

**Study Regulations for the Master's Programme "Legal Theory" for the "Master of Law (LL.M)" offered by the Law Faculty at the Johann Wolfgang Goethe University Frankfurt am Main, dated 13 June 2018.**

**Approved by the Presiding Committee on 24 July 2018**

Based on §§ 20, 44 para. 1 of the Higher Education Act of the State of Hesse in the version of 14 December 2009, last amended by the Law of 18 December 2017, on 13 June 2018 the Faculty Council of the Law Faculty at the Johann Wolfgang Goethe University Frankfurt am Main enacted the following Study Regulations for the Master's Program "Legal Theory". The Presiding Committee of the Johann Wolfgang Goethe University approved these Regulations in accordance with § 37 para. 5 of the Higher Education Act of the State of Hesse on 24 July 2018. They are hereby made public.

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**Abbreviations:**

GVBl. Law Reporter for the State of Hesse (*in German: Gesetz- und Verordnungsblatt für das Land Hessen*)

HHG Higher education Act of the State of Hesse (*in German: Hessisches Hochschulgesetz*) dated 14

December 2009 (GVBl. part I, p. 666) as last amended by Article 1 of the Law of 18. Dec. 2017 (GVBl. p. 510)

HImmaVO    Enrolment Regulation of the State of Hesse (*in German: Hessische Immatrikulationsverordnung*) dated 24 February 2010 (GVBl. part I, p. 94) as last amended by regulation on 1 February 2017 (GVBl. p. 18, 45)

RO            Framework Regulation for tiered and modulated study courses (*in German: Rahmenordnung für gestufte und modularisierte Studiengänge*) of the Johann Wolfgang Goethe University Frankfurt am Main dated 30 April 2014, last amended 25 February 2015

convenience translation only

## **Part I: General**

### **§ 1 Scope (RO: § 1)**

These regulations contain the course-specific regulations for the postgraduate Master's programme "Legal Theory". It is applicable in conjunction with the Framework Regulation for tiered and modulated study courses (*in German: Rahmenordnung für gestufte und modularisierte Studiengänge*) of the Johann Wolfgang Goethe University Frankfurt am Main dated 30 April 2014, originally published in "UniReport Satzungen und Ordnungen" dated 11 July 2014 and as amended from time to time, hereinafter referred to as "RO".

The postgraduate programme is offered by the Law Faculty in association with the partner universities of the European Academy of Legal Theory, as set forth in these study regulations.

The partners, which are parties to a separate cooperation agreement in which they have agreed to specific contributions to the programme, are as follows: University of Bologna, Université Libre de Bruxelles, University of Glasgow, Jagiellonian University Kraków, University of Lucerne, University of Stockholm and the European Academy of Legal Theory legally represented by the Association européenne pour l'enseignement de la théorie du droit (AEETD, Brussels).

### **§ 2 Aim of the Master's examination (RO: § 2)**

(1) A successfully completed Master's programme provides an additional degree conferring professional qualification. The Master's examination serves to assess whether the students have achieved the goal of the Master's programme. The examinations are cumulative, i.e. the Master's examination consists of the entirety of the module examinations of the programme "Legal Theory" and the Master's thesis.

(2) The cumulative nature of the Master's examination serves to assess whether the students have acquired in-depth knowledge in the areas under examination, understand the internal correlations within the subject, are able to apply academic methods and knowledge in an independent manner, and whether they are prepared to transition into the professional world.

### **§ 3 Academic degree (RO: § 3)**

Upon successful completion of the studies and the examinations, students will be awarded the academic degree of Master of Laws, in short LL.M., by the Law Faculty.

### **§ 4 Standard period of study (RO: § 4)**

(1) The standard period of study for the Master's programme "Legal Theory" is two semesters. The programme may be finished in less time.

(2) The Master's programme "Legal Theory" is a postgraduate Master's programme.

(3) Completion of the Master's programme "Legal Theory" requires 60 Credit Points – hereinafter CP – pursuant to § 11. In order to reach Master's level, and taking into account a first degree conferring professional qualification as well as any further recognised qualifications, 300 CP are required (presupposing 240 CP for entering the Master).

The Law Faculty, together with the cooperation partners, shall offer a range of courses and shall determine appropriate dates for examinations to ensure that students can complete their studies within the designated time frame.

### **§ 5 Study abroad (RO: § 5)**

(1) It is recommended that students plan for at least one semester at a foreign university, or an equivalent stay abroad, in the course of their Master's studies. Students may take advantage of the Goethe University's cooperation with foreign universities; information on this can be obtained from the subject-specific guidance service and from the International Office.

(2) It is recommended to undertake studies at a foreign university / spend time abroad in the second semester. The modules devised for this period are particularly suited to being completed at a university abroad and recognised at the Goethe University.

## **Part II: Programme objectives; start of studies and admission requirements**

### **§ 6 Programme objectives (RO: § 6)**

(1) The Master's programme aims to further consolidate academic knowledge and to complement professional practice for graduates of legal and other related studies, in particular social sciences. European and international legal systems are growing progressively closer. This increases the demand for well-qualified graduates who do not only demonstrate knowledge of supranational and international areas of law, but who also have specific competences in the area of legal foundations (in particular, legal philosophy and legal theory, legal sociology, history of law and comparative law). In teaching these foundations, the programme includes a view to practical application while at the same time striving to convey a high degree of methodological competence.

(2) Students who successfully complete these studies will be qualified to take up any practical or academic legal work, irrespective of the chosen area of law, that requires the abovementioned competences in legal foundations. The academic side of this programme is designed to convey these legal foundations as part of a comprehensive, national and international academic theoretical discourse and to enable the programme participants to engage in this discourse. Furthermore, the programme teaches intercultural competences that enhance a mutual understanding of diverse societies.

### **§ 7 Start of studies (RO: § 7)**

Students must start their studies in the winter semester.

### **§ 8 Admission requirements for the Master's programme and the Master's examination; Admissions Committee (RO: § 9)**

(1) The following general requirements must be fulfilled for admittance to the Master's programme:

- a) successful completion of legal studies with either the first state examination, the first examination, or a bachelor's examination after a standard period of study of (as a rule) eight semesters
- b) a degree from a German university, or a degree from a German technical college, that is at least equivalent and

covers a related subject, or

c) a degree from a foreign university that is at least equivalent in a course that covers the same or a related subject and has a standard period of study of (as a rule) eight semesters.

(2) Furthermore, applicants must provide proof that they have

a) after finishing their studies, worked for (as a rule) at least one year in a relevant field in the private or government sector or for a company, association, administration or court of law, such work not being a compulsory part of the preceding studies;

b) paid the fee as determined by the Presiding Committee pursuant to § 16 para. 3 HHG.

(3) Appendix 1 sets forth the specific admissions requirements.

(4) Furthermore, applicants must prove English language skills at, as a rule, level C1 (but as a minimum at level B1) of the European Council's "Common European Framework of References for Languages" dated September 2000. Proof of such language skills can be provided, in particular, by way of the TOEFL (minimum 100) or the IELTS (minimum 7), or by way of another suitable proof. Such proof should be no older than two years. If the applicant's preceding degree is in a study course that was taught exclusively in English, or if the applicant is a native English speaker, such shall also count as sufficient proof of language skills.

(5) Admission to the Master's programme shall be determined by an Admissions Committee, which shall be composed of, at a minimum:

a) two professors who are accredited to take examinations in the Master's programme,

b) one or two academic assistants,

c) one student representative who is either currently enrolled in the Master's programme, or has completed the programme, in a non-voting capacity.

(6) The Admissions Committee determines the number of participants in the programme. It decides on the admission of an applicant based on the written documentation submitted with the application. There is no legal claim to be admitted to the programme. In the case of applicants with fewer than 240 CP from their first degree, the Admissions Committee shall assess, on a case-by-case basis, whether recognition of knowledge and skills acquired outside university, for example relevant practical work experience pursuant to § 8 para. 2a, may serve as proof of qualification as defined in the admission requirements. It is possible to obtain recognition of at up to 60 CP this way.

(7) Admission to the programme also means that the applicant is admitted to the Master's examination.

(8) It is advisable for foreign applicants to have German language skills at level B1 of the Common European Framework of References for Languages.

### **Part III: Structure and organisation of the studies**

#### **§ 9 Structure; modules (RO: § 11)**

(1) The Master's programme "Legal Theory" is a so-called single subject programme.

(2) The Master's programme "Legal Theory" is a modular course. A module is a teaching and learning unit which is complete in itself regarding time and content. It comprises a set of classes with interrelating content including practical phases, project work, and independent studies and is focused on achieving a pre-defined learning outcome. Modules cover one to two semesters.

