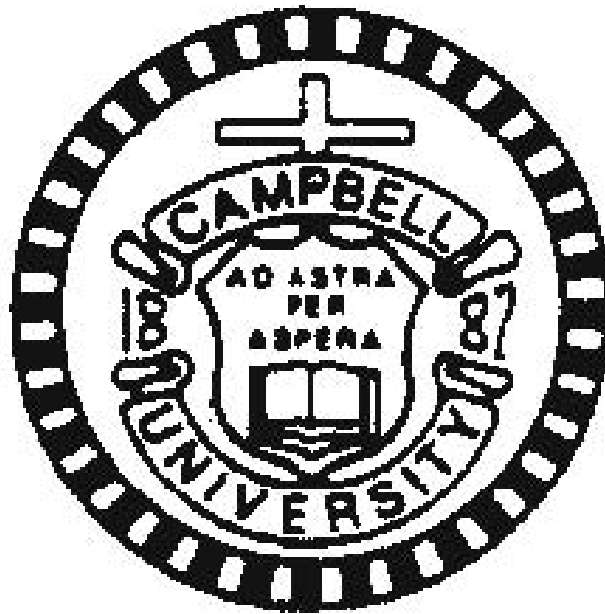


Code of Honor and Professional Responsibility



**Campbell University
Norman Adrian Wiggins School of Law**

Revised: March 13, 2007

Code of Honor and Professional Responsibility

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Code of Honor and Professional Responsibility

Campbell University Norman Adrian Wiggins School of Law

Article I. Preamble, Statement of Purpose, and Adoption of the Code of Honor and Professional Responsibility

WHEREAS, the legal profession is among the most noble and honorable callings to which one may aspire, demanding of its members the highest degree of professional competence, ethics and morality, and requiring continuous educational development, constant personal and professional self-examination, and an ever-present awareness of and sensitivity to human problems; and

WHEREAS, those members of the legal profession associated with law schools, and especially those associated with law schools steeped in the Judeo-Christian tradition, have a special responsibility to seek to discover and disseminate knowledge of the law through continuous research, learning and teaching, a responsibility that is at the foundation of this law school community; and

WHEREAS, honesty and integrity, which are at the heart of the legal profession, are an integral and foundational part of this law school, whose mission is rooted in the Judeo-Christian tradition, so that dishonesty in any form, or any compromise of integrity, however small, strikes at the very essence of this law school community; and

WHEREAS, law students, from the day they begin their professional education and training, are members of the legal profession, subject to the same professional standards and responsibilities as attorneys at law, judges, law professors and other members of the profession; and,

WHEREAS, law students, as members of the legal profession, are obligated, from the day they begin their professional education and training, to aspire to the most noble goals of the legal profession, exhibiting honor and integrity in all that they do, and seeking always to do justice and to use their education and special skills for the betterment of humankind, acting at all times in a manner calculated to instill public confidence in the profession;

NOW, THEREFORE, we, the students of the Campbell University School of Law, do hereby adopt this Code of Honor and Professional Responsibility (hereinafter referred to as “the Code”), which shall apply to all students enrolled in or otherwise attending the Campbell University School of Law, as well as all chartered student organizations, and all recognized student groups.

Article II. General Provisions

§1 - Informing Students of the Code; Officers; Binding Effect of the Code

Each student, upon matriculating at the School of Law, shall be given a copy of the Code. Additional copies of the Code may be downloaded from the School of Law website or obtained from Student Bar Association or Honor Court officers, or from the Office of the Dean of the School of Law.

At orientation each year, the officers of the Honor Court shall meet with new and returning students and inform them of the terms and provisions of the Code, and will provide them with the names of the current officers of the Honor Court.

All students enrolled in or otherwise attending the School of Law are charged with notice of, and are bound by, the terms and provisions set forth in the Code. Any failure to comply with any rule set forth in the Code, or any affirmative violation of any rule set forth in the Code, shall be a basis for discipline as set forth in the Code.

§2 - Discretion in Determining Whether to Impose Sanctions and Scope of Sanctions

Many of the rules set forth in the Code deal with specific forms of prohibited conduct, where a violation depends primarily upon whether the student engaged in a particular act or acts. Some of these rules, however, and many other rules set forth in the Code, also depend upon the specific or general intent of the student who has engaged in the prohibited conduct. In some cases, the student's intent will be clear, or clearly inferable, from the fact that he or she engaged in the specified, prohibited conduct, while in other cases, an inquiry into the surrounding circumstances will be necessary or helpful in determining whether a violation of the rules has occurred and in assessing the appropriate sanction or discipline to be meted out. Because of this, the Honor Court must be vested with discretion in deciding whether a rule has been violated and in determining the appropriate discipline.

The determination of whether there has been a failure to comply with any rule set forth in the Code, or whether there has been a violation of any rule set forth in the Code, and the determination of whether discipline should be imposed for such a failure or violation, and the severity of any discipline imposed, depends upon all relevant surrounding circumstances, including, but not limited to: the willfulness of the student found to have failed to comply with or to have violated the rule; the seriousness of any failure or violation; the degree to which the student cooperates with any investigation; the extent to which the student demonstrates contrition or remorse; the likelihood of a repetition of the misconduct; the presence or absence of any extenuating factors; and whether the student has previously failed to comply with or has violated the Code.

§3 - Amendments to the Code; Informing Students of Amendments

From time to time the Code may need to be amended. Amendments to the Code may only occur in the following ways.

Amendments to Article III, Article IV, Article V, Appendix B – Plagiarism, and Appendix C – Sanctions may be proposed in two ways: (1) by a majority vote of the Student Bar Association Legislative Council; or (2) by a written petition signed by twenty (20) percent of the membership of the Student Bar Association. Any amendment so proposed must be ratified by an affirmative vote of two-thirds of the membership of the Student Bar Association voting.

Amendments to Article I, Article II, Appendix A – Definitions, and Appendix D – Allegation Report Form may be proposed and enacted by a majority vote of the Student Bar Association Legislative Council.

Amendments to the Special Rules of Evidence and Procedure may be proposed to the Student Bar Association Legislative Council by the majority vote of a properly constituted Honor Code Revision Committee, appointed by the President of the Student Bar Association pursuant to the authority

granted in the Student Bar Association Constitution. Any proposed amendments may be enacted by a majority vote of the Student Bar Association Legislative Council.

Any amendments to the Code that have been properly adopted by these procedures will be published and distributed to students, in accordance with the procedures set forth under Article II, Section 1, above. Any changes, alterations or amendments not adhering to the procedure set forth above shall not be recognized and considered void.

§4 - Original and Appellate Jurisdiction

The Honor Court shall have original jurisdiction to hear all cases brought forward by the Office of the Attorney General under the substantive rules and procedures set forth herein, and to determine responsibility for any alleged Honor Code violation.

The Dean of the School of Law shall have appellate jurisdiction following any determination made by the Honor Court, in accordance with the procedures set forth herein for obtaining appellate review of Honor Court proceedings and determinations.

