

	The President
	Announcements of Justus Liebig University Giessen
1 October 2003	7.40.01 No 1 Doctorate Regulations of the Faculty of Law

	<i>Faculty 01</i>	<i>Approval HMWK¹</i>	<i>StAnz.²</i>	<i>Page</i>
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**Doctorate Regulations
of the Faculty of Law
of Justus Liebig University Giessen
of 19 February 2003**

The Faculty Council of the Faculty of Law of Justus Liebig University Giessen passed a resolution on the following Doctorate Regulations on 19 February 2003, pursuant to Article 50 (1), second sentence, No 1, of the version of the Hessian Higher Education Act (*Hessisches Hochschulgesetz*) of 31 July 2000 (Law and Ordinance Gazette I, p 374), as amended by the Act of 14 June 2002 (Law and Ordinance Gazette. I, p. 255).

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¹ Hessen State Ministry of Higher Education, Research and the Arts

² Staatanzeiger (Official Gazette)

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Article 1

Doctoral title and purpose of the doctorate

(1) On due completion of the doctorate procedure, the Faculty of Law of Justus Liebig University shall confer the title of Doctor of Law (Doctor iuris – Dr. iur.) on candidates who, on the basis of a doctoral thesis and a disputation, have demonstrated their academic aptitude.

The doctorate shall be awarded in recognition not only of the completion of a course of university studies but also of particular academic skills.

(2) [Not applicable]

Article 2

Official bodies and competence

(1) The official bodies involved in conducting the doctorate shall be the Doctoral Committee (Article 4), the supervisor(s) (Article 3 and Article 7 (8)), the assessors (Article 3 and Article 12 (3)) and the Assessment Committee (Article 4 and Article 12 (5)).

(2) The Doctoral Committee shall decide in all procedural matters, unless the Doctorate Regulations provide otherwise.

(3) The supervisor shall advise and support the doctoral candidate during the preparation of the doctoral thesis. The supervisor shall provide the applicant with written confirmation of agreeing to take on the supervision (supervision acceptance). The topic for the doctoral thesis can, by mutual agreement, be adjusted to the progress made in the research.

(4) The assessors shall assess and grade the doctoral thesis.

(5) The Assessment Committee shall decide on amendments proposed by the assessors, shall conduct the disputation and shall then evaluate the doctoral performance; it shall decide whether the doctoral candidate shall be awarded a doctorate and whether the disputation may be repeated.

Article 3

Supervisors and assessors

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(1) Full-time professors, professors who have been relieved of their duties, retired professors, university lecturers, adjunct professors, honorary professors and private lecturers may be appointed as supervisors, assessors and members of the Assessment Committee; they should be members or associates of Justus Liebig University Giessen. With the exception of the full-time professors, their participation in the doctorate procedure is not compulsory; Article 7 (2), fifth sentence, shall remain unaffected.

(2) If there are several supervisors, at least one of them must be a member or an associate of the Faculty. A supervisor who left Justus Liebig University Giessen more than three years previously or who can no longer carry out the supervision for other valid reasons should, in agreement with the doctoral candidate, seek a subject-competent successor. The Chair of the Doctoral Committee must confirm the appointment of the successor.

(3) The Chair of the Doctoral Committee shall appoint the assessors. Academics within the meaning of paragraph 1 who are members of other academic universities or research institutions may also be appointed as assessors. One of the assessors must be a professor in the Faculty of Law at Justus Liebig University Giessen.

Article 4

Doctoral Committee and Assessment Committee

(1) The Doctoral Committee shall comprise the Dean, three other professors, one research associate who holds a doctorate, one doctoral candidate from the group of research associates and one other doctoral candidate who has enrolled in the Faculty of Law at Justus Liebig University. The composition of the Doctoral Committee shall take appropriate account of the various specialisations in the Faculty.

(2) The Doctoral Committee shall be chaired by the Dean; his permanent representative in the Chair may be the Vice-Dean or, if the latter is prevented from fulfilling that role, the Dean of Studies.

(3) The members of the Doctoral Committee who are not *ex officio* members shall be elected by the representatives of their groups in the Faculty Council; further details are governed by the electoral rules of the University. Professors and research associates shall be elected for three years and students for one year. An alternate must be elected for each member.

