Judicial Panel Hearing Outline

Once all panelists, alternates, participants, and Office of Community Standards staff members have arrived, the Judicial Officer will turn on the audio recorder. The student Chair of the Panel will read aloud the text in bold. Following every break, please confirm the audio recorder is recording.

INTRODUCTIONS

The time is ________, and we will now begin the Judicial Panel hearing for [NAME of RESPONDING STUDENT(S)]. My name is ________, and my gender pronouns are ________. I will be serving as the Chair of this Judicial Panel hearing. Please note that today’s hearing is being audio recorded. This recording represents the sole verbatim record of this hearing.

Will the Judicial Officer please confirm that the audio recorder is recording?

I would like to remind everyone that this is a confidential proceeding, and we ask that the Reporting Party(s) and all panelists destroy all documentation and delete any electronic files related to this case immediately following the hearing. Any paper records should be left in the hearing room for the Office of Community Standards to destroy. (Electronic files are maintained by the Office of Community Standards.)

I would like to ask the staff from the Office of Community Standards to introduce themselves.

Would the Responding Student(s) please introduce yourself/yourselves?

If a personal adviser is present, read: Would the Responding Student(s)’s personal adviser(s) please introduce yourself/yourselves?

STOP
If the Reporting Party(s) is not present read the following statement:

[NAME of RESPONDING STUDENT(S)], it is our understanding from the absence of the Reporting Party(s) here today that you have previously waived your right to cross-examine the Reporting Party(s). Will you please confirm that you have waived this right?
Would the Reporting Party(s) please introduce yourself/yourselves?

If a personal adviser is present, read: Would the Reporting Party(s)’s personal adviser(s) please introduce yourself/yourselves?

If either the Responding Student(s) or Reporting Party(s) has a personal adviser, read: During a Judicial Panel Hearing, the Responding Student and the Reporting Party are expected to speak for themselves. The personal adviser(s) must limit their participation to private advice to the person they accompany and therefore may not question any party or make statements to the panel.

I now ask the members of the panel to introduce themselves with name, department, year, and class status.

Before we proceed, are there any questions?

Continue to BIAS CHECK on page 3.
BIAS CHECK

Both the Responding Student(s) and the Reporting Party(s) may request the removal of panelists who they believe are biased or have a conflict of interest. You were provided the names of the panelists prior to this hearing, and at this time I ask that you confirm that there are no disqualifying concerns following your visual identification of the panelists. Pause for verbal confirmation from Responding Student(s) and Reporting Party(s). Alternates may be excused at this time. They may stay to witness the hearing as observers if they choose to do so.

PROCESS FOR RAISING EVIDENTIARY CONCERNS

At this time, I would like to agree upon the process for parties to raise an evidentiary concern during this hearing. The Concerned Party (whether the Responding Student(s) or the Reporting Party(s) may raise such a concern by stating, “Excuse me, Panel Chair, I have a concern.” As the Panel Chair, I will then call for a break and discuss the concern with the Concerned Party and the Judicial Advisor. I may also consult with the other panelists. As the Panel Chair, I will make a determination regarding the concern, and I will provide instructions to panelists or other participants, as the case requires, to resolve the concern. If the Responding Student(s) is dissatisfied with the outcome of the concern, the student may raise the issue on appeal.

Does everyone agree to this process? Pause for verbal confirmation from Responding Student(s) and Reporting Party(s).

Any person may call for a break at any time during the hearing.

CONFIRMATION OF STUDENT(S)’ POSITION(S)

Has everyone had the opportunity to review all of the materials provided for this case?

For each student: [NAME of RESPONDING STUDENT(S)], it is our understanding from the documentation that you are [CONTESTING/NOT CONTESTING] that your actions constitute a violation of the [HONOR CODE/FUNDAMENTAL STANDARD/ UNIVERSITY POLICY]. Is this correct?

STOP

If the Responding Student(s) is NOT CONTESTING, proceed to UNCONTESTED, SANCTION-ONLY HEARING on page 9.
PRESENTATION OF INFORMATION

We will now begin the portion of the hearing during which information is presented for the panel’s consideration in determining whether a violation of the [HONOR CODE/ FUNDAMENTAL STANDARD/UNIVERSITY POLICY] has occurred. Each party will have the opportunity to provide a brief presentation.

Will the Judicial Officer please confirm that the audio recorder is recording?

Is there anything the Office of Community Standards would like to add before we proceed?

Are there any questions before we proceed?

Will the Reporting Party(s), Responding Student(s), and the Judicial Officer confirm that all information that they will provide during this hearing will be true and accurate?

Will the Reporting Party(s) and Responding Student(s) confirm that the documents that they have submitted regarding this case are their own original work?

[NAME of REPORTING PARTY(S)], would you like to explain briefly the nature of the concern, specifics regarding the incident(s) in question, and how this came to your attention? Please limit your presentation to 15 minutes.

Are there questions from the Panel, the Reporting Party(s), or the Judicial Officer for the Reporting Party(s)?

For each student: [NAME of RESPONDING STUDENT(S)], would you like to make a brief presentation regarding your position? Please limit your presentation to 15 minutes.

Are there questions from the Panel, the Reporting Party(s), or the Judicial Officer for the Responding Student(s)?

STOP

If there are no witnesses, proceed to CONCLUDING REMARKS on page 7.
WITNESSES

At this time, we may invite witnesses to offer information for consideration in determining whether the Responding Student(s) is responsible for the charge(s) against the student.

For each student: [NAME of RESPONDING STUDENT(S)], would you like to call any of the witnesses that you regard as critical to your case?

[NAME of REPORTING PARTY(S)], would you like to call any of the witness(es), and if so, can you let us know specifically what clarification or further information this witness can provide to their written statement that you regard as critical to this case?

