DOCTOR OF THE SCIENCE OF LAW (JSD)

The Doctor of the Science of Law at Nebraska Law is a doctoral degree for students wanting to do advanced research in Space Law and to produce a book-length thesis on a Space Law topic. This program breaks new ground as the only doctoral-level space law program in the United States. The University of Nebraska College of Law is the only law school in the United States offering this degree.

Research-focused and dissertation-based, the J.S.D. program requires students to write a book-length thesis about an aspect of space law. The degree broadens opportunities for experienced lawyers and legal scholars to delve into the very intricate and complex issues facing the regulation of outer space activities in an in-depth manner. The expectation of the program is that upon completion, the dissertation will be published as a book.

There is no classroom curriculum for this program, either in-residence or on-line. The sole substance of the program is writing a dissertation, a publishable book-size manuscript under faculty supervision. The only requirements of physical presence at Nebraska Law are upon admission to the JSD program, to arrange for all further administrative details and meeting a few key people, and a week or two at the very end, namely for the purpose of the defense of the dissertation. In between, essentially based upon the synopsis and provisional table of contents (acceptance of which is a condition for admission), the candidate will send in draft chapters, receive faculty comments, incorporate them into next drafts and go on to the next chapters, until finally a full-fledged manuscript may be accepted for defense.

International and Distance Students
The J.S.D. program is open to international and distance students. The program may be completed remotely. Nonresident students are required to visit the Law College during the first month of their starting semester for a minimum of one week. Students will return to Nebraska Law at the end of their program for their Dissertation Defense.

Faculty
Professor Frans von der Dunk, the Harvey & Susan Perlman Alumni and Othmer Professor of Law, will supervise most of the J.S.D. students.

http://law.unl.edu/spacecyberlaw/

Program of Study
Upon enrollment, candidates will work with the principal supervisor in structuring their research (based upon the research proposal), approach and completion schedule. The supervising faculty member will regularly interact with the student in order to allow proper monitoring of progress. The work program of the JSD-SL student is a matter to be agreed upon between the supervisor and the student. At a minimum, every candidate is required to submit a written work-in-progress report to the supervisor by the 15th of January and the 15th of September of each year and to discuss the work to be done in the subsequent semester. A copy of the progress report must be sent to Dean of the College of Law.

The research and writing will all be done by the student, although the principal supervisor may guide and advise the student’s research and analytical and methodological approach.

Completion of the dissertation
Successful completion of the JSD-SL Program and award of the JSD-SL degree depends on submission of a dissertation of publishable quality that constitutes an original and substantial scholarly contribution to the area(s) of law agreed between the student and the supervisor. While word length is not evidence of quality, ordinarily the dissertation will be between 100,000 and 150,000 words (main text and footnotes or endnotes only) in length.

No less than six (6) months before the intended date of graduation, the candidate shall submit a first complete draft of the doctoral dissertation to his or her dissertation supervisor(s). The supervisor(s) shall give detailed feedback to the candidate regarding any changes or improvements required before the dissertation will be accepted as final. This feedback shall be provided within two (2) months.

On the basis of the feedback, the candidate shall submit the final draft of the dissertation to the principal supervisor no later than eight (8) weeks before the intended date of graduation. The final draft may be in digital form to facilitate review by the Defense Committee. After the dissertation is successfully defended, the candidate shall arrange for it to be printed and bound in accordance with appropriate guidelines.

Oral Defense of the Doctoral Dissertation
Once a dissertation has been accepted as final by the principal supervisor, the Associate Dean for Students, in consultation with the principal supervisor, shall schedule a dissertation defense and compose a Defense Committee. The Defense Committee shall consist of three (3) voting members. One of the three (3) voting members shall be either the principal supervisor or (if applicable) the co-supervisor; the other two (2) shall be full-time members of the faculty. With the consent of the Dean of the College of Law and the principal supervisor, an individual from outside the College of Law may serve as one of the three Defense Committee members.

