



## **PACE UNIVERSITY SCHOOL OF LAW HONOR CODE**

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## **PART I: GENERAL PROVISIONS AND DEFINITIONS**

### **A. MEMBERSHIP IN THE LEGAL PROFESSION**

Truthfulness, honor, ethical integrity and respect for others are essential to becoming a member of the legal profession.

### **B. PURPOSE OF THE HONOR CODE**

An honor code is an integral part of proper and complete professional training. The goal of the Pace University School of Law Honor Code (the “Honor Code”) is to produce attorneys who are dedicated to truth and to the promotion of justice, excellence and respect for the law. The Honor Code endeavors to achieve this goal by instilling in each law student the responsibilities of serving the public and the profession in accordance with those values. The success of the Honor Code depends upon the diligence with which Members of the Academic Community ensure that they, as well as others, uphold both the letter and the spirit of the Honor Code.

### **C. RESPONSIBILITIES OF MEMBERS OF THE LAW SCHOOL COMMUNITY**

1. *Duty to Report.* Membership in the academic community imposes both an obligation to comply with its rules and the responsibility to assist in the enforcement of these rules. To that end, each Member of the Academic Community has an affirmative duty to report any credible information, knowledge or reasonable belief that a violation of the Honor Code has occurred.
2. *Time Period for Reporting.* Any report of an alleged violation of the Honor Code ordinarily should be made within sixty (60) calendar days of discovery of the violation and in all cases must be made within three hundred sixty five (365) days after the date on which the alleged violation occurred. After the three hundred sixty fifth (365<sup>th</sup>) day on which the alleged violation occurred, no report or complaint of the alleged violation may be made to or entertained, provided, however, that nothing in this paragraph shall be construed to limit the continued consideration by an Investigator, an Adjudicatory Panel or an Appeals Panel of an otherwise timely-made report or complaint of an alleged violation of the Honor Code.

**D. GUIDELINES FOR STUDENTS WITH QUESTIONS ABOUT THE HONOR CODE OR RELATED PROCEEDINGS**

1. If a student has questions about whether a particular course of conduct constitutes or may constitute a violation of the Honor Code, the student is encouraged to consult with the advisors of his or her choosing, including, but not limited to, the Academic Dean of the Law School and the Dean for Students of the Law School.
2. If a student receives a notice from the Registrar of a report of an alleged violation of the Honor Code allegedly committed by him or her, the student is encouraged to consult with the advisors of his or her choosing, including, but not limited to, the Academic Dean of the Law School, the Dean for Students of the Law School and legal counsel of the student's choice.

**E. DEFINITIONS**

As used in this Honor Code, the following terms, whether or not capitalized, shall have the definitions indicated below.

1. “*Academic*” means relating to or associated in any way with the Law School program, including curricular, co-curricular and extracurricular activities, such as competition for or participation in a law review, moot court competition, guided research; participation in clinical or externship work or any other activity that the Law School organizes or sanctions.
2. “*Adjudicatory Panel*” has the meaning set forth in Part V.B.1.
3. “*Anonymous Grading Policy*” has the meaning set forth in Part II.E.
4. “*ASC*” means the faculty Academic Standing Committee appointed in accordance with the normal method of appointment to faculty standing committees.
5. “*Assignment*” means any work required to be submitted in any academic activity, including by way of illustration and not by way of limitation, examinations, papers, outlines, rough drafts or any other form of required work, whether written or oral.
6. “*Case Reporter*” means the records described in and meeting the requirements of Part III.B.2.d.
7. “*Code Non-Violation Notation*” has the meaning set forth in Part III.B.2.d.ii.

8. “*Code Violation Notation*” shall have the meaning set forth in Part III.B.2.d.i.
9. “*Hearing*” means a hearing by the Adjudicatory Panel pursuant to Part V.B.
10. “*Honor Board*” means the student Honor Board appointed by the SBA pursuant to Part III.A.1.
11. “*Honor Code*” means this Pace University School of Law Honor Code.
12. “*Instructor*” means the person in charge of an academic activity, including by way of illustration and not by way of limitation, a faculty member teaching a course or supervising any other academic activity, a proctor supervising an examination, or any other person (whether faculty, student, staff or someone from outside the Law School community) supervising any academic activity.
13. “*Investigator*” or “*Investigators*” means the faculty investigator or investigators, as the case may be, as set forth in Part IV.C.1.
14. “*Law Library*” means the Law School library.
15. “*Law School*” means Pace University School of Law.
16. “*Member of the Academic Community*” means any J.D., LL.M. or S.J.D. student, and any Instructor, faculty member, staff member, organization or administrator of Pace University.
17. “*Officer*” or “*Officers*” means such one or more, as the case may be, of the President, Vice-President and Secretary of the Honor Board.
18. “*Organization*” means any group that exists for the purpose of engaging in any academic activity.
19. “*Plagiarism*” means the use or close imitation of the language or thoughts of another (x) without proper attribution or acknowledgment or (y) any attribution at all, and is further illustrated by the examples in Part II.B.2.
20. “*Policies and Procedures Manual*” means the manual of the Honor Board’s administrative policies and procedures, as set forth in Part III.B.2.a.
21. “*Presiding Member*” means the presiding member of the Adjudicatory Panel who is appointed by the Chairperson of the Academic Standing Committee, as set forth in Part V.B.1.

22. “*Prohibited Material*” means any material, device, information or source of information other than that which the Instructor has stated is proper for use in the preparation or submission of an assignment or examination. If an Instructor has stated in writing to the student individually or to the class as a whole that certain material is expressly permitted in the preparation or submission of any assignment or examination, the student’s use of such material is not a violation of the Honor Code.
23. “*Registrar*” means the Registrar of the Law School.
24. “*Student-Respondent*” means a student whose conduct is the subject of an investigation, hearing or other proceeding due to an alleged or actual violation of the Honor Code.
25. “*Student-Appellant*” or “*Student-Appellee*” means a Student-Respondent who takes an appeal or opposes an appeal, as the case may be, to the Appeals Panel.
26. “*Same examination*” means a course examination given to more than one section of a course or at more than one time by an Instructor in the same semester, irrespective of whether the multiple administrations of the examination are in the same or different divisions of the Law School.
27. “*SBA*” means the Student Bar Association of the Law School, as constituted from time to time.

## **PART II: VIOLATIONS OF THE HONOR CODE**

### **A. CHEATING**

It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to purposely, knowingly, recklessly or negligently cheat on examinations or in any other academic, scholastic, co-curricular or extracurricular work.