(3) The obligatory part of the Master's programme "Legal Theory" is divided into four compulsory modules (including the Master's thesis) and three compulsory electives.

(4) The following types of modules are offered: compulsory modules including the Master's thesis, or compulsory electives which have to be chosen from among a predetermined catalogue of modules.

(5) Based on the allocation of modules to the different phases of the programme, on the degree to which they are obligatory, and on the workload for students in CP as calculated in accordance with § 11, the structure of the Master's programme "Legal Theory" is as follows:

(compulsary)	Compulsory (PF)/ (compulsory) Elective (WP)	Credit Points (CP)	Comments
<b>Phase 1</b>	<b>PF</b>	<b>23</b>	
Module A Jurisprudence	PF	9	
Module B Theory of Comparative Law, Global Law; European Integration	PF	9	
Module C Legal Methods	PF	5	
<b>Phase 2</b>		<b>21</b>	
Module E1 Law, History, and Culture	WP	7	E1 or E2 or E3 (in the first semester)
Module E2 Law, Society, and Culture	WP	7	
Module E3 Law, Science, and Technology	WP	7	
Module E4 Formation of Normative Orders	WP	7	2 modules chosen from E4-E7 (in the second semester)
Module E5 Law and Economy	WP	7	



Module E6	WP	7
Global Law		
Module E7	WP	7
Law, Language and Reasoning		
<b>Final phase</b>		<b>16</b>
Module D Master's thesis	PF	16
<b>In total</b>		<b>60</b>

(6) The faculty council may decide to restrict the eligibility of electives if such is necessitated by a lack of capacity. The dean's office will communicate such restrictions to the students without delay.

It is possible that further electives are admitted by order of the faculty council and without the need to amend these regulations, provided that these electives are equivalent to the electives covered in these regulations regarding volume and requirements. § 14 para. 1 must be taken into account.

(7) The module classes are divided into compulsory classes and compulsory elective classes. Form and content of compulsory classes are precisely determined in the module descriptions. Compulsory elective classes are elective modules or lectures that students must choose within a specific module from a specific field or a specific thematic area.

(8) Where classes of a module are designed to be taken in sequence, students are bound by such sequence pursuant to the module description.

(9) Students of the Master's programme "Legal Theory" may, subject to availability of spaces, ask to be examined or tested in other modules than those listed in these regulations (additional modules). The result of such examination will not be included in the overall grade of the Master's examination.

## **§ 10 Module descriptions (RO: § 14)**

For each compulsory and elective module, Appendix 3 contains a module description pursuant to § 14 para. 2 RO. The module descriptions form an integral part of these regulations.

## **§ 11 Scope of studies and modules; Credit Points (CP) (RO: § 15)**

(1) Each module is allocated Credit Points (CP) based on the European Credit Transfer System (ECTS), taking into account the resolutions and recommendations of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder and of the Standing Conference of Rectors at German universities. The CP system enables the transfer of completed work to other study programmes at the Goethe University or another university and vice versa.

(2) CP are a quantitative measure for the workload that a student of average skill and talent must expend for successful completion of the module in question regarding contact hours, participation in external practical work experience or excursions, preparation of material and homework, preparation and elaboration of their own

contributions, and examinations (hereinafter "Workload"). One CP is equivalent to a Workload of 30 hours. The maximum number of hours regularly allotted to a study year is 1,800. Thirty (30) CP are equivalent to the average workload per semester.

(3) The Master's degree "Legal Theory" requires 300 CP, including undergraduate studies up to the first degree conferring professional qualifications.

(4) CP are awarded only for modules that have been successfully completed in full.

(5) The Examination Office – or, by delegation, the academic management – creates a CP account for every student enrolled in the programme. Subject to organisational possibilities, students may access their CP account at any time.

(6) The Workload will be monitored as part of the evaluation pursuant to § 12 paragraphs 1 and 2 HHG and as part of the re-accreditation of the study programme and will be adapted to the actual workload established by way of this evaluation.

## **§ 12 Teaching and learning formats; access to modules (RO: § 16)**

(1) Classes in the Master's programme are offered in the following formats:

- a) lectures: the lecturer presents and conveys basic and specialised knowledge as well as knowledge of methods, where appropriate in conjunction with demonstrations or experiments. Content is developed and conveyed in a interaction between lecturers and students;
- b) practice sessions: students process teaching material to consolidate their knowledge; they are taught in subject-specific methodology and acquire specific skills by working on and discussing sample tasks;
- c) seminars: students acquire academic knowledge, or work on current problems and issues, by applying academic methodology; this is based on contributions prepared (as a rule) by students and on the acquisition, practice and consolidation of presentation and discussion techniques;
- d) private study hours: independent study of course content, preparation for and follow-up of lectures and practice sessions, preparation for tests.

(2) If the module description stipulates that access to the classes of a module depends on successful completion of other modules or on consulting the university's course guidance services, or if the module description makes participation in a particular class conditional on a participation record or performance record obtained in another class, fulfilment of such conditions shall be verified by the lecturer of the class in which the student wishes to participate.

(3) The module description may stipulate that participation in the module, or in specific classes of the module, requires binding registration. Students will be informed in a timely manner whether and in what form such binding registration is required.

## **§ 13 Study records (performance and participation records) (RO: § 17)**

(1) During the studies, study records (performance records and attendance records) serve as proof of due participation in the course (prerequisite for admission to exams) and, combined with the CP for successful completion of the module examination, as prerequisite for awarding the CP required by the module. The following provisions apply:

(2) If the module description requires regular attendance in classes, such attendance will be documented by way of attendance records or attendance lists. The lecturer of the relevant class determines the form of such

documentation. A record of regular attendance does not in itself constitute course work pursuant to para. 5.

(3) Regular attendance is given if a student attends all individual sessions scheduled by the lecturer in the course of a semester. Regular attendance is also given if a student has missed up to three sessions in a class comprising 15 sessions, or has missed 20 per cent of classes in the case of fewer sessions. If a student has missed more sessions than permitted as per the foregoing due to reasons beyond his or her control, such as illness, supervision of a child in their household or caring for a close relative (child, parent, grandparent, spouse, civil partner) or because they have been elected or appointed as member of the academic or student council, the module manager determines if and in what manner an equivalent performance is required and appropriate. The provisions of § 23 regarding compensation for disadvantages must be taken into account.

(4) By way of derogation from para. 2, the module description may require not only regular attendance of a class pursuant to para. 2 but also active participation in the class for students to obtain an attendance record. However, the module description may also simply require active participation. Such active participation consists of minor tasks such as keeping minutes, short oral presentations and group work, as determined by the lecturer. Such performances are neither graded nor assessed as pass/fail.

(5) A performance record for a class as proscribed by a class's module description serves to document successful completion of course work. Course work is successfully completed if the lecturer grades it as "pass" or, pursuant to § 32 para. 3 with the grade "positive", in accordance with the module description. In the case of group work, the individual performance must be clearly distinguishable and capable of being assessed individually. The grades awarded to course work do not form part of the module grade.

The lecturer may also require that in order to obtain a performance record, students must attend classes regularly as provided for in para. 2 above.

(6) Course work can be, in particular, any of the following:

- in-class essays
- written work or term papers
- seminar presentations (with or without written documentation)
- expert discussions
- work reports, project reports
- exercises
- tests
- literature reviews or documentation
- excursions

The lecturer shall communicate form and time frame for the course work to the students at beginning of the semester. The criteria for awarding a performance record may not be altered during the semester in a way that constitutes a disadvantage for the students. The lecturer may allow students to rewrite a written task for improvement within a specified time frame.

(7) Students shall produce non-supervised written work in accordance with good academic practice. When submitting the work, the student must include a written declaration that it has been prepared independently and

that all sources and resources that were used are listed in the work. Furthermore, such declaration must include a statement that the work has not yet been submitted, in whole or in part, as course work or exam work in another study programme. § 24 para. 1 applies. In order to verify that the work has been produced in accordance with good academic practice, lecturers may request that students submit non-supervised written work in an appropriate electronic format. The Examination Committee shall provide for detailed regulations.

(8) Course work graded as “pass” cannot be repeated. Failed course work may be repeated without limitation.

## **§ 14 Study plan; information (RO: § 18)**

(1) The study plan attached as Appendix 3 serves to help students design their studies in a focused manner. It takes into account content correlations between modules and organisational issues related to the overall range of classes on offer.

(2) The faculty will create a dedicated website for the Master’s programme “Legal Theory”. This website will contain up-to-date general information and provisions regarding the programme as well as the study plan and – if modules are imported or exported – a list of the current offer of the programme’s imported and exported modules.

