**A Dual Degree Program in Neuroscience & Law**  
*at the University of Wisconsin-Madison*

**Background:** Recent advances in neuroscience have called into question many of the assumptions that underlie aspects of our legal system. For example, beliefs about the nature of race and gender discrimination, the voluntariness of antisocial and criminal behavior, and about young adults’ decision making capacities are being reexamined. In court, lawyers are introducing evidence of brain trauma or brain disorders as grounds for mitigating criminal penalties, and they are using evidence from developmental neuroscience to argue for particular custody arrangements in family law cases. Courts are confronting the question of whether to admit results from brain imaging as evidence of lying, and law enforcement professionals are considering using such technology for screening and surveillance. Neuroimaging and other new neuro-technologies, such as brain implantation for therapeutic purposes, may influence legal determinations of competence, and may play a role in end-of-life decision making. In coming years, it can be expected that neuroscience will play an increasingly important role in helping to inform legal processes and decision making.

In anticipation of the growing importance of neuroscience for the law, the John D. and Catherine T. MacArthur Foundation has allocated $10 million to fund a consortium of researchers in The Law and Neuroscience Project, a network for research on (a) Criminal Responsibility and Predictions, and (b) Legal Decision Making ([http://www.lawandneuroscienceproject.org/](http://www.lawandneuroscienceproject.org/)). The Project has created a Neuroscience and Law bibliography ([http://www.lawneuro.org/Resources/Bibliography.aspx](http://www.lawneuro.org/Resources/Bibliography.aspx)) and a “Judge’s Guide to Neuroscience: A Concise Introduction,” based on work supported by the Project, has been published. ([http://www.sagecenter.ucsb.edu/sites/staging.sagecenter.ucsb.edu/files/file-and-multimedia/A_Judges_Guide_to_Neuroscience%5Bsample%5D.pdf](http://www.sagecenter.ucsb.edu/sites/staging.sagecenter.ucsb.edu/files/file-and-multimedia/A_Judges_Guide_to_Neuroscience%5Bsample%5D.pdf)).

Some scholars have argued that existing legal doctrines can accommodate any new information neuroscience will provide, while others argue that neuroscience will transform the law. This growing ferment has spawned over 300 articles in the legal literature in the past three years. The Baylor College of Medicine ([http://www.neulaw.org/](http://www.neulaw.org/)) and Vanderbilt University ([http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202463856757&slreturn=1&hblogin=1and](http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202463856757&slreturn=1&hblogin=1and)) each have established initiatives on neuroscience and the law. Harvard Law School's Petri-Flom Center ([http://www.law.harvard.edu/programs/petrie-flom/](http://www.law.harvard.edu/programs/petrie-flom/)) regularly hosts conferences on the brain and the law, and there now is a Law and Neuroscience e-Journal published by the Indiana University Maurer School of Law ([http://www.ssrn.com/link/Law-Neuroscience.html](http://www.ssrn.com/link/Law-Neuroscience.html)). The American Association for the Advancement of Science has a Neuroscience and Law Program ([http://www.aaas.org/spp/sfrl/projects/neuroscience/](http://www.aaas.org/spp/sfrl/projects/neuroscience/)), and in March of this year, the National Academy of Sciences sponsored the Second Raymond and Beverly Sackler U.S.A.-U.K. Scientific Forum ([http://sites.nationalacademies.org/PGA/stl/PGA_059703](http://sites.nationalacademies.org/PGA/stl/PGA_059703)). The topic of the forum was Neuroscience and the Law.

**Rationale:** However, despite the vigorous national and international interest in activity at the intersection between neuroscience and the law, there has not been any training program in the country to educate students in neuroscience and in the law. To address this need, the University of Wisconsin-Madison has established an integrated Dual Degree Program in Neuroscience and Law that offers students the opportunity to earn a Ph.D. degree in neuroscience and a J.D. degree in law. The Dual Degree Program will train neuroscientists who also are skilled in the law, and prepare them to address the many important legal, scientific and public policy issues that bridge neuroscience and law.
**Focal Areas:** The overlap between neuroscience and law is broad, encompassing a wide range of important legal issues in different areas of neuroscience. Focal areas for work in the Dual Degree Program might include:

- Legal implications of brain interventions and observations, including new surgical and brain imaging techniques, pharmaceuticals for behavioral modification, genetic or stem cell therapies, neuro-mechanical interfaces, and nano-biotechnologies;
- Brain function and policy, including issues such as criminal responsibility, brain death, capacity of adolescents and mental health patients to stand trial, impairment of decision-making capacity by drug or alcohol use, and the relationship of mental impairment to dangerous behavior;
- Neuroscience and human development, including the science of early childhood development and its role in community and economic development programs in local, national, and global contexts;
- Neuroscience and human behavior, including legal constraints on or facilitation of social behavior, and legal responses to violence, suicide, addiction, sexuality;
- Neurotoxins policy and environmental law: neurotoxin risk and environmental exposure, including exposures to special populations such as fetuses and workers; use of neurotoxins in warfare and police actions;
- Research priorities in neuroscience: what experimental programs might answer questions that would shed light on the operation of legal processes, including jury deliberations, law enforcement decision making and negotiating behavior.
- Research governance in neuroscience: agency oversight of emerging technologies, oversight of cell therapy clinical trials, conflicts of interest in neuroscience research, oversight of military research, and research on human subjects.

**Advantages of a Dual-Degree Program in Neuroscience and the Law**

*Intellectual advantage*

While it is, of course, possible for a student to earn a Ph.D. degree in neuroscience and then earn a J.D. degree in law, or vice versa, the advantages of earning the two degrees in an integrated dual degree program rather than seriatim are manifest, as has been recognized for more than a generation by the creation of integrated dual degree M.D./Ph.D. programs. In a dual-degree program such as the Neuroscience and Law Program, students will be mindful of the opportunities for interaction between neuroscience and the law throughout the entire duration of their training. This awareness will be promoted by the integrative context the Program will provide, and by explicit Program requirements, such as enrollment in the Neuroscience and Public Policy Seminar during each year of study in the Program and the required Neuroscience and Law Comprehensive Research Paper. The student’s legal studies may inform her/his choice of a thesis project, and conversely, as knowledge of neuroscience grows, it will inform the student’s legal insights and help to shape the required Research Paper.

*Practical advantage*

A practical advantage of the Dual Degree Program is that it allows students to earn the Ph.D. and J.D. degrees, without sacrificing the quality of either, more efficiently than would be possible if the two degrees were pursued independently. The opportunity to transfer 15 credits from the doctoral program toward the requirements for the law degree effectively saves a student 1.33 semesters of course work and the accompanying costs.
**Application for Admission:** The Program in Neuroscience and Law is administered by the Neuroscience and Public Policy Program. Applications for admission to the J.D./Ph.D. Program will be due no later than December 1 of the year preceding intended matriculation. Complete application materials must be submitted by that date, preferably before, to the Neuroscience Training Program and to the Law School. Application instructions for the J.D./Ph.D. Program are posted on the Neuroscience and Public Policy Program's web site. Applicants to the Dual Degree Program in Neuroscience and Law will be reviewed by the admissions committees in the Neuroscience Training Program and in the Law School. A final decision regarding admission to the J.D./Ph.D. Program will be made by the Neuroscience and Public Policy Program's admissions committee.

**Timetable (Please see sample timetable below):** During the First Year of the Program students will complete all of the courses taken by First-Year Law School students and will be recorded by the Registrar as Law School students. Their progress during the First Year will be monitored by the Law School using established Law School procedures. In addition, the Neuroscience and Public Policy Program will track the progress of J.D./Ph.D. students during the First Year to ensure a smooth transition to the Second Year of the Program. In the fall semester of the Third Year, the Registrar's designation will switch from Law to Graduate Student, as most of the coursework in the Third and Fourth Years, and all of it in subsequent years, will be in neuroscience.

By the end of the spring semester of the Fourth Year, most students will have completed the course requirements for the Law degree and the Ph.D. Preliminary Examination. Following successful completion of the Preliminary Examination, students will become dissertators (candidates for the Ph.D. degree), and register for three credits in research and seminar in each of the remaining semesters until the doctoral dissertation is successfully defended. For most students, the requirements for the J.D. degree will be completed in four years and for the Ph.D. degree two to three years later.

For students who wish to enroll in the Law School after already having begun doctoral study in the Neuroscience Training Program, or vice versa, a case-by-case evaluation will be made about how best to integrate the student's training in the two degree programs. Should a student who has entered the J.D./Ph.D. Degree Program subsequently elect to drop one of the degrees or encounter life circumstances that require an extension in time or a leave of absence, the Neuroscience and Public Policy Program will work with the student, the Neuroscience Training Program and the Law School to reach a resolution that is satisfactory to all of the concerned parties. The current director of the Neuroscience and Public Policy has many years of experience with such matters.

