ARTICLE I.  Preamble and Purpose

These rules apply to all students enrolled at Wake Forest University School of Law. The officers of the Honor Council shall ensure that new students are adequately informed of key provisions, including, but not limited to, the affirmative duty, the scope and limits of the Honor Code, and the names of the current officers. New students shall be required to electronically acknowledge that they have read the Honor Code prior to signing into the law school's intranet. Changes in the Honor Code will be published and distributed to students upon adoption. Students are charged with notice of, and are bound by, these rules. Copies of these rules are available from the Student Bar Association, the school’s admissions office, and the Office of the Dean of the Law School. The Honor Code may be accessed online through the Student Handbook, of which the Honor Code is Chapter 6, located at http://studentlife.law.wfu.edu/handbook/ or as otherwise made available through the Law School website.

These rules apply only to alleged misconduct identified in Article III or Article IV which occurs in academic pursuits or within the university community. All other misconduct of students remains the full responsibility of the faculty, the law school administration, the civil and criminal litigation systems, or some combination of them, as the circumstances may suggest.

The purpose of this Honor Code is to develop professional legal standards and to provide guidelines for student conduct with respect to academic matters.

ARTICLE II.  Scope and Jurisdiction

Section 1.  Honor Council Original Jurisdiction

The Honor Council shall have original jurisdiction to hear and to determine charges of lying, cheating, stealing, vandalism, or computer misuse by any law student in his academic pursuits or within the university community.

Section 2.  Faculty Retention of Jurisdiction

The faculty and administration retain jurisdiction over the conduct covered by this Code which shall be exercised only in situations that do not allow for timely disposition by the Honor Council where, in the opinion of the faculty and administration, the interests of the institution require it. In the event any alleged misconduct occurs in which the jurisdiction of the Honor Council is contested or in doubt, the question of jurisdiction shall be referred to the Preliminary Hearing Panel.
The following enumerated acts and knowing assistance in such acts constitute violations of the Honor Code. Violations of an instructor’s rules that are not also an Honor Code violation are to be addressed by the instructor in accordance with other Law School policies, including the Student Code of Conduct.

Section 1. **Lying.**

Lying is the intentional statement of an untruth made with the intent to mislead another concerning non-trivial matters.

Forgery is considered an act of lying and is an honor offense. It includes the unauthorized signing of a University document.

Misrepresentation before the Honor Council, any of its members, or Student Solicitors, is itself an honor offense.

Misrepresentation in the job search process is also an honor offense.

Section 2. **Cheating.**

Cheating includes only intentional or reckless conduct. Negligent conduct is not included in the definition of cheating and is not an Honor Code offense.

Cheating is defined as intentional or reckless:

a. Use of materials (including cell phones, computers, and other electronic devices), forbidden by the instructor in an examination, paper, or project.

b. Unsanctioned collaboration on any examination or other academic endeavor.

c. Discussion of an examination by a student who has taken the examination with, or in the proximity of, a person who has not yet taken the exam.

d. Sequestration, mutilation, or destruction of library materials needed by students for a specific academic endeavor such as, any academic writing, any moot court program or competition, journal or law review competition.

e. Plagiarism. Plagiarism is the intentional or reckless act of incorporating into one’s own work the work of another, without indicating that source. Not indicating the source is appropriate only when incorporating an idea which is common knowledge.

i. Intent or recklessness may be inferred from the circumstances. Under appropriate circumstances, intent or recklessness may be inferred from the
evidence that the student incorporated a substantial portion of the work of another without attribution.

ii. In case of doubt, a question about whether an idea is “common knowledge” should be addressed before a paper is submitted, by consulting with the professor of the course or the chairperson of the non-academic activity, such as moot court competition.

f. Any other act not defined in sections a through e that constitutes intentionally or recklessly depriving someone of something valuable by the use of deceit, fraud or improperly taking advantage of a situation in derogation of stated rules.

Section 3. **Stealing.**

Stealing is the intentional taking or appropriating the property of another without right or leave and with intent to keep or make use of it wrongfully. Stealing includes, but is not limited to:

a. Taking any property of another, whether a member of the University community or otherwise.

b. Removing books from the library without checking them through proper channels.

c. The sequestration, mutilation, or destruction of another student’s textbooks, notes, outlines or other materials.

