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**STATEMENT OF THE OFFICE OF THE JUDICIAL ADMINISTRATOR
TO THE CODES AND JUDICIAL COMMITTEE
REGARDING CJC'S PROPOSED REVISION TO THE CAMPUS CODE OF CONDUCT
May 4, 2020**

Dear Members of the Codes and Judicial Committee,

I deeply regret that important business in our office precludes me from attending CJC's specially called meeting on May 4, 2020. With the Chair's permission, the Office of the Judicial Administrator (OJA) submits this brief statement in advance of the CJC's vote.

I respect the hard work that I have seen CJC members engage in since I began serving as Interim JA on March 23, 2020. CJC's draft procedures document does make a couple of changes that the OJA believes are significant and positive. The positive changes include moving the student conduct function to the Student and Campus Life division and bringing sororities and fraternities under the Code's jurisdiction.

Unfortunately, for reasons stated over the course of CJC meetings beginning on March 27th, the OJA cannot support CJC's proposed revision to the Code procedures. Our key concerns, stated very briefly, include the following:

- Fundamentally, the Office of the Judicial Administrator does not believe that the proposed revision reflects current best practices in the field of student conduct, results in a truly student-focused educational model, or succeeds in making the Code less legalistic.
- The proposed CJC revision will adopt two different evidentiary standards. Our office believes that the "preponderance of evidence" standard best balances the interests of complainants, respondents, and the campus community as a whole. In any case, adopting two different evidentiary standards adds to the Code's complexity instead of reducing it.
- The proposed CJC revision adds another type of hearing option (Administrative Panels). The OJA's concerns about Administrative Panels have been expressed in comments on drafts and at prior meetings. On this point, also, CJC's approach adds complexity instead of reducing it.

For these reasons and others stated during previous CJC discussions, the Office of the Judicial Administrator respectfully declines to support CJC's proposed revision to the code of conduct procedures.

Sincerely,

Barbara L. Krause /s/

Barbara L. Krause
Interim Judicial Administrator