§5 - Inherent Authority; Violations of Law and Hearings Under the Code

Campbell University and the School of Law reserve the right to take necessary and appropriate action required to protect the safety and well-being of the campus community. Such action may include, but is not limited to, the interim suspension of any student accused of a crime involving violence or which otherwise poses a threat to the campus community pending the outcome of a criminal trial.

Students may be held accountable to both the proper civil authorities and to the Campbell University School of Law Honor Court for acts that constitute violations of law and of the Code. Such concurrent jurisdiction will not be considered a violation of due process and Honor Court hearings will proceed normally during the pendency of any criminal or civil proceedings. Any findings or actions taken by the Honor Court will not be subject to challenge on the ground of any outcome in a criminal or civil proceeding. The Code seeks to preserve different interests from those advanced by the civil or criminal authorities, and the findings of such authorities are therefore not dispositive with respect to similar issues raised in any Honor Court proceedings.

Final authority in any disciplinary matter is vested in the Board of Trustees of Campbell University and in the Dean of the School of Law.

§6 - Standards of Due Process

Any student or organization charged with a violation of the Code is entitled to a hearing before the Honor Court. The Honor Court shall make written findings of fact and conclusions of law regarding the alleged violation, and, upon a finding of “responsible,” shall recommend an appropriate sanction to the Dean of the School of Law.

Any hearing before the Honor Court shall comply, to the extent that they are applicable, with the procedural guidelines set forth in the “Special Rules of Evidence and Procedure” in the Code. In all other respects the Honor Court shall comply as nearly as is practicable, to the extent that they are applicable, with the current version of the North Carolina Rules of Civil Procedure, Rules of Criminal Procedure and Rules of Evidence.

§7 - Interpretation of the Code

The substantive rules set forth in this Code regarding prohibited conduct express the minimum standards of honor, integrity and professionalism expected within the law school community. Because of this, these provisions are not intended to be all-inclusive of every type of violative behavior, and shall be interpreted and applied broadly.

The commentary sections of the Code offer illustrations and examples of prohibited and permissible conduct under the substantive rules of the Code. The commentary sections are intended as guides to interpretation, but the text of each rule is authoritative, and if the rule and the commentary conflict, the rule shall control. The commentary is not intended to and shall not restrict the rule or define or provide specific elements of any prohibited conduct in exhaustive terms.

Article III. Academic Offenses

§1 - General Orientation

In continuation with the foundation of the Code set forth in the Preamble and Statement of Purpose, this Article regarding Academic Offenses will likewise set forth the minimum expectations of a student at the Campbell University School of Law.

Unless otherwise noted, the substantive text of each rule is authoritative and defines the basis for an allegation of improper conduct. The accompanying commentary of each rule is offered for illustration and explanation as a guide to interpretation.

§2 - Prohibited Activity With Respect to Academic Matters

Rule 1: collaboration or the use of any materials not expressly authorized by the instructor during an examination, where the student knew or should have known the collaboration or use of materials was not expressly authorized.

Commentary: this rule covers the entire examination period including any time a student might need to leave the examination location, such as for a bathroom break, a smoking break outside, or a break to obtain food or beverage. The instructor giving an exam should clearly identify what collaboration and what materials, if any, are allowed for use on an exam. However, an instructor not doing so does not relieve a student from his or her affirmative duty to ascertain what collaboration and what materials, if any, are allowed, simply by asking the instructor.

Rule 2: engaging in any form of plagiarism. The attached Appendix B discussing plagiarism should be referred to in regards to violations of this rule, and the text of Appendix B is authoritative.

Rule 3: any discussion of an examination by a student who is taking or has completed an examination, with or in the proximity of a person whom the student knows or should have known has not completed the examination or will take the examination at a later date. It would also be a violation of this rule for the student who has not completed or taken the exam to participate in such activity.

Commentary: this rule covers the entire examination period and encompasses discussions during the entire examination schedule at the School of Law. As exams may be given at different times to different students for different reasons, it is imperative that students be extremely cautious in discussing any examination or its contents during this time of the academic semester.

Rule 4: intentionally misappropriate another student's books, notes, outlines, papers, or other personal materials without that student's express permission.

Rule 5: collaboration or the use of any materials not expressly authorized by the instructor on any other academic matter, where the student knew or should have known the collaboration or use of materials was not expressly authorized.

Commentary: the instructor giving such assignments should clearly identify what collaboration or materials, if any, are allowed. However, an instructor not doing so does not relieve a student from his or her affirmative duty to ascertain what collaboration or materials, if any, are allowed, simply by asking the instructor.

Rule 6: intentionally represent any fraudulent academic work product or otherwise give any false or misleading information, whether or not for the purpose of gaining an advantage over other law students, or to otherwise influence a decision on an academic matter.

Commentary: this rule covers, but is not limited to, the falsification of an attendance record in a class or academic activity; providing a false or misleading statement in request for a change in the exam schedule; providing false or misleading information on a resume or application for employment, clerkship or externship in regards to grades, class rank, or any other information; knowingly making false statements about another student to a prospective employer or professor; or counterfeiting, forging or altering any official Campbell University document, record, registration or identification.

Rule 7: intentionally breach the anonymous grading system at any time before the School of Law officially releases grades.

Commentary: examples of violating this rule include, but are not limited to, placing one's name on an examination or accompanying blue book, intentionally communicating with a professor in person or in writing concerning personal performance on an examination, placing any other type of personally identifying information on an exam or accompanying blue book. This rule is not intended to cover instances of inadvertence, accidents or mistakes leading to a breach of anonymity.

Rule 8: submitting academic work product previously offered for credit or recognition in another course without securing the prior instructor's permission to offer and the present instructor's permission to receive the academic work product.

Commentary: this rule places a dual responsibility on the student wishing to offer substantially the same academic work product for credit in two classes, so that either professor will be unaware of the circumstances surrounding the submission of the academic work product in question. This rule is not intended to cover academic work product used for any other non-academic purpose (i.e.; submission to a writing scholarship competition or submission to a CLE forum).

Rule 9: intentionally sequester, misshelve, destroy, damage, deface, or remove without authorization any source or material from the School of Law library, any faculty or staff office,

Career Services office, or any other academic facility on or off the campus of Campbell University.

Commentary: this rule is designed to ensure equal access and opportunity for all students to all resources in the School of Law facilities. This rule is designed to cover prohibited behavior at other facilities on the Campbell University campus, as well as activity at any other college or university related to academic matters in connection with a Campbell University School of Law endeavor. This rule is not intended to cover instances of inadvertence, accidents or mistakes.

Rule 10: intentionally misuse or abuse any computer privilege provided by the School of Law as defined by the current “Computer and Network Use Policy.”

Commentary: in the modern age of advancing computer usage and technology, no rule could ever include every possible type of misuse or abuse of a computer system. This rule is designed to recognize that use of computers provided by the University is a privilege and to protect the integrity and use of University computers for the primary purpose of academic endeavors and in a manner that is appropriate for a professional law school environment. This rule encompasses the abuse or misuse of the Westlaw and Lexis-Nexis privileges as described in the license agreements between the School of Law and these or any other companies. Such a violation in regards to these services would include, but is not limited to, use of the services under a School of Law provided identification and password for an outside employer, whether for academic credit or for compensation. The “Computer and Network Use Policy” can be found in the current Law Library Handbook.