Section 4. **Vandalism.**

Vandalism is the act of destroying or defacing any material or property owned by or in the custody of the University, an employee, agent or guest thereof, or any other student.

Section 5. **Computer Misuse.**

Computer misuse is intentionally impairing the integrity of any University computer equipment or related software. Computer misuse includes but is not limited to:

a. Copying, modifying, or transferring any software or related documentation licensed to or developed by the University in violation of a software license or confidentiality agreement.

b. Use of computer facilities to gain or attempt to gain unauthorized access to data or programs.
c. Sequestering, mutilating or destroying any program or application on a University computer system.

d. The unauthorized sharing or transfer of any user or system password.

e. Any act which a student knows or should know, would assist another in committing a violation described in subsections 5a through 5d.

f. Failure to report immediately to the director of information technology or the IT department help desk any unauthorized access to data or programs stored in a University computer system.

ARTICLE IV. Affirmative Duties

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 Chairperson, Vice Chairperson or the Secretary of the Honor Council within a reasonable time, not to exceed five days; or

2. Offer the accused student (hereafter, the Respondent) the opportunity to report himself to the Chairperson or Vice Chairperson of the Honor Council. If the Respondent does not report himself to the Chairperson or Vice Chairperson within five days, the accuser must report the offense to either the Chairperson, Vice Chairperson or the Secretary of the Honor Council.

The five-day requirement does not apply during examination periods. Instead, any report which arises during an examination period must be made either within five calendar days or by the end of the examination period, whichever is longer. If the Chairperson, Vice Chairperson, or Secretary cannot be reached to make a report, then the student should report to the Executive Associate Dean for Academic Affairs or the Associate Dean for Administrative and Student Services.

The willful failure of any student to comply with these affirmative duties shall be a violation of the Code. Failure or refusal to testify before the Honor Council is also an honor offense. No person shall be compelled to be a witness against himself, or to testify against his spouse. However, 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.

**ARTICLE V. Pre-Hearing Procedures**

**Section 1. Referral to Student Solicitor**

When it comes to the attention of the Chairperson of the Honor Council that an Honor Code accusation has been made, the Chairperson shall order one of the Student Solicitors to conduct an investigation. The Student Solicitor shall prepare a written report containing: (1) all facts and evidence discovered during the investigation and (2) conclusions regarding the alleged dishonorable conduct.

**Section 2. Notice to Respondent**

a. It shall be the duty of the Student Solicitor to notify the Respondent immediately that an accusation has been made against her. The notice to the Respondent shall be in writing and shall specify the nature of the offense charged, the time and place of the alleged occurrence, full notice of the rights to which she will be entitled, and the fact that the Honor Code requires that a Preliminary Hearing be held within five academic days (as defined in Article X) after notice of an accusation is given to the Respondent.

b. Respondent’s Summer Option

If Respondent receives such notice less than 10 academic days before the end of classes during the Spring term, or within 3 calendar days after the end of examinations for the Spring term, then the Respondent shall have the option to require, by written notice to the Student Solicitor within 3 calendar days of such receipt, that a Preliminary Hearing be held within 14 calendar days (not including holidays) after the end of the examination period. If Respondent makes such an election, and, during the investigation period preceding the Preliminary Hearing, the Student Solicitor reasonably believes that the election of this Summer Option will prejudice Respondent due to the lack of witnesses or evidentiary materials, the Student Solicitor shall so inform Respondent by written notice. Upon being so informed, Respondent shall have the option of withdrawing such election.

**Section 3. Purpose of Preliminary Hearing**

The purpose of the Preliminary Hearing shall be to determine whether the accusation made against the law student (1) is within the jurisdiction of the Honor Council, (2) has a reasonable basis in fact, and (3) warrants a Hearing before the Honor Council.