### **B. PLAGIARISM**

1. It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to engage in conduct that constitutes plagiarism.
2. Plagiarism includes, but is not limited to, the following:

- a. *Improper Attribution and Acknowledgment:* It is plagiarism to fail to indicate by quotation marks or indentation all material taken from any outside source. Students must cite the outside source and acknowledge, by specific page citation, all facts or ideas obtained from an outside source.
  - b. *Use of Ideas of Another Without Attribution:* Plagiarism includes not only the unattributed use of written language or ideas originated by another person, but also the unattributed use of unwritten ideas or oral expression originated by another person. Students who discuss problems among themselves should be careful not to share or appropriate another's work product or idiosyncratic forms of expressing particular ideas or concepts. All contributions of other individuals to the work must be acknowledged. The attribution requirement presumptively applies to all assignments and take-home examinations. Attribution of another's ideas or language is not required when there is an explicit exemption of the attribution requirement by the person assigning the written work, when the student is writing an in-class final examination or when the person assigning the written work has explicitly exempted the assignment or examination from the attribution requirement.
3. Any close parallel to an outside source without attribution raises a rebuttable presumption of plagiarism.

### **C. IMPROPER EXAMINATION CONDUCT**

1. It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to purposely, knowingly, recklessly or negligently engage in improper examination conduct.
2. Improper examination conduct includes, but is not limited to, the following:
  - a. Taking an examination for another student or permitting another person to take an examination for oneself.
  - b. Failing to comply with the instructions given by the person administering an examination before, during or after the examination.
  - c. Commencing or continuing to work on an examination before or after the time period permitted for such examination, except as directed by the Instructor.

- d. Discussing the contents of an examination already taken with another student who will take the same examination.
- e. In preparing any assignment or taking any examination, providing, receiving or using any material, device, information or source of information other than that which the Instructor has stated is proper for use in preparing the assignment or taking the examination.

**D. ACADEMIC MISCONDUCT AND ACTS OF DISHONESTY**

- 1. It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to purposely, knowingly, recklessly or negligently engage in any act of academic misconduct.
- 2. It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to purposely, knowingly, recklessly or negligently engage in any act of dishonesty.
- 3. Acts of academic misconduct and acts of dishonesty include, but are not limited to, the following:
  - a. Invading the administrative security maintained for the preparation and storage of examinations. A student who has come in contact with an examination subject to administrative security must immediately inform the Academic Dean of the Law School. It is a separate violation of the Honor Code to fail to report such an incident to the Academic Dean of the Law School, notwithstanding the possible inadvertence of the invasion.
  - b. Taking, keeping, hiding or damaging the property of the Law School or any Member of the Academic Community, or that of another law school or its faculty or students. Attempting to take, keep, hide or damage such property is also a violation of the Honor Code. This section is intended to include property of the Law Library. This Honor Code does not address other violations of library rules. Those remain subject to the rule-making authority of the Director of the Law Library, the Dean of the Law School or the Dean's designee and such other authority as the University has constituted or empowered from time to time to deal with violations of library rules.
  - c. Interfering with any mail box, including but not limited to, e-mail boxes belonging to a Member of the Academic Community. "Interfering" includes a person's reading, duplicating or damaging material in a mail box not belonging to him or her or removing

material from a mail box of another, without express authorization from the person or organization properly using that mail box.

- d. Accessing, downloading or deleting any material contained in or on any e-mail account, designated network drive or storage device belonging to another Member of the Academic Community, without express authorization from such person.
- e. Misrepresenting facts about oneself or another for the purpose of (i) obtaining an academic, financial or professional benefit or (ii) injuring another Member of the Academic Community academically, financially or professionally. By way of illustration and not by way of limitation, acts of dishonesty prohibited by this Honor Code include (i) providing an employer or a prospective employer any false information about grades and (ii) falsifying or misrepresenting any credentials (whether on a résumé or otherwise, and whether or not in any connection with any search for employment).
- f. Making any false statement regarding any matter concerning this Honor Code to any Investigator, member of the Law School faculty or member of the Honor Board. Making a false statement during any investigation, hearing, appeal or other procedure due to an alleged violation of this Honor Code constitutes a separate and distinct offense from the allegation(s) involved in the original matter.
- g. Failing to adhere to the rules and regulations governing any academic competition, program or activity in which any student participates.
- h. Failing to report a violation of the Honor Code.
- i. Collaborating with another person on an assignment unless students are directed explicitly by the Instructor that they may collaborate on an assignment. Toward this end:
  - i. All assignments shall be presumed to require individual and independent effort, absent explicit directions by the Instructor to the contrary.
  - ii. With respect to any alleged violation of the Honor Code, the burden is on the student or students involved to establish by a preponderance of the evidence that (A) the Instructor explicitly directed students to collaborate in

regard to the assignment and (B) that their collaboration was exclusively of the type permitted.

- j. Submitting an assignment previously submitted or simultaneously being submitted in another academic course or activity without securing written permission from the Instructor to whom the second submission is made, in the case of work previously submitted, or the written permission of both Instructors, in the case of work being submitted in the same semester.
- k. Giving, receiving or using any Prohibited Material in the course of preparing any assignment or taking an examination.

**E. VIOLATIONS OF THE ANONYMOUS GRADING POLICY**

- 1. It is a violation of the Honor Code for any student enrolled in or attending classes at the Law School to purposely, knowingly, recklessly or negligently engage in any conduct that violates or attempts to violate the Law School's strict policy of anonymity in the administration and grading of assignments and final examinations (the "Anonymous Grading Policy").
- 2. By way of illustration and not by way of limitation, it is a violation of the Anonymous Grading Policy to place on any assignment or examination a name, social security number or any other personally identifying information other than the number issued by the Registrar in conjunction with such assignment or examination.
- 3. Notwithstanding the foregoing, the provisions of this Part II.E. shall not apply to any assignment or examination that is exempted explicitly by the Instructor from the Anonymous Grading Policy.

**PART III: THE HONOR BOARD**

**A. CREATION AND COMPOSITION OF THE HONOR BOARD**

- 1. Beginning in the first academic term following the adoption of this Honor Code, the SBA shall appoint an Honor Board to be comprised of a minimum of ten (10) students and a maximum of twenty (20) students.
- 2. The Honor Board shall be comprised of students from the upper-level day and evening classes (i.e., 2L, 3L, 4L). Under ordinary circumstances, the Honor Board should include at least one (1) representative from each upper-level class and from each division (i.e., day and evening).