Rule 11-15: reserved for future codification.

§3 - Student’s Standard for Reporting Offenses

Students who have direct knowledge of, have witnessed or reasonably believe that they have witnessed an Honor Code violation have the duty to take action in one of the following ways (the flagrancy and/or certainty of the violation determines the choice):

1. Report the questionable occurrence to the Attorney General’s Office or to the Executive Associate Dean for Administrative and Academic Affairs within a reasonable time, not to exceed ten (10) business days; or
2. Offer the accused student (hereafter, the Respondent) the opportunity to report himself to the Attorney General’s Office. If the Respondent does not report himself to the Attorney General’s Office within ten (10) business days, the accuser must report the offense to either the Attorney General’s Office or to the Executive Associate Dean for Administrative and Academic Affairs (The Attorney General’s Office will inform the student who witnessed the alleged offense that the Respondent reported him/herself; if the student has not heard from the Attorney General’s Office after ten (10) business days from approaching the Respondent, he/she should assume the Respondent did not come forward, and the student shall report the offense to the Attorney General’s Office or to the Executive Associate Dean for Administrative and Academic Affairs within a reasonable time, not to exceed five (5) business days after the expiration of the ten (10) day period in which the Respondent was supposed to report himself/herself).

If the events and circumstances surrounding an event witnessed by a student are ambiguous, to the extent he/she is not certain whether they have witnessed a violation of the Code, a student should take

the following action:

1. Approach the individual in question for clarification of the circumstances. If, after speaking with the individual in question, the student who witnessed the event reasonably believes that no violation of the Code occurred, he/she has no further duty with regard to that particular event. If, however, after approaching the individual in question for clarification, the student who witnessed the event reasonably believes a violation of the Code occurred, notwithstanding any explanation provided by the individual in question, then he/she has a duty to take one of the aforementioned actions required for students who have direct knowledge of, have witnessed or reasonably believe that they have witnessed an Honor Code violation.

2. Report the event and circumstances to Attorney General's Office or to the Executive Associate Dean for Administrative and Academic Affairs. The Attorney General or the Associate Dean will consider the circumstances as presented and determine whether the student who witnessed the event has any further duty under the Code.

The ten-day requirement does not apply during examination periods. Instead, any report which arises during an examination period must be made within ten (10) business days from the end of the examination period.

The student shall report any offense via email, phone, or directly to the Attorney General, Deputy Attorney General, or the Executive Associate Dean for Administrative and Academic Affairs. Upon receiving and considering the allegation, the Attorney General's office or the Associate Dean will inform the reporting student of any further duties under the code (including but not limited to testifying as a witness to the offense and filing a formal allegation).

The willful failure of any student to comply with these affirmative duties shall be considered offensive to the spirit and letter of the Code and a violation of the Code. Failure or refusal to testify before the Honor Court, after being properly subpoenaed to appear, shall be considered an obstruction to Honor Court proceedings and a violation of the Code under Article V. However, no person shall be compelled to bear witness against him or herself, testify against his or her spouse, or violate any other Constitutional or statutory privilege. Notwithstanding a person's right not to testify, all statements made at a Preliminary Hearing may be used for impeachment purposes at the Hearing. Furthermore, any admission made at the Preliminary Hearing is admissible into evidence at the Hearing.

This affirmative duty in no way replaces or interferes with any affirmative duty to report violations to the proper Bar examiners board or Bar authorities of any particular jurisdiction.

Article IV. Non-Academic Offenses

§1 - General Orientation

In continuation with the foundation of the Code set forth in the Preamble and Statement of Purpose, this article regarding Non-Academic Offenses will likewise set forth the minimum expectations of a student, recognized student group, or chartered student organization at the Campbell University School of Law.

Unless otherwise noted, the substantive text of each rule is authoritative and defines the basis for

proper conduct. The accompanying commentary of each rule is offered for illustration and explanation as a guide to interpretation.

Student groups and organizations may be charged with violations of the Code. A recognized student group or chartered student organization and its officers may be held collectively and individually responsible for violations of the Code by students that are members or otherwise associated with the recognized student group or chartered student organization.

This Code does not cover violations of the Campbell University Residence Life Regulations. Any alleged violations of said Regulations by students of the School of Law residing in campus housing shall be subject to the general Campbell University Residence Life Regulations.

Any other alleged non-academic violation of general Campbell University policies will come under the jurisdiction of the Dean of the School of Law or other appropriate authority, pursuant to the applicable general Campbell University policies.

§2 - Prohibited Activity With Respect to Non-Academic Matters

Rule 16: possessing, using or consuming alcoholic beverages on the campus of Campbell University; or possessing, using or consuming alcoholic beverages at an official law school function obtained or purchased with any law school funds, any funds from the law school Student Bar Association activity fee, or funds from the student organization's membership dues.

Commentary: the threshold question regarding the presence of alcoholic beverages at a law school function is whether any funds described above were used in obtaining the alcoholic beverages. This rule is not intended to cover any type of gathering at a student's private, off-campus dwelling, regardless of any affiliations of any students present or involved in the gathering.

Rule 17: intentionally violating the current Sexual Harassment Policy of the School of Law.

Commentary: the current Sexual Harassment Policy is posted throughout the School of Law and is available from the Office of the Dean of the School of Law.

Rule 18: intentionally violating any of the current By-Laws of the Constitution of the Student Bar Association of the School of Law.

Commentary: the purpose of this rule is to: (1) protect the integrity of the election process by prohibiting substantive violations, rather than technical violations of the nomination, voting procedures, or campaign rules; (2) protect the integrity of the budget process undertaken annually by the Student Bar Association; and (3) protect the integrity of any future By-Laws adopted by the Student Bar Association.

Rule 19: failing to conform to the ethical and moral standards of the legal profession as articulated in Title 27 of the North Carolina Administrative Code, Chapter 2, The Revised Rules of Professional Conduct of The North Carolina State Bar.

Commentary: the scope of this rule is primarily intended to encompass the standards for professional responsibility set forth in the current version of Rule 0.1: Preamble; Rule 8.1: Bar Admission and Disciplinary Matters; and Rule 8.4: Misconduct; but is not limited to these specific rules.

Rule 20-22: reserved for future codification.

§3 - Student's Standard for Reporting Non-Academic Offenses

Students who have direct knowledge of, have witnessed, or reasonably believe they have witnessed a non-academic violation of the Code have a professional duty to report this knowledge or belief in the same manner described under Article III §3 (Student's Standard for Reporting Offenses).

The willful failure of any student to comply with these affirmative duties shall be considered offensive to the spirit and letter of the Code and a violation of the Code. Failure or refusal to testify before the Honor Court, after being properly subpoenaed to appear, shall be considered an obstruction to Honor Court proceedings and a violation of the Code under Article V. However, no person shall be compelled to bear witness against him or herself, testify against his or her spouse, or violate any other Constitutional or statutory privilege. Notwithstanding a persons right not to testify, all statements made at a Preliminary Hearing may be used for impeachment purposes at the Hearing. Furthermore, any admission made at the Preliminary Hearing is admissible into evidence at the Hearing.