(3) Based on the module descriptions and the study plan, the faculty creates a course catalogue for the Master’s programme “Legal Theory”. This catalogue contains annotated descriptions of the content and organisation of the classes on offer. It is updated for each semester and should be published in the last week of lectures of the preceding semester.

## **§ 15 Study guidance services; orientation (RO: § 19)**

(1) Throughout the entirety of their studies, students can consult the study guidance services for the Master’s programme “Legal Theory” offered by the Law Faculty. The study guidance services are provided by people appointed by the Dean of Studies (*in German: Studiendekan*). The study guidance services provide support for students in particular regarding the design of their studies, study techniques and choice of classes. Students are encouraged to avail themselves of study guidance services in particular:

- at the beginning of the first semester;
- if they have failed an examination or failed to achieve required performance records;
- if they struggle with specific classes;
- if they want to change their course or university.

(2) Apart from the subject-specific study guidance services, students can also avail themselves of the services offered by the Central Student Advisory Services of the Goethe University. These provide general study guidance services regarding study possibilities, content, structure and requirements of studying, and offer counselling in cases of study-related personal difficulties.

(3) Before the start of the lecture period for each semester in which students can commence their studies, there will be an orientation event. New students are invited to such events by notice or in another form. Orientation events offer information about the structure and overall design of the study programme as well as about semester-specific details. Students have the opportunity to ask, in particular, about the organisation of their studies.

## **§ 16 Academic management and module management (RO: § 20)**

(1) The dean of studies of the Law Faculty is in charge of the academic management of the Master's programme "Legal Theory", unless the faculty council, acting upon the Dean of Studies' suggestion, delegates this function for a period of three years or more to a member of the professors' group who is accredited to take examinations in a Master's programme. The person so designated (hereinafter: Academic Head) is a consulting member of the Academic Commission (*in German: Studienkommission*) and shall, in particular:

- coordinate the programme's classes and examinations in cooperation with the module manager and, if appropriate, in cooperation with other faculties;
- create and update lists of examiners;
- in cooperation with the Academic Commission, evaluate the study programme and implement, if necessary, any resulting measures in order to ensure high quality (cf. § 6 of the Regulations for Evaluating Teaching and Studies);
- if appropriate, appoint the module manager (para. 2 notwithstanding).

(2) The programme's Academic Head will appoint a module manager for every module from among the teaching staff. In the case of modules that are available across several faculties, the module manager is appointed in consultation with the Dean of Studies of the relevant faculty. The module manager must be a professor or a permanent member of the teaching unit in charge of the module. The same applies to module managers for modules offered by partner universities. The module manager is responsible for coordinating all module-related content and is in charge of organisational issues as assigned to her or him by these regulations, in particular regarding the organisation of the module examination. In case of absence, the study programme's Academic Head will assume the module manager's tasks.

## **Part IV: Examinations**

### **§ 17 Examinations Committee, Examinations Office (RO: § 21)**

(1) The Faculty Council will establish a joint Examination Committee for all study programmes offered by the faculty.

(2) The Examination Committee shall consist of five members and shall include two members of the Law Faculty's professors' group, one member of the Law Faculty's academic staff, one law student and the Dean of Studies and their alternates.

(3) The members of the Examination Committee, as well as their alternates, are elected by the Faculty Council upon nomination by their respective groups. A student member holds office for one year, the other members for two years. Re-election is possible.

(4) In matters concerning a member of the Examination Committee, the member in question shall not exercise his or her functions and shall be represented by his or her alternate. This does not apply to situations of a strictly organisational nature.

The Examination Committee is chaired by the Dean of Studies.

The Deputy Chair is elected from among the professorial members of the Examination Committee or their alternates. The Chair is in charge of managing the Examination Committee's affairs, sends out invitations to meetings of the Examination Committee and presides over all discussions and the passing of resolutions. As a rule, the Examination Committee shall meet at least once per semester; it must meet if so requested by at least two of its members.

(5) The meetings of the Examination Committee are not open to the public. The Examination Committee is quorate

when at least half of its members, including the Chair or Deputy Chair, are present and the members of the professors' group hold a majority. Resolutions can be passed only by consent of the majority of the committee's members present. In case of a tie, the Chair's vote decides. The committee's meetings shall follow the procedural rules laid down in the Joint Rules of Procedure for Committees (*in German: Geschäftsordnung für Gremien*) of the Goethe University.

(6) The Examination Committee may delegate some of the tasks listed in § 18 to the Chair for sole execution and decision. The members of the Examination Committee or the affected candidate may file protest against decisions thus taken. The Chair of the Examination Committee may delegate the execution of tasks to the Examination Office, which acts as office for the Examination Committee and conducts the Examination Committee's current affairs as instructed by the Examination Committee or its chair.

(7) Similarly, the Examination Committee may delegate tasks to the Admissions Committee or to the Academic Head of the Master's programme. In this case, the duties listed for the Examination Committee in the following shall apply mutatis mutandis.

(8) The Examination Committee's members and their alternates are subject to confidentiality obligations by reason of public office. Committee members who are not civil servants must be instructed as to their confidentiality obligations by the Chair, and they must sign a confirmation that they will comply with these confidentiality obligations, such confirmation to be kept on record.

(9) The Examination Committee's members are entitled to observe oral examinations.

(10) Subject to the rules of data protection laws, the Examination Committee can publish rulings, dates and other decisions by posting them on the Examination Office's notice board, or by any other appropriate means pursuant to § 41 of the Administrative Procedure Act of the State of Hesse; such publication is legally binding.

(11) A candidate must be notified without delay and in writing of any negative decisions by the Examination Committee or its Chair. The notification must contain the reasons for the decision as well as instructions on the right to appeal. Before taking such decision, the candidate must be heard.

## **§ 18 Tasks of the Examination Committee (RO: § 22)**

(1) The Examination Committee and the Examination Office in charge of the Master's programme "Legal Theory" are responsible for the organisation and proper execution of the examinations for this programme. The Examination Committee monitors compliance with these regulations and, in case of doubt, decides on their interpretation. The Examination Committee decides any exam-related issues that are not assigned to another organ, committee or to the Chair of the Examination Committee by regulation or ordinance.

(2) As a rule, the Examination Committee is in charge of the following tasks in particular:

- deciding whether a candidate is admitted to the Master's programme; this includes deciding whether the candidate has to make up for course work or examination work in a Bachelor's programme as well as deciding whether to grant preliminary admittance;
- setting examination dates and periods as well as deadlines for registering for and withdrawing from the examinations, and making this public;
- appointing the examiners;
- deciding whether a candidate is admitted to an examination;
- deciding whether course work and/or exam work is credited pursuant to §§ 26, 27 and whether such crediting is conditional upon the student making up for course work and exam work;

- calculating and communicating the exam grades as well as the overall grade for the Master's degree;
- decisions regarding the Master's thesis;
- decisions whether a student has achieved a "pass" or a "fail";
- decisions about compensation for disadvantages and about extensions of deadlines for examinations or work to be submitted;
- decisions regarding a violation of examination rules;
- decisions regarding the invalidity of the Master's degree;
- decisions regarding candidates' protests and objections against decisions made in the course of the examination process, if such protests and objections are considered justified;
- regular reports to the Academic Commission regarding the development of examination and study times, including the time allotted to the Master's thesis, as well as reports on student demand for specific compulsory electives;
- disclosure of the allocation of subject grades and overall grades;
- suggestions for amendments to these regulations.

(3) In order to monitor compliance with the rules of good academic practice, the Examination Committee can check academic work for fraud and attempted fraud using appropriate electronic means. For this purpose, the committee can request that the exam work is submitted in electronic form within a reasonable deadline. If a candidate does not comply with such request, the work may be graded as "fail".

### **§ 19 Examiners; observers (RO: § 23)**

(1) The following persons are accredited to take examinations: members of the professors' group, members of the academic staff mandated to perform teaching duties independently, and teaching staff mandated for special tasks (cf. § 18 para. 2 HHG). Private lecturers (*in German: Privatdozenten*), professors who do not hold a regular position at the university, honorary professors who teach one of the subjects to be examined, and professors who have been released from teaching duties and have retired may, with their consent, be appointed as examiners by the Examination Committee.

Based on the cooperation with foreign partner universities, the Examination Committee may appoint examiners from the partner universities.

Exam work may only be assessed by someone who has at least the same as or an equivalent qualification as the qualification that is the subject of the examination.

(2) Based on the cooperation with foreign partner universities, the Examination Committee may appoint examiners from the partner universities.

