

LLM PAPER GUIDELINES AND REQUIREMENTS

Applicable to All 3 Ghent LLM Programmes

The following are the formal requirements relating to the preparation and submission of the LLM Paper.

1. PURPOSE The LLM-paper (“thesis”) is the crowning achievement of the LLM programme. It is an exercise aimed at demonstrating capabilities of legal research, critical legal thinking, legal analysis, autonomous legal writing, and original informed opinion making, on a relevant topic. The LLM-paper must represent an original effort of research and writing at an advanced level, comparable to what is required for an entry level law review article. A mere description of legislation or case law or an introduction to a subject is not sufficient. Moreover, the LLM-paper is presented through an oral defence that allows both students and reviewers to further demonstrate, scrutinize and/or develop insights and skills.

2. LENGTH The paper must be from 18,000 to 24,000 words including footnotes or endnotes, but excluding all accompanying tools such as bibliography, abbreviation list, table of contents, list of cases etc. The paper is to be written in (UK) English. The cover page of the LLM paper follows the model cover page which can be downloaded from Minerva (info-site LLM BNEUNI, section “LLM Paper”).

3. TOPIC The LLM Paper must be related to the subject matter of a course offered in the LLM programme and, in general, relevant within the specific LLM programme for which the student is enrolled (e.g. business-related topic for a student enrolled in the Master of Laws in International Business Law). It is not necessary for the student to take the related course, but the Paper supervisor may require this as a condition for accepting to be supervisor and in any case the student must make sure he/she has sufficient background in the subject matter to be able to write the thesis.

4. TOPIC SELECTION The topic of the LLM Paper is chosen in mutual accord with a professor attached to Ghent Law School who is prepared to act as supervisor. The agreement about topic and supervision is expressed by the signing by both professor and student of the “LLM paper Selection Form” which can be found on Minerva. This selection form must be presented by the student to the supervisor in three copies: one for the professor’s records, one for the student to

keep and one that must be handed in by the student to the LLM office at the latest on October 31st, 4 p.m. (or the next working day if this is not a working day).

5. SUPERVISOR AND CO-READER The supervisor must be a professor attached to Ghent Law School. When this is useful because of the topic of the paper, a co-supervisor may be appointed in mutual agreement between supervisor and student. The co-supervisor must be an academic at at least post-doctoral level attached to Ghent university or another university. Visiting professors may act as co-supervisor or, with the approval of the LLM Program director, as main supervisor.

The paper supervisor will suggest a co-reader who as a rule will be a member of the academic staff – often research assistants - of Ghent Law School but may also be an academic from another department of Ghent university or of another university. He/she may also be an external expert (judge, attorney, civil servant, etc.). Paper supervisor(s) and co-reader together form the jury for the LLM paper.

6. APPROVAL BY FACULTY BOARD Topic, title, supervisor and co-reader will be submitted for approval to the Faculty Board. Once this approval has been obtained any change to topic or supervisor can only be obtained with the approval of the Faculty Board held in February or earlier, by submitting a new paper selection form to the LLM office before January 20. After the February Faculty Board meeting no change of topic or supervisor is possible except in exceptional circumstances that make a change unavoidable (e.g. long term illness of original supervisor).

7. MORE ON TOPIC AND SUPERVISOR SELECTION The selection of topic and supervisor by the student can happen in one of two ways. The preferred way is that the student comes up with a research proposal and contacts a professor in the relevant area, discusses the topic with the professor and strikes an agreement, expressed through the LLM paper Selection Form. However, in order to help students, the LLM office will announce a list of topics and supervisors by mid-October. Students who don't have a supervisor by then will have approximately two weeks, until October 31st, to finalize paper selection.

Prior to meeting with the envisaged promoter, students should have given sufficient thought to the subject and have done the necessary explanatory reading. Students who propose a subject

of their own choice, should submit to the promoter a short explanatory note about the content and relevance of the research they intend to undertake.

8. GUIDANCE BY SUPERVISOR Supervisors must have an intake talk with the student shortly after accepting to act as supervisor. The purpose of this talk is to further delineate the specific research questions and methodology, and to guide the student as to expectations concerning the master paper and the process of its writing. Students are entitled to guidance and supervision from their supervisor. This includes the right to submit draft chapters to the supervisor for comment, or to submit a draft of the completed thesis to the supervisor. The supervisor has to give feedback (within a reasonable time frame of two or three weeks) to draft texts, provided the drafts are submitted before the end of March. (Students are not entitled to feedback on every draft if they submit multiple drafts). It is strongly recommended for students to submit at least one draft chapter, but this is not mandatory. The supervisor may delegate part of the supervision (but neither the intake talk nor final judgment on the final paper) to research assistants including the co-reader. Students should take a pro-active role in seeking supervision: if they want guidance and feedback, it is up to them to contact the supervisor. Students should find the right balance: not meeting with your supervisor after the intake talk is usually a sign that you are not dealing with the paper in an intensive way, on the other hand supervisors are not co-authors of your paper and asking for feedback can be no substitute for writing the paper independently.