**Section 4. Structure of Preliminary Hearing Panel**
The Preliminary Hearing shall be held by the Preliminary Hearing Panel which shall consist of the Chairperson or Vice Chairperson and Secretary of the Honor Council and three faculty members selected by the faculty. If a faculty member is unable to attend a Preliminary Hearing, the Dean shall appoint a temporary replacement. If the Chairperson or Vice Chairperson of the Honor Council is unable to attend the Preliminary Hearing, the Honor Council shall appoint a temporary replacement. The decision that the accusation warrants a Hearing before the Honor Council shall be made by a majority vote of the Panel. The Panel shall have the authority to direct the Student Solicitor to amend the charge and give notice thereof to the Respondent.

At least one day prior to the Preliminary Hearing, the Chairperson, or other appropriate Honor Council representative, shall inform the head of the Faculty Panel of the identity of the Respondent. The head of the Faculty Panel shall conduct a conflict of interest check with the Preliminary Hearing Panel to determine if any Panel member has a conflict of interest. A conflict of interest exists if a Panel member knows of facts or circumstances that would compromise or reasonably appear to compromise the member’s impartiality in a particular case. If a conflict of interest exists, such Panel member shall recuse himself or herself from participating in the proceeding, and keep any information related to the Respondent’s case strictly confidential.

Section 5. Procedure at the Preliminary Hearing

The Student Solicitor shall appear before the Preliminary Hearing Panel at the Preliminary Hearing and the Respondent shall have a right to be present at the Preliminary Hearing along with a representative. At the Preliminary Hearing, the Student Solicitor shall present and explain the written report which must include: (1) all facts and evidence discovered during the investigation; and (2) the Solicitor’s conclusions regarding the alleged dishonorable conduct.

Section 6. Referral by Preliminary Hearing Panel

The Preliminary Hearing Panel shall make a video or audio record of its proceedings and a full and accurate written record of its findings, which shall remain confidential. The recording of the proceedings will end after the conclusion of the presentation of facts and prior to the deliberations of the Panel. In the event that the Panel concludes that a Hearing before the Honor Council is warranted, a transcript of the proceedings before the Panel and a record of the findings of the Panel shall be made available only to the Student Solicitor and the Respondent and/or Respondent’s representative. If the Panel finds that a Hearing before the Honor Council for the offense alleged is not warranted, the charge shall be dismissed and all records pertaining thereto sealed and kept by the Office of the Dean. The Panel shall report its conclusion in writing to the Chairperson of the Honor Council and the Respondent within 24 hours of the Preliminary Hearing.

Section 7. Virtual Preliminary Hearings

Preliminary Hearings may be held by virtual meetings, for example, by teleconferencing.

ARTICLE VI. Hearing Procedures
Section 1.  Name and Purpose

The Hearing will be an administrative proceeding, the purpose of which is to protect the rights of the Respondent and arrive at the truth.

Section 2.  Time and Place of Hearing

The Honor Council shall conduct its Hearing within seven academic days (as defined in Article X) of the Honor Council Chairperson’s receipt of the Preliminary Hearing Panel’s conclusion that such a Hearing is warranted. Prior to such Hearing, the Honor Council shall give the Respondent a written, particularized statement of the charge against him, reasonable notice as to the time and place of the Hearing and full notice of the rights to which he or she is entitled. The time and/or place of the Honor Council Hearing may with reason be changed by a majority vote of the Council members making up the Jury, provided however, the Hearing may be rescheduled beyond the seven academic day period only with the consent of the Respondent. The Honor Council should endeavor to conduct the Hearing as soon as practicable, and the Hearing need not be held on an academic day. The Student Solicitor, the representative for the Respondent, and the Chairperson shall meet prior to the Hearing to exchange witness lists.

Section 3.  Private or Public Hearing

The Honor Council Hearing shall be closed to the public, unless the Respondent files a written notice of his election for a public hearing with the Chairperson of the Honor Council prior to the time set for such a Hearing. Such notice is to be given by the Respondent no later than forty-eight (48) hours after the Respondent receives the written charge from the Preliminary Hearing. Once the Respondent gives notice in writing to the Chairperson, the requirement of confidentiality ceases to apply to the case. The Honor Council may develop procedures for conducting the Hearing that are consistent with this Code.

