

**HONOR CODE**  
**Washington University School of Law**

**TABLE OF CONTENTS**

**TABLE OF CONTENTS ..... i**

**ARTICLE I: PROHIBITED CONDUCT ..... 1**

**ARTICLE II: DIVISION OF RESPONSIBILITIES ..... 5**

**ARTICLE III: COMPLAINT, INVESTIGATION, AND CHARGING DECISION ..... 10**

**ARTICLE IV: ADJUDICATION ..... 14**

**ARTICLE V: SANCTIONS ..... 19**

**ARTICLE VI: APPEALS ..... 22**

**ARTICLE VII: MISCELLANEOUS ..... 24**

**APPENDIX – PRESUMPTIVE TIME LINES UNDER HONOR CODE**

**Time Line From Referral to Investigative Team to Hearing on the Merits ..... 28**

**Time Line From Decision Finding Honor Code Violation to Appeal ..... 29**

# HONOR CODE

## Washington University School of Law

This Honor Code applies to all students enrolled at Washington University School of Law. The purpose of the Code is to promote and secure academic integrity, fairness, equal academic opportunity, and professionalism at the School of Law. The Honor Code applies only to misconduct of the types identified in Article I of the Code. It is not intended to affect, or be affected by, the faculty's evaluation of a student's work.

Upon acceptance for admission to the School of Law, entering students shall be informed that this Code exists. Students at the School of Law are also subject to the Washington University Student Judicial Code, which may be found at <http://www.wustl.edu/policies/judicial.html>. Students are charged with notice of, and are bound by, both the University Judicial Code and this Honor Code.

---

### ARTICLE I: PROHIBITED CONDUCT

The following forms of conduct, or attempts at such conduct, violate the School of Law Honor Code. Specific examples of each form of conduct are provided for purposes of illustration. Each example should be read to include the state of mind set forth in the general description of prohibited conduct of which it is an example.

- A. **Cheating**. Cheating is any conduct in connection with any examination, paper, competition, or other work that may affect academic credit, a grade, or the award of academic or professional honors at the School of Law, done for the purpose of unfairly disadvantaging another student or gaining an unfair advantage, or under circumstances such that a reasonable law student would know that the conduct was likely to unfairly disadvantage another student or result in an unfair advantage.

*Examples of cheating include, but are not limited to:*

1. Giving, receiving, or soliciting prohibited assistance;
2. Using or providing sources or materials not expressly authorized, or in a manner prohibited, by the instructor;
3. Violating any rule or instruction imposed by the instructor for a course or by an administrator of an exam, except that violating a rule or instruction regarding the allotted time for an examination will be addressed by subtraction of points per Faculty Rule (E)(5) (*see* <http://law.wustl.edu/studentserv/index.asp?ID=1001>), unless the student either: (a) uses more than the amount of time that triggers the maximum subtraction of points allowed by Faculty Rule (E)(5), or (b) has engaged in such conduct before;
4. Submitting in a given course, except with permission of the instructor or other person in authority after full disclosure, any work prepared in whole or in part for another course or an employer;
5. Engaging in conduct intended to compromise anonymous grading;

6. Communicating with any unauthorized person during an examination or the preparation of work for which credit may be awarded;
7. Acquiring, using, or providing, without permission, examinations, tests, role materials relating to simulations that are used in a course, or other academic material.

B. **Dishonesty**. Dishonesty is any conduct in connection with any law school document, record, class, academic matter, activity, program, or event that is intended, or that a reasonable law student would know is likely, to misinform, mislead, or otherwise deceive, engaged in for the purpose of gaining a benefit for or avoiding a detriment to oneself and/or another student.

*Examples of dishonesty include, but are not limited to:*

1. Furnishing false, incomplete, or otherwise inaccurate information in connection with an application for admission to, or financial assistance for attending, the School of Law;
2. Furnishing false, incomplete, or otherwise inaccurate information to or through the Career Services Office or to a potential employer;
3. Failing to promptly update information furnished as described in Examples 1 and 2 above as circumstances change, without waiting to be asked, so that all information furnished continues to be true, complete, and otherwise accurate.
4. Altering or submitting altered Washington University or School of Law documents or records;
5. Furnishing false, incomplete, or otherwise inaccurate information about one's own or another student's attendance in a class or other law school-related meeting or session;
6. Furnishing false, incomplete, or otherwise inaccurate information alleging misconduct, including a possible violation of this Code, by another student;
7. Furnishing false, incomplete, or otherwise inaccurate information in connection with any investigation, hearing, or other proceeding held pursuant to this Code;

C. **Obstructing the Work of Another**. Obstructing the work of another is any conduct engaged in for the purpose of impeding the work of another student in connection with any examination, paper, competition, or other work that may affect academic credit, a grade, or the award of academic or professional honors at the School of Law, or engaged in under circumstances such that a reasonable law student would know that the conduct was likely to impede unduly the work of another student.

*Examples of obstructing the work of another include, but are not limited to:*

1. Taking, damaging, or otherwise interfering with another student's books, class notes, outlines, study materials, or computer;
2. Damaging, secreting, removing without permission, or failing to return by the time and in the manner required, any law school property, including library material.

- D. **Impeding the Administration of the Honor Code.** Impeding the administration of the Honor Code is any conduct engaged in for the purpose of, or under circumstances such that a reasonable law student would know the conduct was likely to result in, preventing the School of Law Honor Code system from operating as intended.

*Examples of impeding the administration of the Honor Code include, but are not limited to:*

1. For any student other than one suspected of possible misconduct, refusing without good cause to provide relevant information or materials when requested to do so by an individual or entity acting in an official capacity under the Honor Code;
2. Providing false or misleading information or materials to an individual or entity acting in an official capacity under the Honor Code;
3. Disclosing to others confidential information acquired by virtue of participation in an official capacity in the administration of the Honor Code;
4. Failing to report, within a reasonable time, conduct that clearly violates the Honor Code.

- E. **Actionable Plagiarism.** Actionable plagiarism is submitting work that uses, without proper acknowledgment, another person's words, ideas, results, methods, opinions, or concepts, when such use is done: (1) intentionally or (2) without taking reasonable care to comply with the rules of proper attribution after having received formal written notice, issued in accordance with procedures set forth in the Faculty Plagiarism Guidelines (*see* <http://law.wustl.edu/studenterv/index.asp?ID=1000>), that use in the manner undertaken violates the rules of proper attribution. It does not matter whether the appropriated information is published or unpublished; academic or nonacademic in content; or in the public or private domain.

*Examples of actionable plagiarism include, but are not limited to:*

1. Submitting work that uses, without citation, material that is copied verbatim from, or is a paraphrase of, a published source, an electronic source, or another student's work, with the intention to pass the appropriated material off as one's own;
2. Submitting work that uses improperly attributed material without the intent to pass it off as one's own, but without taking reasonable care to comply with the rules of proper attribution, after having received formal notice concerning a substantially similar usage under the Faculty Plagiarism Guidelines.

