Arthur II
A Joint Panel Abstract
Released Spring 2008

NOTE: This abstract assumes familiarity with the contents of the abstract “Arthur”, released in 2005, which can be viewed on the Honor Council website.

Brief Summary
Arthur was confronted for his failure to complete the resolutions set forth in his previous trial within the given time frame. After being confronted by the chair of his previous trial, the issue was brought to Honor Council for a suspicion of violation. After much deliberation, Honor Council decided to convene a Joint Panel. The Joint Panel existed in two phases. After concerns about following proper procedure, the first Joint Panel was dissolved. Several weeks later, the second Joint Panel was convened with, as Arthur requested, the same members (with the exception of one substitution that had to be made for scheduling reasons). In the end, the panel came to final consensus that Arthur’s return to Haverford would be contingent upon his completing the resolutions from the original trial.

Pre-Trial
At the beginning of the school year, Brain, the Chair of Arthur I, asked Arthur if he had completed his (overdue) resolutions. When Arthur replied that he hadn’t, Brain suggested that he get in touch with Honor Council. Arthur did not, but the co-Chairs of Honor Council contacted Arthur and asked him to submit a statement to Honor Council. He did not respond to emails, but after a co-chair talked with him in person, he agreed to submit a statement to Honor Council (which he never did). A few days later, Honor Council came to a suspicion of violation and decided to send the matter to a Joint Panel. Arthur was notified by email of Honor Council’s decision and a few days later one of the co-chairs of Honor Council (and the person who would be co-chair of Arthur II), Henry, went to talk with Arthur in person.

During that conversation Arthur expressed frustration with how the process had gone and the rapidity with which Honor Council had dealt with the matter. Henry pointed out that he did not have the power to change what Honor Council had done, but if Arthur could demonstrate that he was making substantial progress towards completing his resolutions, such as paying the money that was owed and setting up times to complete his hours with Facilities and Safety and Security, that Henry would bring the issue back to Council and see if the Joint Panel could be declared no longer necessary. Henry and Arthur agreed to this and set a timetable of 12 days (including a week-long break) for Arthur to come up with a plan to present to Council about how he was going to fulfill his resolutions. After the meeting, Henry sent Arthur an email clarifying the conversation and verifying the agreed upon timetable. A copy of the email was also printed and slipped under Arthur’s door.

Arthur never submitted a plan to Henry, and three weeks after the initial conversation the Panel was convened.
The Panel

At the first meeting of the Joint Panel a discrepancy in Joint Panel procedures was discovered. Current versions of the Student Handbook said that Joint Panels used Universal Trial Procedure, however, unbeknownst to the student chair of the Panel, a more specific Joint Panel procedure had been developed some years ago and regularly published in the Student Handbook until sometime in the past few years in which it disappeared\(^1\). The Panel thought that the Joint Panel procedure would be more appropriate, but decided to give Arthur the choice between the two procedures. The Panel also got a chance to look over the Statement that Arthur had submitted, which consisted of an email exchange between him and the contact person that had been appointed by Council. The exchange related his feelings about his frustrations with being asked to come to a second trial.

That evening the Panel also met with Brain to get some of his background opinions about the case. Brain related that originally Arthur had seemed invested in the resolutions, although he had indicated to Brain that he would appeal (which he never did). Arthur had seemed increasingly withdrawn towards the end of the trial, and had concerns about the financial portion of the resolutions, but had seemed to still be invested in the process.

Day 2

The second meeting was when Arthur first came before the Panel. The Panel, in earlier discussions, had realized that the essential question was why he had not completed the resolutions. However, once Arthur arrived, the issue quickly became sidetracked into a discussion of procedure. Arthur had particular concerns with the timeline of notification, and he wanted more time. Although some jurors expressed concern that the trial was moving forward without addressing Arthur’s procedural reservations, other members of the panel wanted to press on the issue of how Arthur could be surprised there was a trial when members of council had tried repeatedly to get in touch with him. At this point Arthur also expressed that he would have rather just had the issue go before the Deans. It was explained to him that this was not the type of issue that would go before the Deans. Arthur also brought up the issue of the posters of his face being posted around campus, an issue of confidentiality not resolved in the first trial. This led into a discussion of the delay of his abstract and Dean Baxter (co-chair of the Panel), not seeing it as an unreasonable request, said that she would strongly recommend a delay.

The conversation returned to issues of procedure. Everyone agreed that the confusion over the Joint Panel procedure was concerning and needed to be addressed. The Panel decided to reconvene the following day and use Joint Panel procedure. The group acknowledged that for Arthur, procedure was very important and the panel wanted to ensure that in the future everything was done according to procedure. However, the Panel also wanted to ensure that it didn’t get bogged down in issue of procedure.

Arthur decided not to attend the next meeting because he declared that Joint Panel procedures stipulate that he receive a letter from the dean of the college. When Dean

\(^1\) The correct Joint Panel procedure now appears in the Student Handbook
Baxter gave him a letter, he declared that it was insufficient because it came from a dean rather than the Dean of the College. At that point Arthur met independently with Dean Francine, the Dean of the College, to discuss the course of events. Arthur gave Dean Francine $400 and promised to bring the rest soon and begin work on his service hours. At that point they made plans for a future meeting. In an email sometime later, Dean Francine reiterated the desire of Council to move forward with the panel in order to resolve the breach of trust. A few weeks later, Dean Francine sent the official letter to Arthur, informing him of the Joint Panel. Keeping with Arthur’s wishes, the members of the panel were kept the same, with the exception of one juror who had to be replaced for scheduling reasons.