This professional duty in no way replaces or interferes with any affirmative duty to report violations to the proper Bar examiners board or Bar authorities of any particular jurisdiction.

Article V. Obstruction of Honor Court Proceedings

§1 - General Orientation

The effectiveness of the Code is dependent on the personal integrity, honor and cooperation of each student, and emphasizes that the primary obligation of implementing and enforcing such a Code rests with the students.

§2 - Prohibited Activity With Respect to Honor Court Proceedings

Rule 23: No student shall knowingly give false or misleading information, refuse to give relevant information, or otherwise refuse to cooperate in an investigation or testify at a hearing involving an alleged violation under the Code. However, no person shall be compelled to bear witness against him or herself, testify against his or her spouse, or violate any other Constitutional or statutory privilege.

Rule 24: No student shall attempt to intimidate, harass or unduly influence a potential complainant or witness of an Honor Court investigation or hearing. Failing to abide by and complete any sanction levied by the Dean of the School of Law as a result of an Honor Court hearing will be considered an obstruction of Honor Court proceedings.

Rule 25: reserved for future codification.

Code of Honor and Professional Responsibility

Special Rules of Evidence and Procedure

A. General Orientation

This section encompasses, and is referred to throughout the Code as, “the procedural portion” of the Code. All references to time period requirements in this procedural section refers to “business days” and do not include weekends or recognized holidays of the School of Law. Any time period requirements may be shortened by consent of both the Office of the Attorney General and the defendant. Any request for extensions of time period requirements is at the discretion of the Chief Justice of the Honor Court and is addressed below.

B. Receipt of Allegation by the Office of the Attorney General

A student at the Campbell University School of Law will comply with his or her affirmative duty to report academic violations of the Code and his or her professional duty to report non-academic violations of the Code by following the procedures described in Article III, §3 (Student’s Standard for Reporting Offenses).

If the allegation received by the Attorney General or the Executive Associate Dean for Administrative and Academic Affairs is deemed actionable under the Code of Honor, the Office of the Attorney General or the Associate Dean will submit a formal Allegation to the Honor Court for a probable cause determination. The allegation form may be completed by Attorney General’s office, Associate Dean, or any party witnessing the alleged violation of the Code.

C. Pre-Trial Hearing Procedures

1. Notice to Accused:

It shall be the duty of the Office of the Attorney General to notify the Accused immediately that an accusation has been made against him. The notice to the Accused shall be in writing and shall specify the details of the alleged occurrence, the nature of the charge, and shall state all of the rights to which the Accused will be entitled. In addition, the notice to the Accused shall state that the Honor Code requires that a Probable Cause Hearing be held within ten (10) business days after notice of an accusation is given to the Accused. Should circumstances warrant, an extension beyond the ten (10) business days may be granted to the Office of the Attorney General by the Honor Court Chief Justice for good cause shown.

2. Discretion by the Office of the Attorney General:

Once notice of an accusation has been given to the Accused, the Office of the Attorney General shall have a reasonable period of time, with all efforts not to exceed ten (10) business days, in which to investigate the alleged violation. During this period of investigation, it shall be in the discretion of the Office of the Attorney General, with the advice and consent of the Executive Associate Dean for Administrative and Academic Affairs, to decide whether or not to file a formal allegation and proceed to a Probable Cause Hearing. In some cases, the Accused’s intent will be clearly inferable from the fact that he or she engaged in the specified, prohibited conduct, while in other cases, an inquiry into the

surrounding circumstances will be necessary to determine whether a violation of the Code of Honor and Professional Responsibility has occurred. Because of this, the Office of the Attorney General and the Executive Associate Dean for Administrative and Academic Affairs must be vested with the discretion in deciding whether a rule has been violated and thus whether to proceed to a Probable Cause Hearing.

3. Purpose of the Probable Cause Hearing:

The purpose of the Probable Cause Hearing shall be to determine whether the accusation made against the student is within the jurisdiction of the Honor Court, has a reasonable basis in fact, and warrants a full hearing before the Honor Court.

4. Structure of the Probable Cause Hearing:

The Probable Cause Hearing shall be organized by the Chief Justice of the Honor Court. The Chief Justice shall empanel three (3) Honor Court Justices to determine whether probable cause exists. The panel shall consist of one Justice from each class, selected at random by the Chief Justice. If extenuating circumstances exist such that one justice from each class cannot be empanelled, the Chief Justice shall have the ability and discretion to use more than one Justice from the same class in order to proceed with the Probable Cause Hearing in a timely manner.

5. Procedure at the Probable Cause Hearing:

The Office of the Attorney General shall prepare a written finding of facts and conclusions and deliver the same to the Chief Justice in preparation for the Probable Cause Hearing.

The decision that probable cause exists shall be found by a unanimous vote of all three Justices at the Probable Cause Hearing. The probable cause panel shall then inform the Chief Justice of their decision regarding probable cause. Upon a finding of probable cause, notices shall be given to the Office of the Attorney General and the respondent. The Office of the Attorney General shall have the responsibility of preparing and delivering to respondent Notice of Charge immediately following a finding of probable cause. Thereafter, the respondent shall be referred to as “defendant” and may seek assistance of either Honor Court Defense Counsel or any other member of the Student Bar Association.

6. Recording of the Probable Cause Hearing:

The Probable Cause Hearing Panel shall make an audio record of its proceedings and a full and accurate written record of its findings. Both of these records shall remain on file with the Honor Court. In the event that a finding of probable cause is found, the record of the Probable Cause Panel’s findings shall be made available to the Office of the Attorney General and the defendant or their representative. If the Probable Cause Panel finds that probable cause does not exist, the record of the Probable Cause Panel’s findings shall be sealed and kept on file with the Honor Court. The Probable Cause Panel shall report its conclusion and complete the record of the hearing within twenty-four (24) hours of the Probable Cause Hearing. Once the record is complete, the Chief Justice, Office of the Attorney General and the respondent or their representative shall be immediately notified of the decision.

7. Procedure Following the Probable Cause Hearing:

If probable cause is found, the Respondent shall have ten (10) in-session school days in which to notify the Office of the Attorney General whether they wish to plead “not responsible” and proceed to trial (as outlined below) or to plead “responsible” and begin the plea process (as outlined below). Upon receipt by the Office of the Attorney General of Respondent’s decision to proceed at trial, the

Office of the Attorney General shall file a formal complaint. Any formal complaint filed by the Office of the Attorney General shall include the specific charges alleged against the Defendant and the nature of the evidence against the Defendant. If a formal complaint is filed, the event is considered a “formal charge” and is reportable to the appropriate Bar authority as may be required by any particular jurisdiction.

If no probable cause is found, the Probable Cause Hearing Panel shall set forth an order stating no probable cause exists at this time, and the order shall remain on file with the Honor Court. A finding of no probable cause does not preclude the Office of the Attorney General, with the advice and consent of the Executive Associate Dean for Administrative and Academic Affairs, from continuing its investigation into any alleged violations of the Code.

