

**Doctoral degree regulations
for the Faculty of Law of the Julius-Maximilians-Universität
Würzburg**

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The text of these regulations has been carefully prepared in accordance with the current status; nevertheless, no guarantee can be given for its correctness. The text of the official publication is always authoritative; the references are given in the heading.

This English version is for information purposes only. In case of doubt, the German version shall always take precedence.

Based on Art. 13 (1) and Art. 64 (1) of the Bavarian Higher Education Act (BayHSchG) of 23 May 2006 (GVBl p. 245, BayRS 2210-1-1-WFK), last amended by Art. 16 of the Act of 14 April 2009 (GVBl. p. 86), the Julius-Maximilians-Universität Würzburg issues the following

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Section 1

§ 1 The academic degrees

(1) The Faculty of Law awards the academic degree of Doctor of Law (Doctor iuris - Dr. iur.) and the academic degree of Doctor of both Laws (Doctor iuris utriusque - Dr. iur. utr.) for the University of Würzburg. The doctoral degree can be awarded jointly with a foreign faculty/university on the basis of a jointly conducted doctoral procedure. The doctoral procedure serves as proof of the ability to carry out in-depth legal work. The applicant must provide evidence of this by producing an independent piece of academic work (dissertation) and passing an oral examination (disputation). To obtain the degree of Dr. iuris utriusque, a written thesis in the field of ecclesiastical legal history (source exegesis) must also be completed.

(2) The Faculty of Law also awards the academic degree of Doctor of Law honoris causa (Doctor iuris honoris causa - Dr. iur. h. c.) for the University of Würzburg.

§ 2 Doctoral committee

(1) The doctoral committee (*Promotionsausschuss*) is responsible for conducting the doctoral procedure, unless otherwise stated in the following regulations. The Doctoral Committee may delegate simple recurring matters to the Dean.

(2) The doctoral committee is made up of the active professors and junior professors of the faculty and the full-time habilitated members of the faculty, insofar as they are university lecturers.

(3) The doctoral committee is chaired by the dean or, if the dean is unable to attend, by the vice dean.

(4) The Doctoral Committee is quorate if all members have been invited in writing at least one week in advance, stating the agenda, and the majority of members are present and entitled to vote.

(5) The Doctoral Committee passes resolutions by a majority of the votes cast. Abstentions, secret ballots and proxy votes are not permitted. In the event of a tie, the chairperson has the casting vote.

(6) Art. 51 (2) BayHIG applies with regard to exclusion due to personal involvement.

(7) The dean will inform the candidate of the doctoral committee's judgements in writing. Appeals against judgements must be justified and accompanied by information on legal remedies.

§ 3 Examiners

(1) Examiners in a doctoral procedure can be all university lecturers who are members of the faculty as well as professors who have been released from their duties and retired professors.

(2) Full-time and part-time employees with a doctorate are authorized to conduct doctoral examinations if they have taught independently in the examination subject for at least one year at a university, if they have been accepted as habilitation candidates (Art. 98 (2) S. 1 and S. 2 BayHIG) and if they have been assigned the independent performance of research and teaching duties. In justified cases, acceptance as a habilitation candidate may be waived.

(3) At the request of an examiner in accordance with § 1, university lecturers and retired

professors from external faculties as well as professors from universities of applied sciences may also be appointed as examiners by resolution of the Doctoral Committee.

§ 4 Acceptance as a doctoral candidate

(1) The candidate must initiate their acceptance as a doctoral candidate by entering into a supervisory relationship with a member of the doctoral committee with regard to a specific dissertation topic and the supervisor must inform the chairperson of the doctoral committee of this in writing. The examiners approved in accordance with § 3 shall be deemed equivalent to members of the Doctoral Committee.

(2) The supervisor should check whether the applicant fulfills or can still fulfill the general requirements for admission to the doctoral examination.

(3) The supervisor may require that the applicant has demonstrated the ability to work academically by participating in one or more seminars. § 5 (4) remains unaffected.

(4) Acceptance as a doctoral candidate establishes doctoral candidate status. This obliges the faculty to guarantee the examination procedure within the framework of the doctoral degree regulations.

(5) The doctoral candidate relationship expires if the candidate does not submit the dissertation within nine years of the agreement on the dissertation topic; this period may be extended twice by one year each time by the Doctoral Committee at the request of the doctoral candidate. The application must be substantiated, whereby when applying for a second extension, the substantiation must extend to the necessity of the second extension. The maximum duration, including the extensions, is eleven years.

(6) The doctoral student relationship does not expire if the supervisor subsequently ceases to be available on a permanent basis. In this case, the dean shall appoint another supervisor with the consent of the supervisor.

