the Executive Committee. The Director shall regularly consult with and seek the advice of the Executive Committee and the other Joint Faculty on issues concerning the Program. Consent of the Executive Committee -- by a majority vote of those members present at a duly convened meeting -- is required for major governance decisions including, but not limited to, significant changes to the Legal Studies curriculum, and renewals of Joint Faculty. Supermajority consent of the Executive Committee -- a two-thirds vote of those members present at a duly convened meeting -- is required for revisions or amendments to the bylaws and appointments to the Directorship, Joint Faculty and Executive Committee. Members of the Executive Committee are expected to attend at least one meeting per semester (if called).
- B. The Executive Committee shall consist of the Director and such additional members of the Joint Faculty who are willing to provide active service. Members of the Joint Faculty who show an interest in carrying out the governance of the Program may be invited to join the Executive Committee. While there is no specific number of members required, the standard size of the committee shall be eight (8) to ten (10) members total.
- C. The Executive Committee will be responsible for soliciting and appointing new members to such committee from the Joint Faculty. Those members of the Joint Faculty who are willing to serve, and who receive a two-thirds vote of the members of the Executive Committee present at a duly convened meeting, shall be appointed to a term of three years, which appointment may be renewed.
- D. Members of the Executive Committee should be chosen to assure a wide representation of the different units and colleges represented among the Legal Studies Faculty.
- E. The Director, with the advice and consent of the Executive Committee, shall define and determine the curriculum of the Program. The Executive Committee will make recommendations for new courses and temporary faculty, recommend promotion and tenure of faculty associated with the Program, organize special programs (competitions, debates, etc), review the budget of the Program, and generally promote the Program and its activities.

### IV. THE DIRECTOR

- A. The Director of the Program shall have general responsibility to manage the Program, with the advice of the Executive Committee.

- B. The Director shall be appointed for a three year, renewable term.
- C. The Director will be recommended by a search committee comprised of three (3) members of the Executive Committee, approved by a two-thirds vote of the Executive Committee, and appointed by the Dean.
- D. The Director must be a full time Legal Studies Joint Faculty member at the time of the appointment.

V. COMMITTEES

- A. There will be a Legal Studies Seminar Committee that will organize a faculty research seminar in the legal studies area.
- B. Committees and their chairs will be appointed by the Director with the advice of the Executive Committee.
- C. The Executive Committee can create additional committees as deemed necessary. The Director may suggest the creation of such new committee.

Approved by the Executive Committee of the Legal Studies Program on September 29, 2017.