

ATENEEO DE MANILA UNIVERSITY
SCHOOL OF LAW
GRADUATE LEGAL STUDIES INSTITUTE
LAW THESIS CENTER

2015 REVISED THESIS RULES

1. THESIS COMMITTEE

The administration and implementation of rules and regulations, including the monitoring and coordination of all activities relating to the Thesis Program, shall be lodged with the Thesis Committee:

- 1.1. The *Juris Doctor* (J.D.) Thesis Committee shall consist of three (3) members from the Ateneo Law School (ALS) faculty, plus two others as ex-officio members, the Director of the Graduate Legal Studies Institute (GLSI) and another member of the Master of Laws (LL.M.) Thesis Committee designated by the Director.
 - 1.1.1. The LL.M. Thesis Committee shall consist of the GLSI Director and two (2) members from the ALS faculty to be appointed by the Dean.
 - 1.1.2. The GLSI Director shall be the Chairperson of both the J.D. and LL.M Thesis Committees.
- 1.2. The functions of the Thesis Committee shall include the administration, supervision, and coordination of all activities in relation to, and in compliance with, all regulations affecting the Thesis Program, specifically:
 - 1.2.1. Fixing of deadlines for the submission of the thesis and other related matters;
 - 1.2.2. Setting schedules for oral defense, including date, time, and place;
 - 1.2.3. Designating the members of the oral defense panel;
 - 1.2.4. Sending of notices and ensuring the presence of all the members of the oral defense panel at the scheduled defense; and
 - 1.2.5. General administrative work related to the Thesis Program, including the computation of final grades based on grades given by the thesis adviser, the oral defense panel and the Thesis Committee.
- 1.3. The Thesis Committee, after consultation with the faculty members teaching Fundamentals of Thesis Writing I (FOTW I), shall have the authority to reject a thesis proposal submitted by a student in FOTW I. Thereafter, it is incumbent upon students whose topics have been rejected to consult with their respective professors in Fundamentals of Thesis Writing II (FOTW II) and come up with new topics to be defended during their presentation in the FOTW II course. Once the thesis topic has been approved in FOTW II, no further change of topic shall be allowed except for unforeseen events deemed justified by the FOTW II professor or the thesis adviser.
- 1.4. In the event that a student needs to change his or her thesis topic while enrolled in FOTW II, it shall be the responsibility of the student concerned to consult with both his or her FOTW II professor

and thesis adviser for the approval of the new topic. The student shall submit the minimum requirements for the FOTW II course.

- 1.5. After all requirements for the FOTW II have been submitted, the FOTW II professors and the appropriate Thesis Committee shall review all the thesis proposals for final approval.
- 1.6. In the event that a student needs to change his or her thesis topic after completing FOTW II, the student concerned shall consult with a member of the Thesis Committee and his or her thesis adviser for the approval of the new topic. Thereafter, the student must advise the Law Thesis Center of the new topic and submit the same minimum requirements under the FOTW II course.

2.A. *JURIS DOCTOR* THESIS

- 2.A.1. J.D. students are required to prepare and defend a thesis on a subject of law, which must deal with a legal issue which has not been resolved by the courts and requires extensive discussion and analysis of laws, legal principles, and jurisprudence relevant to the thesis proposal. The preparation of the thesis is supervised by a thesis adviser chosen by the student who is a member of the ALS faculty, subject to the rules in Section 3 below.
- 2.A.2. The J.D. thesis must be based on a thesis proposal previously approved and must contain at least 13,000 words excluding footnotes.
- 2.A.3. Once the thesis is completed and certified by the thesis adviser as ready for defense, the student is required to defend his or her thesis before an oral defense panel of three (3) persons knowledgeable in the relevant field of law.
- 2.A.4. The Thesis course, which includes preparation and defense, is graded numerically and carries an academic credit of six (6) units, computed as part of the student's quality point index (QPI) upon graduation.