(4) The Chair shall be responsible for conducting the day-to-day business of the Doctoral Committee and shall decide on matters that are explicitly assigned to him/her in these Doctorate Regulations. Those concerned and each member of the Doctoral Committee may overturn decisions of the Chair in favour of the decision of the Doctoral Committee.

(5) The doctoral candidate may raise objections with the Doctoral Committee to decisions of the Doctoral Committee. The Doctoral Committee shall decide on the objection. Decisions of the Doctoral Committee must be made in writing and substantiated. Information about the right of appeal must also be appended to decisions to reject objections raised by doctoral candidates.

(6) Doctoral candidates affected may lodge an appeal against decisions of the Doctoral Committee with the Chair of the Doctoral Committee. The Doctoral Committee shall decide whether to take action on the appeal. If no action is taken, the President of Justus Liebig University Giessen shall be called upon to decide.

(7) The Chair of the Doctoral Committee shall instate an Assessment Committee for each assessment procedure. The Assessment Committee shall comprise all assessors and two professors who shall be appointed by the Chair of the Doctoral Committee from among those referred to in Article 3 (1). Only one of the assessors may be appointed as Chair of the Assessment Committee.

(8) Voting on assessment decisions shall take place in meetings that are open to the public. Abstentions are not permitted. Only members of the Doctoral Committee who hold a doctorate shall be entitled to vote in decisions regarding assessment matters. Decisions shall require a majority of the votes of those present who are eligible to vote. In the event of a tied vote, the Chair shall have the casting vote.

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Article 5
Requirements for admission as a doctoral candidate
for graduates of academic universities

(1) Admission as a doctoral candidate shall be dependent on the applicant having passed a German state, Master's or first degree (*Diplom*) examination in law at an academic university or another German or non-German examination in law that imposes equivalent academic requirements. The Doctoral Committee shall decide on the equivalence of the examinations; it may seek the opinion of a third party prior to determining equivalence. The evidence required must take the form of certified documentation and certified translation(s).

(2) The Doctoral Committee may admit as doctoral candidates applicants who have not passed one of the examinations referred to in paragraph 1 if they have duly spent no fewer than seven semesters studying law at a German or non-German university with the right to award doctorates. Applicants who previously studied at another university prior to their First State Law Examination, their Master's examination or first degree (*Diplom*) examination shall only be admitted as doctoral candidates if supervision has been accepted within the meaning of Article 2 (3), second sentence. Furthermore, applicants must provide evidence that they have obtained a grade in the final examination that entitles them to admission to a doctorate programme at the university last attended. They must also make a declaration to the effect that their application for admission as a doctoral candidate at another university has not been rejected. In particularly well-founded exceptional cases and at the supervisor's request, the Doctoral Committee may waive the grade requirement, provided that special academic performance is to be expected.

(3) The examination must have been passed with at least a grade of "fully satisfactory" or the equivalent. Applicants must also provide evidence of having successfully attended a law seminar; their performance must have been graded at least as "good". In well-founded cases, the Doctoral Committee may waive these requirements, provided that the supervisor has presented a favourable opinion.

(4) Applicants who have passed a German or non-German non-legal examination which meets the requirements of paragraph 1 may apply to be admitted as doctoral candidates if they have acquired evidence of advanced achievements in German Civil Law, German Criminal Law and German Public Law together with a basic proficiency certificate from a university where the teaching is conducted in German.

(5) Applicants who do not have the German qualification granting admission to higher education must provide evidence of sufficient German language skills.

Article 6
Requirements for admission as a doctoral candidate
for graduates of universities of applied sciences

(1) Graduates of relevant study programmes at universities of applied sciences in the Federal Republic of Germany may be admitted to studies leading to a doctorate in law if

1. the topic envisaged for the doctoral thesis falls within the subject competence of the Faculty of Law; and
2. they have passed the first degree examination (*Diplom*) at the university of applied sciences with the overall grade of "very good";
3. they can provide evidence of a positive assessment of their ability to engage in academic research by a professor in the relevant subject area in the appropriate faculty at the university of applied sciences;
4. supervision has been accepted within the meaning of Article 2 (3), second sentence;
5. preparatory doctoral studies within the meaning of paragraph 2 have been completed; and

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6. they have passed the aptitude test pursuant to paragraph 3 below.

