

Legal Studies Department Doctoral Regulations

Implementing the Doctoral Regulations of the Central European University (hereinafter: University Doctoral Regulations) – adopted by the Senate on April 4, 2008.

1. Doctoral Committee of the Legal Studies Department

1.1. The members of the Doctoral Committee of the Legal Studies Department (hereinafter: LEGS Doctoral Committee) are:

- the chairs of the Comparative Constitutional Law (hereinafter: CCL), the International Business Law (hereinafter: IBL) and the Human Rights (hereinafter: HR) Programs;
- the Head of the Department – in case the Head is not identical with any of the above;
- student representative elected from among Doctoral Students having the status of ‘Doctoral Candidate’ as defined by the University Doctoral Regulations and residing in Budapest in any school-year with interruptions not more than a month; and
- the Director of the Doctoral Program who is ex officio a member; in absentia replaced by the Co-Director (if a Co-Director is appointed by LEGS).

1.2. The LEGS Doctoral Committee’s responsibilities include:

- a) steering of the Doctoral Program;
- b) passing and amending these Doctoral Regulations as well as taking care of its publication on the LEGS website;
- c) enforcing these Regulations;
- d) making recommendations for the University Doctoral Committee for the members of the Admission, Rigorousum and Thesis Committees;
- e) appointing supervisors and the members of the Comprehensive Examination and Prospectus Defence Committees;
- f) reporting to the University Doctoral Committee on the LEGS doctoral program in 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.

2. Other LEGS Doctoral Program Related Committees

2.1. 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 CEU University Doctoral Committee based on the recommendation of the LEGS Doctoral Committee. Its responsibilities include conducting of the admission process and making all decisions related to it.

2.2. The LEGS Comprehensive Exam Committee and the LEGS Rigorousum Committee (degree accredited in Hungary) have as their members the Chair of the Program to which the doctoral candidate is belonging to or a resident professors of CEU and two other members possessing a doctoral degree or equivalent, at least one of whom is external to CEU.

These Committees are appointed by the CEU University Doctoral Committee based on the recommendations of the LEGS Doctoral Committee. Their responsibilities include

conducting the comprehensive examinations and making all decisions connected to comprehensive examinations and rigorosums.

2.3. For the purposes of these Regulations an external member is a scholar/teacher having a doctoral degree or equivalent if:

- he/she is not in an employment relationship with the CEU LEGS;
- or he/she does not teach more than two CEU LEGS credits per academic year.

2.4. For the purposes of these Regulations it shall be taken that the equivalent of a doctoral degree exists in case of scholars/teachers with proven record of excellence in scholarship, publishing and teaching. The list of experts/teachers with a degree and experience is reviewed and approved by the Program Chairs.

3. The Director and Co-Director of the LEGS Doctoral Program

3.1. The LEGS Doctoral Program has a Director appointed by the LEGS Doctoral Committee for the period of maximum two academic years. The Director may be re-elected for another term of two years, or less as determined by the LEGS Doctoral Committee.

3.2. The LEGS Doctoral Committee may also appoint a Co-Director of the Doctoral Program for a period of two academic years.

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

3.4. In case the opinions of the Director and Co-Director differ on matters related to the Doctoral Program, the final decision shall be made by the Head of the Department.

3.5. The LEGS Doctoral Program Director and the Co-Director are normally appointed from among the CEU *resident* professors having a doctoral degree or equivalent.

3.6. 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 of the progress reports of the 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 the suggestion of sanctioning of doctoral students;
- e) organization of the Dubrovnik Seminar;
- f) supervision of the students' adherence to the residence and presence requirements.

4. Eligibility for the LEGS Doctoral Program

4.1. Degree requirements:

- 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 consanguine with the proposed SJD research.

4.2. Quality of the degree:

4.2.1. Master of Laws degree at CEU:

- a) it has to be with at least “B” average;
- b) it has to be above the Legal Studies grade average; and
- c) the thesis has to be graded “completed with honors” or higher (CEU LL.M. holders with a short thesis have to submit additional paperwork equal to a long thesis).

4.2.2. External LL.M. or MA degree: based on a comparison of CEU grading and evaluation system with the degree awarding institution the degree has to be similar to an eligible CEU degree.