Specific examples of using, without proper acknowledgment, another person's words, ideas, results, methods, opinions, or concepts, may be found in the Faculty Plagiarism Guidelines at <http://law.wustl.edu/studenterv/index.asp?ID=1000>.

- F. **Professional Misconduct.** Professional misconduct is any conduct in the context of a clinical course, supervised practicum, Public Service Project activity, or other setting in which legal ethics rules would apply if the student were a member of the Bar, that would violate such rules. A law student who acts in accordance with a supervisory lawyer's reasonable resolution of an arguable question of professional duty is not engaging in conduct that would violate legal ethics rules, and hence has not engaged in professional misconduct.

*Examples of professional misconduct include, but are not limited to:*

1. Breaching client confidentiality;
2. Failing to identify or avoid a conflict of interest;
3. Breaching the duty of competence owed to clients including, but not limited to, thoroughness and preparation reasonably necessary for the representation;
4. Exceeding the authority granted by a client, the supervising faculty or lawyer, applicable ethics rules, or the student practice rule;
5. Failing to act with reasonable diligence and promptness in representing a client;
6. Knowingly making a false statement of fact or law to a tribunal, failing to correct a false statement of material fact or law previously made to a tribunal, falsifying evidence, or counseling or assisting a witness to testify falsely;
7. Impermissibly obstructing another party's access to evidence or altering, destroying or concealing a document or other materials with potential evidentiary value;
8. In representing or assisting in the representation of a client, communicating about the subject of the representation with a person the student knows to be represented by another lawyer in the matter, unless the student has the consent of the other lawyer or is authorized to do so by law or a court order;
10. In representing or assisting in the representation of a client, stating or implying that the student is disinterested when dealing with a person who is not represented by a lawyer;
11. Knowingly assisting or inducing another to violate any legal ethics rule.

## ARTICLE II. DIVISION OF RESPONSIBILITIES

Responsibility for administering the Washington University School of Law Honor Code shall be shared as follows:

- A. **Associate Dean of Student Services (“Dean of Students”)**. The Dean of Students: (1) receives written complaints reporting possible violations of the Honor Code (*see* Art.III.A.2); (2) evaluates the complaints to determine whether they state a colorable claim of a violation of the Code; (3) dismisses any complaints that fail to state a colorable claim and refers those that do state such a claim to an Investigative Team (*see* Art.III.A.3); (4) implements and/or assists with the implementation of sanctions imposed pursuant to the Code as needed (*see* Art.V.D); and (5) keeps and maintains on behalf of the School of Law two complete sets of records of all Honor Code-related activities, one redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3) and the other unredacted, including, but not limited to, copies of all notices, reports, decisions, submissions, and other writings; and (6) makes available for examination the redacted versions of such writings in accordance with the Code (*see* Art.VII.G).
- B. **Student Investigators Committee**. There shall be a group known as the Student Investigators Committee, from which students are named to serve on the Investigative Teams that investigate matters referred by the Dean of Students.
1. *Composition/Selection*: The Student Investigators Committee comprises eight members, four from the third-year class and four from the second-year class. The members are chosen by their respective classes in elections held in the Spring of each year. To be eligible to run, a student must be in good standing academically, must not have been found to have violated the Honor Code or University Judicial Code, and must meet any additional eligibility requirements established under rules developed by the SBA. Each member is elected to serve a term of one year and may be reelected to additional terms.
  2. *Duties*: Members of the Student Investigators Committee serve as the student members of Investigative Teams. Two members of the Committee, one from the third-year class and one from the second-year class, serve on each Team.
- C. **Investigative Teams**. An Investigative Team shall be named to investigate and act on each complaint referred by the Dean of Students.
1. *Composition/Selection*: Each Investigative Team has three investigators: two students from the Student Investigators Committee, one from the third-year class and one from the second-year class, and one member of the faculty. The two students are determined according to a rotation established by the Committee at the start of each Fall semester. The faculty member is appointed by the Dean at the start of the Fall semester after consultation with the President of the SBA. The Dean also appoints a faculty alternate to serve as the faculty member of an

Investigative Team in place of the regular faculty member in any case in which the latter has a conflict of interest or is unable to serve. Both the regular faculty member and the alternate serve a term of one year and may be reappointed to additional terms.

2. *Duties:* Investigative Teams investigate and act on complaints referred to them by the Dean of Students. Each Investigative Team conducts such investigation as it deems necessary to decide whether to: (1) decline to proceed further with the matter (*see* Art.III.D.1.a) or (2) draft a formal charge and refer the matter to the Hearing Panel for Adjudication (*see* Art.III.D.1.b). In the event of a referral for adjudication, the two student members of the Investigative Team serve as advocates at the hearing and present the case against the respondent (*see* Section H.1 below).

D. **Chief Investigator.** Each Investigative Team shall have a Chief Investigator.

1. *Selection.* The senior student member of an Investigative Team serves as Chief Investigator for the Team.
2. *Duties.* The Chief Investigator has primary responsibility for: (a) ensuring that the Investigative Team meets all applicable timetables and deadlines for the performance of its duties under the Honor Code; (b) preparing and issuing on behalf of the Team the various notices, opinions, reports, and other writings required by the Code (*see* Art.III.D.2, 3); (c) keeping and maintaining two complete sets of records, one redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3) and the other unredacted, of all notices, reports, and other required writings made or received by the Team in the course of their investigation, and turning over all such records (or copies thereof, when a matter is referred for adjudication) to the Dean of Students at the conclusion of the investigation (*see* Arts.III.D.3, VII.G.1).

E. **Hearing Panel.** There shall be a body known as the Hearing Panel that serves as a “court” for the trial of alleged violations of the Honor Code and the determination of an appropriate sanction in the event that a violation is found.

1. *Composition/Selection.* The Hearing Panel comprises five members: four students, two from the third-year class and two from the second-year class, and one member of the faculty. One of the third-year members serves as Hearing Panel Chair (*see* Section F below); the faculty member serves as Presiding Officer (*see* Section G below). In the event that an LLM student is charged with a violation, the respondent may elect to have another student from the same LLM program appointed by the Assistant Dean of Graduate and Joint Degree Programs to serve as an additional member of the Panel for that case only.

The student members except for the Chair are chosen by their respective classes in elections held in the Spring of each year. To be eligible to run, a student must

be in good standing academically, must not have been found to have violated the Honor Code or University Judicial Code, and must meet any additional eligibility requirements established under rules developed by the SBA. Each member is elected to serve a term of one year and may be reelected to additional terms. The faculty member is appointed by the Dean at the start of the Fall semester after consultation with the President of the SBA. The Dean also appoints a faculty alternate to serve on the Hearing Panel in place of the regular faculty member in any case in which the latter has a conflict of interest or is unable to serve. Both the regular members and the alternate serve a term of one year and may be reappointed to additional terms.

2. *Duties.* The Hearing Panel: (a) hears and decides cases alleging violations of the Honor Code and, when necessary, either determines or recommends to the Dean the sanction(s) to be imposed (*see* Arts.IV & V); (b) prepares and issues written notifications, opinions, reports, and other writings as required (*see* Arts.IV.B.1.a, 4; V.A.3); (c) renders advisory opinions on matters concerning academic honesty (*see* Art.VII.A); and (d) proposes amendments to the Honor Code as it sees fit (*see* Art.VII.B.1).