(7) If the supervisory relationship exists with an examiner who fulfills the requirements of § 3 (2), the Dean shall appoint two examiners as second assessors from among the university lecturers belonging to the faculty.

Section 2: The academic degree of Doctor of Laws

§ 5 Requirements for admission to the examination

(1) Admission to the doctoral examination requires

1. The applicant fulfills the requirements for enrollment at the University of Würzburg.
2. The applicant has passed the First State Examination in Law or the Second State Examination in Law with a grade of at least "fully satisfactory" (proof of degree). A corresponding examination passed abroad is to be taken into account, unless there are significant differences with regard to the skills acquired (learning outcomes).
3. The applicant was enrolled as a doctoral student at the University of Würzburg for at least two semesters. If there are special reasons, the Dean may recognize semesters taken as a guest student. He or she may also waive the requirement to study at the University of Würzburg in whole or in part if there are special reasons for doing so.
4. The applicant has successfully participated in a doctoral seminar at the University of Würzburg.
5. The applicant has participated in a course on "Good Scientific Practice" at the Faculty of

Law of the University of Würzburg.

6. The applicant is not unworthy within the meaning of the legal provisions governing the award of academic degrees.
7. The applicant has not definitively failed a doctoral examination in law.
8. The applicant has not already obtained the academic degree of Doctor of Law at another law faculty within the scope of the Basic Law.
9. The applicant has not claimed the services of a commercial doctoral placement office or doctoral advisory service during the doctoral procedure at the Faculty.

(2) Applicants of a newly appointed member of the faculty who have already been accepted by the faculty as doctoral candidates before accepting the appointment are exempt from the requirement of two semesters of study at the University of Würzburg ((1) no. 3), proof of a degree in accordance with (1) no. 2 and successful participation in a doctoral seminar ((1) no. 4) if they fulfill the doctoral requirements at their previous university.

(3) In the case of particularly qualified applicants, the Doctoral Committee may, at the request of a member of the Doctoral Committee, exempt them from the requirement to provide proof of a degree in accordance with (1) no. 2.

(4) Graduates who have completed a course of study with a predominantly legal content at a university in a field that is related to the intended doctoral thesis and whose degree corresponds to at least "fully satisfactory" according to the grading scale applicable there may be admitted if they have provided proof of performance in accordance with § 5a. The requirement for a transcript of records does not apply to graduates of a Master's degree program. Otherwise, (1) nos. 1, 3 to 8 apply accordingly.

(5) Graduates of the Faculty of Law at the University of Würzburg who have completed the postgraduate course in European Law with at least a "good" grade in their Master's thesis and overall grade are eligible for admission.

§ 5a Proof of performance

For the proof of performance in accordance with § 5 (4), three supervised assignments are required, each graded at least "fully satisfactory", on a topic or case from private law, criminal law and public law, the level of difficulty of which corresponds to the requirements of an advanced exercise. Supervised assignments that have not been graded at least "fully satisfactory" may be repeated up to two times. The Dean shall appoint two examiners for the assessment of each supervisory paper in accordance with § 3 (1).

§ 6 Application for authorization

(1) Admission to the examination must be applied for in writing to the Dean. The application must state that the aim of the procedure is to obtain the academic degree of Doctor of Law (Dr. iur.).

(2) The following must be submitted with the application:

1. a printed dissertation in the field of law in German (notwithstanding § 8 (2) sentence 2 and sentence 3), with page numbers, bound, with a table of contents and a bibliography, which must also be provided in electronic form (USB stick);
2. an affirmation in lieu of an oath concerning the independence of the scientific work performed, namely that
 - a) the candidate has prepared the dissertation independently, has not used any aids other than those listed in the bibliography and has identified and listed individually all passages taken verbatim or analogously from the literature,

- b) the services of a commercial doctoral placement agency or a doctoral advisory service were not claimed during the doctoral procedure, in the form of a declaration in accordance with the annex to the doctoral degree regulations;
3. a declaration by the applicant that the dissertation has not been the subject of another doctoral procedure;
4. a declaration of previously passed or attempted state, university or doctoral examinations as well as notifications of these examinations;
5. the name of the faculty member who supervised the dissertation;
6. the documents that prove the requirements of § 5 (1) or § 5 (4);
7. a curriculum vitae written in German, stating your nationality;
8. an official certificate of good conduct, if the applicant has been exmatriculated for more than three months at the time of application and is not in the German state preparatory service or in a German public office, he or she must prove this by submitting a certificate of service;
9. if applicable, the declaration of choice according to which doctoral degree regulations the examination is to be conducted (§ 34).

(3) If an applicant is unable to provide the required documents according to (2) in the prescribed manner through no fault of his or her own, the Doctoral Committee may allow him or her to provide the evidence in another way.