**Anticipated Enrollment:** The anticipated annual enrollment in the Neuroscience and Law Program typically will be 1-2 students each year. As 7 years on average will be required to complete the Program, a steady state cohort of 7-14 students is anticipated as the Program matures.

**Financial Support:** During the first year of the Neuroscience and Law Program students will pay Law School tuition and will be eligible for the same financial support that is available to full-time law students; namely, loans, grants and scholarships. During subsequent years, students will pay a "blended" tuition that reflects Law School and Graduate School rates. In Years 2-7 (8) of the Program, students will be eligible for training grant support from the Neuroscience Training Program or from the Neuroscience and Public Policy Program, Federal and foundation fellowships, and teaching or research assistantships.

**Monitoring Student Progress:** Complementing the integrated context of the Dual Degree
Program will be an Academic Advisory Committee that each student will establish by the end of the Second Year of study. The Advisory Committee is modeled on the committee structure that has been successful for the past 40 years in the Neuroscience Training Program in which a single committee advises a student during the entire time that a student is enrolled in the Program. In that role, the Advisory Committee also evaluates the student's performance in the Preliminary Examination and the doctoral defense.

The Committee will include the student's research advisor as well as faculty drawn from the Neuroscience and Public Policy Program and from the Law School, and will meet with the student once each semester until the Preliminary Examination has been passed, and then once each year thereafter, or more often as needed, until the requirements for both degrees have been completed. The Committee will guide the student's academic progress and bring to it the perspectives that have been gained by faculty who have studied neuroscience, the law and the relation between the two. As a result of these programmatic initiatives, each student will leave the Program fully prepared for a career that integrates neuroscience and the law. Such integration would be difficult for most students to achieve who chose to earn the Ph.D. degree in neuroscience and the J.D. degree separately. Beginning in the First Year, the co-directors of the Dual Degree Program, Professors Ronald Kalil and Pilar Ossorio, will meet each semester, and more often if needed, with the students enrolled in the Program to discuss progress, student concerns and other appropriate issues related to their training in the Program.

Administration: The Neuroscience and Law Dual Degree Program will be offered under the Neuroscience and Public Policy Program, and will be overseen by the faculty and staff who currently coordinate and administer the Program. The Associate Dean of Students in the Law School will track the progress of students in the Dual Degree Program toward fulfilling the requirements for the law degree. The Student Services Coordinator for the Neuroscience Training Program will track the progress of students in the Dual Degree Program toward fulfilling the requirements for the Ph.D. degree in neuroscience. Communication between the degree granting units in the Dual Degree Program, the Law School and the Neuroscience Training Program, will be accomplished by the Neuroscience and Public Policy Program's Steering Committee, which meets once each semester, and includes the chair of the Neuroscience Training Program, Professors Pilar Ossorio and Alta Charo from the Law School, and other appropriate faculty.

Requirements for the Ph.D. and J.D. Degrees:

Ph.D. Degree in Neuroscience
Since its inception, the Neuroscience Training Program has made a special effort to avoid formulaic graduate training and instead respond to the needs of individual students. Indeed this is one of the Program's core values, and therefore the Program is very well-suited to be flexible in accommodating the special challenges that dual degree students must meet.

Required Courses (8 cr)
Neuroscience 610/611 (8 cr). A two-semester sequence in neurobiology. These two courses provide students with an introduction to the nervous system, from cells and molecules to brain and behavior.

Additional Courses (4-6 cr)
Students also take two mid-level electives, one in cellular, molecular, and developmental neurobiology, and one in systems or behavioral neurobiology. These should be selected in consultation with the student’s thesis advisor and committee.
Additional Requirements
Students will select a thesis advisor and an advisory committee by the end of their second year. Participation in the monthly discussion meetings associated with the Neuroscience and Public Policy Seminar will substitute for the neuroscience teaching requirement.

Students must present at least three Sub-Group talks in the weekly Neuroscience Seminar during years 2-4.

Students must complete three lab rotations, although the timing and duration may be adjusted to accommodate the requirements of the Dual Degree.

