

# Department of Legal Studies

## Doctoral Regulations

### 2019/2020

(hereinafter: 'LEGS Doctoral Regulations')

Implementing the Doctoral Regulations of the Central European University (hereinafter: CEU Doctoral Regulations) – adopted by the Senate on 4 March 2011 and in force since 6 April 2011 (including successive amendments)

#### **Doctor of Juridical Science**

Program level: Post-graduate (Doctoral)

Degree awarded: S.J.D.

Program registration: Program approved and registered by the New York State Education Department in 1997 and re-registered in 2011

Program length: 3-6 years

Type of degree: CEU

US credits: 90

ECTS credits: 180

Start of the program: beginning of September

Director of the Doctoral Program: Professor Mathias Möschel

Chair of the Comparative Constitutional Law Program: Professor Renáta Uitz

Chair of the International Business Law Program: Professor Tibor Tajti

Program administrator: Tünde Szabó

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**List of abbreviations:**

|        |   |   |
|--------|---|---|
| CCL    | - | Comparative Constitutional Law Program (CEU)                                |
| CEU    | - | Central European University, Budapest                                       |
| ECTS   | - | European Credit Transfer and Accumulation System <sup>1</sup>               |
| HR     | - | Human Rights Law Program (CEU)  |
| IBL    | - | International Business Law Program (CEU)                                    |
| LEGS   | - | Department of Legal Studies (CEU)   |
| S.J.D. | - | 'Doctor of Juridical Science' (S.J.D. - <i>Scientiae Juridicae Doctor</i> ) |
| UDC    | - | University Doctoral Committee   |

**PREAMBLE**

- a/ These regulations (hereinafter 'LEGS Doctoral Regulations') apply to all Doctoral Students of the CEU Department of Legal Studies.
- b/ The LEGS Doctoral Regulations are in compliance with the university-level 'Student Rights, Rules and Academic Regulations' and the 'CEU Doctoral Regulations'. In case of conflict, the University-level regulations shall prevail.
- c/ All questions not regulated by these LEGS Doctoral Regulations are governed by the provisions of the CEU Doctoral and other CEU Regulations
- d/ The LEGS Doctoral Regulations apply by analogy also to Doctoral Support Students, as prescribed in CEU's Non-degree Student Policy, as well as to visiting doctoral students.

**1. Status, committees, and definitions****1.1. Doctoral Program**

- 1.1.1. The 'Doctoral Program of the Department of Legal Studies (hereinafter: LEGS Doctoral Program) is an academic program consisting of advanced research and studies in law.
- 1.1.2. The LEGS Doctoral Program is a residence-based program, combining coursework, in-depth research and other types of academic activities that prepare the Doctoral Students for an academic career in or related to law.
- 1.1.3. Satisfactory completion of all the Doctoral Requirements as defined in the CEU and these LEGS Doctoral Regulations results in the awarding of the '*Doctor of Juridical Science*' (S.J.D. - *Scientiae Juridicae Doctor*) degree.

**1.2. LEGS Doctoral Program Committee**

- 1.2.1. The members of the LEGS Doctoral Program Committee are:
- the Chairs of the Programs in Comparative Constitutional Law (hereinafter: CCL), International Business Law (hereinafter: IBL) and Human Rights (hereinafter: HR);
  - the Head of the Department; and
  - the Director of the Doctoral Program; in absentia replaced by the Acting Director.
- 1.2.2. The LEGS Doctoral Committee also has as a member a student representative elected from among Doctoral Students. The student representative shall have the status of 'Doctoral Candidate' as defined by the CEU Doctoral Regulations and shall reside in Budapest in the respective academic year with interruptions not longer than a month. The student representative is neither involved, nor has a right to vote in matters concerning the evaluation of the academic progress or doctoral status of individual doctoral students.

<sup>1</sup> THE 2009 VERSION OF THE ECTS GUIDE IS AVAILABLE ELECTRONICALLY AT <  
[HTTP://EC.EUROPA.EU/EDUCATION/LIFELONG-LEARNING-POLICY/DOC/ECTS/GUIDE\\_EN.PDF](http://ec.europa.eu/education/lifelong-learning-policy/doc/ECTS/GUIDE_EN.PDF)>.

1.2.3. The LEGS Doctoral Committee's responsibilities include:

- a/ designing and updating the general aims and objectives of the LEGS Doctoral Program;
- b/ passing and amending these Doctoral Regulations as well as taking care of its publication on the website of the Department;
- c/ enforcing the CEU and Departmental Doctoral Regulations;
- d/ making recommendations for the CEU Doctoral Committee for the members of the Admission and Dissertation Committees;
- e/ appointing supervisors – subject to approval by the UDC – and the members of the Comprehensive Examination;
- f/ reporting to the UDC on the LEGS doctoral program in the month June of every calendar year; and
- g/ deciding on all other matters related to the LEGS Doctoral Program explicitly not delegated to another body.

### **1.3. Other LEGS Doctoral Program Committees**

1.3.1. The LEGS Doctoral Program **Admission Committee** has as its members the Chairs of the Programs, the Head of LEGS and the Director of the Doctoral Program. This Committee is appointed by the UDC based on the recommendation of the LEGS Doctoral Committee. Its responsibilities include conducting the admissions process and making all decisions related to it.

1.3.2. The LEGS **Comprehensive Exam Committee** have as their members, in principle, the Chair of the Program and two members from among the ranks of resident or visiting professors of CEU.