(4) For reference letters and documents that are not issued by German official authorities, an official certification and, if they are issued in a foreign language, a certified German translation may be required.

(5) If the candidate withdraws the application after the examination procedure has ended with a negative judgement on the dissertation or after the oral examination has begun, the doctoral examination is deemed to have been failed. The Dean shall issue the candidate with a written notification of this, stating the reasons and providing information on legal remedies.

§ 7 Admission procedure

(1) The dean decides on admission to the examination. In the cases provided for in § 5, he or she shall bring about the decision of the Doctoral Committee; in cases of doubt, he or she may also bring about the judgement of the Doctoral Committee on the existence of individual admission requirements.

(2) Approval must be refused if

1. the documents required under § 6 are incomplete,
2. the admission requirements of § 5 are not fulfilled.

§ 8 Dissertation

(1) The dissertation must represent an independent academic achievement by the applicant. It must not have been the subject of another doctoral procedure or have already been published. Double utilization, i.e. the inclusion of significant parts of a previous scientific work in the dissertation, is only permitted if it is only a subordinate part of the dissertation.

(2) The dissertation must be written in German. In justified cases, upon judgement of the doctoral committee, it may be agreed that the dissertation be written in another language upon acceptance of the doctoral candidate if another member of the doctoral committee in addition to the supervisor agrees to evaluate the dissertation. In this case, the dissertation must be accompanied by a detailed summary in German.

§ 9 Assessment of the dissertation

- (1) The Dean shall appoint two rapporteurs for the examination of the dissertation from among the examiners admitted in accordance with § 3, unless they have already been appointed in accordance with § 4 (7). In cases of § 3 (3), the first rapporteur must be an approved examiner in accordance with § 3 (1). This does not apply if, in a case of § 3 (3), the external university lecturer was appointed as supervisor and was an examiner in accordance with § 3 (1) at that time.
- (2) Each rapporteur shall submit a reasoned report on the dissertation with a suggested grade according to § 11. The report may stipulate conditions for the final version of the dissertation, which must be fulfilled before publication.
- (3) The first report should be completed within six months at the latest, the second report within three months at the latest. After the period has expired, the dean should remind the first or second reviewer to submit the report.
- (4) If the topic touches on the teaching area of another faculty, the dean may ask a member of this faculty for a further expert opinion on the dissertation.

§ 10 Acceptance and evaluation of the dissertation

- (1) The dissertation and the expert reports are made available for inspection by the members of the doctoral committee for a period of two weeks during the lecture period of a semester or six weeks during the lecture-free period. The Dean shall inform the members of the Doctoral Committee of the time and place of the inspection.
- (2) Each member of the doctoral committee is entitled to add their own reasoned vote with assessment to the dissertation.
- (3) If no member of the Doctoral Committee has raised an objection by voting by no later than one week after the expiry of the deadline, the dissertation shall be deemed to have been accepted with the proposed grade if the rapporteurs agree on the acceptance of the dissertation, and with the grade calculated from the arithmetic mean in the case of proposals for acceptance of the dissertation that do not differ by more than one grade level. If a rapporteur proposes the rejection of the dissertation, if the proposed grades differ by more than one grade level or if an objection is lodged, the Doctoral Committee shall decide. The Dean may appoint a further rapporteur to prepare this judgement. The Doctoral Committee shall also make a judgement if the rapporteurs fail to reach agreement on conditions.
- (4) Instead of rejecting the dissertation, the Doctoral Committee may return it to the candidate once for revision. It shall set a reasonable period for the candidate to submit the revised dissertation. The following periods shall not be counted towards the periods specified in (4) sentence 2:
 1. Periods of maternity leave.
 2. Parental leave within the meaning of the Act on Parental Allowance and Parental Leave (Bundeserziehungsgeldgesetz - BerzGG) or within the meaning of the Act on Parental Allowance and Parental Leave (Bundeselterngeld und -elternzeitgesetz - BEEG).
 3. Periods spent caring for a close relative within the meaning of the Caregiver Leave Act.
 4. periods during which it was not possible to meet the period due to sick leave or for another important reason; in the event of sick leave, a medical reference letter stating the nature and duration of the illness must be submitted.

A revised dissertation is generally assessed by the same rapporteurs as the original; otherwise, § 9 and (1-3) apply. If the candidate does not submit the revised dissertation by the deadline, the doctoral examination is deemed to have been failed. § 6 (5) sentence 2 applies accordingly.

(5) The doctoral committee may also accept the dissertation subject to certain amendments and improvements, which must be made before publication.

(6) If both rapporteurs or the doctoral committee reject the dissertation, the doctoral examination is failed. A written copy and the dissertation in electronic form remain with the faculty together with all reviews and quotas.

