

RIGHT TO APPEAL:

A student found responsible by a Judicial Panel for violating Stanford's Honor Code, Fundamental Standard or other University policy has the right under the Student Judicial Charter of 1997 to file an appeal.

If appealing, complete this form beginning with the information below;

LAST NAME _____

FIRST NAME _____

SUID# _____

STATUS grad/undergrad; year _____

DEPARTMENT _____

Below are the 5 bases for appeal listed in Student Judicial Charter of 1997.
Check all box(es) that apply to your appeal as written in the following pages:

- Basis 1. SIGNIFICANT PROCEDURAL ERROR
- Basis 2. COMPELLING NEW EVIDENCE
- Basis 3. JUDICIAL PANEL MEMBER BIAS
- Basis 4. JUDICIAL OFFICER OR JUDICIAL ADVISOR MISCONDUCT
- Basis 5. VIOLATION OF ANY RIGHT OF ACCUSED ENUMERATED IN CHARTER

APPEAL TIMELINE:

- The deadline to file an appeal is **30 days** from the date of the original Judicial Panel hearing.
- All documentation in support of an appeal must be submitted with the appeal by the deadline.
 - The JAO will make every effort to respond officially within **20 days** of the appeal's receipt.
 - If desired, a counter-response – addressing **only** points raised in the official JAO response – may be filed within **10 days** of the official JAO response.
 - A date/time for the appeal hearing will be set.
 - A Final Appeals Panel will be convened.

The Finals Appeals Panel will review all material submitted for appeal. It will determine if the circumstances presented are sufficient to constitute a basis or bases for appeal. If so, the Final Appeals Panel will then determine if it is substantially probable that, but for what occurred at the original Judicial Panel hearing, the original Judicial Panel would have arrived at a different decision. Upon completion of its review, the Final Appeals Panel will have five options:

1. Deny the appeal (and allow the original sanctions to stand)
2. Return the case to the original Judicial Panel
3. Convene a new Judicial Panel to rehear the case
4. Reduce the sanctions
5. Dismiss the original charges

The decision at the appeal hearing by the Final Appeals Panel is final.

FAILURE TO SUBMIT THIS FORM IN ITS ENTIRETY BY THE DEADLINE, TO PROVIDE INFORMATION REQUESTED, OR TO ADHERE STRICTLY TO THE REQUIREMENTS AS DESCRIBED MAY BE GROUNDS FOR REJECTION OF ANY APPEAL.

Name: _____

All appeals must be completed either digitally or handwritten using this form.

BASIS 1: Significant Procedural Error

The Final Appeals Panel will consider the following while determining if there was significant procedural error:

- 1st Was there a procedural error?
2nd Was the procedural error "significant"?
 "Significant" denotes something reasonable, credible, of solid value – it may not be based upon simple dissatisfaction with the Judicial Panel's decision and/or sanction/penalty recommendations.
3rd If there was a significant procedural error, is there a substantial probability that the Judicial Panel would have arrived at a different decision but for the error?

I am appealing upon Basis 1: No Yes

Please complete the following in concise statements. You should address both (1) the nature of the events providing the basis for appeal and (2) how the events you describe adversely affected the original Judicial Panel hearing. (If possible, attach any supporting materials.)

(1) ***I believe that during my case, "significant procedural error" occurred because...***

(2) ***I believe that the above-mentioned "significant procedural error" adversely affected the original Judicial Panel hearing by...***

Name: _____

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BASIS 2: Compelling New Evidence

The Final Appeals Panel will consider the following while determining if there is compelling new evidence:

- 1st Is there “new evidence”?
“New evidence” means evidence that was not available to the student or not known or reasonably discoverable by the student at the time of the Judicial Panel hearing. Evidence does not become “new” at the appeals level if the student could have but did not – for whatever reason – present it to the Judicial Panel.
- 2nd Is the new evidence “compelling”?
“Compelling” new evidence is evidence that is so essential to the case that there is a substantial probability that it would have affected the Judicial Panel’s deliberations had it been known at the time of the hearing.
- 3rd If there is compelling new evidence, is there a substantial probability that the Judicial Panel would have arrived at a different decision had it been aware of that evidence?

I am appealing upon Basis 2: No Yes

Please complete the following in concise statements. You should address both (1) the nature of the events providing the basis for appeal and (2) how the events you describe adversely affected the original Judicial Panel hearing. (If possible, attach any supporting materials.)

(1) I believe that relating to my case there is “compelling new evidence” because...

(2) I believe that not knowing the above-mentioned “compelling new evidence” adversely affected the original Judicial Panel hearing by...

Name: _____

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BASIS 3: Judicial Panel Member Bias

The Final Appeals Panel will consider the following while determining if there was judicial panel member bias:

- 1st What is the nature of the claimed bias?
- 2nd Given the type of bias alleged, has the appellant set forth objective facts demonstrating that a member of the Judicial Panel was biased?
To show "bias," the appellant must set forth objective facts that would lead a well-informed, thoughtful person to believe that the Judicial Panel member was incapable of being impartial.
- 3rd If yes, is there a substantial probability that the Judicial Panel would have arrived at a different decision but for that bias?

I am appealing upon Basis 3: No Yes

Please complete the following in concise statements. You should address both (1) the nature of the events providing the basis for appeal and (2) how the events you describe adversely affected the original Judicial Panel hearing. (If possible, attach any supporting materials.)

(1) *I believe that in my hearing there was "Judicial Panel member bias" because...*

(2) *I believe that the above-mentioned "Judicial Panel member bias" adversely affected the original Judicial Panel hearing by...*

Name: _____

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BASIS 4: Judicial Officer or Judicial Advisor Misconduct

The Final Appeals Panel will consider the following while determining if there was Judicial Officer or Judicial Advisor misconduct:

- 1st What specific duty does the appellant claim the Judicial Officer /Judicial Advisor failed to fulfill?
- 2nd Has the appellant set forth objective facts demonstrating that the Judicial Officer/Judicial Advisor did in fact fail to fulfill that duty?
- 3rd If yes, is there a substantial probability that the Judicial Panel would have arrived at a different decision but for the failure to fulfill that duty?

I am appealing upon Basis 4: No Yes

Please complete the following in concise statements. You should address both (1) the nature of the events providing the basis for appeal and (2) how the events you describe adversely affected the original Judicial Panel hearing. (If possible, attach any supporting materials.)

(1) I believe that relating to my case there was Judicial Officer or Judicial Advisor misconduct because...

(2) I believe that the above-mentioned "Judicial Officer or Judicial Advisor misconduct" adversely affected the original Judicial Panel hearing by...

Name: _____

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BASIS 5: Violation of Any Right of the Accused Enumerated in the Charter

The Final Appeals Panel will consider the following while determining if there was violation of any right of the accused enumerated in the Charter.

- 1st What right does the appellant claim was violated?
- 2nd Has the appellant set forth objective facts demonstrating that his/her right was violated?
- 3rd If yes, is there a substantial probability that the Judicial Panel would have arrived at a different decision but for the violation?

I am appealing upon Basis 5: No Yes

Please complete the following in concise statements. You should address both (1) the nature of the events providing the basis for appeal and (2) how the events you describe adversely affected the original Judicial Panel hearing. (If possible, attach any supporting materials.)

(1) I believe that relating to my case there was “violation of any right of the accused enumerated in the Charter” because...

(2) I believe that the above-mentioned “violation of any right of the accused enumerated in the Charter” adversely affected the original Judicial Panel hearing by...