These Committees are appointed by the UDC based on the recommendations of the LEGS Doctoral Committee. Their responsibilities include conducting the comprehensive examinations, as well as making all related decisions.

1.3.3. The **Dissertation Committee** is responsible for the evaluation of the doctoral dissertation and for conducting the thesis (dissertation) defense. The members of the Dissertation Committee are appointed by the UDC upon the proposal of the LEGS Doctoral Committee and at least one third of the voting members of the Committee must be external to CEU.

### **1.4. Definition of 'external member'**

1.4.1. For the purposes of these Regulations an '**external member**' is a scholar having a doctoral degree or equivalent if he/she is not in a contractual relationship with the CEU LEGS.<sup>2</sup>

1.4.2. For the purposes of these Regulations it shall be taken that the equivalent of a doctoral degree exists in the case of scholars and lecturers with a proven record of excellence in scholarship, publishing and teaching. The list of experts and lecturers with a degree and experience is reviewed by the Program Chairs annually. The approval is given by the CEU Provost.

### **1.5. The Director of the LEGS Doctoral Program**

1.5.1. The LEGS Doctoral Program has a Director appointed by the Head of the LEGS for the period of maximum **three academic years** in consultation with the Program Chairs. The Director may be re-elected for another term of three years, or less, if and as determined by the LEGS Doctoral Committee.

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<sup>2</sup> NOTE THAT SECTION 1.3.(B) DEFINES WHO QUALIFIES AS '**RESIDENT FACULTY**' – TO WIT "*AN APPOINTED FACULTY MEMBER WHO HAS FULL TIME APPOINTMENT OR TEACHES AT LEAST 6 CREDITS (HALF OF THE FULL TIME EQUIVALENCY) AND IS PRESENT FOR AT LEAST 16 WEEKS DURING THE ACADEMIC YEAR.*"

ON THE OTHER HAND, SECTION 7.2.(B) DEFINES **EXTERNAL DISSERTATION COMMITTEE** MEMBERS AS THOSE PERSONS WHO "HAVE NO CONTRACTUAL RELATION WITH CEU AT THE TIME OF THE SUBMISSION OF THE DISSERTATION AND THE DEFENSE."

1.5.2. The LEGS Doctoral Committee may also appoint an acting Director of the Doctoral Program for a period up to one academic year.

1.5.3. As the doctoral seminars and other activities organized for the doctoral students are ongoing throughout the academic year, the Director is expected to divide the responsibilities related to the Doctoral Program.

1.5.4. The LEGS Director of the Doctoral Program is appointed from among the CEU *resident* professors having a doctoral degree or equivalent.

1.5.5. The Doctoral Program Director's responsibilities include in particular:

a/ organization of the doctoral seminars including communication with the invited lecturers, taking care of the distribution of reading materials and ensuring proper notification of the students with the assistance of the LEGS administrative staff;

b/ presence at doctoral seminars;

c/ checking the progress reports of doctoral students and communication of noted problems with the supervisors and the Head of LEGS;

d/ suggesting solutions to the Doctoral Committee on problems emerging related to the Doctoral Program; including suggestions regarding the appropriate sanctioning of doctoral students where this is deemed necessary;

e/ supervision of the students' adherence to the residence and presence requirements;

f/ reporting to the Provost;

g/ making decisions in all other cases related to the Doctoral Program when the responsibility to take such a decision is not delegated to a committee or Program Chair.

1.5.6. The prospective members of Comprehensive Exam, and Dissertation Committees are proposed and contacted by the respective Program Chairs.

## **2. Admission and eligibility for the LEGS Doctoral Program**

### **2.1. Language requirements**

Students seeking admission must satisfy the language requirements defined by the respective provisions of the CEU Doctoral Regulations.

### **2.2. Degree requirements**

2.2.1. For being admitted an applicant must have an LL.M. degree from CEU or

- an LL.M. degree from another institution with a credit load and program similar to that of CEU, or
- an MA degree on the basis of a law degree with a credit load and program similar to that of CEU provided that the MA was received in a field which is cognate with the proposed S.J.D. research.

2.2.2. Degrees satisfying the following criteria may qualify:

a/ In case of a Master of Law degree earned at CEU, the minimal results applicants have to satisfy are:

a/ grade-point average of at least 3.3; and

b/ CEU LL.M. holders with a short thesis have to submit additional paperwork satisfying the requirement imposed on long theses.

b/ In case of external LL.M. or MA degrees only students who hold a post-graduate masters degree in law issued by a law school having a masters program similar to that of CEU Department of Legal Studies may qualify.

2.2.3. A post-graduate degree may be considered as being similar to a CEU LL.M. degree if:

- the post-graduate studies started after having passed - or having satisfied the academic conditions for taking - the bar exam, and
- the given post-graduate degree was earned under essentially similar conditions as far as course work, thesis writing and other degree requirements are concerned.

2.2.4. Criteria for evaluation of doctoral theses:

a/ CEU thesis:

- candidates having submitted a long CEU thesis shall have, in principle, priority;
- candidates having submitted a short CEU thesis may also qualify in case of a short thesis of outstanding quality;
- law-related publications in books or renowned law reviews shall also be taken into account.

b/ In case the masters degree has been acquired without a defended thesis at another distinguished university, eligibility of the candidate shall be evaluated and decided upon on the basis of the quality of his/her publication(s) or papers submitted for publication.

### **2.3. Other entry requirements**

2.3.1. Students with a non-CEU masters degree have to submit a copy of their masters thesis.

2.3.2. Each applicant must satisfy the other requirements imposed by the CEU Doctoral Regulations, including but not limited to submission of a complete application package.