(7) The candidate may submit a new dissertation or revise the dissertation already submitted within one year. If the newly submitted or revised dissertation is again rejected by both rapporteurs or the doctoral committee, the doctoral examination shall be deemed to have been definitively failed. § 4 sentence 3 shall apply accordingly to the period according to sentence 1.

§ 11 Assessment of examination results

The individual examination results are assessed using one of the following grades:

summa cum laude	0	a very outstanding performance;
magna cum laude	1	an achievement that deserves special recognition;
cum laude	2	above-average performance;
satis bene	3	a performance that is average in every respect:
rite=	4	a performance that meets average requirements still corresponds;
insufficienter	5	no longer usable performance.

§ 12 Disputation

(1) The oral examination (disputation) consists of a jurisprudential presentation by the candidate and a subsequent discussion with the members of the examination committee (§ 13 (2)). The disputation serves to demonstrate the candidate's ability to present legal problems orally and to discuss them in an academic discussion. It takes place in German. In justified cases, the defense may be held in another language at the request of the doctoral candidate if all members of the examination committee agree. The Chair of the Examination Board shall judge the application. In exceptional cases, if a member of the Examination Board is absent, they may be connected via digital media (e.g. video conference) if the doctoral candidate and all members of the Examination Board agree. The respective consent is obtained from the chairperson.

(2) The candidate's jurisprudential presentation introduces the disputation. The presentation may not last longer than 20 minutes, after which time it shall be concluded by the chairperson of the examination committee. The presentation is immediately followed by an academic discussion of the presentation. This may also extend to the fundamentals of law. As a rule, the debate lasts 20 minutes.

(3) The disputation is open to the public. This does not apply to the announcement of the results.

(4) The course of the oral examination shall be recorded in minutes, which shall show its duration, the most important subjects of the discussion, the assessment of the disputation performance and the overall assessment of the doctoral performance.

§ 13 Preparation and organization of the oral examination

(1) Once the dissertation has been accepted, the dean determines the date of the oral defense and invites the candidate to attend at least four weeks before this date. The candidate may waive the deadline for the summons. In the summons, the candidate is informed of the

assessment of the dissertation, the intended examination committee and the topic of his or her jurisprudential presentation.

(2) The examination board regularly consists of three members. It is appointed by the dean from among the examiners permitted under § 3.

(3) The first and second rapporteurs of the dissertation should be members of the examination committee. The Dean or a member of the Doctoral Committee appointed by him or her who was neither the rapporteur nor submitted a special vote shall chair the committee. The Dean may appoint up to two members of the Doctoral Committee as additional members of the Examination Board. He or she shall appoint special voters for this purpose.

(4) The candidate may propose three topics, which do not relate to the subject of the dissertation, for their academic presentation. If the candidate proposes three suitable topics, the chairperson of the examination committee shall select one of these topics for the jurisprudential presentation. If there is any doubt as to the suitability of the topics, the chairperson of the examination committee shall determine a topic for the jurisprudential presentation irrespective of the proposals.

§ 14 Assessment of the oral examination and determination of the overall result of the doctorate

(1) Following the disputation, each member of the examination committee evaluates the disputation performance in a closed session according to the grades specified in § 11. The overall grade of the disputation is the average of the whole number of individual grades, which is taken into account up to the second decimal place.

(2) If the disputation is assessed as insufficient, the oral examination is failed.

(3) The overall result is calculated from the overall grade for the dissertation and the overall result of the defense. The grade for the dissertation accounts for 75% and the grade for the defense for 25% of the final grade. An overall grade is calculated to two decimal places. A third decimal place is not taken into account.

The overall result is to be expressed in the following grades:

With an average up to 0.50	summa cum laude,
with an average above 0.50 to 1.50	magna cum laude,
with an average above 1.50 to 2.50	cum laude,
with an average above 2.50 to 3.50	satis bene,
with an average above 3.50 to 4.50	rite,
and with an average from 4.51	insufficenter.

(4) The result of the oral examination and the overall result of the examination will be announced to the applicant immediately.

§ 15 Missing the oral examination

(1) The defense is deemed to have been failed if the candidate does not appear for the examination or withdraws from the examination for reasons for which he or she is responsible.

(2) The doctoral committee shall make the determination in accordance with (1) after hearing the candidate.

§ 16 Repetition of the oral examination

- (1) If the examination is not passed in accordance with § 14 or § 15, the oral examination may be repeated once, taking into account the dissertation. The application for admission to the retake procedure must be submitted within six months of the delivery of the notification of failure of the examination.
- (2) With regard to the period of (1) sentence 2, § 10 (4) sentence 3 shall apply accordingly.