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(2) The preparatory doctoral studies are a means of systematically passing on theoretical and methodological principles of legal research. They prepare for the doctorate and last a total of eight hours in a semester week. In the doctoral studies, evidence must be provided of successful participation in an advanced exercise in German Civil Law, in German Criminal Law or in German Public Law as well as in a seminar. Doctoral studies do not need to be completed if the performance to be evidenced in the studies and the aptitude for academic research required for the doctorate can be demonstrated in other ways; the Doctoral Committee shall decide in this matter. Following a positive decision, the aptitude test must then be taken pursuant to paragraph 3 below.

(3) The aptitude test shall last one hour and shall cover no more than three subjects. The aim of the aptitude test is to determine whether the applicant has the required knowledge in the planned doctorate field and the ability to carry out academic research. The aptitude test shall be conducted by an assessment committee (Aptitude Test Assessment Committee) appointed by the Doctoral Committee. The Aptitude Test Assessment Committee shall comprise three members of the Faculty, namely two professors and one research associate who holds a doctorate. The professor who drafted the aptitude assessment pursuant to paragraph 1, indent 3, may be consulted in an advisory capacity.

(4) For graduates of relevant Master's study programmes at universities of applied sciences in the Federal Republic of Germany, Article 5 (4) shall apply *mutatis mutandis*.

Article 7 Admission as a doctoral candidate

(1) Applications to be admitted as a doctoral candidate must be presented in writing to the Chair of the Doctoral Committee.

The following must be appended to the application:

1. Curriculum vitae with photograph;
2. Transcripts of records pursuant to Article 5 or Article 6;
3. Statements and reports on other academic or state examinations that the applicant has passed or failed;
4. Statements as to whether, and with what outcome, applications have been made for admission as a doctoral candidate at other universities;
5. For non-German candidates, evidence of sufficient German or English language skills, unless a final examination has been completed at a university in the Federal Republic of Germany;
6. Scholarly writings already published by the candidate;
7. Thesis title and schedule of work for the proposed doctoral thesis;
8. Supervision acceptance within the meaning of Article 2 (3);
9. In the case of waiver applications, favourable opinions from those appointed as supervisors;
10. Declaration that the Justus Liebig University Giessen Statute for Ensuring Good Scientific Practice has been received and that its principles will be observed during the doctoral research;
11. Declaration regarding the language approved pursuant to Article 10 (3) that will be used in the doctoral thesis.

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(2) If the applicant has not found a supervisor, the Chair of the Doctoral Committee shall endeavour to find one. This shall apply only to applicants who have passed their final examination in law – following studies lasting at least two semesters at Giessen – at another German university or abroad; for other applicants, the provisions of Article 5 or Article 6 shall continue to apply. For the supervision to be taken on, the approval of the envisaged supervisor must have been obtained. If the envisaged supervisor declines the supervision, he/she must present the Chair of the Doctoral Committee with written reasons why. By agreeing to the supervision, the supervisor undertakes to carry out the subsequent assessment of the doctoral thesis.

(3) If material or human resources or a workplace need to be made available for the preparation of the doctoral thesis, approval for the provision of the funds must be obtained from the relevant academic establishment.

(4) The Chair of the Doctoral Committee shall decide admission, unless a resolution by the Doctoral Committee is required; paragraph 5 and Article 9 shall remain unaffected. The Committee shall thus guarantee the supervision and subsequent assessment of the research. Written reasons must be given for rejecting an application for admission. Article 4 (6) shall apply *mutatis mutandis*.

(5) The Doctoral Committee may subject admission as a doctoral candidate to limitations or reservations. The doctoral candidate must be notified in writing of the limitations or reservations.

(6) Applications for admission of several doctoral candidates for the joint processing of a research project (group doctoral thesis) may only be submitted if the Faculty can provide supervision of the project and if the independence of the individual contributions is ensured.

(7) The professors in the Faculty must be notified of the admission of the doctoral candidate.

(8) The Doctoral Committee shall maintain a list of the registered doctoral thesis subjects and research projects; the list shall be available in the Dean's Offices for consultation by the members and associates of Justus Liebig University Giessen.

(9) The Deans of other Faculties and the Executive Directors of research centres must be informed of the proposed doctoral thesis if topics are researched that fall within the subject areas of the Faculty or Centre concerned.

(10) An envisaged doctorate that has been accepted pursuant to Article 7 (4), (5) and (6) must be supervised by at least one professor or one person pursuant to Article 2 (6).