When the second panel was convened, it briefly discussed the proceedings, procedure, and schedule before Arthur arrived. When Arthur arrived, the panel asked the question that it had wanted to ask all along: “Why didn’t you complete the resolutions from your original trial?” Arthur replied that he was saving his money, but that parts of the resolutions were unfair. Members of the panel asked him why he hadn’t appealed if he was unhappy with the original trial. Arthur responded that five days wasn’t enough time to appeal, and after that point he didn’t know what to do. The panel tried to be clear that although it was unfortunate that Arthur had problems with the original trial, it was too late to address those. Arthur returned again to his concern about sloppy procedure, which the panel declined to further address.

Arthur pointed to his progress in paying $400 of the cost. He also suggested that because he did not have a very good relationship with Safety and Security that working with them would not be productive. He indicated that he was very busy and didn’t have time to do the community service hours as required by the resolutions of the original trial. He also thought that he could have the rest of the money by the end of the semester. Arthur had a real concern about his relationship with Facilities Management and was uncomfortable working the hours with them. He was also unsure about the resolution requiring a dialogue with Roger from Safety and Security.

**Deliberations:**

After Arthur left, the panel discussed a statement of violation for Arthur. After some deliberation it was determined that Arthur had indeed violated the Honor Code by failing to complete his resolutions. The Panel came to following statement of violation:

*Arthur violated the Honor Code by failing to complete the resolutions of his trial.*

When it came to discussion of resolutions there was a recognition among members of the panel that while the original resolutions were perhaps not ideal, it was not appropriate for this group to significantly change the original resolutions. Thus, the original resolutions became the starting point of the discussion. Given Arthur’s concerns about his relationship with Facilities Management, it was decided that instead of doing the 15 hours of service with Facilities that were intended to repay the time Facilities and Security had put in to repairing the door, he could just pay the cost of the labor ($375). Also, the group decided that forcing Arthur to talk with Roger from Safety and Security could be unproductive. Instead, the Panel made it a suggestion and also encouraged the presence of a mediating party in the hopes of making the dialogue more productive. The Panel
also decided that given Arthur’s behavior and refusal to complete his original resolutions that he should be separated until he completed his resolutions. Thus, the Panel came to consensus on the following tentative resolutions:

Arthur’s return to Haverford will be contingent upon completion of the following original trial resolutions (numbers 2, 3, and 4 in the original trial):

2. Arthur will submit a total payment of $870.20 to cover the cost of the door and lock.
3. Arthur will complete 15 hours of unpaid work at Facilities Management to match the hours of labor required to secure the room and replace the door.
4. Arthur will complete an additional 15 hours of community service at Facilities Management in order to repair the breach of trust with the community.

Given Arthur’s concerns regarding resolution number three he will have the option of paying $375 instead of completing the 15 hours.

Recognizing the concerns Arthur expressed about the following resolution (# 5 from the original trial):

5. Arthur will meet with Roger with the intention of working to repair the breach of trust with Safety & Security. The nature of the meeting will be determined by Roger.

The panel urges Arthur to discuss this matter with the Dean of the College. It is our hope that a mediated dialogue will occur with Roger before his graduation.

In addition, the Panel strongly urges Arthur to write a letter to the community that reflects upon his experience with this process (Resolution #1 in the original trial).

The tentative resolutions were sent to Arthur via email and a hard copy was delivered to his mailbox. He was also called and told that the tentative resolutions had been sent to him in the two formats. He was also informed that in a meeting two days later he would have the opportunity to respond to the resolutions with the jury. Arthur did not show up to the meeting. The Panel met without him (as permitted by Joint Panel procedures) and after making some small editing changes, came to consensus on the following final resolutions:

Arthur’s return to Haverford as a student will be contingent upon completion of the following resolutions (number two (2), number three (3), and number four (4) from the original trial):

2. Arthur will submit a total payment of eight hundred and seventy dollars and twenty cents ($870.20) to cover the cost of the door and lock.
3. Arthur will complete fifteen (15) hours of unpaid work at Facilities Management to match the hours of labor required to secure the room and replace the door.
4. Arthur will complete an additional fifteen (15) hours of community
service at Facilities Management in order to repair the breach of trust with the community.

The Panel understands your reservations regarding resolution number three (3) and will give you the option of paying an additional three hundred and seventy five dollars ($375) instead of completing the fifteen (15) hours.

The Panel recognizes the concerns Arthur expressed about the following resolution (number five (5) from the original trial):

5. Arthur will meet with Roger with the intention of working to repair the breach of trust with Safety & Security. The nature of the meeting will be determined by Roger.

The Panel urges Arthur to discuss this matter with the Dean of the College. It is the Panel’s hope that a mediated dialogue will occur with Roger before your graduation.

In addition, the Panel strongly urges Arthur to write a letter to the community that reflects upon his experience with this process (resolution number one (1) in the original trial). In lieu of this, the Panel would urge Arthur to express his concerns about the process to the Dean of the College.

The Panel informed Arthur of the final resolutions and of his right to appeal, which he chose not to exercise.

Questions:

1. Is conducting another trial an effective way to go about enforcing the completion of resolutions? Should the completion of resolutions be enforced?

2. What should happen when there are procedural errors? Did the Panel deal with the issue effectively?

3. Is it appropriate for students to be able to provide monetary compensation instead of doing the community service?