§ 17 Publication of the dissertation and delivery of the deposit copies

- (1) The candidate must make the dissertation available to the academic public by reproducing and distributing it. To this end, he or she must submit the following deposit copies of the dissertation to the University Library free of charge within two years of passing the oral examination:
 1. five printed copies if an electronic version of the dissertation is submitted to the University Library, the data format and data carrier of which must be agreed with the University Library.
 2. six printed copies if the publication is in a scientific journal, or
 3. twelve printed copies, in the case of a printing cost subsidy from public funds 15 printed copies, if a commercial publisher adopts the distribution via the book trade in a scientific series and the publication is identified as a dissertation on the back of the title page, stating the place of dissertation, or
 4. 50 printed copies, but only in exceptional cases if the applicant provides reasons that prevent publication in accordance with nos. 1 to 3. The Dean shall judgement on the existence of such an exceptional case.
- (2) In the case of (1) sentence 2 no. 1 (publication in electronic form), the applicant must transfer the right to publish the electronic version in data networks to the University of Würzburg, the German National Library in Frankfurt a.M./Leipzig and libraries with a corresponding collection focus.
- (3) With regard to the period of (1) sentence 2, § 10 (4) sentence 3 applies accordingly. This shall not affect the right of the Chair of the Doctoral Committee to extend the period by up to two further years at the candidate's request.
- (4) Before the dissertation is published, the candidate submits the dissertation prepared for printing in written and electronic form (USB stick) to the Dean, who, provided there are no obstacles to this, grants permission to print. Otherwise, the dissertation may only deviate from the version on which the permission to print is based with the consent of the first referee.
- (5) The dissertation must be identified as such by the University of Würzburg. The copies to be submitted must state the names of the first and second referees and the date of the oral examination on the back of the title page or in another suitable place.

§ 18 Doctorate and award of the doctoral degree

- (1) After the mandatory copies of the dissertation (§ 17) have been submitted, the doctorate is completed by awarding the doctoral diploma.
- (2) The diploma, signed by the President of the University of Würzburg and the Dean, contains the title of the dissertation and the overall grade of the examination. It shall bear the date of the

day on which the oral examination was passed. The date of issue of the diploma should also be stated.

(3) The right to use the doctoral degree is acquired with the award of the diploma. The Dean may authorize the candidate to use the doctoral degree earlier; the granting of this authorization requires proof that the publication and dissemination of the dissertation are assured and will take place in the foreseeable future.

§ 19 Renewal of the doctoral degree

The doctoral diploma may be renewed by resolution of the Doctoral Committee after fifty years if the person to be honored justifies it.

§ 20 Invalidation of doctoral achievements and withdrawal of the doctoral degree

(1) If it becomes apparent before the doctoral degree is awarded that the candidate is guilty of cheating in the admission procedure or in the doctoral procedure, or if he or she proves to be unworthy, the Doctoral Committee may declare the examinations taken to date invalid and discontinue the procedure.

(2) If the obligation to submit the deposit copies in accordance with § 17 (1) is not fulfilled on time, the rights acquired through the examination shall expire; if the doctoral diploma has already been awarded in accordance with § 18 (2), the doctorate shall be declared invalid and the doctoral certificate shall be confiscated. The doctoral committee is responsible for the judgement.

(3) Otherwise, the withdrawal of the doctoral degree is governed by Art. 101 BayHIG. The doctoral committee is responsible for the judgement.

§ 20a Special regulations for doctoral candidates with children

It is possible to take advantage of the protection periods of the Act for the Protection of Mothers at Work, in Training and in Studies (Maternity Protection Act – MuSchG) as amended and the periods for parental leave in accordance with the Act on Parental Allowance and Parental Leave (Bundeserziehungsgeldgesetz - BerzGG) or the Act on Parental Allowance and Parental Leave (Bundeselterngeld und -elternzeitgesetz (BEEG)) as amended. The doctoral candidate must provide the relevant evidence and is obliged to notify any changes in the requirements without delay. The period of § 4 (5) sentence 1 is extended accordingly.

§ 20b Special regulations for doctoral candidates with a long-term illness or with a long-term or permanent disability

(1) Anyone who is unable to complete the expected doctoral or examination work due to prolonged sick leave or due to a prolonged or permanent disability shall be entitled to take these work and examinations up to a period specified by the Doctoral Committee. The doctoral candidate must provide the relevant evidence by submitting a certificate from a health authority or an official doctor. The doctoral candidate is obliged to notify any changes in the requirements without delay. Deadlines are to be adapted to the restrictions due to illness or disability.

(2) If the doctoral candidate provides a certificate from a health authority or a public health officer stating that he or she is unable to complete all or part of the doctoral or examination work in the intended form due to prolonged sick leave or prolonged or permanent physical disability, the Doctoral Committee shall allow the doctoral candidate to complete equivalent coursework and

examination work in another form; in cases of doubt, the chairperson shall bring about a judgement by the Doctoral Committee. Judgements pursuant to sentence 1 shall only be made upon written application. The doctoral candidate is obliged to notify any changes in the requirements without delay.