4.3. Other entry requirements:

- A students with a non-CEU masters degree has to:

- a/ pass the LSAT test or submit a proof not older than three years on having passed it; and
- b/ submit a copy of his/her masters thesis.

4.4. Thesis requirements:

4.4.1. CEU thesis:

- (a) candidates having defended a long CEU thesis shall have priority;
- (b) candidates having submitted a short CEU thesis may also qualify considering the quality of the short thesis and/or the quality of his/her publication.

4.4.2. Non-CEU shall be compared with and evaluated under the CEU thesis-evaluation standards.

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

5. Probationary Period

5.1. Credits.

5.1.1. The total number of credits to be acquired by Doctoral Candidates is six. (See section 4 for details.) The predominant part of them but not less than four credits has to be earned during the probationary period.

5.1.2. Probationary doctoral students shall take part in Introduction to Doctoral Research and Thesis Writing (methodology colloquia) course(s). The faculty provides the colloquia. Some of the meetings may be held separately for the various streams. These activities yield no credit to the students.

5.3. Thesis Structure-Proposal:

5.3.1. Probationary Doctoral Candidates shall submit their thesis structure proposal until the end of the first Semester to their thesis supervisors and/or Program Chairs. The Thesis Structure-Proposal is to contain:

- the anticipated thesis-table of contents;
- identification of the main issues;
- identification of the main sources of research; and
- bibliography.

5.3.2. Probationary Doctoral Candidates shall submit until the end of month September of the second academic year of their doctoral studies:

- the first draft of one chapter of their thesis; and
- the revised Thesis Structure-Proposal.

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

5.3.4. The thesis supervisor and/or the respective Program Chair may initiate the termination of the doctoral studies in case of substandard or untimely submitted Thesis Structure-Proposals.

5.4. Comprehensive examination:

5.4.1. The comprehensive examination is taken before a three-member examination committee invited by the Director of the Doctoral program in consent with the Program Chair of the Probationary Candidate. The student is provided in due time with 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 Program Chair.

5.4.2. Candidates are obliged to communicate to the director of the doctoral program in due time:

- the finalized thesis (topic);
- approximately when would they like to have their examination be scheduled.

5.4.3. The date, members of the examination panel and the subjects of the comprehensive examination are decided by the Doctoral Committee upon proposal from the Program Chair. As a rule, the comprehensive (oral) examination shall take place prior to the end of the 2nd Semester of the candidate’s first year of doctoral studies.

5.4.4. Minutes of the examination are taken featuring the questions asked. Any of the panel members is entitled to make comments on the examination or on the grade. The grade is given according to the general grading system of CEU. Only B or better are passing grades at the comprehensive examination. The student may retake the exam not earlier than within three months from the failed exam.

On the basis of the minutes of the exam the Doctoral Committee decides the grade and submits it to approval to the University Doctoral Committee.

5.5. Promotion to Doctoral Candidate status

Preconditions for promotion:

average 2.70 or better from all course work or being in the upper third of the class in half of the classes,
passing the comprehensive examination and

having the Thesis Structure-Proposal accepted by the supervisor and the respective Program Chair.

5.6. Work during studies

5.6.1. Probationary doctoral students may not receive permission to suspend their studies or to undertake work in any form before having passed the comprehensive examination irrespective of the nature of the income-earning activities (e.g., employment or service-contract).

5.6.2. After the successful completion of the conditions and promotion to the Doctoral Candidate status, Doctoral Candidates may exceptionally enter into employment relationship only:

if the employment also requires residence in Budapest;

if the employment related duties are to be performed in academic, human rights or governmental areas;

on the condition that the Doctoral Candidate is not prevented thereby from fully satisfying all the obligations provided by the pertaining regulations of CEU.

5.6.3. If the employment of the Doctoral Candidate is approved by the Departmental Doctoral Committee, the Doctoral Candidate is eligible to the – full or reduced – CEU stipend, however, only in exceptional cases of proven financial hardship.

5.6.4. Approval of employment may be granted only prior to entering into employment relationship.

5.7. Parallel post-graduate studies

5.7.1. 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.

5.7.2. The considerations in section 3.4. of these Regulations apply by analogy in case of parallel post-graduate studies.