(3) Written examinations that cannot be repeated must be assessed by two examiners, § 31 para. 17 notwithstanding. Oral examinations must be taken by two examiners, or by one examiner with one observer present.

(4) Only members of the Goethe University who hold at least a Master's degree or an equivalent degree may be appointed as observers for oral examinations. Based on the cooperation with foreign partner universities, the

Examination Committee may appoint observers from partner universities. Observers are appointed by the Chair of the Examination Committee. The Chair may delegate such appointment to the examiner.

(5) Examiners and observers are bound by confidentiality obligations by reason of public office.

## **Part V: Conditions for admission to examinations; procedure**

### **§ 20 Initial registration and admission to the Master's Examination (RO: § 24)**

(1) Students must submit a completed registration form for admittance to the Master's examination to the Examination Office in charge of the Master's programme "Legal Theory" at the latest together with the registration for the first module examination in the Master's programme "Legal Theory". Unless such has already been submitted when applying for admission to the programme, the registration for the examination must include, in particular:

- a) a statement specifying whether the student has already failed, without further recourse, a Master's examination, a "Magister" examination, a diploma examination, an examination at an ecclesiastical college, or another final state-approved examination in the subject "Legal Theory" or in an equivalent subject (a programme with a predominantly equal subject focus) at a university, or whether he or she is currently taking an examination in the subject "Legal Theory" or an equivalent subject at a university in Germany or abroad and has not yet completed it;
- b) a statement specifying whether and, if applicable, how many times the student has already failed module examinations in the Master's programme "Legal Theory" or in the same modules of a different study programme at a university in Germany or abroad;
- c) if applicable, proof of course work and examination work already completed and to be included in the Master's programme;
- d) if applicable, proof of payment of the examination fee.

(2) In exceptional cases and upon request by the student, the Examination Committee may waive the requirement of enrolling for individual module examinations, in particular when the student has changed university, changed the subject, or resumes interrupted studies.

(3) The decision about admittance of a student rests with the Chair of the Examination Committee and, in cases of doubt, the Examination Committee, if appropriate after consulting a representative of the teaching body of the subject in question. A student is not admitted if

- a) submitted documents are incomplete or
- b) the admission conditions listed in para. 1 are not met or
- c) the student has definitely forfeited his or her right to be examined in a module pursuant to para. 1 b) or in the study programme in question, or if the student has failed, without further recourse, one of the examinations listed in para. 1 a).

(4) Upon request by the student, the Examination Committee decides on whether to make an exception to paragraphs 1 and 3.

(5) The Chair of the Examination Committee notifies the student in writing of a negative admissions decision. Such notification must contain reasons for the decision and instructions on the right to appeal.

### **§ 21 Time of examination and registration procedure (RO: § 25)**



(1) Module examinations are taken in a timely context with, and related to, the content of the relevant module. Examinations of compulsory modules and of those electives that are offered yearly should, as a rule, be offered at least twice per year.

(2) The oral examinations and in-class essays completing a module shall be taken within the time frame determined by the Examination Committee.

(3) The Examination Committee determines the exact dates of the module examinations in consultation with the examiners. The Examination Office publishes, by notice or other appropriate means, an examination schedule containing time and location of the examinations as well as the names of the examiners involved as early as possible and at latest four weeks before the examination dates. If compelling reasons necessitate a deviation from this examination schedule, new dates require the consent of the Chair of the Examination Committee.

Dates for oral module examinations, or for examinations taken in a timely context with lectures or during the course of lectures, are determined by the examiner, if appropriate in consultation with the students.

(4) Participation in module examinations requires enrolment at the Goethe University, § 20 para. 2 notwithstanding. In order to register for the relevant module examination, a student must be admitted to the Master's examination and may not yet have definitely failed the module examination or partial module examination in question. Furthermore, the student must provide the performance and attendance records required for the module by the module description. If admittance to a module examination is conditional on course work and this has not yet been completed in full, the student may be admitted to the module examination subject to completion. The module is assessed as "pass" only once any and all of the module's course work and module examinations have been passed successfully. The decision about exceptions hereto rests with the Examination Committee. Students on leave may not take examinations or obtain performance records. However, it is possible to repeat a failed examination during leave time. Students are furthermore entitled to participate in examination during leave time if the leave is granted for any of the following reasons: maternal leave, parental leave, caring for relatives who are in need of permanent care as certified by a doctor, fulfilling duties pursuant to Article 12a of the Constitution of the Federal Republic of Germany, or participation in the Academic Council as an appointed or elected member of academic self-governance.

## **§ 22 Default and withdrawal from module examinations (RO: § 26)**

(1) If a student fails to show at the mandatory examination date, or withdraws from an examination before it is completed, without a valid reason, a module examination will be graded as "fail" (5,0) pursuant to § 32 para. 3. The same applies if the student fails to submit written module examination work within the allotted time or if, where the module examination consists in supervised written work, a candidate submits an empty sheet of paper, or if he or she remains silent during an oral examination.

Any reason for the failure to attend or complete an examination must be communicated to the Chair of the Examination Committee in writing, and substantiated, without delay as soon as the student becomes aware of such reason. Should the reason for the student's inability to take the examination occur in the course of an examination already in progress, this must be reported immediately to the examiner or the invigilator. The foregoing does not affect the obligation to communicate and substantiate the reasons to the Examination Committee without delay. In the event of illness, the student must provide, without delay and at the latest within three working days, a doctor's note from a general practitioner or specialist and an attestation of the inability to take an examination; such attestation must specify which type of examination (written examination, oral examination, examinations taking a long time, other forms of examination) the student is unable, for medical reasons, to take on the designated examination date. The Chair of the Examination Committee decides, based on the form in Appendix 11 to the Framework Regulation, on the ability of the student to take the examination. In case of justified doubts, the student

must provide an additional note from a medical officer.

(2) The illness of a child below the age of 14, or of a close relative (child, parent, grandparent, spouse or partner) in need of permanent care, is considered the same as the candidate's illness. Furthermore, maternal leave is considered a valid reason.

(3) The decision about the validity of a reason for default or withdrawal rests with the Chair of the Examination Committee. If the reason is accepted as valid, a new date for the examination is set without delay.

(4) If a default or withdrawal is deemed to be for a valid reason, the results of examinations taken in partially completed modules remain valid.

### **§ 23 Studies and examinations in case of illness and disability; special circumstances (RO: § 27)**

(1) Classes and examinations must take into account the nature and extent of a student's disability or chronic illness, as well as any hardship due to pregnancy or because a student has to raise children or care for close relatives in need of permanent care.

(2) The student must communicate the nature and extent of the hardship to the Chair of the Examination Committee in good time by means of appropriate documentation, in the case of illness by means of a doctor's note. In cases of doubt, a note from a medical officer may be requested.

(3) If a student claims and substantiates the inability to complete the course work or examination work, in whole or in part, in the designated manner, for reasons of disability, chronic illness, pregnancy, caring for a close relative in need of permanent care, or caring for a child below the age of 14, appropriate measure must be taken to compensate for such disadvantage, such as for example an extension of deadlines or a different design of the examination procedure. It must be made possible for students, upon presentation of proof, to avail themselves of the deadlines for maternal and parental leave as stipulated by law.

(4) The decision about compensations for disadvantages regarding examination work rests with the Chair of the Examination Committee; regarding course work, the Chair of the Examination Committee will consult the lecturer in charge of the class.

### **§ 24 Fraudulent behaviour and breach of regulations (RO: § 29)**

(1) If a student attempts to influence the result of his/her examination work or course work by fraudulent behaviour or by using inadmissible means, such examination work or course work is graded with "fail" (5,0). In particular, it constitutes fraudulent behaviour when a student brings inadmissible means into the examination room or gives a false statement pursuant to §§ 13 para. 6, 28 para. 6, 30 para. 12, 31 para. 14, or when a student submits one and the same work (or parts thereof) as examination work or course work more than once.

(2) The examiner or the invigilator may exclude a student who actively engages in another student's attempted fraudulent behaviour from continuing the examination; in this case, the examination work or course work in question is graded as "fail" (5,0).

(3) In serious cases of fraudulent behaviour, in particular in cases of repeated occurrence or when the fraudulent behaviour includes submission of a written statement by the student claiming that he or she has completed the work independently and without using inadmissible means, the Examination Committee may exclude the student from repeating the examination and from continuing the studies, resulting in a forfeit of the right to be admitted to the examination in the Master's programme "Legal Theory". The degree of seriousness shall be determined based on how much fraudulent energy the student has put into his or her behaviour (e.g. colluding with others or using

technical devices such as radio or mobile telephones), and how much this fraudulent behaviour negatively affects equal opportunities.