F. **Hearing Panel Chair.** One of the third-year members of the Hearing Panel shall serve as Hearing Panel Chair.

1. *Selection.* Before Hearing Panel elections take place in the Spring, the existing Hearing Panel appoints one of its two second-year members to remain on the Panel and serve as Chair for the following academic year. If both second-year members are unable or opt not to serve as Chair, then in the Spring election, the second-year (rising third-year) class chooses two students to serve on the Hearing Panel the following year rather than just one. In all other respects, the election proceeds as described in Section E.1 above. Of the two students chosen, the one with the greatest number of votes assumes the role of Chair for the following year. However selected, the Chair serves for the remainder of the academic year until the Spring Hearing Panel elections the following year.
2. *Duties.* The Chair has primary responsibility for: (a) ensuring that the Hearing Panel meets all applicable timetables and deadlines for the performance of its duties under the Honor Code; (b) overseeing the preparation and issuance on behalf of the Panel of the various notices, opinions, reports, and other writings required under the Code (*see* Arts.IV.B.1.a, 4; V.A.3); and (c) maintaining two complete sets of records for every case heard during his/her year as Chair, one redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3) and the other unredacted, making such records available for use on appeal as needed, turning over to the Dean of Students the unredacted and a copy of the redacted records upon the completion of each case (*see* Art.VII.G.1), and keeping a copy of the redacted records as a permanent part of the Hearing Panel's files and providing another to the library for placement in an Honor Code Decision binder to be held on reserve (*see* Arts.IV.B.4a.(3)),



VII.G.1). The Chair is also responsible for naming the students who will serve on the Summer Investigative Team and Summer Hearing Panel (*see* Section J below) immediately after the regular Honor Code elections are held in the Spring, and then holding a joint meeting of all regular and Summer Student Investigators and all regular and Summer student members of the Hearing Panel members to review basic Honor Code procedures and the duties of each group.

- G. **Presiding Officer.** A member of the faculty shall serve as Presiding Officer in all proceedings before the Hearing Panel.
1. *Selection.* The faculty member of the Hearing Panel (*see* Section E above) serves as the Presiding Officer.
  2. *Duties.* The Presiding Officer: (a) serves as a voting member of the Hearing Panel; (b) presides over all proceedings held pursuant to Articles IV and V of the Code; (c) decides, following consultation with the Hearing Panel Chair whenever feasible, all non merits-related procedural questions presented before, during, and after any hearing(s) that are held; (d) rules on evidentiary objections; and (e) assures that all proceedings are conducted in a manner that is orderly, expeditious, fair, and consistent with these rules and the purpose of the proceedings.
- H. **Case Presentation Team.** A team of two students shall serve as the Case Presentation Team in proceedings before the Hearing Panel.
1. *Composition/Selection.* The two student members of the Investigative Team that investigates a case (*see* Section C.2 above) serve as the Case Presentation Team for the case.
  2. *Duties.* The Case Presentation Team presents and advocates for the case against the respondent in proceedings before the Hearing Panel and related proceedings, including any appeal.
- I. **Dean.** The Dean: (1) receives from the Hearing Panel any recommendation to suspend or expel a student found by the Panel to have violated the Honor Code and decides whether to impose the recommended sanction (*see* Art.V.A.2, 3.b; B.9, 10); (2) in cases not involving a recommendation to suspend or expel, receives, considers, rules on, and issues written decisions in connection with, appeals brought by students found to have violated the Honor Code (*see* Art.VI.B, C); and (3) prepares and issues notices and other writings as required (*see* Arts.V.A.3.b, VI.C.3).
- J. **Summer Honor Code Personnel.** There shall be a Summer Investigative Team and a Summer Hearing Panel that, in cases in which a complaint is brought between the last day of classes in the Spring and three (3) weeks before the first day of classes in the Fall, are authorized, respectively, to investigate and act on complaints, and to serve as a “court” for the trial of alleged violations and the determination of an appropriate sanction in the event that a violation is found.

1. *Composition/Selection.* The Summer Investigative Team comprises three investigators: two students, one from the rising third-year class and one from the rising second-year class, and one member of the faculty. The Summer Hearing Panel comprises five members: four students, two from the rising third-year class and two from the rising second-year class, and one member of the faculty. One of the third-year members of the Summer Hearing Panel serves as Summer Chair; the faculty member serves as Summer Presiding Officer. In the event that an LLM student is charged with a violation, the respondent may elect to have another student from the same LLM program appointed by the Dean of Graduate and Joint Degree Programs to serve as an additional member of the Panel for that case only. To be eligible to serve as a member of either group, a student must meet all the usual requirements (good standing academically, no Honor Code or University Judicial Code violations, satisfy any additional eligibility requirements imposed by the SBA (*see* Sections B.1 & E.1 above)) and must plan to reside in the St. Louis area and maintain regular contact with the law school during the summer.

The students in both summer groups are named immediately after the regular Honor Code elections are held in the Spring of each year. Any student elected or named to serve in either group for the next academic year and who plans to reside in the St. Louis area and maintain regular contact with the law school during the summer is automatically named to serve in the same role during the Summer. If vacancies remain, the regular Hearing Panel Chair notifies the student body of the vacancies and eligibility requirements, asks for a written statement of interest from anyone wishing to be considered and, after consulting with the Dean of Students and the President of the SBA, selects students to fill the vacancies including, when necessary, that of Summer Hearing Panel Chair. The Summer faculty member is appointed by the Dean as needed after consultation with the President of the SBA.

2. *Duties.* The Summer Investigative Team and Summer Hearing Panel perform the same duties as their counterparts that operate during the school year (*see* Sections C.2 & E.2 above).

## ARTICLE III: COMPLAINT, INVESTIGATION, AND CHARGING DECISION

### A. Report to and Determination by Dean of Students.

1. *Duty to Report.* All students, faculty, and administrative staff who have knowledge of possible misconduct under the Honor Code have an affirmative duty promptly to report the misconduct. A report may also be made by any other person with knowledge of possible misconduct. Under some circumstances, a student's failure to report within a reasonable amount of time conduct that clearly violates the Honor Code may itself be a violation of the Code (*see* Art.I.D.4).
2. *Reporting Procedure.* A report or complaint alleging possible misconduct under the Honor Code shall be made in writing and filed with the Dean of Students. The complaint shall be made promptly after discovery of the suspected misconduct, shall set forth in writing the relevant facts and circumstances, and shall be signed by the complainant. A complaint may be brought against a current or former law student, but must be brought within two (2) years of the date of the alleged violation or is time-barred.
3. *Determination by Dean of Students.* Within five (5) days of receiving the complaint, the Dean of Students shall notify the accused student ("respondent") of the fact that a complaint has been filed and of the nature of the alleged violation, and then shall review the complaint to determine whether it states a possible violation of the Honor Code. If, in the judgment of the Dean of Students, the complaint does not state an offense, s/he shall dismiss the complaint. If the Dean of Students concludes that the complaint states a possible violation of the Honor Code, s/he shall refer it to an Investigative Team for investigation. The Dean of Students' decision to dismiss or refer a complaint shall not be subject to appeal.
4. *Notice of Determination.* Upon determining the course of action to be taken, the Dean of Students shall first notify the respondent and the complainant orally or by e-mail and then publicly post (*see* Art.VII.F.2), and provide the respondent and complainant with copies of, a written notice, redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3), informing the law school community of the complaint and disposition thereof. If the Dean of Students has decided not to refer a matter to an Investigative Team, the notice shall also include a brief explanation of the decision.