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

5.7.3. 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.

6. Residence, attendance and other duties

6.1. Residence

6.1.1. Probationary Doctoral Candidates are required to reside in Budapest during their probational status and they may be granted absence not exceeding two calendar months by the LEGS Doctoral Committee only in exceptional cases. As exceptional cases may qualify: serious illness, family reasons (e.g., death in family) or participation at conferences or brief research at another institution on a topic closely related to the candidate's thesis topic.

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

6.2. Residence during holidays and vacations

6.2.1. S.J.D. candidates shall be exempted from the duty of residence in Budapest for an annual one-month optional break during the summer holiday period (i.e., July or August) and for the exception of their authorized scholarship and research periods abroad.

6.2.2. The summer holiday absence may not interfere with the duty of each SJD candidate to teach the Computer-based-legal-research or other assigned courses in the first teaching module of the Legal Studies Department.

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

6.3. Participation at doctoral activities

6.3.1. Doctoral Candidates are obliged to take part in all doctoral activities organized by the Department as long as they receive scholarship from CEU. With the promotion to a Doctoral Candidate status they are freed only from the obligation to submit essays for the Great Books Seminar series and to take LL.M. courses, if and only after they have earned the required number of credits for these two types of activities.

6.3.2. It is especially expected that the senior Doctoral Candidates actively contribute to class discussions and to actively participate in the doctoral activities.

6.4. Programs

6.4.1. Doctoral Candidates participate in the following programs together with Probationary Doctoral Students:

The annual interdisciplinary seminars. (At least one credit for coursework over the course of the second and third years).

The Visiting Professors Seminar. A minimum of eight contact meetings is required. More than one credit could be earned on this basis during the doctoral studies.

The Great Books Seminar: lectures and reports on selected books. The credit is granted once the student satisfied fourteen sessions by submitting quality, written essays related to the books discussed and by actively participating in the discussions about the books for which he/she has submitted a written essay.

Work in Progress Seminars. Students present their thesis proposal and/or the results of their research to their peers, once in each academic year and take part in the discussion of others' papers and proposals. No credit earned, yet active participation by all doctoral students residing in Budapest is a requirement.

Participation at CEU workshops and conferences. Seminar credit granted if a quality research paper is submitted and accepted.

Submission of at least one publication before the submission of the doctoral thesis.

Teaching assistance as determined by the Program Chair.

Advanced essay writing seminar when offered by the CEU.

The Department will introduce the Doctoral Students with the teaching process and the students have to participate in all kinds of activities organized for that end including but not limited to proctoring the examinations, structuring the courses and the reading materials.

6.5. Other duties and responsibilities of Doctoral Students

6.5.1. 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 a year report on their activities, including research results, publications and other major achievements.

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

7. Withdrawal, re-enrollment, termination

7.1. Probationary candidates may not request withdrawal with the right to re-enrolment.

7.2. SJD Candidates may request withdrawal with the right to re-enrolment in case of justified family or professional reasons. The permission of the Doctoral Committee of the Legal Studies Department entitles the Candidate to automatic re-enrolment within the deadline indicated in the decision, which, however, may not exceed two calendar years.

In all other cases re-enrolment is possible with the permission of the Doctoral Committee of the Legal Studies Department based on individual assessment.

7.3. External commitments, which are not related to the Program, except academic activities, are strongly discouraged. All external commitment is subject to preliminary approval by the Program Chair. Unauthorized activities may result in the termination of the student status.

8. Supervision

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

8.2. The content of the yearly report of the supervisor & the associate supervisor in writing will be communicated to the Doctoral Student orally within two-months from the date of its receipt by the Head of the Department and/or the Head of the Program to which the student belongs to and another member of the Departmental Doctoral Committee. Whenever possible, the supervisor and/or the associate supervisor is expected to be present as well. Alternatively, a copy of the written opinion may be handed over to the Doctoral Student.

8.3. 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 carrier;
- 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.

9. Thesis Submission

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

9.2. The CEU doctoral thesis may not exceed 80,000 words (including tables, graphs and footnotes; excluding bibliography) without prior permission of the Doctoral Committee. Permission may be granted solely if objective reasons dictate that (e.g., the candidate's nostrification rules require thesis with such length).