(4) The examiner or the invigilator may exclude a student who disrupts the due course of the examination from continuing the examination, in which case the examination in question is graded as "fail" (5,0); as a rule, such exclusion shall be preceded by a warning. Paragraph 3, 1<sup>st</sup> sentence above applies.

(5) If a student, through culpable conduct, effects his or her participation in an examination although he or she was not eligible, the Examination Committee may decide to grade this examination as "fail" (5,0).

(6) The student may request that decisions pursuant to paragraphs 1 to 5 be reviewed by the Examination Committee, such request to be made in writing and within four weeks.

(7) Negative decisions by the Examination Committee must be communicated to the student without delay and in writing and must include reasons for the decision as well as instructions on the right to appeal.

(8) Term papers, the Master's thesis and all forms of written elaboration must comply with the rules of citation for academic work as determined for the subject in question. In cases of non-compliance, there must be an investigation of attempted fraud.

(9) For the purposes of investigating suspected academic fraud, the Examination Committee may decide to require submission of non-supervised written examination work and/or course work in electronic form.

## **§ 25 Flaws in the examination process (RO: § 30)**

(1) If it emerges that the execution of an oral or written examination was flawed and that this influenced the examination result, the Examination Committee shall determine – either upon request by a student or ex officio – that a particular student must repeat the examination. In the case of written examinations, such flaws must be notified to the invigilator during the on-going examination, and in the case of oral examinations, to the Chair of the Examination Committee or the examiner immediately after the examination. If, in the case of a written examination, a student considers the remedial measures taken by the invigilator insufficient, he or she must lodge a complaint with the Chair of the Examination Committee immediately after the examination.

(2) Once six months have elapsed after completion of the examination, measures pursuant to para. 1 is no longer possible.

## **§ 26 Recognition of and credits for work (RO: § 31)**

(1) No verification of equivalence is necessary for the recognition of study times, course work and examination work that has been completed at a German university in the same study programme if such study programme is accredited, and if there are no substantial differences between the achieved qualification outcomes within the modules. If the Examination Committee cannot prove a substantial difference, study times, course work and examination work must be recognised.

(2) Study times, course work and examination work completed in other study programmes are recognised if there are no substantial differences in the skills acquired. Rather than a schematic comparison, this recognition requires a holistic appraisal and assessment of content, volume and requirements of the course work and examination results, taking into account especially the achieved qualification outcomes. The burden of proof for lack of equivalence rests with the Examination Committee. Paragraph 1, 2<sup>nd</sup> sentence applies.

(3) Paragraph 2 also applies to the recognition of: study times, course work and examination performance achieved in state-approved distance learning studies or other educational institutions, in particular state-run or state-approved vocational academies; course work and examination results based on multimedia applications; and course

work and examination results achieved by school students based on § 54 Abs. 5 HHG.

(4) Paragraph 2 also applies to recognition of performances achieved at universities abroad. This shall take into account equivalence agreements approved by the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany and the Standing Conference of the Rectors of German Universities as well as agreements concluded in the framework of university partnership agreements. If there are no equivalence agreements, the decision rests with the Examination Committee. In case of doubt concerning the equivalence, the central authority for foreign education (*in German: Zentralstelle für ausländisches Bildungswesen*) must be consulted.

In the case of recommended studies abroad the student should talk about the possibilities of recognition of course work and examination results with the Chair of the Examination Committee or a designated person prior to commencing the studies abroad.

(5) Final work (e.g. Master's theses, diploma theses, state examination work) which students have already successfully completed outside the relevant Master's programme at the Goethe University is not credited. Furthermore, multiple crediting of one and the same work within the Master's programme "Legal Theory" is not possible.

(6) As a rule, it is not possible to credit course work and examination results resulting from a Bachelor's degree for the Master's programme.

(7) If examination results are credited, the grades shall be adopted – provided that the grading systems are comparable – and shall be included in the calculation of the overall grade. If the grading systems are not comparable, the work in question shall be marked as "pass". As a rule, work that has been credited will be identified as such in the final document, including an indication of the university where they were acquired.

(8) The applicant shall submit to the Examination Committee all documents required for recognition or crediting; such documents must show how the examination work was assessed, how many credit points (CP) were awarded, and the time of any examinations which he or she has taken so far in other study programmes or at other universities. The documents must also show which course work and examination work was not completed successfully or was repeated. The Examination Committee may request further documents, such as a legally binding module description of the modules to be recognised.

(9) Failed attempts in other study programmes or in study programmes at other universities are taken into account if they had been credited in the event of successful completion.

(10) Examination work that was completed more than five years ago may, in individual cases, be denied crediting and recognition; the decision may be accompanied by conditions. If the conditions set forth in paragraphs 1 to 4 in conjunction with para. 8 are fulfilled, the applicant has a legal claim for recognition, notwithstanding the 1<sup>st</sup> sentence of this paragraph and paragraphs 5 and 9.

(11) Universally applicable decisions regarding recognition are taken by the Examination Committee; for decisions in individual cases, the decision rests with the Chair of the Examination Committee who shall, if appropriate, consult a subject examiner. Based on credits granted, the Chair of the Examination Committee determines in which semester the applicant will take up studies.

(12) If course work or examination results which have not been awarded Credit Points (CP) are credited, the equivalent values must be calculated and recorded in the student's account.

(13) If work is credited, this may be made conditional on the applicant making up for course work and examination work. Conditions and deadlines for fulfilment, if applicable, must be communicated to the applicant in writing. Such communication must include instructions on the right to appeal.

## **§ 27 Recognition of skills acquired outside university (RO: § 32)**

If a student has - before his/her studies, or during the studies but outside a university - acquired skills and knowledge equivalent to the level and the learning outcomes of certain programme modules, this may, upon application, be credited as CP for the relevant modules. This applies, in particular, to modules E5 and E6. Recognition of the CP will, upon suggestion by the lecturer in charge of the module, be granted by the Examination Committee on a case-by-case basis. This requires written proof (e.g. report cards, certificates) specifying scope, content and the work that has been delivered. No more than 50 per cent of the CP required for the programme may be replaced by way of crediting. Such credits will not be awarded any grade. This is recorded accordingly in the certificate.

## **Part VI: Module examinations**

### **§ 28 Module examinations (RO: § 33)**

(1) Module examinations are taken during the study course. They serve to complete the module in question. They are examinations that may be repeated a certain number of times and that are assessed with grades.

(2) Modules are completed with a single module examination, which may also be taken in a timely context with one of the module's classes (class-related module examination).

The module examination require students to demonstrate that they have, in essence, mastered the content and methodology of the module and that they are able to apply the knowledge and skills they have acquired. As a principle, the module examination tests the content of the relevant module's classes as specified in the module descriptions. Class-related module examinations also test the module's overarching qualification targets.

(3) The form for each module examination or partial module examination is determined in the module description. Written examinations take the form of:

- in-class essays;
- term papers;
- written elaboration (e.g. essays, written presentations);
- minutes;
- position papers;
- reports;

Oral examinations take the form of:

- individual examinations;
- group examinations;
- expert discussions;
- colloquiums.

Further examination formats:

- lectures in seminars;
- presentation of papers;
- presentations.

(4) Format and duration of the module examinations are set forth in the module descriptions. In the event that a module description contains various examination formats, the examiner will determine the format for the examination date in question and will communicate this to the students at the beginning of the module's classes, at the latest when the examination dates are published.

(5) The examinations will be taken in English. In special cases, students may apply to the Chair of the Examination Committee and ask to be examined in a different language (German, French or Spanish) for module examinations.

(6) Students shall produce non-supervised written work (for example term papers) in accordance with good academic practice. When submitting the work, the student must include a written statement that it has been prepared independently and that all sources and resources that were used are listed in the work. Furthermore, such statement must include a declaration that the work has not yet been submitted – in whole or in part – as course work or examination work in another study programme.

(7) Students participating in a module examination must provide identification in the form of an official photo ID.

(8) The examiner decides if and what type of auxiliary tools students may use in a module examination. Students must be notified in good time before the examination about admissible tools.

### **§ 29 Oral examinations (RO: § 34)**

(1) Oral examinations are conducted as individual examinations by an examiner in the presence of an observer. Group examinations with up to five participants are possible.

(2) As a rule, oral module examinations last between 15 – 20 minutes per student. The duration of the module examination in question is set forth in the module description.

(3) The observer keeps minutes to record the main subjects and results of the oral examination. These examination minutes are signed by the examiner and by the observer. The observer must be consulted before determination of the grade; neither the candidate nor the public may be present in such consultations. The minutes must be forwarded to the Examination Office without delay.