2.3.3. Doctoral Students are admitted to the Doctoral Program with full or any other of the CEU financial packages as determined and advertised by CEU. The number of Doctoral Students accepted is determined for every Academic Year by the LEGS Doctoral Committee.

### **2.4. Parallel post-graduate studies**

2.4.1. Doctoral students cannot be enrolled into another post-graduate program unless such enrollment is specifically approved by the LEGS Doctoral Committee when deciding on applications for the CEU LEGS Doctoral Program or prior to applying to such a program. Every student has to provide also a signed statement of responsibility upon getting enrolled in the LEGS Doctoral Program.

2.4.2. Parallel studies of lower level (e.g., another LL.M. program) are not permitted during the CEU Doctoral Studies.

2.4.3. Infringement of these rules may result in immediate termination of the Doctoral Status with CEU and the obligation to repay the stipends and other benefits received by the student while enrolled in the CEU doctoral program.

### **2.5. Employment and stipend**

2.5.1. Probationary Doctoral Candidates may not receive permission to suspend their studies because of employment, or work in any form, before passing the comprehensive examination irrespective of the nature of the income-earning activities (e.g., employment or service-contract, for-profit or non-profit employer).

2.5.2. After the successful completion of the conditions and promotion to Doctoral Candidate status, Doctoral Candidates may exceptionally enter into employment or other income-producing contractual relationship only if:

- (a) the employment related duties are to be performed in academic, human rights or governmental areas, or if the work is directly connected to the thesis topic of the Doctoral Candidate and it could be presumed that the work will be of benefit also to the research and doctoral studies; and

- (b) the Doctoral Candidate is not prevented thereby from fully satisfying all the obligations provided by the relevant regulations of CEU, and
- (c) as a rule the work is to be predominantly performed in Budapest.

2.5.3. Approval of employment, or equivalent, may be granted only *prior* to entering into the employment relationship.

### **3. Residence, attendance, and other duties**

#### **3.1. Status and maximum duration of doctoral studies**

3.1.1. Successful applicants are admitted to the first year of doctoral studies as 'Probationary Doctoral Candidates'. They become 'Doctoral Candidates' upon successfully passing the comprehensive (oral) examination not later than 15 months from the date of the original enrolment.

3.1.2. Entitlement to sit the comprehensive examination is open only to those Probationary Doctoral Candidates who have:

- a/ regularly attended all doctoral activities for the period of, at least, a full six months of the academic year, and
- b/ earned, at least, twenty (ECTS equivalent: forty) doctoral credits by the date upon which the examination is scheduled, and
- c/ their Thesis Structure-Proposal has been accepted by their supervisor and the respective Program Chair.

3.1.3. It is a condition for becoming a Doctoral Candidate that the grade for the Comprehensive Exam is higher than B. The Probationary Doctoral Status of those students whose grade for the comprehensive examination is lower than B+ is automatically terminated in two weeks after the student is notified of the result. If the student files an appeal (as per the CEU Doctoral Regulations), the Status terminates on the date the decision on the appeal becomes final.

#### **3.2. Residence and general duties**

3.2.1. Probationary Doctoral Candidates are required to reside in Budapest during their probationary period and may be granted a period of absence not exceeding two calendar months by the LEGS Doctoral Committee only in exceptional cases. The following exceptional circumstances may qualify: serious illness, family reasons (e.g., death in family) or participation at conferences or research at another institution on a topic closely related to the candidate's thesis topic not exceeding one month.

3.2.2. Absence may be granted solely by the LEGS Doctoral Committee on the basis of the prior written approval of the candidate's Program Chair.

3.2.3. Doctoral Candidates shall be exempted from the Budapest residency requirement for an annual one-month (optional) break during the summer holiday period (i.e., July or August) and for any specifically authorized scholarship or research period abroad.

3.2.4. Some of the mandatory activities may take place during intensive weekend sessions.

3.2.5. Doctoral Candidates are obliged to take part in all doctoral activities organized by the Department of Legal Studies as long as they receive a scholarship from CEU and notwithstanding that they have collected all the mandatory doctoral credits.

3.2.6. It is expected that the *senior* Doctoral Candidates in particular will actively contribute to class discussions and actively participate in the doctoral activities.

### **3.3. Coursework and credits**

3.3.1. The total number of credits to be acquired by Doctoral Candidates is **ninety** (ECTS equivalent: **180**). Not less than **twenty** (ECTS equivalent: **40**) credits has to be earned during the probationary period.

3.3.2. The detailed matrix of activities, requirements and credits that could be earned is attached as **Appendix I to these Regulations**.

3.3.3. The LEGS Department intends to accredit the Doctoral Program also in Hungary, the country of its seat, in order to allow for a more intensive cooperation and integration with European Union-based doctoral programs. For the purposes of Hungarian accreditation, each credit awarded according to these Regulations is expressed in **ECTS credits** as well. One credit earned based on these Regulations is worth two ECTS credits.

3.3.4. Doctoral Candidates will participate in the following types of activities together with Probationary Doctoral Students:

#### **A. DOCTORAL SEMINARS:**

##### **a/ Great Books Seminars:**

**Aims:** To discuss with students classics of jurisprudence or other social sciences. The selection of books is reviewed each year and the students have the right to make proposals for the inclusion of titles.

