

ACADEMIC INTEGRITY AT DUKE LAW

The Law School is committed to the highest standards of academic and professional integrity. Part of its mission is to train students in the demanding ethical requirements of the practice of law. That process begins with this primer on academic integrity.

The Law School's rules and policies related to academic integrity apply to all forms of student work, including, but not limited to, papers, examinations (closed-book or take-home), law review notes, research assignments, oral presentations, video productions, legal writing assignments, and computer creations. A violation of these rules and policies constitutes a violation of the Law School's Honor Code.

The Duke Community Standard

As a part of Duke University, in addition to our Honor Code, we expect our law students to follow the Duke Community Standard, which recognizes that this is a community of scholars and learners, committed to the principles of honesty, trustworthiness, fairness, and respect for others. Students share with faculty and staff the responsibility for promoting a climate of integrity. As citizens of this community, students are expected to adhere to these fundamental values at all times, in both their academic and non-academic endeavors. When you sign the Law School Honor Code, you also affirm your commitment to uphold the values of the Community Standard: you will not lie, cheat, or steal, nor accept the actions of those who do; you will conduct yourself responsibly and honorably in all of your activities as a Duke student.

Examinations

In short, avoid doing anything that would give you or another student an unfair advantage in taking an examination. For example, unless expressly authorized to do so by the examining professor, do not share or acquire from anyone information about the substance of any examination. During an examination, do not use (in any way) any unauthorized materials. This prohibition applies to materials in all forms – print, electronic, graphical, etc. For example, students using computers to take an examination must not access any unauthorized computer resources, such as the Internet or electronic course outlines. Finally, while taking an examination, adhere to all other exam requirements, including time and length limitations.

Written and Other Work

Stated simply, do your own work and give credit where credit is due. That is, (1) do not represent as your own anyone else's ideas, words, graphical or pictorial representations, etc., and (2) identify all sources relied upon in preparing the

work. In written work, use quotation marks and a citation to identify language taken verbatim from a source, and use citations alone to identify any paraphrased language or borrowed ideas. In non-written work, clearly identify the origin of any component of the work that is not solely your own. With both written and non-written work, err on the side of caution, and, if in doubt, ask the assigning faculty member for guidance and clarification.

Unauthorized Collaboration

Although many Law School projects are collaborative in nature, most work is expected to represent the efforts of the individual student submitting the final product. Therefore, unless otherwise expressly authorized by the assigning faculty member all work must be completed independently. This general rule applies to all Law School work, ranging from short in-class assignments to examinations, seminar papers, and video or computer presentations.

Keep in mind that “collaboration” means more than working side-by-side with someone else. It also means using another person’s research notes, reading another’s draft of a paper (or having another read your draft), engaging in conversations about the substantive specifics of an assignment, and informing another of a judicial opinion relevant to an assignment. Again, if in doubt about what would constitute unauthorized collaboration in a specific case, ask the assigning faculty member for guidance and clarification.

Internet Research

Internet sources are increasingly being consulted in the completion of Law School assignments. The ready availability of such sources does not in any way diminish the author’s or creator’s proprietary interests in the ideas contained therein or the words used to express them. Therefore, the usual rules of acknowledgment apply: use quotation marks and/or citations to identify their origin.

A special caveat relates to an emerging method of Internet research: the “click and copy” version of note-taking, where students copy and move paragraphs of Internet text to an electronic document to be worked into their paper later. This method can lead to acts of unintended plagiarism – where the student forgets what language is from the source and therefore neglects to use appropriate quotation marks or citations. Even if unintended acts of plagiarism are somehow avoided, this method generally leads to the creation of a loosely constructed, poorly considered paper, one that is likely to receive a very low grade. To avoid these outcomes, exercise judgment and skill, moving only the quotations you want to use as such and immediately enclosing them in quotation marks with a citation. Summarize the rest, also clearly marking the source from which it was taken. Of course, online research paper databases should be scrupulously

avoided. Submitting papers taken or purchased from one is a clear violation of the Honor Code.

Multiple Use of Work

As a general rule, the same work, whether in whole or in part, may not be submitted for academic credit if it has been or will be submitted for credit in another course or has been completed for another academic activity, such as a journal or moot court. Nor may work completed for an employer be submitted for academic credit. The only time submitting the same work is permitted is when the student (1) advises the faculty member(s) that the work has previously been or is currently being submitted for credit in another course and (2) satisfies the faculty member(s) that the work will be sufficiently developed to warrant the additional credit. The general prohibition against submitting the same work applies whether the other course(s) are at the Law School or another institution.

Enforcement of the Honor Code

Violations of the Honor Code are taken very seriously. If a student is suspected of a violation, an investigation ensues according to the procedures set forth in Law School [Rules 5.1-5.6](#). Though confidential, these investigations usually involve members of the administration, faculty, and student Judicial Board. When it is determined that the Honor Code has been violated, a sanction is imposed. The sanction can range in severity from an adverse effect on the student's course grade to expulsion from the Law School. The incident also usually becomes part of the student's permanent record and must be reported to the State Bar to which the student seeks admission. Depending on the circumstances of the incident, the State Bar may deny the student admission to the Bar.

Best Practices

One guiding principle of legal ethics is to hew closely to the rules governing lawyer conduct, avoiding even the appearance of impropriety. That principle should guide your conduct as a law student, as well.

As for lawyers in the practice of law, violations of the standards governing conduct have serious repercussions for the law student. As mentioned in the previous section, conduct that violates the Honor Code carries very severe sanctions, even expulsion, which could make it impossible to pursue a legal career. Lesser sanctions that nonetheless require a notation in a student's permanent record could have the same result.

Even conduct that falls short of an Honor Code violation can seriously affect the law student's career as a lawyer. For example, when called on many years later, the faculty and classmates will remember if a student behaved dishonestly and

disrespectfully, or failed to exhibit the utmost integrity, both in academic and social activities. Even from a purely self-interested standpoint, then, strictly honoring the standards governing conduct, and more generally treating others with honesty and respect, is prudent behavior because it is likely to have a positive effect on one's success as a lawyer and in life.

While at law school, and often in law practice, many demands compete for attention. Learning to meet those demands while still adhering to the strictest standards of ethical behavior is essential. Finding a mentor – someone with experience in the area and who can keep a confidence – is helpful to vet concerns or ask questions. Again, if questions remain, err on the side of caution; do not take foolish chances that you may regret for the rest of your life.