2.B. *MASTER OF LAWS* THESIS

- 2.B.1. LL.M. students are required to prepare and defend a thesis on a subject of law, which is considered novel, and requires extensive discussion and analysis of laws, legal principles, and jurisprudence. The LL.M. thesis must demonstrate the candidate's original research and scholarship in his or her chosen LL.M. track. The preparation of the thesis is supervised by a thesis adviser chosen by the student who is a member of the ALS faculty, subject to the rules in Section 3 below.
- 2.B.2. The LL.M. thesis must be based on a previously approved thesis proposal and must contain at least 25,000 words, excluding footnotes.
- 2.B.3. Once the thesis is completed and certified by the thesis adviser as ready for defense, the student is required to defend his or her thesis before an oral defense panel of three (3) experts in the relevant field of law.
- 2.B.4. The Thesis course, which includes preparation and defense, is graded numerically and carries an academic credit of six (6) units, computed as part of the student's quality point index (QPI) upon graduation.

3. THESIS ADVISERS

- 3.1. A thesis proponent must choose a thesis adviser who is a faculty member of the ALS. The deadline for choosing the adviser shall be fixed by the Thesis Committee. In the event that a proponent fails to get a thesis adviser after the deadline, the Thesis Committee shall refer the student to the Chair of the appropriate ALS Academic Department based on the proponent's topic. The academic department Chair shall designate the thesis adviser, subject to the latter's acceptance
 - 3.1.1. All ALS faculty members may act as thesis advisers. However, those who do not have a teaching load for the current academic year cannot be thesis advisers, unless they have taught for at least one (1) semester in the last three (3) academic years prior to their selection by the students.
- 3.2. The appointment of a thesis adviser shall be effective from the moment of written acceptance by the faculty member, subject to the following:
 - 3.2.1. To allow the thesis adviser to spend more time with students under their supervision, a faculty member shall not act as adviser to more than five (5) thesis proponents, unless said the adviser assures the Thesis Committee in writing that he or she can still accommodate additional proponents without sacrificing the quality of mentorship due to each advisee. The assurance, notwithstanding, the GLSI Director shall have the discretion to assign another faculty member willing to supervise the thesis proponent if a thesis adviser has reached the limit of five (5) proponents. In no case shall a faculty member act as thesis adviser to more than ten (10) students.
 - 3.2.2. The members of the J.D. and LL.M. Thesis Committees may act as thesis advisers, except for the GLSI Director.
 - 3.2.3. Faculty members with recognized expertise and experience in the subject matter covered by the thesis proposal shall be preferred in the appointment as thesis adviser. Faculty members knowledgeable in the field are strongly urged to accept the nomination by the thesis proponent or the designation by the academic department Chairs or the GLSI Director, as the case may be.
- 3.3. Thesis advisers shall work closely with the students under their supervision. They shall have the authority to require amendment or revision of the thesis before they certify the thesis as ready for defense. They may fix their own deadlines for submission of drafts prior to the deadline set by the Thesis Committee for submission of the Final Draft.
- 3.4. The thesis adviser shall not certify the thesis as ready for defense if the grade obtained, taking into account the components under Section 3.6, is below 75% for J.D. students and 80% for LL.M. students. The thesis adviser shall instead require revision of the thesis.
 - 3.4.1. It is the responsibility of thesis proponents to ensure that their advisers have enough time to review the draft before the deadline for submission of thesis. Proponents may not use as excuse (*in case they fail to meet the deadline*) the fact that their advisers have required further revisions and/or amendments to their drafts.
- 3.5. When the thesis adviser is satisfied that the thesis is complete and meets academic standards, he or she shall certify the thesis as ready for defense on a form prescribed by the Thesis Committee. The certification by the thesis adviser shall be accompanied by a grade in a sealed envelope expressed in

numeric form, which, together with the grades given by the oral defense panel and the Thesis Committee, shall constitute the final grade for the Thesis course.

- 3.6. The certification to be issued by the thesis adviser shall be accompanied by a duly accomplished grading sheet. The grade to be given by the Thesis Adviser shall be broken down as follows:

Substance & content	50%
Form & presentation (including language used, logical flow, footnoting, order of presentation of legal issues and clarity of expression)	25%
Novelty of issue (including difficulty of issues presented, strength of conclusion and recommendations)	15%
Compliance with thesis adviser's requirements	10%
TOTAL	100%