8. Procedure for Plea Bargain:

See Honor Code Special Rules of Evidence and Procedure, Part F for “Plea Process” procedures – include these as between the Probable Cause Hearing and the Trial

9. Pre-Hearing Motions:

The Chief Justice, along with both parties, should establish a preliminary schedule regarding additional pre-hearing proceedings including, but not limited to, the discovery of information between the parties any pre-hearing motions that may be necessary. The discovery of information is to be guided by the spirit of the North Carolina Rules of Civil Procedure and North Carolina Rules of Criminal Procedure and will conform to these rules to the extent they are applicable

The accused student has the right to file applicable pre-hearing motions within the spirit of the North Carolina Rules of Criminal Procedure. Such motions must be filed in accordance with the local rules. Any such motion shall be scheduled outside of the law school in an effort to protect the anonymity of the accused student.

The Chief Justice shall preside over any such motion but he must remain impartial and may not vote. Five (5) members of the Honor Court must be present for a quorum and the motion must be supported by a majority of the members present to be granted. The five (5) members of the Honor Court that are present to rule on any pre-hearing motion shall be the same members that preside over the full hearing regarding the accused student. One (1) of the members of the Honor Court present at the motion hearing shall compose a written summary of the hearing at its conclusion and present the findings to the Attorney General and the accused student within a reasonable time after the hearing. Any such motion hearings shall be recorded by the audio tape and kept with the accused student’s file in the Honor Court office.

10. Pre-Trial Hearing Procedure:

See Honor Code Special Rules of Evidence and Procedure, Part D for “Pre-Trial Hearing” procedures – include these as between the Probable Cause Hearing and the Trial.

D. Pre-Trial Conference

1. No hearing shall be held against a defendant until a complaint has been filed with the Chief Justice of the Honor Court, the Dean of the School of Law, and served on the defendant.

2. Upon notification of service on the defendant by the Office of the Attorney General, the Chief Justice of the Honor Court shall forward a memorandum to the defendant explaining his or her rights

under the Constitution of the Student Bar Association and the procedures to be followed under the Code.

3. Within ten (10) business days of the filing of the complaint and service on the defendant, the Chief Justice of the Honor Court shall schedule an initial pre-hearing conference with the Office of the Attorney General and the defendant. At this initial pre-hearing conference, each party shall submit a “witness list” of the names of all persons having information pertinent to the accusations made in the complaint. The defendant shall advise on his or her choice of representation as provided for in the Constitution of the Student Bar Association. The Chief Justice shall ensure that the Office of the Attorney General is advised of the defendant’s choice of representation and provided with the defendant’s witness list, and shall also ensure that the defendant is provided with the Office of the Attorney General’s witness list. The Chief Justice, along with both parties, should establish a preliminary schedule regarding additional pre-hearing proceedings including, but not limited to, the discovery of information between the parties and any pre-hearing motions that may be necessary.

4. The discovery of information between the Office of the Attorney General and the defendant shall proceed and will be guided by the spirit of the current version of the North Carolina Rules of Civil Procedure and Rules of Criminal Procedure and will conform with these rules, to the extent that they are applicable, as nearly as is practicable. However, strict compliance with, and technical application of, these rules will not be enforced if doing so would defeat the purpose and intent of the Honor Court setting, as set forth in the Preamble and Statement of Purpose of the Code.

5. The Chief Justice shall schedule a final pre-hearing conference with the Office of the Attorney General and the defendant. A hearing date will be scheduled at this time. The defendant shall notify the Court in writing of their desire to make the hearing public at this time.

6. The Chief Justice shall issue and personally serve a subpoena on each witness expected to testify at the Honor Court hearing no less than five (5) business days prior to the scheduled hearing date. Failure to appear or testify at a hearing, when properly subpoenaed, is a violation of Article V, Rule 23 of the Code.

7. Any ruling or order set forth by the Chief Justice is interlocutory and is not appealable to the Dean of the School of Law until a final determination has been made by the full Honor Court and set forth in the findings of fact, conclusions of law and recommendation for sanctions to the Dean of the School of Law.

8. The Chief Justice may grant extensions of time for either party upon a showing of good cause. The Chief Justice may also grant any other appropriate leave to either party provided the spirit of the Code and the Student Bar Association Constitution are adhered to.

E. Conduct of the Hearing

1. No hearing will be held before the Honor Court unless a quorum of the Honor Court is present. A quorum will consist of five (5) Honor Court Justices, not including the Chief Justice. The Chief Justice may observe, but shall not vote, during the determination of “responsible” or “not responsible,” or during the deliberation regarding a sanction recommendation. Any Honor Court Justice empanelled to determine probable cause shall not preside at a hearing regarding that same matter.

2. The hearing will be closed to the public unless the defendant requests in writing that members of the Student Bar Association be allowed to attend, and in that event, Student Bar Association members will be allowed to attend. No other outside parties are allowed to attend any Honor Court proceedings.
3. No hearing will be held within the law school building under any circumstances. The Chief Justice of the Honor Court shall select and secure the location for the hearing.
4. A complete audio tape recording will be made at all hearings before the Honor Court. The defendant shall be provided with a copy of the audio recording, to accompany any record on appeal. The original copy of the audio recording shall accompany the original case file and be secured in the Honor Court Office.
5. The presentation of evidence and witness testimony at an Honor Court hearing shall be guided by the spirit of the most current North Carolina Rules of Evidence, Rules of Civil Procedure, and Rules of Criminal Procedure and will conform to these rules, to the extent they are applicable, as nearly as is practicable. However, strict compliance and technical application of these rules will not be enforced if doing so would defeat the purpose and intent of the Honor Court setting, as set forth in the Preamble and Statement of Purpose of the Code.
6. The Honor Court shall make written findings of fact and conclusions of law to support a determination of “responsible” or “not responsible.” The defendant will be found “not responsible” if more than one of the presiding Honor Court Justices finds the accused “not responsible.” The Honor Court must find by “clear, cogent and convincing evidence” that the defendant has violated the Code in order to hold the defendant “responsible.”
7. Upon the defendant being found “responsible,” the Honor Court shall determine a recommendation for sanction(s) to be made to the Dean of the School of Law as described in Appendix C of this Code. The Honor Court will consider any evidence relevant to the sanction recommendation, including the record of any previous misconduct for which the defendant has been disciplined in the past at the School of Law. The Honor Court will also consider any evidence in aggravation or mitigation of the offense. Both parties may offer a sanction recommendation to the Honor Court for consideration.
8. The Chief Justice of the Honor Court shall forward a copy of the Honor Court’s “Findings of Fact, Conclusions of Law and Recommendation” to the Dean of the School of Law, the Office of the Attorney General, and the defendant.
9. All actions and proceedings by the Honor Court will remain confidential unless the accused requests in writing that the actions of the Honor Court be made public. Any request by the defendant to allow any member of the Student Bar Association to be present at the hearing, as described above, will make all actions taken by the Honor Court public.

