Elon University School of Law
Honor Council Bylaws
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ARTICLE I.  DEFINED TERMS

Capitalized terms not otherwise defined in these Honor Council Bylaws, (these “Bylaws”) shall have the meanings given to them in the Elon University School of Law Honor Code (as amended from time to time, the “Code”).

ARTICLE II.  HONOR COUNCIL

Section 1.  Honor Council Duties. The Honor Council of the Elon University School of Law (the “Honor Council”) shall be responsible for administering the Code. Such administration shall include:

(a) promoting a culture of integrity;

(b) effectively communicating to the student body, prospective students, faculty, and administration the philosophy, substance, and operation of the Code;

(c) conducting and maintaining the confidentiality of investigations, hearings, and trials for alleged Honor Code Violations;

(d) adopting, to the extent permitted in ARTICLE V, and publishing procedures which enforce and supplement the Code;

(e) compiling and releasing the reports from all Trial Panel Opinions and Appeal Committee Opinions at the end of each semester;

(f) issuing advisory opinions interpreting the Code; and

(g) holding public meetings, as required; and

(h) amending these Bylaws to the extent permitted in Section 3 of Article X of the Code.

Section 2.  Quorum and Voting. Unless the Code or these Bylaws provide otherwise, a quorum exists if at least two-thirds of the members of the Honor Council are present at a meeting. Except as otherwise provided in the Code or these Bylaws, the favorable vote of a
majority of the members of the Honor Council present at a meeting shall be required for approval of a matter being considered by the Honor Council.

Section 3. Selecting the Council, Solicitors, Assistant Solicitor and Elected Defenders.

(a) Honor Council Representation. The total number of members of the Honor Council shall be nine. The Honor Council shall be composed of three representatives of each of the Elon Law classes elected in the manner provided in this Section 3(a). During a General Election in the Spring semester of each Academic Year, the second-year class and the first-year class each will elect three members of the Honor Council to serve the following Academic Year as representatives of the third-year students and the second-year students, respectively. During a General Election in the Fall semester of each Academic Year, the first-year class will elect three members of the Honor Council to serve during that Academic Year as representatives of the first-year students.

(b) Solicitors. Solicitors will be elected in the manner provided in this Section 3(b) and will perform the duties required to be performed by Solicitors in the Code. In order to serve as a Solicitor, a person must be a third-year Elon Law student. Two Solicitors shall serve during each Academic Year. One of the Solicitors for an Academic Year will be elected in a General Election in the Spring semester of the Academic Year immediately prior to the Academic Year in which he or she is to serve. The second Solicitor for an Academic Year will be the Assistant Solicitor who served as such during the immediately prior Academic Year. In order to serve as an Assistant Solicitor, a person must be a second-year Elon Law student. One Assistant Solicitor shall serve during each Academic Year. The Assistant Solicitor for an Academic Year will be elected in a General Election in the Spring semester of the Academic Year immediately prior to the Academic Year in which he or she is to serve. Only students who are first-year students and second-year students at the time of a General Election in which the Solicitor and the Assistant Solicitor are to be elected are eligible to vote with respect to
those positions in that election. No serving Honor Council member may serve as a Solicitor or Assistant Solicitor concurrently.

(c) **Elected Defenders.** Elected Defenders will be elected in the manner provided in this Section 3(c) and will perform the duties required to be performed by Elected Defenders in the Code. In order to serve as an Elected Defender, a person must be a third-year Elon Law student. Two Elected Defenders shall serve during each Academic Year. Each Elected Defender for an Academic Year will be elected in a General Election in the Spring semester of the Academic Year immediately prior to the Academic Year in which he or she is to serve. Only students who are first-year students and second-year students at the time of a General Election in which the Elected Defenders are to be elected are eligible to vote with respect to those positions in that election. No serving Honor Council member may serve as an Elected Defender concurrently.

(d) **Officers.**

(i) There will be three Honor Council officers: Chair, Vice Chair, and Secretary.

(ii) Members of the Honor Council shall self-nominate for these positions, and will be elected to those positions by a plurality of the members of the Honor Council.

(iii) The qualifications and responsibilities of the Honor Council officers shall be as follows:

(A) **Chair.**

(1) Only third-year Honor Council members may self-nominate for the position of Chair.

(2) The Chair will be responsible for all duties assigned to him or her by the Code.
(3) The Chair will also be the liaison between the Honor Council and the Elon Law faculty and administration.

(B) **Vice Chair.**

(1) Only second-year or third-year Honor Council members may self-nominate for the position of Vice Chair.

(2) The Vice Chair will fill in for the Chair when the Chair is unable to fulfill his or her duties.

(3) The Vice Chair will be responsible for all duties assigned to him or her by the Code.

(4) The Vice Chair will be responsible for meeting with the student body to explain the Code (including the system for reporting Honor Code Violations) and the function of the Honor Council and to provide such other education about the Code as the Honor Council may consider necessary.