Section 4.  Procedure at the Hearing

Every Hearing shall be conducted by the Chairperson of the Honor Council who will not vote, and six voting members. The Secretary of the Honor Council, who shall not vote, will make a summary record of the Hearing. An audio recording, video recording, or comparable recording will be made of the Hearing. This recording will be available only to the Jury during their deliberations, to the Secretary in preparing the summary report, to the Dean for review of the Sanction, to the faculty for the appeals process, and to the Respondent if he or she requests an appeal. Except for those stated purposes, the recording will be kept strictly confidential, even if the hearing itself was public. The recording will become a permanent part of the sealed file to be kept by the Dean. Ordinarily, one member of the Honor Council from the first year class, two members of the Honor Council from the second year class, and three members of the Honor Council
from the third year class shall make up the six voting members of the Jury. Should any member of the Honor Council be unable to serve on a Jury as organized by the Secretary, the Chairperson shall appoint any available person of the same class to fill the vacancy on the Jury. The Secretary shall make the selection of the Jury as close as possible to the beginning of the Hearing and no earlier than twenty-four (24) hours before the beginning of the Hearing. In the event that no members of the same class are available to fill the vacancy, the Chairperson shall appoint any available member of the Honor Council. Should the Chairperson and the Vice Chairperson be unable to attend a Hearing, the Jury shall select a third year member of the Honor Council to serve in the Chairpersons absence.

Should any member of a Jury, upon hearing the charge and learning the identity of the Respondent, conclude that he or she cannot render an impartial decision, it shall be his or her duty to notify the Chairperson and withdraw. The Hearing must not go forward until a replacement has been obtained for the withdrawing member.

Section 5. **Chairperson’s Duties**

The Chairperson of the Honor Council shall preside at all Honor Council meetings and Hearings.

The Chairperson at a hearing may require any person disrupting the orderly proceedings of a Hearing to leave.

The Chairperson shall have the right to declare a recess at any point in the Hearing. The Chairperson shall insure that the Respondent has been made aware of his rights.

Section 6. **Conduct of the Hearing: the Solicitor’s Case**

The Chairperson shall call the Hearing to order by reminding the Respondent and all witnesses that they are honor bound to tell the truth before the Council. Any witness who is not bound by the Honor Code will be sworn in before he testifies. The Honor Council will create and maintain an appropriate oath and affirmation.

Throughout the hearing, hearsay evidence may be heard at the discretion of the Chairperson, when a useful purpose may be served thereby, and there is a guaranty of its reliability. The Chairperson shall rule on all questions raised as to admissibility of proffered evidence.

a. If the Respondent pleads not guilty, the Student Solicitor shall read the charge(s) to the Jury and then present each member with a written copy of the charge(s). The Student Solicitor shall then present evidence in support of the charge(s). The first part of the Hearing shall be limited in scope to a determination of whether the Student Solicitor has proven the charge.

At the conclusion of the testimony of each witness called by the Student Solicitor in support of the charge, each member of the Jury shall be given the privilege of asking questions. Then, the Respondent or his representative may ask additional
questions. Questioning shall proceed until all parties are satisfied that the witnesses can furnish no further relevant information.

b. The Solicitor shall accept a guilty plea only if the Respondent admits that his or her conduct charged as cheating was intentional or reckless. 

   (i) If the Respondent pleads guilty to the charge(s) and stipulates to all the facts as presented by the Student Solicitor, the Respondent and Solicitor shall submit to the jury a signed stipulation, indicating agreement with the facts as presented by the Solicitor. The Jury will then only consider the question of sanctions, under the procedure set out in Section 10 of this Article.

   (ii) If the Respondent pleads guilty, but the Respondent and the Solicitor do not agree on all the facts, they shall submit a signed stipulation to the Jury, setting out the facts on which they agree. The Jury shall then determine any disputed facts, under the procedure set out in Section 6(a) of this Article. After the Jury has determined the disputed facts, the Jury will then consider the question of sanctions, under the procedure as set out in Section 10 of this Article.

   (iii) The signed stipulation in each case shall become part of the record for the purposes of any further appeal.

Section 7. The Respondent’s Defense

At the conclusion of the Student Solicitors evidence, the Respondent or his representative may present evidence in support of his defense. At the conclusion of the testimony of each witness called by the Respondent or his representative in support of his defense, each member of the Jury shall be given the privilege of asking questions. Then the Student Solicitor may ask any additional questions. Questioning shall proceed until all parties are satisfied that the witnesses can furnish no further relevant information.

