

Judicial Council: 73-1

In re One Law Student

Members Sitting:

Thalia Gaillard
Dwight Campbell

Tommy Brewer

Connie Jacobs

Robert Hackman

Barry Barnes

Lamont Strong

Lemire Leggette, Chief Judge

Pursuant to Article 11, Sec. 5 of the Judicial Council By-laws, the Judicial Council met to consider the allegations as stated in Complaints 73-1 (Copy attached hereto). By unanimous vote, the Council decided that if the allegations of the Complaints if proved would constitute a violation of the Honor Code. The matter was set for full hearing in accordance with Article 111 of the Judicial Council By-laws.

Having been properly served with notice in accordance with Article 11, Sec. 7 of the By-laws, the defendant appeared at the full hearing. Defendant was charged with violating Honor Code, Article 1, Sections 1 and 2. The defendant with full knowledge of his rights to plead *guilty or not* guilty did plead guilty to formal charges in the Complaint and asked the Council in assessing a penalty ^{to} consider the mitigating circumstances surrounding his admitted violation.

A summary of the defendant's plea for mitigation follows, Through^{out} his life, the defendant stated that he was under great pressure to achieve high honors in all fields of endeavor. From the earliest age the defendant due to parental pressure was indoctrinated with the idea that in order to be a success he had to achieve the highest academic honors. In high school and college, the defendant lived up to the standards his parents had set for him. It was not until law school that the defendant encountered his first failure and set back in life. Failing to make the Law Review, the defendant considered his performance in law school a disaster and considered himself a failure in life. As a result of this, the defendant stated that he took an indifferent attitude toward law school.

During this period defendant admitted that his class attendance was irregular and he had to withdraw from some classes. While in this period defendant stated that he could not talk to anyone about his problems, but kept them within himself.

He also stated that he couldn't face up to the fact that he was a failure. As graduation drew near, the defendant became aware that he was short a number of hours needed for graduation. In effort to graduate on time defendant took on a course load of some 22 hours. Realizing that he Couldn't adequately deal with all the courses, the defendant stated that he feared that he was faced with another prospect of failure. When it became apparent that there would not be enough time to write the paper for his Jurisprudence Seminar, the defendant stated that he resorted to using the Freeman's article in an attempt to avoid another failing venture.

Finally defendant admitted to himself that he had to do something about his problems. Realizing the gravity of the situation the defendant voluntarily placed himself under psychiatric care. As result defendant claims that he is better prepared to deal with the pressures of life and able for the first time to talk with others about his situation.

The Council recognizes that plagiarisms is a serious Honor Code violation which ordinarily requires a severe penalty. In assessing any penalty the Council feels that it should be reflective of the circumstances in a particular situation. As such the Council accept the defendant's plea of guilty and assessed the following penalty: the defendant should not be allowed to graduate until June, 1974 and as a condition precedent the defendant is required to submit a paper of his own doing (ideas) to Professor Nekam in order to satisfy this Council's requirements. The Council also ruled that no notation be placed upon the defendant's transcript with respect to this matter.

Opinion By:

Lamont Strong
Tommy Brewer
Lemire Leggette