F. Plea Process

1. Upon receipt of the Office of the Attorney General of a defendant’s decision to plead “responsible” and begin the plea process, the Attorney General shall have ten (10) business days within which to prepare and submit a plea offer to the defendant. Said plea offer shall contain the following:
 - a. statement of the charge(s) filed against the defendant;
 - b. statement of facts to be presented to the Honor Court;

- c. statement of aggravating and/or mitigating circumstances;
 - d. statement of recommended punishment(s);
 - e. statement that said recommendation may be changed by the Honor Court in accordance with the sentencing guidelines as outlined in Appendix "C";
2. Upon receipt of the plea offer, defendant shall have five (5) business days within which to accept or decline the plea offer. If the defendant decides to decline the plea offer, the Attorney General's Office and the defendant shall proceed to trial. If the defendant decides to accept the plea offer, the defendant must sign the plea offer indicating their acceptance and agreement to a plea of "responsible."
 3. All information and statements made by the defendant during plea negotiations is inadmissible if the defendant decides to proceed to trial.
 4. Upon acceptance of the plea offer, the Attorney General's Office must inform the Honor Court that an Approval Hearing needs to be held. Said hearing shall be scheduled by the Honor Court within fifteen (15) business days.
 5. At the Approval Hearing, both the Attorney General's Office and the defendant, or any defense counsel for the defendant may make a presentation including pertinent facts, aggravating and/or mitigating circumstances, and the appropriate sentencing range.
 6. The Honor Court, after hearing said presentations, may approve the recommended sanction(s) as set forth in the plea agreement or may alter the sanction(s) within the ranges set forth in Appendix "C."
 7. Right of appeal after an accepted plea is limited to appeal of sanction(s) imposed by the Honor Court. This excludes an appeal of the plea of "responsible."

G. Appeals Process

1. Upon a finding of "responsible" by the Honor Court, and receipt of the Honor Court's findings and recommendation, the defendant shall have ten (10) business days to file notice of appeal with the Dean of the School of Law.
2. A copy of the recording made of the hearing will be provided to the Dean of the School of Law for their use during the appeals process.
3. At the request of the Dean of the School of Law, the Honor Court may offer a memorandum further explaining the findings and recommendation of the Honor Court.
3. The Dean of the School of Law shall decide what, if any, further proceedings or time restrictions shall be placed on the defendant and the Office of the Attorney General in completing the appeals process. Any matter remanded to the Honor Court by the Dean of the School of Law will proceed in accordance with the Code.
4. Upon notice from the Dean of the School of Law, the Chief Justice of the Honor Court shall inform the Honor Court Justices and the Office of the Attorney General of the "Final Judgment and Order" of the Dean of the School of Law.

5. Upon completion and satisfaction of any sanctions imposed by the Dean of the School of Law, the Chief Justice of the Honor Court shall enter a memorandum in the Honor Court file, and provide a copy to the defendant and the Office of the Attorney General to that effect.

H. Conflicts of Interest

1. A "conflict of interest" is any conflict between the accused and the Office of the Attorney General, or the accused and any Honor Court Justice, that might prevent the accused from receiving a fair and impartial hearing.

2. Any member of the Office of Attorney General, or any Honor Court Justice who has a conflict of interest with the defendant shall recuse himself or herself from participation in any Honor Court proceedings regarding the defendant.

3. The defendant may petition the Honor Court if the defendant believes that any member of the Office of the Attorney General or any Honor Court Justice should recuse himself or herself. The accused shall set forth in the petition the facts underlying the alleged conflict of interest. For good cause shown, the Court may, by majority vote of a quorum present, excuse the Attorney General, Deputy Attorney General, or any Honor Court Justice from participation in any Honor Court proceeding regarding the defendant.

4. If the Attorney General or Deputy Attorney General recuses himself or herself, or is excused by the Honor Court, then the President of the Student Bar Association shall appoint an interim Attorney General or Deputy Attorney General to handle all investigations of and proceedings against the defendant, pursuant to the Student Bar Association Constitution.

5. If so many of the Honor Court Justices recuse themselves or are excused that a quorum cannot exist, then the President of the Student Bar Association shall appoint an interim Justice(s) to fill the vacated position(s) during the pending Honor Court matter involving the defendant, pursuant to the Student Bar Association Constitution.

Code of Honor and Professional Responsibility

Appendix A: Definitions

- “academic matter”: denotes any activity which results in a numeric or pass/fail grade in a course offered within the curriculum of the School of Law. Also included in this definition are activities as part of a co-curricular event, whether for academic credit or no academic credit. Such a co-curricular activity includes, but is not limited to, participation in the Campbell Law Review, participation in the Campbell Law Observer, any Moot Court competition, any Trial Advocacy competition, any Client Counseling competition, any Negotiations or Arbitration competition, any participation in an Externship or any other academic research project or publication
- “belief” or “believes”: denotes that a person involved actually held the act in question to be true; a person’s belief may be inferred from the surrounding circumstances
- “collaboration” or “collaborate”: denotes to work jointly with, cooperate with or willingly assist another
- “clear, cogent, and convincing evidence”: denotes an evidentiary standard that is more than a preponderance of the evidence but less than proof beyond a reasonable doubt
- “defendant”: denotes a student, recognized student group, or chartered student organization against whom a finding of probable cause has been made and a formal complaint has been filed against
- “fraud” or “fraudulent”: denotes conduct having a purpose to deceive
- “intent” or “intentional”: denotes willingness to bring about something that one plans or foresees to occur, intent is a question of fact to be determined by the processes inherent in the Honor Court procedures and proceedings
- “knowingly,” “knows” or “known”: denotes actual knowledge of the fact in question, a person’s knowledge may be inferred from the surrounding circumstances
- “misuse”: denotes intentionally impairing the integrity of an item or using the item in an improper, unintended or unforeseeable manner
- “probable cause”: denotes a reasonable ground to suspect that an offense has occurred
- “reasonable” or “reasonably”: denotes the conduct of a prudent and competent law student
- “reasonable belief” or “reasonably believes”: denotes that a law student believes the matter in question and that circumstances are such that the belief is reasonable
- “reasonably should know”: denotes that a law student of reasonable prudence and competence would recognize and ascertain the matter in question

“reckless,” “recklessness” or “recklessly”: denotes conscious indifference to the consequences of an action; any use of this term does not require a showing of malice

“respondent” : denotes a student, recognized student group, or chartered student organization that has been accused of misconduct or whose conduct is under investigation, but as to which conduct there has not yet been a determination of whether probable cause exists to support a formal complaint

“official law school function”: denotes any activity on or off campus that is funded, authorized or supervised by the Campbell University School of Law, or any other recognized student group or chartered student organization of the School of Law

“student”: denotes any person enrolled in the School of Law or attending courses at the School of Law

“willful” or “willfulness”: denotes voluntary and intentional action

Code of Honor and Professional Responsibility

Appendix B

Rights of the Respondent

A right to have the charges against her reduced to writing and served on her by the Attorney General's Office before the Attorney General begins her investigation.

A right to select between the Honor Court Defense Counsel and any currently enrolled Campbell Law student to represent her.

A right to summon witnesses and to testify on her own behalf, but the number of character witnesses, if any, may be reasonably limited by the Chief Justice.

A right not to be compelled to testify against herself.