Section 3: The academic degree of a doctor of both rights

§ 21 Applicable regulations

The provisions of the first and second sections apply to the academic degree of Doctor of Laws, unless otherwise stipulated below. The doctor of both rights is only awarded in connection with a dissertation submitted to the Faculty of Law of the University of Würzburg.

§ 22 Admission requirements

Proof of the Latinum is also required for admission to this doctoral examination.

§ 23 Application for authorization

- (1) The application for admission to the doctoral examination must state that the applicant wishes to obtain the academic degree of Doctor of Laws (Doctor iuris utriusque).
- (2) Proof of Latin proficiency must also be submitted with the application for admission.
- (3) § 7 (2) also applies with regard to § 22 and the above (2).

§ 24 Additional examination, legal-historical source exegesis

- (1) As an additional examination, an assignment on the interpretation of a source passage from the history of ecclesiastical law must be completed (legal-historical source exegesis) if the dissertation has been submitted to the doctoral committee for acceptance.
- (2) The legal-historical source exegesis serves as proof of an independent academic achievement in the field of ecclesiastical legal history.
- (3) The topic of the legal-historical source exegesis is drawn by lot. It will be announced to the applicant in writing by the Dean.
- (4) The legal-historical source exegesis must be completed within four weeks. In justified exceptional cases, the Dean may grant the applicant an extension of up to three weeks.
- (5) The legal-historical source exegesis must be accompanied by a declaration in accordance with § 6 (2) no. 2.
- (6) The legal history source exegesis is assessed and graded by two examiners appointed by the Dean from the group of examiners permitted under § 3. If these examiners propose acceptance of the exegesis with the same grade, this grade is fixed. If the proposed grades do not differ by more than one grade level, the grade corresponding to the arithmetic mean is determined. If the proposals of the first and second examiners differ by more than one grade level, the Doctoral Committee shall judgement.
§ 10 (3) sentence 3 applies accordingly.

(7) The legal-historical source exegesis is also assessed as insufficient if the candidate has not submitted it on time for reasons for which he or she is responsible. The doctoral committee shall make this determination after hearing the candidate.

(8) If the legal history source exegesis is assessed as insufficient by both examiners, the candidate may apply to retake the examination once within a period of six months within eight weeks of notification of the result. The examination is failed if the application is not submitted on time, the legal history source exegesis is not started within the period specified in p. 1 or is not submitted within the period specified in(4). With regard to the periods in sentences 1 and 2, § 10 (4) sentence 3 applies accordingly. If the legal-historical source exegesis again receives an overall grade of insufficient, the doctoral procedure shall be terminated unless the candidate applies within one month of notification of the result for it to be transferred to one in accordance with the second section. § 10 (3) sentence 3 applies accordingly.

(9) At the applicant's request, the topic of the legal-historical source exegesis will be issued to him or her after admission to the doctoral examination.

(10) In justified cases, the candidate may also be given the topic for the legal-historical source exegesis before admission to the doctoral examination if he or she fulfills the admission requirements according to § 5 and § 22. He or she must enclose the documents in accordance with § 6 (2) Nos. 3-8 and § 23 (1) and (2) with his or her application.

§ 25 Oral examination

(1) Once the dissertation and the legal-historical source exegesis have been accepted and any conditions have been fulfilled, the Dean will set the date for the oral examination. The assessment of the legal-historical source exegesis is also communicated in the summons.

(2) Based on the dissertation or the legal-historical exegesis of sources, the disputation must also cover the applicable canon law.

§ 26 Assessment of the oral examination and determination of the overall result

The overall grade is calculated from the average of the grades for the dissertation, the legal-historical source exegesis and the disputation, whereby two decimal places are taken into account. The grade for the dissertation is to be counted twice, the grades for the source exegesis and the defense are to be counted once each.

Section 4: Doctorate under joint supervision with a foreign faculty/university

§ 27 Applicable regulations

The provisions of the first and second sections apply accordingly to a doctorate under joint supervision, unless otherwise specified below.

§ 28 Requirements

(1) A doctoral procedure carried out jointly with a foreign faculty/university requires that

1. an agreement on the cross-border co-supervision of doctorates has been concluded with the foreign faculty/university;
2. admission to doctoral studies was granted both at the Faculty of Law and at the foreign faculty/university in accordance with § 5 and in corresponding application of § 6.