4. THESIS SUBMISSION & ORAL DEFENSE

- 4.1. A thesis proponent must submit his or her ready-for-defense thesis in four clean printed copies, one copy in CD format, the Thesis Adviser Certification Form, the Certification of Non-Plagiarism, and the Thesis Adviser's Grading Sheet on the first day of the 1st semester, or on a date specified by the Thesis Committee. After the deadline for submission, no thesis shall be accepted for defense and the proponent shall receive a failing grade of 60% in the Thesis course. The student shall only be allowed to defend his or her thesis in the next school year, subject to further rules that the Thesis Committee may issue with regard to such failure to submit the thesis on time.
- 4.2. The schedule for oral defense shall be given a week after the deadline for submission of the final draft. The schedule for the oral defense of the J.D. students shall be set not earlier than the first month of the first semester of each school year and shall end not later than last month of the first semester. The defense of the LL.M. students may be set in the second semester of the school year.
- 4.3. The oral defense panel shall be composed of three (3) members, designated by the Thesis Committee. At least two (2) members of the oral defense panel must be members of the ALS faculty.
- 4.4. The presence of at least two (2) members of the oral defense panel shall be sufficient for the purpose of proceeding with the oral defense. Should only one (1) member appear, the Thesis Committee shall have the option to re-schedule the defense to a later date, or designate another ALS faculty member or a member of the Thesis Committee to act as a member of the oral defense panel. In the latter case, the oral defense shall be at a later hour, to give the new member sufficient time to prepare.
- 4.5. Each member of the oral defense panel shall grade the work of the proponent at the end of the oral defense. Grading sheets shall be provided by the Thesis Committee where each member of the panel shall put in their respective grades, broken down as follows:

Oral argumentation (including defense of positions taken, accuracy and relevance of cited authorities and application of doctrines cited)	60%
Form & written presentation	30%
Oral articulation of thesis summary and recommendations	10%
TOTAL	100%

- 4.6. In case of re-defense or revisions, the deadline for submission shall be determined by the Thesis Committee.
- 4.7. The re-defense shall be scheduled not later than the week before the Final Examination dates of the 2nd semester. No re-defense shall be scheduled after the last day of the 2nd semester.

5. GRADING

The Thesis Committee may require revisions of the thesis as to substance in two instances: the first is when the oral defense panel requires it in accordance with the rules below; and the second is when the oral defense panel deems it necessary as a condition precedent for the release of the grade they have given the proponent after the latter's defense following the rules below. In addition, the thesis committee may require revisions as to form, especially when there is failure to follow the format in citing sources under the Uniform System of Citation or the "Bluebook."

- 5.1. The Thesis Committee shall also grade the proponent based on form, substance, and content.
- 5.2. The average grade given by the members of the oral defense panel shall constitute 60% of the final grade, the grade given by the Thesis Adviser shall constitute 20%, and the grade given by the Thesis Committee shall constitute 20%.
- 5.3. In case the oral defense panel requires that the proponent makes revisions on his or her thesis, the following rules shall apply:
 - 5.3.1. If the oral defense panel considers the revision only "minor" in category or only in the form of "suggestions," it shall then give a final grade at the end of the oral defense and the revision shall be optional on the part of proponent.
 - 5.3.2. If the oral defense panel considers the revision as "major," then the oral defense panel can either not give a grade or give a provisional grade. In the latter case, the release of the grade will be conditioned upon the submission of the revised thesis, complying with the required revisions. At the discretion of the panel members, the provisional grade may be changed after submission of the revised thesis.
 - 5.3.3. In case majority of the oral defense panel could not give a grade of at least 75% for the J.D. students, and 80% for LL.M. students, the proponent would not be given a grade and would be asked to revise the thesis. The proponent shall consult with his or her thesis adviser in preparing the required revisions. After complying with the revisions, the proponent will receive an automatic 75% (J.D.) or 80% (LL.M.) for the defense component of the grade for the Thesis course. If the panel deems it necessary for the proponent to undergo a re-

defense, the highest grade that said proponent may receive as final grade is a 75% (J.D.) or 80% (LL.M.).

- 5.3.4. The Thesis Committee shall schedule the re-defense for proponents who were required the same within a period not later than one week before the fourth year students' final examinations. Where practicable, the re-defense panel shall be composed of the same members comprising the original oral defense panel. A proponent who has been required a thesis re-defense cannot receive a grade higher than 75% for J.D. students and 80% for LL.M. students in the final grade for the Thesis Course.