Article 8

Rights and duties of doctoral candidates

(1) Supervised doctoral candidates shall be entitled to be given regular academic supervision, advice and support from their supervisor. In addition to methodological skills, they shall be taught a fundamental ethical attitude to academic research as well as a responsible approach to handling the results and to working with other scholars.

(2) Supervised doctoral candidates shall be required to:

1. fully document and retain their research results; and
2. work in a responsible manner and demonstrate collegiality.

(3) Paragraph (2), indent (1), shall also apply to applicants within the meaning of Article 9.

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Article 9

Doctorates without prior supervision by the Faculty

(1) Applicants whose work on the doctoral thesis was not supervised and who meet the requirements pursuant to Article 5 or who have been granted a waiver as provided for in said Article, may apply for admission as a doctoral candidate at the same time as applying for the assessment procedure to be opened by presenting a doctoral thesis with the documents listed in Article 7 (1), indents 1 to 9 (with the exception of indents 7 and 8), and pursuant to Article 11 (1). The application may be rejected if the specialised subject area covered by the doctoral thesis is not sufficiently represented within the Faculty. A doctorate cannot be awarded for a group doctoral thesis without prior supervision.

(2) The Doctoral Committee may make the opening of the procedure dependent on participation in a course of doctoral studies or on the provision of evidence of achievement in the subject area. In addition to methodological skills, applicants shall be taught a fundamental ethical attitude to academic research as well as a responsible approach to handling the results and to working with other academics.

(3) Application by those who have not previously studied in the Faculty of Law at the University of Giessen or who have not passed a final examination in law within the meaning of Article 5 (1) should be rejected, unless supervision has been accepted within the meaning of Article 2 (3) or a opinion by the supervisor in favour of necessary waiver applications has been presented.

Article 10

Preparation of the doctoral thesis

(1) The focus of the doctoral thesis must be in a subject area that is represented by research and teaching in the Faculty. It must satisfy the following requirements:

1. It must advance academic knowledge as a result of independent research;
2. It must comply with the methodological principles of the subject area concerned;
3. It must include documentation compliant with the principles of academic research regarding the material assessed and the specialist literature consulted;
4. It must present its subject clearly and its structure must be flawless.

(2) Parts of a thesis written by several authors (group doctoral thesis) may be recognised as a doctoral thesis if they have been written by the doctoral candidate, present related fields of study and can be delimited and evaluated as individual work by the doctoral candidate and comply with the criteria in paragraph 1. A separate report must be prepared on the nature of the cooperation and the shares of the individual doctoral candidates and must be confirmed by the supervisor. A separate doctorate procedure must be conducted for each doctoral candidate.

(3) The doctoral thesis must be written in German or in English. In particularly well-founded exceptional cases, the Doctoral Committee may agree to another language being used. The desired language must be indicated in the application for admission. Subsequent changes to the desired language require the approval of the Doctoral Committee.

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Article 11

Ending the doctoral relationship and withdrawing the doctorate application

(1) Before submitting their thesis, doctoral candidates may apply, giving reasons, to end their status as doctoral candidates. In this case, the Chair of the Doctoral Committee shall declare the procedure concluded. The doctorate is then not deemed to have failed. The documents pursuant to Article 7 (1), indents 1, 3, 4 and 7 to 9, shall be retained by the Doctoral Committee.

(2) Doctoral candidates may withdraw a doctoral thesis that has already been submitted up to until the Assessment Committee has rejected acceptance of the doctoral thesis pursuant to Article 12 (11). Paragraph 1, second and third sentences, shall apply *mutatis mutandis*. If the doctoral candidate revises the doctoral thesis, it should be represented to the Chair of the Doctoral Committee within six months following the withdrawal.

(3) Supervised doctoral candidates must report regularly, and at least once a year, to the supervisor and the Doctoral Committee on the status of their research. By submitting another subject, doctoral candidates may re-apply once for admission as a doctoral candidate, provided that the previous supervisor has declared his/her willingness to supervise the new research; the supervision agreement within the meaning of Article 2 (3) with another supervisor shall be valid.

(4) On a proposal from the supervisor, the Doctoral Committee may declare the doctorate procedure to have been concluded if, after an appropriate period, no progress in the doctoral candidate's research can be observed. The doctoral candidate must previously be given a hearing. Article 4 (6) shall apply *mutatis mutandis*. The doctorate procedure shall not be declared to have been concluded if the doctoral candidate provides evidence to show that he/she is not responsible for the lack of progress in the research.