**Credit requirements:** Students are expected to submit quality essays on the fourteen selected books during the three years of their doctoral studies and to constructively participate in the debate on those books. Senior students are expected to summarize and critically comment upon the essays of their junior colleagues at these sessions.

##### **b/ Visiting Professors' Seminars:**

**Aims:** The invited guest professors are asked to propose and discuss with the students a recently written book, chapter of a book, or article written by the invited scholar or another expert in the field. The aim is to expose the students to cutting edge topics and to allow discussion of challenging topics with renowned authors and leading experts.

**Credit requirements:** Active participation at eight contact meetings is required for four credits for this type of activity. A minimum of 8 credits are required and maximum of 12 credits may be earned for this type of seminar.

##### **c/ Reading Seminars:**

**Aims:** The articles and other materials to be discussed are, in principle, proposed by the doctoral students. Faculty may also make such proposals but the ultimate choice remains with the S.J.D. students.

In order to help the preparation of the seminar, the students' proposal is to be submitted accompanied by a short written note indicating the reasons behind the proposal and the name(s) of the professors whom the students would like to invite for the session. The proposal should reach the LEGS Director of the Doctoral Program at least two months prior to the date of the planned seminar, who will, in turn, make contact with and invite the proposed guest professor.

The materials for discussion may be distributed for reading and analysis at a later date, but no later than two weeks prior to the scheduled seminar date. All proposals are subject to the approval of the S.J.D. Program Director.



One or two S.J.D. students will first summarize the topic and then raise questions for discussion to be moderated by them. The guest professor is expected to contribute to the discussions with comments and questions.

**Credit requirements:** Active and constructive participation at six contact meetings and moderating a discussion at one contact meeting yields the requisite number of credits.

**d/ Work in Progress Seminars:**

**Aims:** To provide the students with the possibility to present their research results and thus to expose them to the critical evaluation of their peers.

**Credit requirements:** At least, two quality work in progress presentations adequately displaying the presenter's research results are expected from the students during the three years of their doctoral studies.

**e/ Thesis writing course**

**Aims:** To introduce the students to the CEU requirements as far as style, structure, and citation are concerned. The course will also deal with the main problems and dilemmas likely to be encountered as well as writing styles.

**Credit requirements:** Passing of the course.

**B. COURSEWORK:**

Doctoral students are expected to take one or more masters courses that are related to their dissertation topic, including courses offered by other departments, during their first two years of doctoral studies. For a 700-minute course doctoral students will earn 5 doctoral credits (10 ECTS).

Courses tailor-made to doctoral students may also be offered by the Department of Legal Studies.

**C. PARTICIPATION AT WORKSHOPS AND CONFERENCES:**

**a/ Annual doctoral workshops:**

**Aim:** These weeklong workshops are organized as a rule once per academic year specifically for doctoral students to allow them to focus on particular interdisciplinary topics necessary for doing doctoral research and writing a doctoral dissertation. Top international experts are invited to deliver these courses. Typical themes include: comparative law and methodology, law and literature, or law and economics.

**Credit requirements:** Constructive class participation at nine contact hours and submission of a quality essay yields a passing grade.

**b/ Conferences:**

**Aim:** The students are also given the possibility to attend and – to the extent possible – also to present a paper at interdisciplinary conferences organized by LEGS to get acquainted with the style, method and themes discussed at international events of this sort.

**Credit requirements:** Participation and submission of a quality essay on a topic discussed during the conference yields the foreseen number of credits.

**D. TEACHING ACTIVITIES AND TEACHING ASSISTANCE**

**Aims:** The Doctoral Students are expected to teach during their doctoral studies and to engage in various forms of teaching assistance to help them gain experience for an academic career. The Department will introduce the Doctoral Students to the teaching process and the students have to participate in all kinds of

activities organized to that end – including, but not limited to, proctoring the examinations, structuring the courses and the reading materials.

**Credit requirements:** Students are awarded credits commensurate to the time and complexity of teaching activity.

## **E. PUBLICATIONS**

**Aims:** Students are strongly encouraged to publish shorter papers during their doctoral studies, albeit not to the detriment of their dissertation-related research and writing. Some of the doctoral seminars are devoted to questions concerning how to get published.

**Credit requirements:** Credits may be earned according to the quality of the published paper based on:

- the quality of the publisher (e.g., whether internationally known or a local publishing house),
- whether published in a peer-reviewed law journal or not,
- the ranking of the law journal.<sup>3</sup>

Whether, and how many, credits should be awarded to a publication is determined by the student's Program Chair who may consult the student's supervisor(s) on the matter.

3.3.5. Doctoral Students are obliged – in addition to the duties specified by the CEU Doctoral Regulations – to regularly contact their supervisors and to submit monthly and annual reports on their activities, including research results, publications and other major achievements.

3.3.6. Doctoral Students are also expected to constructively participate in other activities organized by the University and/or other departments (e.g., public lectures, conferences).

### **3.4. Thesis Structure-Proposal and deadlines**

3.4.1. Probationary Doctoral Candidates shall submit their Thesis Structure-Proposal together with the Submission-Schedule:

- a/ before the end of the first semester to their thesis supervisors;
- b/ the Submission Schedule is to be added with specification of the submission dates for each chapter.

3.4.2. The Thesis Structure-Proposal is to contain:

- a brief introduction highlighting why the chosen topic is novel and how could the thesis be a significant contribution to the body of knowledge and understanding of the subject with which it deals;
- the preliminary table of contents;
- identification of the main issues and problems to be analyzed;
- identification and justification of the chosen jurisdictions; and
- preliminary bibliography with a separate list of sources with which the research shall be started.