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 is made in the form of bibliographical reference, etc.;
6. where the work is based on joint research, disclosure of the respective contribution of the authors.

9.3. Upon submission of the thesis in compliance with the substantive and formal requirements the panel members are nominated. Prospective panel members shall be invited and requested for a declaration of acceptance. Panel members shall be supplied with a hard or electronic copy of the thesis and will be asked to indicate in writing whether the thesis can be submitted for defence as per s. 8.2. of the CEU Doctoral Regulations.

9.4. At the LEGS thesis defence is in *oral* form. Written defence is allowed as per s. 8.2. of the CEU Doctoral Regulations only if particular reasons justify that and upon a written application of the Candidate the LEGS Doctoral Committee approves that. In case of written defence, the pertaining sections of the University Doctoral Regulations shall be applied directly.¹

9.5. The Candidate's supervisor shall normally chair the defence of the thesis (dissertation), unless otherwise decided by the Defence Committee. The defence normally starts with a short introduction of the candidate and his/her thesis (dissertation)

¹ IN JUNE 2008, THIS IS REGULATED BY THE THIRD PARAGRAPH OF SECTION 8.2. OF THE UNIVERSITY DOCTORAL REGULATIONS.

topic, then – prior to the questions posed by the panel members - the Candidate is asked to give a brief overview of the thesis (dissertation).

9.6. The defence is public, with the exception of the decision making process, when the audience is asked to leave the room. Written records – signed by each panel members - have to be made on the grading of the defence.

9.7. If the thesis/dissertation and the defence satisfied the required academic standards, the defence is graded according to the following:

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

9.8. A defence is unsuccessful if the Examination Committee or a majority of the Examination Committee's members 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 Examination Committee will set a deadline for resubmission of the thesis, which may not be shorter than three months and longer than one year, unless the examinee files an appeal as per section 9.1. of the University Doctoral Regulations.

If the examinee does not file an appeal, the rules on thesis examination of the University Doctoral Regulations shall be repeated with respect to the resubmitted thesis.²

9.9. The guidelines for the thesis evaluation are:

- the CEU University Thesis Guidelines as far as the language and structural requirements are concerned;
- proper adherence to the CEU rules against plagiarism and consistent application of 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 knowledge and to the 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 the knowledge in the state of the art in the specific subject is demonstrated.

9.10. The successfully defended doctoral thesis shall be uploaded to the CEU electronic theses database. The Doctoral Candidate may request exemption from under this rule by filing a written application to the LEGS Doctoral Committee and by presenting the letter of intent of a recognized publisher on the publication of the thesis.

10. Disciplinary sanctions

² IN JUNE 2008, THESE ISSUES ARE REGULATED BY SECTION 8.2. OF THE UNIVERSITY DOCTORAL REGULATIONS.

10.1. Probationary Candidates and Doctoral Candidates may be sanctioned for the infringement of these or the University level Doctoral Regulations with the following sanctions:

Warning of the LEGS Doctoral Committee;

Suspension or termination of the doctoral status.

10.2. In particular the following acts qualify as the infringement of the Doctoral Regulations:

- a) failure to participate in the doctoral activities without properly evidence justification;
- b) employment during the doctoral studies without the required permissions;
- c) improper behavior during the studies and various forms of 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).

10.3. Every member of the LEGS Doctoral Committee has the right to initiate disciplinary proceedings according to this section.

10.4. The LEGS warning are issued in written form, with short reasoning and with a right of appeal to the CEU Doctoral Committee within 8 calendar days upon the receipt of the warning by the Doctoral or Probationary Candidate.

10.5. After having heard the case and the accused Doctoral or Probationary Candidate, and if it finds that the imposition of sanctions is justified, the LEGS Doctoral Committee has to transfer the case to the CEU Doctoral Committee with a proposition to impose the sanction of the reduction or suspension of the scholarship for a defined period of time.

10.6. The termination of the doctoral status is imposed by the CEU Doctoral Committee and according to the procedure defined by the CEU Doctoral Regulations.

11. Appeals

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

12. Transitory Provisions

12.1. These Rules have stepped into force on June 10th, 2008.

12.2. All questions not regulated by these Regulations are governed by the provisions of the CEU University Doctoral Regulations.