

Advisory on the role of Campus Advisers and Attorneys in the Disciplinary Process

Under the University Code of Student Conduct (UCSC), both complainants and respondents may be advised by an attorney and are entitled to the assistance of a Campus Adviser throughout the judicial process. However, the same person may not act as both Campus Adviser and attorney.

According to Part 53 of the UCSC, “Both complainants and respondents may be advised by an attorney as defined in Part 3(m). The role of this attorney shall be limited to consultation and he/she may not address Hearing Officers, Hearing Boards, speak in Disciplinary Conferences, or question witnesses.” Under Part 3(m) of the UCSC, an attorney is defined as “a person who holds a J.D., LL.B. or LL.M. degree from an accredited college or university, who has passed a bar exam, and is not a member of the University community, as defined in Part 3(t) of this Code.”

According to Part 54 of the UCSC, “The Director of the Office of Student Conduct will maintain a list of qualified individuals who are currently eligible to serve as Campus Advisers and who may be selected to assist complainants or respondents in Disciplinary Conferences or University Hearings on any campus. Campus Advisers shall be allowed to speak in Disciplinary Conferences and Hearings, make procedural objections, question witnesses, and make opening and closing statements. Attorneys, as defined in Part 3(m) of this Code, shall not be permitted to serve as Campus Advisers.”

Under these provisions of the UCSC, Campus Advisers may address Boards and question witnesses, whereas attorneys may not. Therefore, the same person cannot act in both capacities without violating the intent of the UCSC.