Section 8. Closing Arguments

Closing arguments shall be given first by the Student Solicitor and then by the Respondent or his representative.

Section 9. Jury Duties

Before adjourning the Hearing, the Chairperson shall instruct the Jury as to the charge and the factors to be considered during the deliberation over the guilt or innocence of the accused. Upon the conclusion of such instructions the Chairperson shall adjourn this phase of the Hearing. The Jury shall promptly conduct its deliberations in private and reach a decision of its findings.

A finding of guilt shall require at least a 5-1 vote of guilty. A vote of guilty shall be cast only if the Student Solicitor proved the charge(s) beyond a reasonable doubt. An abstaining vote
is a not guilty vote. If there are not five votes to find guilt, then the accused shall be acquitted. In determining guilt or innocence, it shall be improper to consider extraneous matters.

Upon reaching their findings, the Jury shall inform the Chairperson. The findings shall be kept strictly confidential but shall be reported by the Chairperson to both the Student Solicitor and the Respondent. The Chairperson will then dismiss the Jury by reminding each member that he is forbidden to divulge any information about the Hearing without the written approval of the Respondent.

Section 10. The Sanction Hearing

If the Jury finds Respondent guilty or the Respondent pleads guilty, the Chairperson shall reconvene the Jury the following day in private so that both the Student Solicitor and the accused or his representative may present arguments related to the sanction to be imposed.

• First, the Student Solicitor shall present facts, evidence, and arguments as to the sanction(s) being sought.

• Second, the accused or his representative may present mitigating facts, evidence and arguments as to an appropriate sanction. In cases of a finding of intentional or reckless cheating, at least the minimum sanction set out below must be imposed.

• At the conclusion of the arguments the Presiding Officer shall adjourn the Jury to deliberate the sanctions to be recommended for imposition. The Jury shall promptly conduct its deliberations in private and shall reach a decision.

Recommendations of a particular sanction shall require at least four members of the Jury voting in favor of the sanction. If a Jury is able to agree upon a particular sanction, they must recommend that sanction. If a Jury is unable to agree upon a particular sanction, then the selection of the sanction shall be made by the Dean. A Jury may not recommend that no sanction be imposed. If a decision as to a particular sanction is reached, the Jury shall announce its finding to the Chairperson. Before releasing the Jury, the Chairperson shall remind the members of the Jury that they are forbidden to divulge information about the findings or sanctions without the written approval of the Respondent.

Section 11. Referral to the Dean

The decision of the Jury regarding innocence or guilt and recommended sanctions shall be conveyed immediately to the Respondent by the Chairperson of the Honor Council. The findings and recommended sanctions, if any, shall be reported to the Dean of the Law School along with a report of alleged exceptional circumstances. All copies of the record, findings and recommendations shall be transferred to the Dean for retention. The Dean shall take no action until the Respondent’s appeal to the faculty has been concluded.
Section 12.   Final Disposition

The Dean of the Law School shall consider the finding of guilt, the recommended sanction and the alleged exceptional circumstances and shall either approve or alter the recommended sanction. The office of the Dean of the Law School shall have the responsibility of processing and supervising the imposition of sanction. [See NOTE, at the end of this HONOR CODE.]

Section 13.   Sanctions

The sanctions which the Jury shall recommend, if any, and which the Dean of the Law School shall enforce must be selected from the following:

a. **Notice**: Notice, oral or in writing, that continuation of conduct in violation of the Honor Code may be cause for more severe disciplinary sanctions.

b. **Censure**: A written reprimand, which may include a warning or more severe disciplinary sanction in the event of the determination of a subsequent violation within a stated period of time.

c. **Probation**: Exclusion from participation in privileged or extracurricular law school activities for a period not exceeding one year.

d. **Restitution**: Reimbursement for defacement, damage to, or misappropriation of property, whether that of the University, any member of the University community, or any guest or visitor of the University.

e. **Suspension**: Exclusion from classes and other privileges and activities with forfeiture of academic credit as set forth in the notice of suspension from the office of the Dean of the Law School.