3.4.3. The Thesis Structure-Proposals shall be discussed within the framework of the “Work in Progress” seminars.

3.4.4. The Submission-Schedule is to be made for the first three years of stipend- supported doctoral studies at CEU according to the following:

- a/ the first draft of the introduction and the **first chapter** is to be submitted **no later than** the 20th of June of the first academic year;

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<sup>3</sup> FOR EXAMPLE BASED ON RECOGNIZED RANKING SYSTEMS SUCH AS THE WASHINGTON AND LEE UNIVERSITY SCHOOL OF LAW'S SYSTEM AVAILABLE ELECTRONICALLY AT < [HTTP://LAWLIB.WLU.EDU/LJ/INDEX.ASPX](http://lawlib.wlu.edu/lj/index.aspx) >; LAST VISITED ON 28 JUNE 2011.

- b/ the first draft of a **second chapter** is to be submitted **no later than** the end of first semester of the second academic year;
- c/ the first draft of a **third chapter** is to be submitted **no later than** the 20th of June of the second academic year;
- d/ the first drafts of the **remaining chapters** ought to be submitted according to the schedule approved by the student's supervisor;
- e/ the subsequent chapters ought to be submitted within the deadline determined by the supervisor;
- f/ in principle, by the second semester of the third year of residence-based doctoral studies the first drafts of all chapters are to be submitted to the supervisors, unless otherwise instructed by the supervisor.

3.4.5. In principle, no student can leave for research without having, at least, an approved draft of one chapter of the thesis (excluding introduction and conclusions).

3.4.6. Doctoral Candidates shall submit their **revised** thesis Structure-Proposals and Submission-Schedules (including submission dates for revised chapters) by the end of September of each Academic Year during their scholarship years.

3.4.7. Where a student deviates from the submission schedule or where the supervisor regards the submitted work to be unsatisfactory, the student's progress shall be reviewed by the LEGS Doctoral Committee. The LEGS Doctoral Committee may consider the imposition of proportionate sanctions, which include, but are not limited to: a) refusal to provide the student with academic references; (b) issuance of a formal written warning; (c) withdrawal of stipend until satisfactory progress is made; (d) termination of a student's doctoral studies.

3.4.8. Where a student's progress is to be reviewed by the LEGS Doctoral Committee under 3.4.7 above, the student shall be invited by his/her supervisor to submit in advance any written evidence of extenuating medical or compassionate circumstances that the student considers relevant to the LEGS Doctoral Committee's assessment. The Doctoral Committee shall consider only exceptional and adequately proven objective reasons (e.g., pressing and unforeseen family circumstances, hospitalization). Evidence of ill-health must be authenticated by the student's medical advisor - self-certification will not be accepted. Medical certificates should be forwarded directly to the relevant Program Chair or to the Director of the Doctoral Program.

#### **4. Withdrawal, re-enrollment, termination**

4.1. Probationary candidates in principle may not request withdrawal with the right to re-enrolment. In exceptional cases, (e.g., serious medical condition) the LEGS Doctoral Program Committee may, however, approve withdrawal with a right to re-enroll in a specified period of time.

4.2. S.J.D. Candidates may request stopping the stipend or withdrawal as per the provisions of the CEU Doctoral Regulations.

#### **5. Supervision**

5.1. The provisions of the CEU Doctoral Regulations in force apply respectively.

5.2. The responsibilities of the supervisor and the associate supervisor include in particular:

- a/ giving guidance about the nature of research and standards expected, about the choice of research topic, about the planning of the research program and about relevant literature and resources;
- b/ giving detailed advice in order to ensure that the whole research project and thesis writing is completed within the scheduled time;

- c/ regularly requesting pieces of written work and/or research results and return such work (including thesis drafts) with constructive criticism within a reasonable time;
- d/ informing the student about the satisfactory or unsatisfactory progress of his/her work;
- e/ reporting once per academic year in writing to the Doctoral Committee on the candidate's progress; the content of this report must be communicated to the student;
- f/ mentoring students in their preparation for an academic career;
- g/ encouraging students to play a full and active role in the intellectual life of the department and the university;
- h/ assisting students in finding suitable host universities for study/research abroad under the Doctoral Research Support Scheme.

## **6. Examinations and the final defense**

### **6.1. Comprehensive examination**

6.1.1. The comprehensive examination is taken before a three-member examination committee invited by the Program Chair of the Probationary Candidate and with the consent of the Director of the Doctoral Program.

6.1.2. The student is provided in due time with a reading assignment for the exam. The reading assignment will encompass scholarly articles and/or parts of books from various disciplines or other legal materials covering areas related to the subject-matter of the dissertation – as approved by the student's Program Chair and the student's supervisor.

6.1.3. Candidates are obliged to communicate to the Director of the Doctoral Program in due time:  
- the finalized thesis (topic);  
- an indicative time when would they like to have their examination scheduled.

6.1.4. The date, members of the examination panel and the subjects of the comprehensive examination are decided upon by the Program Chair. As a rule, the comprehensive (oral) examination shall take place within 15 calendar months from the beginning of the doctoral studies.

6.1.5. Minutes of the examination are taken featuring the questions asked and answers provided. Any of the panel members are entitled to make comments on the examination or on the grade. The grade is awarded according to the general grading system of CEU. Only grades B+ or better are passing grades at the comprehensive examination.