If the proponent refuses or fails to satisfactorily revise the thesis as required, or still receives a failing mark after re-defense, or refuses or fails to submit to re-defense, or fails to comply with any other thesis requirements necessary for passing the Thesis course, he or she will be given a failing grade of 60%. The student shall re-enroll in the Thesis course in the following academic year, and write a thesis covering a new topic and defend the same.

- 5.3.5. A proponent is only allowed to re-defend his or her thesis once.

6. PLAGIARISM

- 6.1. Notwithstanding the foregoing provisions, the Thesis Committee shall have the authority to stop the proponent from proceeding with his or her thesis defense, or to discontinue with the defense, if the same has already begun, should it come to the Thesis Committee's knowledge, before or during the defense, that the thesis has been plagiarized. If the plagiarism is discovered after the proponent has defended his or her thesis, the Thesis Committee shall invalidate the proponent's defense and give the thesis proponent a failing mark of 60% in the Thesis course.
- 6.2. Upon clear showing that plagiarism has been committed on the part of the thesis proponent and depending on the kind or extent thereof, the Thesis Committee shall have the authority to give the thesis proponent a failing mark of 60% in the Thesis course. The Thesis Committee shall also refer the case to the Committee on Academic Integrity and Plagiarism in accordance with the applicable Catalogue of the ALS.
- 6.3. "Plagiarism" is defined as the unauthorized use, without adequate attribution, of the published ideas, expressions or works of another, with the intent or through neglect to pass the same as his or her own in any written materials submitted, printed or published in any Law School publication or in compliance with academic requirements (*Rules and Regulations, Catalogue of the Ateneo de Manila Law School*). Notwithstanding any jurisprudence to the contrary, and in accordance with the exercise of the constitutionally-recognized "academic freedom," plagiarism is identified not through intent but through the act itself: the objective act of falsely attributing to one's self what is not one's work, whether intentional or out of neglect, is sufficient to conclude that plagiarism has occurred. One who pleads ignorance, appeals to lack of malice or alleges poor instruction from teacher or superiors, are not valid excuses. (*AdeMU Code of Academic Integrity, with addition*)

Plagiarism includes the absence, inadequate, incomplete or improper acknowledgment, such as:

- Direct duplication of the thoughts or work of another, including by copying material, ideas or concepts from a book, article, report or other written document (whether published or unpublished), composition, artwork, design, drawing, circuitry, computer program or software, web site, Internet, other electronic resource, or another person's assignment without appropriate acknowledgement;

- Paraphrasing another person's work with very minor changes keeping the meaning, form and/or progression of ideas of the original; and
- Piecing together sections of the work of others into a new whole.¹

7. AWARDS AND PUBLICATION FOR J.D. THESIS

- 7.1. The Thesis Committee shall ask the advisers and the members of the oral defense panel to assess the thesis whether the same can be nominated for best thesis.
- 7.2. Copies of the ten (10) theses that received the highest grades shall be forwarded to the ALS Awards Committee, which shall decide on the awards for the first, second, and third best thesis. In proper cases, the nominations of the advisers and members of the oral defense panel shall be taken into account.

8. FUNDAMENTALS OF THESIS WRITING COURSES

- 8.1. The FOTW I and FOTW II courses shall be offered in the junior year. The course outline or syllabus shall include, in addition to instructional guides for the preparation and writing of a thesis, actual training in the preparation of the thesis proponent's chosen topic. As a minimum requirement for passing FOTW II, students enrolled in this course must have an approved thesis title, proposal, and acceptance by the thesis adviser by the end of the 2nd semester. The approval of the thesis proposal by the Thesis Adviser must also be completed as a condition for passing the FOTW II course.
- 8.2. Third year students are strongly encouraged to conduct research and commence writing of their theses while enrolled in the FOTW I and FOTW II courses.
- 8.3. Grades for these courses are also expressed in numerical form.

AMPARITA S. STA. MARIA

Director

Graduate Legal Studies Institute

¹<http://education.arts.unsw.edu.au/media/File/2_GENT1501_Gifted_and_Talented_Students_Recognition_and_Response_S1_2010.pdf>; also in GUIDELINES AND RULES ON STUDENT PLAGIARISM HANDBOOK FOR STUDENTS (As at 1 June 2005 - for coursework students only) by the University of New South Wales, adopting the same from the University of Melbourne.