Article 12

Opening the assessment procedure and assessing the doctoral thesis

(1) The doctoral candidate shall apply to the Chair of the Doctoral Committee for the assessment procedure to be opened.

(2) The following must be appended to the application:

1. Two typewritten and bound copies of the doctoral thesis that the candidate considers ready for printing;
2. An assurance worded as follows: "I hereby declare that I have completed the submitted doctoral thesis independently and with only the help referred to in the thesis. All texts that have been quoted verbatim or by analogy from published writings and all details based on verbal information have been identified as such. In the analyses that I have conducted and to which I refer in this thesis, I have followed the principles of good scholarly practice, as stated in the Statute of Justus Liebig University Giessen for Ensuring Good Scientific Practice."

This declaration must be bound in the doctoral thesis.

(3) The Chair of the Doctoral Committee shall instruct two people pursuant to Article 3 (1) to assess the doctoral thesis.

(4) If a planned doctoral thesis has been supervised, the supervisor – or if there are several supervisors, one of them – must be appointed as an assessor. A supervisor may not be appointed as an assessor if he/she has taken part in the joint conduct of a research project (group doctoral thesis) as an author. The Doctoral Committee shall decide if a person pursuant to Article 3 (1) from another faculty or another university or research institution should be appointed as the second assessor. The doctoral candidate shall be informed of the names of the assessors.

(5) At the same time, the Chair of the Doctoral Committee shall instate an Assessment Committee, which, in addition

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to the assessors pursuant to Article 3, shall comprise two persons pursuant to Article 3 (1), and shall appoint one of the Committee members as its Chair. The members of the Committee should include one representative each of Private Law, Criminal Law and Public Law.

(6) If the doctoral candidate has not been supervised during the work on the doctoral thesis or has not been supervised by a supervisor whom he/she has proposed, he/she may, within one month following the announcement of the assessors, nominate an additional assessor, with his/her consent; from among the professors and the persons named in Article 3 (1). Paragraph 7 shall remain unaffected.

(7) The Doctoral Committee may, following discussion with the supervisor, appoint further assessors.

(8) Each assessment shall include a recommendation as to whether the doctoral thesis should be accepted or rejected or whether the procedure should be suspended until the doctoral thesis has been revised. A recommendation for acceptance must be accompanied by a suggested grade for the doctoral thesis and may be linked to suggestions for improvements or additions. The assessments should be presented no later than three months following the submission of the thesis to the assessors.

(9) If the assessors make different recommendations with regard to acceptance or revision of the thesis, the Assessment Committee may involve an additional assessor, on whom the assessors appointed pursuant to paragraphs 3, 6 and 7 should agree. If it does not prove possible to reach an agreement, the Doctoral Committee shall decide.

(10) If acceptance of the research is recommended in at least one of the assessments and if one of the assessments proposes that changes be made, the Assessment Committee must decide whether the work of the doctoral candidate must be returned so that it can be revised within a specific period, whether the procedure should continue pursuant to Article 13 or whether amendment proposals that it recognises as being justified are to be complied with only after the disputation. Following the revision of the doctoral thesis, the assessors shall be given an opportunity to express their opinion of it within an appropriate time, generally within one month.

(11) If all assessments reject acceptance of the thesis and if there is no positive assessment following the expiry of the display period, the assessment shall have been failed. If there is at least one positive additional assessment, the Assessment Committee shall decide whether the procedure is to be continued pursuant to Article 10 or whether the assessment has been failed.

(12) Doctoral candidates who have not passed a state, Master's or first degree (*Diplom*) examination in law or an equivalent examination in law or an aptitude test pursuant to Article 6 (3) must have passed three written examinations lasting five hours each – one on Private Law, one on Criminal Law and one on Public or Administrative Law. Parts of the examination that have been failed may be repeated once.

(13) In all other cases, the doctorate procedure shall be continued pursuant to Article 13.

Article 13

Displaying the doctoral thesis and preparing for the disputation

(1) If the criteria for the continuation of the doctorate procedure have been fulfilled pursuant to Article 12, the Chair of the Doctoral Committee shall inform the members of the Assessment Committee, the Faculty professors and the supervisors and assessors not belonging to that group of people of the name of the doctoral candidate, the title of the doctoral thesis and the recommendation of the assessors and shall display the doctoral thesis together with the assessments for perusal in the offices of the Chair of the Doctoral Committee for one month in the lecture-free period.

