

TLS Previous Disciplinary Procedures

Disciplinary Hearing Procedures

In compliance with the California State Bar Guidelines for Accredited Law School Rules at Section 2.6 relating to “Fairness in Student Discipline”, the following procedures shall be followed by the Disciplinary Committee when considering allegations against any student whether for alleged violations of the Honor Code, or any other offense for which discipline of any sort may be warranted or imposed.

1. Students shall be entitled to fair and adequate notice of the charges alleged against them. Notice shall be provided in writing by letter, email, fax transmission or hand delivery by the Registrar. Such notice shall be provided to a student against whom such allegations are made not less than 20 (twenty) days prior to the date set for the hearing of the allegations. Such notice shall provide the exact nature of the allegations against the student, and shall specify the date, time and location for the hearing of the matter concerned.
2. All formal complaints against any student for which discipline of any sort may be imposed shall be heard by the Disciplinary Committee. The Disciplinary Committee is comprised of members drawn from the Law Faculty Senate and members of the administration. The Disciplinary Committee shall set the hearings of disciplinary matters on weekdays, excluding legal holidays, between the hours of 9:00am and 5:00pm. The location of such hearings may be either at Trinity Law School, or such other location as the Disciplinary Committee may specify, provided that such other alternative location is within Orange County, California.
3. When hearing allegations against a student for which discipline of any sort may be imposed, the Disciplinary Committee shall be comprised of at least a quorum of its current members. The burden of proof in all matters shall be by a preponderance of the evidence. The Disciplinary Committee by simple majority vote shall name one of its members to preside over the hearing. Said presiding member shall ensure that the procedures set forth herein are adhered to. The presiding member shall have the authority to rule on matters of scheduling, admissibility of evidence, and other procedural matters alone, and may rule either upon oral or written motions made or sui sponte.
4. Any photographs, videotapes, letters, emails, reports, maps, diagrams, drawings, or other documents of whatever sort shall be provided both by the reporting party and the student against whom allegations have been made not less than ten (10) days prior to the date of the hearing to the Registrar. The Registrar shall in turn assure that true and exact copies of all such documents as are submitted by either the reporting party or the student involved are provided to (a) the reporting party, (b) the student involved, and (c) all members of the Disciplinary Committee not less than seven (7) days prior to the date of the hearing. Any documents not timely provided shall be rejected by the Registrar and shall not be admitted at the hearing except upon a motion for good cause to be made at the time of the hearing or in the interest of justice, sui sponte.
5. At the time of the hearing, the reporting party shall provide testimony in narrative form under oath. No direct or cross-examination by or between the reporting

party and the involved student will be permitted. The reporting party may likewise present any documents previously provided under paragraph 4, above. The members of the Disciplinary Committee shall be entitled to question the reporting party under oath. There is no right to, nor shall any cross-examination be conducted by the involved student. The reporting party may likewise call witnesses. Said witnesses shall be excluded from the hearing until they have been called to testify. Said witnesses shall testify under oath. Their testimony shall be given in narrative form without direct examination. There is no right to cross-examination. The members of the Disciplinary Committee shall have the right to question any witnesses called. After testifying, witnesses will be dismissed from the room in which the hearing is conducted. However, all witnesses may be required to remain at the location where the hearing is being conducted until the termination of the hearing, or until excused by the Presiding member of the Disciplinary Committee.

6. The student against whom the allegations have been made shall then likewise be given the opportunity to testify on their own behalf under oath, to call witnesses and to offer documents into evidence as in the case of the reporting party set forth in paragraph 5, above. Again, questioning by the members of the Disciplinary Committee shall be permitted, but cross-examination shall not be permitted.
7. Both the reporting party and the involved student shall be required to remain at the location where the hearing is being conducted at all times during the hearing.
8. The student against whom allegations are made shall be entitled to consult with counsel prior to the hearing. However, the student against whom allegations are made shall not be entitled to attorney representation at the hearing. Attorneys for the involved student are prohibited from the hearing by these procedures.
9. Once the hearing is completed and the matter closed the involved student will be dismissed from the room where the hearing is conducted. However, the involved student shall remain at the location where the hearing is being conducted until the close of deliberations, or such other time as they may be excused by the presiding member of the Disciplinary Committee.
10. The Disciplinary Committee shall deliberate in private. The nature and character of the deliberations shall remain private. The Disciplinary Committee shall return findings upon the facts, their conclusions and the sanctions to be imposed, if any. The same shall be reduced to writing either by the Disciplinary Committee or the Registrar.
11. At the close of the deliberations of the Disciplinary Committee the involved student, the reporting party and all witnesses shall be released upon order of the presiding member of the Disciplinary Committee. The findings, conclusions and sanctions, if any, shall be communicated in writing to the involved student by the Registrar within seven (7) days after the close of the deliberations of the Disciplinary Committee.
12. A student who contends that there was an error in the application of the honor code procedures, or unfair discriminatory actions, may appeal the decision of the Disciplinary Committee to the Dean by means of a written request for an appeal filed with the Registrar's Office.