- B. Dismissal of Complaint. When a complaint is dismissed, the Dean of Students shall place a copy of the redacted written notice of dismissal in a file to be kept and maintained by him or her. All documents referring to the respondent or any other individual by name shall be destroyed, and the matter shall not be made part of or referred to in any student's law school file.

C. **Referral to Investigative Team.**

1. *Notice of Investigation and Initial Action.* Within five (5) days of receiving a referral from the Dean of Students, the Investigative Team shall: (a) prepare and deliver to the respondent a written notice of investigation; (b) publicly post a copy of the notice (*see* Art.VII.F.2), redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3); and (c) begin an investigation or, if the respondent admits the alleged wrongdoing and there are no issues of fact to investigate, proceed to Section D below. The written notice of investigation shall briefly describe the matter being investigated, and shall inform the respondent that s/he may elect to be represented by a lawyer or other advisor at his or her own expense and that s/he has no obligation to speak to the Investigative Team, but that if s/he elects not to do so, members of the Team and other Honor Code adjudicators may, although they are not required to, draw adverse inferences from the respondent's silence (*see* Section C.2 below & Art.IV.B.2.e).

2. *Investigation.* The Investigative Team shall conduct such investigation as it deems necessary to decide how the matter should be addressed. The inquiry shall be undertaken in a manner determined by the Team to be appropriate given the nature of the charges, the need for confidentiality, and the interests of the parties. The Team may interview the respondent and others. The interviews may be tape recorded. All members of the law school community have a duty to cooperate with the investigation. The respondent may decline to be interviewed; but the Team and other Honor Code adjudicators may, although they are not required to, draw adverse inferences from his or her silence. For any student other than one suspected of possible misconduct, refusing without good cause to cooperate in an investigation may constitute a violation of the Code (*see* Art.I.D.1).

D. **Investigative Team Action.**

1. *Decision.* Within ten (10) days of receiving a referral from the Dean of Students in cases in which an investigation is conducted or, if there was no issue of fact and hence no investigation, within five (5) days, the Investigative Team shall meet to discuss their findings and then vote to do one of the following:

a. Decline. If the Investigative Team finds that the complaint does not state an offense or is not supported by sufficient evidence, the Team shall vote to decline to proceed further and close the case (*see* Section D.2.a below).

b. Draft Charge(s) and Refer for Adjudication. If the Investigative Team finds that the allegations state an offense under the Honor Code and are supported by sufficient evidence, the Team shall vote to bring a formal charge, draft the charge (*see* Section D.2.b.(1) below),

and refer the matter to the Hearing Panel for adjudication (*see* Section D.2.b below).

A majority vote (2-1) shall be sufficient to support a decision by the Investigative Team to decline to proceed further and close a case. A majority vote shall also be sufficient to support a decision to draft charges and refer a matter for adjudication, but only if the faculty member of the Team is one of the majority votes. All decisions by the Investigative Team shall be final.

2. *Notice of Decision and Follow-Up.* Upon reaching a decision, the Investigative Team shall first notify the respondent, complainant, and Dean of Students orally or by e-mail and then, within five (5) days, follow up as provided below.
  - a. Declination. In the event of a declination, the Team shall prepare a report of the decision and the reasons, deliver copies to the respondent, the complainant, and the Dean of Students, and publicly post a copy of the report (*see* Art.VII.F.2), redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3), to inform the law school community of the decision.
  - b. Formal Charge and Referral for Adjudication. If a formal charge is brought, the two student members of the Team, now acting as the Case Presentation Team (*see* Art.II.C.2, H.1), shall prepare and deliver to the respondent a copy of the charging document, along with a “Notice of Rights,” a set of discovery materials, and a copy of the Honor Code.
    - (1) Charging Document. The charging document shall set forth the name of the accused student and the Honor Code provision(s) allegedly violated, and provide a brief statement summarizing the specific acts or omissions constituting the alleged violation(s).
    - (2) Notice of Rights. The Notice of Rights shall notify the respondent of: (a) the right to elect to be represented by a lawyer or other advisor in any subsequent proceedings at his or her own expense (*see* Art.IV.A.1); (b) the right either to have a hearing on the charge(s) (*see* Art.IV.B) or to admit the charge(s) and proceed directly to a hearing on sanctions (*see* Art.IV.C); and (c) the rights, in the event of a hearing on the charge(s), to cross-examine witnesses, present a defense, and remain silent, subject to the possibility that adverse inferences will be drawn (*see* Art.IV.A.2, B.2.e), and to be exonerated at the conclusion of the hearing absent proof by clear and convincing evidence (*see* Art.IV.B.2.d). If a charge is brought between the last day of classes in the Spring semester and three weeks before the first day of classes in the Fall semester, the Notice shall also advise of the options available for summer adjudication (*see* Art.IV.D).

- (3) Discovery Materials. The discovery materials shall consist of a list of the witnesses who will be called to testify against the respondent assuming a hearing is held, brief (one- or two-sentence) summaries of the substance of their expected testimony, and copies of any documents to be offered in evidence against the respondent. The packet shall also include a memo listing and offering to make available for examination by the respondent at a time and location to be agreed on by the parties any tangible objects to be offered in evidence, as well as any evidence known to the Case Presentation Team that tends to exonerate the respondent or mitigate the degree of culpability.

The Team shall also deliver copies of the charging document, Notice of Rights, and discovery materials to the complainant, the Dean of Students, and the Hearing Panel Chair and Presiding Officer, and shall publicly post a copy of the charging document (*see* Art.VII.F.2), redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3), to inform the law school community of the decision.

3. *Records and Reports.* For each matter handled by an Investigative Team, the Team shall keep and maintain a complete set of all notices, reports, and other required writings made or received by the Team from the time of the referral (*see* Section C above) until final notification is given (*see* Section D.2 above). Each Team shall also preserve for safekeeping all evidence and other materials gathered in the course of the investigation. When a case is declined and closed, the Team shall turn over all such writings and other materials to the Dean of Students for placement in a file kept by him or her. When a case is referred for adjudication, the writings and other materials are retained for use by the Case Presentation Team and a list of what is being retained and copies of the writings shall be turned over to the Dean of Students for placement in a file kept by him or her.