(4) The results of the oral examination are communicated to the student following the oral examination, and must, if so requested by the student without delay, be justified in further detail. Such justification must be recorded in the minutes.

(5) Students who are going to participate in the same examination may be admitted as audience to an oral examination. The candidate may protest such admittance. No public audience may be present while the results are being discussed and when they are disclosed to the candidate. Admittance of audience may further be limited due to space restrictions. The Chair of the Examination Committee may demand evidence of the reasons mentioned in the sentence 1.

### **§ 30 In-class essays [and other supervised written work] (RO: § 35)**

(1) Written tests consist of one task or of several tasks or questions. In a written test or other supervised written work, students should demonstrate their ability to solve tasks under supervision, in an independent manner, with

limited resources and within a limited time; and to recognise a problem and develop solutions, based on the necessary basic knowledge and employing methods commonly used for the subject in question.

(2) In the case of in-class essays, at most 25 per cent of possible overall points may come from multiple-choice questions.

(3) If a student is late for an in-class essay, it is not possible to make up for lost time. Students may leave the examination room only with the invigilator's consent.

(4) The person invigilating an in-class essay must keep minutes for every in-class essay. These minutes must contain any incidents that are of relevance for determining the examination result, in particular any incidents governed by §§ 22 and 24.

(5) The time allowed for in-class essays and for other supervised written work is calculated based on the workload connected with the module under examination [or, in the case of partial module examinations, the workload connected with the relevant part of the module]. For in-class essays, this shall be a minimum of 60 minutes and a maximum of 180 minutes. The specific module descriptions give the exact time for each case.

(6) As a rule, in-class essays and other supervised written work is assessed by one examiner. If a student fails the final repeat examination, a second examiner shall assess such work. The examiners must justify their assessment in writing. If the resulting grades differ, the grade of the in-class essay or other supervised written work shall be the average of the two grades. The assessment of the in-class essays should not take longer than four weeks.

(7) Term papers and other written work (RO: § 36).

(8) The purpose of a written term paper is for students to demonstrate that they are able to work on a subject-specific problem independently and by applying academic methods. The term paper must form part of a module.

(9) It is possible to submit a term paper in the form of group work provided that it is possible, based on objective criteria, to identify the individual contributions that form the examination work to be evaluated.

(10) A student may be given the opportunity to suggest the subject of a term paper. The subject is issued by the examiner, who records the duration of the work.

(11) Term papers should be completed within a time frame of at least two and at most four weeks (full-time, i.e. a Workload of 2-5 CP). The time frame and any deviations thereof are set forth in the module description. Submission deadlines for the term papers are determined and documented by the examiners.

(12) A single copy of the term paper, accompanied by a statement pursuant to § 28 para. 6, must be submitted to the examiner within the stipulated time frame; if the work is sent by letter, timely submission is determined by the postmark. Submission of the term paper must be recorded by the examiner.

(13) The examiner should assess the term paper within six weeks of submission; such assessment must include reasons, in writing. Paragraph 6 applies.

(14) A student whose term paper has been assessed as "fail" (5,0) may apply with the examiner to be allowed a rewrite. This does not apply in cases where the assessment as "fail" (5,0) is based on § 22 or § 24. The examiner sets a deadline for the rewrite. Assessment of the rewrite concerns only the question whether the term paper is graded as 4,0 or worse. Failure to comply with the deadline for the rewrite results in final grading as "fail" (5,0).

(15) Paragraphs 8 to 13 also apply to other written work.

### **§ 31 Master's thesis (RO: §§ 40, 41)**

(1) The Master's thesis is an obligatory part of the Master's programmes. It is a stand-alone final module.

(2) The purpose of the Master's thesis is for the students to demonstrate that they are capable of completing



comprehensive and in-depth work on a subject within a stipulated time frame and in accordance with the programme objectives as set forth in §§ 2 and 6.

(3) The required scope for the Master's thesis is 16 CP; this is equivalent to a workload of, as a rule, 12 weeks.

(4) In order to apply for admission to the Master's thesis, students must have completed modules A, B and C.

(5) The Master's thesis will be supervised by a person authorised to be an examiner pursuant to § 21. The duties of this supervisor are to guide the student in his or her work on the Master's thesis and to ask for regular updates on the student's progress. The supervisor must ensure that, if necessary, the technical equipment required for producing the Master's thesis is made available to the student. As a rule, the supervisor is the primary reviewer of the Master's thesis.

(6) Subject to the consent of the Chair of the Examination Committee, a student may work on his or her Master's thesis at an external institution that is not part of the Goethe University, for example an institution that forms part of the partners so called 3rd Term Network. In this case, the subject of the thesis must be set in consultation with a member of the professors' group of the Law Faculty.

(7) The subject of the Master's thesis is agreed upon with the supervisor and notified to the Chair of the Examination Committee when registering for the Master's thesis. A student who cannot find a supervisor can file a request with the Chair of the Examination Committee, who then ensures that the student is issued a subject and assigned a supervisor in good time.

(8) The decision about admission to the Master's thesis rests with the Chair of the Examination Committee.

(9) The subject is issued by the Chair of the Examination Committee. The subject must be of a nature that enables the student to complete it in the allotted time. The date of issuance and the subject must be filed with the Examination Office. Work on the Master's thesis may not commence before the subject has been issued and filed.

(10) It is possible to submit group work for a Master's thesis, provided that it is possible to clearly distinguish between, and separately assess, the individual student's contributions that are to be evaluated as examination work, by identifying sections, page numbers or other objective criteria, and provided that the requirements stipulated in para. 1 are fulfilled.

(11) The Master's thesis must be produced in English and must be accompanied by a summary in German.

(12) A subject already issued can be returned only once, and only within the first third of the designated time frame. The new subject must differ in content from the one that has been returned. If a new subject is issued after withdrawal pursuant to § 11 para. 3, it is not possible to return this subject.

(13) If a student misses the submission date for the Master's thesis due to reasons beyond his or her control (e.g. if the student, or a child who is in his or her charge, falls ill), the Chair of the Examination Committee will grant an extension of the deadline provided the student applies for such extension before the submission date. The maximum possible extension is 50 per cent of the time originally allotted. If the cause of the delay subsists for longer than the extended period, the student may withdraw from the examination.

(14) The Master's thesis must be submitted to the Examination Office before expiry of the submission deadline. The time of submission must be recorded on file. If the work is sent by letter, timely submission is determined by the postmark. If the Master's thesis is not submitted within the deadline, it will be graded as "fail" (5,0).

(15) The Master's thesis must be submitted in duplicate in writing and bound as well as in electronic form as a PDF. If the Master's thesis is not submitted within the deadline in the proscribed form, it will be graded as "fail" (5,0).

(16) The Master's thesis must be composed following the rules of good scientific practice. In particular, the student must clearly mark any literal or analogous citations, images and drawings lifted from publications or other texts not created by him or her. The Master's thesis must be accompanied by a statement that it – or in the case of group work, the part composed by him or her and identified as such – has been prepared independently and that all sources and



resources that were used are listed. Furthermore, the student must submit a statement declaring that the Master's thesis has not, in whole or in part, been used for different examination work or course work.

(17) The Examination Committee forwards the Master's thesis to the supervisor for primary review and assessment pursuant to § 32 para. 3. At the same time, it appoints a further examiner from among the persons accredited to take examinations pursuant to § 19 to act as secondary reviewer, and forwards the thesis to this secondary reviewer. At least one of the reviewers must be a member of the professors' group of the Law Faculty. If the secondary reviewer's assessment corresponds with that of the primary reviewer, the secondary reviewer may simply co-sign the primary reviewer's report. The reviewers should assess the work promptly; their assessment should be available at the latest six weeks after submission of the thesis. If the two reviewers differ in their assessment of the Master's thesis, the module grade is calculated as the arithmetic average of the grades given by the examiners. Such calculation of the module grade is made to the first decimal place only.

(18) In exceptional and duly substantiated cases, and provided the supervisor agrees, students can ask that the written thesis be complemented by an oral discussion, the grading of which will be proportionally taken into account in the overall grading of the Master's thesis.

## **Part VII: Assessment of course work and examination work; individual and overall grades; overall failure of the examinations**

### **§ 32 Assessment/grading of the course work and examination work; individual and overall grades (RO: § 42)**

(1) As a rule, course work is graded as provided for in the module description and as provided for in para. 3; however, the grades do not form part of the overall grade of the Master's examination.