(2) The dissertation may be submitted to the Faculty of Law or to the foreign faculty/university in accordance with the more detailed provisions in the agreement pursuant to (1) no. 1. A dissertation that has already been submitted to the foreign faculty/university and has been accepted or rejected there may not be resubmitted to the Faculty of Law. The agreement pursuant to (1) no. 1 must ensure that a dissertation submitted to the Faculty of Law and accepted or rejected there cannot be resubmitted to the foreign faculty/university. If the dissertation is submitted to the Faculty of Law, § 29 shall apply. If the dissertation is submitted to the foreign faculty/university, § 30 shall apply.

§ 29 Würzburg procedure

(1) If the dissertation is submitted to the Faculty of Law, it must be written in German or, by analogy with § 8 (2), in another language. It must contain a summary in the national language of the foreign faculty/university if the national language differs from the language in which the dissertation is written. In the agreement pursuant to § 28 (1) no. 1, provisions deviating from sentences 1 and 2 may be made with the consent of the supervisors, the dean and the head of the foreign faculty/university.

(2) The doctoral project shall be supervised by one university lecturer authorized to conduct examinations from the Faculty of Law and one from the foreign faculty/university (§ 4). The supervision is governed by the agreement pursuant to § 28 (1) No. 1.

(3) The supervisors are also rapporteurs within the meaning of § 9. The dean may, in individual cases and in consultation with the head of the foreign faculty/university, make arrangements that deviate from sentence 1, in particular if this is necessary for the award of a joint degree. In the cases of § 10 (3) sentence 3, the dean shall appoint the further rapporteur together with the dean or the head of the foreign faculty/university.

(4) If the dissertation has been accepted at the Faculty of Law (§ 10), it shall be forwarded to the foreign faculty/university, together with the expert opinions and any votes, for approval of the continuation of the procedure. If the foreign faculty/university approves the continuation of the procedure, the disputation shall take place at the Faculty of Law according to §§ 12-16, which shall be applied mutatis mutandis if necessary. Notwithstanding § 13 (2) and (3), the examination committee shall be composed exclusively of the dean or a representative appointed by the dean as chairperson, another member of the faculty authorized to conduct examinations (usually the supervisor) and a member of the foreign faculty/university. The latter shall be appointed amicably with the head of the foreign faculty/university. By way of derogation from § 12 (1) sentence 3, the examination board may amicably conduct the disputation in whole or in part in another language.

(5) The agreement pursuant to § 28 (1) no. 1 may provide for a different type of oral examination instead of the disputation and the extension of the examination committee by an additional member of the foreign faculty/university.

(6) If the dissertation has been accepted by the Faculty of Law, but the foreign faculty/university has refused to allow the procedure to continue, the joint procedure is terminated. The doctoral procedure is continued in accordance with the general regulations.

(7) If the dissertation has been rejected, the joint doctoral procedure shall be terminated. The agreement according to § 28 (1) no. 1 shall stipulate that the rejected dissertation may not be resubmitted to the foreign faculty/university.

§ 30 Foreign proceedings

(1) If the dissertation is submitted at the foreign faculty/university, the oral examination or disputation will also take place there. The Dean shall appoint the supervisor and the rapporteur from among the professors of the Faculty of Law. If the foreign faculty/university has made a positive decision on the acceptance of the dissertation or the progress of the procedure, the Faculty of Law shall make a judgement on the acceptance of the dissertation according to § 10. The dean shall inform the foreign faculty/university of the result and appoint the number of examiners required in accordance with the agreement pursuant to § 28 (1) No. 1. The dean shall ensure that the other requirements of the agreement are met.

(2) If the doctoral committee rejects the dissertation, the joint procedure is terminated. The rejected dissertation may not be resubmitted to the Faculty of Law.

(3) If the foreign faculty/university has rejected the dissertation, the joint procedure is terminated.

§ 31 Title management

(1) After completing a joint doctoral procedure at the Faculty of Law, a diploma is issued for the award of the doctoral degree (Dr. iur.). The certificate expresses that the doctorate was awarded under joint supervision with the foreign faculty/university. It bears the signatures and seals required by the regulations applicable to the Faculty of Law and the foreign faculty/university. If a certificate is issued abroad at the same time, it shall be stated in both certificates by combining them or in some other way that both certificates constitute a joint diploma and that the doctoral candidate is entitled to use the German doctoral degree in Germany and the corresponding doctoral degree abroad. The details of the form of the certificates shall be governed by the agreement pursuant to § 28 (1) No. 1. The agreement shall also specify the grade equivalence. The foreign grade equivalent to the German grade may be added in brackets.

(2) After a joint doctoral procedure has been carried out at the foreign faculty/university, the Faculty of Law will issue a certificate of conferral of the doctoral degree (Dr. iur.) after the certificate has been issued by the foreign faculty/university. It is stated that both certificates constitute a joint diploma and that the doctoral candidate is entitled to use the German doctoral degree in Germany and the doctoral degree awarded in the foreign country. (1) applies accordingly to the design and combination of the certificates and the equivalence of grades.