6.1.6. The student may retake the failed exam not earlier than one month and not later than five months from the date of the failed exam, before the same or a modified Committee.  
On the basis of the minutes of the exam the Doctoral Committee decides the grade.

6.1.7. Comprehensive exam may be retaken only once.

### **6.2. Submission of thesis for defense and examination of the thesis**

6.2.1. Doctoral Candidates may submit the thesis only if submission is approved by their thesis supervisor in writing.

6.2.2. The S.J.D. thesis may not be less than 80,000 and may not exceed 130,000 words (including tables, graphs and footnotes; excluding bibliography) without prior permission of the Doctoral Committee. Permission may be granted only if it can be justified on objective grounds (e.g., that the candidate's nostrification rules require the thesis to be of a particular length). In principle, only GPA 3.33 or higher entitles the Student to submit the thesis for defense.

6.2.3. The submitted thesis shall include:

1. title page including the author's name, date of submission, and the supervisor(s)' name(s);
2. table of contents;
3. abstract of maximum 500 words;
4. signed statement that the thesis contains no materials accepted for any other degrees in any other institution;
5. signed statement that the thesis contains no materials previously written and/or published by another person, except where appropriate acknowledgements are made in the form of bibliographical reference;
6. where the work is based on joint research, disclosure of the respective contribution of the authors;
7. any other requirements imposed by CEU Doctoral or other regulations, and
8. submitting a statement whether the student objects to anyone being in their committee.

6.2.4. Upon receipt of the supervisor's consent for submission, and on the basis of full compliance with all other requirements for submission of the thesis for defense, the Dissertation Committee members will be proposed by the student's Program Chair to the LEGS Doctoral Committee, which may in turn recommend them for appointment by the UDC.<sup>4</sup> Before filing the proposal with the LEGS Doctoral Committee, the Program Chair should acquire the consent of the Committee members.

The composition of the Committee is based on the CEU Doctoral Regulation's provisions.<sup>5</sup>

Upon appointment by the UDC, Committee members shall be supplied with a hard or electronic copy of the thesis.

### **6.3. The defense**

6.3.1. The LEGS thesis defense is in *oral* form. Written defense is allowed only in exceptional circumstances, whereupon the Candidate must apply in writing to the LEGS Doctoral Committee for approval. In case of a written defense, the relevant sections of the CEU Doctoral Regulations shall be applied directly.<sup>6</sup>

6.3.2. The Candidate's supervisor shall normally chair the defense of the thesis (dissertation), unless otherwise decided by the Defense Committee. The defense normally starts with a short introduction by the candidate on his/her thesis (dissertation) topic, and then – prior to the questions posed by the panel members – the Candidate is asked to give a brief overview of the thesis (dissertation).

6.3.3. The defense is public, with the exception of the decision-making process, when the audience is asked to leave the room. Written records – signed by each Committee Member – have to be made on the grading of the defense. Audio or video recording is allowed only if approved by the Dissertation Committee.

### **6.4. Acceptance**

6.4.1. If the thesis/dissertation and the defense satisfy the required academic standards, the defense is graded according to the following:

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<sup>4</sup> UDC APPOINTS THE DISSERTATION COMMITTEE FOLLOWING THE RECOMMENDATION OF THE LEGS DOCTORAL COMMITTEE BASED ON SECTION 7.2.(A) OF THE CEU DOCTORAL REGULATIONS.

<sup>5</sup> IN JUNE 2011, THESE ISSUES ARE REGULATED IN SECTION 7.2.(B) OF THE CEU DOCTORAL REGULATIONS.

<sup>6</sup> IN JUNE 2011, THIS IS REGULATED BY THE THIRD PARAGRAPH OF SECTION 7.2. (D) OF THE CEU DOCTORAL REGULATIONS.

- Summa cum laude (the highest grade);
- Magna cum laude;
- Cum laude (the lowest passing grade).

6.4.2. The guidelines for thesis evaluation are as follows:

- whether the CEU University Thesis Guidelines on language, grammar and structure have been complied with;
- whether the CEU rules against plagiarism have been adhered to and whether the thesis consistently follows one recognized legal citation system (e.g., the Harvard Law School Blue Book of Citations or equivalent);
- whether the thesis makes a significant contribution to the body of knowledge and understanding of the subject with which it deals;
- whether the thesis demonstrates the candidate's capacity to carry out quality independent research;
- whether the thesis contains material worthy of publication; and
- whether substantial knowledge in the specific subject is demonstrated.

6.4.3. A defense is **unsuccessful** if the majority of the Dissertation Committee is of the opinion that the thesis does not satisfy the criteria of originality, scope, depth and quality, or if other grave problems dictate such an outcome (e.g., plagiarism).

In such a case, the Dissertation Committee will set a **deadline for resubmission** of the thesis, which may not be shorter than three months or longer than one year. If the examinee files an appeal against the decision to the CEU body as determined by CEU regulations, this deadline shall start running from the date of the final decision made by the appellate level.

The Dissertation Committee shall also provide the student with detailed requests for modifications to be formulated and communicated to the student either by the supervisor - Committee Member or by the student's Program Chair.

The members of the Dissertation Committee to review the resubmitted thesis shall remain the same unless exceptional circumstances dictate otherwise.

If the examinee does not file an appeal, the resubmitted thesis shall be forwarded to the Dissertation Committee members, who will be asked to review the thesis based on the requests for modifications made and to express *in writing* whether the requested modifications have been satisfactorily complied with. If they are satisfied with the modifications made by the student, they shall also grade the resubmitted thesis.