(2) The doctoral thesis may be perused by the members and associates of the faculties involved who hold a doctorate; the assessments may only be viewed by professors and by those who have supervised the research. The Doctoral Committee shall decide on exemptions. Any professor in the Faculty may present a further assessment of the doctoral thesis with a given period.

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(3) Following the expiry of the period, the Chair of the Doctoral Committee shall inform the doctoral candidate of the receipt of the assessments, which he or she may view and copy in the offices of the Chair of the Doctoral Committee.

(4) At the request of the doctoral candidate, the Chair of the Doctoral Committee shall set the date for the disputation.

(5) If within six months following the information within the meaning of paragraph 3 above the doctoral candidate fails to present a request pursuant to paragraph 4 or if he/she declares in writing that he/she does not wish to proceed to a disputation, the doctorate shall have been failed.

(6) In well-founded exceptional cases, the Chair of the Doctoral Committee may extend the deadline if so requested by the doctoral candidate.

Article 14 **Disputation and oral examination**

(1) The Chair of the Doctoral Committee shall invite the doctoral candidate, the members of the Assessment Committee, the supervisors who are not assessors and the Faculty professors to the disputation and shall announce the date within the university one week in advance. The Chair of the Assessment Committee shall chair the disputation.

(2) In the disputation, doctoral candidates shall be called upon to defend their thesis. The doctoral candidate shall open the disputation with a presentation lasting no more than 15 minutes in the form of premises regarding the content of the thesis. The disputation shall be based on the content of the thesis, the assessments and additional assessments and shall also cover selected problems associated with the topic and other related subject areas. The disputation should last, in total, no longer than one hour.

(3) The members of the Assessment Committee and the supervisors and professors invited pursuant to paragraph 1 above shall be entitled to ask questions and give replies. The Chair of the Assessment Committee must disallow questions that are not in line with the purpose of the disputation or are unrelated to the subject of the thesis. This decision may be waived by virtue of a resolution of the Assessment Committee.

(4) The disputation shall be conducted in German. If the doctoral thesis has been written in English, the disputation may be conducted in English.

(5) Minutes of the disputation shall be prepared.

(6) Members and associates of the University shall be admitted to the disputation as observers. If the disputation is disrupted, the Chair of the Assessment Committee may exclude the public.

(7) A separate disputation shall be conducted for each doctoral candidate.

(8) In the case of a group doctoral thesis, at the request of all doctoral candidates involved, the disputation must be held on one date with all those concerned in succession, in compliance with paragraphs 2 and 7. The Chair of the Assessment Committee shall decide on the sequence of presentations and the disputations; paragraph 3, third sentence, shall apply *mutatis mutandis*.

(9) If doctoral candidates have not passed a first degree (*Diplom*) or state examination in law or an equivalent examination in law pursuant to Article 5 (2) or the aptitude test pursuant to Article 6 (3), the disputation is replaced by an oral examination lasting the same amount of time in Private Law, Criminal Law and Public and Administrative Law.

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Article 15
Evaluating the doctoral performance

(1) Immediately after the disputation, the Assessment Committee shall decide, taking the assessments, the additional assessments and the disputation into consideration, whether the doctoral candidate shall be awarded the doctorate. The doctorate shall only be awarded if the doctoral thesis and the disputation have each been graded at least as “sufficient”.

(2) The Assessment Committee shall award the doctoral performance one of the following grades:

Excellent	-	summa cum laude
Very good	-	magna cum laude
Good	-	cum laude
Sufficient	-	rite
Insufficient	-	insufficienter

The grade “excellent” should only be awarded for an unusually high academic performance.

(3) Should the disputation be insufficient, the doctoral candidate may, on application, repeat it once. The Chair of the Assessment Committee shall set an appropriate deadline for the application. The doctoral candidate may apply to repeat the disputation only within the established period.

(4) If the doctoral thesis is unsatisfactory, the assessment shall have been failed.

(5) The grades for the thesis and the disputation shall be combined to provide an overall grade. If the grades vary, the grade for the thesis shall have a stronger weighting for the purposes of establishing the overall grade. The overall grade of “summa cum laude” may only be awarded if the Assessment Committee decides with a three-quarters majority of the votes in favour of the grade “summa cum laude”.

(6) The Assessment Committee may instruct the doctoral candidate to make changes before the doctoral thesis is printed; the instructions must be made in writing.