(1) Sanctions for intentional or reckless cheating in a course must include a failing grade in the course and authorized withdrawals in the student’s other courses. The timing of the imposition of the sanction shall be determined by the Academic Dean.

(2) Sanctions for intentional or reckless cheating in a non-course activity, such as a moot court competition, must include expulsion from the activity and authorized withdrawals in the student’s courses for a semester. The timing of the imposition of the sanction shall be determined by the Academic Dean.
(3) If the sanction is imposed for more than one semester, the student shall be suspended for consecutive semesters.

f. **Expulsion:** Termination of student status, subject only to faculty approval for readmission. No petition for readmission may be considered before the expiration of one calendar year from the date of expulsion. Sanctions for the Honor Code violation of cheating shall ordinarily include a recommended F or failing grade in the course involved and authorized withdrawals in the students other courses, regardless of the time in the semester that the offense was committed.

More than one of the above sanctions may be imposed when deemed appropriate.

**ARTICLE VII. Appeals Procedure**

A student found guilty of an Honor Code violation may appeal the decision of the Jury to the faculty. Written notice of appeal shall be given to the Dean within fourteen days of the conviction decision.

A copy of the recording made of the Hearing will be provided to the faculty for their use during the appeals process.

The faculty shall have the responsibility for establishing the procedure of the appeals hearing and the rights enjoyed by the student making the appeal. Copies of the faculty’s rules of procedure shall be made available in the office of the Dean of the Law School. The decision of the faculty concerning an appeal shall be final.

**ARTICLE VIII. Rights of the Respondent**

The Respondent shall have the following rights:

1. A right to have the charges against the Respondent reduced to writing and served on him or her by the Student Solicitor before the Student Solicitor begins the investigation. This notice shall conform to the requirements of Article V, Section 2.

2. A right to a copy of procedures established by the Honor Code for the investigation of alleged Honor Code violations. This shall be given to the Respondent at the same time that he or she is served with notice of the charge or charges.

3. A right to select any currently enrolled Wake Forest law student to represent him or her at the Hearing and at the Preliminary Hearing.
4. A right to summon witnesses and to testify on the Respondent’s behalf, but the number of character witnesses, if any, may be reasonably limited by the Jury.

5. A right to be confronted with the witnesses, and to question them.

6. A right not to be compelled to testify against himself or herself.

7. A right not to be tried for one offense, e.g. stealing, and convicted of another, e.g., lying, before the Council, without the same opportunity to defend against the other charge.

8. 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.

9. A right to make a closing statement to the Jury.

10. Until the Hearing and Appeals processes are complete, the Respondent has the right to participate in any University function except the following: to participate in graduation exercises, receive a degree, or receive academic credit for courses taken during the semester in which the violation is alleged to have occurred.

11. 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 Council determines.

12. A right to present evidence of extenuating circumstances.

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

ARTICLE IX. Organization of Honor Council

Section 1. Membership and Election

The membership and election of the Honor Council shall be determined as follows:
a. The Honor Council shall be comprised of 9 third year students, 6 second year students and 3 first year students.

b. A student elected to the Honor Council serves as a member until he or she leaves the law school by way of graduation or withdrawal. A student member of the Honor Council may voluntarily resign his seat, with the replacement to the Honor Council being the next highest vote getter at the previous election from the same class; if there is none, the Chairperson of the Honor Council shall appoint a member from the same class. A member of the Honor Council may be removed from the Honor Council upon a vote of three quarters of the class which elected him or her or upon being found guilty of an Honor Code violation.

c. New members of the Honor Council shall be elected at the same time as new officers for the Student Bar Association are elected. Members of the Honor Council from the first year class shall be elected when their first SBA representatives are elected.

d. If at the beginning of an academic year, vacant seats exist in the third year or second year classes of Honor Council members, or in the Student Solicitor or Counselor for the Respondent positions, and those seats are not filled through the applicable procedures, the Honor Council shall hold a Special Election to fill such seats. Such Special Election shall be held at the same time as the Members of the Honor Council from the first year class are elected (as set forth in paragraph c. above). In the event that a Student Solicitor or Counselor for the Respondent position is to be filled through a Special Election, only members of the third year or second year classes shall be eligible to run for such positions.