Ordinarily this means that the Honor Board will include one (1) second-year student from the day division, one (1) second-year student from the evening division and so on. If, after due diligence, the SBA is unable to draw qualified members from a particular class or division, the SBA may fill the vacant positions with qualified members from any class or division. Every Spring semester, the SBA shall select members from the non-graduating classes to begin service the following Fall semester. The SBA may select students during the year to fill any vacancies that may occur.

3. All Honor Board members must be in good academic standing as defined from time to time by the faculty. Membership on the Honor Board ordinarily continues throughout a student's attendance at the Law School, except that membership shall terminate automatically upon a member's resignation from the Honor Board, his or her conviction of a violation of the Honor Code or his or her failure to remain in good academic standing.
4. Every Spring semester, the Honor Board shall elect, from among its members, a President, Vice-President and a Secretary. Each Officer shall serve for a term of one (1) year. The Officers shall be elected according to the procedures set forth in the Honor Board's Policies and Procedures Manual (as set forth in Part III.B.2.a) and shall have the duties described therein. The Honor Board also shall elect from among its members a Chairperson for the Philip B. Blank Lecture Committee to perform such duties in connection with that lecture as the faculty may request from time to time. The Chairperson for this Committee may be any member or Officer of the Honor Board other than the President.

## **B. PURPOSE AND RESPONSIBILITIES OF THE HONOR BOARD**

1. The Honor Board shall work with the Investigators and members of the ASC on matters concerning this Honor Code, as requested by the faculty from time to time. The Honor Board also shall endeavor to promote student interest in and awareness of the ethical concerns and duties of law students and members of the legal profession.
2. To accomplish these ends, the Honor Board shall:
  - a. Create and maintain a Policies and Procedures Manual that shall specify, among other things, procedures for electing Officers and such other matters of administrative importance as the members of the Honor Board shall determine from time to time, provided, however, that no provision of the Policies and Procedures Manual may be inconsistent with any provision of this Honor Code. The Policies and Procedures Manual and any changes thereto shall be adopted by a two-thirds (2/3) vote of a quorum of Honor Board members and may be modified in like manner.

- b. Propose to the ASC, for its consideration, such amendments to or modifications of the Honor Code as the Honor Board may consider appropriate from time to time.
- c. With respect to all cases arising under the Honor Code, publicize and retain records as provided in Part VII.A.
- d. Maintain a Case Reporter (a “Case Reporter”) that includes the following information:
  - i. *Code Violation Notations.* For each allegation resulting in a final determination (whether by informal resolution or formal adjudication) that a student has violated the Honor Code, the Case Reporter shall contain (A) a notation of the violation of the Honor Code; (B) a summary of the evidence; (C) a notation of the sanction(s) imposed against the Student-Respondent; and (D) the names of the Investigator(s), the members of the Adjudicatory Panel, and/or the members of the Appeals Panel, as applicable (together, a “Code Violation Notation”). If such determination is reached by informal resolution, the Investigator(s) shall prepare the Code Violation Notation, as set forth in Part V.A.4. If such determination is made by formal adjudication, the Adjudicatory Panel shall prepare the Code Violation Notation, as set forth in Part V.B.11.a, subject to reversal, alteration or modification by the Appeals Panel. A Code Violation Notation shall not include the name of the Student-Respondent and shall not include the name of the person reporting the alleged violation(s) of the Honor Code pursuant to Part IV.A.
  - ii. *Code Non-Violation Notations.* For each allegation that does *not* result in a final determination (whether by informal resolution or by formal adjudication) that a student has violated the Honor Code, the Case Reporter shall contain (A) a notation of the alleged violation of the Honor Code; (B) a summary of the evidence; (C) a notation of any recommendation made in connection with the resolution of the allegation; and (D) the names of the Investigator(s), the members of the Adjudicatory Panel and/or the members of the Appeals Panel, as applicable (together, a “Code Non-Violation Notation”). If such determination is made at any time prior to the issuance a decision by an Adjudicatory Panel (i.e., through dismissal by the Investigator or by informal resolution prior to the

issuance of a decision by an Adjudicatory Panel), then the Investigator shall prepare the Code Non-Violation Notation, as set forth in Parts IV.C.6 and V.A.4. If such determination is reached by the Adjudicatory Panel, then the Adjudicatory Panel shall prepare the Code Non-Violation Notation, as set forth in Part V.B.11.b, subject to reversal, alteration or modification by the Appeals Panel. A “Code Non-Violation Notation” shall *not* include the names of, nor any identifying information about, the Student-Respondent, any person reporting the alleged violation(s) of the Honor Code pursuant to Part IV.A or any individual involved with the case other than the names of the Investigator(s), the members of the Adjudicatory Panel and/or the members of the Appeals Panel, as applicable.

- e. Keep the Case Reporter updated in a timely fashion and make a copy of it available to the Members of the Academic Community either on reserve in the Law Library or, with respect to additions to the Case Reporter made after January 1, 2008, on the Law School intranet site or in a similarly accessible manner.
- f. Submit a copy of any Code Violation Notation for publication in the Law School newspaper, on a designated Honor Board bulletin board, on the Law School’s intranet site or in a similarly accessible manner.
- g. As requested by the faculty from time to time, participate in any student orientation program for the purpose of:
  - i. Providing all students with a copy of the Honor Code.
  - ii. Making to each class in each division an oral presentation that is designed to instill high regard for accepted principles of academic honesty and student conduct, as set forth herein, and the ethical conduct required by the Law School and the legal profession. By way of illustration and not by way of limitation, the Honor Board should describe and explain to students the following:
    - (A) Ethical and professional standards to be maintained in interactions with all members of the legal community.
    - (B) The meaning of plagiarism and examples of the same.

- (C) The appropriate use of academic equipment, subscriptions and resources.
- (D) The consequences for falsification or misrepresentation of any credentials, especially on a student's résumé or transcript.

## **PART IV: REPORTING AND INVESTIGATING ALLEGED VIOLATIONS OF THE HONOR CODE**

### **A. REPORTING PROCEDURE**

If any Member of the Academic Community has a reasonable basis to believe that a violation of the Honor Code has occurred, such Member of the Academic Community has an affirmative duty to report the violative conduct. The procedures for reporting such conduct are as follows:

1. The person reporting such conduct should do so in a signed writing that (a) contains a reasonably detailed statement of the alleged violation of the Honor Code and the person(s) involved and (b) is addressed to the Chairperson of the ASC.
2. A report of an alleged violation of the Honor Code described in Part IV.A.1 must be delivered to the Registrar, who shall provide notice of its receipt to one or more of the Investigators or to the Chairperson of the ASC. If either but not both an Investigator and the Chairperson of the ASC receives such notice from the Registrar, he or she should make reasonable efforts to communicate receipt of such notice to the other and to the President of the Honor Board.
3. The Investigator(s) shall then commence an investigation pursuant to Part IV.C.