(2) Examination work is marked and, **only** if such is stipulated in the module description, is graded as "pass" or "fail". The grading of examination work is done by the examiners, always based on a student's individual performance.

(3) The following grades shall be given for individual examination work:

Very good	outstanding work;
Good	work rated significantly above average requirements;
Satisfactory	work fulfilling average requirements;
Sufficient	work that, despite some deficiencies, still fulfils the requirements;
Fail	work that, due to serious deficiencies, does not fulfil the requirements.

In order to enable differentiated assessment of the examination work, grades may be raised or lowered to intermediate values by 0,3; the following grades are admissible: 1,0; 1,3; 1,7; 2,0; 2,3; 2,7; 3,0; 3,3; 3,7; 4,0 and 5,0.

An overall grade is calculated for the Master's examination, taking into account the results of all module examinations taken in the course of the programme. If the candidate has attended three or more compulsory

electives that comprised an examination, the best grades will be used and will be shown in the Diploma supplement. The Master's thesis counts twice for the overall grade.

(4) If a student acquires more CP in an elective area than foreseen, those modules that were completed first are taken into account for the calculation of the overall grade. If several modules were completed in the same semester, those modules with better grades are taken into account.

(5) The overall grade of a successfully completed Master's examination is taken from the list below, bearing in mind that only the first decimal place is taken into account and all further decimal places are deleted without rounding:

from 1,0 up to and including 1,5	very good
from 1,6 up to and including 2,5	good
from 2,6 up to and including 3,5	satisfactory
from 3,6 up to and including 4,0	sufficient
above 4,0	fail

(6) If an English-language translation of the certificate is issued, the grades for individual examination work and for the overall grade are shown in accordance with the following scale

1,0 bis einschließlich 1,5	very good
1,6 bis einschließlich 2,5	good
2,6 bis einschließlich 3,5	satisfactory
3,6 bis einschließlich 4,0	sufficient
über 4,0	fail

(7) A candidate who achieves an overall grade of up to and including 1,2 is awarded an overall assessment of "passed with distinction". The English equivalent of "passed with distinction" is "excellent".

(8) For purposes of transparency of the overall grade, the Diploma Supplement will include an ECTS standard grading scale in accordance with § 40.

### **§ 33 Passing / failing of examinations; publication of grades (RO: § 43)**

(1) A module examination that consists of a single examination task is awarded a "pass" if it achieves the grade "sufficient" (4,0) or better. If the examination is graded in points, a "pass" requires a minimum of 5 points, otherwise it is considered failed.

(2) The Master's examination is awarded a "pass" if all of the modules prescribed in these regulations have been completed successfully, which means that the required study records have been provided and the prescribed module examinations including the Master's thesis have been awarded at least the grade "sufficient" (4,0).

(3) The results for all examinations are communicated without delay. The Examination Committee determines whether the grades are made public (after anonymisation) within the university on a bulletin board and/or by way of the electronic examination administration system, provided that the legitimate interests of the candidates are protected. If a module examination is awarded a "fail" without further recourse, or if the Master's thesis is assessed as less than "sufficient" (4,0), the Chair of the Examination Committee issues a written decision to the student explaining whether the module examination or the Master's thesis may be repeated and in what time such repeat performance is possible. Such decision must also contain instructions of the right to appeal.

### **§ 34 Transcript of Records (RO: § 44)**

Upon request, students receive an attestation that they have successfully completed the examinations, in the form of a Transcript of Records (sample Appendix 3 of the RO), in German and in English; such Transcript of Records contains, at a minimum, the names of the modules, the dates of the individual examinations, and the grades.

## **Part VIII: Changing compulsory modules, compulsory elective modules, or overall study focus; repeat examinations; revocation of the right to be examined and irrevocable failure of the examination**

### **§ 35 Changing compulsory elective modules (RO: § 45)**

If a student fails in a compulsory elective module and there is no further recourse, s/he may choose to attend a new compulsory elective module.

### **§ 36 Repeat examinations; trial exams; improving grades (RO: § 46)**

(1) It is not possible to repeat successfully completed examinations.

(2) Any failed compulsory module examinations must be repeated.

(3) Failed module examinations may be repeated a maximum of two times. It is possible to take a module examination a third time in two modules at most.

(4) A failed Master's thesis may be repeated once. In this case, a new subject will be issued. The student can only decline to accept the subject issued for a repeat examination if he or she has not declined the subject for his or her first Master's thesis. It is not possible to decline the subject a second time.

(5) Failed attempts to complete the same or an equivalent module examination in another study programme at the

Goethe University or another German university are taken into account when determining the permitted numbers of repeat examinations. In exceptional cases, in particular in the event of a change of study course, the Examination Committee may decide not to take such failed attempts into account.

(6) With the exception of a failed Master's examination, the Examination Committee may schedule an oral examination as a repeat performance of failed written examinations.

The Examination Committee may set conditions for a student prior to a repeat module examination.

(7) As a rule, the first repeat examination is scheduled for a time four weeks after publication of the results. A second repeat examination should be scheduled as soon as possible after the failed first repeat examination. The Examination Committee will determine the exact dates for the repeats and will communicate these in good time. A student who fails to comply with the deadline for the repeat examination loses his/her right to be examined, unless the reasons for such failure is outside the candidate's sphere of influence. Should the student de-register from university during such time, this does not affect the deadline.

(8) As a rule, repeat examinations are governed by the regulations applicable at the time of the first examination.

### **§ 37 Revocation of the right to be examined and irrevocable failure of the examination (RO: § 47)**

(1) The Master's examination is deemed to be irrevocably failed, and definite loss of entitlement to be examined occurs, when

1. the student has failed the module examination and all permissible repeat examinations,
2. the student misses a deadline for a repeat module examination pursuant to § 36 above,
3. in the case of serious fraud or serious breach of regulations pursuant to § 24 above.

(2) In case of a definite failure of the Master's examination and the concomitant loss of entitlement to be examined, a formal decision is issued; such decision must include instructions on the right to appeal.

(3) A student who has irrevocably failed the Master's examination in the study programme and is thus no longer entitled to be examined must be de-registered. Upon request and upon presentation of the de-registration notice, the student will receive a certificate from the Examination Office that shows those module examinations that were passed successfully and the grades and Credit Points achieved therein, and attests the irrevocable failure of the Master's Examination.

## **Part IX: Examination certificate; Master's Certificate and Diploma Supplement**

### **§ 38 Examination certificate (RO: § 48)**

(1) Students receive, if possible within four weeks after the last examination has been assessed, a certificate in German as well as, upon request, an English-language translation, that complies with the requirements stipulated in the RO's samples. This certificate contains a list of the modules and the respective grades (identifying the modules that are not included in the overall grade), the subject of and grade for the Master's thesis, the standard period of study and the overall grade.

The certificate for the module results (Diploma Supplement) is signed by the Faculty's Dean or, alternatively, by the Dean of Studies, and carries the seal of the Johann Wolfgang Goethe University. It shows the date of assessment of the last examination work.

(2) Upon request, the Examination Committee issues a written statement to confirm that the Master's degree corresponds to the equivalent diploma or "Magister" degree.

### **§ 39 Master's Certificate (RO: § 49)**

- (1) The students will receive a Master's Certificate at the same time and showing the same date as the examination certificate. This Master's Certificate certifies the awarding of the academic title. Upon request, this certificate may additionally be issued in English.
- (2) The certificate is signed by the Law Faculty's Dean or, alternatively, by the Dean of Studies, and carries the seal of the Johann Wolfgang Goethe University.
- (3) The academic title may only be used after the Master's Certificate has been handed over.

### **§ 40 Diploma Supplement (RO: § 50)**

- (1) Together with the examination certificate and the Master's Certificate, the student receives a Diploma Supplement that complies with international specifications and is in accordance with the currently applicable version of the regulations agreed between the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder and of the Standing Conference of the Rectors of German Universities (Appendix 10 RO).
- (2) The Diploma Supplement contains an ECTS Grading Table. The overall grades awarded to the control group within a specific study programme must be registered, and their distribution across the grades pursuant to § 32 para. 5 shall be calculated both in numbers and in percentages and shall be shown in a table as follows:

Overall grades	Overall numbers in the control group	Percentage of candidates within the control group
1,0 to 1,2 (with distinction)		
up to 1,5 (very good)		
1,6 to 2,5 (good)		
2,6 to 3,5 (satisfactory)		
3,6 to 4,0 (sufficient)		

The control group consists of the number of candidates of the relevant study programme over a period of three study years. The above calculation shall only be undertaken if the control group consists of at least 50 candidates. If fewer than 50 candidates within the control group have completed their studies, then the Examination Committee may decide to include further study years in the calculation.