(5) The Vice Chair will also be responsible for coordinating and scheduling all Honor Code Violation-related proceedings.

(C) **Secretary.**

(1) Only second-year or third-year Honor Council members may self-nominate for the position of Secretary.
(2) The Secretary will be responsible for all duties assigned to him or her by the Code.

(3) The Secretary will be responsible for managing all reported alleged Honor Code Violations and for the assignment of Solicitors, the Assistant Solicitor and, to the extent appropriate, Elected Defenders to those cases.

(4) The Secretary will be responsible for maintaining the files of the Honor Council.

(5) The Secretary will be responsible for taking, transcribing and posting the minutes of each Honor Council meeting.

(e) **Oath of Office.** As soon as reasonably possible following election or appointment, all Honor Council members, the Solicitors, the Assistant Solicitors and Defenders shall take the following oath:

“I do solemnly promise to uphold the Elon University School of Law Honor Code and Bylaws and to perform the duties of my office to the best of my ability and integrity. Furthermore, I do solemnly promise to keep all Honor Council proceedings (except to the extent disclosed in a published opinion) and identities of students accused of Honor Code Violations absolutely confidential.”

(f) **Faculty Advisor.**

(i) The Dean of the Law School shall appoint from the Elon Law faculty an advisor to the Honor Council each year. That person shall be available to advise the Honor Council.

(ii) The faculty member is bound by the same confidentiality requirement as the other Honor Council members.
Section 4. **Removal and Resignation of Honor Council Member, Solicitor, the Assistant Solicitor or Elected Defender.**

(a) **Automatic Removal.** It shall be the duty of each member of the Honor Council to attend all Honor Council meetings. If during any Academic Year any member is absent from three meetings without a valid excuse, the member shall be removed from the Honor Council automatically. Non-attendance at Elon Law during any Fall or Spring semester shall terminate the term of the absent Honor Council member, Solicitor, Assistant Solicitor or Elected Defender. If an Honor Council member, a Solicitor, an Assistant Solicitor or an Elected Defender is convicted by a Trial Panel of, or pleads guilty to, an Honor Code Violation, he or she will be removed from office automatically, pending appeal (if any).

(b) **Impeachment and Removal of Honor Council Members, Solicitors, the Assistant Solicitor and Elected Defenders.** Any member of the Honor Council, any Solicitor, the Assistant Solicitor or any Elected Defender may be impeached upon petition of 20 percent of the Elon Law student body or by a two-thirds vote of the entire Honor Council. The impeached person may then be removed from office only if removal is approved by a two-thirds majority of the votes cast in an Elon Law student body referendum in which at least 50 percent of the student body votes. A public hearing on the impeachment charges shall precede any such referendum. The public hearing shall be conducted in such manner as may reasonably be determined by the members of the Honor Council (excluding any impeached member).

(c) **Election to Fill Vacated Honor Council, Solicitor, the Assistant Solicitor or Elected Defender Position.** If an Honor Council member, Solicitor, the Assistant Solicitor or Elected Defender is removed or resigns from office, he or she will be replaced by such person who is nominated by the then-serving Solicitors and Elected Defenders, acting together, and who is approved by a majority vote of the officers of the Elon Law Student Bar Association. Any such replacement will serve as a member of the Honor Council, Solicitor, Assistant Solicitor or Elected Defender, as applicable, until the next Fall or Spring election is held. At that time the position will be filled by a vote of
the class represented by the prior vacant seat. The person serving as a replacement in a vacated position may run in the election while serving on the Honor Council.

ARTICLE III. ADVISORY OPINIONS

A group of students totaling at least five percent of the entire Elon Law student body may petition the Honor Council for an advisory opinion interpreting the Code. The Honor Council shall produce the advisory opinion within a reasonable time after presentation of the petition. Advisory opinions are not binding on Trial Panels or Appeal Committees.

ARTICLE IV. PUBLICITY

Each new Elon Law student shall receive a copy of the Code and these Bylaws. The names of Honor Council members shall be posted on Blackboard. The Honor Council shall be available to answer any questions concerning the Code and these Bylaws.

ARTICLE V. AMENDMENTS AND ADDITIONAL PROCEDURES

Section 1. Amendments. These Bylaws may be amended only as provided in Article X of the Code.

Section 2. Approval of Additional Procedures. The Honor Council may adopt such procedures as reasonably may be required to facilitate its operation and the implementation of the Code and these Bylaws, but no such procedures may adversely affect in any material respect the rights of any student under the Code or these Bylaws. Any proposed procedures will be deliberated on by the Honor Council. During deliberation, the Honor Council will consult the Elon Law faculty and administration for advice on the procedures and the requirements of this Section 2. Approval of procedures requires the favorable vote of a majority vote of the Honor Council.