### **B. CONFIDENTIALITY**

1. A person who reports an alleged violation of the Honor Code must make reasonable efforts to prevent widespread dissemination of information about the allegations.
2. Except as provided in Parts III.B.2.c through III.B.2.f inclusive, the Dean of the Law School, the Academic Dean of the Law School, the Investigators, the Chairperson of the ASC, members of the ASC and Officers and members of the Honor Board must make reasonable efforts to prevent widespread dissemination of any alleged violation of the Honor

Code and any investigation, proceeding or resolution pursuant hereunder, provided, however, that there shall be no limitation on an Investigator's ability to inform a person who reports an alleged violation of the Honor Code about the status or result of the investigation of that alleged violation.

### **C. INVESTIGATION**

1. The Nominating Committee of the Law School shall name as Investigators two (2) members of the tenured or tenure-track faculty (each an "Investigator," and together the "Investigators"), such Investigators to be appointed for staggered three (3) year terms. The Nominating Committee must consider the views of the Honor Board as to which faculty members would be appropriate Investigators. Notwithstanding the foregoing, as soon as practicable after the adoption of this Honor Code, the Nominating Committee shall appoint one (1) Investigator for an initial term of two (2) years and one (1) Investigator for an initial term of three (3) years. Upon the expiration of or vacancy in any Investigator's term, the Nominating Committee shall select his or her replacement for such successive term or remainder of the existing term as may be appropriate. Upon the expiration of an Investigator's term, he or she may be selected by the Nominating Committee to serve another term.
2. The Investigators shall investigate all allegations of violations of the Honor Code in such manner or manners as they shall agree between themselves. Each Investigator must consider asking one or more members of the Honor Board to assist in each investigation. By way of illustration and not by way of limitation, the Investigators may (a) decide to work on a case together in whole or in part; (b) decide that only one of them will bear responsibility in whole or in part for a particular case; and (c) ask or decline to ask one or more members of the Honor Board to assist in the investigation.
3. At the beginning of each academic year, the Investigators shall meet with members of the Honor Board to discuss such interests of mutual concern as they together shall determine, including, by way of illustration and not by way of limitation, how the Investigators shall communicate with the Honor Board and vice versa.
4. In conducting an investigation, the Investigator(s) may speak to anyone about the allegations or the circumstances leading to the filing of the allegations, including by way of illustration and not by way of limitation, the Student-Respondent, the person alleging the violation of the Honor Code, any witnesses to the alleged violation, the Dean of the Law School, the Academic Dean of the Law School and other members of the Academic Standing Committee, provided, however, that prior to

communicating directly with any Student-Respondent, the Investigator shall notify the Student-Respondent by writing delivered to the Registrar that the Investigator wishes to communicate with the Student-Respondent for purposes of investigating the Student-Respondent's alleged violation of the Honor Code. The Registrar shall make a good faith effort to inform such student of receipt of the same by communicating with the student. This communication shall be made by e-mail to the student at his or her Law School e-mail address and by first-class mail to the student at the local address last on file with the Registrar and additionally may be made in person, by telephone or by other means.

5. In conducting an investigation, the Investigator(s) may request from any person any information or documents as such Investigators shall determine appropriate in the exercise of sole and absolute discretion, including by way of illustration and not by way of limitation, the identity of any potential witness.
6. The Student-Respondent may choose whether or not to speak with an Investigator and whether or not to produce any information or documents requested by an Investigator. However, if the Student-Respondent does not speak with or produce the information or documents requested by an Investigator, then the Investigator(s), the Adjudicatory Panel, the Appeals panel and any member of the ASC may make an adverse inference from the Student-Respondent's choice not to speak with the Investigator(s) and/or not to produce the information or documents requested by an Investigator.
7. An Investigator has the sole and absolute discretion to dismiss any allegation(s) of violations of the Honor Code, if the Investigator believes that such dismissal is appropriate and reasonable under the circumstances. In such an instance, the Investigator shall prepare a Code Non-Violation Notation, as set forth in Part III.B.2.d.ii.
8. An Investigator should conclude any investigation of any allegation(s) of violation(s) of the Honor Code within a reasonable period after the receipt of notice of such violation(s). Such conclusion may be made by dismissal, informal resolution or a decision to proceed by formal hearing, as set forth in Part V. Any conclusion made within four (4) calendar months of the date on which the Investigator receives notice of the alleged violation(s) presumptively is made within a reasonable time.

## **PART V: INFORMAL RESOLUTION AND FORMAL ADJUDICATION**

### **A. INFORMAL RESOLUTION**

1. An Investigator is expressly vested with the sole and absolute discretion to offer an informal resolution of allegation(s) of violation(s) of the Honor Code to a Student-Respondent. In connection with reaching such an informal resolution, an Investigator is free to enter into negotiations with the Student-Respondent. An informal resolution may, but need not, be based on a final determination of whether or not the Student-Respondent violated the Honor Code.
2. An informal resolution pursuant to this Part V.A. or a formal resolution pursuant to Part V.B.7. may include, but is not limited to, any one or more of the following sanctions:
  - a. Private reprimand.
  - b. Public reprimand.
  - c. Community service.
  - d. Dismissal from any law review.
  - e. Failure of a course.
  - f. Repetition of a failed course.
  - g. Notation of the alleged violation(s) of the Honor Code and/or the resolution of such allegation(s) on the Student-Respondent's permanent record.
  - h. Suspension.
  - i. Expulsion from the Law School.

This list is for illustrative purposes only and in no way restricts the sole and absolute discretion of the Investigator to offer, and the ability of the Adjudicatory Panel and the Appeals Panel, as the case may be, to impose cumulative, additional or alternative sanctions or recommendations that seem appropriate and reasonable under the circumstances.

3. An offer of an informal resolution of the allegation(s) of violation(s) of the Honor Code shall be memorialized in writing by the Investigator and

delivered to the Registrar, who shall make a good faith effort to inform the Student-Respondent of its receipt. Such communication shall be made by e-mail to the student at his or her Law School e-mail address and by first-class mail to the student at the local address last on file with the Registrar and additionally may be made in person, by telephone or by other means.