9. SECOND LINE SUPERVISION BY LLM PROGRAMME The LLM paper and its oral defence are an important part of your LLM programme and count for 15 credits, i.e. roughly 25% of your total grade package. It will be evaluated accordingly.

It is, thus, necessary to start with the preparation of the paper from the beginning of the academic year (even if you chose a subject related to a course taught in the second semester). Students should make sure they have a detailed outline of their paper and have selected and read much of the relevant literature and sources before the Christmas break. It is highly recommended to start writing before Christmas, and students should aim to finish at least one chapter of their paper before the end of February. Students should aim to have a complete finished draft of their paper by the end of March, so that they can spend April on rewriting and finishing. The LLM Programme wants to avoid that students submit their paper only in the second exam session (mid-August).

As part of the LLM Orientation Programme, students have to attend a lecture by prof. Hans De Wulf about the basics of writing an LLM paper. The accompanying presentation is posted on Minerva. Students are advised to take the recommendations from that lecture and the lecture by the EU law department on Searching the Sources of the EU Law to heart and they are deemed to be incorporated in these Guidelines and Requirements.

10. Irrespective of who a student's supervisor is, students' progress will be monitored by Professor Hans De Wulf at two moments during the academic year. Details, including exact dates and times of meetings, will be announced through Minerva.

All students will have to present themselves to prof. De Wulf in his office around the middle of November with the name of their promoter, topic (as apparent from the signed LLM paper Selection Form, a copy of which should be brought to the meeting) and research questions. The purpose of the 5 minute talk is to allow prof. De Wulf to ascertain that every student really has a supervisor and topic, has talked to him or her about the delineation of the topic and has at the very least an approximate idea about the research questions and has started to read about them.

A second moment of supervision will take place at the end of February/first week of March. Students will have to present prof. De Wulf with a detailed paper outline, equivalent to the future table of content of their paper's bibliography and all the text they have already written. An electronic copy of these materials needs to be sent to prof. De Wulf's secretary at secretariaatre05@ugent.be. Details will be announced on Minerva. Prof. De Wulf will review these documents, and will discuss progress in a one-on-one meeting with those selected students who have made insufficient progress in the opinion of prof. De Wulf. He will check among other things whether the student has already started actual writing and whether there are any lingering issues concerning the delineation of the topic and research questions. As indicated earlier, students are strongly advised to have a paper outline and bibliography ready before the Christmas holiday and to have written at least one chapter by the end of February.

Students should be aware that experience has taught us that it is very hard to write a good paper and submit it by mid-May if a substantial part has not yet been finished by mid-March.

The role of prof. De Wulf is not to supplant the actual thesis supervisor.

11. PLAGIARISM The LLM paper is subject to all the Ghent University and Ghent Law School rules against plagiarism. **Plagiarism is totally unacceptable and will be monitored and rigorously sanctioned**, with a 0 being awarded for the paper and a postponement of graduation until the next exam session.

Plagiarism includes:

- copying passages from other works, without citation,
- copying, without citation, the general structure of other writings,
- using ideas from other sources without reference,
- excessive use of passages from other works, be it with citation
- Copying or paraphrasing substantial fragments of papers previously written by the student, for instance at their home universities at undergraduate level, or from papers written for courses other than the LLM paper.

In the event of a suspicion of plagiarism, the student may be invited to defend their case before the examination board, which will be convened in a special session to that effect.

You should consult article 78 paragraph 2 of the University Examination Rules in order to have clear view about sanctions against Plagiarism at:

<http://www.ugent.be/en/education/degree/practical/studentadmin/OEREnglish>

12. SUBMISSION OF FINAL PAPER Students must submit one electronic copy and three bound paper copies of their paper copies to the Faculty Student Administration Office (Volderstraat 3) on or before May 15, *noon*, or the next working day if May 15 is not a working day. The electronic copy must be submitted first, through Minerva. When you've submitted the paper on Minerva, you will receive an electronically generated confirmation e-mail. You must print this email and take it with you when you are going to submit the 3 hard copies with the Faculty Student Administration. Without this electronic submission letter, the Student Administration Office may refuse to accept the hard copies. For further information on uploading your LLM paper on Minerva you may visit: <http://icto.ugent.be/en/manual/Minerva/Dissertation>.

This electronic copy will be subjected to electronic plagiarism control and will be archived in the electronic archive of Ghent University.

The paper copies should use spacing of more than one and less than 2 in the main text, use a font similar in size to Times New Roman 12 for the main text (please feel free to use another

font than Times New Roman; the guideline simply wants to indicate what size is acceptable) and 10 for footnotes, be printed on both sides and bound, preferably with glue, in thick paper or cardboard. Plastic cover sheets should be avoided.

The cover page should conform to the model which you can download from Minerva.

It is not necessary to submit copies of your thesis directly to your supervisor.

13. 2ND EXAM SESSION Students have a right to submit their paper in the 2nd exam session, in the same way (3 paper copies, one electronic) as in the first session. We strongly advise against submitting for the first time in the 2nd exam session. It means you will only graduate in the 2nd session, and this will be mentioned on your degree certificate. By at least Belgian employers this is taken as a negative sign about the qualities of the student (lack of discipline, not good enough, etc.). It also means you will have to retake any courses for which you did not obtain 10/20 in the first exam session. The deadline for submission in the second exam session is August 16 or, if this is not a working day, the earliest working day *before* August 16.

