

THE ROLE OF COUNSEL IN STUDENT JUDICIAL HEARINGS

In a formal hearing, both the complainant (accuser) and the respondent (accused) are entitled to be accompanied by counsel (adviser) of his or her choice. The role of counsel is limited faculty member, staff, and students of Michigan State University¹, and may not be an attorney².

As the campus judicial process is designed to be educational, the following guidelines regarding the role of counsel will be followed:

1. Complainants and respondents are limited to one (1) person serving as Counsel.
2. It is the responsibility of complainants and respondents to speak for themselves in a hearing. Counsel may not represent someone in the same way that attorneys represent clients in a court of law. If desired however, counsel will be granted an opportunity to make either an opening statement or a closing statement.
3. Complainants and respondents may converse with counsel during the hearing, so long as the conversation does not disrupt others or the hearing itself.
4. Procedural guidelines will be reviewed prior to opening statements. Questions should be addressed to the *chairperson* or *hearing officer* at that time, and not during the hearing itself. Should unforeseen issues be identified during the hearing, participants are free to address them as needed.
5. Any breaches of these guidelines may bring result in a formal warning from the *chairperson* or *hearing officer*. Additional breaches may result in counsel being asked to leave the hearing. Formal warnings and removal of counsel from a hearing will be noted in the record.

¹ See Article 4.3.5.d. of *Academic Freedom for Students at Michigan State University*.

² Permission may be granted to the respondent to be accompanied by an attorney if there are criminal charges pending. If the respondent is charged with a sex offense, the complainant may also have an attorney present.