(7) Following the discussions, the Chair of the Assessment Committee shall notify the candidate of the result of the assessment.

Article 16
Printing the doctoral thesis

(1) After the doctoral candidate has passed the assessment has been passed, he/she must publish the final version of the doctoral thesis, as approved by the Assessment Committee and with a note to that effect by the Chair of the Assessment Committee. The doctoral candidate may revise the version of the doctoral thesis accepted by the Assessment Committee for printing only with the consent of its Chair.

(2) Doctoral candidates undertake to make the doctoral thesis appropriately accessible to the academic public. He or she must therefore present further copies free of charge to the university library in addition to the copy required for the assessment records, as follows:

1. Four copies for the archives printed on age-resistant, wood-free and acid-free paper and permanently bound; and
2. 80 copies in book printed or photocopied form for the purpose of distribution; or

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3. In the case of electronic publication, an electronic version whose data format and data carrier must be agreed with the university library.

In addition, the doctoral candidate must produce for publication a written and electronic abstract, one A4 page in length, of the doctoral thesis; this abstract must have been approved by the thesis supervisor. The format and data carrier used for the abstract must be agreed with the university library.

(3) Apart from the four copies referred to in paragraph 2, second sentence, indent 1, no other copies need be delivered to the university library if:

1. the thesis is to be published in a journal; or,
2. if a commercial publisher handles distribution through the book trade, there is a minimum print run of 150 copies and an indication on the reverse of the title page that it has been published as a Giessen doctoral thesis together with reference to the Faculty of Law.

If the printing costs involved in publication by a commercial publisher have been subsidised out of public funds, two further copies must also be presented to the Faculty of Law.

(4) In the case of paragraph 2, second sentence, indent 2, and in accordance with the statutory duties of the university library, the doctoral candidate at Justus Liebig University Giessen shall transfer to the university library the right to produce and to distribute further copies of the doctoral thesis or to make them available in data networks. In the case of paragraph 2, second sentence, indent 3, and in accordance with the statutory duties of the university library, the doctoral candidate at Justus Liebig University Giessen shall transfer to the university library the right to produce and to distribute further copies of the doctoral thesis or to make them available in data networks.

(5) The thesis must be published within one year in the manner described in paragraph 2. In exceptional cases and if the application is made promptly and is well founded, the Chair of the Doctoral Committee may extend the publication deadline if so requested by the doctoral candidate; as a rule this extension shall not be for more than one year.

(6) If a doctoral candidate culpably misses a deadline set, the rights acquired through the doctorate shall lapse.

Article 17 Doctorate certificate

(1) After the doctoral thesis has been published as described in Article 16 (2), the doctorate certificate shall be presented to the doctoral candidate by the Dean. The doctorate certificate shall include the date of the disputation, which shall be deemed to be the date on which the doctorate was awarded, the title and author of the thesis, together with the overall grade awarded for the doctoral performance (Annex). It shall be signed by the Dean.

(2) The Dean shall present a provisional doctorate certificate if the doctoral candidate has a contract with a commercial publisher. The provisional certificate shall be valid for two years.

(3) The doctoral title may not be used until the doctorate certificate has been presented pursuant to paragraphs 1 and 2.

Article 18 Honorary doctorates

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(1) In recognition of outstanding academic achievements or other services to scholarship, the Faculty may award the academic title of Honorary Doctor of Law (Doctor iuris honoris causa – Dr. iur. h. c.).

(2) The procedure for honorary doctorates shall be opened by a written proposal submitted by members of the Faculty of Law to the Dean; the proposal must have the support of at least one-third of the members of the Faculty Council who hold a doctorate and are eligible to vote. The Dean shall present the proposal to the Doctoral Committee for its opinion.

(3) The Dean shall read out the proposal and the opinion of the Doctoral Committee in a non-public meeting of the Faculty Council. The Faculty Council shall, on the Dean's proposal, appoint at least three rapporteurs, who shall pay tribute to the achievements and merits of the nominee. If the Doctoral Committee is opposed to the proposal, the matter may only be pursued further if it has the support of more than half the members of the Faculty Council who hold a doctorate and are eligible to vote.

(4) The Dean shall read out the proposal, the opinions of the Doctoral Committee and the assessments of the rapporteurs in a non-public meeting of the Faculty Council. At that meeting, the Faculty Council shall take a first vote on the proposal. The proposal, the opinions of the Doctoral Committee and the assessments of the rapporteurs must be available in the Dean's Office one week before said meeting for confidential inspection by members of the Faculty Council.

