

AGREEMENT AND MEMORANDUM OF UNDERSTANDING

The following is a memorandum of understanding articulating and affirming the working relationship between the University Judiciary Committee (“UJC”) and the University of Virginia School of Law Academic and Professional Standards Committee (“APSC”).

The University Judiciary Committee is a cornerstone of the University of Virginia’s tradition of student self-governance. By delegation of the University’s Board of Visitors, UJC is authorized to investigate and adjudicate alleged violations of the University’s Standards of Conduct.

The Law School is a professional school with the mission of educating future lawyers and preparing them for the practice of law. The Law School is accredited by the American Bar Association (“ABA”). The ABA sets forth standards that each law school must meet in order to remain accredited, and the Law School implements those standards through academic and professional requirements and learning outcomes. In addition, the ABA and the several states require the Law School to certify that its graduates have met the character and fitness requirements necessary for the practice of law. Students who are unable to meet state bar character and fitness requirements may not become members of the bar and may not practice law. The Law School therefore has an obligation to the ABA, the bar, and students themselves to ensure that the students enrolled in its educational program meet its academic standards and the character and fitness requirements necessary for legal practice.

The respective missions of UJC and the Law School have long co-existed. Since at least the 1950s, the Law School has enforced its academic and professional standards at the same time that UJC has upheld the standards entrusted to it. As a result, law students are subject to both the conduct standards upheld by UJC and the academic and professional standards required of lawyers and upheld by the Law School. In this regard, law students are similarly situated to members of the bar, who are subject to state law, federal law, and legally enforceable rules of professional conduct.

In recognition of their respective roles and responsibilities, UJC and the Law School seek to strengthen and memorialize a working relationship that accommodates both the important functions of UJC and the Law School’s accreditation obligations as a professional school. Accordingly UJC and the Law School undertake the following:

1. The Law School will convert the Student Conduct Committee to the Academic and Professional Standards Committee.

This redesignation better describes the role of the current Student Conduct Committee and makes it more comprehensible for both law students and other students. It also makes more explicit the parallels between the Law School committee and other groups that enforce professional standards, including the Academic Standards and Achievement Committee of the Medical School.

2. Each unit will work to articulate and support the other's mission with students, faculty, and staff.

The APSC will continue and expand ongoing efforts to communicate to students, faculty, and staff about the importance of UJC, including at law student orientation; in general communication with students, faculty, and staff; and in discussions with individuals regarding potential incidents.

UJC will seek to affirm the Law School's role and obligations as a professional school with UJC members and other students in appropriate contexts.

3. UJC and the APSC will communicate about new matters and decide priority of adjudication on a case-by-case basis.

Appropriate designees of UJC and of the Law School will communicate about new matters upon receipt of an actionable report of alleged student misconduct. Unless otherwise agreed by UJC and the Law School, the designee of the Law School shall be the Vice Dean of the Law School, and the designees of UJC shall be the Chair of UJC and the Liaison to the University Counsel in the Office of the Vice President for Student Affairs. Those designees will discuss and determine the order in which proceedings shall take place. Decisions will be made on a case-by-case basis taking into account several factors, including:

- The timing and speed of potential proceedings, particularly in relation to the academic calendar and other academic and professional considerations;
- The risks or dangers posed by the alleged behavior;
- The availability of potential witnesses;
- The existence of any other related proceedings, such as criminal proceedings;
- The relation of the alleged conduct to the respective missions of UJC and the Law School, as articulated in their mission statements and in dialogue with each other.

The Law School and UJC will maintain communication about the timing and outcomes of their proceedings.

4. The Law School and UJC Law School representatives will meet each year to foster mutual relationships and understanding.

Law School representatives will meet with incoming Law School UJC representatives each year to establish two-way communication and reaffirm shared goals.

Through these steps UJC and the Law School hope to strengthen and maintain a working relationship that upholds the various standards of academic, personal, and professional conduct important to the University of Virginia's mission as an educational institution.

FOR THE UNIVERSITY JUDICIARY COMMITTEE

By: 

Date: 6/28/2019

Shannon Cason
Chair, University Judiciary Committee

By: 

Date: 7/3/2019

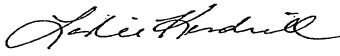
Susan M. Davis
Associate Vice President, Liaison to University
Counsel

FOR THE SCHOOL OF LAW

By: 

Date: 6/19/2019


Risa L. Goluboff
Dean, University of Virginia School of Law

By: 

Date: 6/18/2019

Leslie C. Kendrick
Vice Dean & APSC Chair
University of Virginia School of Law

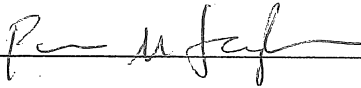
FOR THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA

By: 

Date: 6/28/2019

Frank M. Conner III
Rector

FOR THE UNIVERSITY VICE PRESIDENT AND CHIEF STUDENT AFFAIRS OFFICER

By: 

Patricia M. Lampkin
Vice President and Chief Student Affairs Officer

Date: 10/28/19

By: 

Allen W. Groves
University Dean of Students

Date: 10/28/2019