

CALIFORNIA WESTERN SCHOOL OF LAW
CODE OF STUDENT PROFESSIONAL CONDUCT

Adopted November 8, 2007

Article I. PURPOSE

The Purpose of the Code of Student Professional Conduct is to promote and sustain a California Western School of Law (“CWSL”) community of trust, respect, and understanding in the pursuit of professional, intellectual, educational and personal interests.

Article II. STANDARDS OF CONDUCT

CWSL students are truthful, responsible, and professional toward each other and all other members of the CWSL community. They do not take unfair advantage of each other, nor do they engage in dishonesty, fraud, deceit, theft, misrepresentation or harassment. They also must not violate CWSL’s published policies. Students have an obligation to report known violations of this Code and assist in its enforcement.

Article III. PROCEDURES FOR ENFORCEMENT

§1. REPORTING.

Known and suspected violations of these standards of conduct shall be reported, orally or in writing, to the Vice Dean for Academic Affairs, or the Assistant Dean for Student and Diversity Services.

§2. INFORMAL INQUIRY.

Upon receiving an allegation, the Vice Dean for Academic Affairs, or the Assistant Dean for Student and Diversity Services shall, if appropriate, initiate an inquiry. This may be done either personally, or through a specially appointed investigator. During this informal inquiry, the Vice Dean for Academic Affairs, or the Assistant Dean for Student and Diversity Services may take such interim action as s/he deems necessary to protect the health, safety and welfare of the law school community, and to avoid disruption of the academic process.

§3. INFORMAL ADMINISTRATIVE DISPOSITION.

The Vice Dean for Academic Affairs, or the Assistant Dean for Student and Diversity Services may administratively dispose of a charge or informal inquiry in any of the following ways:

- a) DISMISSAL of the accusation.
- b) DIVERSION of the accusation to any appropriate informal process, with the referring Dean reserving the power to accept or reject the outcome.
- c) ADMINISTRATIVE SANCTION, such as a warning, oral or written reprimand, public or private apology, restitution, community service, counseling at the student's expense, loss of academic credit or grade reduction (with consent of the professor), exclusion from law school

activities or graduation exercises, probation with or without conditions, and suspension for no more than one term, with or without conditions.

§4. FORMAL PROFESSIONAL RESPONSIBILITY COMMITTEE DISPOSITION.

The Vice Dean for Academic Affairs, or the Assistant Dean for Student and Diversity Services may, in his or her discretion, directly refer a case for formal hearing to the Professional Responsibility Committee (PRC). A formal PRC hearing shall also be held if requested by an accused student prior to administrative disposition or within 10 days thereafter. The PRC may dispense with a hearing and informally resolve any matter submitted for formal hearing.

All hearings shall be at the time and place determined by the PRC. The PRC shall appoint the members of the Hearing Panel, which may include members of the PRC. The Hearing Panel shall review all matters de novo.

The Vice Dean for Academic Affairs, the Assistant Dean for Student and Diversity Services, or his or her designee shall present relevant evidence to the Hearing Panel. The accused student has the right to be present, to receive a statement of the charges against him or her, to be personally heard, and to present appropriate evidence and arguments. The accused student may also elect to have a spokesperson present during the hearing. The student or the student's spokesperson shall have the right to cross examine witnesses. The Hearing Panel shall determine the admissibility of evidence without being bound to rules of evidence and/or procedure.

§5. FORMAL RESOLUTION.

A majority of the Hearing Panel shall announce its decision and shall prepare a final written report which shall be delivered to the accused student and to the Vice Dean for Academic Affairs, or the Assistant Dean for Student and Diversity Services within ten (10) business days of the completion of the hearing.

If the majority of the Hearing Panel determines that a student has failed to conform to the STANDARDS OF CONDUCT, it shall state the applicable sanction in its written report. The Hearing Panel sanction may consist of any sanction which could have been imposed by administrative disposition, as well as any other sanction it deems proper and just, including suspension for more than one term or expulsion from the Law School. The Hearing Panel may consider any mitigating and/or aggravating factors in determining the appropriate sanctions. For example, a confession by an accused student may be considered a mitigating factor.

The Vice Dean for Academic Affairs, and the Assistant Dean for Student and Diversity Services, in consultation with the Dean, shall impose all sanctions, as determined by the Hearing Panel. A Hearing Panel Report which imposes a sanction shall become part of the sanctioned student's record.

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