(5) A final decision may only be taken in a second non-public meeting of the Faculty Council, which may be held at the earliest four weeks after the initial vote in the Faculty Council (paragraph 4).

(6) Voting on the honorary doctorate pursuant to paragraph 3, third sentence, and paragraphs 4 and 5 is secret. The majority of the members of the Faculty Council who hold a doctorate and are eligible to vote must approve of the proposal.

(7) The Dean of the Faculty of Law shall award the honorary doctorate by presenting the honorary doctorate certificate. The certificate shall contain the date of presentation, which shall be taken as the date of the honorary doctorate. The certificate shall pay tribute to the merits of the holder of the honorary doctorate. It shall be signed by the Dean of the Faculty of Law and shall bear the seal of Justus Liebig University Giessen and the seal of the Faculty of Law.

Article 19 Disallowance and withdrawal of the doctorate

(1) The Doctoral Committee must disallow the award of the doctorate if, before the procedure is concluded, it is found that

1. the doctoral candidate has cheated substantially in the procedure; or
2. key criteria for the doctorate have not been fulfilled.

(2) The Doctoral Committee may withdraw the doctorate if the reasons referred to in paragraph 1 emerge retrospectively or the rights acquired from the doctorate pursuant to Article 16 (6) have expired.

(3) The person concerned must be given an opportunity to comment on the accusations before the decision of the Doctoral Committee regarding the disallowance or the withdrawal of the doctorate is taken.

(4) Objections may be raised to decisions of the Doctoral Committee pursuant to paragraph 3 above. Article 4 (5) and (6) shall apply *mutatis mutandis*.

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Article 20
Doctoral fees

(1) The doctoral fees are EUR 150. Evidence of payment must be provided with the application to open the assessment procedure (Article 12 (1)).

(2) The fee for repeating the disputation (Article 15 (3), first sentence) is EUR 50. Evidence of payment must be provided with the application to re-open the assessment procedure.

(3) In cases of hardship, doctoral candidates may apply for the fees to be reduced or waived. The Doctoral Committee shall decide in this matter. Its decision shall be final.

Article 21
Transitional provisions and entry into force

(1) Doctoral candidates whose supervisory relationship was established before these Doctorate Regulations entered into force may decide whether they wish to conclude their doctorate pursuant to the procedural rules of the Doctorate Regulations of the Faculty of Law at Justus Liebig University Giessen of 14 November 1979 (Official Journal 1980, p. 5, p. 224) in the version established following the first amendment resolution of 10 May 1990 (Official Journal 1991, p. 495) or pursuant to the procedural rules of these Doctorate Regulations. A statement to this effect must be submitted to the Chair of the Doctoral Committee within one year following the entry into force of these Doctorate Regulations, or at the latest with the application for approval pursuant to Article 12 (1). The statement may not be revoked. Doctoral theses which are being prepared as these Doctorate Regulations come into force will be registered by the Doctoral Committee.

(2) The Doctorate Regulations of the Faculty of Law of 29 May 2002 shall come into force on the day following their publication in the Staatsanzeiger für das Land Hessen. On the same date – with the exception of the transitional ruling pursuant to paragraph 1 – the Doctorate Regulations of 14 November 1979 (Official Journal 1980, p. 5, p. 224) in the version of the first amendment resolution of 10 May 1990 (Official Journal 1991, p. 5, p. 495) shall expire.

Giessen, 20 March 2003

Prof. Dr. Walter Gropp

Dean of the Faculty of Law

B1-362-01/3-P02-32-18

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Annex (relating to Article 17)

Sample doctorate certificate

**The Faculty of Law
of Justus Liebig University Giessen**

under the Deanship of the
Professor for (subject area, name)

hereby confers on

Mr

(First name, surname), surname at birth: xxx (if different from the preceding)

born on (date) in (place)

the degree of

Doctor of Law

(Doctor iuris - Dr. iur.)

having duly completed the doctorate procedure
and demonstrated his academic skills
by presenting the doctoral thesis
graded with "....."
and entitled

"Studies on
....."

and through the disputation
and having been awarded
the overall assessment

".....".

Giessen, (disputation date)

University seal

Faculty seal

Signature of the Dean