(3) In the case of a doctorate completed at a foreign faculty/university, the printing of the dissertation and the delivery of the deposit copies shall be governed by the provisions applicable to the foreign faculty/university. The agreement pursuant to § 28 (1) no. 1 shall stipulate how many copies of the dissertation are to be submitted to the Faculty of Law. The Faculty of Law may make the handing over of the certificate to be issued by it according to (2) dependent on the delivery of these copies.

Section 5: Extraordinary doctoral procedure

§ 32 Honorary doctorate

(1) The academic degree specified in § 1 (2) is awarded as a rare distinction for special achievements in the field of law. In deviation from § 2 (5) sentence 1, the degree is awarded by a resolution of the Doctoral Committee passed by at least a two-thirds majority of the members.

(2) The opening of the procedure requires a reasoned application, which must be submitted by at least half of the voting members of the doctoral committee. Following an initial discussion, the Doctoral Committee appoints two professors from among its members to give an expert opinion on the application and submit a proposal for a decision.

(3) The honorary doctorate is awarded by the presentation of a diploma signed by the President of the University of Würzburg and the Dean, in which the merits of the doctoral candidate are emphasized. The award of the diploma confers the right to use the title of honorary doctor.

(4) § 20 (1) and (3) apply accordingly.

Section 6: Final provisions

§ 33 Entry into force

(1) These Doctoral Degree Regulations shall enter into force on the day following their publication.

(2) At the same time, the Doctoral Degree Regulations for the Faculty of Law of the Julius-Maximilians-Universität Würzburg dated October 6, 1992 (KMBI II p. 678, KMBI II p. 128 1994), including all amending statutes, shall cease to be in force.

§ 34 Transitional provisions

(1) If an applicant has already been admitted to the doctoral examination when these regulations come into force, the procedure may be conducted in accordance with the previously applicable doctoral degree regulations at the applicant's request.

(2) Applicants who have been accepted as doctoral candidates prior to the entry into force of these doctoral degree regulations and who are registered in the index maintained by the Dean's Office may apply for admission to and completion of the doctorate for a period of two years from the date of entry into force in accordance with the doctoral degree regulations referred to in § 33 (2). They must make their choice with the application for admission (§ 6).

(3) Doctoral candidates who apply for admission before 01.01.2025 and submit a dissertation are exempt from the admission requirement of § 5 (1) No. 3 (enrolment as a doctoral student). This does not affect the admission requirement of § 5 (1) No. 3 of the Doctoral Regulations for the Faculty of Law of the Julius-Maximilians-Universität Würzburg of 12 August 2009 in the version of 11 June 2012, according to which the applicant must prove that he or she has studied law at the University of Würzburg for at least two semesters in order to be admitted to the doctoral examination.

(4) Doctoral candidates who apply for admission before 01.01.2025 and submit a dissertation are exempt from the admission requirement of § 5 (1) No. 5 (course on the topic of "Good Scientific Practice").

(5) For doctoral candidates who were accepted as doctoral candidates before 01.01.2024, the maximum period specified in § 4 (5) S. 1 Hs. 1 PromO ends at the earliest at the end of 31.12.2024. The possibility of a two-time extension according to § 4 (5) S. 1 Hs. 2 remains unaffected.

(6) For doctoral candidates who apply for admission before 1 January 2024 and submit a dissertation, § 11 and § 14 of the Doctoral Degree Regulations for the Faculty of Law of the Julius-Maximilians-Universität Würzburg dated 12 August 2009 in the version dated 11 June 2012 shall apply to all examinations.

Attachment

The declaration to be submitted in accordance with § 6 (2) No. 2 reads:

I make the following declaration:

- 1. The opportunity for this doctoral project was not arranged for me commercially. In particular, I have not engaged any organization that seeks supervisors for the preparation of dissertations for a fee or that performs all or part of the duties incumbent on me with regard to the examinations.*
- 2. The help of third parties has been and will only be claimed to the extent that is scientifically justifiable and permissible under examination law. In particular, I have prepared all parts of the dissertation - text and "apparatus" - myself and have not used any sources or aids other than those indicated. The literature used and other sources are listed in full. Any passages taken literally or in spirit from the literature or the Internet are marked with the source. No chatbots (especially ChatGPT) or general programs that could create the dissertation in whole or in part instead of me were used in the creation of the text. I did not accept any external help in the preparation of the thesis, either free of charge or for a fee, and will continue to do so in the future.*

I have told the truth to the best of my knowledge and have not concealed anything. I declare this on oath.

....., the