Students must complete the Ph.D. Preliminary Examination. Normally, this will be completed during the summer of the fourth year, although the examination may be delayed into the fifth year if absolutely necessary. The Preliminary Examination consists of an oral defense before the student's advisory committee of the Neuroscience and Law research paper (See Neuroscience and Public Policy Seminar) and a doctoral thesis proposal.

Complete thesis research and doctoral defense. For most students, the defense will be presented before the end of the 7th year in the Program

J.D. Degree
Required courses for Law School students:

Fall Semester, First Year
Contracts (4 cr)
Intro to Substantive Criminal Law (3 cr)
Civil Procedure I (4 cr)
Torts (3 cr)
Legal Research and Writing I (3cr)

Spring Semester, First Year
Property (4 cr)
Constitutional Law I (3 cr)
Introduction to Criminal Procedure (3 cr)
Legal Research and Writing II (3 cr)
One 3cr. elective, e.g., Contracts II, Civil Procedure II, Administrative Law, International Law, Torts II.

2nd, 3rd and 4th Years
There are no specific required courses during the 2nd, 3rd and 4th years, but students must earn the credits needed to be graduated from the Law School, and in doing so to meet defined subject area requirements for the J.D. degree, such as the Professional Responsibilities Requirement and the Legal Process Requirement, and those for the Diploma Privilege if desired.
http://www.law.wisc.edu/current/rtf/04.0.html

Specific Course Requirements for the Neuroscience and Law Dual Degree Program:
a) Student must take these courses
Administrative Law (744) (take as one’s elective during the first year)
Constitutional Law II (740) or SP in Constitutional Law – 4th, 5th & 6th Amendment (904)
Evidence (801)
Jurisprudence (829)
A relevant philosophy or bioethics course such as Philosophical Problems in the Biological Sciences (Phil 523) or Philosophy of Mind (Phil 551).

b) Student also must take any two of the following courses:
Bioethics and the Law (905)
Food and Drug Law (916)
Law, Science and Biotechnology (906)
Psychiatry and the Law (911)
(Or other law and science courses as approved by the Program director)

c) In addition, students must take at least three of the following courses:
Selected Problems in Constitutional Law – 4th, 5th and 6th Amendment (904)
Health Law and Administration (935)
Law and the Elderly (773)
Advanced Substantive Criminal Law (865)
Legislation (746)
Family Law I (822)
Family Law II (823)
Introduction to Intellectual Property (753)
Introduction to Environmental Law (848)
Patent Law (751)
Sociology and Law (641)
Selected Problems in Constitutional Law - 1st Amendment (904)
Selected Problems in Constitutional Law – Past, Present, Future of Reproductive Freedom (904)
Selected Problems in Criminal Justice Administration – Sentencing and Corrections (904)
Law and Contemporary Problems: Law and People with Disabilities (940)
Law and Contemporary Problems: Animal Law (940)
Any course from (b) above that the student has not already taken.

Other seminars/courses may qualify with the approval of Program directors.

Other Dual Degree Program Requirements

Neuroscience and Public Policy Seminar, Neuroscience 660, 1 or 2 cr: The Neuroscience and Public Policy Seminar will serve as the focal point for connecting students’ training in neuroscience and law, and will provide intellectual continuity between the two fields throughout the entire period of training. The Seminar will meet twice monthly each semester, and will include an invited speaker followed by questions and discussion. The Seminar primarily will serve students in the Program, but will be open to other qualified students as well.

Neuroscience and Law Comprehensive Research Paper: At the end of the fourth academic year, students will submit a Neuroscience and Law research paper that analyzes critically a topic that bridges neuroscience and the law. Completion of this paper will fulfill half of the Preliminary Examination requirements for the Ph.D. degree in neuroscience. Students select a topic with the
approval of their thesis committee, carry out an appropriate literature review, and defend the paper in an oral examination before the committee.

**Neuroscience and Law Internship:** Neuroscience and Law Program students will complete a summer internship, typically during the summer following the fourth academic year in an area of science and law in a state or federal government agency, advocacy organization, science funding agency, or scientific professional organization such as the AAAS. Or they will serve as a summer associate in a law firm that has a practice focused on science and law, such as a regulatory compliance, biotechnology or patent law practice.