The Student-Respondent shall have up to, but not more than, ten (10) business days from the date of delivery of the offer of an informal resolution to the Registrar to accept it. Any such acceptance shall be made by the Student-Respondent by signing and returning to the Registrar a copy of the written memorialization of the offer of informal resolution. Upon failure by the Student-Respondent to timely accept an offer of informal resolution, the offer shall be deemed rejected.

4. Upon acceptance by the Student-Respondent of an informal resolution, the Investigator shall prepare a “Code Violation Notation” or “Code Non-Violation Notation,” as applicable, as set forth in Part III.B.2.d.
5. Acceptance by the Student-Respondent of an informal resolution shall end the matter for all purposes other than implementation of the informal resolution(s). No appeal of any kind, whether to the Dean of the Law School or to any other person, may be taken from an informal resolution.
6. The Dean of the Law School and the Student-Respondent shall fully implement, without modification, any settlement negotiated by the Investigator(s) and accepted by the Student-Respondent.
7. After investigation of the alleged violation(s) of the Honor Code, an Investigator has the sole and absolute discretion, but is not required, to decide to proceed by formal hearing (whether because the Investigator believes that a formal resolution is appropriate or because the Investigator is unable to resolve the complaint in a manner acceptable to both the Student-Respondent and the Investigator).
8. If the Investigator decides to proceed by formal Hearing, the Investigator shall notify the Chairperson of the Academic Standing Committee to schedule a Hearing by the Adjudicatory Panel pursuant to Part V.B.2.
9. Within a reasonable time prior to the Hearing, the Investigator shall deliver to the Registrar a clear and concise statement of the alleged violation(s) of the Honor Code allegedly committed by the Student-Respondent. The Registrar shall make a good faith effort to inform the Student-Respondent of such receipt. Such communication shall be made by e-mail to the student at his or her Law School e-mail address and by first-class mail to the student at the local address last on file with the Registrar and additionally may be made in person, by telephone or by

other means. Any delivery to the Registrar required by this paragraph that is made on or before the tenth (10<sup>th</sup>) calendar day prior to the commencement of the Hearing is presumptively made within a reasonable time prior to the Hearing.

10. Nothing shall prevent an Investigator from reaching an informal resolution with a Student-Respondent at any time prior to the issuance of a written decision by the Adjudicatory Panel, as provided in Part V.B.11.

## **B. FORMAL ADJUDICATION**

1. *Composition of Adjudicatory Panel.* Formal adjudications of allegation(s) of violation(s) of the Honor Code shall be conducted by an Adjudicatory Panel (“Adjudicatory Panel”), which shall consist of three (3) members of the Honor Board appointed by the Vice-President and two (2) members of the tenured or tenure-track faculty (other than any Investigator, the Chairperson of the ASC or an *ex officio* member of the ASC) appointed by the Chairperson of the ASC. The Chairperson of the ASC shall appoint one (1) of the two (2) faculty members as the presiding member of the Adjudicatory Panel (the “Presiding Member”). In the ordinary course of events, the faculty members selected for the Adjudicatory Panel should be members of the ASC, but the Chairperson may find it necessary or appropriate to appoint other faculty members to one or more Adjudicatory Panels from time to time.
2. *Scheduling of Hearing.* Before commencement of any formal Hearing by the Adjudicatory Panel (a “Hearing”), the Chairperson of the ASC should consult with the Student-Respondent, the Student-Respondent’s counsel (if any), the Investigator and the Presiding Member of the Adjudicatory Panel to determine an acceptable date for the Hearing. In the ordinary course of events, the Chairperson of the ASC should schedule a Hearing to commence within ninety (90) days of the Investigator’s notification (pursuant to Part V.A.9) that such a Hearing is necessary. Once the Chairperson of the ASC has set a date for the Hearing, adjournments may be granted in the sole and absolute discretion of the Presiding Member upon good cause shown. Adjournments ordinarily shall not be for more than two (2) weeks.
3. *Pre-Hearing Exchange of Information*
  - a. Within a reasonable time prior to the Hearing, the Investigator shall deliver to the Registrar, who shall attempt to notify the Student-Respondent of receipt of this information by communicating with the Student-Respondent:

- i. A list of any witnesses whom the Investigator intends to call at the Hearing.
- ii. Copies of all documents the Investigator intends to offer at the Hearing.
- iii. Any evidence in the possession or control of the Investigator that tends to exonerate the student or to mitigate the seriousness of any offense.

Any delivery to the Registrar that is made on or before the seventh (7<sup>th</sup>) calendar day prior to the commencement of the Hearing is presumptively made within a reasonable time prior to the Hearing.

- b. Within a reasonable time prior to the Hearing, the Student-Respondent shall deliver to the Investigator:
  - i. A list of witnesses that the Student-Respondent intends to call at the Hearing.
  - ii. Copies of all documents that the Student-Respondent intends to offer at the Hearing.

Any delivery to the Investigator that is made on or before the seventh (7<sup>th</sup>) calendar day prior to the commencement of the Hearing is presumptively made within a reasonable time prior to the Hearing.

- c. Failure to timely comply with the disclosure requirements of Part V.B.3.a or V.B.3.b may result, in the sole and absolute discretion of the Adjudicatory Panel, in an adjournment of a case or in the exclusion of evidence or witnesses not timely disclosed. The Adjudicatory Panel also may grant such other relief as it deems appropriate in the exercise of sole and absolute discretion.

4. *Conduct of Hearing.* A Hearing and formal adjudication of any alleged violations of the Honor Code shall be conducted pursuant to the following procedures:

- a. The Investigator shall present the alleged violation(s) of the Honor Code at the Hearing. Such presentation may include, by way of illustration and not by way of limitation, the calling of witnesses and the introduction of documents and other evidence. The Investigator may make this presentation himself or herself or may instead do so by (i) a representative of the Investigator appointed

by the Chairperson of the ASC; (ii) a faculty member; or (iii) outside counsel.

- b. Formal rules of evidence shall not apply to any Hearing.
- c. Questioning Witnesses
  - i. The Investigator may call, question and cross-examine any witness.
  - ii. The Student-Respondent may call, question and cross-examine any witness.
  - iii. The Adjudicatory Panel may call and question any witness.
- d. Information About Prior Attempts at Informal Resolution
  - i. Neither the Investigator nor the Student-Respondent may disclose to the Adjudicatory Panel whether there was any offer of informal resolution or the terms of that offer.
  - ii. The Adjudicatory Panel may not inquire or consider whether there was any offer of informal resolution or the terms of that offer.