Thirty days prior to the scheduled defense of the dissertation, the candidate must submit to the Dean of the College of Law a summary of the dissertation (no longer than one page) for the public announcement of the defense. The announcement shall contain a summary of the dissertation, which contains a brief statement of the principal results and conclusions. If the candidate has published any scholarly articles relevant to the topic of the dissertation, bibliographical references should be included in the summary. The Dean will ensure that a copy of the announcement is sent to every full time member of the College of Law faculty, as well as other potentially interested members of the academic community.

The Associate Dean for Students shall arrange for a person with appropriate skills and resources to attend the proceedings of the Defense Committee and to record those proceedings.

The defense shall be an oral examination before the Defense Committee and any interested public during which the candidate first presents his or her research result in oral format (30-45 minutes). The presentation by the candidate shall be followed by a period of questions by all members of the Defense Committee. The questions shall cover both the written dissertation and any issues brought up in the candidate’s presentation. After the questions by the members of the Defense Committee, the Committee may invite questions or comments from the audience before declaring the end of the oral examination.

A defense shall be successful and a JSD-SL degree shall be awarded if all three voting members of the Defense Committee vote in favor of the
candidate. A vote in favor may be conditioned on the candidate making revisions to the dissertation, in which case the principal supervisor shall report to the Defense Committee when the revisions have been made. If the decision is not unanimous, majority and minority reports may be submitted to the Dean of the College of Law, who will determine whether a new defense shall be scheduled with different examiners. If another defense is scheduled, the candidate may be given time to make improvements to the dissertation. The dissertation shall pass if it is either approved by the Dean of the College of Law or by all members of a new Defense Committee. In exceptional cases a JSD-SL degree shall be awarded with distinction if all three voting members of the original Defense Committee so decide.

Graduation
JSD-SL candidates who have successfully defended their dissertation shall be entitled to participate at the subsequent commencement proceedings of the College of Law and take part in a hooding ceremony at that event. Successful graduates will receive their diplomas at the next regularly scheduled commencement proceeding.

Other aspects
During their enrollment in the program, candidates will have the opportunity to interact with the faculty of the College of Law as well as with students enrolled in the LL.M. Program in Space, Cyber, and Telecommunications Law; they also will have the opportunity to participate in conferences and other events organized by that program.

The expected duration of the doctoral program is between two and three years. Early submission of the dissertation is possible after approval by the supervisor. The dissertation must be complete, submitted and successfully defended within five (5) calendar years of matriculation into the JSD-SL Program. During the five-year period, students are entitled to request one leave of absence of up to two (2) years, subject to approval by the Dean of the College of Law. A leave that has been approved does not count against the five-year maximum duration of the program.

Every admitted JSD-SL candidate is expected to be in residence at the College of Law for a minimum of one week in the first 3 months following matriculation, so as to meet and interact with faculty and students enrolled in the LL.M. Program in Space, Cyber and Telecommunications Law, and finalize arrangements necessary to communicate effectively with his or her supervising faculty member and others at the College of Law. In addition, every candidate is required to be in residence at the College of Law for a minimum of one week at the very end of the program, just prior to and including the time at which the candidate presents the oral defense.

Every candidate is entitled to be in residence during the entire Program. “In residence” for this purpose shall mean regular physical presence accompanied by active participation in the academic life of the College of Law and shall include, but not be limited to: regular consultations with the candidate’s dissertation supervisor; attendance at or participation in faculty colloquia and other events at the College of Law / University of Nebraska-Lincoln; and general support from College of Law / UNL staff as appropriate. When in residence, at the discretion of the supervisor(s), a candidate can be required to make a presentation of his or her research work before the faculty or another group of scholars. Candidates may also be invited to give lectures to students and/or seek appointment as adjunct faculty to co-teach or teach courses in their area of specialization. In the absence of residence beyond the minimum referred to above, regular communication between the candidate and the principal supervisor is required to ensure due progress with the dissertation.