**Preparation for Post-graduate Training:** Students completing the J.D./Ph.D. Dual Degree Program will be excellent candidates for a range of policy-oriented training and fellowship programs offered by institutions such as the American Association for the Advancement of Science (AAAS) and the National Academy of Sciences. These fellowships are designed to bring scientists to Washington, DC, for one to two-year periods of time. Students will also be well positioned to pursue postdoctoral research opportunities in academia in both technology policy and neuroscience. J.D./Ph.D. Program graduates may be particularly well suited for opportunities such as the Robert Wood Johnson Health Policy Fellowships.

**Opportunities after Graduation**

**Academic Positions:** Schools of Law, Medicine, Public Health, and Public Policy are increasingly recognizing the importance of hiring faculty who can conduct research and teaching in the intellectual space where law, technology and science intersect. UCLA has launched a new program in genetics and society that has begun hiring faculty. Duke University’s Center for Genome, Ethics, Law and Policy includes several scholars of science and technology law. And Arizona State University recently has established a Center for Law, Science and Innovation. Perhaps just as importantly, faculty who are trained in the biological sciences and law will be well equipped to help universities grapple with the growing range of challenges to research policy, including human subjects, conflict of interest, animal welfare, biological and chemical safety and security, patenting, and more. Such faculty will be valuable members of biology departments, bioethics departments, and schools of law or medicine. Students from the Neuroscience and Law Dual Degree Program may be especially well suited for the Greenwall Faculty Scholars Program, a three year fellowship program for untenured faculty to help them develop their bioethics research and scholarship. We anticipate that many of the graduates of the Neuroscience and Law Dual Degree Program will elect an academic career in neuroscience that provides time for research as well as for involvement in issues bridging neuroscience and the law, just as graduates of M.D./Ph.D. programs accept academic positions combining basic research and clinical medicine. Another cohort of Program graduates will hold positions in law schools, as the need for scientifically trained law school professors continues to grow.

**Government and Quasi-government Positions:** Over the next decade, we anticipate that federal agencies, Congress, and state governments will increasingly be challenged to consider new laws and regulatory systems governing the use of a range of new biological technologies. Already, debates have begun to surround technologies such as genetic engineering, brain imaging and stem cells. As these debates expand and acquire political significance, leaders with skills that bridge the biological sciences and law will be called upon to fill positions on legislative staffs, the Department of Justice, the Food and Drug Administration (FDA), Centers for Disease Control (CDC), the National
Institutes of Health (NIH), at private-sector think tanks and consulting organizations, and at scientific institutions such as the National Academy of Sciences, National Research Council, and National Institute of Medicine.

In addition, students with the neuroscience and law joint degree may be well suited for high level research management and program management positions at a variety of agencies, such as the NIH, National Science Foundation, Office of Science and Technology Policy, CDC, Department of Health and Human Services, Defense Department, and others. In addition, state governments are increasingly becoming involved with research management (e.g., California’s $3 billion stem cell initiative), and can be expected to hire staff trained in science and in public policy or law.

**Private Sector Positions:** Law firms, corporations and other private sector entities, such as think tanks, consulting organizations and foundations, can be expected to increase their hiring of students with scientific and law training. For example, a major trend in government has been the outsourcing of technical policy analysis to consulting firms. As the implications for society of discovery in neuroscience and other biological science continues to expand rapidly, the need for sound policy analysis will grow correspondingly and many private sector consulting firms can be expected to increase their hiring of individuals who have been trained rigorously in the biosciences and law. In addition, students from the Dual Degree Program might be well suited to positions in biotechnology firms, particularly those that have internal bioethics advisory panels to govern in-house research. Joint degree students might also be especially attractive to pharmaceutical and medical device companies, particularly for high level management with responsibility for regulatory compliance. Finally, students trained in law and neuroscience might be particularly attractive to law firms with practice groups that advise clients on regulatory approval and regulatory compliance with agencies such as FDA, USDA or the EPA.
Sample Timetable: Law School courses in blue, neuroscience courses in black, other courses in red, credits in parens. For additional information see: [http://www.law.wisc.edu/prospective/curriculum.html](http://www.law.wisc.edu/prospective/curriculum.html)

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Summer: Associate or Internship (3) - Summer
Research (3) - Summer
Defend Thesis Research (3) - Summer
Law School Credits
1st yr 37 cr w/ summer
2nd yr 26 cr w/summer Law 4th yr 6cr
3rd Year 9 cr w/summer
4th yr 6cr

Total: 78 credits
Transfer 12 credits from neuroscience = 90 Total credits.