Section 2. Election of Officers

At the first meeting after election of new members, but before the end of the school year, the Honor Council shall elect one of its members to serve as Chairperson for the next academic year. At the same meeting, the Honor Council shall elect one of its members to serve in each of the following roles for the next academic year: Vice Chairman, Secretary, and Educator.

Section 3. Counselor for the Respondent

The Counselor for the Respondent (Counselor) shall be a member of the second or third year class and shall be elected at the same time that the new members of the Honor Council are elected. The Counselor shall serve for a term of one year and may run
for re-election. Students in all three classes shall be eligible to vote for the Counselor. The Counselor shall serve as an advisor and a representative to any Respondent if Respondent requests the assistance of the Counselor. The Respondent may also select any member of the student body to represent him or her during the proceedings in place of the Counselor. In the event that the Counselor is unable to continue to serve his or her term, the person who received the next highest number of votes in the election for Counselor shall become the new Counselor and complete the term. If this process fails to yield a new Counselor, then a new Counselor shall be selected at the discretion of the Chairperson of the Honor Council.

Section 4. **Student Solicitors**

There shall be two Student Solicitors. They shall be members of the second or third year class and shall be elected at the time that new members of the Honor Council are elected. The Student Solicitors shall serve for a term of one year and may run for re-election. The Student Solicitors shall have equal authority, although only one will handle each case. Students in all three classes shall be eligible to vote for the Student Solicitor. In the event that one of the Student Solicitors resigns or otherwise becomes incapable of performing his or her duties, the person who received the next highest number of votes in the election for Student Solicitor shall become a Student Solicitor. If this process fails to yield a new Student Solicitor, then a new Student Solicitor shall be selected at the discretion of the Chairperson of the Honor Council. The Student Solicitors shall make a good faith effort to make themselves available for Preliminary Hearings during the summer, should a Respondent elect the Summer Option pursuant to Article V, Section 2(b).

Section 5. **Jury Selection**

The Secretary shall designate the members of the Honor Council to serve on a particular Jury. To assure fairness to the Respondent and to equalize the burden of members of the Honor Council, the Secretary shall maintain a rotating schedule by which the Secretary makes the assignments for a particular Jury.

Section 6. **Maintaining Readiness**

Members of the Honor Council, the Student Solicitor, and Counselor for the Respondent accept the duty of developing and maintaining their understanding of the Honor Code. The Educator shall establish procedures to comply with this requirement and to increase the awareness of the Honor Code throughout the student body.

The Chairperson, Vice Chairman and Secretary shall make a good faith effort to make themselves available for Preliminary Hearings during the summer, should a Respondent elect the Summer Option pursuant to Article V, Section 2(b).

ARTICLE X. **Miscellaneous**

**Section 1.** At the beginning of each academic semester, the Chairperson of the Honor Council shall e-mail all law students and faculty a Notice that explains the number of
Hearings that occurred in the academic semester just past and the disposition of those 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 analogous to the descriptions given in Article III. 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.

Section 2. Any appeals for a Hearing must have concluded prior to the Notice’s publication. If the sanction is to be published, the Dean must have approved the sanction prior to publication.

Section 3. Definitions

   a. Academic day: a day on which regularly scheduled classes are held, not including summer sessions. An academic day does not include examination period days.

   b. Code: this Honor Code.


   d. Student Code of Conduct: Chapter 7 of the Student Handbook, located at http://studentlife.law.wfu.edu/handbook/ or as otherwise made available through the Law School website.

Section 4. This Code may be amended by a vote of three-quarters of the votes cast by the student body of the law school and upon approval by the faculty. The faculty retains its inherent power to revoke this Code.

Adoption date: Spring 1986; Amended Spring 1999; Amended Fall 2005; Amended Spring 2013; Amended Spring 2016.

NOTE: The Dean may delegate the final decision with respect to the sanction in an Honor Code case, by seeking the faculty’s recommendation and adopting the faculty recommendation as to the sanction.

This Honor Code was approved by students and faculty in April 2016.