Application Requirements
Applicants must submit a detailed and specific research proposal and obtain the agreement of a member of the space, cyber, and telecommunications law faculty (most likely Professor von der Dunk) to review and potentially supervise the doctoral dissertation prior to applying. Proposals should be 3 to 6 pages long with a one-page table of contents. It should describe the precise issue to be addressed, the importance of that issue, and the relevant laws to be discussed. Proposals should be 3 to 6 pages long with a one-page table of contents. It should describe the precise issue to be addressed, the importance of that issue, and the relevant laws to be discussed.

The Applicant must hold a JD or LL.M. from an ABA-accredited American Law School; a PhD on a related subject; or a comparable Master of Laws or LL.M. degree from an international institution. The Applicant must submit certified transcripts verifying these degrees. Waiver of this requirement will be possible but very rare.

A proven expertise and/or educational background in Space Law (for example, professional positions, LL.M., specialization in a J.D. program, publications on space law in reputable journals, participation in a reputable space law moot court, etc.) presented via resume or curriculum vitae.

Two Letters of Recommendation from individuals who are familiar with the Applicant’s academic work and potential to succeed in the program. The letters of recommendation must be written in English.

Applicants from non-English speaking countries must submit a TOEFL score of 100 internet-based or 250 computer-based or 600-603 paper-based.

Applicants must apply through the Law School Admissions Council (LSAC) online J.S.D application.

Applicants must pay a $50 Processing Fee

Apply by creating an account at LSAC.org (http://law.unl.edu/LSAC.org) and selecting the application for the correct program.

Tuition & Budget Projections

Budget Projections
The tuition for the JSD-SL degree will be $30,000. This includes all fees and covers all of the services to which the candidate is entitled, such as technology and library use, as described above. This amount will be payable as follows. For each of the first four (4) semesters during which the candidate is enrolled as a JSD-SL student, the candidate will pay $7,500 at the beginning of each semester, at the same time that the first installment of regular JD tuition is due from JD students. During this four-quarter period, and for the subsequent two quarters, the candidate may defend and file his or her dissertation and receive the degree at no extra cost. If the candidate files prior to the end of the fourth quarter, the full $30,000 must be paid prior to the scheduling of the dissertation defense. If the candidate files the dissertation after the sixth quarter as a JSD candidate, there will be a one-time charge of $5,000. This charge must be paid in full before the dissertation defense can be scheduled. If the candidate does not successfully defend the dissertation the first time he or she tries, the candidate will be allowed one more attempt to defend and receive the degree at no extra charge,
regardless of the timing of that defense, as long as it is within the overall five-year period for completing the degree.

Evidence of Need and Demand; Enrollment Projections

Interest in a JSD-SL Program has already manifested itself over the last several years by a handful of candidates approaching Professor Frans Von der Dunk, the space law expert on the Law College faculty, regarding opportunities to participate in a JSD or similar program in space law. At least one of them is ready to commence a JSD if it existed now.

As experience from comparable programs has shown, graduates from this program will be sought after by universities and other academic institutions for academic career positions, as well as by employers (public and private) looking for experts in international law, including space law, who are able to conduct academic-level legal research in new and highly complex areas, and hence are able to contribute substantially to solutions to the problems arising in specific legal fields, such as the intersections of space law with cyber law, telecommunications law, the law of armed force, intellectual property rights, export control law, international trade and business law, property rights law, tort law, contract law, insurance law, and so on.

The program would complement the LL.M. Program in Space, Cyber and Telecommunications Law and would further enhance the standing of that program and the UNL College of Law within the Big Ten, U.S. and global communities of academic institutes dealing with highly-complex legal problems facing today’s society.

In view of the high degree of specialization, it is anticipated that on average about one student will be admitted to the program every year or two. Maximum capacity for the program would be 2-3 students per year. Because of the uniqueness of the program, it is likely the program will draw students to enroll that would not have been attracted by other UNL post-graduate programs or even other post-graduate programs worldwide.

For additional information, contact:
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