## Part X: Invalid Master's examination; examination records; protest and objection; examination fees

### § 41 Invalid examinations (RO: § 51)

(1) If a student has engaged in fraudulent behaviour in the course of studies or during an examination and such becomes known only after the certificate has been handed over, the Examination Committee may affect an ex post correction of the grade for the examination work or the course work which has been produced by way of fraudulent behaviour and may declare the examination work or the course work as failed, in part or as a whole. The examiner must be consulted prior to such decision. The student must be given an opportunity to comment prior to such action.

(2) If a student, without intending to engage in fraudulent behaviour, did not meet the conditions for taking a examination, and such becomes known only after the certificate is handed over, such fault shall be healed by successful completion of the examination. If a student has engaged in intentional manipulation of the conditions for taking the examination although he or she was not entitled to do so, the Examination Committee determines the legal consequences in accordance with the Administrative Procedure Act of the State of Hesse as applicable at the time. Para. 1, 3<sup>rd</sup> sentence applies.

(3) The incorrect certificate shall be confiscated and, if appropriate, a new certificate shall be issued. Likewise, the Diploma Supplement and, if applicable, the relevant record of studies shall be confiscated and, if applicable, new ones awarded. If the examination is graded as "fail" due to fraudulent behaviour, the Master's Certificate must also be confiscated. A decision pursuant to para. 1 and para. 2, 2<sup>nd</sup> sentence shall only be possible until five years as of the date of the certificate have passed.

## **§ 42 Right to inspect examination records; retention period for records (RO: § 52)**

- (1) Upon request and soon after notification of the examination results, students can inspect their written examination work, the relevant assessments and their examination records.
- (2) The examination records are maintained by the Examination Office. The period for retention of examination records is determined in accordance with § 20 of the Enrolment Regulation of the State of Hesse (*in German: Hessische Immatrikulationsverordnung, HImmaVO*) as applicable at the time.
- (3) Students can request that their written examination work – but not the Master’s theses – be handed over to them, or disposed of, one year after the grades have been communicated. The Master’s theses will be disposed of five years after the end of the entire examination process.

## **§ 43 Protests and objections (RO: § 53)**

- (1) Students can file a protest against decisions by the Examination Committee’s Chair. Such protest must be filed with the Chair of the Examination Committee, or with another body authorised to do so by the Chair, within one month of notification of the decision. The Examination Committee decides about the protest. If the protest is rejected, the Chair of the Examination Committee issues a formal notification, which must include the grounds for the rejection and instructions on the right to appeal.
- (2) Students can file objections against a negative decision by the Examination Committee and against examination assessments; such objections must be filed in writing with the Chair of the Examination Committee (Examination Office), within a month after notification if the notification contained instructions on the right to appeal, and within a year if it did not contain such instructions. If the Examination Committee – if appropriate, after hearing the examiners involved – does not grant the objection, the President of the Goethe University issues a formal notice of objection. Such notice of objection must include grounds and instructions on the right to appeal.

## **§ 44 Fees (RO: § 54)**

- (1) Fees will be levied in accordance with § 16 para. 3 HHG for the application to and participation in the programme and for the examinations.
- (2) Timely payment of the fees is a prerequisite for participation in the programme, the assessment of examination work, and the handing over of the certificate and the Master’s Certificate in accordance with these regulations.

## **Part XI: Final provisions**

### **§ 45 Effective date [and transition provisions] (RO: § 56)**

- (1) These regulations enter into force on the day after publication in the “UniReport/Satzungen und Ordnungen” (Statutes and Regulations) of the Johann Wolfgang Goethe-Universität Frankfurt am Main.
- (2) These regulations apply to all students who begin their studies in the Master’s programmes “Legal Theory” in the winter semester 2018/2019 or thereafter.
- (3) Students who were enrolled in the Master’s programme “Legal Theory” before the effective date of these regulations can apply to the Examination Committee to participate in the programme and take their exams in accordance with these regulations. Existing study and examination results will be credited in accordance with

§ 26. An application as herein described is irrevocable.

Frankfurt, 3 August 2018

**Prof. Dr. Albrecht Cordes**

Dean of the Law Faculty

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## Appendices

### Appendix 1: Aptitude assessment

(1) Conditions for admission to the programme are: a degree conferring professional qualification, a minimum of one year of relevant professional practice, and proof of payment of the fee as determined by the Presiding Committee pursuant to § 16 para. 3 HHG.

(2) The application must include the following documentation:

- a) proof of a degree qualifying for the application;
- b) proof of professional practice pursuant to § 8 para. 2 of these regulations;
- c) a language certificate pursuant to § 8 para. 4 of these regulations;
- d) copy of the passport (the pages identifying the holder);
- e) CV;
- f) personal statement (in English);
- g) at least one letter of reference by a university professor.

(3) The applicant must submit one copy each of the application documents. The Examination Committee may, at its discretion, request certified copies.

(4) The Examination Committee for the Master's programme assesses compliance with the requirements of paragraphs 1 to 4 and manages the subsequent procedure. It may also establish one or several Admission Committees to execute this task. An Admissions Committee consists of, at a minimum, two professors accredited to take examinations in the Master's programme, one member of the academic staff who is accredited to take examinations in the Master's programme, and one student representative who is either currently enrolled in the Master's programme or has completed the programme, in a non-voting capacity. Majority of the professors must be ascertained. In case the Examination Committee establishes several Admissions Committees for one and the same Master's programme, joint assessment criteria will be established at the beginning of the admissions process, as a rule chaired by the Chair of the Examination Committee. Admissions Committees or Examination Committees may avail themselves of support by other staff.

(5) The overall assessment is composed of the following parts:

- a) university degree: 51%;
- b) professional practice: 19 %;
- c) personal statement: 15%

d) letter of reference: 15%.

(6) The final grade, which is the average grade, is calculated in points up to a maximum of 5 in accordance with the following table:

1,0 to 1,5	5 points
1,6 to 1,9	4 points
2,0 to 2,2	3 points
2,3 to 2,5	2 points
2,6 to 4,0	1 points

(7) The letter of reference and the personal statement are awarded between 1 and 5 points, 1 point being the lowest and 5 points being the highest score. The letter of reference and personal statement are assessed with a view as to whether the applicant is suited for the programme. This includes an evaluation of the referee's assessment, or the assessment by the applicant him/herself, of whether the applicant will be able to cope with the programme's requirements and how expedient his or her participation in the programme is. The letter of reference should follow the sample published on the web pages of the LL.M. "Legal Theory" or least contain the information listed as required on those pages. If an applicant provides more than one letter of reference, the best of those will be considered.

(8) The proof of having worked, after graduating, for at least one year in a qualifying profession pursuant to § 8 para. 2 of these regulations is awarded between 1 and 5 points, 1 point being the lowest and 5 points being the highest score. This includes an evaluation of whether the candidate's professional experience serves to provide the knowledge base to ensure successful completion of the programme.

(9) Admission requires an overall assessment result pursuant to para. 5 of at least 3 points.

(10)

## Appendix 2: Sample study plan

Semester	Title of the lecture / class	Format	Duration (lesson per week)	Duration (CP)	Module no.
1.	Compulsory module A: Jurisprudence A1: History of Jurisprudence A2: Theories of Law	V	6	9	A (1-3)
	Compulsory module B:  B1: Theory of Comparative Law B2: Global Law	V	6	9	B (1-3)
	Compulsory module C: Legal Methods - A Comprehensive Spectrum  C1: Legal Methods  C2: Logic and Legal Argumentation	V, S	3	5	C (1-3)
	Compulsory elective E1: Law, History, and Culture	V, S	4	7	E1
	Compulsory elective E2: Law, Society, and Culture	V, S	4	7	E2
	Compulsory elective E3: Law, Science, and Technology	V, S	4	7	E3
	Please note that it is compulsory to take one module from the group E1, E2 and E3				
	<b>Semester 1 / Winter semester: total lessons per week</b>		<b>19</b>	<b>30</b>	
2.	Compulsory elective E4: Formation of Normative	V, S	4	7	E4
	Compulsory elective E5: Law and Economy	V, S	4	7	E5
	Compulsory elective E6: Global Law	V, S	4	7	E6
	Compulsory elective E7: Law, Language and Reasoning	V, S	4	7E7	

	Please note that it is compulsory to take two modules from the group E4-E7				
	Compulsory module D / Master's thesis		1	16	D
	<b>Semester 2 / summer semester: total lessons per week</b>		<b>9</b>	<b>30</b>	
	<b>Sum 1.-2. semester</b>		<b>28</b>	<b>60</b>	

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