5. *Student-Respondent's Rights at the Hearing*

- a. The Student-Respondent shall have the right to be represented at the Hearing. The representative may be an attorney or anyone else whom the Student-Respondent selects.
- b. The Student-Respondent shall have the right to appear personally before the Adjudicatory Panel and may make any formal or informal statement or testimony.
- c. The Student-Respondent may choose whether or not to testify or speak at the Hearing. However, the Adjudicatory Panel may draw an adverse inference if the Student-Respondent chooses to remain silent.
- d. The Student-Respondent shall have the right to present evidence and to call, question and cross-examine any witness, as set forth in Part V.B.4.c.ii.
- e. Except as otherwise requested by the Student-Respondent and approved by majority vote of the Adjudicatory Panel, the Hearing

shall be closed to persons other than the Student-Respondent, the Student-Respondent's representative, the Investigator, the Investigator's representative, members of the Adjudicatory Panel and witnesses called pursuant to Part V.B.4. Notwithstanding the foregoing, the Adjudicatory Panel may, on its own motion and in its sole and absolute discretion, exclude witnesses from the Hearing during the examination of any other witnesses.

6. *Record of Proceedings*

- a. The Adjudicatory Panel shall arrange for a verbatim record, such as a tape recording or transcription, of any Hearing at the expense of the Law School. The Student-Respondent and the Investigator are entitled to a copy of the record without cost.
- b. The verbatim record of the Hearing shall be preserved by the Honor Board as provided in Part VII.A.

7. *Decision-Making by the Adjudicatory Panel; Sanctions*

- a. A violation of the Honor Code shall be established by a preponderance of the evidence.
- b. Evidentiary and procedural rulings shall be made initially by the Presiding Member, subject to reversal by majority vote of the other members of the Adjudicatory Panel. Except as otherwise expressly provided in this Part V.B.7.b, all decisions of the Adjudicatory Panel shall be by majority vote.
- c. All members of the Adjudicatory Panel shall participate in the Hearing and decisions of the Adjudicatory Panel, and the Presiding Member is a voting member of the Adjudicatory Panel, except as otherwise expressly provided in this Part V.B. If, after commencement of the Hearing, a member becomes unavailable or unable to serve, the remaining members of the Adjudicatory Panel, if not fewer than four (4), may decide the case, subject to the majority requirement for decisions by any Adjudicatory Panel acting with four (4) members. In the event that an Adjudicatory Panel acting with only four (4) members is not able to reach a decision by majority vote, the Chairperson of the ASC, in his or her sole and absolute discretion, may (i) dismiss the case or (ii) direct the Vice-President of the Honor Board to appoint an additional student member to the Adjudicatory Panel or (iii) appoint an additional faculty member to the Adjudicatory Panel. If an additional member is appointed, the newly-appointed member shall listen to the recordings or read the verbatim transcript of the

proceedings that took place prior to his or her participation and thereafter serve as a full member of the Adjudicatory Panel.

- c. If fewer than four (4) members of the Adjudicatory Panel are available and able to participate, an alternate member shall be appointed by the Vice-President of the Honor Board (if only two (2) student members are then acting) or the Chairperson of the ASC (if only one (1) faculty member is then acting). The substitute member shall listen to the recordings or read the verbatim transcript of the proceedings that took place prior to his or her participation and thereafter serve as a full member of the Adjudicatory Panel.
  - d. If the Adjudicatory Panel determines that the Student-Respondent has violated the Honor Code, it shall impose sanctions. The Adjudicatory Panel may impose any of the sanctions listed in Part V.A.2 alone or in combination, and may, in its sole and absolute discretion, impose other academic sanctions alone or in combination with any of the listed sanctions.
10. *Timing of Decision.* The Adjudicatory Panel shall decide the case within a reasonable time after completion of the Hearing. Any decision made within six (6) weeks of the date on which the Hearing concludes presumptively is made within a reasonable time.
11. *Content of Decision*
- a. If the Adjudicatory Panel decides that the Student-Respondent violated the Honor Code, it (i) shall issue a written decision that includes a summary of the evidence presented at the Hearing, the bases for the Adjudicatory Panel's finding that the Student-Respondent violated the Honor Code and the sanction(s) imposed by the Adjudicatory Panel; (ii) shall prepare a "Code Violation Notation," pursuant to Part III.B.2.d.i, for inclusion in the Case Reporter, such notation to be added to the Case Reporter once the appeal process has been exhausted and subject in any event to a reversal, alternation or modification by the Appeals Panel; and (iii) may order that any part of the proceedings, including the decision of the Adjudicatory Panel, be entered into the Student-Respondent's official Law School file maintained by the Registrar.
  - b. If the Adjudicatory Panel decides that the Student-Respondent did *not* violate the Honor Code, it shall (i) issue a written decision that shall include a summary of the evidence presented at the Hearing and the bases for the Adjudicatory Panel's finding that the Student-Respondent did not violate the Honor Code; and (ii) prepare a

“Code Non-Violation Notation,” pursuant to Part III.B.2.d.ii, for inclusion in the Case Reporter, such notation to be added to the Case Reporter once the appeal process has been exhausted and subject in any event to a reversal, alternation or modification by the Appeals Panel.

- c. The Adjudicatory Panel shall attach to its written decision a blank Notice of Appeal in substantially the following form, including the day and date by which a party must file a Notice of Appeal with the Registrar in order to preserve the right to appeal.

Procedural Notice to Parties  
to Proceeding Under Honor Code

Pursuant to Part VI.B of the Honor Code, in any case involving an alleged violation of the Honor Code, either or both of the Student-Respondent and the Investigator may take an appeal from a decision by the Adjudicatory Panel. To take such an appeal, the party who wishes to appeal must file with the Registrar two (2) copies of a written notice of appeal (a “Notice of Appeal”) within ten (10) business days from the date of service on the Student-Respondent of the Adjudicatory Panel’s decision. One (1) such copy shall be enclosed in an envelope addressed to the Chairperson of the ASC and one (1) such copy shall be enclosed in an envelope addressed to the non-moving party.

There is no prescribed form for a Notice of Appeal.

The required two (2) copies of the Notice of Appeal must be filed with the Registrar on or before \_\_\_\_\_, 20\_\_, in order for your appeal to be timely. If you do not file your appeal within this time, you lose your right to appeal.

