

Resolution of the Bar Elective Requirement

The Student Government encourages the Faculty to adopt the following Resolution:

Whereas, the Faculty and CUNY Board of Trustees enacted a new requirement, the “Bar Elective Requirement”, which requires all students to take 4 “bar electives”, and in which students above a cumulative GPA of 3.3 or higher at the end of their third semester may opt out of the “bar elective” requirement, and

Whereas, the course Core Doctrine was recently made a requirement in which students with a cumulative GPA of 3.3 or higher at the end of their fifth semester may opt out of the Core Doctrine requirement, and

Whereas, the current wording of the “Bar Elective Requirement” ties the hands of the Office of Academic Affairs, in which they do not have flexibility in defining what is a “Bar Elective”, and

Whereas, because students may be able to opt of Core Doctrine and not the “Bar Elective Requirement”¹, it might be useful to deem the course Core Doctrine as satisfying such a requirement in order to incentivize students who are able to opt of the Core Doctrine requirement to not make such a choice if the course can also satisfy another requirement that they were unable to or chose not to opt out of, and

Whereas, the school will soon be implementing a new Professional Responsibility Course, and given that the current proposal would allow some students to opt out, it might serve as an incentive for students to forgo opting out of the requirement if it they could use it to satisfy the “Bar Elective Requirement”², and

Whereas, the Dean of Academic Affairs and the Office of Academic Affairs should be granted broad discretion in defining what is deemed a “bar elective” for the purposes of the “Bar Elective Requirement”, and

Whereas, linguistically speaking, the term “Bar Elective Requirement” is contradictory, since the 4 “bar electives” that are required are no longer bar electives by nature of such a requirement existing, and thus the choice of language is poor, therefore

Let it be Resolved, that the “Bar Elective Requirement” be renamed the “Bar Course Requirement”, in which students will be required to take 4 “bar courses”, and in which students with a cumulative GPA of 3.3 or higher at the end of their third semester will be permitted to opt out of the “bar course”

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- 1 It is possible for a student to not be able to opt of out of the “Bar Elective Requirement” but be able to opt of of the “Core Doctrine” requirement. Such a scenario would exist if a student does not have a cumulative GPA of 3.3 of higher at the end of their third semester, but because of their performance in their fourth and fifth semester, has such a GPA at the end of their fifth semester. Students may also choose to opt of out the “Core Doctrine” requirement but not the “Bar Elective Requirement”.
 - 2 The current proposal allows students to opt out of the professional responsibility requirement if they do not plan to take the Bar in New York. However, even students who do not plan to take the New York Bar might be well served to take the new course, since the subject is tested on the MPRE and on the bar exams of other states (such as the California Bar).

requirement, and

Let it be Further Resolved, that the Associate Dean for Academic Affairs be granted broad deference in determining whether a course is a “Bar Course” for the purposes of the “Bar Course Requirement”, and

Let it be Further Resolved, that “Core Doctrine” shall be deemed a “Bar Course” for the purposes of the “Bar Course Requirement”, and

Let it be Further Resolved that the new Professional Responsibility course be deemed a “Bar Course” for the purposes of the “Bar Course Requirement”.