## ARTICLE IV. ADJUDICATION

### A. General.

1. *Representation.* At all times after a formal charge is brought, the respondent is entitled to serve as his or her own counsel or may be represented by any person other than a member of the faculty or administration at the respondent's own expense. If the respondent is represented by an attorney, the Case Presentation Team may also obtain assistance from or be represented by an attorney at the law school's expense.
2. *Presumption of Innocence.* The respondent is presumed to be innocent of any and all charges and need not prove anything. The burden of proof rests with the Case Presentation Team to establish the charge(s) by clear and convincing evidence.

### B. Adjudication By Hearing.

1. *Pre-Hearing Procedures.*
  - a. Schedule and Notification. In cases in which a formal charge is brought, within five (5) days of receiving the charging document, the Presiding Officer, after consulting with the Hearing Panel Chair, the parties, and the other Hearing Panel participants, shall set a date, time, and location for the hearing and a date, time, and location for a pre-hearing conference. Unless all participants agree otherwise or for good cause, the pre-hearing conference shall be scheduled to take place within fifteen (15) days and the hearing shall be scheduled to begin within twenty (20) days after the date of the formal charge. The Hearing Panel Chair shall then prepare and deliver to the parties a written notice of the dates, times, and locations of the pre-hearing conference and the hearing and the names of the members of the Hearing Panel, and notify the other Panel members of the schedule orally or by e-mail. If the respondent subsequently decides to forego a hearing on the merits and proceed with a determination of sanction only, the case shall proceed as an Adjudication by Admission (*see* Section C below).
  - b. Discovery and Disclosure. Within ten (10) days after being served with the formal charging document, Notice of Rights, and requisite discovery materials (*see* Art.III.D.2.b.(1)-(3)), the respondent shall deliver to the Case Presentation Team, the Presiding Officer, and the Hearing Panel Chair a packet of discovery materials similar to that already served on the respondent (*see* Art.III.B.2.b.(3)), consisting of a list of the respondent's witnesses, brief (one- or two-sentence) summaries of the substance of their expected testimony, and copies of any documents to be offered in evidence by the respondent, and shall make available for examination by the Team any tangible objects to be offered in evidence.

The parties shall be subject to a continuing obligation to disclose information and evidence obtained after the initial disclosures. Witnesses, documents, and tangible objects not disclosed as required shall be excluded from evidence at the hearing unless the Hearing Panel for good cause permits otherwise.

- c. Written Motions. Any request by either party to disqualify a member of the Hearing Panel, obtain a ruling concerning a matter of interpretation of the Code, compel the production of or exclude relevant evidence, gain a continuance, or receive any other ruling that can be made outside the context of the hearing, shall be made by written motion. Any such motion shall be delivered to the opposing party and copies delivered to the Presiding Officer and the Hearing Panel Chair at least two (2) days before the Pre-Hearing Conference.
  - d. Pre-Hearing Conference. Within fifteen (15) days after a formal charge is brought, the Presiding Officer and Hearing Panel Chair shall meet with the parties and their representatives for a pre-hearing conference. At the conference, the Presiding Officer shall review the procedures to be followed at the hearing and, after consulting with all members of the Hearing Panel on any issue of Code interpretation, shall rule on any pending motions. Any issue involving the possible disqualification of a member of the Hearing Panel shall be resolved as provided in Art.VII.C.1. Unless otherwise provided in the Code, all other pre-hearing issues shall be decided by the Presiding Officer after consultation with the Hearing Panel Chair.
  - e. Presiding Officer's Authority to Vary From Established Schedule. For good cause shown on request of a party, the Presiding Officer may grant a postponement or direct that a case proceed on an expedited basis.
2. *Hearing on the Merits.* The hearing shall be conducted with as much informality and flexibility as is consistent with the serious purpose of the inquiry. Formal rules of evidence and procedure shall not apply. To reduce the potential for unfair prejudice, evidence of arguably relevant prior conduct by the respondent shall ordinarily not be allowed except on a showing of special circumstances. The Presiding Officer shall rule on procedural and evidentiary issues and otherwise conduct the proceedings so as to ensure that the parties have a fair chance to present their cases and all participants are treated with respect. Specific guidelines are as follows:
- a. Quorum. A quorum of four (4) Hearing Panel members, one of whom must be the Presiding Officer, shall be required in order to hear the case.



- b. Hearing Closed. Unless the respondent requests otherwise, the hearing shall be closed.
  - c. Preservation of the Record. The hearing shall be tape recorded and the recording preserved until all proceedings concerning the charge have been completed or for so long as the Dean of Students believes proper, whichever is longer.
  - d. Burden of Proof. At the hearing, the Case Presentation Team shall bear the burden of proving the charge(s) by clear and convincing evidence.
  - e. Proceedings. The parties may make brief opening statements. Then both the Case Presentation Team and the respondent shall have the opportunity to call witnesses and present evidence, and to question the other side's witnesses. The respondent may testify or choose not to; however, members of the Hearing Panel may, although are not required to, draw reasonable inferences from the respondent's silence. Members of the Hearing Panel may ask questions of witnesses following the examinations by the parties. The Presiding Officer may disallow questioning that is repetitive, irrelevant, cumulative, or harassing. Upon completion of the presentation of the evidence, the parties may make closing statements.
3. *Deliberation and Decision.* The Hearing Panel shall privately confer in order to determine, by majority vote, made on the basis of clear and convincing evidence, whether the respondent committed the charged violation(s). If the Panel concludes that the evidence presented is insufficient to support a finding that the respondent committed the charged offense(s), the proceedings shall be terminated. If the Panel concludes that the evidence supports such a finding, the Presiding Officer, after consulting with the parties and the other members of the Hearing Panel, shall set a date, time, and location for a hearing on sanctions (*see* Art.V.A). The sanctions hearing may, but is not required to, be held immediately after the hearing on the merits; but unless all participants agree otherwise or for good cause, the hearing shall be held within three (3) days after the date of the decision.
4. *Notice of Decision.* Upon reaching a decision, the Hearing Panel shall first notify the parties and the complainant of the outcome orally or by e-mail and thereafter provide written notification of the full decision. The written notification shall consist of a report of the decision, containing both written findings of the relevant facts and the Panel's reasoning, along with any concurring or dissenting opinions.
- a. Decisions in Favor of Respondent. If the proceedings have been terminated in the respondent's favor, then within the next five (5) days the Hearing Panel Chair shall: (1) deliver copies of the full decision to the respondent, the Case Presentation Team, the complainant, and the Dean of Students; (2) publicly post a copy (*see* Art.VII.F.2), redacted so that student names and other obviously identifying information have been

removed (*see* Art.VII.F.3), to inform the law school community of the decision; and (3) provide a copy of the publicly posted redacted version to the library for placement in a binder of Honor Code decisions to be held on reserve.

b. Decisions Finding Honor Code Violation. If an Honor Code violation has been found, the written notification requirements and timetable set forth in Article V.A.3 shall also apply.