Students who did not submit the paper in the first or 2nd exam session, or whose paper was graded below 10, will have to re-enrol and pay tuition accordingly. If they have passed all other courses and submit their paper by December 15 of the subsequent academic year, they can graduate in January of that same academic year (provided, of course, they obtained a grade of at least 10/20 on their paper).

14. ORAL DEFENCE Students have to orally defend their paper during the exam session period. Dates of defence will be announced through Minerva at the end of the 2nd semester teaching period. Usually, the defence will take place during the last days of the exam session period (end of June). The defence takes place in English. The students will defend their LLM papers in front of the exam jury (supervisor(s) and co-reader) and sometimes an audience consisting of fellow students and interested practitioners that attend the defence. The oral defence is structured as follows: first the student introduces some interesting aspects of findings from his or her paper orally with the support of a Powerpoint presentation. This oral presentation lasts for about 10 minutes, no longer but not much shorter either. It is better to focus the presentation on a few salient points from the thesis, rather than give a very general overview of the whole thesis. After the presentation, the jury asks questions and makes remarks pertaining to the paper and the

student will answer them. The president of the defence proceedings shall ensure that the audience – if any – is given the opportunity to pose questions, if any.

The whole oral defence, including presentation, takes about 30 minutes per student.

13. GRADING GENERAL Students are graded by the jury consisting of supervisor and co-reader (and co-supervisor where one has been appointed). The jury grades them on the written paper they submit, on the oral defence and on the process through which they wrote the thesis. Supervisor and co-reader will suggest one final score for the whole master thesis (paper, defence, process) and reach a grade by consensus. If consensus is not forthcoming, the average of the scores given by supervisor and co-reader will determine the grade.

The audience plays no role in grading the student. The student members of the audience may ask questions but may not make remarks. The external experts invited to the defence may also make remarks. Neither is part of the jury.

Under the responsibility of the supervisor, supervisor and co-reader will draw up a concise report on the master's thesis in which they score the student on each of the three measures (written paper, oral defence and process evaluation) in a non-numerical way, using the following indications: “excellent – very good – good – sufficient – insufficient - weak”. Based on these scores the numerical grade, expressed as a score on 20 is awarded as grade for the course “master paper”.

The jury is strongly encouraged but not obliged to use the model grading form that is put at the disposal of supervisors and co-readers. In any case, a signed written report must be drawn up and this report must contain a motivation of the final grade awarded, detailing at least the separate appreciation of the jury for the three separate components of the final grade (written paper, oral defence, process) using the indicators (excellent to weak) indicated above.

The writing and oral defence of the LLM paper is an exam, to which the relevant parts of the Educational and Exam Regulation of Ghent University are applicable. See esp. the sections on fraud and on grading. The Regulation can be consulted at:

<http://www.ugent.be/en/education/degree/practical/studentadmin/OEREnglish>.

14. GRADING: COMPONENTS

Process evaluation means that the supervisor will take into account whether the student acted diligently and in a timely manner when writing the thesis and showed himself/herself to be able to work independently. Elements that can be taken into account are, among others, whether the student behaved in a proactive way when asking for guidance, did not ask too much guidance, kept to agreements between supervisor and student.

The written paper will be evaluated on both form and substance (content). The jury is free to express its evaluation as it wishes and is certainly not bound to express it in numerical form nor should they attach the same importance to all elements mentioned below.

Formal aspects include:

- Language (correctness, clarity, etc.)
- Scholarly apparatus: footnotes, references, citations according to the rules
- Structure (including lay-out)

Content will be evaluated on the basis of:

- Thoroughness of analysis, insight;
 - does it go beyond the merely descriptive ?
 - are the research questions well delineated and did the student stick to her/his research questions?
 - Has the comparative analysis, where useful, been conducted in a functional, useful way?
 - Is the researcher aware of all relevant controversies and latest insights into the issues he deals with (state of the art)
- Logical structure
- Clarity of analysis
- Originality of analysis, contribution to research area
- Sources: complete (in the sense of adequate number)?; up to date?

The oral defence is graded on the following elements:

Formal elements:

- Structure
- Language
- Presenting style, non-verbal communication,
- Ability to convince
- Quality of Powerpoint presentation
- Ability to stay within time limits

Content:

- Ability to present salient aspects of paper
- Soundness of arguments
- Ability to answer the questions: surefootedness, ability to improvise and above all legal insight and knowledge

As mentioned before, the jury will indicate a score on at least these three levels: written paper, oral defence and process evaluation, and will indicate for each of these whether the student scored “excellent - very good – good – sufficient – insufficient – weak”.

As indicated, the jury is free to weigh different aspects of its evaluation as it deems fit, it being understood that process evaluation will carry substantially less weight than the written paper and the oral defence taken separately.

15. FEEDBACK After receiving the final score, students are entitled to feedback by supervisor(s) and co-reader about the paper and grade. This entails the right to see the grading report.