Exceptionally, if the majority of the voting members so decide and if approved by the UDC, the oral defense may be repeated before the same or another Dissertation Committee.

The grade awarded for a resubmitted thesis may not be higher than magna cum laude.

If the student has filed an appeal against the Dissertation Committee decision, the decision of the appellate body will be applied.

## 7. Unsatisfactory progress and other breach of doctoral regulations

7.1. Probationary Candidates and Doctoral Candidates may be served for any infringement of these or the CEU Doctoral Regulations with the following measures:

1. Warning given by the LEGS Doctoral Committee;
2. Suspension or termination of doctoral status.

7.2. In particular the following acts qualify as an infringement of the Doctoral Regulations:  
a/ failure to participate in the doctoral activities without properly evidenced justification;  
b/ employment during the doctoral studies without the required permissions;  
c/ improper behavior during the doctoral studies or related doctoral activities;  
d/ continued neglect of duties (e.g., failure to conduct research and/or to produce reports on the work done for more than two calendar months).

7.3. The Head of the Department, Program Chairs, every member of the LEGS Doctoral Committee (if different) and a student's supervisor have the right to initiate disciplinary proceedings according to this section.

7.4. The LEGS warnings are issued in written form and include a brief explanation of the reasons for issuing the warning. Students have a right of appeal to the CEU Doctoral Committee within 8 calendar days of receipt of the warning by the Doctoral or Probationary Candidate.

7.5. The termination of the doctoral status is imposed by the LEGS Doctoral Program Committee.

## **8. Appeals**

8.1. Students can lodge an appeal against any decision made by the Doctoral Committee or one of the Examination Committees to the UDC. The appeal must be in writing and include the grounds for the appeal and the desired outcome of the appeal. All other appeals-related questions shall be decided upon based on the CEU level Regulations.

Head of the Department of Legal Studies  
Prof. Renáta Uitz

Director of the Doctoral Program  
Prof. Mathias Möschel

| A | DOCTORAL SEMINARS            | Mandatory/<br>optional | Workload   | Minimum<br>(US system) | Maximum<br>(US system) |
|---|------------------------------|------------------------|--|------------------------|------------------------|
| 1 | Great books seminar          | Mandatory              | <p><b><u>a/ writing requirement:</u></b></p> <p>- acceptance of 14 essays on 14 different great books (half must be interdisciplinary), and</p> <p><b><u>b/ participation requirement:</u></b></p> <p>- constructive participation at the 14 sessions on which the submitted essays are discussed, and</p> <p><b><u>c/ summary &amp; comments on doctoral students' great books papers</u></b></p> <p>together yields 12 credits</p> <p>- additional 1 credit for additional commenting on a Great books seminar, together with submitting an additional essay</p> | 12                     | 15                     |
| 2 | Visiting professors' seminar | Mandatory              | <p><b><u>Participation requirement:</u></b></p> <p>- constructive participation at eight contact sessions yield <i>four</i> credits</p>  | 8                      | 12                     |
| 3 | Reading seminar              | Mandatory              | <p><b><u>a/ Participation requirement:</u></b></p> <p>- constructive participation at <i>six</i> contact sessions, and</p> <p><b><u>b/ Moderation of a topic:</u></b></p> <p>- introduction &amp; moderation of the chosen topic-related discussion at one contact session – yields <i>four</i> credits</p>  | 8                      | 12                     |



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| 4        | <b>Work in progress seminar</b>                    | Mandatory         | <p><b><u>a/ first years students:</u></b></p> <p>- 15 – 20 minutes long presentation of the research topic and plans yields <b>0,5</b> credits</p> <p><b><u>b/ senior students:</u></b></p> <p>- 30 – 45 minutes long presentations and moderation of discussions yields <b>two</b> credits</p>   | 2,5 | 4,5 |
| 5        | <b>Thesis writing course</b>                       | Mandatory         | <p>- Offered by the CEU Center for Academic Writing</p> <p>- Passing of the course/s/ yields <b>two</b> credits in the first year, and <b>one</b> credit in the third year</p>  | 3   | 3   |
| <b>B</b> | <b>COURSEWORK</b>                                  |                   |   |     |     |
| 6        | <b>Passing courses offered to masters students</b> | Mandatory segment | <p>- Passing of one or two courses with grade B or higher</p> <p>- One course satisfying these requirements yields <b>five</b> credits</p> <p>- The chosen course:</p> <p>a/ must be related to the chosen dissertation topic, and</p> <p>b/ cannot be substantially similar to any graduate or post-graduate course already taken by the student</p> <p>c/ the choice must be approved by the student's supervisor, or in case no supervisor is appointed, by the respective Program Chair,</p> <p>d/ masters courses may be taken in principle only during the first year of doctoral studies</p> <p>– exceptionally, with the approval of the supervisor, also in the second year</p> <p>e/ for each masters credit five doctoral credits are awarded.</p> | 10  | 15  |