5. *Motion to Reopen Completed Case.* A respondent found after a hearing to have violated the Honor Code may move at any time to reopen the case on the basis of: (a) new evidence that could not have been discovered by the exercise of due diligence prior to the decision; or (b) other good cause shown. Such a motion shall be made in writing and shall be delivered to the Presiding Officer of the Hearing Panel. Copies shall also be delivered to the Case Presentation Team and the Dean of Students. Further specific procedures in the event of such a motion shall be determined by the Presiding Officer after consultation with the other members of the Hearing Panel. Ruling on a motion to reopen shall be made by majority vote of the Hearing Panel. The Panel's decision whether to grant such a motion shall not be subject to appeal.

C. **Adjudication by Admission.**

1. *Right to Adjudication by Admission.* Any student charged with violating the Honor Code may admit the violation(s) and request a hearing only on sanctions (*see* Art.V.A).

2. *Procedure.* A student charged with violating the Honor Code who wishes to admit the violation(s) and proceed to a hearing on sanctions shall notify the Presiding Officer. The Presiding Officer shall notify the Case Presentation team and, after consultation with the parties, set the date for the proceedings at which the Hearing Panel will accept the respondent's admission and hold a hearing on the matter of sanctions. If a hearing on whether the respondent violated the Code has already been scheduled, each side is responsible for notifying its own witnesses that such a hearing will not be held. Witnesses whose testimony is not relevant to the sanction decision shall be excused from testifying; witnesses whose testimony may be relevant to the sanction decision shall be notified of the date for the sanctions hearing.

D. **Summer Adjudication Option.** If a complaint is brought against a student between the last day of classes in the Spring semester and three weeks before the first day of classes in the Fall semester, and if a formal charge is brought (*see* Art.III.D.1.b), the respondent may, at his/her option, either: (1) allow the case to go forward in accordance with the timetable applicable in other cases (*see* Section B above); or (2) elect to postpone adjudication of the case until the start of the Fall semester. If the respondent chooses option #1 or declines to choose, the matter shall be handled like other cases. In such

event, adjudication shall be before the Hearing Panel whose term is just concluding or, if there is not sufficient time to proceed that way, before the Summer Hearing Panel.

## ARTICLE V: SANCTIONS

A. **Hearing on Sanctions.** In any case in which an Honor Code violation is found, unless the parties request otherwise and the Hearing Panel agrees, the Hearing Panel shall hold a hearing to determine the appropriate sanction(s) in light of all the surrounding circumstances.

1. *Proceedings.* At the sanctions hearing, the Case Presentation Team may offer evidence and/or arguments in aggravation or mitigation and the respondent may present arguments and/or evidence in mitigation. Both parties may make sanction recommendations to the Hearing Panel. Regardless of whether the respondent has remained silent during the prior proceedings, both the respondent and his or her advocate may address the Hearing Panel regarding the sanction. Members of the Panel may also ask questions.

The sanctions hearing shall be conducted with as much informality and flexibility as is consistent with the serious purpose of the proceedings. Evidence of relevant prior conduct by the respondent, ordinarily not admissible in the hearing on the merits (*see* Art.IV.B.2), shall generally be allowed. The Presiding Officer shall rule on procedural and evidentiary issues and otherwise conduct the proceedings so as to ensure that the parties have a fair chance to present their cases and all participants are treated with respect. The hearing shall be tape recorded and the recording preserved until all proceedings concerning the case have been completed or for so long as the Dean of Students believes proper, whichever is longer.

2. *Deliberation and Decision.* After the parties complete their presentations, the Hearing Panel shall privately confer and deliberate in order to determine, by majority vote, what sanction or sanctions to impose or, if the sanction is suspension or expulsion, recommend to the Dean. When sanction(s) have been agreed upon by a majority of the Hearing Panel, the hearing will reconvene and the decision will be announced and the hearing concluded.
3. *Notice of Decision.* The Hearing Panel shall first notify the parties and the complainant of the sanction decision orally or by e-mail and then, within five (5) days, follow with written notification. The written notification shall include both the decision on the merits and the sanction decision, and shall contain written findings of the relevant facts and explanations of the Panel's reasoning in connection with both decisions, along with any concurring or dissenting opinions.
  - a. **Cases Involving Sanctions Other Than Suspension or Expulsion.** In cases in which the Hearing Panel has decided on any sanction(s) other than suspension or expulsion, the Hearing Panel Chair shall: (1) deliver copies of the combined merits/sanction decision to the respondent, the Case Presentation Team, the complainant, and the Dean of Students; (2) publicly post a copy (*see* Art.VII.F.2), redacted so that student names and

other obviously identifying information have been removed (*see* Art.VII.F.3), to inform the law school community of the decisions; and (3) provide a copy of the publicly posted redacted version to the library for placement in a binder of Honor Code decisions to be held on reserve. The Dean of Students shall have responsibility for ensuring that a copy is placed in the student's law school file.

- b. Cases Involving a Recommendation of Suspension or Expulsion. If the Hearing Panel decides to recommend suspension or expulsion, the Hearing Panel Chair shall deliver copies of the combined merits/sanction decisions to the respondent, the Case Presentation Team, the complainant, the Dean of Students, and the Dean, and shall publicly post a copy (*see* Art.VII.F.2), redacted so that student names and other obviously identifying information have been removed (*see* Art.VII.F.3), to inform the law school community of the combined decision. The Dean shall then determine as expeditiously as possible, by such procedures as s/he deems appropriate, whether to accept the Panel's recommendation. Upon reaching a decision, the Dean shall notify the Hearing Panel in writing and otherwise deliver and post copies as described above. The Dean of Students shall have responsibility for ensuring that copies of the Hearing Panel's and Dean's decisions are placed in the student's law school file. The Hearing Panel Chair shall have responsibility for ensuring that copies of the publicly posted redacted versions of both decisions are provided to the library for placement in a binder of Honor Code decisions to be held on reserve.

B. Sanction Options. The Hearing Panel shall have authority to impose or, in cases involving the sanctions of suspension or expulsion, recommend to the Dean that the Dean impose, one or more of the sanctions listed (not necessarily in order of severity) below:

1. *Oral reprimand.* Verbal notice that the charged conduct is wrongful.
2. *Written reprimand.* Written notice that the charged conduct is wrongful.
3. *Warning.* Written notice that continuing or repeating the conduct found wrongful may be cause for more severe disciplinary action.
4. *Probation.* Probation is for a designated period of time and carries with it the probability of more severe disciplinary sanctions if the student violates the Code or engages in other serious misconduct during the probationary period.
5. *Loss of privileges.* Denial of specified privileges for a designated period of time.
6. *Community Service.* Requirement that the accused perform specified community service either within the law school or in the larger community.
7. *Restitution.* Requirement that the accused make restitution to injured persons.