A right to know the nature of the evidence and, when practicable, to examine the evidence before the hearing, but not the identity of witnesses.

A right to make a closing statement to the empanelled Honor Court Justices at a Hearing.

A right to separate hearings where two or more students are accused of a joint violation. If none of those accused jointly of an alleged joint offense request separate hearings, they may have joint or separate hearings as the Honor Court determines.

A right to present evidence of extenuating circumstances.

A right, upon the determination of innocence, to have the minutes and recordings of each Hearing sealed promptly after the acquittal.

Code of Honor and Professional Responsibility

Appendix C

Plagiarism

The academic offense of plagiarism is addressed in Article III, Rule 10 of the Code. This appendix is to serve as authoritative text in regards to definitions and methods of proof of plagiarism. Any text not considered authoritative will be clearly marked as “commentary.”

Definition: “plagiarism” is the process of taking the writings or ideas of another and knowingly, recklessly or negligently representing that work or idea as one’s own, either expressly or by implication.

There are three ways in which one may engage in plagiarism:

- 1 – quoting the words of another without proper attribution
- 2 – paraphrasing the words of another without proper attribution
- 3 – using the ideas of another without proper attribution

Commentary:

Avoiding plagiarism is simple; give credit where credit is due. The following guidelines should assist in ethically completing academic works and avoiding plagiarism.

1 – use of quotations: when you quote a source, give a cite to the source. Use quotations, ellipses and brackets to clearly indicate what words are yours and what words are from the source.

2 – use of paraphrasing: if you take a sentence of another and only change a few words, you must provide a citation. There are no clear bright-line rules regarding the limits of paraphrasing; however, one should err on the side of caution and provide a citation. This is especially true in that the idea of the sentence surely came from the source, if not the sentence itself.

3 – use of structure and substance: closely following the form of structure or substance of a written work [i.e.; law review article] is also a form of plagiarism. Again, there is no clear bright-line rule regarding the limits of following structure and substance; however, one should err on the side of caution and provide a citation.

4 – cite, cite, cite: there is no penalty and certainly no risk in providing too many citations in an academic work product. If one is not sure what to do, provide a citation to alleviate any concerns. Very little work in law school is expected to be of original thought; the key is analysis and application of the law, not necessarily creativity.

Note: the above appendix is adapted from “Law Students Guide to Plagiarism,” from the Chicago-Kent College of Law

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Appendix D

Sanctions

The following sanctions constitute the recommendations the Honor Court can make to the Dean of the School of Law upon a finding of “responsible” against an individual student, recognized student group, or chartered student organization. The Honor Court may offer a recommendation of any combination of a sanction from section C to accompany an “individual” sanction from section A, or a “group” sanction from section B.

A. Individual Sanction Recommendations

1. **Expulsion**: permanent separation of the student from the School of Law. Notification of expulsion will appear on the student’s academic record.
2. **Suspension**: separation of the student from the School of Law for no less than one academic semester, and no longer than one academic year. Notification of suspension will appear on the student’s academic record. A student may petition the Dean of the School of Law for re-admission pursuant to the current policy of the School of Law for re-admission.
3. **Indefinite Probation**: a status remaining with the student during the remainder of his or her attendance at the School of Law, during which time any further violations of the Code will likely result in a recommendation for suspension or expulsion. Notification of indefinite probation will appear on the student’s academic record.
4. **Definite Probation**: a designated period of time, no less than the remainder of the current academic semester, and no longer than one academic year, during which time any further violations of the Code will likely result in a recommendation for suspension or expulsion. Notification of definite probation will appear on the student’s academic record.
5. **Academic Penalty**: recommendation of a failing grade for an assignment or examination or recommendation for repetition of an academic assignment or course in order to receive academic credit. Notification of an academic penalty will appear on the student’s academic record.
6. **Censure**: a notice to the student that continued misconduct or future violations of the Code may result in a more serious disciplinary recommendation. Notification of a censure will appear on the student’s academic record.

B. Group Sanction Recommendations

1. **Charter Revocation**: the permanent removal of School of Law recognition of a chartered organization.
2. **Recognition Revocation**: the permanent removal of School of Law recognition of an

organized, but unchartered student group.

3. **Charter Probation**: a designated period of time, no less than the remainder of the current academic semester, and no longer than one academic year, during which time any further violations of the Code will likely result in a recommendation for Charter Revocation.

4. **Recognition Probation**: a designated period of time, no less than the remainder of the current academic semester, and no longer than one academic year, during which time any further violations of the Code will likely result in a recommendation for Recognition Revocation.

5. **Social Probation**: a designated period of time, no less than the remainder of the current academic semester and no longer than one academic year, during which time the recognized group or chartered organization cannot sponsor, organize, or conduct any social activity, party or function. This includes, but is not limited to, any recruiting or “rush” activities. Any further violations of the Code during the probationary period will likely result in a recommendation for Charter or Recognition Revocation.

6. **Reprimand**: an official notice of censure that continued misconduct or future violations of the Code might result in a more serious disciplinary recommendation.

C. Additional Sanctions

1. **Restitution**: a recommendation that the individual or group found “responsible” be required to compensate or reimburse any actual damages incurred by a victim or injured party proximately caused by the violation of the Code.

2. **Community Service**: a recommendation that the individual or group found “responsible” perform a specified number of Community Service volunteer hours at an activity satisfying the Dean of the School of Law as an appropriate Community Service activity.

3. **Participation in Education Programs**: a recommendation that the individual or group found “responsible” participate in an appropriate education program relevant to the violation of the Code. Such a program may include, but is not limited to, PALS, Alcoholics Anonymous, or similar community educational program. Approval by the Dean of the Law School must be obtained before participating in any such program. Satisfactory completion of any such program is left to the discretion of the Dean of the School of Law.

D. Failure to Comply With Sanctions

Failure to complete or comply with a sanction imposed by the Dean of the School of Law shall be considered a separate violation of the Code as stated in Article V, Rule 24.

E. Sentencing Guidelines

The following guidelines describe the presumptive range of sanctions for the ten (10) academic offenses that can be violated by any student as described in Article 3, Section 2 of the Code of Honor and Professional Responsibility. These guidelines do not include any aggravating and/or mitigating

factors and serve only as a presumptive range for a standard violation. The presumptive range of sanctions for each offense can be raised or lowered depending on the aggravating and mitigating factors of each case. For all violations the sanction can rise to the level of expulsion depending on the severity of the action and the aggravating factors to be determined by the Honor Court Panel. The lesser the infraction the greater the need for aggravating factors and severity of the violation. The presumptive range of sanctions are outlined in Appendix C of this code. These aggravating and mitigating factors are outlined in Article 2, Section 2, Paragraph 2 of this Code. The presumptive range of sanctions is as follows:

1. Article 3, Section 2, Rule 1
 - a. SANCTION: 2 – 3

2. Article 3, Section 2, Rule 2
 - a. SANCTION: 2-3

3. Article 3, Section 2, Rule 3
 - a. SANCTION: 3-4

4. Article 3, Section 2, Rule 4
 - a. SANCTION: 3-4

5. Article 3, Section 2, Rule 5
 - a. SANCTION: 3-4

6. Article 3, Section 2, Rule 6
 - a. SANCTION: 4

7. Article 3, Section 2, Rule 7
 - a. SANCTION: 4

8. Article 3, Section 2, Rule 8
 - a. SANCTION: 4

9. Article 3, Section 2, Rule 9
 - a. SANCTION: 4

10. Article 3, Section 2, Rule 10
 - a. SANCTION: 6

All of these presumptive guidelines include Sanction 5, except Rule 10.
See Article III § 2 for full comment on Prohibited Academic Activity.