|          |   |   |  |   |    |
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| 7        | <b>Passing courses offered to masters students</b>  | Optional segment  | <ul style="list-style-type: none"> <li>- With the approval of the supervisor (or respective Program Chair),</li> <li>- students may take for grade a third masters course</li> </ul>   | - | 5  |
| 8        | <b>Taylor-made doctoral courses</b>   | Mandatory, if offered   | <ul style="list-style-type: none"> <li>- Courses taught by distinguished visiting professors yet not offered every academic year</li> <li>- Each masters credit earned yields five doctoral credits</li> </ul>   | - | 10 |
| 9        | <b>CTL (Center for Teaching and Learning) courses</b>   | optional  | <ul style="list-style-type: none"> <li>- 3 credits can be obtained by the one semester course,</li> <li>- additional 1-1 credit can be obtained by the 4 week short courses</li> <li>- additional 1 credit can be obtained by the „capstone project” (a teaching project prepared by the participant)</li> </ul> <p>This would yield altogether 6 credits, however, the one semester course and the 4 week courses could be taken separately, for 3 or 1 credit. (The credit for the “capstone project” is available only as a part of the completion of the total program.)</p> | - | 9  |
| <b>C</b> | <b>ANNUAL DOCTORAL WORKSHOP</b>   |   |  |   |    |
| 10       | Course specifically organized for doctoral students (e.g., comparative law & methodology, law and literature) | <ul style="list-style-type: none"> <li>- Mandatory during the first and second years:</li> <li>- Optional during the third year of</li> </ul> | - Passing of the course yields 5 credits   | 5 | 10 |

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|          |   | doctoral studies  |   |     |     |
| <b>D</b> | <b>CONFERENCES</b>  |   |   |     |     |
| 11       | <b>Mandatory conference participation</b>                     | Mandatory   | Requirements for earning <b>2,5</b> credits:<br><br>- constructive participation at a conference organized by CEU Legal Studies, or by another unit of CEU – upon approval of the respective Program Chair<br><br>- delivery of a presentation as part of the conference or acceptance of a related paper | 7,5 | 7,5 |
| 12       | <b>Optional conference participation</b>                      | Optional  | - Under the conditions approved by the student's Program Chair<br><br>- Work to be performed must be in the line with workload requirements foreseen for other doctoral courses   | -   | 6   |
| <b>E</b> | <b>TEACHING</b>   |   |   |     |     |
| 13       | <b>Computer-based Legal Research course</b>                   | Mandatory   | Preparing, lecturing, evaluation & grading of assignments yields <b>two</b> credits   | 2   | 4   |
| 14       | <b>Delivering of a full masters (or undergraduate) course</b> | Optional – depending on the department's possibilities  | Teaching of a full one credit masters course yields 5 doctoral credits  | -   | 10  |
| 15       | <b>Delivering less than a full masters course</b>             | Optional – depending on the department's possibilities and the consent of the lecturer of the chosen course | - The credits to be allocated should be commensurate to the length and the quality of the lecture as approved by the course professor, or the respective Program Chair<br><br>according to the following coordinates:   | -   | 10  |

|          |   |  |   |   |   |
|----------|---|--|---|---|---|
|          |   |  | <p>a/ less than a full class meeting (i.e., less than 50 minutes): 0,25 credits</p> <p>b/ full class meeting: 0,50</p> <p>c/ 2x50 minutes meetings: 0,75</p>  |   |   |
| <b>F</b> | <b>TEACHING ASSISTANCE</b>  |  |   |   |   |
| 16       | Tutoring junior or masters students   | <p>Optional</p> <p>- depending on the department's possibilities</p> | <p>- Must be approved by the student's Program Chair or the Director of the Doctoral Program</p> <p>- In deciding on the credits to be allocated, the criteria for 'delivering less than a full masters course' should be applied by analogy</p>      | - | 2 |
| 17       | <p>Other activities exemplified:</p> <p>a/ participation at CEU-moot court competition rounds</p> <p>b/ help in revising the course-readers (but not deciding on the content what is the responsibility of the lecturers)</p> | <p>Optional – depending on the department's possibilities</p>        | <p>- Always with the prior approval of the student's supervisor and Program Chair</p> <p>- Credits to be allocated are determined together with giving the approval</p>   | - | 3 |
| 18       | Proctoring exams and note taking  | Mandatory  | - Students residing in Budapest are expected to proctor and to take notes in comprehensive examinations and thesis defenses, but cannot be asked to do so 10 days prior to the scheduled date of their own comprehensive exam or final thesis defense | 3 | 4 |

|          |  |   |   |  |   |
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|          |  |   | <p>- Criteria:</p> <p>a/ proctoring an exam yields <b>0,10</b> credits</p> <p>b/ note taking at a comprehensive exam or a thesis defense yields <b>0,30</b> credits</p>   |  |   |
| <b>G</b> | <b>PUBLICATION</b>   |   |   |  |   |
| 19       |  | Optional                                | <p>- In principle:</p> <p>a/ only law and/or the student's thesis topic-related publications are recognized,</p> <p>b/ if published in books of renowned publishing houses or in renowned law reviews</p> <p>- The recommendation for the recognition of publication and the number of credits to be allocated is proposed by the student's Program Chair and is approved by the Director of the Doctoral Program</p> | -  | <b>10</b>   |
| <b>H</b> | <b>COMPREHENSIVE EXAMINATION</b>                             |   |   |  |   |
| 20       |  | Mandatory                               | - Coverage of three broader areas of law from the students' program of specialization as assigned by examination panel members  | <b>15</b>                                | <b>15</b>   |
|          | <b>TOTAL US CREDITS</b>                                      | <b><u>required for defense: 90</u></b>  |   | <b>76</b><br><b>(minimum mandatory)</b>  | <b>167</b><br><b>(maximum that could be earned)</b> |
|          | <b>Total ECTS (Hungarian &amp; EU accreditation) credits</b> | <b><u>required for defense: 180</u></b> |   | <b>152</b><br><b>(minimum mandatory)</b> | <b>334</b><br><b>(maximum that could be earned)</b> |