Once you have filed the Notice of Appeal as above, you have fifteen (15) business days (i.e. three calendar weeks if there are no holidays during that period) in which to file with the Registrar two (2) copies of any additional papers in support of the appeal. The papers should be enclosed in envelopes and addressed as above. The non-moving party then has fifteen (15) business days to file its response.

12. *Delivery of Decision.* The Presiding Member of the Adjudicatory Panel shall deliver one (1) copy of the Adjudicatory Panel’s decision (with the form of the Notice of Appeal attached) to the Registrar, who shall provide copies to the Investigator and the Chairperson of the ASC. The Chairperson of the ASC shall make reasonable efforts to notify the President of the Honor Board of the decision. The Registrar shall make a good faith effort to inform the Student-Respondent of receipt of the decision. Such communication shall be made by e-mail to the student at his or her Law School e-mail address and by first-class mail to the student

at the local address last on file with the Registrar and additionally may be made in person, by telephone or by other means.

13. *Implementation of Decision.* If the Adjudicatory Panel has ordered any sanctions to be imposed against the Student-Respondent, then such sanctions shall be implemented, without modification, by the Dean of the Law School at the expiration of the period within which to file a timely appeal, as set forth in Part VI.B.

## **PART VI: APPEAL**

### **A. APPEALS PANEL**

Each Appeals Panel shall consist of three (3) members of the tenured or tenure-track faculty appointed by the Chairperson of the ASC. The Appeals Panel may include any member of the faculty (including the Chairperson but excluding an *ex officio* member of the ASC) who did not serve as the Investigator or on the Adjudicatory Panel in the same case. In the ordinary course of events, the faculty members selected for the Appeals Panel should be members of the ASC, but the Chairperson may find it necessary or appropriate to appoint other faculty members to one or more Appeals Panels from time to time.

### **B. FINALITY OF DECISIONS; MANNER OF APPEAL**

1. A final decision (as provided in Part V.B.11) of the Adjudicatory Panel that a Student-Respondent did or did not violate the Honor Code and the imposition of any sanctions against a Student-Respondent are the only findings or determinations of the Adjudicatory Panel that may be appealed to an Appeals Panel.
2. All decisions of the Adjudicatory Panel shall be final unless the Investigator or the Student-Respondent delivers to the Registrar a written notice of appeal within ten (10) business days from the date of service of the Adjudicatory Panel's decision. In cases of an appeal by the Student-Respondent, the Student-Respondent shall be referred to in this Part VI as the "Student-Appellant." In cases of an appeal by the Investigator, the Student-Respondent shall be referred to in this Part VI as the "Student-Appellee."
3. Either or both of the Student-Appellant and the Investigator may take an appeal by delivering two (2) copies of a notice of appeal (a "Notice of Appeal") to the Registrar. One (1) such copy shall be enclosed in an envelope addressed to the Chairperson of the ASC and one (1) such copy shall be enclosed in an envelope addressed to the non-moving party. The

Registrar shall forthwith deliver the envelopes to the addressees. The Chairperson of the ASC should make reasonable efforts to notify the President of the Honor Board of receipt of any Notice of Appeal

4. The Appeals Panel shall have no power to hear an appeal unless it is taken within the time specified by this Part VI.B.
5. The Investigator may proceed in any appeal by (a) himself or herself; (b) a representative of the Investigator appointed by the Chairperson of the ASC; (c) a faculty member; or (d) outside counsel.
6. The Student-Appellant or the Student-Appellee, as the case may be, may proceed in any appeal by himself or herself or by any representative, including outside counsel.

**C. ADDITIONAL INFORMATION PRESENTED ON APPEAL**

1. Each of the Student-Appellant and the Investigator, as the case may be, shall have fifteen (15) business days after filing the notice of appeal with the Registrar to file with the Registrar two (2) copies of any additional papers in support of the appeal. One (1) such copy shall be enclosed in an envelope addressed to the Chairperson of the ASC and one (1) such copy shall be enclosed in an envelope addressed to the non-moving party. The Registrar shall forthwith deliver the envelopes to the addressees. The Chairperson of the ASC should make reasonable efforts to notify the President of the Honor Board of receipt of any additional papers in support of the appeal.
2. Before the first to occur of (a) the fifteenth (15<sup>th</sup>) business day after delivery to the Registrar of additional papers pursuant to the provisions of Part VI.B.1., or (b) the thirtieth (30<sup>th</sup>) business day after filing of the Notice of Appeal pursuant to Part VI.B.3, the non-moving party shall deliver to the Registrar two (2) copies of its response, if any, to the Notice of Appeal and/or additional papers filed. One (1) copy of such response shall be enclosed in an envelope addressed to the Chairperson of the ASC and one (1) such copy shall be enclosed in an envelope addressed to the non-moving party. The Registrar shall forthwith deliver the envelopes to the addressees. The Chairperson of the ASC should make reasonable efforts to notify the President of the Honor Board of receipt of any response to the appeal.
3. If an Appeals Panel believes that further fact-finding or adjudication is necessary, it may remand the case to the Adjudicatory Panel for further proceedings.

4. Prior to the rendering of a decision by the Appeals Panel pursuant to Part VI.E., either party may request that the Appeals Panel remand the case to the Adjudicatory Panel for consideration of evidence that was not introduced during the Hearing. The Appeals Panel may, but is not required, to remand the case to the Adjudicatory Panel if such evidence was not known and reasonably could not have been known by the party seeking to introduce it on appeal and there is a reasonable probability that such evidence would have changed either (a) any determination by the Adjudicatory Panel that a violation of the Honor Code did or did not occur; or (b) any sanction imposed in connection with a violation of the Honor Code.

#### **D. CONSIDERATION OF APPEAL**

1. The Appeals Panel may, but need not, direct oral argument or submission of written briefs or papers beyond the papers filed in support or opposition of the appeal. The Appeals Panel shall decide the appeal on the basis of the record made at the Hearing, any oral argument directed by the Appeals Panel, papers filed in support or opposition of the appeal and any material directed by the Appeals Panel to be submitted.
2. With respect to any finding or decision of the Adjudicatory Panel, whether related to procedure, evidence, the existence of a violation of the Honor Code or the sanction imposed, the Appeals Panel shall not reverse, alter or modify the decision of the Adjudicatory Panel unless the Appeals Panel determines that such finding or decision is arbitrary and capricious. “Arbitrary and capricious” means without reason or unsupported by substantial evidence.
3. Formal rules of evidence shall not apply to any appeal.