[NAME of JUDICIAL OFFICER], would you like to call any of the witness(es), and if so, can you let us know specifically what clarification or further information this witness can provide to their written statement that you regard as critical to this case?

Would the Panel like to take a short break to discuss questions for the witness(es) or determine if the witnesses requested by the Reporting Party or Judicial Officer need to be called?

If yes:

The Panel will take a brief break now. Therefore, we ask that everyone except the Judicial Advisor please excuse us. We will reconvene in [X] minutes.

Turn off recorder. The Panel will discuss questions and potential witnesses.

When returning from the break, turn on recorder.

The time is ______, and this hearing is now back in session. The Panel has decided [PROVIDE WITNESS INFO/ RATIONALE].

Will the Judicial Officer please confirm that the audio recorder is recording?

To the witness: [NAME of WITNESS], please provide your full name and title/class year.
A few reminders regarding witnesses:

• We expect that all questions will be appropriate, relevant, and civil and that any witness’ information will be within the scope of the information provided to the Panel.

• Per the Judicial Charter, witnesses have the right
  o To refuse to engage in self-incrimination;
  o To be offered reasonable protection from retaliation, intimidation and/or harassment; and
  o To be informed, in writing, of these rights.

• The Charter also states that, “all parties with knowledge of facts pertaining to a case of alleged student misconduct are expected to cooperate fully with the investigation of the facts of the case and must appear, if requested, at Judicial Panel hearings. In addition, all parties are expected to be respectful of the confidential nature of any knowledge or information they may have about a judicial case or the other parties involved.”

[NAME of Person Who Requested the Witness], what questions do you have for this witness?

[NAME of Other Party], do you have any questions for this witness?

Does the Judicial Officer have any questions for this witness?

Do members of the Panel have any questions for this witness?

Are there any final questions before this witness is excused?

[NAME of WITNESS], we remind you that this is a confidential matter. Thank you for participating in this process.

This process is repeated until the Panel has called each witness.
CONCLUDING REMARKS

At this time, the Reporting Party(s) and the Responding Student(s) will be provided the opportunity to make concluding remarks, but you are not required to do so.

Will the Judicial Officer please confirm that the audio recorder is recording?

[NAME of REPORTING PARTY(S)], would you like to add anything regarding the facts of the case?

For each student: [NAME of RESPONDING STUDENT(S)] would you like to add anything regarding the facts of the case?

Is there anything else the Panel needs to know from the Judicial Officer?

Are there any final questions from any of the involved parties or the Panel?

At this time, we ask that everyone except the Judicial Advisor leave the room so that the members of the Panel can determine if the Responding Student(s) is responsible for any of the violations with which the student has been charged. The hearing will resume when we have completed these deliberations.

Turn the recorder off.

ANNOUNCING THE FINDING OF FACT

Once the Panel has concluded its deliberations concerning responsibility for each alleged violation and each Responding Student, the panel will record the finding of fact and rational into Maxient. The panel will then review the Sanction Statement(s) the Responding Student(s) have prepared. The Reporting Party(s) and Responding Student(s) are called back into the hearing room.

If the hearing involves more than one Responding Student, the Panel should speak with students individually from this point forward.
Turn the recorder on.

The time is ______, and this hearing is now back in session. Will the Judicial Officer please confirm that the audio recorder is recording?

After considering all the information, in regard to the charges against [NAME of RESPONDING STUDENT]:

• read findings of fact
• read vote
• read rationale
SANCTIONS AND UNCONTESTED, SANCTION-ONLY HEARING

We will now move to a discussion of the sanctions. The Panel would like to hear from the involved parties.

(If present, read:) [NAME OF REPORTING PARTY], would you like to offer any comments for consideration in the imposition of sanctions?

(If present, read:) Thank you, [NAME OF REPORTING PARTY]. We will now excuse you from the hearing and talk with the Responding Student about the imposition of sanctions. You will receive written notification of the outcome of the Judicial Panel hearing and the sanctions after they are finalized.

Wait for Reporting Party to depart.

We will now ask the Judicial Advisor to provide sanction precedent for this type of case, and/or any additional information regarding prior incidents.

Judicial Advisor reports on precedent/standard sanctions/prior incidents (if any).

[NAME OF RESPONDING STUDENT], would you like to offer any comments for consideration in the imposition of sanctions?

Is there anything the Judicial Officer needs to share about aggravating or mitigating circumstances?

Are there any final comments?

At this time, we ask that everyone except the Judicial Advisor leave the room so that the members of the Panel can determine the appropriate sanctions.

Following our deliberations, you will have the opportunity to return to this room to hear the sanction decision and you will receive written notification of the outcome of the Judicial Panel hearing and the sanctions after they are finalized.

Turn the recorder off.

Once the Panel has concluded its sanction deliberations, the Responding Student is called back into the hearing room.
**Turn the recorder on.**

**ANNOUNCING THE SANCTION**

The time is _______, and this hearing is now back in session.

Will the Judicial Officer please confirm that the audio recorder is recording?

After considering all of the information, the Panel has decided to issue the following sanction(s):

- read sanctions
- read vote
- read sanction rationale

This case will now proceed to the Associate Vice Provost of Student Affairs for a review of our sanctions. The AVP will check for consistency with the Penalty Code and with past judicial cases. You will receive a final letter from the Office of Community Standards after this review has been conducted.

Any questions regarding the hearing or the Panel’s decisions should be directed to the Office of Community Standards. Questions regarding this case should not be directed to any member of the Panel. Panelists are instructed not to discuss this matter in order to respect the confidentiality of all persons involved.

This hearing is now concluded. Thank you for your participation.

*Turn recorder off.*