8. *Disqualification from honors.* Disqualification from consideration for one or more honors or awards, including, although not limited to, honors or awards at graduation.
  9. *Suspension.* Recommendation to the Dean that the student be separated from the School of Law for a specified period of time. The Hearing Panel may recommend specified conditions for readmission.
  10. *Expulsion.* Recommendation to the Dean that the student be expelled, which permanently terminates the student's studies at the School of Law.
- C. **Notation on Permanent Student Record and/or Transcript.** As part of each sanction determination, the Hearing Panel shall decide or, in cases involving suspension or expulsion, recommend to the Dean and the Dean shall decide, whether, and if so, for how long and subject to what conditions, the violation and sanction decision are to be noted on the student's permanent student record and/or transcript.
- D. **Responsibility for Implementation.** The Hearing Panel shall have responsibility for implementing the sanctions of oral reprimand, written reprimand, warning, probation, loss of privileges, community service, restitution, and disqualification from honors, with the assistance of the Dean of Students when necessary and appropriate. The Dean of the School of Law shall have responsibility for implementing, as s/he deems appropriate, the recommendations of the Hearing Panel regarding suspension or expulsion. The Dean of Students shall have responsibility for implementing all decisions, whether by the Hearing Panel or the Dean, as to notations on a student's permanent record and/or transcript.
- E. **Suspension of Implementation of Sanctions.** No implementing action shall be taken until the time for filing an appeal has passed or, if a timely appeal is filed, the appeal is resolved.
- F. **Other Consequences.** Upon a finding by the Hearing Panel or a student's admission of an Honor Code violation, the faculty member teaching the course or supervising the academic activity involved shall be notified of the misconduct. The faculty member shall have independent authority, separate and apart from any other consequences authorized under the Honor Code, to determine grade- or academic credit-related consequences.

## ARTICLE VI: APPEALS

### A. General.

1. *Appeals Allowed.* In all cases except those in which the sanction of suspension or expulsion has been imposed, any student determined by the Hearing Panel to have violated the Honor Code may appeal the decision to the Dean. (For appeals in cases in which students suspended or expelled by the Dean due to an Honor Code violation, see Section VII.B.1 of the Washington University Judicial Code at <http://www.wustl.edu/policies/judicial.html#seven>.) The Case Presentation team may not appeal any adverse decision of the Hearing Panel.
2. *Grounds for Appeal.* An appeal may be brought only on the ground that: (1) a fair hearing was not provided; (2) the decision was one that no reasonable Hearing Panel could have reached based on the evidence presented; or (3) the sanction imposed was excessive.

### B. Filing of Appeal, Suspension of Sanction, Response.

1. *Filing of Appeal.* A student wishing to appeal a Hearing Panel decision finding an Honor Code violation and/or the sanction imposed shall deliver the appeal to the Dean, and copies to the Case Presentation Team, the Dean of Students, and the Hearing Panel Chair and Presiding Officer, within ten (10) days of the issuance of Panel's written opinion. The appeal shall be in writing, shall specify the relief sought and the ground(s) therefor, and shall explain why, given the relevant circumstances, such relief is appropriate.
2. *Suspension of Implementation of Sanction Continued.* Upon the timely filing of an appeal, implementation of the sanction(s) imposed, already suspended until expiration of the time for filing an appeal (*see* Art.V.E), shall remain suspended until the appeal is resolved.
2. *Case Presentation Team Response.* Within ten (10) days of receiving an appeal, the Case Presentation Team shall prepare and deliver to the Dean a written response. Copies shall also be delivered to the appellant, the Dean of Students, the Hearing Panel Chair, and the Presiding Officer.

### C. Decision.

1. *Basis for Deciding Appeals.* Each inquiry on appeal shall be conducted in a manner determined by the Dean to be appropriate. In addition to the parties' written submissions, the Dean shall be provided with: (a) the formal charging document and Notice of Rights; (b) all discovery materials; (c) any pre-trial motions and accompanying memoranda or other writings filed by the parties and any written rulings thereon; (d) the audiotapes of the hearings on the merits and on sanctions; (e) all exhibits received into evidence; and (f) the Hearing Panel's

written opinions. The Dean may also request other materials or assistance, such as additional written submissions from the parties and/or an in-person hearing; but whether to do so or not in a given case is committed to the sound discretion of the Dean.

2. *Decision.* In deciding an appeal, the Dean shall not substitute his or her judgment of the facts for that of the Hearing Panel, and the scope of his or her review shall be limited to determining whether a fair hearing was provided, whether the decision was one that no reasonable Hearing Panel could have reached based on the evidence presented, and whether the sanction imposed was excessive. If the appeal is sustained, the Dean may, but is not required to, order a new hearing, and/or may reduce or modify, but not increase, the sanctions assessed by the Hearing Panel. All decisions by the Dean on appeal shall be final.
3. *Notice of Decision.* Upon reaching a decision, the Dean or his or her designate shall first notify the parties orally or by e-mail and then follow within five (5) days with written notification containing a brief explanation of the decision and the Dean's reasoning. Copies of the Dean's decision shall be delivered to the parties, the Dean of Students, the Hearing Panel Chair and Presiding Officer, and the original complainant. The Dean shall also cause to be publicly posted a copy (*see* Art. VII.F.2), redacted so that student names and other obviously identifying information have been removed (*see* Art. VII.F.3), to inform the law school community of the decision.



## ARTICLE VII: MISCELLANEOUS

- A. **Advisory Opinions.** The Hearing Panel may render an advisory opinion regarding the interpretation of the Honor Code upon written request from any member of the law school community.
- B. **Amendment.** The Honor Code may be amended as follows:
1. *Proposal by Hearing Panel.* Amendments may be proposed by a majority of the Hearing Panel, and become effective if ratified by both a majority vote of those members of the student body casting ballots in a called election and a majority vote at an announced faculty meeting.
  2. *Proposal by Student Initiative.* Amendments may be proposed by initiative petition signed by 100 students enrolled in the School of Law, and become effective if ratified by both a majority vote of those members of the student body casting ballots in a called election and a majority vote at an announced faculty meeting.
  3. *Proposal by Faculty.* Amendments may be proposed by way of a majority vote at an announced faculty meeting, and become effective if ratified by a majority of the student body casting ballots in a called election.
- C. **Disqualification, Resignation, and Removal**
1. *Disqualification.* Any member of the Hearing Panel or of any Investigative Team or Case Presentation Team who knows of facts or circumstances that would compromise or reasonably appear to compromise the member's impartiality in a particular case shall disqualify himself or herself from participating in the proceedings. A party who believes that such facts or circumstances exist with respect to a member of any panel or team designated to act in the party's case shall also have the right to seek the member's disqualification for cause by presenting a written request, first, to the member whose disqualification is sought, and if that fails, then to the remaining panel or team members. The ruling by the remaining panel or team members shall be final.  
  
Any vacancy created as a result of disqualification may, if necessary, be filled by a temporary member or alternate selected by the Dean of Students in consultation with the SBA President and Hearing Panel Chair. Any temporary student member so selected shall be from the same class as the disqualified student.
  2. *Resignation.* If any member of the Hearing Panel or of any Investigative Team or Case Presentation Team resigns in mid-term, time permitting, a replacement shall be selected by procedures similar to those set forth in Article II. Where time does not permit and replacement is necessary, a temporary member shall be named by the Dean of Students in consultation with the SBA President and Hearing Panel

Chair. Any temporary student member so selected shall be from the same class as the resigned student.