#### **E. DECISION ON APPEAL**

1. The Appeals Panel shall act by majority vote. In the event than an Appeals Panel is not able to reach a decision by majority vote, the decision of the Adjudicatory Panel shall remain unchanged.
2. The Appeals Panel shall deliver to the Registrar written notice of its decision on appeal, or its failure to reach a decision to the Registrar, who shall provide copies to Investigator and the Chairperson of the ASC. The Chairperson of the ASC shall make reasonable efforts to notify the President of the Honor Board of the decision. The Registrar shall make a good faith effort to inform the Student-Respondent or the Student-Appellee, as the case may be, of receipt of the decision by communicating with such student, whether in person, by telephone or by other means. The Registrar also shall send a copy of the decision to the Student-Appellant or

the Student-Appellee, as the case may be, to the student at the student's Law School e-mail address and to the last local address provided by the student to the Registrar.

3. The Appeals Panel need not state a reason for its decision unless it reverses, alters or modifies a formal decision of or imposition of sanctions by the Adjudicatory Panel, in which case the Appeals Panel shall state with specificity the manner in which the Adjudicatory Panel's decision or imposition of sanctions was arbitrary and capricious. If the Appeals Panel believes that any alterations or modifications in the "Code Violation Notation" or "Code Non-Violation Notation" prepared by the Adjudicatory Panel are necessary, the Appeals Panel shall so specify in its decision.
4. After the Appeals Panel issues its decision and all proceedings in the case have concluded, the Honor Board shall finalize and publish a "Code Violation Notation" or a "Code Non-Violation Notation" as provided in III.B.2.d.

**F. IMPLEMENTATION OF SANCTIONS**

Upon conclusion of the appellate process, the Dean of the Law School shall, without modification, forthwith implement any sanctions imposed by the Adjudicatory Panel and not otherwise overturned or modified by the Appeals Panel.

**G. FINALITY OF DETERMINATIONS BY APPEALS PANEL**

There shall be no appeal of any kind whatsoever, whether to the Dean of the Law School or to any other person, from any finding or decision of an Appeals Panel.

## **PART VII: RECORD-KEEPING AND MISCELLANEOUS PROCEDURAL MATTERS**

### **A. RETENTION OF RECORDS**

1. The Chairperson of the ASC shall retain a copy of any formal decision by an Adjudicatory Panel or an Appeals Panel. Decisions of any Adjudicatory Panel or Appeals Panel are not binding or precedential in any way. Such decisions shall not be made available to any person other than members of the Honor Board and the Law School faculty.
2. In the case of an allegation resulting in a Code Violation Notation, the Honor Board shall retain all records of such case.
3. In the case of an allegation resulting in a Code Non-Violation Notation, the Honor Board shall advise the Student-Respondent, the Student-Appellant or the Student-Appellee, as the case may be, that the bar examiners of any state to which the student applies for admission to the bar may request information about the circumstances of any Honor Code violation alleged to have been committed by the applicant, and that in the event of such request, it may be to the student's advantage to have the full file available. If, within ninety (90) days after the final disposition of an allegation resulting in a Code Non-Violation Notation, the Student-Respondent, the Student-Appellant or the Student-Appellee, as the case may be, so requests in writing, the Honor Board shall retain all records and papers relating to that allegation. If the student does not make a timely request, the Honor Board shall destroy all records and papers relating to that allegation, other than the entry in the Case Reporter. Notwithstanding the foregoing, no person other than the Chairperson of the ASC or an Officer of the Honor Board should access any file maintained pursuant to this paragraph without the written permission of the Student-Respondent, the Student-Appellant or the Student-Appellee, as the case may be.
4. Any records retained pursuant to this Part VII.A shall be maintained by the Honor Board for a period of seven (7) calendar years from the date of final disposition of the case, after which time the Honor Board shall destroy all such records, other than the entry in the Case Reporter.

### **B. EXCEPTIONS TO TIME GUIDELINES AND PERIODS**

1. During each Fall, Spring and Summer Term, beginning ten (10) calendar days prior to the first examination in that term's examination period and continuing until the day following the day regularly scheduled for make-up examinations for that term, there shall be a moratorium on all informal

and formal proceedings under the Honor Code. For any matter pending at the beginning of such a moratorium period, all time limits under the Honor Code shall be extended by the number of calendar days in the moratorium period.

2. During school vacations, all timing guidelines, presumptively reasonable time periods and other temporal requirements for informal proceedings, formal adjudications and appeals may be extended by the Chairperson of the ASC at his or her sole and absolute discretion. Any such extension ordinarily should not exceed the number of calendar days of the school vacation. Notwithstanding the provisions of this subsection, the ASC should use its best efforts to process promptly cases of students in their final semester of study, irrespective of vacations.

### **C. REGISTRAR AS AGENT FOR SERVICE OF PROCESS**

1. *Duty to Provide Current Address.* Each student has a continuing duty to provide the Registrar with a valid and accurate local address at which he or she may receive first-class mail from the Registrar.
2. *Delivery and Service on Registrar.* The Registrar is every student's agent for service of process under the Honor Code. Delivery or service of any notice, decision, documents or materials on the Registrar shall be deemed immediately effective with respect to the applicable student. The Registrar also is the agent of the Investigators and the Chairperson of the ASC for service of process. Delivery or service on the Registrar automatically satisfies the requirements of this Honor Code that such delivery be made to or on any student, Investigator or Chairperson of the ASC.
3. *Communicating Information to Students.* If the Registrar receives for or on behalf of a student any notice, decision, documents or materials relating to the Honor Code or any proceeding hereunder, the Registrar shall make a good faith effort to inform such student of receipt of the same by communicating with the student. This communication shall be made by e-mail to the student at his or her Law School e-mail address and by first-class mail to the student at the local address last on file with the Registrar and additionally may be made in person, by telephone or by other means. Actual receipt by the student himself or herself of any notice, decision, documents or materials relating to the Honor Code or any proceeding hereunder is not required, and a student shall be deemed to have received such communication seven (7) business days after the Registrar has sent the same both to the student's Law School e-mail address and by first-class mail to the student at the local address last on file with the Registrar. The failure of a student to receive any notice, decision, documents or materials relating to the Honor Code or any

proceeding hereunder because the student failed to check his or her Law School e-mail address or to provide the Registrar with a valid and accurate local address at which the student may receive first-class mail from the Registrar shall have no impact on any investigator or proceeding under this Honor Code.

**D. HEADINGS**

The headings used in this Honor Code are for convenience only and shall not constitute or be relied upon in order to constitute or construe this Honor Code.