Code of Honor and Professional Responsibility

Appendix E

Organization and Duties of the Honor Court

Section 1. Membership and Election

The election of the Chief Justice, class Justices, and Attorney General shall be determined pursuant to Article 6 of the SBA Constitution.

The Deputy Attorney General shall be appointed by the Attorney General upon the advice and unanimous consent of the SBA President and the Honor Court Chief Justice. The Attorney General shall take no longer than two (2) weeks after their swearing in to fill the position of Deputy Attorney General.

Two (2) Defense Counsel shall be nominated by the SBA President pursuant to Article 3, Section 2(A)(7) of the SBA Constitution.

Section 2. Duties

Chief Justice

The Chief Justice of the Honor Court shall preside over all Honor Court matters pursuant to the duties and responsibilities set forth in the SBA Constitution and the Code of Honor and Professional Responsibility which include, but are not limited to, the following: the power and duty to empanel a three (3) justice probable cause panel consisting of one (1) justice from each class, the duty to inform a defendant of their rights under the Honor Code and SBA Constitution after a finding of probable cause, the duty to conduct pre-hearing conferences as well as create pre-hearing schedules, the duty to issue and personally serve subpoenas on all witnesses, the duty to secure a location off-campus for any full hearing, the duty to maintain an audio-tape record of all hearings, and the ability to grant extensions of time after a showing of good cause. The Chief Justice may be present at all Honor Court hearings, but shall not vote.

Attorney General

The Attorney General shall uphold the integrity of the Code of Honor by representing the Dean and the SBA regarding all alleged violations of the Code. The duties of the Attorney General include, but are not limited to, the following: receive and consider and investigate any alleged violation of the Code, perform any investigations and inquiries in a swift manner so as to protect the interests of all individuals affected by an allegation, present witnesses and evidence sufficient to prove violation of the Code during any hearing against an accused individual, maintain the confidentiality of any accuser and the accused throughout any procedure under the Code, and work with the Associate Dean for Administrative and Academic Affairs to ensure allegations are not brought against individuals in bad faith or for other improper purposes.

Deputy Attorney General

The Deputy Attorney General shall uphold the integrity of the Code of Honor by representing the Dean and the SBA regarding all alleged violations of the Code. The Deputy Attorney General will assist the Attorney General in the completion of his/her duties listed above.

Defense Counsel

The role of the Defense Counsel is to advise and assist any student who has been accused of violating the Code of Honor and Professional Responsibility should that student elect to retain the services of the Defense Counsel. The duties of Defense Counsel include, but are not limited to, advising the accused regarding the Code of Honor and Professional Responsibility, assisting the accused with the drafting of any documents during the Honor Court proceedings, and appearing on behalf of the accused in any hearings, negotiations, motions, or appeals.

Class Justices

The Justices from each of the three classes shall convene when required by the Chief Justice to sit on panels and constitute the “Jury” at all hearings. One Justice from each class shall be chosen at random by the Chief Justice to sit on a Probable Cause Hearing panel. No Justice shall sit on a full hearing panel for a case in which she also sat on the Probable Cause Hearing panel. If any conflicts of interest arise between a Justice and the accused, the Justice must recuse herself from her panel duties and will be replaced.

Section 3. Maintaining Readiness

Honor Code Education

All Honor Court Justices, Chief Justice, Attorney General’s Office, and Defense Counsel accept the duty of developing and maintaining their understanding of the Honor Code. The Chief Justice, Attorney General’s Office, and Defense Counsel shall conduct a presentation and explanation of the Honor Code to the incoming first-year students as well as a refresher presentation to the second and third year students during Fall Orientation.

Duties of the Honor Court during Vacation Periods

Should any allegations or investigations arise, all members of the Honor Court are required to abide by the procedural rules of the Honor Code during all school vacation periods including, but not limited to, Christmas and Summer vacation.

Section 4. Miscellaneous

At the beginning of each academic semester, the Chief Justice of the Honor Court shall publish on the SBA web course and/or SBA bulletin board a Notice that explains the number of Hearings that occurred in the academic semester just past and the disposition of those Hearings (excluding Probable Cause and Motion Hearings). The Notice is to be published for the information of the students and should not contain the names of any Respondent unless the Respondent requested a Public Hearing. The Notice shall also include the Article and Section numbers (if applicable) of the Honor Code under which the Respondent was charged. In the event that no particular Section number is directly applicable, then the Notice shall include a summary description of the offense.

In no event shall this generic description serve to identify the Respondent. Specifically, the generic description may not contain information about membership in a specific organization or the Respondent's year in school.

Any appeals for a Hearing must have concluded prior to the Notice's publication.

Prior to publication, the Notice must be approved by the Dean of the School of Law.

Appendix G - Notice of Charge(s)

Name of student charged

Date

This shall serve as notice to you, the above-named student, that a complaint, alleging the following charge(s) has/have been filed against you, pursuant to the Code of Honor and Professional Responsibility (Code)*: _____

In addition, the Honor Court of Campbell Law School has determined that probable cause exists and has notified the Attorney General's Office of the same. This notice is sent to you by the Attorney General's Office, **to whom you are required to respond within ten (10) business days** with a decision as to whether you wish to plead "not responsible" and proceed to trial (as outlined in sections D and E of the Code), or plead "responsible" and begin the plea process (as outlined in F of the Code).

Please be aware that you may proceed without the assistance of counsel or you may seek the assistance of either Honor Court Defense Counsel or any other member of the Student Bar Association if you desire Defense Counsel. Contact information for Honor Court Defense Counsel is as follows:

Name _____ Phone _____ Box _____

Name _____ Phone _____ Box _____

You should also be aware that this situation may have implications if/when you apply for admission to the Bar. The information here references the Application for Admission to the North Carolina Bar ("Application"). If you plan on applying for admission to the Bar in another jurisdiction, you should check with the Board of Law Examiners in that jurisdiction. Also note that the Application may change from time to time and that the information contained in this Notice is only meant to serve as a guide to you in your duty to report information to the Bar.

The Application asks a number of questions about your character including whether you have ever been subjected to discipline by any educational institution, and if you have ever violated or been formally charged with a violation of the honor code of any educational facility. How you will have to answer questions of this type depends on the particular facts of your situation. However, full disclosure is vitally important as your honesty in answering questions on the Application is itself an indication of the strength of your character. In most situations, you have a duty to report. Your failure to do so could cause further inquiry by the Board of Law Examiners or a denial of your application for admission. Remember that you may contact the Bar with specific questions and should if you are not sure of your duty to report.

*Note: Copy of Code of Honor and Professional Responsibility should be attached to this Notice.