3. *Removal.* Any member of the law school community may request the removal for cause of any member of the Student Investigators Committee or any student member of the Hearing Panel by delivering such request to the SBA President and a copy to the student whose removal is sought. The request shall be in writing and shall state the reasons for the requested removal. Upon receiving such a request, the SBA President shall convene an ad hoc committee composed of all disinterested members of the SBA Executive Board and shall schedule a hearing before said committee to consider the request. The hearing shall be conducted in accordance with the procedures set forth in Article IV of the Code. At the conclusion of the hearing, the ad hoc committee shall privately confer and decide, by a majority vote, whether to grant the removal request. The committee's decision shall not be subject to appeal.

When a member of the Student Investigators Committee or Hearing Panel has been removed for cause, time permitting, a replacement shall be selected by procedures similar to those set forth in Article II. Where time does not permit and replacement is necessary, a temporary member shall be named by the Dean of Students in consultation with the SBA President and Hearing Panel Chair. Any temporary student member so selected shall be from the same class as the removed student.

- D. **Independent Library Rules.** Nothing in this Honor Code shall prohibit the Associate Dean for Information Resources from prescribing and enforcing separate rules regarding the use of library materials and facilities. When it is unclear whether misconduct involving the use of library facilities violates the Honor Code, the Associate Dean for Information Resources shall consult with the Dean of Students to determine whether to bring an Honor Code complaint or address the misconduct under the independent library rules.
- E. **Notice Requirements.** To comply with a requirement to provide a copy of a written notice, notification, report, or other document within the meaning of the Honor Code, the person responsible for providing the document may send it electronically and/or provide a hard copy.
- F. **Public Posting of Honor Code-Related Information and Notices.**
  1. *Honor Code Web Site.* The Dean of Students shall oversee the maintenance of a web site for the posting of the Honor Code and related matters, including, although not limited to, the Faculty Plagiarism Guidelines, copies of all notices and decisions required by the Code to be publicly posted, announcements regarding Honor Code-related matters, and the names of all members and alternates of the Student Investigators Committee, Investigative Team, and Hearing Panel.

2. *Public Posting.* To comply with the requirement to “publicly post” a notice, decision, or other document within the meaning of the Honor Code, the person responsible for the posting is responsible for ensuring that the item in question is properly posted on the Honor Code web site and shall email a copy to all law school students, faculty, and staff, place a copy on the Honor Code bulletin board, and take any other measures deemed appropriate under the circumstances to ensure the adequacy of the notice to the intended audience.
3. *Redaction Procedures.* To comply with the requirement to “redact” a notice, decision, or other document within the meaning of the Honor Code, the person responsible for the redaction shall see to that the item contains sufficient detail to inform the parties and the law school community about the nature of the matter at issue. In publicly posted copies of these notices, decisions, or other documents, student names and other obviously identifying information shall be deleted or replaced by fictitious names (such as "Student A") to the extent necessary to protect privacy.

G. **Record-Keeping and Disclosure.**

1. *Record-Keeping.* Upon conclusion of a proceeding under the Honor Code, except as otherwise provided in the Code, all records, files, and other documents relating to the proceeding shall be delivered to the Dean of Students. The Dean of Students shall also see to it that the appropriate notations and/or documents are included on the student’s permanent academic record and/or in the student’s law school file.
2. *Disclosure.*
  - a. Redacted Versions of Documents. The redacted versions of all notices, reports, and other required writings that are maintained by the Dean of Students shall be available for examination by any member of the law school community and the information contained therein may be freely disclosed. The redacted versions of all Hearing Panel decisions shall also be available for examination by members of the law school community in the library. Held on reserve in a binder maintained by the Hearing Panel Chair (*see* Arts.II.F.2, IV.B.4), these decisions shall be made available in accordance with library rules.
  - b. Other Documents. Rules governing the disclosure of all other documents, especially documents that refer to any individual by name, are as provided elsewhere in the Code.

H. **Time Limitations and Deadlines.**

1. *Computation.* In computing any period of time prescribed in the Honor Code, weekends, law school holidays, and the day from which the time period begins to run shall not be included in the calculation.
2. *Effect of Noncompliance.* Strict adherence to the time limitations and deadlines specified throughout the Honor Code is of vital importance to all members of the law school community. In the event that a deadline is missed, the individual or entity responsible for missing the deadline shall both publicly post (*see* Section F.2 above) and e-mail to the entire law school community a written notice, redacted so that student names and other obviously identifying information have been removed (*see* Section F.3 above), informing the community of the fact of and reasons for the missed deadline or decision to postpone and the newly scheduled time by which the action will be taken. Failure to comply with a prescribed time limitation or deadline shall not constitute a defense to a charge or be grounds for dismissal, unless the Hearing Panel finds, by majority vote, that the failure to comply has resulted or might reasonably be expected to result in actual prejudice to the respondent.

- I. **Effective Date.** This Honor Code shall take effect in place of the existing Honor Code on the next August 1 following ratification by a majority vote of those members of the student body casting ballots in a called election and by a majority vote at an announced faculty meeting; and shall remain in effect until revised by amendment or replaced. Once ratified, elections shall be held as provided herein and other steps taken as needed to ensure that this Code can be fully operational on that date.

**PRESUMPTIVE TIME LINE  
IN HYPOTHETICAL HONOR CODE CASE**

From Referral to Investigative Team to Hearing on the Merits

| <b>Day</b> | <b>Action</b>   |
|------------|---|
| 1          | Complaint referred to Investigative Team ( <i>see</i> Art.III.A.3, C)   |
| 10         | Investigative Team votes to dismiss complaint or make formal charge and provides notice of decision orally or by email as required ( <i>see</i> Art.III.D.1, 2) |
| 15         | Investigative Team delivers and posts written notice of formal charge and discovery disclosures as required ( <i>see</i> Art.III.D.2.b)                         |
| 20         | Respondent delivers discovery disclosures as required ( <i>see</i> Art.IV.B.1.b)  |
| 23         | Deadline for Case Presentation Team and respondent to file and serve pre-hearing motions ( <i>see</i> Art.IV.B.1.c)   |
| 25         | Pre-hearing conference date ( <i>see</i> Art.IV.B.1.a, d)   |
| 30         | Presumptive hearing date ( <i>see</i> Art.IV.B.1.a)   |

**PRESUMPTIVE TIME LINE  
IN HYPOTHETICAL HONOR CODE CASE**

From Decision Finding Honor Code Violation to Appeal

| <b>Day</b> | <b>Action</b>  |
|------------|--|
| 1          | Hearing Panel, following hearing on the merits, reaches decision finding Honor Code violation ( <i>see</i> Art.IV.B.3)   |
| 3          | Hearing Panel holds hearing on sanctions ( <i>see</i> Art.IV.B.3) and, assuming completion of hearing and decision on same day, notifies parties of decision orally or by e-mail ( <i>see</i> Art.V.A.3) |
| 8          | Hearing Panel delivers and posts written notification of decision as required (see Art.V.A.3)  |
| 18         | Deadline for filing appeal ( <i>see</i> Art.VI.B.1)  |